

A stylized world map composed of a grid of dots in various shades of gray, with several dots highlighted in red. The map is centered behind the title and subtitle.

Trade Unions in Transformation

Trade Union Movement and Democracy in Indonesia:
2010, 2014, and Beyond

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- In its efforts to become an effective political power, the Indonesian trade union movement has had variable success when it comes to two campaigns – the social security campaign in 2010 and the involvement in electoral politics in the legislative and presidential elections in 2014.
- These two campaigns provide important lessons on how to build coalitions, the role of leadership and the importance of internal democracy in the trade union's quest to present itself as an alternative political power in Indonesia.
- Trade Unions in Transformation is an FES project that identifies unions' power resources and capabilities that contribute to successful trade union action. This study features among two dozen case studies from around the world demonstrating how unions have transformed to get stronger.



Contents

Abstract	3
1. Introduction	3
2. The Campaign for Social Security	4
3. »Labour Entering Electoral Politics«: 2014	8
3.1 Legislative Election	9
3.2 Presidential Election	10
4. The Impact of KAJIS and Union Politics	12
5. Lessons Learned	15
References	17

Abstract

The paper evaluates the Indonesian trade union movement involvement in two different yet closely related events between 2010 and 2014. The first of these events is involvement in the social security campaign in 2010, which has coloured the emergence of an unprecedented new kind of trade union movement manifested in the Action Committee for Social Security Reform (*Komite Aksi Jaminan Sosial*, KAJIS), a national alliance of unions dedicated to pushing for reforms of the universal social security system. The second is the involvement in electoral politics through legislative and presidential elections in 2014, as well as the opportunities and challenges that accompany it. In its efforts to become an effective political power the Indonesian trade union movement has had variable success when it comes to the two campaigns. The overestimation of their strength fresh from their success from the social security campaign, combined with the over-dominance of the union leaders, contributed to the failure of the latter foray into electoral politics. These two events, nevertheless, show the importance of societal power and the potential of the trade union movement to make an alternative class political power that can be expected in Indonesia.

»As soon as any man says of the affairs of the State ›What does it matter to me?‹ the State may be given up for lost.«

(Jean-Jacques Rousseau, *The Social Contract*)

1. Introduction

Reform, democratization, and development often function in unbalanced dialectical conflict in various spheres. Elite and oligarchical powers that have long existed, after receding briefly due to democratization and reform, usually easily return to power using the economic and political resources they have accumulated, including, if necessary, by appropriating and carrying the language of this democracy that had cast them aside (Robison and Hadiz, 2004).

When Indonesia was forced to submit to the International Monetary Fund (IMF) and the World Bank to receive loans to overcome the crisis which initiated the reforms of 1997-1998, the country expressed an orientation towards certain conditions such as »good governance«, »rule of law«, with the noble desire to bring about transparency, public participation, accountability and predictability (World Bank, 1997). Unfortunately, efforts to embody these qualities often lead to their antithesis: corruption; organized violence, such as torture or terrorism; and various forms of misappropriation of others through the incumbent elites' application of wealth and power. How do we understand this phenomenon?

The quality of democracy (*doing good*) and development (*doing well*) are very dependent upon one another.

er. They form a long and complex series of interrelated perspectives as well as political choices of the mutual interest groups compete with one another (Brietzke, 2004). Most of the relevant choices driven by civil action are personal, but many are planned and organized politically. Therefore, any attempt to produce and exercise alternative power for the good of most members of society also needs to be achieved through organizing the political power of the civil society.

This paper focuses on the involvement of the Indonesian trade union movement in two different yet closely related events between 2010 and 2014. The first of these events is involvement in the social security campaign in 2010, which has coloured the emergence of an unprecedented new kind of trade union movement manifested in the Action Committee for Social Security Reform (*Komite Aksi Jaminan Sosial*, KAJIS), a national alliance of unions dedicated to pushing for reforms of the universal social security system. The second is the trade unions' involvement in the electoral politics through legislative and presidential elections in 2014, as well as the opportunities and challenges which accompanied it.

The two events will be analysed and compared, and the variable success of the two campaigns and the trade union movement's efforts to become an effective political power more thoroughly discussed. The overestimation of their strength fresh from their success from the social security campaign, combined with the over-dominance of the union leaders, contributed to the failure to form an alternative class political power that the norm in Indonesia.

In this regard it is interesting to refer to the notion of societal power (Gumbrell-McCormick and Hyman, 2013) that refers to the ability of trade unions to clearly and persuasively articulate social and societal change: »Unions need to demonstrate that a better society is their mission and identity and to convince others that this is a possible and desirable goal.«¹ In addition, trade unions need to show that they are themselves democratic organisations and propagators of democracy. Societal power also includes collaborative or coalitional power, meaning the strengths gained from cooperative relationships between trade unions and other groups, movements and organisations which share many of their goals and interests. While the social security campaign through the KAJIS is clearly an example of the Indonesian trade union movement exercising societal power in the experiment in electoral politics conversely shows a lack of meaningful societal power resources. Nevertheless both events show the potential of the trade union movement to make an alternative class political power to what has come to be expected in Indonesia.

2. The Campaign for Social Security²

In response to the economic crisis that eroded the New Order authoritarian government under President Suharto (1966–1998); the need to develop domestic sources of funds; and the desire to prove themselves different from their predecessors, post-1998 reform governments furthered one important idea, that it was time for Indonesia to have a more thorough social security system for all its citizens. Following the proposal by the Supreme Advisory Council (*Dewan Pertimbangan Agung*) of the advisory branch of government, the 2002 General Session of the Indonesian People's Assembly agreed to amend the 1945 Constitution to specifically include the people's right to social security and the state's obligation to realize it through a new law dedicated to its implementation.

At least three Indonesian Presidents, President Habibie, President Abdurrahman Wahid, and President Megawati, played a part in the eventual enactment of Law No.

40/2004 on the National Social Security System, also known as the SJSN Law. President Megawati signed the law on 19 October 2004, just one day before newly elected President Susilo Bambang Yudhoyono (SBY) took office on 20 October 2004³. It took quite an effort to reach enactment as there had been a number of reservations from specific interest groups, most notably Jamsostek Ltd., the state company responsible for social security for formal workers, and Taspen Ltd., the state company responsible for managing pension funds for public servants. The two state companies considered the law a threat to established corporations.

The SJSN Law was a breakthrough, as it was the first law ruling that all Indonesians be covered by social security under five mandatory universal programs: healthcare benefits, occupational accident benefits, old-age risk benefits, pension benefits, and death benefits. The law specifically aimed to correct the existing system of discriminatory and limited social security schemes. The inherent problems with the existing systems are perhaps best illustrated in the following two facts: Firstly, that in 2010 there were 139 million out of 230 million Indonesian people who did not have access to various healthcare schemes; and secondly, only public servants and military/police officials enjoyed a pension scheme.

To address these issues, the SJSN Law requires an implementing law and a set of government regulations. Although the Law regulates and specifies the basic principles of the new social security system to be developed, it does not specify the ways in which the system must be implemented and administered; it provides no information about the kinds of public institutions to be established to facilitate the new system, nor how these should be run. These practical points were left to be resolved by the Law on Social Security Providers, or BPJS Law. It was in this context that a corresponding Bill became necessary.

There are three critical features of the SJSN Law which radically changed the country's social security structure and administration. Firstly, four of the existing state-owned companies administering social security were to transform into public institutions. These were Jamsostek Ltd which is responsible for social security for formal

1. Gumbrell-McCormick, Rebecca and Richard Hyman (2013): »Trade Unions in Western Europe: Hard Times, Hard Choices«, page 1; http://www.global-labour-university.org/fileadmin/GLU_Column/papers/no_148_Hyman_Gumbrell.pdf (accessed on 22 March 2017).

2. This section is based on Tjandra 2014.

3. In total, it took four years (2000–2004) to draft the Bill through to enactment, including 56 revisions between the first and final draft.

workers in the private sector; Taspen Ltd., responsible for managing pension funds for public servants; Asabri Ltd., responsible for managing pension and healthcare for military and police officials and their families; and Askes Ltd., responsible for healthcare for public servants and their families. Secondly, universal healthcare for all Indonesian people was the first task at hand. Thirdly, a pension scheme for formal workers in the private sector to complement the existing pension schemes for public servants was established. The system would be administered through a mechanism of social insurance, that is a mechanism of collecting funds from compulsory contribution to be used to provide protection against social economic risks that befall participants and/or their family members, while the state would be responsible for covering poor people's contributions.

The Law was a major progressive step, but its implementation faced challenges from President Susilo Bambang Yudhoyono's government, which cited concerns such as the potential fiscal impacts of the new system and the capacity of infrastructure to support it. Other reports, however, suggest that the government's reluctance to accept the Law may have been largely related to its impending loss of direct access to the social security funds administered by the existing four state social security companies; and to pressure from private insurance companies concerned about losing their markets. In President Yudhoyono's first term (2004–2009), his cabinet prepared various scenarios and »road maps« for the Law to be implemented by 19 October 2009 at the latest, as required by the Law. The President's second term cabinet (2009–2014), however, stalled and even reversed most of these strategies. Until just before the October 2009 deadline, the government had not submitted anything to the parliament.

The House then initiated the submission of a draft bill on Social Security Providers (the BPJS Bill), to be discussed in the 2010 legislative program.⁴ During later discussions about the issue in the House, the government continued to be obstructive, including by impeding negotia-

tions with the Parliament. In response to these delaying tactics, dozens of national labour unions and NGOs, as well as farmers, fishermen, student organizations and individuals, formed the Action Committee for Social Security Reforms (*Komite Aksi Jaminan Sosial*, KAJS) as a civil society organization established specifically to push for the implementation of the social security reforms.

The establishment of the KAJS was agreed formally at a meeting facilitated by the Federation of Indonesian Metal Workers Unions (FSPMI) on the 6–8th of March 2010. This meeting was significant because the union leaders agreed to merge all the groups and individuals supporting the social security reforms into a single »action committee« in order to strengthen the workers' demands. The chairpersons and secretary-generals of the confederation and federations were to be the main supporters of the KAJS, with a collective leadership.

It was also agreed that the KAJS would be coordinated by the Presidium, which was to comprise several union and NGO leaders, including Said Iqbal (FSPMI) as the Secretary-General⁵, and Surya Tjandra (Trade Union Rights Centre) as the NGO representative⁶. In addition, it was agreed that trade union alliances would be established in the regions to support the national KAJS leadership, and would undertake tasks including organizing mass action, lobbying and preparing concepts from the unions perspective; conducting seminars, workshops, and public meetings about social security reforms: expanding the network of the KAJS to other unions and workers' organizations; and advocating for both the implementation of the SJSN Law and the enactment of the BPJS Bill.

A series of demonstrations involving tens of thousands of workers were held in different regions, accompanied by direct public campaigns targeting workers in various

4. On this point, the role of *Prakarsa*, an NGO based in Jakarta, was crucial, as this was the organization which submitted the original draft of the BPJS Bill; and persuaded the PDI Perjuangan party faction at the House to officially submit the initiative Bill in 2009, to be deliberated in 2010. In order to be accepted as a House initiative Bill, the Bill first required the support of all the political parties, through the opening plenary session of the House of Representatives, which was scheduled on 5 April 2010. This support was received.

5. These organizations were: FSP KEP KSPSI, SPN, FSP PP KSPSI, KOBAR, FSP PPMI KSPI, OPSI, KSBSI, FSPMI, and TURC. Said Iqbal was the most important actor in the KAJS's involvement in pushing the social security reforms towards their eventual success, with the enactment of the Law on BPJS in 2011. He was a charismatic leader with strong public speaking skills, and was able to persuade people through a series of public gatherings held by his union, FSPMI, on behalf of the KAJS; in addition to his strong conceptual understanding of the issue.

6. Surya Tjandra, the author of this paper, of the TURC (Trade Union Rights Centre), was the only NGO representative in the presidium. The presence of TURC, whose activities focused on trade union empowerment and advocacy for legal issues, gave the KAJS confidence, especially when entering into court proceedings. As an NGO, TURC was also able to present a different perspective from the trade unions, and was able to work with flexibility and creativity without the concerns about organizational rivalry that often arises between unions.

industrial areas and mass media reports. The demonstrations and public campaigns were held to pressure the national and regional parliaments to issue recommendations supporting the implementation of social security reform in Indonesia. A national rally was held on 5 April 2010 in conjunction with the opening of the House of Representatives plenary session. This was followed by similar rallies across the regions in April 2010, which came to a peak demonstration on International Labour Day on 1 May 2010 at the Presidential Palace in Jakarta. An estimated 150,000 workers joined the march from Hotel Indonesia Square to the State Palace – the office of the President – in central Jakarta.

All of the mass rallies and demonstrations demanded the immediate implementation of the national social security system based on the SJSN Law and the enactment of the BPJS Bill, with three main features: healthcare for all Indonesian people, pensions for all, and the establishment of social security providers (BPJS) as legal public entities based on a »trustee« system. All these features were to be made manifest in the BPJS Bill that was under deliberation in the House of Representatives.

Despite the demonstrations, the government continued to stall, and so on the 10th June 2010 the KAJIS filed a citizens' lawsuit at the Central Jakarta District Court against the Indonesian President, the Vice President, the Speaker of the House, and eight associated ministers, for negligence and a failure to meet their obligations to implement the people's constitutional rights to social security.⁷ Although Indonesian legal system has not formally recognized the so-called »citizen lawsuit«, in which citizens have rights to sue the government if it fails to meet its obligations to its citizens, such lawsuits were repeatedly accepted by the Indonesian courts. These legal actions by the KAJIS clearly disrupted the government, and posed challenges for President Yudhoyono. The court sessions were held weekly, and drew considerable media attention to the issue of social security reforms. The court sessions were typically attended by tens or even hundreds of workers, who sometimes demonstrated outside or inside the courtroom.

7. The KAJIS citizens' lawsuit was filed on behalf of 120 people from a number of civil society organizations and professions, including trade unions, NGOs, domestic workers organizations, migrant workers, lawyers, informal workers, journalists, other professionals and students. The TURC was the lead institution supervising all activities related to the lawsuit; including drafting the lawsuit, attending the court hearings, and coordinating around 20 legal representatives from the unions' advocacy divisions.

The Court verdict on 13 July 2011 stated that the Court saw the Defendants (President, Vice President, Spokesperson of the Parliament and eight related Ministers) guilty and derelict in their duty to implement Law No. 40/2004 on the National Social Security System; and declared that the defendants have to implement the social security law by implementing immediately the UU BPJS – law on transforming the implementing body for social security system, drafting the regulation and presidential decree according to the UU SJSN, making adjustment of the four existing social securities companies according to the SJSN Law of 2004. The eventual victory of the plaintiffs boosted the confidence of the unions and workers in general, and set a strong legal precedent, and perhaps some institutional power, for the legitimacy of their demands.

After the court ruling, the special committee of the House began intense deliberations about the BPJS Bill, and the KAJIS monitored these special committee sessions closely, stationing several people daily on the balcony of the House meeting rooms to observe the debate. This monitoring frequently included providing direct input, including direct communication with legislators themselves, particularly in response to comments from other legislators that were considered misleading or attempts to hinder the discussion. This strategy proved valuable: legislators were aware that they were being monitored, and the KAJIS was able to influence directly each of the Special Committee members on particular issues raised during the discussion.

To maximize the effectiveness of the messages to the legislators, often hundreds of text messages were sent at the same time. The KAJIS instructed its observers on how to best send the messages, including suggested wording of texts, through its social media account, which was established to support the organization's activities. The account was also used to consolidate and update KAJIS's supporters in various regions, providing them instantly with any developments in the House, including the minutes of the parliamentary meetings, and instructions for preparing responses and actions. It was administered collectively by approximately twenty core members of the KAJIS team, and with membership exceeding 6,000 by mid-2011, the site was also an effective vehicle for debates and the sharing of knowledge and experiences related to social security and broader labour issues. Given that many workers had regular ac-

cess to the Internet through their mobile phones, Facebook proved to be a highly effective tool for mobilizing workers, and clearly contributed to KAJIS's eventual victory, when the House and the government agreed to pass the BPJS Bill into law on 28 October 2011. This could be seen as an expression of KAJIS's articulation and intermediating capability.

However, even after the court verdict, the government had not yet shown its willingness to implement the court order. The government appealed to the Supreme Court, which further prolonged the process. Moreover, in the parliamentary sessions, the government's representatives did not show good faith in finishing the BPJS Bill; refuted several key points in the SJSN Law; and demanded revisions to the Law before continuing with the BPJS Bill. One particular point that the government strongly opposed was the transformation of the four existing state social security companies. The government argued that such an act would only harm the state's economy (*Media Indonesia*, 20 September 2010).

These delaying tactics led the KAJIS to increase its own efforts, including planning the largest labour demonstration since the reform, which was set for October 2011 and would close several industrial areas. The deadline for the House to finish its sessions was 28 October 2011, at which time a lack of resolution on the Bill would mean a deadlock, with further deliberation being postponed until after the next election. Thus, this was a point of no return for the KAJIS. A week from the deadline, a meeting scheduled for 21 October 2011 between the government and the special committee was cancelled due to a planned government cabinet reshuffle – during which time President Yudhoyono forbade ministers from making any »strategic decisions« (*Republika*, 12 October 2011). Suspecting yet more delaying tactics, the KAJIS decided to use all its resources to increase its push for reform. At this point, aware of the demonstration plans, the House agreed that 28 October 2011 would be the final date at which a decision about the passing of the BPJS Bill would be made.

On 28 October 2011, after a dramatic process of lobbying among the House leaders, political party leaders, and government representatives, coupled with a demonstration by thousands of workers that had stayed overnight outside the parliament building in Jakarta, the

Indonesian parliament and government finally agreed to pass the bill on social security providers (BPJS).

Despite of all the controversies, this was a historic moment, bringing in universal social security coverage for all Indonesian citizens. The new law stipulated that there would be two social security providers: Social Security Provider (BPJS) I and II. The BPJS I on healthcare would directly manage universal healthcare for all Indonesian people. This included the transformation of assets, participants, and the existing Askes Ltd., as well as the transfer of programs from the existing Jamsostek Ltd. and Asabri Ltd., to begin on 1 January 2014. The BPJS II on manpower would manage occupational accident, death, old age, and pension benefits for all workers in the formal sector, or the transformation of the existing Jamsostek Ltd., on 1 January 2014, and would begin operations in July 2015 at the latest (*Kompas*, 28 October 2011; *The Jakarta Post*, 28 October 2011). This was quite an achievement as for the first time Indonesia took the initial step toward a universal social security system for the entire population.

The KAJIS, with the FSPMI as its organizational backbone, is perhaps the best example available in Indonesia of how far trade unions can advance in their efforts to play important and beneficial roles in Indonesian society. It gathered resources from different trade unions and labour NGOs, concerned academics and individuals, reformed bureaucrats and members of parliament. Through a combination of mass actions, lobbyings, involvement in the parliamentary hearings, etc., the KAJIS was the first successful attempt to build a union-led broader alliance with such a great impact as social security for all people in the country, which also a way to gain institutional power for the young trade union movement in Indonesia. The recent history of the KAJIS and the FSPMI, moreover, signalled an important paradigm shift in the focus of Indonesian trade unions, from an economic to a social orientation; and has given trade unions both inspiration and confidence in their capabilities and potential to influence future progress.

Following the KAJIS's success in pushing for the enactment of the BPJS Law as the implementing legislation of the SJSN Law, the FSPMI developed confidence as a rising political group, and continued to involve itself in practical politics in the general elections for parliament and president in 2014. The intention behind this involve-

ment was to use the existing momentum to strengthen the bargaining position of workers and unions, especially at the state level, and thereby to demonstrate that workers were fighting not only for the interests of workers, but for all of society – a concept captured during the elections by the colloquial phrase »dari pabrik ke publik«, from factory to public (see *Koran Perdjoeangan*, 9 April 2014, the FSPMI's official media).

These efforts involved sending the unions' cadres, mostly union officials, to run as regional members of parliament, and by supporting a particular candidate for president. The unions' strategies for winning votes from their members also provided the opportunity to educate workers on their political rights and their opportunity to contribute positively to the country's development. The unions and members believed that by joining parliament, they could become more effectively involved in changing the country's policies and regulations, to ensure they are fair to workers and all Indonesia's population in general, and as a stepping stone to grow institutional power in the country. This will be discussed further in the following section.

3. »Labour Entering Electoral Politics«: 2014

The labour movement's political strategy is largely an initiative of the labour unions' leaders who began to realize that »direct« approach, such as demands for wage increases, is not always achievable because it requires a great deal of energy and stamina from the movement difficult to reach while their own political base is still weak. To this end, most trade unions began to enter into practical political scene through the elections by sending their cadres as candidates for the legislative, nationally as well as regionally, from various political parties.

This is not a new strategy for labour, because in the 2009 election many activists from various trade unions had already joined the election to become members of the legislative from various political parties, generally conducted in private and with only indirect the involvement from their unions. What was new in 2014 election was the existence of trade union organizations which officially and openly supported their activists as legislative candidates and were using their organizational struc-

tures in the regions in particular to conduct campaigns and mobilization of members to support the candidates they supported. From various labour unions who carried out this political experimentation, the most prominent in pursuing this strategy was the FSPMI, which encouraged a struggle of »buruh go politik« (labour going politics) that became the organization's official agenda to be implemented in 2014. The FSPMI's success to build structural power, and its capability to mobilise its membership, also buttressed the confidence of the organization to go into politics.

In this context the support of several other organizations external to the unions is important to note, especially the support of a labour NGO based in Jakarta, the Trade Union Rights Centre (TURC), which has been active in the work of strengthening the organization of labour unions in Indonesia, especially in Bekasi Regency, about 40 km east of the capital Jakarta⁸; the »Omah Tani«, literally *Peasants' House*, which was originally engaged solely in advocacy for peasants in the Batang Regency of Central Java but then expanded into labour advocacy thanks to initiation into TURC⁹; and the Social and Political Science Faculty of Gadjah Mada University, which coincidentally was engaged in research on democracy and development at the time with the labour movement as one of the subjects of this research. The TURC has a strategic role because it linked the three organizations of the supporters of »labour entering electoral politics«.

8. In Bekasi Regency there were nine activists of the FSPMI became legislative candidates, with the details of the four for regional legislative of Bekasi regency, one for the provincial legislative of West Java, and one for the national House of Representatives, plus one candidate for the members of the regional representative council. Their names appeared because of their own efforts at first, which then accommodated by the organization. The initial plan for doing »internal« preliminary election to choose candidates who were supported by members the most was canceled because of rejection from the national leadership of the FSPMI, which seemed to have its own preferences on some candidates that if through the mechanism of »elections« might not be elected because of their absence in the knowledge of the members (interview with FSPMI activist, February 2016). Important tasks carried out by the Coordinator of the FSPMI branch of Bekasi, Obon Tabroni, which ensured absence of conflicts between fellow candidates from the FSPMI in one electoral area, something that the FSPMI failed in its political experimentation in other regions like Batam for example (Personal communication with Handoko Wibowo, coordinator Omah Tani, Batang, February 2016.)

9. Omah Tani is well-known for having advocated the rights of farmers in Batang in their conflicts with tea plantation company on land uses and won it as farmers eventually got the lands for their living. Its leader Handoko Wibowo was awarded the prestigious Yap Thiam Hien Human Rights Award in 2015 for his work for the farmers in Omah Tani (*The Jakarta Post*, 20 January 2016). His involvement in the »labour going politics« was strategic as he has many experiences in practical politics due to his own involvement in the PDIP party and in the Batang election for regent a year earlier.

The TURC provided training sessions ranging from providing inputs and perspectives on the importance of labour entering politics to members of the FSPMI to training for voters and election monitoring in cooperation with the Election Monitoring Body. They did so with independent means and without any charge for the FSPMI and bringing speakers including members of parliament and election activists to Bekasi. TURC explained that although the FSPMI was experimenting in electoral politics in various regions in which they had members, TURC chose to support the efforts in Bekasi only, because of the limited resources available but also to ensure a successful campaign: »We have to keep the morale of the movement that should not recede due to failure.« (Personal communication with Andriko Otang of the TURC, August 2015).

The trade union movement experimentation in electoral politics in the election year of 2014 should be differentiated into two stages. The first stage was participation in legislative elections on 9 April 2014; and the second in the election of the President and Vice President on July 9, 2014. In terms of the legislative election, labour participation in the practical politics yielded positive results, though with some critical notes. Trade unions did not only successfully build political awareness among the formal workers, particularly in Bekasi, which is the geographical core of the labour movement today, but also saw of the election of two labour activists to the regional parliament of Bekasi Regency (Antaranews.com, 5 August 2014). At the stage of the president and vice president election, however, the polarization that occurred on account of only two candidates standing combined with dirty campaign strategies targeted specifically against presidential candidate Joko Widodo also encouraged a sharp polarization in society and the trade union movement along with it. This polarization reached a peak at the time of the announcement of the Election Commission on July 22, 2014, as will later be expanded upon.

3.1 Legislative Election

Even though most of their candidates failed to enter parliament, two legislative candidates from the FSPMI managed to get into regional parliament in Bekasi Regency. The first, Nurdin Muhidin, is from the National Mandate Party (PAN), namely, a labour leader

at company level in an electronics company in Bekasi; and the second, Nyumarno, from the Indonesia Democratic Party of Struggle (PDIP), is a former worker laid off from an automotive company in Bekasi who was later involved in legal advocacy work for FSPMI members.

Looking at the track records of both the newly elected members of the regional parliament and their organization FSPMI, they were expected to be carrying different influence on the local political scenes. Their inauguration in the Government District of Bekasi was celebrated with the presence of »command car«, complete with loudspeakers that were used to lead the labour during demonstration. They were paraded with the car, attracting the attention of the public and the media covering their inauguration.

However, what rather escaped public attention and mass media coverage, including to some extent the knowledge of many FSPMI members themselves, was that their success was partly due to luck, and not an absolute success of the FSPMI's own success in rallying votes from their members in Bekasi. On paper, Nurdin's electoral district was arguably where the FSPMI had the largest membership compared with other districts. As a legislative candidate from PAN party, he got around 10,000 votes in his electoral district and this was the highest vote tally from all legislative candidates from PAN in the area. While the total votes of PAN were approximately 22,000 votes, which did not even reach the number for one seat there that reached 30,000 votes. Nurdin won the seat after the second counting with plenty of votes donated from the political parties that did not achieve the parliamentary threshold according to the current system, so that they could not have representatives in the parliament.

At the same time, Nyumarno, who became the legislative candidate for the PDIP, got 6,000 votes, which was the second largest vote tally from all legislative candidates who came from the PDIP in his electoral district. Nyumarno benefited from the fact that PDIP was the winning party in 2014 election, although also after a second count they managed to get a second seat for parliament in the area. Indeed Nyumarno claimed that although he managed to form a team of volunteers from labour, most votes he got were predominantly coming from the support of his fami-

ly-in-law who were community leaders in the area and not of labour¹⁰.

This shows that, in general, workers' voices in politics were still not solid, and labour unions such as the FSPMI cannot be said to be the most organized in terms of their mobilization capability. Union members' orientation towards political parties is apparently still stronger than towards their own organization despite instruction from the union leadership. In addition, the workers' political awareness seems to be dominated still at the level of the elite leadership at the national level but not at branch or local level, failing to recognize the rank-and-file members at the lowest level as the democratic grassroots of the organization. This also explains the failure of the other eight legislative candidates from the FSPMI.

Nevertheless, Nurdin and Nyumarno, and also the FSPMI, have been successful in their political experimentation by entering regional parliament. Support from the organization officially would certainly bring influence, but it is important to note that the success was the result of work not only the FSPMI but also a wide range of organizations and individuals who supported the labour political experimentation.¹¹ In certain contexts, their success could also be inspiring many other labour activists and their unions elsewhere in the country.

However, a very different situation occurred during the election of President and Vice President, which gave rise to a threat of a split labour movement following the events leading up to and after the presidential election on July 9, 2014; the counting result by the Indonesian Election Commission on July 22, 2014; and which continuing until the eve of the Constitutional Court ruling on the presidential election result dispute on August 21, 2014.

10. Nyumarno also claimed that originally he did not get the »blessing« from the leadership of the FSPMI for running in the election, which had an impact on the strategy and its opportunity. He claimed to be in the region of the election the »most severe« because it was not a workers' pockets, and there were not many members of the FSPMI who lived in the region. In addition to the factor of family support, one benefit was its proximity to Rieke Diah Pitaloka, a member of parliament from PDIP, who used to employ him as staff in the House of Representatives (interview with Nyumarno, February 2016).

11. A labour activist critically asked whether after being sworn they would actually support the labour movement in Bekasi in general or solely for the FSPMI only. The situation becomes interesting when Nurdin Muhidin was then elected as the Branch Coordinator of the FSPMI Bekasi, which means he will be in charge both as a member of parliament and as a leader in the branch level of particular labour organization. »How would he separate public duties as a member of parliament with the tasks of his own labour organization?« asked the activist (interview with a labour activist Jakarta, February 2016).

3.2 Presidential Election

In contrast to the process of political experimentation on the election of members of parliament, at the election of the President and Vice President, the head of FSPMI took a more »top down« approach. The FSPMI's decision to support presidential candidate Prabowo Subianto, which later also became the policy of the KPSI, the national trade union federation the FSPMI belongs to, ratified at the Bung Karno Stadium on May 1, 2014, in front of almost 100,000 KSPSI members, was practically taken by Said Iqbal, the President of FSPMI/KSPSI, himself, with only a few other leadership in the organization were involved. The decision was received by surprise by many elements within the FSPMI leadership. Indeed, some had questioned the decision-making mechanism that was considered not sufficiently participatory¹². It also indicated the failure of the organization to exercise its intermediating capabilities that arguably were shown during the KAJIS movement in 2010.

Although at first there was heated internal debate, the head of the FSPMI/KSPSI national centre managed to ensure the organization's full support of Prabowo. However, this support was accompanied with pressures almost to the level of intimidation by the organization at the national as well as regional level toward those who were considered not in line with the policy. An FSPMI branch administrator in Surabaya, who was in fact close to the PDIP, the party supporting rival presidential candidate Joko Widodo, lost his position was after being removed by the central leadership.¹³ Later on, the FSPMI national centre also circulated an internal letter prohibiting the participation of their members in any meeting in support of Widodo, and some members in the regions were interrogated by the organization for attending meetings which were suspected to be part of building an alliance to Widodo. Similar stories were reported in some other events¹⁴.

The situation was particularly exacerbated by the fact that there were only two candidates running for pres-

12. Ridwan Monoarfa, for example, the FSPMI's Vice President, who was also a member of the Board of Trustees of the BPJS (Social Security Implementing Agency) on Health, conveyed his surprise and also his rejection of the claims that FSPMI's full support for Prabowo Subiyanto (personal communication with Ridwan Monoarfa, February 2016).

13. Personal communication with FSPMI leader Surabaya, February 2016.

14. Personal communication with one FSPMI leader, Jakarta June 2014.

ident, with very different backgrounds and characters. The one that the FSPMI supported, Prabowo Subianto, was a representative of the military who came from a political dynasty with close ties to President Suharto's family and the former authoritarian New Order regime. Despite allegations of links to human rights violations while he was commander of the Indonesian Special Forces, the largest political parties in the parliament supported him. The other candidate was Joko Widodo, who represented ordinary civilian politicians from a younger generation. Joko Widodo came from a region with no links to any political dynasty, and was supported only by the opposition party and some smaller parties, but gained strong support from middle-class groups in the so called »Jokowi's volunteers«, which became an interesting phenomenon in Indonesian politics at the time (see Samah and Susanti, 2014, also Nugroho and Setia, 2014)¹⁵.

As there were only two pair of candidates for President and Vice President, the competition was fierce and even brutal, causing polarization in society, which according to some observers had placed Indonesia's young democracy in grave danger (Aspinall and Mietzner, 2014). The situation was worsened by the strategy of using negative campaigns, including sectarian and hate messages, particularly from Prabowo Subianto's camp attacking Joko Widodo (Supriatma, 2014). This polarization also occurred within the trade unions themselves.

Observers of Indonesia's 2014 presidential election have argued that the heavy use of negative campaigning appears to have encouraged the rise of »groupthink« in society (Poerwandari, 2014); a phenomenon whereby those with different views and values may experience psychological and social pressure to such a great extent that they eventually choose to be silent, or even uncon-

sciously begin to deny their own values and instead express the views of the group, because they find it too difficult to withstand the pressure to conform.

This phenomenon reportedly occurred within the FSPMI during the election campaign, with many of the union's members who held different views reporting intimidation by their own group and choosing to keep silent to avoid further intimidation. The FSPMI's leaders allowed the widespread use of negative campaigns, including sectarian and hate messages, both by and directed towards their members (see also *Solidaritas.net*, 31 December 2014).

Some FSPMI activists, personally but not daring to openly, lamented the tendency in the FSPMI which became rigid and in which those who were of a different opinion were considered as enemies to be tackled by the organization¹⁶. Moreover, several civil society organizations and human rights activists also expressed concern regarding the trends occurring in the FSPMI/KSPSI. They were those who since a year before had been quite involved in the advocacy against the anti-democratic Community Organizations Bill alongside the FSPMI/KSPSI.¹⁷

As mentioned earlier, it seems that issues such as violations of human rights and democracy issues in general have not been understood well enough by many labour leaders, or if they are understood, they are more as secondary issues after labour traditional issues such as decent wages or the problems arising from the outsourc-

15. As noted by Samah and Susanti (2014), the 2014 Indonesian presidential election showed a different phenomenon in the political history of Indonesia. Public participation to support Joko Widodo and Jusuf Kalla as the President and Vice President candidates ahead in the presidential election appeared so massive. Called »volunteers«, it comprised of individuals and communities who were engaged in the 2014 presidential election motivated to see a »better Indonesia«. Several volunteer groups were indeed driven by cadres of the political parties, but many more new groups were born because of the fear that the authoritarian regime of the New Order would return, as represented by the other President and Vice President Candidates, i.e., Prabowo Subianto and Hatta Rajasa (see also Aspinall and Mietzner, 2014). Nugroho and Setia (2014) even called this phenomenon »people power«, describing the unprecedented movement of some of groups in society and political passions that occurred exactly when the public's trust in the performance of political parties had almost collapsed.

16. In this context it is interesting to pay attention to a debate in the cyberspace during the presidential campaign in 2014, especially through Facebook where many labour activists and the FSPMI activists were quite active. It is related to a statement »bodo amat« (»who cares«) and »let's face to face«. The first refers to the response of indifference to criticism towards the FSPMI to support Prabowo who indeed invite such controversy; the second is the response to criticisms that is already »threatening the existence of the organization« then the FSPMI members must prepare to face to face and confront them. With such an approach, there were only two options for the members, either with in or out of the organization.

17. They were KontraS, YLBHI, Imparsial, Yappika, Indonesia Corruption Watch, and others. The initiative to introduce the FSPMI/KSPI and especially its President Said Iqbal to other important civil society organizations was from the TURC, through its director, Surya Tjandra, the author of this paper, by conducting series of visits to them, which later culminated with the establishment of the Action Committee for Civil Rights and Labour, which became the umbrella organization movement of labourers, farmers, civil society and others, to oppose the Community Organizations bill (Berita9.com, February 12, 2013). There were great expectations among the civil society organizations at that time on the FSPMI/KSPI to become a motor of social movements in the country; an expectation that later died out over FSPMI/KSPI political options in presidential elections in 2014 (personal communication with Haris Azhar of the contrast, February 2016).

ing of labour.¹⁸ In other words, the limited idea space of labour issues that most directly concern the fate of the labour is still strong in the mindset of most of the leadership and labour activists, something that should be questioned especially when expectations are rising for the labour movement to lead alternative social and political movements in the country.

The situation became quite complicated when after the presidential election on July 9, 2014, a variety of quick counts conducted by various polling agencies showed different results that were not unanimous. The FSPMI/KSPSI opted to get involved in the dispute by continuing their support of Prabowo, arguing that the presidential election had been rigged. This was demonstrated by their involvement in some of the actions supporting Prabowo after the election, with its peak on the deployment of ten thousand of FSPMI/KSPSI workers on 22 July 2014 to lay siege to the office of the Indonesian Election Commission. The action then invited a reaction from a group of labour activists who joined in the Political Committee of Indonesian Labour (KPBI), who openly opposed the KSPSI/FSPMI and called its actions a »threat to democracy« (*Kompas*, July 18, 2014)¹⁹.

For some labour activists, the action of threatening the Election Commission by a union who happened support a particular presidential candidate was excessive and not in accordance with the ideals of the workers' political struggle, raising concerns and questions relating to the future of labour movement itself. A labour activist from East Java, for instance, argued that it is important to differentiate between »labour politics« and »the politics of labour« (personal communication with Sony Mardianto, KSPSI East Java activist, August 2015). For the former, it is necessary for the labour movement to be strong and

united, however, for the latter as the situation is still not fully conducive to the labour movement it is necessary to spread as much as possible opportunities to open up political spaces available for the benefit of labour as well. Redirecting the labour movement to just one political force was not strategic and could be unproductive, since it would close healthier dialogues with the existing powers.

Some have also questioned the strategy of the FSPMI/KSPSI in the future in fighting for workers' rights, whether it would continue to be influenced by their position as Prabowo's stronghold who had not fully accepted his defeat, and made Wodido the target of certain political measures using the rhetoric of labour as well as mobilizing en masse. Some of the leadership of the FSPMI/KSPSI, however, stated that their strategy in the future was for the purpose of forming a populist party, in which workers became the base of its support (personal communication with the leadership of the FSPMI Bekasi, August 2015). Looking at the potential of the FSPMI compared to other workers' organizations, such as relatively effective dues collection and fairly militant members, they may indeed be the labour organization most capable of doing so.

However, as shown by experiences in many other countries such as Brazil, even the labour party cannot win power alone. Labour should join forces with other social forces if it really wants to be the alternative political force needed, and exactly this is the challenge facing FSPMI/KSPSI regarding the political choices it has taken. These choices have reduced the confidence of other civil society movements in this labour organization that had been expected to lead a political movement stemming from social movements in the future. What happened during the presidential and vice-presidential elections indicates a problem of internal democracy and democratization in this important organization, something that will take time to recover from.

4. The Impact of KAJIS and Union Politics

As an organization trying to consolidate the powers of the trade union movement, and with an agenda as ambitious as universal social security for Indonesian people, the KAJIS naturally encountered people and organiza-

18. During presidential campaigns President of FSPMI/KSPSI Said Iqbal had been cited in the mass media as stating that human rights issues were not to be concerned by workers: »Prabowo has been said to be questioned concerning human rights [violation] issues, but labour does not intersect with such issues so kinda hard for labour to associate with it.« (*Tribunenews.com*, March 25, 2014), a statement which was then denied by himself.

19. The KPBI was the workers' political wing formed on May 30, 2014 by some labour activists such as Indra Munaswar, Surya Tjandra, Timboel Siregar, Bayu Murnianto, and German Anggent (KPBI press release, May 30, 2014). They were previously also known as the core team and members of the KAJIS collective leadership except Said Iqbal. In its Declaration, the KPBI declared critical support to presidential candidate Joko Widodo, especially to realize the program of three decents (decent work, decent wages, decent living) that were proclaimed in Joko Widodo's vision and mission (*Sebelasnews.com*, 29 May 2014).

tions with vested interests who opposed their agenda. The most significant opponent was the government itself, who had enjoyed direct access to social security funds administered by the state-owned enterprises (SOEs) during the previous decades. Most prominent of the SOEs was Jamsostek Ltd., which had accumulated assets from workers' premiums of more than Rp 109 trillion in 2011, providing substantial income for the government. In 2011, it was estimated that the company's total assets were around Rp 648 trillion (*Detikfinance*, 12 August 2011).

Among the other groups to oppose the KAJIS were a few national union federations and confederations who had been receiving financial support from Jamsostek Ltd. through the so-called »*kerja sama operasional*«, or operational cooperation. The most prominent members in this category were several unions whose leaders were commissioned by the government as »representatives« of the workers to the Board of Commissioners of Jamsostek Ltd. These unions were active in opposing the BPJS Bill since the operational cooperation schemes might not be accepted under the new system, which would feature more transparency and accountability. The BPJS, including the one merged from Jamsostek Ltd., would be monitored by the public as the agency would be administering public trust funds.

Despite the pros and cons and inter-union politics described above, the KAJIS proved to be able to consolidate the labour movement to push for social security reform. Their successful deployment of thousands of workers during the Labour Day protests of May 1, 2010, and repeated on Labour Day 2011, generated wide media coverage and ensured that the issue went from suffering widespread misunderstanding and lack of support from union leaders and the general public to holding a central place in public debate. In the absence of a political party that is ideologically supportive of a social and political agenda like social security, the presence of the KAJIS proved vital in the political arena, especially in parliament where it acted as a social watchdog.

When some members of parliament expressed frustration at the government's unwillingness to discuss the BPJS Bill, the KAJIS organized a fortnight-long »People's Forum for Social Security«, which became a means by which to consolidate and coordinate reform efforts in

the lead up to Labour Day. This level of resistance would have not been considered possible by mainstream labour unions in earlier years, although they later became KAJIS's main supporters.

The KAJIS also scored an important breakthrough with respect to expanding Indonesian workers' awareness from the historic narrow focus on traditional interests such as wages and uncertain employment status towards broader social issues. Unlike the action committees that had previously arisen in Indonesia, the KAJIS was able to survive over the long term and remain vibrant and consistent on the same issue. With no other groups focused on the same issue or using the same methods, KAJIS's success inspired many innovative trade unionists to adopt KAJIS's struggle as their own, not because their superiors had directed them, but through personal choice.

Moreover, KAJIS also encouraged direct collaboration between labour activists in the central organizations and those at grassroots level and trade unions managed to put common social interests above organizational egos and interests. As one KAJIS leader from Bekasi noted, after the organization's success in getting the House and government to pass the BPJS Bill, many grassroots-level unions approached the KAJIS to »synchronize the perceptions« on various labour issues, such as social security and wages. As he noted: »Many people brought their hopes to us, and we hope that we can fulfil theirs.« This was a particularly important development for the trade union movement in Indonesia, and clearly showed a societal power of the trade union movement in Indonesia.

Within a relatively short time, the KAJIS cemented its influence as a social and political force. Its success at persuading the parliamentary plenary meeting to approve the BPJS Bill as a House initiative and its ability to unite the labour movement from national to local levels allowed it to act as a catalyst to end the political stagnation prevalent in the House during the BPJS Bill deliberations. As the influence of the KAJIS grew, so too did the influence of trade unions in Indonesian society. In the lead-up to the passing of the BPJS Bill, the KAJIS's efforts, while sufficient to disturb the government's plans, were not necessarily sufficient to induce the government to implement the social security reforms agenda.

The biggest challenge for the KAJIS in the future and for the Indonesian trade union movement in general, remains the question of how to transform its movement into a strong political force. This will require strong leadership; trust from member unions and individual members; and sufficient energy to sustain the battle over the long term. This is not a simple task, particularly for a relatively informal and flexible organization like KAJIS: the battle would arguably be better fought by a political party, but none of Indonesia's existing political parties has fully supported progressive societal concepts such as social security.

The labour movement, in the broader sense of the collective organization of working people campaigning for their interests and more specifically, for better treatment from their employers and government through the implementation of labour related legislation, is not without precedent in Indonesia. Yet only after the *Reformasi*, the period of transition following the fall of Suharto, has the labour movement, particularly through the KAJIS, been able to undertake strong rights-related activities involving organized workers and their supporters, including intellectuals, NGOs, and some sections of government, in order to represent the interests of the working class and society in general.

With such increasing prestige, the Indonesian trade union movement began to be faced by political choices and expectations. It is a reasonable and indeed important development so that a process of maturation for the movement can begin and be exercised. The problem is that the role of the leader becomes very important when facing these political choices, even sometimes so important so as to rule out the role of the members as the democratic basis of the organization supposed to be a foothold for all of the labour movement's political experimentation. Against the expectations that union leaders would consider inputs from friends, including critics, what happened was the inception of a new small oligarchy in the union movement, whereby the national leadership is recreating the problems that occurred at the national level which the labour movement initially sought to eliminate. The successes achieved by the Indonesian labour movement so far are apparently not as strong as expected, due to the high dependency on the figureheads who take decisions for and on behalf of all labour. This is especially risky when leaders' political decisions and choices are not offset by the opportunity for

evaluation and reflection on achievements and failures, nor for corrections of methods and the political choices themselves.

What is obvious, though, is that if the Indonesian trade union movement wants to become alternative political force to be reckoned with in times to come, it will have to build cooperation with other other groups, movements and organisations who share many of their goals and interests, beyond May Day and beyond presidential elections. They should form a broader alliance and continue to expand its magnitude with other social forces, such as farmers and the urban poor, as well as intellectuals and activists from non-governmental organizations and individuals who are sympathetic to them.

The events of the 2014 election year and labour unions involvement therein have demonstrated that there was a strong tendency for the unions to focus merely on the narrow interests of the workers, even when these interests may not be in line with the interests of society as a whole. Instead of becoming propagator of democracy, unions became threats to democracy. This situation may be an example of what Robert Michels calls »the iron law of oligarchy« (Michels, 1962), which describes a number of conditions and processes that inevitably impel even the most democratically-committed organizations to become divided into a set of elites or oligarchs.

Such observation can provide useful reflections, and this is especially valuable in country like Indonesia, which has only recently embraced democracy with the view that that freeing the country from an authoritarian regime will lead to better, more equitable standards of living (Bhakti, 2004). Meeting these aspirations remains a challenge for Indonesia's government, and for all supporters of democracy who seek to persuade electorates that a democratic system of government is better than surviving under an authoritarian regime (Ghoshal, 2004).

The FSPMI/KSPSI was arguably the most advanced trade union in Indonesia in terms of its ability to mobilize its members, a necessary prerequisite for becoming an influential political power. Indeed, this union was the backbone of the KAJIS movement, driving the eventual enactment of the BPJS Law that benefits the whole society. The KAJIS movement was the first successful, systematic engagement of Indonesia's labour movement

in the development of alternative policies, outside the frames constructed and maintained by elitist parties and leaders. Furthermore, the success of bringing their cadres into regional parliament, despite the fact that it was indeed a collective effort from various groups outside the FSPMI, is an evidence of their potential.

With support from a trade union such as FSPMI/KSPSI, from a modern and relatively strong industrial sector, there was a good opportunity for the KAJIS (and the FSPMI) to become an alternative political power and develop transformative policies to improve the capacity of ordinary people and progressive actors, including trade unions and other people-oriented organizations and to strengthen democracy and progressive development (see Stokke and Törnquist, 2013). Nevertheless, despite of all this potential, there are several conditions that FSPMI/KSPSI has to fulfill to become the alternative political power that many in Indonesia were desperately looking for. Particularly significant as factors are their willingness to open for influence from other sectors in the society, as they were during the social security campaign through the KAJIS in 2010, and their commitment to internal democracy, which was strong during the legislative election but extremely weak during the presidential election involvements in 2014. Such requirements will strengthen their societal power through which to position the trade union movement as an important player in and for a better society in Indonesia.

5. Lessons Learned

The question which remains is what can we learn from the stories above about the labour movement and democracy in Indonesia?

Firstly, the KAJIS movement was the first successful, systematic engagement of Indonesia's labour movement in the development of alternative policies, outside the frames constructed and maintained by elitist parties and leaders. This has led to a more confident trade union movement and higher hopes from civil society organizations and activists for a broader social movement alliance in Indonesia.


A further lesson is that leadership in the movement matters, and it sometimes goes to a different direction than expected. When facing the political choices

along with its growing importance the role of leaders becomes very important, even sometimes too important so as to rule out the role of the members as the owner of the votes that was supposed to be an early foothold to all of the labour movement's political experimentation.

Over-confidence and a narrow, parochial focus on issues that directly concern the fate of the labour is still very much strong in the mindset of most of the leadership and labour activists, something that becomes important especially when expectations also rise for the labour movement to be able to lead an alternative social and political movement in the country.

The events during the 2014 election year and labour unions' involvement have demonstrated that even the most sophisticated union like FSPMI/KSPSI still had to struggle to find the right balance between the needs for organizational efficiency and internal democracy. This is apparently the common problem among labour organizations and activists in Indonesia, that for many of them issues such as democracy and human rights are too »abstract« to understand and thus not important for them. Democracy and the modern rule of law state are based upon individual freedom and respect to differences, but what happened during the labour engagement with practical politics in 2014 showed the tendency that trade unions might actually force members to lose their individuality and changed them from enlightened citizens to just »masses«, that whether they notice or not had brought them to the point of suspicion and stigmatization, even violence, to others that are different from them. This is a real challenge for broader alliance with the other social movements. The FSPMI's failure to exercise its intermediating and framing capabilities, the same capabilities it arguably possessed and harnessed in the 2010 KAJIS initiative, may also have contributed to the union's failed bid in the 2014 presidential & vice presidential elections

The two events during the social security campaign in 2010 and participation in the electoral politics in 2014 have showed the importance of societal power and the potential of the trade union movement to make an alternative class political power to what has come to be expected in Indonesia. Here trade unions are able to clearly and persuasively articulate social and societal change to show that they are themselves democratic organisations



and propagators of democracy, including through the accumulation and application of collaborative or coalitional power, that is, cooperative relationships with other groups, movements and organisations that share many of their goals and interests.

Finally, remembering Jean-Jacques Rousseau's maxim in *The Social Contract*, »As soon as any man says of the affairs of the State ›What does it matter to me?‹ the State may be given up for lost«, we should never give up on the trade union movement despite its present and future challenges. Trade unions in Indonesia have shown their very potential to become alternative class political forces as prerequisite for the development of welfare state that we wish to live in with dignity and prosperity, as individuals and as citizens.



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