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Labour NGOs: An Alternative Form of Labour Organizing in Indonesia, 1991-1998

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Abstract

Although Indonesia's labour non-government organizations (NGOs) are in many ways unique, they are in fact part of a global surge in non-traditional labour activism, in which international and indigenous labour NGOs have played an important role. This contribution examines the contribution of labour NGOs to the reconstruction of the Indonesian labour movement in the 1990s and its implications for our understanding of the contemporary labour movement more generally. It argues that the Indonesian experience suggests theorists and unionists should broaden their understanding of the labour movement to make room for non-traditional forms of labour movement organizations, such as labour NGOs, that have the potential to (and do) contribute to that movement.

Keywords: Indonesia, labour, NGOs

Introduction

Labour NGOs played an important part in the reconstruction of the Indonesian labour movement at a time when independent trade unions were banned by Suharto's New Order government (1967-1998). The New Order's narrow approach to industrial relations prevented workers from effectively pursuing their interests within the state-sanctioned union and prohibited them from organizing meaningful alternatives within the official industrial relations system. It was in this context that labour NGOs emerged as the major sponsor of organized opposition to the New Order's industrial relations system in the 1980s and 1990s. Despite increased opportunities for unionism after the fall of Suharto in 1998 (Ford, 2000; 2004a), labour NGOs have continued to play a significant role. This paper examines the emergence of Indonesia's labour NGOs and their contribution to the reconstruction of the labour movement. It is divided into four sections. The first examines the international literature on labour NGOs, noting the failure of this literature to seriously consider the role of non-union labour movement organizations as anything more than labour's allies in the struggle for wider social concerns, a source of inspiration for new tactics, or substitute unions in situations where 'real' unions cannot operate. The second section documents NGOs' contribution to the reconstruction of Indonesian labour movement in the 1990s, whilst the third and four sections discuss the significance of this contribution and its implications for our understanding of the labour movement more generally. The conclusion argues that the

Indonesian experience suggests labour NGOs should be considered as labour movement organizations in their own right which are different in form and function from trade unions, but can nevertheless make an important contribution to the struggle for workers' rights in developing country contexts.

Finding a Place for the Labour NGO

Labour NGOs belong to a class of relatively new organizations, which came to be an important force for social change in developing countries in the second half of the twentieth century. In its broadest sense, the category 'NGO' includes a range of private, voluntary organizations (including mass associations such as trade unions) whose roots extend back into the nineteenth century. However, NGOs are commonly understood to be organizations that emerged after World War II, first almost exclusively in the development sector, then later diversifying to combine traditional development concerns (such as the provision of village-level infrastructure) with campaigns and programmes that promoted human rights in developing countries (Korten, 1987). Drawing on a survey of the literature on NGOs in Southeast Asia, Clarke (1998, pp. 2–3) defines NGOs as '*private, non-profit, professional organizations with a distinctive legal character, concerned with public welfare goals*' (emphasis in the original). In this category, he includes 'philanthropic foundations, church development agencies, academic think-tanks, human rights organizations and other organizations focusing on issues such as gender, health, agricultural development, social welfare, the environment and indigenous people'. In addition to 'private hospitals and schools, religious groups, sports clubs and... quasi-autonomous non-governmental organizations', people's organizations (non-profit membership-based associations, including trade unions) are excluded from Clarke's definition. Writing in an Indonesian context, Riker (1998, pp. 23–25), like Clarke, differentiates between NGOs, which he characterizes as 'issue-oriented groups' (including groups focused on community development, consumer rights, the environment, women and human rights), and other parts of the voluntary sector, namely mass membership 'functional groups' (including trade unions, sports clubs and cooperatives) and 'cultural and religious groups'. Similar points of delineation apply for Aspinall (2000, pp. 129–130), also writing about Indonesia. Aspinall notes that the 'NGO' category encompasses neither political parties nor mass organizations, and that whilst NGOs are located in the civic domain, and do not themselves seek formal political power, they are distinguished from other 'civil society' associations because they are task-oriented, have limited support bases, and have directors, staff and volunteers rather than members.

NGOs can be international or indigenous (see for example Kriesberg, 1997). They are part of global networks, which in many ways parallel international trade union networks – networks that are a source of both financial and non-financial support for indigenous NGOs in developing countries (Warkentin, 1998; Evans, 2000; Stiles, 2000). As Fowler (1992) suggests, international NGO funding networks are extremely complex. Many indigenous NGOs receive financial assistance directly from the government aid organizations of industrialized countries and from international NGOs. Others are funded indirectly through larger indigenous NGOs, which themselves receive direct funding from overseas

sources. The importance of funding from the governments of industrialized countries to NGOs based in both industrialized and developing countries is widely canvassed in the international NGO literature (see, for example, Edwards & Hume, 1996; Marcussen, 1996; Powell & Sneddon, 1997; Malhotra, 2000). There has been considerable criticism of the impact of international financial assistance on the objectives, activities and operation of NGOs in developing countries. Korten & Quizon (1995), for example, argued that permanent dependence on overseas funding has resulted in the rise of bogus NGOs, the co-opting of legitimate NGOs, a pattern of short-term, project-based commitments for long-term needs, the legitimization of donor policies and projects, the bureaucratization of NGOs, and the imposition of barriers to self-reliance and empowerment of people's organizations. These concerns have been echoed in Indonesia (see for example, Saragih, 1993).

Labour NGOs belong to a sub-set of non-governmental organizations, which are generally described as human rights-based NGOs. Yet, while the category 'labour NGO' does include organizations with broader political and human rights concerns, it neither encompasses all such NGOs, nor is it limited to them. Labour NGOs are, by definition, differentiated from other quite similar types of NGOs by their focus on labour – whether they undertake some of the tasks traditionally associated with trade unionism, perform other tasks to promote the interests of factory workers, or deal with another group of workers altogether. Conversely, labour NGOs can also be delimited in an organizational sense from trade unions. Whereas trade unions are large membership-based organizations, labour NGOs are relatively small, task-oriented organizations that neither have, nor seek, mass membership. Although the low wages of workers in developing countries have historically meant that financial assistance from abroad has been important for trade unions, their primary funding base – in theory, at least – remains their members' contributions. In contrast, labour NGOs are principally dependent on external funding, self-generated income, or a combination of both. In short, labour NGOs are organizations involved in the labour movement whose organizational identities and operational imperatives are not wholly focused on their role within that movement. Rather than concentrating on labour rights as a discrete category of collective rights (as has traditionally been the case with unions), labour NGOs have generally addressed them as part of workers' individual rights, as defined in the internationally dominant, liberal discourse of human rights (see Dabscheck, 1997; Woodiwiss, 1998, pp. 47–53; Munck, 1999). Labour NGOs characteristically have a limited number of middle-class activists or staff, rather than a mass membership of workers; they may be associated with, but are not subsumed within, grassroots workers' groups; and they are generally reliant on income streams other than membership dues. Most labour NGOs have strong links to other NGOs through their domestic and/or international networks.

NGOs fulfil a range of functions related to labour in a range of very different national contexts. Many of these functions lie outside the traditional ambit of unionism. Many NGOs have addressed work as part of workers' overall life experience, which has enabled them to organize groups considered 'unorganizable' by unions, including overseas labour migrants (Ford, 2004b), domestic and child labour, people employed in the informal sector and outworkers. However, in some contexts, including that of New Order Indonesia, labour NGOs have also taken on functions traditionally associated with trade unions, such

as the organization of industrial workers or the lobbying of government on social policy issues related to formal-sector occupations such as the minimum wage and occupational health and safety. These different functions are reflected in the international literature on NGO involvement in matters concerning industrial labour. There are three main strands in this literature. The first examines cooperative efforts between NGOs and other social movements in pursuit of common goals. The second focuses on what unions can learn from NGO methods and emphasizes on the movement dimension of organized labour activism. The third, which grew out of the experiences of authoritarian contexts such as New Order Indonesia, describes NGOs either as 'substitute' trade unions, which play a temporary role until unionization is possible, or as trade union 'midwives', which facilitated workers' self-organization. Each of these strands are briefly examined here in order to illustrate how they continue to fail to consider labour NGOs as labour movement organizations their its own right.

The strand of the literature that deals with union-NGO cooperation emerged after two powerful catalysts encouraged a growing recognition of cooperation between unions and other types of social movement organizations in the late 1990s. The first of these was the formation of trade blocs that included both industrialized and developing countries, particularly the North American Free Trade Association (NAFTA). Carr (1999, p. 50), for example, notes the 'widely differing opportunities for intervention by the state, labour unions and NGOs' brought by globalization and the new, 'complex web of cross-border coalitions embracing labour organizations and activists' in the NAFTA states (see also Boswell and Stevis, 1997; Armbruster-Sandoval, 1999; Williams, 1999; Evans, 2000). The second catalyst was the rise of the anti-globalization movement, particularly the 1999 demonstrations against the World Trade Organization (WTO) meeting in Seattle in the USA, which encouraged some authors to look differently at union cooperation with other types of social movement organizations (see for example, Levi and Olson 2000, pp. 311–313, 326). The International Labour Organization (ILO) and the World Bank have also recognized labour's need to cooperate with groups 'who share the values and concerns of the labour movement' (Jose, 2002, p. 16; Gallin, 2000). In 1997, a World Bank report suggested that trade unions be required to look beyond the workplace, and establish networks with environmental, community and women's groups (Taylor, 1999, p. 13). About the same time, an ILO report was released which discussed the variety of ways in which unions have responded to the challenges of globalization and declining membership (Hyman, 1999, p. 98). These included the development of new constituencies, involvement in transnational actions and alliances with NGOs. In a 2002 volume produced by the ILO's International Institute for Labour Research, four of eight case studies on developing countries commented on the degree to which unions and NGOs cooperated in the country concerned (Jose, 2002). In his case study of Korea, Ho Keun Song (2002, pp. 232–233) notes significant cooperation between unions and new social movements, which he attributes to 'the expansion of common interests' as democratization has proceeded. However, he is cautious about this development, arguing that solidarity was desirable, 'but common agendas such as peace, environmental protection and human rights may undermine the cause and purpose of a labour movement based on class'. In South Africa,

many NGOs were disbanded after the end of Apartheid, although Bezuidenhout (2002, p. 399) reports that the Congress of South African Trade Unions (COSATU) made attempts to renew links with NGOs and other community-based organizations in late 1999. In contrast, Bhattacharjee (2002, p. 339) notes that in India unions were resentful of NGOs that 'have successfully organized (not necessarily unionized) several informal sector occupations and sites in India during the past decade'. Likewise, although the women's departments of some unions had established a relationship with women's organizations and women-centred NGOs in Niger, unions had 'made little effort' to establish connections with other social movement organizations: the links that did exist were characterized by 'distrust and suspicion' (Adji, 2002, pp. 365, 369). Notably, of the studies on Japan, Sweden and the United States of America, which comprised the balance of the book, only the Japanese chapter mentioned NGOs (Inoe, 2002). In that chapter, it was noted that the Japanese Trade Union Confederation (Rengo), 'believes it is necessary to promote cooperation between trade unions, NGOs and international organizations' on issues such as poverty, education, and the environment. Domestically, Rengo has been active on environmental questions, helping to establish the Japan Environmental Forum and has participated in disaster relief initiatives alongside NGOs. Internationally, like many other unions and union confederations including the Australian Council of Trade Unions (ACTU) and the American Federation of Labor–Congress of Industrial Organizations (AFL–CIO), Rengo has structured its international solidarity arm (JILAF, the Japanese International Labour Foundation) as an NGO. This strand of the literature recognizes the growing importance of links between unions and NGOs, but fails to incorporate NGOs in its analyses of the labour movement.

The second strand in the literature suggests that unions should adopt techniques more often associated with NGOs and the 'new social movements' concerned with matters such as identity and the environment. A number of scholars argue that 'social movement unionism' should become the new, global model of labour activism (Moody, 1997; Adler & Webster, 2000). Theories of social movement unionism were developed in an attempt to move beyond the traditional theoretical dichotomy between political and economic unionism. They emerged in South Africa to account for unions' links to community and political activists, and their commitment to social transformation (Seidman, 1994, p. 2), and were later adopted by students of Latin American and Philippines labour movements (Webster, 1988; Scipes, 1996; Adler and Webster, 2000). Although social movement unionism was traditionally associated with the union movements of developing countries, some attempts have been made to chronicle labour's involvement in 'new' social movement issues in Europe and North America, when scholars analysed unions' concern with issues as diverse as nuclear power and sexuality (Jahn, 1993; Hunt, 1999). Munck (1999), among others, has taken the social movement unionism approach further, arguing that labour theorists must learn from the theoretical principles of contingency favoured by 'the intellectuals of the new social movements'. Munck (1999, p. 13) notes that 'old' and 'new' social movements were 'two ideal-types, not always reflected in practice' – particularly in unions' attempts in recent decades to move beyond traditional union concerns and constituencies. However, although he asks if 'new wine' could really be poured into the 'old bottles' of unions, he does not contemplate the possibility that new bottles might be required in some situations

(Munck, 1999, p. 15–21). In short, although unions' involvement in other types of social movement causes has been more frequently noted in recent years, observers have remained largely silent on its corollary – the involvement of organizational forms associated with those other social movement causes in issues and practices traditionally associated with unions.

The third strand in the literature partially addresses this question by suggesting that labour NGOs temporarily undertake some of the functions of unions in situations where unionism is not (yet) possible. A 2001 volume entitled *Organizing Labour in Globalizing Asia* attempted to deal with this question by examining 'labour activism through organizations not usually classified as "industrial", especially non-governmental organizations' (Hutchison and Brown, 2001a). However, Hutchison and Brown limit the ways in which NGOs' involvement in labour can be conceptualized by arguing that 'the question to ask... is: What effects does NGO involvement in the labour arena have on workers' capacities to self-organise?' (Hutchison and Brown, 2001b, p. 2). Hutchison and Brown's acknowledgment of NGOs' involvement with workers at a grassroots level is an important step forward in the theorization of their role in the labour movement in countries such as Indonesia. However, it does not sufficiently account for labour NGOs' contribution to national and transnational labour organizing through advocacy as well as grassroots organizing. By defining the labour movement only in terms of the potential for the development of workers' groups (and, ultimately, of unions), they discount labour NGOs' significance in their own right and their potential for labour activism beyond the promotion of industrial workers' self-organization. Although the study of NGOs' involvement in labour has been significantly advanced by all three strands in this literature, labour NGOs remain at the periphery of labour movement analyses. If NGOs' role in the labour movement is to be fully understood, it is necessary to go beyond models of union–NGO cooperation, union adoption of NGO techniques, and NGO promotion of unionism, to focus on labour NGOs themselves. It is only when unions are considered one of many possible types of labour movement organization that labour NGOs' contribution to that movement can be properly assessed.

NGOs' Contribution to the Indonesian Labour Movement, 1991–1998

Indonesia has a long history of organized labour. Strikes and other forms of collective action have been documented since the late nineteenth century, and labour organizations played an important role in the nationalist movement in the late colonial period (to 1945) and under Indonesia's first President, Sukarno (1945–1967). Organized labour entered a new phase when Suharto's New Order seized power in 1966–67 after an attempted coup and the subsequent massacre of Indonesians associated with the *Partai Komunis Indonesia* (PKI, Indonesian Communist Party) and other leftist groups. Building on the concepts of functional groups formulated during the Guided Democracy period (1959–1965), the New Order encouraged unionists who had survived the purges to establish the *Federasi Buruh Seluruh Indonesia* (FBSI, All-Indonesia Labour Federation), a single peak body comprised of 21 industrial sector unions representing agricultural and plantation workers; oil gas and mining; cigarettes and tobacco, food and beverages; textiles and clothing; forestry; printing and publishing; pharmacy and chemicals; metals and ceramics; machine and equipment assembly; rubber and leather; electronics; construction; commerce, banking and

insurance; tourism; maritime workers; seafarers; inland transportation; river, lake and ferry transportation; air transportation; and health. State control of organized labour reached new heights after 1985, when *Serikat Pekerja Seluruh Indonesia* (SPSI, All-Indonesia Workers' Union) replaced FBSI. SPSI was a single union with nine departments, namely agriculture and plantations; metals, electronics and machines; textiles and garments; tourism, food and beverages, pharmacy and health; chemicals, energy and mining; trade, banking and insurance; construction and forestry; and, finally, transportation (Department of Manpower, 1997, pp. 5–7). Although SPSI officially restructured as a federation (*Federasi Serikat Pekerja Seluruh Indonesia*, Federation of All-Indonesia Workers' Unions) in 1993 and unaffiliated enterprise unions were permitted from 1994, little real change was achieved. In practice, the New Order government effectively maintained its one-union policy by preventing alternative unions organizing above plant level. As in other exclusionary corporatist systems, the single union was primarily an instrument of control rather than a representative body (Ford, 1999; Hadiz, 1997).

It was in the context of the New Order's punitive labour regime that Indonesia's labour NGOs emerged. Indonesia has many NGOs that deal with workers outside the formal sector, including overseas migrant workers, petty traders and employees of micro-enterprise. However, NGOs' most recognized contribution to labour affairs in the 1980s and 1990s was focused on factory labour. The first NGOs concerned specifically with industrial labour were established by disenchanted unionists and human rights activists between 1978 and 1985. By 1991, labour NGOs had become the major proponent of independent workers' organizations. More than a dozen labour NGOs emerged in the regions of Greater Jakarta and West Java alone, whilst others were established in the industrial cities of Surabaya and Medan, and later in a number of less industrialized cities and provincial towns. According to one estimate, some 58 labour NGOs were active in Indonesia in 1999 (Sakai, 2002). However, it is difficult to determine precisely how many NGOs were involved in labour issues in Indonesia, because there was no definitive list of active NGOs and no accepted standard for categorizing them.

While no standard categorization exists, research suggests that labour NGOs performed two main types of functions in Indonesia before the fall of Suharto (Ford, 2003). The first of these were activities associated with grassroots labour organizing, while the second involved research/policy advocacy on labour issues. At a grassroots level within the industrial sector, labour NGOs conducted education programmes; established community workers' groups; and provided legal aid and logistical support and encouragement for strike actions. Some even trained *gerilya buruh* (guerrilla workers) to take over some of the official union's plant-level units. Grassroots labour NGOs were successful in developing a relatively high level of activism amongst the workers with whom they came in direct contact. However, their small numbers and the oppressive situation in which they worked meant that they reached only a small proportion of workers, and influenced even fewer.

Research and policy advocacy NGOs attempted to improve the situation of industrial workers at a different level. They documented the living and working conditions of factory labour and lobbied the government and multinational corporations for increases in the

minimum wage, improvements in occupational health and safety and changes to labour legislation. Although many labour NGOs concentrated exclusively on either grassroots organizing or policy advocacy, some were involved at both levels. There was considerable discussion among labour NGO activists themselves about their role in the labour movement and the relative contribution of grassroots and policy NGOs (Billah, 1993; Fakhri, 1995). When questioned about the specific focus of labour NGOs' activities, labour NGO activists acknowledged both grassroots organizing work and the role NGOs had played in raising public awareness of labour issues and running campaigns about the abuse of workers' rights.¹ Most respondents agreed that the roles of grassroots and policy NGOs were (at best) complementary, or, indeed, 'synergetic'. Although the types of activities undertaken at a grassroots and policy level were quite different, then, one of the important aspects of NGOs' involvement in labour in Indonesia was their collective use of both grassroots and policy advocacy strategies. Indeed, the 'synergy' between grassroots and policy labour NGOs defined their role in the New Order period.

In the 1980s and 1990s, labour NGOs were influential at the national level because of their collective presence, rather than the efforts of any individual organization. Consequently, an important feature of labour NGOs was their emphasis on networking and cooperative projects, which involved both grassroots and policy-advocacy oriented labour NGOs. Examples included seminars and workshops involving organizers and worker-activists associated with different NGOs, joint strike actions and '*sharing*' (Indonesian NGOs' borrowed term for the sharing of experiences). Cooperative efforts began in the 1980s. The outcomes of one example of inter-NGO cooperation, a research project on Nike factories that involved *Lembaga Bantuan Hukum Jakarta* (LBH Jakarta, Jakarta Legal Aid Institute), *Yayasan Buruh Membangun* (YBM, Foundation for Labour Movement), *Institut Sosial Jakarta* (ISJ, Jakarta Social Institute), *Pelayanan Masyarakat Kota Huria Kristen Batak Protestan* (PMK, Urban Community Mission of the Batak Protestant Christian Assembly) and the *Forum Alumni Yayasan Tenaga Kerja Indonesia* (FAYTKI, Alumni Forum of the Indonesian Manpower Foundation, a government-sponsored labour training organization) supported by the Asian-American Free Labor Institute (AAFLI), were published in 1991 (LBH Jakarta et al., 1991). However, the event commonly regarded as the genesis of labour NGO networking was the campaign against military involvement in labour disputes, which grew out of the Gadjah Tunggal strike of 1991 (Kammen, 1997, pp.4-15, 174-177).

Between 27 July and 22 August, workers in the 14 factories of the Gadjah Tunggal Group conducted a series of strikes. The military interrogated a number of activists, and eventually broke the strike by direct intervention (Arini, 1993, pp. 49-51). In response, a group of NGOs (some of which had been involved in the organization of the strike), made a public statement against the arrest of some of the strikers, and then approached the Armed Forces representatives in the parliament in early September to protest against military involvement in labour relations. These included *Yayasan Lembaga Bantuan Hukum Indonesia* (YLBHI, Indonesian Legal Aid Foundation), ISJ, *Solidaritas Perempuan untuk Hak Asasi*

Manusia (Solidaritas Perempuan, Women's Association for Human Rights), *Yayasan Perempuan Mardika* (YPM, Free Women Foundation), YBM and *Saluran Informasi Sosial dan Bimbingan Hukum* (Sisbikum, Channel for Social Information and Legal Guidance). These NGOs then officially formed the *Forum Solidaritas Untuk Buruh* (Forsol Buruh, Solidarity Forum for Workers). Forsol Buruh became a powerful policy advocacy network in the early 1990s. Two years later Forsol Buruh supported another major cooperative effort between labour NGOs (and other labour activists) following the death of Marsinah, a young worker activist in East Java, who was raped, tortured and murdered after participating in strike negotiations with the police, the military and management in May 1993 (Kammen, 1997, pp.19–23, 177–178). Within a month of Marsinah's death, over 20 NGOs (many already associated with Forsol Buruh) joined the *Komite Solidaritas Untuk Marsinah* (KSUM, Solidarity Committee for Marsinah). KSUM was involved in investigation and monitoring, and ensured that the case was widely covered in the press. In 1993, Forsol Buruh continued its campaign against military involvement by lobbying against Ministerial Decision No.342/Men/1986 (which permitted military involvement in labour disputes).

Forsol Buruh was also heavily involved in the review of Indonesia's most favoured nation status under the USA's Generalized System of Preferences (GSP), a US government scheme allowing import concessions for selected developing countries. Between 1987 and 1993, a number of petitions had been presented first by the AFL–CIO, and later Asia Watch and the International Labour Rights Education and Research Fund (ILRERF), urging the United States government to cancel Indonesia's access to most favoured nation status under the GSP scheme because of labour rights violations (Government of Indonesia, 1992; Asia Watch, 1993). After two shorter reviews of Indonesia's treatment of labour in 1987–88 and 1989–90, the American Office of the Trade Representative implemented an extended review from August 1992. This third review eventually prompted the re-federation of SPSI in 1993 and the passing of a Ministerial Decision permitting the formation of non-aligned enterprise unions (*Serikat Pekerja Tingkat Perusahaan*, SPTP) in 1994 (Glasius, 1999: 141). Along with the *Serikat Buruh Sejahtera Indonesia* (SBSI, Indonesian Prosperous Trade Union, one of three self-styled alternative unions in the late Suharto period), Indonesia's labour NGOs provided much of the documentation presented in the petitions, and met the GSP team in Jakarta in late 1993. A year later, on the review team's return, they had further discussions with Forsol Buruh and with labour NGOs in Surabaya; while in June 1995 they again met Forsol Buruh, YLBHI, LBH Jakarta, ISJ and *Yayasan Maju Bersama* (YMB, Foundation for Mutual Progress) (Ford 2003). Labour NGOs also actively encouraged the government to deal with the GSP review 'productively' (to use the opportunity to implement real change), rather than simply seek a diplomatic solution.

Although Forsol Buruh itself eventually faltered, there were many other advocacy campaigns from the mid 1990s. One of these was the *Komite Solidaritas Titi Sugiati* (KSTS, Solidarity Committee for Titi Sugiati, another murdered worker-activist, whose body was found in a waste disposal area at PT Kahatex, Bandung on 30 April 1994). The committee formed to pursue her case consisted of representatives of SBSI and 19 NGOs, including LBH Jakarta, YPM, Solidaritas Perempuan, *Lembaga Bantuan Hukum Bandung* (LBH Bandung, Bandung Legal Aid Institute), and *Yayasan Forum Adil Sejahtera* (YFAS, Justice and Welfare

Forum). Other campaigns dealt with broader labour issues including occupational health and safety, child labour and the minimum wage. A campaign on occupational health and safety was launched in 1991. Child labour was a particularly prominent issue in 1993–94 and again in 1996. Regular reports appeared on worker dissatisfaction with the minimum wage, but NGO-authored articles on minimum wage levels were most common in 1996; and wages were a constant focus for activists from YLBHI in particular in 1996–97. The final advocacy initiative of note before the fall of Suharto was the campaign against the Draft Law on Manpower (RUUK, *Rancangan Undang-Undang Ketenagakerjaan*). Lembaga Studi Advokasi Masyarakat (ELSAM, Institute for Policy and Advocacy), YLBHI, ISJ and Lembaga Bantuan Hukum Asosiasi Perempuan Indonesia untuk Keadilan (LBH APIK, Legal Aid Bureau of the Indonesian Women's Association for Justice) established the *Komisi Pembaharuan Hukum Perburuhan* (KPHP, Commission for the Renewal of Labour Law) in June 1996. By March 1997, KPHP had 11 members, including YLBHI, ELSAM, LBH APIK, Sisbikum, Akatiga, Solidaritas Perempuan, ISJ, LBH Bandung and LBH Jakarta. A North Sumatran committee was also formed, involving three of the NGOs that had been involved in the 1994 Medan strike, one of which was KPS. KPHP argued that the draft law legitimated unfair labour practices established by extra-legal means during the New Order period (Amiruddin and Masduki, 1997). After an initial postponement in April 1997, the Bill entered the House for consideration in the June of 1997 with considerable fanfare. Despite the intensive campaign, the parliament passed the draft law, as Law No.25/1997, on 11 September 1997,² and it was approved on 3 October by President Suharto. NGOs renewed their demands when they later discovered that the Minister for Manpower, Abdul Latief, had used Jaminan Sosial Asuransi Tenaga Kerja (Jamsostek, Employee Social Security and Insurance Guarantee) funds to bribe legislators to pass the draft law. YLBHI demanded that Latief step down, while *Perhimpunan Bantuan Hukum Indonesia* (PBHI, Indonesian Legal Aid Association), another legal aid organization, threatened a class action. The investigation into the scandal, which was dwarfed by the rise in unemployment in December 1997–January 1998, was terminated in February 1998. However, Latief was nevertheless replaced in mid-March 1998 by Theo Sambuaga. Although the debate about Law No.25/1997 continued well into the post-Suharto period, KPHP became inactive in the early months of the Habibie presidency, when its main figures became heavily involved in campaigns unrelated to labour.

Labour NGOs' domestic initiatives were complemented by cooperation with international NGOs and labour organizations. Labour NGOs took part in general NGO forums such as INFID (International NGO Forum on Indonesian Development, formerly INGI, International NGO Group on Indonesia) (Rumansara, 1997) and other international NGO forums. They also had extensive links with labour groups in other Asian countries, including the Philippines and South Korea, as well as labour and other activist groups in Europe, Australia and North America. International campaigns were an important component of both labour NGOs' and alternative unions' strategies. International pressure on the Indonesian government to improve its human rights record was most sustained on three labour issues in the 1990s: the right to organize, the murder of Marsinah, and the imprisonment of Muchtar Pakpahan and Dita Sari. The GSP process forced the government to make significant

concessions to independent unionism in the mid- 1990s, whilst campaigns to free Muchtar Pakpahan and Dita Sari were both eventually successful. Global anti-sweatshop campaigns, particularly the anti- Nike campaign, were another important source of international support for Indonesian labour NGOs. Cooperation between international members of these campaigns and local labour NGOs put pressure on Nike and other international sportswear companies to improve conditions in factories that manufactured their products. The anti-sweatshop campaigns also brought the poor conditions of Indonesian factory workers into the international spotlight.

Discussion

Grassroots and research/policy advocacy labour NGOs, along with the informal workers' groups and alternative unions they sponsored, dominated the independent labour movement in Indonesia throughout the 1990s. The importance of their contribution at a grassroots level was demonstrated after the fall of Suharto when a number of NGO-sponsored workers' groups registered as independent unions after the legal obstacles to independent unionism were lifted by Suharto's successor, President B.J. Habibie, with the ratification of ILO Convention No.87 on the Freedom of Association and Protection of the Right to Organize in June 1998 (Ford, 2000). Their contribution on the policy front was demonstrated by their ability to harness international support in order both to ensure their own continuity in a difficult political situation, but more importantly, to force Suharto's authoritarian government to make significant changes to its industrial relations policy.

Since the fall of Suharto, grassroots labour NGOs have repositioned themselves in response to the opportunities to organize and subsequent growth in independent unionism. Some activities previously conducted by labour NGOs have indeed been taken over by unions. However, labour NGOs have continued to play a very active role, providing training and other types of specialist support to Indonesia's new trade unions. The emergence of new grassroots-oriented labour NGOs such as the Trade Union Research Centre in Jakarta strongly suggests that labour NGOs still have a role to play at the grassroots level in the Indonesian labour movement. Labour NGOs have also remained influential at a policy level in the post-Suharto era, working with other NGOs (and sometimes with unions) to press for pro-worker legislation and policy at national level. Although relations between labour NGOs and unions are often fraught because of ongoing tensions around issues concerning access to resources and differing perceptions about the legitimacy of labour NGOs' involvement in the labour movement, developments in the post- Suharto period suggest that labour NGOs will continue to contribute to the reconstruction of the labour movement for many years to come (Ford, 2004c).

Implications

While scholars such as Hadiz (1997) have recognized the contribution of labour NGOs to the development of an independent labour movement in the late New Order period, they, like the authors of the international literature on labour NGOs, have interpreted NGOs' 'intervention' as a transitional measure in a situation where 'real' unionism was impossible. More recent empirical evidence suggests, however, that NGOs' involvement in

the labour movement has at least some long-term potential. While some aspects of NGOs' labour-related activities in that period have since been taken over by unions, many others have not. Seven years after the fall of President Suharto, labour NGOs remain strongly positioned to contribute to the labour movement both through research and policy advocacy and through the provision of services based on specialist skills that many unions do not currently have, and may choose to not to develop, instead continuing to outsource those functions to NGOs. However, even if labour NGOs' current grassroots functions are eventually phased out, the increasing engagement of non-union organizations in labour issues internationally, as the nature and location of work is transformed, suggests that there is no reason to assume that NGOs will not fulfil other grassroots-related functions in the future, not only outside the formal sector, but in areas of industrial work not traditionally considered to lie within the scope of trade union activity. Likewise, the growing international tendency to channel funding through NGOs means that labour-related advocacy and research is likely to continue to be conducted by NGOs as well as unions in Indonesia, and indeed, elsewhere.

Conclusion

Although there are many Indonesian NGOs that have either worked with alternative labour unions and/or grassroots workers' organizations towards common goals such as democratization and the protection of human rights, or reached out to workers' groups traditionally considered 'unorganizable' using methods not generally employed by trade unions (see Ford 2004b), the group of NGOs described in this contribution are those generally associated with the third strand of the international literature on labour NGOs, namely NGOs that undertake some of the functions more generally associated with unions in situations where unionism is not (yet) possible. In the 1990s, Indonesia's labour NGOs worked individually to encourage workers to organize, defend them in the courts, or conduct research on their conditions and needs, and collectively campaigned against repressive labour policy, legislation and practice. The breadth and depth of labour NGOs' role in the reconstruction of the Indonesian labour movement in the 1990s, and NGOs' continuing involvement in the labour movement after the demise of the New Order, suggest that, in cases such as Indonesia, NGOs' contribution to developing country labour movements should be more seriously considered by labour theorists and practitioners alike. Internationally, labour theorists (and indeed unionists) are at best ambivalent about—and at worst hostile to—NGOs' involvement with workers engaged in types of work traditionally considered to be the province of trade unions. Unionists are wary because of concerns about NGOs' structure and motives, and their fears that NGOs will encroach on their territory; theorists because NGOs do not fit the 'criteria of significance' by which labour movement organizations are traditionally defined (Ford, 2001). Labour NGOs, are indeed clearly distinct from trade unions (the traditional focus for students of the labour movement), and not always fully focused on issues concerning the labour movement. However, the Indonesian case demonstrates that they do have the potential to significantly affect the shape and wellbeing of that movement, not just as substitute trade unions, allies or sources of inspiration, but as a category of labour movement organization in their own right.

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Glossary

AAFLI	Asian-American Free Labor Institute
ELSAM	<i>Lembaga Studi Advokasi Masyarakat</i> (Institute for Policy and Advocacy)
FAYTKI	<i>Forum Alumni Yayasan Tenaga Kerja Indonesia</i> (Alumni Forum of the Indonesian Manpower Foundation)
FBSI	<i>Federasi Buruh Seluruh Indonesia</i> (All-Indonesia Labour Federation)
Forsol Buruh	<i>Forum Solidaritas Untuk Buruh</i> (Solidarity Forum for Workers)
FSPSI	<i>Federasi Serikat Pekerja Seluruh Indonesia</i> (Federation of All-Indonesia Workers' Unions)
GSP	Generalized System of Preferences
ILRERF	International Labour Rights Education and Research Fund
ISJ	<i>Institut Sosial Jakarta</i> (Jakarta Social Institute)
Jamsostek	<i>Jaminan Sosial Asuransi Tenaga Kerja</i> (Employee Social Security and Insurance Guarantee)
KPHP	<i>Komisi Pembaharuan Hukum Perburuhan</i> (Commission for the Renewal of Labour Law)
KSTS	<i>Komite Solidaritas Titi Sugiati</i> (Solidarity Committee for Titi Sugiati)
KSUM	<i>Solidaritas Untuk Marsinah</i> (Solidarity Committee for Marsinah)
LBH APIK	<i>Lembaga Bantuan Hukum Asosiasi Perempuan Indonesia untuk Keadilan</i> (Legal Aid Bureau of the Indonesian Women's Association for Justice)

LBH Bandung	<i>Lembaga Bantuan Hukum Bandung</i> (Bandung Legal Aid Institute)
LBH Jakarta	<i>Lembaga Bantuan Hukum Jakarta</i> (Jakarta Legal Aid Institute)
NAFTA	North American Free Trade Association
PBHI	<i>Perhimpunan Bantuan Hukum Indonesia</i> (Indonesian Legal Aid Association)
PMK	<i>Pelayanan Masyarakat Kota Huria Kristen Batak Protestan</i> (Urban Community Mission of the Batak Protestant Christian Assembly)
PKI	<i>Partai Komunis Indonesia</i> (Indonesian Communist Party)
RUUK	<i>Rancangan Undang-Undang Ketenagakerjaan</i> (Draft Law on Manpower)
SBSI	<i>Serikat Buruh Sejahtera Indonesia</i> (Indonesian Prosperous Trade Union)
Sisbikum	<i>Saluran Informasi Sosial dan Bimbingan Hukum</i> (Channel for Social Information and Legal Guidance)
Solidaritas Perempuan	<i>Solidaritas Perempuan untuk Hak Asasi Manusia</i> (Women's Association for Human Rights)
SPSI	<i>Serikat Pekerja Seluruh Indonesia</i> (All-Indonesia Workers' Union)
SPTP	<i>Serikat Pekerja Tingkat Perusahaan</i> (enterprise-level union)
YBM	<i>Yayasan Buruh Membangun</i> (Foundation for Labour Movement)
YFAS	<i>Yayasan Forum Adil Sejahtera</i> (Justice and Welfare Forum)
YLBHI	<i>Yayasan Lembaga Bantuan Hukum Indonesia</i> (Indonesian Legal Aid Foundation)
YMB	<i>Yayasan Maju Bersama</i> (Foundation for Mutual Progress)
YPM	<i>Yayasan Perempuan Mardika</i> (Free Women Foundation)

Notes

¹ Representatives of 25 labour NGOs were interviewed in three periods of PhD fieldwork in 1999, 2000 and 2001. Follow-up fieldwork on the Indonesian labour movement and the role of NGOs in that movement was carried out in 2003, 2004 and 2005.

² Law No. 25/1997 was originally to go into effect on 1 October 1998. It was delayed twice after the fall of Suharto—first to 1 October 2000 and again to 1 October 2002, before it was finally nullified.