

Industrial Relations in the Asia-Pacific Region: A Comparative Perspective

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The Asia Pacific region has been the fastest growing area in the world since 1980s (see Table 1). The state has played a significant role in the economic development of the Asia-Pacific region (Kuruville and Venkataratnam 1996; Grabbowski 1994). Therefore, Kuruville (1996a) argues that the industrialization strategy has the greatest impact on the changes on Industrial Relations policy. This paper is divided into two parts. Firstly, the researcher will examine the IR policy in the Asia-Pacific countries. Secondly, an attempt will be made to explain why IR in Asia-Pacific has changed over the past decades (Kuruville (1996a); and Deyo's (1989) hypothesis will be examined.)

Table 1: Economy and Social Indicators: Selected Countries, 1993

Country	Population millions	GNP/Capita 1992 US\$	Percent of Labour Force in		
			Agri.	Ind.	Services
Taiwan	20.44	10196	3.7	42.6	53.7
Korea	22.60	6790	7.0	46.2	46.8
Malaysia	18.80	2790	16.1	43.9	40.0
Thailand	56.10	1840	13.1	37.4	49.5
Philippines	65.20	770	22.6	35.0	42.5
Indonesia	191.20	670	17.9	42.9	39.3

Source: World 1994 Human Development Report, UNDP

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The state plays a dominant role in South Korea, Taiwan, Indonesia, Malaysia, Philippines and Thailand in determining the basic character of IR (Arudsothy 1990 ; Brown and Frenkel 1993 ; Ofreneo 1995 ; Gall 1998 ; Park 1992). As we examine IR in Asia Pacific, differences of state intervention are evident. These countries ruling groups have embarked upon strategies of national economic development, political and social development in the post-colonial era through a high degree of state intervention and state-direction of society within the context of global capitalist economy and regional power-rivalries.

In South Korea, the Philippines, Thailand, Malaysia, and Indonesia, the State uses repression and regulation to control the labour movement. In South Korea, between 1972 and 1980, all organized union activities were banned (Wilkinson 1994a). The same situation happened in Taiwan, Indonesia, Malaysia and the Philippines. In Thailand, the military government plays a dominant role in the IR system and implements various laws like the Labour Act of 1958 and the Labour Relations Act of 1975 to control trade union activities. The Philippines has a similar situation to Thailand. The state in the Philippines swings from repression to toleration or uses a combination of labour reforms that recognise certain labour laws, demand of rights, and labour control measures that regulate labour registration, collective action and industrial disputes. Meanwhile, since independence, the Indonesian government used various tactics to control the worker's movements. In this context, Gall (1998) argues that the state violation towards unions and the worker is greater. For example, the government does not penalize those employers who discriminate and exploit the workers over health and safety issues and who deliberately refuse the minimum wage enactment. In Malaysia, the state always co-operates with the employers to enhance the prosperity of economic development (Kuruville 1995, 1996a). The Malaysian IR system is binded by the IR Act of 1967, Trade Union Act 1959 and Employment Act of 1955. All these legislations are implemented by the state which are more favourable to the employers rather than to the unions. Comparable to Indonesia, the state violations in Malaysia can be seen in electronic industries (Grace 1990, Wagem 1988). In the 1980's, the government did not allow the employees in electronic industries to form national unions. Instead in-house unions which are under the control of employers were allowed. In addition, similar to Indonesia, the Malaysian Government

refused to enact a minimum wage legislation (Kuruvilla 1995).

Later in the 1980s, the relaxation of martial law in Taiwan, South Korea and the Philippines made it difficult for the state to control the union movements or their activities. In South Korea, after the shift towards a democratic form of representation, it was difficult for the state to control unions. This caused a mass strike in this period, characterized as "*strike first, negotiate next*" (Park 1992 : 118). The same condition happened in Taiwan and gave freedom to the workers to organize themselves politically. Political freedom means the establishment of a Labour Party and that the union has confidence to act independently rather than collaborate with KMT. Similarly in the Philippines, Marcos modified the 1974 Labour Code by substituting "national interest" for "vital industries" as the criterion for prohibiting strikes (Ofreneo 1995). The reaction was a surge of strikes in 1981, mostly to protest about the unfair labour practices by employers. These strikes were led by the radical unions like the Kilusang Mayo Uno (KMU).

Kleingartner and Peng (1991) argue that the role of the state in Taiwan is not repressive but more cooperative or willing to make concessions. The state supported the Chinese Federation of Labour (CLF). Most of the unions are organized as enterprise unions and report through craft, industrial and regional unions to CLF. The government also encourages employers to establish trade unions and give them a welfare role (Wilkinson 1994a, 1994b). Legislation requires the establishment of factory councils in large organizations and employers must contribute 15 percent of their profits to the Employee Welfare Fund. In 1992, the Council of Labour (CLA) was upgraded to Ministry of Labour (Wilkinson 1994b). This shows that the IR in Taiwan is a tripartite system between the government, employer and union and is more of a cooperative pattern of IR.

There are different variations of trade union movements in the Asia Pacific countries. Trade union movement in Indonesia is judged by instrumental-rationalism and value rationalism (Gall 1998). It reflects a mixture of "economism" and political unionism as a result of the state, in promotion of a restrictive form of worker collectivism. For example, the Serikat Pekerja Seluruh Indonesia (SPSI) is a government-supported union which has some restrictions on collective bargaining matters particularly for working conditions (Sharma 1985). Employees who are unsatisfied with SPSI join the independent union like Serikat Buruh Seluruh Indonesia (SBSI) which is supported by the Democratic Party of Indonesia. SBSI acts as an oppo-

sitional union and takes a political role against the violations committed by the state and employer. However, the growth of the independent union in Indonesia may be impeded by State regulation and repression.

In Thailand, the workers' movement appeared to be weaker compared with Malaysia, Indonesia and the Philippines. It can be judged by union density, strike activity, union organization and the scope of collective bargaining (see Brown and Frenkel 1993). The military government plays a dominant role in regulating organized labour. Thai workers' movement depends on the outcomes of the struggles in the political sphere. The main division among the peak union is between economic and political unionism.

If compared to Thailand and Indonesia, the labour movement in Malaysia has a higher union density (Arudsothy and Frenkel 1993). But it is still weak like the Thai labour movement because of limitations on the forming of unions, managerial prerogatives issues in export industries and predominance of enterprise unions (Kuruvilla 1995). Other problems are the lesser democratic movement in the workplace, handicapped by the Malay-Chinese conflict and by the relatively small size of enterprises, making it difficult to organize. Furthermore, trade unions were always restricted by the law and state repression. The fragmentation of IR law is also impeded in both public and private sectors (Arudsothy 1990; Arudsothy and Frenkel 1993; Aminudin 1996, Kuruvilla 1995, 1996a, 1996b).

The labour movement in the Philippines is of a similarly weak nature to that of Malaysia (see Amante 1993). From 1974 to 1986, all strikes were banned. But after 1986 there was freedom to unions to take industrial action particularly in 'vital' industries and those which affected national interest. The lack of unity in labour-management and the intense inter-union rivalry has resulted in a very weak trade union movement. The legalized strikes, anti-union employers and state pro-state unions like the Trade Union of Congress of the Philippines (TUCP) with 40 national affiliates did nothing to strengthen the workers movement in the Philippines.

In South Korea and Taiwan, the labour movements are very strong (Deyo 1989; Frenkel 1993; Wilkinson 1994a, 1994b; Galenson 1992). Since 1987, South Korea and Taiwan has moved forward from authoritarian to pro-democracy policies. This political movement increased freedom for unions to organize. By the end of 1989, total membership in Korean unions stood at 1.83 million and ac-

counted for 22 percent of the organized labour force compared with Malaysia (10 %), Thailand (3%) and Philippines (10.2%) (Galenson 1992). There is also an emergence of independent unions alongside the government supported union [Federation of Korean Trade Union]. In Taiwan, CLF is the largest union where membership rose from 765,000 in 1975 to 1.87 million in 1987 (Galenson 1992). This figure indicates the strength of the union movement in Taiwan. In South Korea, membership reached 2.42 million or 29.3 percent of the employed population.

In the area of bargaining, all the countries in the study promote enterprise bargaining (Kuruville 1996a; Kuruville and Venkataratnam 1996). Thailand, Taiwan and the Philippines encourage the formation of labour management councils at the workplace. This may be an indicator of the weak position of the collective bargaining system at the national level. In this context, the employers have more bargaining power on the determination of wages and other terms and conditions. For example, in Indonesia, if the union demanded higher wages for their members, the state and employers will use various physical violation (Gall 1998). This is the same in the South Korea (Shin and Lee 1995). Nevertheless compared to other countries in Asia, Malaysia's national industry bargaining is still strong in the private sector especially in the plantation sectors. In 1995, there were 14 collective agreements signed which involved 91,108 workers. However, in the 1980s and 1990s under Dr. Mahathir, labour policies and enterprise bargaining have become more predominant and might become a trend in the future (Kuruville 1995; Arudsothy and Kuruville 1995).

Of the five countries in Asia, only Malaysia has had a relatively stable system of IR throughout the last two decades. Labour strife has been low, enterprise level collective bargaining has operated within the bounds prescribed by legislation. A contributing factor was the paternal attitude of the Malay-dominated government toward the predominantly Malay industrial and rubber plantation labour force, manifested in the so-called Bhumi Putra programme, which was designed to increase the share of the Malays in the economic pie. The other countries managed with little in the way of formal IR. A free labour market with little to hinder it prevailed in South Korea and Taiwan, although some employers did consult informally with their employees, particularly in Taiwan. The impact of the government-regulated system established in Thailand in 1975 has been minimal. The Philippines has had an elaborate labour code modelled on that of the United States, but it has functioned only

sporadically, depending on the nature of the government in power.

According to Kuruvilla (1996a), under ISI, the IR policy is more pluralistic and stable. But in the case of Asian countries, this hypothesis can be challenged. If we examine the comparative perspective in the previous section, it clearly shows that the IR system in early ISI is not stable in South Korea, Taiwan, Philippines, Indonesia and Malaysia. The typical example is Malaysia where in the earlier period of ISI, the IR system was not stable due to political crisis and ethnic problems. Kuruvilla (1995 : 48) also admitted that " the nature of IR policy in Malaysia reflects a ' controlled pluralism' during this period". This is because the state controlled the freedom of unions to organize, the ability to bargain was severely restricted, and the IR rules and regulations clearly reflected the state's effort to contain industrial conflict.

Under the next stage of EOI, Kuruvilla's hypothesis argues that cost containment and labour suppression occurs. Actually, the state lowers the wages of labour not only to attract foreign firms for investment but also for globalization of trade, investment, labour markets and to encourage the transitional companies to provide the various infrastructures and expand the local markets. Kuruvilla (1996a) has given no attention to the fact that an oppositional labour union also existed during the transition period from ISI to EOI. If we examine the situation in South Korea, liberalism and declaration of democratization provided more freedom to workers to establish their own unions, particularly independent unions (those with different objectives to government supported unions). The workers have the right to strike if they are not satisfied by the terms and conditions of collective agreements. This freedom easily caused more disputes which occurred within the legal framework in Korea (Park and Lee 1995: Lee 1995).

The same situation also happened in Taiwan, where upon the lifting of martial law in 1987, the union gained more power especially the opposition unions. Most of the strikes that have occurred since 1987 have been organized by the unofficial labour movement (Kleingartner and Peng 1991). In the same year, the Labour Party established by a group of intellectual and labour activists, sought support in the 7-million strong industrial workplace. It has offered itself as the vehicle to harness the existing dissatisfaction of workers with the representation they receive from the CLF (official union).

In the case of the Philippines, the leadership changes of

leader in the government have had a great impact on reshaping the national IR policy (Ofreneo 1995). For example, under the Marcos regime, the unions were under control. But after Aquino came to power, she relaxed the IR system. As a result, more strikes occurred. Thus, set strikes occurred in 1986, the highest in the country's history (Ofreneo 1995:219). In Thailand, the union is very weak but the administration of IR changes whenever a new military government comes to power. The same holds true in Malaysia and Indonesia.

Under the advanced stage of EOI, Kuruvilla (1996a) characterises a shift from cost-containment and labor suppression to workforce flexibility and skill development. But this proposition can be argued. Labour repression is still largely practiced in South Korea, Malaysia, Indonesia, Philippines and Thailand. Many IR laws were implemented to prohibit the unions taking industrial action. Only Singapore successfully practised tripartism. Other countries such as Indonesia and the Philippines still try to achieve this cooperation but normally end-up with conflict and confrontation. Political reason can also support this argument because the state of most countries like Malaysia, Indonesia, South Korea and Thailand maintain their political power. The growth of trade unions is seen as a major obstacle for the ruling party to maintain their power for further decades. This is why the government always monitor the activities of trade unions. Most of the countries do not allow unions to participate in political activities.

Labour costs is still an important consideration in Malaysia, Korea, and Taiwan even though these countries shift to a more advanced EOI. For example, employers in South Korea invest in other Southeast Asian countries because of the higher demand of wages from local unions in South Korea. In Malaysia, two major unions, CUEPACS (represents public employees) and MTUC (represents private employees) demand higher wages for their members right up to the present day (Aminudin 19986; Arudsothy 1990).

Sharma (1991) provides a different perspective to that of Kuruvilla's. He argues that different patterns of IR emerge at different levels of industrialization. He categorises South Korea and Taiwan as NICs and Malaysia, Thailand, the Philippines and Indonesia as semi-industrialized countries.

Sharma (1991) argues that in South Korea and Taiwan in the 1950's, there was lesser concern with the investment incentives

to enhance capital accumulation and to promote export. Establishing an alliance with other labour movements for political gain was the government's IR strategy. As a result, the dominant pattern of IR was political. However, in the 1960's and 1970's the economies of both countries were in the semi-industrialized stage. The government's IR strategies shifted towards a more repressive system. This resulted in a more conflictual pattern of IR. In the 1980's, South Korea and Taiwan joined the ranks of NICs. The dominant government strategies were to make some concessions to trade unions, and to seek ways to accommodate the interest of unions and the employers. For example, in Taiwan, under the EOI process, the state encouraged the tripartite system between union, and employer (Wilkinson, 1994b; Lee 1995). This was achieved through the formation of a labour management council at the factory level and more mutual agreements. This strategy of encouragement moves towards a more co-operative pattern of IR system.

However, Sharma's (1991) hypothesis can be argued against Clifford and Moore's (1988) arguments that the trade union movement has remained highly confrontational in South Korea. For example, they indicated that more employers build factories outside of South Korea, especially in the Southeast Asian countries because of the high demand and the threat of the union movement in South Korea. In addition Wilkinson (1994a) in his survey reported that many employees in South Korea did not look upon their company as their home and no longer obeyed their bosses. This evidence clearly shows that the IR policy in South Korea is still predominantly conflictual in contrast with Sharma's (1991) hypothesis. The argument is also supported by Deyo (1989). He indicates that movement of independent unions in these countries are still controlled by the government. These unions have gained more support from the workers who felt exploited by their employers. This argument shows that there is conflict between the three actors in the IR even though Sharma's (1991) hypothesis claim that once the countries reach NICs, there is a co-operative pattern of IR system.

Sharma's (1991) second hypothesis is that under the semi-industrialized countries such as Malaysia, the Philippines, Indonesia, and Thailand, a repressive or confrontational pattern of IR strategies dominate. This leads to a conflictual pattern of IR. His hypothesis is practical in these countries because the government tries to restrict the workers movement in order to maintain their political power and economic achievement. For example, in Malaysia, the relationship between the MTUC and the government is clearly conflictual illus-

trated by the cold war which took place between them in the course of amending the Industrial Relations Act in the 1980's. With the coming of the Malaysian Labour Organization (MLO), this tension has been further exacerbated. The government saw fit to promote in-house-unionism in the private sector to promote the Japanese-style labour-management relations (Littler and Arudsothy 1993, Jomo and Wad 1994, Aminuddin 1969). The government also ensured that unions did not organize in the electronics industries (Grace 1990, Wangel 1988). In Indonesia, the state uses various kinds of physical violation towards union particularly the independent union (SBSI) (Gall 1998).

On the other hand, Deyo's (1989) argument is in contrast with that of Kuruvilla (1996a) and Sharma (1991). Kuruvilla (1996a) and Sharma (1991) argue that under the early period of EOI, the cost containment will associate with the repressive new labour controls in Asia Pacific countries. But Deyo (1989:130) argues that this association is apparent only in Singapore, but in both Taiwan and South Korea, such controls were in place prior to the EOI initiative. Moreover, Taiwan's more indirect control does not show the link between repression and EOI. These differences are rooted in varying degrees of labour militancy. The political crisis during the early 1960's provoked sharp state repression followed by more focused controls in IR. In contrast, the less threatening position of workers in Taiwan provokes less stringent controls by the state. Deyo's (1989) argument can also be applied in Malaysia. The author argues that the changes in the IR of Malaysia are not only influenced by IS but also by other factors like political economy and sociological factors. In addition, Deyo (1989:43) argues that there is no link between EOI and foreign direct investment (FDI). For example, in South Korea, most of repressive years, (1979 and 1980 to 1982) are more easily linked to political crises than to the imperatives of Foreign Direct Investment[FDI]. Moreover, in the case of Taiwan, foreign investors received no greater protection from labour than domestic employers, thus casting further doubt on the FDI-repression link. This is in contrast with Kuruvilla (1996a) who says that under the first stage of EOI, the IR policy is labour repression in order to attract foreign investors.

Kuruvilla (1996a), Sharma (1991), and Deyo (1989) examined three different types of approaches in order to analyze the link between IS and IR policy in Asia Pacific countries. Kuruvilla (1995) over-estimated the importance of IS (capital) on the changes of IR policy, whereas Sharma (1991) looked at the different stages of in-

dustrialization in relation to the different types of IR pattern. In contrast Deyo's (1989) argument denied the link between EOI and labour repression. He looked at political factors and analysed the relationship between IR policy and the EOI strategies. Both Sharma (1991) and Kuruvilla (1996a) never gave account of the political and socio-logical factors that influence the IR policy in Asia Pacific.

Conclusion

In this paper, the researcher explored the different variations of IR system in the Asia Pacific. Later, reference was made to the hypotheses of Kuruvilla (1996a), Sharma (1991) and Deyo (1989). They argued different ways of examining the IR policy in Asia Pacific. Therefore, after analyzing the IR in Asia Pacific, we understand that there are differences and similarities in Asia Pacific IR systems. Each country has its own IR policy.

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