

A Comparative Analysis of the Labor Struggles in Selected Southeast Asian Countries

Virgel C. BINGHAY*

ABSTRACT

This paper traces the history of the labor struggles, within the past century, of Southeast Asian countries, particularly: Cambodia, Indonesia, Malaysia, Philippines, Singapore, and Thailand. Labor struggles in these countries have dynamism of their own, with many twists and turns. In general however, turning points in the history of workers' struggles in the region were influenced and shaped within the premises of transformations that took place over the years, which extend from internal (people's socio-political, economic, and cultural experiences) to external developments like globalization.

Among the greatest milestones in the history of labor struggle in Southeast Asia is the legitimization of the workers' struggle through the trade unions. It will however be unrealistic to claim that all had been smooth for trade movements in the region.

Today, recent developments like intense globalization, newer and more advanced technology, international labor migration, and more insidious and strategic forms of employee decollectivization – provide the new premises within which workers struggle have to continue. As the unilateral approach to labor struggle proves to be insufficient in addressing the plight of the workers, this paper

* Virgel C. Bingham, Ph. D. is Associate Professor, and CIPC Director (2003) of UP School of Labor and Industrial Relations; HR/IR Consultant; CP: 0917-8487428; E-mail: vcbinghay@ph.inter.net

culminates at evaluating a new strategy to reinvent labor relations: Will regional standardization be the strategy that will finally pave the way for the protection of the working class?

INTRODUCTION

This paper aims to provide a comparative overview of the history of the labor struggles in selected Southeast Asian countries. As this paper also attempts to offer an answer to the problems facing the workers in the region, the paper adopted certain variables to provide for definite points of comparison among the countries being studied. The idea is that although divergent, there is a commonality with the way workers struggle in the selected countries developed over the past century.

Poole (1986 in Bean, 1994) has developed four principles as a guideline for the comparative analysis of industrial relations phenomena: first, a focus on the environmental influences arising from societal structures and processes; second, a multi-disciplinary perspective that incorporates economic, political, and socio-cultural factors; third, emphasis on explanatory variables rather than descriptive categories; and lastly, the importance of utilizing both historical and contemporary dimensions.

With this in mind, each country is provided with an overview of its historical and socio-political conditions, economic policies and conditions over the years, developments in labor and industrial relations policies, and the effects of the former variables to the workers struggle. A brief discussion on the similarities in experiences of the countries follows after this. The paper culminates at emphasizing the potential value of regional cooperation of workers and unions in bolstering the power of labor struggle to protect worker's rights and concerns.

LABOR AND INDUSTRIAL RELATIONS ACROSS SOUTHEAST ASIA

1. Cambodia

1.1. Contextual Overview: Historical and Socio-political Context

The Cambodian Communist Khmer Rouge forces captured Phnom Penh in 1975 and ordered the evacuation of all cities and towns. Over one million people died of malnutrition and of executions and forced hardships within the Khmer Rouge movement. A 1978 Vietnamese invasion overran Khmer Rouge, leading to the establishment of Vietnamese style republic. The communist movement was driven to the countryside and began guerilla resistance. UN peacekeeping officials arrived in Cambodia in 1992, helped disarm the warring factions, and sponsored elections in 1993. Sihanouk took the oath as a constitutional monarch in September that year and named Ranariddh as the first prime minister. A coalition government, formed after national elections in 1998, brought renewed political stability and the surrender of remaining Khmer Rouge forces in 1998.

1.2. Contextual Overview: Economic Context

In the late 1980s, Cambodia changed its centrally-planned economy in the Khmer Rouge regime to a market oriented one, a trend which is envisioned to eventually lead Cambodia towards industrialization (Rong, 2000).

After decades of war, it is still in the phase of coping with many difficulties and is still considered to be one of the poorest countries in the world (Rong, 2000). In spite of the recent progress, the long-term development of the economy remains as a daunting challenge as the population suffers from low levels of education and productive skills, most especially in the rural area, which suffers from an almost total lack of basic infrastructure (CIA, 2003).

Cambodia is a predominantly agricultural country with around 80 percent of the estimated 6 million labor force still depending on agriculture and its related sub-sectors.

1.3. Development of Labor and Industrial Relations Policies

As Cambodia moved from centrally planned economy to a free market, it was encountering difficulties in the establishment of a sound labor base for its several sectors (Rithy, N.D.). Parallel to the relative growth in investments and employment also came many labor violations (Rong, 2000). Problems regarding unpaid

salaries, no set legal minimum wage standard, and poor working conditions have pressured Cambodia to confront industrial relations issues ahead of time (Rithy, N.D.).

The country then adopted key structural adjustments. These changes were capped by the adoption of a new labor law in 1997, which amended the labor law enacted in 1992, to conform to labor standards established by international conventions. The new labor law mandated the government to safeguard workers' rights to self-organization, collective bargaining, and the right to strike.

1.4. Effects on Labor Struggle

From 1979 to 1993, Cambodia had only one union federation in the country, which was controlled by the government and was established more like a mass-movement where all workers were members (Rithy, N.D.). The state-controlled federation of unions affiliated to the Communist-based World Federation of Trade Union during the said period.

Following the inauguration of new labor law, the Free Trade Union of the Kingdom of Cambodia was established and succeeded in some of its demand for improvements in working conditions (Rithy, N.D.). Rithy (N.D.) reported in a conference in 2002 that there were 11 federations and more than 200-factory unions in the country. The International Confederation of Free Trade Unions, on the other hand, reported in 2003 that there were around 220,000 unionized workers in Cambodia, in spite of possible overlapping membership at the plant level.

Rong (2000) generally described that industrial peace prevails in Cambodia, despite the widespread violations of labor standards. High unemployment and underemployment rates, according to him, depressed wage rates and in spite of this, industrial relations have been really cooperative, where organized labor are relatively tame in their demands and means of action in the name of economic recovery and development.

Rithy (N.D.) however reported that as the labor law has encouraged the formation of trade unions, recent months have witnessed trade union-initiated actions in the garment industry demanding for improvement in wages and working conditions. Most

of the complaints of workers relates to low wages, incorrect payment, long working hours, abusive treatment by employers, illegal dismissal and poor health and safety in workplaces.

Rithy (N.D.) provided a list of the major concerns facing workers in Cambodia. This includes: persistence of anti-unionism and discrimination, incorrect payment of wages and salaries, very short labor contract, poor working conditions, workers being forced to work overtime, non-recognition of trade union by employer, multiplicity of unions, unions are still divided because of political influence and weak relationship between social partners, problems related to law enforcement, absence of a labor court, unclear interpretation of labor law, and complaints by labor inspectors of lack of staff, equipment and training. With the trade unions situation in the country fledgling, the need for many workers and workers organizations of training and assistance in the establishment of strong, independent, and democratic trade unions that can undertake responsibilities of protecting the rights and promoting the interests of workers is also emphasized by Rithy (N.D.).

2. Indonesia

2.1. Contextual Overview: Historical and Socio-political Context

Indonesia, the world's largest archipelago, was occupied by the Dutch for a long span of time. A nationalist movement grew in the country in the 20th century especially during the Japanese occupation in 1942 to 1945 after which Indonesia was proclaimed a republic under the leadership of Sukarno. Active Dutch opposition continued until 1947 and in 1949, the United States of Indonesia was officially recognized. In 1950, Indonesia once again became a republic in union with Netherlands. This union was rescinded in 1956 and Indonesia's debt to the Netherlands was repudiated. The country's constitution was modified in 1960 to give the President very wide powers. General Soeharto became the president in 1968. The 1997 Asian economic crisis helped fired up reformists' emotions to topple President Soeharto from his three-decade of authoritarian rule.

2.2. Contextual Overview: Economic Context

Since the mid-1980s, deregulation and market liberalization have progressed rapidly in Indonesia which resulted in the expansion of employment opportunities, the capacity to generate income, and the opportunity to negotiate better working conditions (Edwards, 1996).

Indonesia was able to make a leap out of an agriculture-based economy to a more diversified economy that includes labor-intensive manufacturing, and self-employment in urban services (Edwards, 1996). The agricultural sector, however, prevails to be the biggest employer, absorbing 45 percent of the 99 million labor force in 1999, followed by service sector with 39 percent and industries with 16 percent (CIA, 2003). Indonesia is also still facing severe economic development problems arising from secessionist movements and the low level of security in the regions, the lack of reliable legal recourse in contract disputes, corruption, and weaknesses in the banking system (CIA, 2003). With this resulting to a low level of investor confidence for the country, economists are pessimistic that enough jobs will be created for the millions of people entering the job market each year. The country's unemployment rate is at 10.6 percent high in 2002 (CIA, 2003).

2.3. Development of Labor and Industrial Relations Policies

This chapter draws heavily from the discussion of Edwards (1996) about the Indonesian experience on labor and industrial relations. Edwards (1996) noted that just like the country itself, industrial relations in Indonesia are in a state of transition. For over three decades, the government strictly controlled industrial relations with the primary aim of appeasing investors and attracting business into the country. However, with the fall of Soeharto and the advent of greater democratization in the country, industrial relations have become increasingly decentralized.

Edwards (1996) reported that generous statutory rights in Indonesia were established in the early 1950s, which included 40-hour working week and the right to menstruation leave and maternity leave for women. Laws had also been passed by the mid 1950s to regulate the procedures and compensation for industrial accidents, labor inspections, child and female work, the

right to form unions and bargain collectively, and put restrictions on the right of employers to dismiss workers without prior government approval.

In 1957, anti-strike measures in vital industries and for all public sector employees were introduced (Edwards, 1996). The New Order government allowed only one official federation of trade unions — the Indonesia Labor Federation, now SPSI (Tolentino, N.D.). Edwards (1996) noted that since this period, "labor policy in Indonesia has been centered on the key objective of preserving stability and creating jobs while avoiding labor unrest".

The Ministry of Manpower had the initial responsibility for mediating labor disputes. Tripartite committees at the regional level and at the national level handle the mediation process for any differences that cannot be resolved by local manpower officials. With this, Edwards (1996) noticed that in real sense, the generous statutory rights provided for the workers "coexisted with controlled representation and government intervention in dispute resolution". Meanwhile, the economy grew, as a result of the deregulation process that began in the 1980s. The rapid expansion of manufacturing exports led to the expansion of wage employment, and this has also set the stage for greater scrutiny of violations of ILO labor standards, and greater pressure on government to respond to such criticisms (Edwards, 1996).

Apart from the mounting pressure on the international front to raise labor standards, Edwards (1996) cited two additional factors which added a sense of urgency to address labor policy concerns:

First, the civil rights movement sees increasing worker's rights as a way to advance human rights. Second, Indonesian policymakers perceive that the benefits from economic development have not been sufficiently shared by workers. The government reacted by increasing workers' statutory rights and by removing obstacles to the setting of enterprise unions, further increasing the strength of... voice and representation... Minimum wages doubled in real terms between 1988 and 1995.

2.4. Effects on Labor Struggle

As a result of the nation's newfound "euphoria of democracy" labor unions now have greater clout. New pressures have also arisen with the intensive groups pressing demands for higher wages and more favorable employment conditions.

Indonesia also continues to rely on relatively low-skilled, intensive production while there is now stronger competition from other countries that can offer a similar investment environment but with even lower wages. Moreover, there has been little success in technological transfer and so with the strategic industries set up by the state to supposedly help stimulate more complex manufacturing in the country.

Alleviating poverty persists as among the greatest problems facing the nation. The country's economic growth is not able to accommodate the millions of new people entering the job market each year and although some improvements have been achieved over the past years, the economy has not yet recovered sufficiently to start generating anything close to the number of jobs urgently needed. It is believed that increases in workers' statutory rights and minimum wages are depressing job creation and the "job losses" as a result of the rise of minimum wages are only exerting additional pressure on the already overburdened informal sector.

3. Malaysia

3.1. Contextual Overview: Historical and Socio-political Context

Malaysia was formed in 1963 through a federation of Peninsular Malaysia [the former British colonies of Malaya], Singapore, and the two states of Insular Malaysia [Sabah and Sarawak on the northern coast of Borneo]. Singapore, however, seceded from the federation in 1965.

There are three main racial groups in the country: Malay, Chinese, and Indian. Malays make up the largest group, followed by Chinese and Indians, respectively. The system of governance is parliamentary democracy and constitutional monarchy.

3.2. Contextual Overview: Economic Context

Navamukundan (N.D.) noted that the significant impact of the British colonial government is in the rapid development of the primary industries in the economy: the rubber plantation and tin mining. The British, through both formal and informal systems of labor migration, brought in labor for these industries and for the development of their infrastructures, primarily from India and China.

These immigrant laborers were confined to specific industries: Chinese at tin mining and Indians at rubber plantations. Navamukundan (N.D.) explained that it was a deliberate policy of the colonial government to separate ethnic groups to specific industries and levels in the hierarchy of the enterprises to prevent the solidarity amongst the working class population. Malays, on the other hand, although have always formed the largest ethnic group in the country, were left out of economic mainstream during the colonial period and were largely confined to work as farmers and fisherman (Ayadurai in Deery and Mitchell, 1993).

Shortly after the colonial period, Malaysia sought to diversify its economy from its two primary industries of rubber and tin. The state's economic policy in 1957 to 1970 focused on the development of infrastructure and the rural sector; industrialization was left to the private sector as the state restricted itself to the creation of a climate attractive for foreign investment in import-substitution industries (Kuruville in Frenkel and Harrod, 1995). In 1968, following the withdrawal of Singapore from the Federation of Malaya, the government turned its attention into attracting foreign capital with new measures including the introduction of tax concessions and establishment of free trade zones.

Kuruville (in Frenkel and Harrod, 1995) explained that such market-led approach led to the strengthening of the economic position of the Chinese and Indians relative to the Malays. This relative economic stagnation of the Malays, according to Kuruville (in Frenkel and Harrod, 1995), resulted in Malaysian politics becoming increasingly polarized along ethnic lines during this period.

Thus, in 1971, the government declared that its key objective was national unity (Ayadurai in Deery and Mitchell, 1993). The country then unveiled a New Economic Policy or NEP, designed to facilitate the achievement of certain national objectives and was to be implemented through four five-year economic plans from

1971 to 1990 (Ayadurai in Deery and Mitchell, 1993). NEP objectives include the eradication of poverty among all Malaysians and the restructuring of the Malaysian society to correct economic imbalance (Ayadurai in Deery and Mitchell, 1993).

The strategy emphasized redistribution via growth in output and employment — to increase the ethnic distribution of the workforce in proportion to the ethnic distribution of the population and to increase the Malay's share of corporate ownership (Kuruvilla in Frenkel and Harrod, 1995). Kuruvilla (in Frenkel and Harrod, 1995) emphasized the direct government intervention for the first time since independence, particularly the increasing control over the private sector via regulation and direct investment, and the immense economic implications of such government intervention. Government revenues were poured in the furtherance of NEP goals, including the buying of shares in entrepreneurs for the Malay people, on the presumption that private sector investment would continue as before (Kuruvilla in Frenkel and Harrod, 1995). Private and foreign investment however halted at investing, resulting in a "major resource crunch" (Kuruvilla in Frenkel and Harrod, 1995).

Kuruvilla (in Frenkel and Harrod, 1995) explained that the resource crunch drove the government to articulate a mixed policy:

On the one hand, the government launched a massive campaign to encourage private and foreign investment during the 1977 to 1980 period. Policies emphasized investment incentives, the development of infrastructure facilities, and numerous tax, labor, and other incentives... On the other hand, the state increased its involvement in the development of heavy import-substituting industries... The continued failure of the initial state-led policies to achieve economic power for Malays led to further pressure from Malay nationalists to increase ownership by Malays.

Thus, Dr. Mahathir Mohammed's government launched a heavy industries policy or HIP geared to achieve the two-fold objectives of accelerating industrial growth and improving the economic positions of the Malays (Kuruvilla in Frenkel and Harrod, 1995). Another shortage of revenues however took place brought about by the government's involvement in NEP and the HIP policies

which led the government to focus on the development strategy of a more export-led industrialization (Kuruville in Frenkel and Harrod, 1995). It encouraged the cutting back in public spending, including the privatization of various public sector industries, and so with simplifying bureaucratic controls, increasing investment allowances and incentives, and reducing corporate and development taxes (Kuruville in Frenkel and Harrod, 1995). This has resulted to the impressive growth rates of Malaysia over the years.

Meanwhile, Parasuraman (2001) noted that the IR policies of the nation also changed according to the economic development that took place. Navamukundan (N.D.) noticed that the "development strategies of the nation demanded a high level of discipline in industrial relations especially with regards to establishment of trade unions, procedures for collective bargaining and settlement of industrial disputes".

3.3. Development of Labor and Industrial Relations Policies

The current legislation governing industrial relations has its origins in the colonial period such that the "control culture" of the colonial period continued up to the present times to suit the needs of the development policies of the nation (Navamukundan, N.D.).

Ayadurai (in Deery and Mitchell, 1993) accounted that labor legislation was first enacted over 120 years ago to regulate the employment of Chinese and Indian laborers but it was not until 1940 that laws were introduced to regulate trade unions and disputes. By this time the immigrant labor force has already formed the first trade unions which quickly became subjects to communist influence, particularly the Malayan Communist Party (Ayadurai in Deery and Mitchell, 1993).

Because of the threat of infiltration by agents of the Malayan Communist Party, the colonial government took firmer action against trade union militancy, and set the stage for increased regulation and supervision of trade union activity. Emergency Regulations were introduced in 1948 to control the communist hold to trade unions (Parasuraman, 2001).

However, with the growth of union membership following independence in 1957, the state set to adopt "more permanent and equitable regulatory institutions" (Parasuraman, 2001). The

two principal legislation governing industrial relations and administration are the Trade Union Act of 1959 and the Industrial Relations Act of 1967. There is also the Employment Act of 1955 which provides for the minimum benefits in employment for workers. Trade Union Act 1959 ensures that workers and employers have the right to form trade unions while IRA formalized collective bargaining and provided arbitration machinery.

Since their introduction, these primary laws have already been amended in significant ways. Kuruvilla (in Frenkel and Harrod, 1995) generally described the industrial relations policy during the 1950s to 1977 as restricted pluralism, where in the government believes the need for workers to have some degree of fair and humane treatment but it also upholds the view that "economic development goals had supremacy over unfettered union rights". As the economy became more dependent on foreign investment for the growth of its manufacturing and export sectors, Kuruvilla (in Frenkel and Harrod, 1995) observed that Malaysian industrial relations policies transformed from controlled pluralism to repression.

Ayadurai (in Deery and Mitchell, 1993) explained that the gradual hardening of the labor laws in the last two decades, from 1970 to 1990, can be attributed to two factors: an underlying concern with internal security, and a desire to create a stable industrial relations environment conducive to foreign capital investment. Ayadurai (in Deery and Mitchell, 1993) further raised that the amendments to the TUA and the IRA since the 1970s exhibit a "trend towards greater government control over trade union movement and the conduct of industrial relations in general".

3.4. Effects on Labor Struggle

The industries of tin mining and rubber plantation during the British Colonial Period were based on the exploitation of land and human resources: the immigrant laborers were treated with strict control, made to operate under poor working conditions, and paid with low wages in spite of long hours of work (Navamukundan, N.D.). Concern for the welfare and quality of life of the workers emerged from the various ethnic group leaders and these sowed the seeds for working class struggle for basic human rights and dignity of labor (Navamukundan, N.D.). From these concerns emerged trade unionism which was based on ethnic groups struggling for basic human rights of better wages and improved working and living conditions.

Meanwhile, the policies governing industrial relations introduced following the independence of the country, especially with the subsequent amendments made, had the general effect of controlling and weakening trade union power. Trade unions have become fragmented and small, resulting in organizational financial weaknesses that in turn limit their ability to organize and to represent their members in effective ways (Kuruville in Frenkel and Harrod, 1995). Industrial relations in Malaysia are characterized by tight government supervision such that the government is the dominant actor in industrial relations. In general, it is discernable that the labor and industrial relations policies of the government are shaped accordingly on the country's vision of economic development, particularly the achievement of "industrialized nation status".

As a result, workers, especially in terms of their standards of living, have not had enough share of the economic growth of the country. Labor legislation on minimum standards has also been sluggish for two decades. Noting the General Secretary of the Malaysian Trade Union Congress, Mr. Rajasekaran, Tolentino (N.D.) wrote that in the name of globalization and competition, powerful corporations in the country, both foreign and national, have restricted the growth and influence of trade unions, weakened collective bargaining, expunged well-established minimum standards, blocked minimum wage legislations, and played significant role in flooding the country with foreign workers.

As of the year 2000, there were 563 registered trade unions in Malaysia, covering 734,037 or 8 percent of the estimated 9.19 million labor force. There were 324 existing Collective Bargaining Agreements that same year, covering 66,150 or 0.72 percent of the labor force (See Table 1).

Table 1. Trade Unionism in Malaysia, 2000

Existing Trade Unions	563	Total Membership	734,037
Private	351		422,299
Public	127		236,524
Statutory bodies / Local authorities	85		75,214
Existing CBAs	324	Workers covered	66,150

Sources: Malaysian Trade Union Congress Treasury, Economic Report, various issues. Department of Trade Unions Affairs, Ministry of Human Resources

4. Philippines

4.1. Contextual Overview: Historical and Socio-political Context

After three centuries of colonization from Spain, the Philippines was ceded to the US in 1898 following the Spanish-American War. During the American rule, the Filipino people were granted the opportunity to govern themselves, specifically under the Tydings Mc Duffie Law of 1934, establishing the Commonwealth of the Philippines. A Constitution was thus promulgated [in 1935], patterned after the American model of parliamentary government. A short Japanese invasion took place in 1942 to 1945. The country attained its full independence from the United States in 1946, thus establishing the Republic of the Philippines.

Ferdinand E. Marcos became president in 1965 and declared Martial Law in September 1972. A year after the Martial Law declaration, a new constitution was promulgated, replacing the bicameral system with an Interim National Assembly. Martial Law period was marked by rampant violation of human rights and suspension of many democratic institutions and processes, including trade union activism.

Martial Law was lifted in 1981 and a period of relative stability prevailed in spite of the persistence of human rights violations. However, with the assassination of Senator Benigno Aquino, Jr. in 1983, there followed a period of unrest, violent protests and demonstrations which culminated in the popular EDSA revolution in 1986, finally ending the two decades of Marcos regime. This revolution ushered in a new era in Philippine politics as Mrs. Corazon Aquino, widow of the late Senator Aquino, became the President of the Republic through a popular mandate.

The Philippine government then began to rebuild the democratic institutions and processes that had been suspended during the authoritarian regime. The Aquino government promulgated a new constitution — the Constitution of 1986 — and reinstated a tripartite form of government consisting of executive, legislative, and judicial branches.

A new president was elected in 1992 elections in the name of President Fidel Valdez Ramos, known for his ambition for the Philippines to become an industrialized country. In January 2001, the Supreme Court declared Joseph Estrada, who was elected in the 1998 elections, unable to rule in view of mass resignations from his government and massive protests and demonstrations [that culminated in another popular EDSA revolution], and administered the oath of office to Vice President Gloria Macapagal-Arroyo as his constitutional successor.

4.2. Contextual Overview: Economic Context

The Philippines is a highly agricultural country, with around 38 percent of the 30 million employed labor force working in agricultural sector in 2002 as reported in the Philippine Labor Force Survey. The industry sector has experienced quite rapid growth starting from the postwar era, although it remains substantially behind agriculture and service sector as an employer of labor, with the latter now accounting for around 47 percent of the employed labor force.

Prior to the American invasion, the Spanish colonial government made some small efforts to introduce the onset of capitalism although this was confined to trade and banking export of cash crops for the increasing needs of industrialized countries, and small enterprises (Binghay, 2001). The American strategy did not differ much, only that it transformed the Philippine economy into a trade, labor, and raw materials source for the needs of the capitalist countries (Binghay, 2001). This resulted into a mixed economy — one characterized by rampant feudalism [on the countryside] and one introduced with wage relations and capital (Binghay, 2001).

The Philippines became fully integrated into the capitalist hegemony in the postwar era with the introduction of import substitution, export-oriented industrialization in the economy (Binghay, 2001). Teodosio and Perete (1998) reported that while the country has embarked on an import-substitution industrialization from the mid-1940s to the 1960s, the more recent decades have witnessed the state intensifying its campaign to restructure the economy in accordance with its focus on an export-oriented industrialization strategy. During the more recent decades, the state deliberately pursued trade and investment liberalization, structural reforms,

deregulation programs, and the privatization of government owned and controlled corporations to attain macroeconomic stability and enhance the country's economic position.

4.3. Development of Labor and Industrial Relations Policies

The period of Spanish colonial rule was marked by the lack of specific industrial relations or labor policies. During the American rule, the Bureau of Labor was established [in 1908] to protect the commercial development of American business and to subdue the rising militancy of the nascent trade union movement in the Philippines (Binghay, 2001). It is important to note here the oppressive intent of the state in establishing this arm of the colonial government — the bureau was organized under the jurisdiction of the Department of Commerce and Police and the Spanish code of commerce and civil code registration of labor was retained (Binghay, 2001). The American authorities considered labor unionism as subversive and arrested and imprisoned many union leaders (Jimenez in Deery and Mitchell, 1993). There were however laws passed on minimum standards particularly on workers' compensation, and on female and child labor, although there were few effective means to enforce them (Jimenez in Deery and Mitchell, 1993).

The establishment of the Philippine Commonwealth in 1935 and the formation of an all-Filipino government marked the beginning of a period of government intervention in labor relations. The Commonwealth leadership of Manuel L. Quezon launched the Social Justice Program which supposedly contained "new laws" such as the Commonwealth Act of 1936, the 8-hour law, and the law on the right to organize.

The Commonwealth Act created the Court of Industrial Relations, which was empowered to set the terms of employment for the Filipino workers and intervene in any disputes between landlords or employees and tenants. Jimenez (in Deery and Mitchell, 1993) noted that the particular reason behind the adoption of compulsory arbitration in the country was the escalating level of industrial and social unrest that was surrounding the country and causing serious sabotage in production in many of the rice and sugar plantations. This system of compulsory arbitration initially worked well, but the increasing number of cases presented to the court brought about large backlogs and delays in the resolution of disputes such that by the early 1950s, the machinery has proven

itself incapable of providing protection for labor (Jimenez in Deery and Mitchell, 1993).

Meanwhile, there persisted the stream of communist-influenced labor movements and this disposed the government to confront the problem head on. "Accommodation, not coercion" became the state's strategy, leading to the passage in 1953 of the Industrial Peace Act (Binghay, 2001). Otherwise known as the Magna Carta of Labor and was essentially aimed to disassociate unions with subversive ideologies, the new Act provided for the protection of employee's rights to organize and to bargain collectively, and prescribed certain unfair labor practices. The registration of trade unions was simplified and the investigation of union activities by a police agency prior to its registration was abolished (Jimenez in Deery and Mitchell, 1993). Compulsory arbitration was maintained only for the types of disputes that put forth effects on minimum wages and essential industries (Jimenez in Deery and Mitchell, 1993). Nevertheless, the Court of Industrial Relations was retained to exercise jurisdiction over unfair labor practices and violations in the labor code concerning union regulation (Jimenez in Deery and Mitchell, 1993).

Various other social measures were also introduced like the Minimum Wage Act of 1951, the Social Security Act of 1954, the Workmen's Compensation Act of 1955, and so with the Agricultural Land Reform Code of 1963.

The declaration of Martial Law in September 1972 ushered another era in the features of industrial relations in the Philippines. The Constitution of 1973 guaranteed the basic rights to self-organization and collective bargaining, but excluded government employees from unionization. The government religiously resorted to "labor laws of accommodation" with the general consolidation of all of the laws relating to trade unions, collective bargaining and dispute settlement, minimum wages and labor standards in the form of the Labor Code of 1974. The Court of Industrial Relations was abolished and the National Labor Relations Commission was constituted. Unionism and collective bargaining under voluntary and compulsory arbitration of disputes were promoted under the commission. The right to strike and to engage in other forms of direct action were banned under the Martial Law. Tripartism, where the government is the dominant actor in industrial relations, became the main characteristic of the system (Binghay, 2001). To further strengthen the government's hold on

unionism, a center for trade union activities was established — the Trade Union Congress of the Philippines (Binghay, 2001). Surprisingly, with the rebuilding of democratic institutions and processes under the leadership of President Corazon Aquino beginning 1986, the new government's approach to industrial relations did not differ substantially from that pursued by the replaced administration. A notable development however took place with the formulation of a new Philippine Constitution that same year. The Philippine Constitution [of 1986] guaranteed the right to self-organization, collective bargaining and the right to strike — including the restoration of the rights of government employees to form unions. Three years after President Aquino, and it can still be contested that not much reforms in the front of labor have been enforced

4.4. Effects on Labor Struggle

Forms of labor action in the Philippines date back as early as the Spanish colonial administration as a response to the heightening exploitation and oppression of Filipino working class under the feudalist economy. Associations of workers were formed during the period, although these were mostly mutual aid and benefit societies and carried out few activities normally associated with trade unionism (Jimenez in Deery and Mitchell, 1993).

Amidst the backdrop of the enforcement of the capitalist mode of production in the feudal economy by the American colonialists, emerged craft guilds that were to be the bases of nascent form of trade unionism in the Philippines. Consolidated in 1902 under Isabelo delos Reyes, the Union Obrera Democratica Filipina was established to mark the first trade union ever recorded in the Philippine history. The laws and ways of governance adopted in the Philippine colonial setting during the American period provided a semblance of recognition of the working class, but gave little relief to their miserable conditions.

Unions continued to grow in the newly established industries during the import-substitution phase of the Philippine development (Kuruvilla et al, N.D.). While the colonial period saw the rise of militant unionism, the post-war era saw the flourishing of "economic unionism" in the country, although this did not in anyway diminish the progressive actions of trade unions committed to higher goals aside from economic.

However, with the accession of President Marcos and the consequent imposition of martial law, harsh restrictions were placed on union actions. Kuruvilla et al (N.D.) pointed that "the Martial Law period also contributed to the fragmentation of an already fragmented labor movement, with several federations... in opposition against the Trade Union Congress of the Philippines, which Marcos supported".

Kuruvilla (et al, N.D.) further noted that although many labor laws were restored after the martial law period, unions, already weakened by fragmentation, still had to confront "an export-oriented industrialization policy based on the competitive advantage of low labor cost". The restructuring in the economy especially in the 1990s [in accordance with its export-led industrialization strategy and full integration into the global economy], further weakened the labor movement. To be globally competitive, employers adopted greater flexibility in terms of labor utilization, which comes in the form of outsourcing, labor subcontracting, changing work hours, and hiring of casual, part-time, temporary and contract workers. The tendency of firms to adopt anti-union practices has also been discernible.

Statistics [from the Department of Labor and Employment] show that there were 11,365 trade unions in the year 2002, covering 3.914 million or 11.53% of the 33.936 labor force. There were 2,700 existing Collective Bargaining Agreements that same year, covering 528,000 or a mere 1.76 percent of the labor force.

5. Singapore

5.1. Contextual Overview: Historical and Socio-political Context

Singapore was founded as a British trading colony in 1819. In 1824, it was ceded to the British East India Company and two years later it was established as part of the Straits Settlements. A three-year Japanese occupation took place from 1942 to 1945, after which Singapore became a separate British colony. It subsequently gained internal self-government in 1959. It joined the Malaysian Federation in 1963 but separated two years later and became fully independent. Since independence, Singapore became one of the world's industrial and financial power with

strong international trading links, its port being one of the world's busiest, and with one of the world's highest standards of living.

5.2. Contextual Overview: Economic Context

Legget (in Deery and Mitchell, 1993) accounted that Singapore's national economic development program commenced in the early 1960s. With the recommendations of a United Nations Technical Commission in 1961, "Singapore began to exploit its position, natural harbour, commercial heritage, and diligent population to solve its chronic unemployment problem by industrializing through labor-intensive and export-oriented manufacturing" (Legget in Deery and Mitchell, 1993). Singapore's Economic Development Board [EDB] set on courting government infrastructure development and foreign investment, and this successfully [and rapidly] transformed the country from a stagnating economy into "a modern manufacturing-service economy" (Begin in Frenkel and Harrod, 1995) "so that by 1971 Singapore had attained full employment" (Legget in Deery and Mitchell, 1993). Begin (in Frenkel and Harrod, 1995) described this period in the economy of Singapore to be the First Phase of Industrialization, where labor-intensive industries were brought in to take advantage of low-cost but low-skilled labor. All this resulted into an almost unprecedented economic expansion and improvement in the standard of living for the people of Singapore.

In 1979 the government began to undertake a major restructuring of the economy to evolve into a high technology industrial structure. It became apparent to the government that labor-intensive industry was not going to maintain or improve the standard of living of the people in the country, in part because of labor shortages (Begin in Frenkel and Harrod, 1995), and in part because Singapore began to lose its competitive advantages to other developing countries that had lower wages. Begin (in Frenkel and Harrod, 1995) described this period to be the start of Singapore's Second Phase of Industrialization. The EDB actively encouraged foreign companies to use Singapore as their "Total Business Center". Foreign investment therefore has been and has remained crucial to the country's economic development, and "an array of incentives, including tax concessions for pioneer industries and export-oriented firms are offered selectively to potential investors" (Legget in Deery and Mitchell, 1993). Joint ventures between foreign and local investors are also encouraged

especially when they involve high technologies (Legget in Deery and Mitchell, 1993).

5.3. Development of Labor and Industrial Relations Policies

To attract the foreign investment needed to expand its economy, Singapore, at an early point in its development, has sought to develop a stable industrial relations system (Begin in Frenkel and Harrod, 1995). The strategy of the government in achieving this has been to bring together representatives of labor, employers, and government on decision-making. The leaders of the People's Action Party [PAP], the dominant political party since the country's independence, then founded the National Trade Union Congress [NTUC] in 1961 as a substitute for communist-influenced union organizations and integrated it into government decision-making (Begin in Frenkel and Harrod, 1995).

Begin (in Frenkel and Harrod, 1995) noted that with the support of the NTUC, the government passed a substantial body of legislation to regulate the industrial relations system — the Industrial Relations Act and the Employment Act, both enacted in 1968, were among the most important of these. These laws generally sought to limit strikes and the scope of collective bargaining, and to encourage peaceful resolution of disputes. A number of tripartite councils were also established by the government to regulate industrial relations issues, and union officials held important positions in these offices. One of these is the National Wages Council, which is said to be responsible for the "wage stability" in Singapore.

While Singapore is now on its Second Phase of Industrialization, Kuruvilla and Erickson (2002 in Kuruvilla et al, N.D.) noted that the country's industrial relations system has not experienced any fundamental change; "the basic contours of the system remained quite stable since the 1970s", characterized by a tripartite decision-making, especially on wages. The successful tripartism in the country can be attributed, in large part, to the close ties between the ruling party [PAP] and the unions [NTUC].

Kuruvilla et al (N.D.) however pointed out that some institutions and rules reflected the logic of competition, where there are the outward-looking development and competition strategies associated with foreign trade and investment. Thus, Kuruvilla et

al (N.D) concluded that Singapore's "institutional environment provided employers with both stability and flexibility at the workplace, while unions remained content with their voice at the national level".

5.4. Effects on Labor Struggle

Then and now, the voice of unions at the national level has enabled them to influence government policies such that workers are conferred with enough employment and income protection. Kuruvilla et al (N.D.) cited as an example the successful minimization of lay-offs during the Asian financial crisis as a result of tripartite agreement where employers were provided financial relief through an agreement of temporary reduction in their contributions to the Provident Fund System, a government run retirement benefits.

Further, Singapore has notably made training and retraining its top agenda as it shifted its priority from employment security to "employability." Funded by the government and the NTUC, Singapore launched the Skills Upgrading and Certification Program which enables workers, especially the older and less skilled workers who have not been able to keep pace with changing technology, to remain employable through the Skills Redevelopment Program. Tolentino (N.D.) cited that there are also the Seamless Union Membership program where unions try to keep their members despite leaving employment or to transfer membership from one union to another, and the Leadership Development Program that aims to develop and to identify potential union leaders.

Kuruvilla et al (N.D.) cited the emerging revitalization strategy of Singaporean unions to be more relevant in their members' personal lives in order to retain member commitment in response to the challenges entailed upon the integration of the world economy. One of these is the provision of welfare benefits for members such as "lower priced textbooks for members, union owned cooperative stores and union sponsored health insurance" (Kuruvilla et al, N.D.). Unions have also embarked more recently on establishing cooperation with employers for an improved health insurance for workers, and "to contribute to community development through fund raising, volunteerism, and providing education grants to needy families" (Wong 2000 in Kuruvilla et al, N.D.).

Kuruvilla et al (N.D.) noted that Singapore unions have not witnessed any sudden decline in union density that other Asian

countries faced in the 1990s; data instead show a steady decline in unionization over the years that is consistent with the shift in employment from industry to services. As of December 2003, there were 70 employee trade unions in Singapore, and one federation of trade unions which is the NTUC. The NTUC had 63 trade unions and 4 associations affiliated to it as of December 2002, covering 400,000 members of the 2.1 million total work force of Singapore.

6. Thailand

6.1. Contextual Overview: Historical and Socio-political Context

Known as Siam until 1939, Thailand is the only Southeast Asian country known to have never been conquered by a European power. A bloodless revolution in 1932 resulted in a constitutional monarchy. As with the rest of the Southeast Asian countries, Thailand was occupied by the Japanese during the Second World War, from 1941 to 1945. Another coup d'état in 1951 took place, which led to the restoration of the 1932 Constitution. Another disturbance came in 1957 with the military coup by General Sarit Thanarat. The military government was overthrown in 1973 and democracy was established, but the military took over again in 1976. A junta seized power in 1991 and elections were held a year after. Since the 1992 elections, Thailand has been a functioning democracy.

6.2. Contextual Overview: Economic Context

Traditionally, Thailand's economy has been highly agricultural. Since the 1960s however, there has been a steady growth in industry and service sectors of the economy. Given this, roughly 55% of Thailand's present labor force is still employed in the agricultural sector where rice is the most important crop. Thailand is a major exporter of rice in the world market.

Manusphaibool (in Deery and Mitchell, 1993) accounted that the thrust for industrialization in Thailand may be traced back to the regime of General Sarit Thanarat, which began in 1958 with the overthrow of Thailand's constitutional government. General Sarit's government advocated the strategy of import-substitution

industrialization, protecting and encouraging domestic manufacturing through tariffs and other import controls (Manusphaibool in Deery and Mitchell, 1993). The government then supported the development of such industries as textiles, glassware, batteries, medical supplies, cement, petroleum products, motor vehicles, electronics, and electrical appliances (Manusphaibool in Deery and Mitchell, 1993). In the early 1970s, the country experienced growing problems with trade deficits and this induced the government to partially switch its economic strategy to export-oriented industries and the creation of environment conducive for foreign investment (Manusphaibool in Deery and Mitchell, 1993). This disposed the government to adopt trade liberalization programs so as to gain competitiveness and access to foreign markets.

Thailand today is essentially a free enterprise economy and welcomes foreign investment. Computers and other high-technology products such as electrical appliances, and vehicles are now leading Thailand's strong growth in exports. After enjoying the world's highest growth rate for a decade [from 1985 to 1995] — averaging at almost 9% annually — increased speculative pressure on Thailand's currency in 1997 led to a crisis that revealed financial sector weaknesses (CIA, 2003). To recover from the crisis, Thailand thereafter focused on restructuring its financial sector, stimulating domestic demand, and boosting export products.

6.3. Development of Labor and Industrial Relations Policies

This chapter draws heavily from Manusphaibool (in Deery and Mitchell, 1993) on his account concerning the labor and industrial relations history of Thailand.

Manusphaibool (in Deery and Mitchell, 1993) accounted that a legislation was passed in 1956 in the form of the Labor Act, which formally recognized employees' right to organize, strike, and to bargain collectively. These rights, however, were to be abolished immediately in 1958, following the military coup by General Sarit Thanarat. Strikes were proclaimed illegal and unions were banned under the claim that they were obstacles to economic development and means for communism to infiltrate Thailand. Manusphaibool (in Deery and Mitchell, 1993) also claimed that many unions leaders were imprisoned during this period.

These restrictive conditions applied until the early 1970s with the government enactment in 1972 of the Labor Protection and Labor Relations Ordinance, which permitted the formation of non-political workers association, and with the Interior Ministry Announcement on Labor Relations, which specified ways of the formation of non-political workers associations, and covers the matters of collective bargaining, dispute settlement, and strikes. Since the state specified only the formation of workers association on single establishment or provincial basis, Manusphaibool (in Deery and Mitchell, 1993) claimed that the policy was "deliberately designed to encourage only the development of weak and small labor associations". The registration of new workers association was also not an easy process — the government, through its Criminal Investigation Division, exacted investigations to assure the union members' nationality, loyalty and good citizenship.

The establishment of a democratic government in 1973 paved the way for a more tolerant political environment for the practice of industrial relations in Thailand. Manusphaibool (in Deery and Mitchell, 1993) accounted that in 1975, the scope for collective bargaining and union organization was considerably widened with the enactment of the Labor Relations Act, permitting labor organizations to "associate across establishment and provinces and gave them protection against tort and criminal action".

Such opportunities for further union organization and wider development of collective bargaining did not, however, last long. Manusphaibool (in Deery and Mitchell, 1993) explained that subsequent to a military coup in 1976, the junta declared a ban on strikes and lockouts, imposed police supervision over unions, and arrested union leaders under martial law. The government did not revoke this strike ban until 1981.

The military coup in February 1991 ushered another major event in the history of industrial relations in Thailand. Emergency powers were introduced during this period to ban all strikes and lockouts, although these were lifted shortly afterwards (Manusphaibool in Deery and Mitchell, 1993). The junta however put restrictions on the right to strike in the private sector. A separate Act, the State Enterprise Labor Relations Act of 1991, was promulgated to govern labor in public sector enterprises. Stipulations under this Act include bans on union formation and strikes by employees of state enterprises.

In 1998, a new law — the Labor Protection Act took effect, containing protection regulations related to work hours and holidays, minimum age for employment, sick leave, separation pay, termination of employment, and employee welfare fund. Also recently in 2000, the State Enterprise Labor Relations Act was passed, giving workers in the public sector similar rights to those in the private sector, including the right to unionism.

6.4. Effects on Labor Struggle

As can be deduced from its industrial relations history, trade unionism and collective bargaining in Thailand have been retarded by the frequent interruption in parliamentary democracy of long periods of military rule, and the absence of protective labor laws. Unions have been either banned or their right to engage in industrial activities been firmly restricted. Governments, for both political and economic reasons, have resisted union efforts to harmonize power and influence in a single national union, have preferred unions to be confined to single enterprises and actually contributed to the establishments of a number of competing labor organizations. Like anywhere else, this resulted into the proliferation of weak and fragmented trade unions, which could only have minor influence on government policies. Today, it is reported that roughly 3% of the 33 million work force is unionized.

Manusphaibool (in Deery and Mitchell, 1993) claim that the Thai government has been, for the most part, anxious to foster a business environment that is attractive for investors and employers. Within this context, Thai government has been actively aware of the importance of wage levels in the decision-making process of multinationals as they relate to factory locations. This is aggravated by the lack of bargaining power of unions in the country. Manusphaibool (in Deery and Mitchell, 1993) accounted that with the legislation of minimum wage in 1973 to prevent the payment of wages below subsistence level, it was specified at a rate considered sufficient to meet the needs of the worker and two dependents. In 1975, however, due to pressures from employers who claimed that they could not shoulder the burden of cost, the minimum wage was altered to cover only the subsistence requirements of the worker himself.

THEMES AND PATTERNS

One main point is that the state plays a dominant role in Cambodia, Indonesia, Malaysia, Philippines and Thailand, and to a lesser extent in Singapore, in determining the basic character of IR. All of these countries' ruling groups have embarked upon strategies of national economic development through what Parasuraman (1998) describes as "high degree of state intervention and state direction of society within the context of global capitalist economy".

Relevant to this is the point that most of the countries discussed have been largely dependent on low-cost, foreign-dominated industries to sustain industrial growth. The dependence on this form of economic strategy have forced their governments to continue to enact policies geared toward attracting and retaining foreign capital to their low-cost export sector. Congruent to this is the issue that workers have not kept pace with the economic growth of their countries. Minimum wages have become more of a government instrument of economic policy rather than a mechanism to provide protection for the workers.

The state's use of repression and regulation to control labor movement has been especially evident in Indonesia, Malaysia, Philippines, Singapore and Thailand. Since independence, the Indonesian government has used various tactics to control the workers movements (Parasuraman, 1998). In Malaysia, the state has enacted polices such as the Industrial Relations Act of 1967, Trade Union Act of 1959, and the Employment Act of 1955, which are "more favorable to the employers rather than to the unions or workers in general" (Parasuraman, 1998). This is apparently to continue enhancing the country's economic development. The state in the Philippines swung from repression and exclusion to "accommodation" strategies in dealing with trade unions and trade union activities. In Thailand, the military government has played a dominant role in the IR system and implemented various laws like the Labor Act of 1958 and the Labor Relations Act of 1975 to control trade union activities (Parasuraman, 1998), with the latter still in place.

With the integration of the world economy, employers have embarked on labor flexibility policies such as sub-contractualization of workers, and the hiring of casual and temporary workers, and

this has been particularly true in countries like Cambodia, Indonesia, Philippines, and Thailand.

Frost (2002) generally made the remark that labor laws in Asia and the Pacific are, with very few exceptions, weakly regulated and enforced. The Philippines, for instance is widely criticized because of its weak enforcement of its Labor Code and the rampant violations of general labor standards, including non-compliance by enterprises to minimum wage policies. This is also true in the case of Cambodia (Rithy, N.D.), Indonesia, and Thailand (Manusphaibool in Deery and Mitchell, 1993). One of the trends that Frost (2002) discussed which is pertinent to the Southeast Asia is the claim that most labor laws do not cover all workers. Labor laws cover only those who are in the formal sector, who normally account for a relatively small portion of the total workforce just like in the Cambodia, Indonesia, and the Philippines. Relevant to this is of course the issue that labor law regimes across the region have not made any provisions for the new forms of work that have emerged due to the advancement in technologies (Frost, 2002).

In summary, a lot of workers in the countries discussed are still deprived of their rights, either by government legislations or by their employers. Now that the economy has become globalized, the struggle for trade union rights and worker' rights in general has also become a global challenge which requires a trade union response that is integrated not only at the national level but now at the international level. As will be discussed in the next chapter of this paper, labor organizations in the region should start working closely together to be able to continue promoting social justice and respect for core labor standards effectively.

CONCLUSION

A trend relevant to the revitalization question in an increasingly globalized world concerns union collaboration across boundaries or "labor transnationalism" in Asia.

It is a common knowledge that Globalization and Information Technology, coupled with the increased concentration of the world's wealth to the hands of relatively few, have diminished the fiscal and monetary role and even the autonomy of governments and have caused destructive effects on national trade union

movements. It has weakened the bargaining power of trade unions and has expanded the power and influence of firms to influence decisions of governments regarding industrial relations systems.

The threat of relocating operations or outsourcing certain business processes to other countries can effectively be used by employers, especially multinational companies, in the case of conflict over working conditions and wage levels. Weak or ambiguous legislations have enabled multinational companies to dictate employee relations policies particularly, policies that restrain trade unions and their rights (Ng, 2001). Countries, developed or developing, desperate to retain and to attract investments have been "forced to make concessions that always include suppression of national labor standards" (Ng, 2001). Apparently, these kinds of threats can only be met and overcome through cooperation and solidarity among trade unions and coordination of collective bargaining across national borders.

The trend towards transnational cooperation is already evolving. So far, the best example of a successful transnational approach, specifically at the regional level, is the case of the European Union. The EU governs not only matters related to trade, but many aspects of the European labor market as well (Vause, 2001).

Kuruvilla et. al. (N.D.) however pointed out that the essential preconditions for successful international cooperation do not exist in Asia. Noting Gordon and Turner (2000 in Kuruvilla et al, N.D.) in their book on transnational collaboration across unions, Kuruvilla et al explained that an essential precondition for the success of an international cooperation is the need among unions and workers for a perception of interdependence. Gordon and Turner (2000 in Kuruvilla et al, N.D.) noted that such perception of interdependence must be based on a commitment to a shared goal, which is contingent on the cooperation of individual organizations from different countries. Such a perception, according to Kuruvilla et al (N.D.), is notably absent amongst Asia.

According to Kuruvilla et. al. (N.D.), one factor that inhibits the concept of interdependence is the difference between unions and other informal groups in terms of their goals. As they argued, for many established unions, internationalization means strengthening the ability to bargain on an international basis which make them focus on the already organized and established sectors in the economy. NGOs and other citizen's groups, on the other

hand, call for international solidarity that promotes workers rights in unorganized and informal sectors, including small business that do not fall under most countries' labor laws (Kuruvilla et al, N.D.). Another factor pointed out by Kuruvilla et al (N.D.) is that unlike in Europe and in North America, there are no transnational structures that will force unions to collaborate more in Asia. They explained that European Council-level institutions and laws, combined with already strong national unions, have resulted in the growth of transnational bargaining structures such as European work councils. In the case of North America, although labor transnationalism has not yet progressed that much due partly to the lack of efforts by the unions themselves and partly to the absence of favorable institutions such as those in Europe, NAFTA's policies have created spaces and platforms for union collaboration (Kuruvilla et al N.D.).

My own view is that possibilities of transnational cooperation still exist on a regional scale, in the context of AFTA. Whereas Kuruvilla et al (N.D.) noted that there has been no discussion with respect to labor issues in AFTA and thus the bloc has not helped in creating the sense of interdependence needed, the very point is that the regional bloc can be used as the venue to discuss labor issues, and lay the foundations for transnational negotiations. For in the region, in spite of notable differences in terms of our historical, economic and political experiences, we are less different from each other but more different from the other countries outside the region, and we have the common targets of overcoming the challenges caused by our integration to the world economy and improving our people's quality of lives. Further, the governments of the ASEAN countries, by the joint Declarations, especially in the later periods, are tending to focus more on people's quality of life, instead of solely focusing on the regional cooperation in terms of trades and economic industrialization as in the previous case (Suttawet, N.D.).

The groundwork for the strategy to enforce a core of fundamental rights was already laid out through the ILO Declaration on Fundamental Principles and Rights at Work:

1. freedom of association and the effective recognition of the right to collective bargaining;
2. the elimination of all forms of forced labor;
3. the effective abolition of child labor; and

4. the elimination of discrimination in respect of employment and occupation.

Through transnational organizing and eventually, transnational bargaining, the region can make multinational companies more responsible and respectful of international labor standards as outlined in the ILO Declaration. The main challenge now is bridging the differences in the country's legislations concerning employment and trade unions, which apparently, is among the greatest problem concerning the foundation for regional negotiation. The only way to address this is for national legislations to be reviewed first to make them more responsive to the core standards mentioned. If Southeast Asian countries themselves, will be reluctant in enforcing and implementing laws that genuinely protect the right of the workers in exchange for foreign investments, national legislations will remain to be a main impediment for regional labor cooperation. Meanwhile, multinational companies will continue expanding their influence in all spheres of life.

REFERENCES

- Ayadurai, Dunston. "Malaysia" in Stephen Deery and Richard Mitchell eds. 1993. *Labor Law and Industrial Relations in Asia: Eight Country Studies*. Melbourne, Australia: Longman Cleshire.
- Begin, James. "Singapore's Industrial Relations System: Is It Congruent with Its Second Phase of Industrialization?" in Stephen Frenkel and Jeffrey Harrod eds. 1995. *Industrialization and Labor Relations: Contemporary Research in Seven Countries*. New York: ILR Press
- Binghay, Virgel. 2001. *External Influences in the Trade Union Movement in the Philippines: One Hundred Years of Challenges and Response: Proceedings from the 15th AIRAANZ Conference: Crossing Borders: Employment, Work, Markets and Social Justice Across Time, Discipline and Place*, Wollongong, New South Wales, January 31 - February 3, 2000.
- Central Intelligence Agency (CIA). Last Updated: August 2003. [<http://www.cia.gov/cia/publications/factbook/geos/vm.html>] Access Date: November 2003.

- Department of Labor and Employment. [<http://www.dole.gov.ph/>] Access date: October 2003.
- Edwards, Alejandra Cox. 1996. *Labor Regulations and Industrial Relations in Indonesia*. [<http://econ.worldbank.org/files760.wps1640.pdf>] Access Date: November 2003.
- Frost, Stephen. *Labor Law Regimes and Trade Union Response to IT-Enabled Work in the Business Service Sector in Asia and the Pacific*: Proceedings from SOM Conference on Globalization, Innovation and Human Resource Development for Cooperative Advantage, Bangkok, Thailand, December 8, 2002.
- Gordon, M and L. Turner. 2000. "Transnational Collaboration Among Labor Unions" in Kuruvilla, Sarosh et. al. *Trade Union Growth and Decline in Asia (Japan, Singapore, Korea, India, Philippines, China, Taiwan)*: Proceedings from the International Conference on Century of Labor Struggle in Asia and the Pacific, Quezon City, Philippines, November 28-29, 2002. Quezon City: UP School of Labor and Industrial Relations.
- International Confederation of Free Trade Unions. *The Cambodian Trade Union Coordination Council (CTUCC) Forms*. [<http://www.icftu-apro.org/news/APLabor121.html>] Access date: December 2003.
- Jimenez, Ramon. "The Philippines" in Stephen Deery and Richard Mitchell eds. 1993. *Labor Law and Industrial Relations in Asia: Eight Country Studies*. Melbourne, Australia: Longman Cleshire.
- Kuruvilla, Sarosh. "Industrialization Strategy and Industrial Relations Policy in Malaysia" in Stephen Frenkel and Jeffrey Harrod eds. 1995. *Industrialization and Labor Relations: Contemporary Research in Seven Countries*. New York: ILR Press
- Kuruvilla, Sarosh et. al. *Trade Union Growth and Decline in Asia (Japan, Singapore, Korea, India, Philippines, China, Taiwan)*: Proceedings from the International Conference on Century of Labor Struggle in Asia and the Pacific, Quezon City, Philippines, November 28-29, 2002. Quezon City: UP School of Labor and Industrial Relations.
- Kuruvilla, Sarosh and C. Erickson. 2002. "Change and Transformation in Industrial Relations in Asia" in Kuruvilla, Sarosh et. al. *Trade Union Growth and Decline in Asia (Japan, Singapore, Korea, India, Philippines, China, Taiwan)*: Proceedings from the International Conference on Century of Labor Struggle in Asia and the

Pacific, Quezon City, Philippines, November 28-29, 2002.
Quezon City: UP School of Labor and Industrial Relations.

Leggett, Chris. "Singapore" in Stephen Deery and Richard Mitchell eds. 1993. *Labor Law and Industrial Relations in Asia: Eight Country Studies*. Melbourne, Australia: Longman Cleshire.

Malaysian Trade Union Congress [<http://www.mtuc.org.my/>]

Manushphaibool, Supachai. "Thailand" in Stephen Deery and Richard Mitchell eds. 1993. *Labor Law and Industrial Relations in Asia: Eight Country Studies*. Melbourne, Australia: Longman Cleshire.

National Trade Union Congress [<http://www.ntuc.org.sg/myunion/aboutus/ntucfamily>]

Navamukundan, A. *Industrial Relations in Malaysia: A Trade Union Perspective*: Proceedings from the International Conference on Century of Labor Struggle in Asia and the Pacific, Quezon City, Philippines, November 28-29, 2002. Quezon City: UP School of Labor and Industrial Relations.

Ng, Christopher. *Improving Labor Standards in a Globalizing World: Trade Unions' Aspirations and Response*. Philippine Journal of Labor and Industrial Relations. Vol XXI, Nos. 1&2, 2001. Quezon City, Philippines: UP SOLAIR.

Parasuraman, Balakrishnan. *Industrial Relations in the Asia-Pacific Region: A Comparative Perspective*. Philippine Journal of Labor and Industrial Relations. Vol XVIII, Nos. 1&2, 1998. Quezon City, Philippines: UP SOLAIR.

Parasuraman, Balakrishnan. 2001. *The Development of the Malaysian Industrial Relations System: Past and Present Scenario*: Proceedings from the 15th AIRAANZ Conference: Crossing Borders: Employment, Work, Markets and Social Justice Across Time, Discipline and Place, Wollongong, New South Wales, January 31 - February 3, 2000.

Poole, M. 1986. "Industrial Democracy: A Comparative Analysis" in Ron Bean ed. 1994. *Comparative Industrial Relations, Second Edition*. London: Routledge.

Rithy, N. *Trade Union Movement in Cambodia*: Proceedings from the International Conference on Century of Labor Struggle in Asia and the Pacific, Quezon City, Philippines, November 28-29,

2002. Quezon City: UP School of Labor and Industrial Relations.
- Rong, Chhorn. *Cambodia's Industrial Relations: In Search of a Strategic Framework*: Proceedings from the International Industrial Relations Association's 12th World Congress: Global Integration and Challenges for Industrial Relations and Human Resource Management in the 21st Century, Tokyo, Japan, May 29 - June 2, 2000.
- Suttawet, Chokchai. *Industrial Relations Model: The Thai Experience and Lessons on Workers' Industrial Democracy to the Countries in Asia and Southeast Asia*: Proceedings from the International Conference on Century of Labor Struggle in Asia and the Pacific, Quezon City, Philippines, November 28-29, 2002. Quezon City: UP School of Labor and Industrial Relations.
- Teodosio, Virginia and Markk Perete. *Tripartism and the State in the Philippines in the 1990s*. Philippine Journal of Labor and Industrial Relations. Vol XVIII, Nos. 1&2, 1998. Quezon City, Philippines: UP SOLAIR
- Tolentino, Ma. Catalina. *An Overview of the History of Trade Unions In Southeast Asia: Philippines, Indonesia, Malaysia, Singapore, and Thailand*: Proceedings from the International Conference on Century of Labor Struggle in Asia and the Pacific, Quezon City, Philippines, November 28-29, 2002. Quezon City: UP School of Labor and Industrial Relations.
- Vause, Gary. *Trade Union Response to Globalization: What Can be Learned from the Clash Between U.S. Labor Unions and the WTO*. Philippine Journal of Labor and Industrial Relations. Vol XXI, Nos. 1&2, 2001. Quezon City, Philippines: UP SOLAIR.
- Wong, E. 2001. "Partnership of Trade Unions in National Development Programmes and in Promotion of Labor Mobility in Singapore" in Kuruvilla, Sarosh et. al. *Trade Union Growth and Decline in Asia (Japan, Singapore, Korea, India, Philippines, China, Taiwan)*: Proceedings from the International Conference on Century of Labor Struggle in Asia and the Pacific, Quezon City, Philippines, November 28-29, 2002. Quezon City: UP School of Labor and Industrial Relations.