Introduction

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We’ve learned from labor the meaning of power.

Dr. Martin Luther King, Jr.

This volume comes together at a time when democracy on a global scale is facing its greatest challenges in eighty years and is under siege in every region of the world by autocratic leaders and parties. After thirty years of steady democratic advances in much of the world during the latter decades of the twentieth century (Huntington 1991; O’Donnell & Schmitter 1986; Roberts 2016), Freedom House has documented a decline in civil and political rights in both newly established and long-standing democratic regimes since the early 2000s, characterizing this trend as “democracy in retreat” on the global stage (Freedom House 2019: 1). This downward spiral continued and intensified over the second decade of the twenty-first century, with autocratic leaders pursuing unchecked power and demonizing political and cultural minorities, producing destabilizing effects around the globe (V-Dem Institute 2021).

The revival of authoritarian and even fascist political currents, including in some of the world’s most advanced, long-standing democracies, helped to motivate this project’s focus on labor rights and the prospects for democracy. Democracy’s global retreat has coincided with an erosion of the organizational and political strength of labor unions in much of the world, but the relationship between these two empirical trends has yet to receive systematic scholarly attention. Scholars have extensively explored how democratic erosion or “backsliding” is related to growing political polarization (Haggard & Kaufman 2021; Levitsky & Ziblatt 2018; Lieberman et al. 2021); the rise of “illiberal” populist, nationalist, and religious currents (Mudde & Rovira Kaltwasser 2012; Müller 2016; Zakaria 2007); racial and ethnic antagonisms (Bartels 2020; Parker & Barreto 2013); and the erosion of Western liberal hegemony on the global stage (Diamond 2019; Levitsky & Way 2020). To date, however, scholars have largely neglected to examine how democratic regress has been fostered or conditioned by the synchronous weakening of organized labor as a political force, particularly in an era of unfettered global markets, highly concentrated wealth, and politically empowered private capital.

This relative neglect is especially striking given the long tradition of scholarship exploring the role of organized labor and the working class in the historical construction of democracy (Collier 1999; Rueschemeyer et al. 1992; Seidman 1994). Likewise, there is an extensive literature on the efforts of labor unions to deepen or extend democratic practices to broader spheres of social and economic relationships (Castles 1978; Huber & Stephens 2001).
Democracy’s retreat in recent times thus calls for a reexamination of labor’s role in historical and contemporary democratization struggles, as well as its role in processes of democratic erosion or backsliding. If labor has been – and often remains – a central figure in struggles for democracy around the world, has it also been a stalwart defender of democracy against autocratic challengers? Is democratic erosion tied to the political weakening of organized labor, and is it associated with the emasculation of labor rights? Or are there conditions under which labor’s political alliances and its intersection with racial, ethnic, or nationalist politics undercut its democratizing potential?

Perhaps most important, what are the prospects for labor to play a constructive role in securing both political democracy and social and economic citizenship rights in the contemporary global arena? Democratic erosion is not a one-way street, and it is hardly an uncontested process. Efforts to restrict or dismantle democratic practices are invariably met with countervailing pressures to protect or even expand democratic rights and social inclusion, as contemporary US politics vividly demonstrate. So conceived, crises of democracy can also be seen as singular opportunities to extend its reach, incorporating new actors into the democratic arena or expanding the range of citizenship rights.

This volume addresses these questions from a range of disciplinary perspectives. Its interdisciplinary focus brings together a rich and varied collection of contributions from scholars in the fields of law, political science, history, and sociology. It also includes international and cross-regional comparative perspectives in order to highlight the global character of challenges to labor rights and democracy. It examines these questions not only in advanced industrial societies that are historic—if increasingly contested—bastions of democracy, but also in developing regions where democratic institutions are more recently and tenuously established, or still in gestation.

The chapters are complementary in their exploration of these challenges, but they offer different perspectives as well as critical insights into what can sometimes be a complex relationship between labor and democracy. Underlying themes throughout the chapters include class and economic inequality; capitalism and its turn toward neoliberalism; the implications of industrial democracy for workers’ economic and political rights; systemic racism and the intersection between class, racial, ethnic, and gender inequalities; the destabilizing impact of the Covid-19 pandemic on the working class; and the complex relationship between the erosion of labor rights and democratic institutions. The book is divided into five parts: (I) Labor and Democracy: Theory and Practice; (II) History, Politics, and Law; (III) Labor, Diversity, and Democracy; (IV) Country and Regional Perspectives; and (V) Labor and Democracy Sectoral Case Studies: Platform Workers, Higher Education, and the Care Industry.

LABOR AND DEMOCRACY: THEORY AND PRACTICE

Part I of the book provides a theoretical grounding for the thematic parts that follow. This part maps out the most important analytical dimensions along which labor’s relationship to democracy are dissected in this book, moving from the workplace to broader spheres of social and economic relationships, national political regimes, and international law. Together, the chapters in Part I illustrate the multifaceted character of labor’s role in the struggle to democratize political as well as economic institutions.

Mark Barenberg tackles a new labor vision in Chapter 1. His chapter reinforces many of the arguments made in subsequent chapters, but it also stands in some tension with others. He argues that labor’s power to strengthen both industrial democracy and political democracy
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depends on the structure of much more than the field of workplace law as conventionally defined. While most analyses of the legal construction of worker power – and proposals for legal reform – focus on the law of collective bargaining, employment conditions, and social insurance, Barenberg looks not only to those but also to components of the law of domestic and international finance, national security, the Constitution, communication, advertising, zoning, education, and others. His broad “new labor law” would bring all those components within its scope and generate radical proposals for legal reconstruction to promote worker empowerment in democratic capitalist and democratic socialist regimes.

In Chapter 2, Kenneth Roberts provides additional theoretical grounding through a multidimensional approach to labor’s relationship to democracy. Scholars have long debated whether and how labor contributes to the construction of democratic regimes and the expansion of social citizenship rights, but recent patterns of democratic backsliding make it abundantly clear that democratic advances are subject to reversal. As such, it is imperative to interrogate labor’s role in the defense of democratic rights and liberties, and not merely the introduction or expansion of those rights. Roberts calls for a view that explores labor’s role in (1) constructing democratic regimes, (2) deepening democracy by expanding social citizenship rights, and (3) defending democracy against its adversaries and authoritarian currents in society. This framework facilitates analysis of democratic struggles around the world, and provides leverage to examine potential linkages between backsliding and the generalized weakening of organized labor.

In Chapter 3, Angela Cornell focuses on the juxtaposition of labor’s exalted place in international human rights law with its subordinate position in domestic law, particularly in the USA, which fails to comply with widely accepted freedom of association norms. In international human rights instruments and jurisprudence, labor unions hold a special position, and freedom of association is the critical foundational right upon which other rights and interests are advanced. Furthermore, in social science literature, labor unions are generally recognized to have pro-democracy attributes. The chapter reviews labor containment under authoritarian regimes and finds parallels with the treatment of labor in the USA, and questions why labor policy is not used to strengthen democratic institutions when they are at their weakest point since the 1930s.

In Chapter 4, Keith Ewing focuses on the characteristics of new forms of populist government and the emergence of illiberal types of democracy that violate conventional democratic norms, such as civil rights and liberties or the rights of political opposition. Ewing examines the consequences of “illiberal democracy” for trade unions both politically and industrially. He uses the example of the United Kingdom to dig deeper into the consequences of illiberal democracy and economic liberalism.

**HISTORY, POLITICS, AND LAW**

Threads that run through the chapters in Part II are the linkages between industrial democracy and political democracy, labor’s diminishing bargaining power, and the capacity and implications of expanded collective bargaining. These US-focused chapters describe the unraveling of the social compact, disturbing levels of inequality, and the new Gilded Age. They also suggest some tangible ways to recalibrate the balance between capital and labor in order to advance social solidarity and a more progressive vision of what constitutes a good society. A dramatic and creative expansion of collective bargaining to substantially advance the interests of working people is part of the solution, one aided by Charlotte Garden’s proposal to expand the interpretation of the First Amendment to better protect the collective rights of workers.
We begin Part II with Chapter 5, by Nelson Lichtenstein, which discusses new forms of sectoral bargaining that have their origins in the wage determinations of the Progressive Era. Lichtenstein provides useful examples from the past and present as he develops a persuasive argument for bolstering working-class institutions. It is difficult to imagine a truly revitalized labor movement without some sectoral bargaining, which makes the topic critical for wider consideration. He emphasizes that the far-reaching impact of sectoral bargaining across an occupation or industry can distribute higher working standards regardless of the attitude of workers or employers. The chapter offers a practical path forward to lift the dismal working conditions of wide swaths of working people while advancing social solidarity.

The broader potential of collective bargaining is also contemplated in Chapter 6, where Stephen Lerner, Joseph McCartin, Sarita Gupha, and Lauren Jacobs discuss a bargaining approach to strengthen communities. Like Lichtenstein’s proposal, this chapter contemplates bargaining with an impact that is much broader than a particular worksite. This creative bargaining strategy can help address some of the festering problems that have been building for decades, including the fraying of the social fabric affecting working people particularly in communities of color, which they frame as an existential threat to democracy. Their broader vision is to help build a twenty-first-century economy.

Collective bargaining as a mechanism for industrial democracy is explored historically in Chapter 7, by Wilma Liebman. She reminds us that 100 years ago leaders considered labor rights to be the “constitutive moral, political, and social dilemma of the new industrial order.” Over a century later we revisit the same issues and dramatic parallels with a return to the Gilded Age of wealth and power. The New Deal labor reforms delivered a measure of industrial and economic democracy for working people, creating a broad middle class and widely expanded political participation. However, these early gains have receded over time, particularly over the last forty years, with the law’s ossification and the corrosive impact of corporate dominance in the workplace and public life. Liebman reminds us that no other major American legal regime has been so paralyzed in the past without being updated to more effectively deal with decades of changes in the nature of work. But, she sees reason for optimism in the momentum of recent collective activity and the courageous labor struggles, including the wave of recent worker protests of public sector teachers and tech workers, and the many examples of essential workers facing the Covid-19 risks who have contributed to a quarter-century high mark for work stoppages.

Tim Minchin documents the role of organized labor in the USA as an important force for democracy, providing a voice for and fighting for the interests of working people in Chapter 8. Rejecting attacks against organized labor that characterize unions as a “special interest,” Minchin documents unions’ role in consistently fighting for workplace health and safety, higher pay, and workplace democracy, as well as their role in advancing the political interests of working people beyond the workplace.

In Chapter 9, Charlotte Garden argues for a First Amendment interpretation that advances democratic deliberation and participation, considering the important contributions that unions make toward strengthening democratic institutions. Instead of treating unions with suspicion and disdain, she asserts that the US Supreme Court, when interpreting the First Amendment, should recognize labor unions’ role in making democracy stronger and more representative. While there is a legal foundation that acknowledges and values political advocacy by labor unions on behalf of workers’ interests, the judiciary, especially through recent decisions such as Janus v. AFSCME, has undermined unions’ capacity, weakened freedom of association, and villainized unions.
The four chapters in Part III cover the intersection of labor with race, immigration status, and gender, and explore the broader implications for democracy. Labor unions play an important role in influencing the attitudes of their members toward diversity. As the largest mass membership organization of people of color, unions can play a critical role in advancing civil rights and racial justice, and they have the potential to bridge racial and ethnic divisions in their pursuit of economic and political interests that workers share in common. However, significant divisions along racial lines continue to persist in US society, and the labor movement has not been immune from these tensions, historically or in present times. These chapters thus tackle the critical importance of social inclusion and the relationships between class inequality, labor organization, and other forms of inequality based on race, ethnicity, and gender. They cover labor's role in bridging the divides over race, gender, and ethnicity, but also the historical exclusions by labor tied to race and immigration status.

Chapter 10, by Cynthia Estlund, lays a foundation for understanding the important contributions labor unions make toward bridging racial, ethnic, and ideological divisions within the working class. Estlund identifies the critical role unions have played in bringing heterogeneous groups of workers together to identify their common interests. She describes the density of workplace ties, which serve as a powerful unifying force that can help counter exclusionary ethno-nationalist politics and right-wing populism. Unions contribute to greater equality, but Estlund argues powerfully that they also serve as a distinctive force for an inclusive and sustainable economy. In so doing, they help strengthen political democracy.

In Chapter 11, Paul Frymer, Jacob M. Grumbach, and Thomas Ogorzalek further support the argument that unions are critically important for the advancement of civil rights and greater racial tolerance in the USA. They conclude, however, that this dynamic must be actively nurtured and advanced by labor leaders. They look at historical cases and survey data to underscore their position that union members are less likely to have racist attitudes. However, they also share the historical context of racial exclusion and white privilege that undermined class solidarity between white and black workers, particularly in the south during the Jim Crow era, and the exclusionary aspects of the National Labor Relations Act (NLRA), which does not extend legal protection to agricultural and domestic workers.

In Chapter 12, Bill Ong Hing poignantly describes the horrors of workplace raids by the US Immigration and Customs Enforcement (ICE) and the way immigrant workers are demonized and commodified. The racial implications of these raids are not given enough attention, he argues. Indeed, immigration law institutionalizes values that dehumanize, demonize, and criminalize immigrants of color, according to Hing. He goes on to connect immigration enforcement with workers’ unionization efforts, examining how enforcement not only impacts undocumented workers but also undermines all workers’ freedom of association – and ultimately democracy.

In Chapter 13, Deborah Dinner powerfully underscores how the failure to support care providers has undermined democratic vitality and deepened gender, race, and class inequalities, rendering the social and political fabric even more fragile. The last half a century of neoliberal policies rendered the nation ill-prepared to tackle the demands of the pandemic. She connects the exacerbation of class inequalities to populist enthusiasm for authoritarian government. Apart from threatening to devastate the nation’s already fragile care infrastructure, the impact on women – particularly women of color – has been enormous, upending women’s work in the home and pushing women out of the workforce and imperiling the health of essential workers and their families.
COUNTRY AND REGIONAL PERSPECTIVES

The chapters in Part IV provide comparative perspectives on labor and democracy covering Latin America, Africa, Europe, and Asia. In these countries and regions, independent labor movements were often instrumental in democratic transitions, but they continue to face an array of challenges, including the repression of trade unionists, the spread of informal and precarious forms of employment, and the expansion of platform work. Furthermore, examples of state- and employer-created organizations or coopted unions that undermine freedom of association and supplant the ability of independent unions to form and thrive exist in many areas. More recently, the harsh impact of neoliberalism on workers and the expansion of precarious work has helped to elect right-wing populists who undermine workers’ freedom of association and the strength of democracies.

Latin America’s tumultuous struggles with democracy cannot be analyzed well without referencing its labor movements. In Chapter 14, Mark Anner traces labor’s lengthy struggle in Latin America for workers’ rights, equity, and democracy through periods of corporatism, authoritarian rule, neoliberalism, and contemporary left- and right-wing populist governments. Trade unionists have suffered tremendously over the decades for their role in these struggles, and Latin America continues to be one of the most dangerous places in the world for the labor movement. Anner finds that the labor movement has had a positive impact on democracy in the region, including what he refers to as the indirect impact on reducing inequality, but he cautions that there are examples of labor being co-opted by autocratic states and political elites. However, labor’s commitment to principles of liberal democracy has served to strengthen democratic institutions in the region and support national struggles for democratization.

Latin America and Africa share a number of similarities, including challenges to democratic institutions, labor market features (such as high levels of informality), and examples of labor being co-opted by autocratic states and ruling elites. The independence of labor unions is critically important for freedom of association to be realized, and it also impacts the capacity of unions to support democratic institutions. Evance Kalula and Chanda Chungu describe the ability of some African states to weaken independent unions perceived as being hostile to government by controlling and manipulating union leadership in Chapter 15. They describe the link between freedom of association and democracy as unassailable, but remind us that the independence of trade unions from both state and employer control is at the core of freedom of association. According to Kalula and Chungu, freedom of association and democracy share the same roots: liberty, independence, pluralism, and a voice in decision-making. They draw our attention to the important work of the ILO in supporting freedom of association in Africa and both industrial and political democracy, citing the ILO for the conclusion that without workers’ freedom of association, “the foundations of the democratic political system will be shaken” (Curtis 2004: 89). Their chapter on labor’s role as an enhancer of democratic governance in Africa places labor at the center of the struggle for democracy for decades since the movements for decolonization and political emancipation. Kalula and Chungu describe labor as being instrumental in supporting nationalist campaigns. Labor’s role in deepening democracy in Africa, they note, has often been tied to social movement unionism.

In Chapter 16, David Ost looks at the relationship between workers and democracy in Poland’s labor movement and analyzes how this relationship can shift over time. He begins by recounting the union movements that were leading the democratization struggles in the 1980s in Brazil, South Africa, and Poland. Tracking the shifting position of Poland’s solidarity union, which started as a broad proponent of democratization during state socialism, he analyzes the
shift under neoliberalism to support for the current right-wing efforts to undermine aspects of democracy. Ost develops three concepts of democracy: political, egalitarian, and formal-institutional, or Democracy I, II, and III, which he uses to analyze the shift in workers’ orientation in capitalist societies, in some cases to oppose rather than support egalitarianism. Workers are increasingly being blamed for the rise of right-wing populist administrations around the globe, but Ost identifies neoliberalism and the exclusion of workers from decision-making and wealth-sharing as the root of the crisis of democracy today, primarily by generalizing a fear of insecurity, immigrants, and ethnic minorities. As Ost suggests, labor’s democratic potential often hinges on its political alliances, and unions may cease to advance the democratic cause if they become politically aligned with the forces of exclusionary ethno-nationalism.

Asia is the focus of Chapters 17 and 18, the last chapters in Part IV, which cover issues of labor and democracy in India and Korea. The threat to democracy in India posed by the 2019 re-election of Narendra Modi and his hard-line Hindu supremacist and anti-labor policies is the topic of Chapter 17. India, like the USA since 2016, has been ranked as a “flawed democracy” in The Economist Intelligence Unit’s Democracy Index (PTI 2020b). Chapter 17 focuses on the tremendous challenges faced by the Indian labor movement to reclaim democracy and advance the interests of the working class. India has been categorized as the “worst in the world for working people” in the ITUC Global Rights Index, and Anibel Ferus-Comelo highlights the country’s brutal repression of strikes, mass dismissals, and regressive labor laws. She goes on to describe the high unemployment, precarious work, and grinding poverty, where 90 percent of workers are in the informal sector, and 18.4 million toil as bonded laborers in indentured servitude with conditions of quasi-slavery, raising issues of caste, class, gender, and religion. Nevertheless, labor pulled together what has been referred to as the largest general strike in the world in January 2020, with 250 million workers demanding improvements in labor law and enforcement. There have also been examples of success to applaud, such as the sanitation workers in Mumbai and the national domestic workers campaign. With India’s unprecedented authoritarian backsliding under Modi, Ferus-Comelo sees independent unions as the antidote at the national level across industries, sectors, and companies, while social movement unionism that brings in the informal sector can help strengthen labor’s defense of democracy.

Chapter 18 focuses on South Korea. Although the labor movement was the strongest driving force in the 1987 transition to democracy after more than two decades of oppressive authoritarian rule, Jaek Kwon provides a critical feminist perspective on the state of democratic unionism today and questions its representative character. The social movement unionism that was instrumental in ending authoritarian rule was a feat of class consciousness and solidarity recounted in the chapter. This independent trade union movement, according to Kwon, was a key factor in the struggle for democracy and a complete departure from the pro-government trade union federation created by the authoritarian state as a tool to obstruct the formation of an independent movement. Despite the “moral force” the independent trade union movement played in the democratic transition, Kwon describes the ways in which it has lost sight of the growing diversity of the Korean labor force, and undervalued women and marginalized workers. The Candlelight protest movement was important in the toppling of a corrupt administration in 2017, and it has been much more diverse and representative of Korean work life, incorporating those who have been most seriously impacted by neoliberalism and the fraying employment relationship between workers and Korean companies. Kwon describes how the movement has been influential in creating change using non-violent means without the more militant tactics and male-dominated culture of Korean unionism. Perhaps the movement is a model for a more inclusive and responsive labor movement that can help expand union density.
LABOR AND DEMOCRACY SECTORAL CASE STUDIES: PLATFORM WORKERS, HIGHER EDUCATION, AND THE CARE INDUSTRY

The sectoral studies in Part V link significant labor issues in particular sectors of the economy to the corrosion of democratic institutions, providing another contextual lens for the exploration of contemporary challenges to democracy. The critical threshold question of who meets the definition of an employee for coverage of legal protections, including the right to organize collectively in many countries, surfaces in Part V. Also addressed is the expansion of the misclassification of workers as independent contractors and the challenges of identifying what entity is the employer. The plight and precariousness of platform workers is the emblematic global struggle over how to define employees in an environment dominated by technological changes and transnational capital and influence, but these issues also surface in the care industry in the USA. Both areas are occupied by low-wage and precarious workers, who are also a growing part of the labor market in higher education, which relies heavily on adjunct and temporary faculty, challenging models of shared governance and workplace democracy.

In Chapter 19, López López describes the institutional erosion of labor organizations and workers’ interests, and how collective labor law as a core of social democracy has been questioned in recent decades. Labor law as a democratic institution has been transformed by an industrial relations ecosystem in which transnational firms function as more than just employers, as they are also significant political actors challenging domestic laws and the power of nation states, according to López. For platform workers often excluded from the legal infrastructure and the safety net, workers and unions have redirected their efforts using a multilevel and multimodality strategy of mobilization at the local, national, and supranational levels of protest. This mobilization includes demonstrations, negotiations, and judicial action, which have greatly improved workers’ circumstances in terms of labor conditions as well as healthcare and social security.

The democratic public mission of universities is interdependent on a labor model for faculty that is based on democratic professional norms of academic freedom, tenure, due process, and collective shared governance. As Risa Lieberwitz demonstrates in Chapter 20, however, these institutional goals and structures are increasingly contested and in tension with the corporatization of universities and their use to serve the private interests of industry. Lieberwitz surveys the interconnections among democracy in the wider culture and polity, labor regimes within universities, and concentrated economic powers, and she describes the changing historical forces that tilted universities toward either public democratic or private corporate interests.

Expanding significantly in the USA, the care economy is critically important, but perpetuates inexcusably poor working conditions mainly affecting women, immigrants, and workers of color. In Chapter 21, Gabe Winant describes the unregulated and nonunion workplaces where workers have faced considerable occupational health and safety issues. Although these workers provide a vital social service for children, the elderly, the disabled, and the sick, these destabilized work settings are replete with myriad problems, not the least of which are tied to subcontracting, franchising, and misclassification. Winant describes these workplaces as being produced by the state and franchised to the private sector to carry out state functions, separating the purpose of the work from its control and administration.

CONCLUSION

At a time when democracy is threatened in every region of the globe, this volume explores the important nexus between labor and democracy from wide and varied perspectives, across
different academic disciplines, geographic regions, and socioeconomic sectors. Different types of workers and workers’ organizations are covered in this volume, and the intersectionality of labor movements with those based on race, gender, ethnicity, and immigration status is thoroughly examined. Historical patterns are compared and contrasted with contemporary manifestations of globalized, neoliberal capitalism and its transformative effects on labor markets, workers’ movements, social inequality, and democratic institutions.

Recent events demonstrate the fragility of democracy even in countries that have had long-standing democratic traditions. The refusal of a sitting US president to accept the outcome of a legitimate election with the support of his party followed by the violent assault on the Capitol in early 2020 are jarring examples of a corroded democracy. There remains a critical need to strengthen democracy-supporting institutions, including the labor movement, which the scholarship in this volume demonstrates has enormous capacity as a force for democratization, deepening democracy, and defending democracy against authoritarian tendencies. Labor unions expand political participation, enhance the interests of working people in the political realm, lessen economic polarization, and help to build solidarity among the working class in ways that reduce support for authoritarian or ethno-nationalist parties.

Also relevant to the analysis is the relationship between disempowerment in the workplace and the weakening of political democracy. Given the challenges faced by both labor and democracy in the current era, the contributions to this volume are often sobering but never despairing, and they offer grounds for hope tempered by a healthy dose of realism. Taken together, they leave little doubt that labor’s historical struggles for democracy – political, social, and economic – will remain vibrant in the twenty-first century, even if they take different forms than those seen in the past. How much more the labor movement can deliver to the cause of democracy may depend on whether workers are able to fully exercise their fundamental right of freedom of association.

REFERENCES


