

Democratisation and the Labour Struggle: Trade Union Dynamics in Malaysian Borneo and Indonesian Borneo

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Abstract

Trade unions are proliferating in Malaysia despite the presence of a semi-authoritarian climate. Comparatively, Indonesia is observing a decline in trade unions and respective membership despite a developing democracy. The present study aims to assess the trade unions in Malaysian and Indonesian Borneo that are rarely given attention. The literature reveals that the national culture significantly influences trade unions in both regions. For instance, the trade unions in Malaysian Borneo are highly distinctive compared to those of Peninsular Malaysia. Subsequently, national culture, including individualism and collectivism, uncertainty avoidance, power distance, and masculinity versus femininity, affect adherence to the national trend. Moreover, internal and external factors, such as union awareness, the commando spirit, cooperative or confrontational attitudes, employment laws, and opinion differences, could impact trade unions and democracy. Accordingly, this study conducts case studies in both regions on three main economic sectors with high similarities, namely oil and gas, timber, and palm oil, to determine the underlying factors. Although Malaysian and Indonesian Borneo demonstrated significant differences in the observance of national trends, similar democracy challenges, especially marginalisation and disempowerment of workers and trade unions, were observed.

Keywords: *Borneo, Malaysia, Indonesia, Trade Union, Labour Movement, Democratisation*

I. INTRODUCTION

Trade unions are crucial to ensuring adequate social justice by demanding a sufficient share of the wealth produced by workers. Although trade unions remain influential in the democratisation process, trade union membership is decreasing worldwide.¹ Hence, trade unions should constantly improve internal structures for economic and social democracy.² Nonetheless, recent studies have not prioritised the political aspect and social context, instead placing the emphasis more on worker voice and representation within the workplace.³ The interaction between trade unions, employers, and the state within larger

1 Christopher Kollmeyer, Post-Industrial Capitalism and Trade Union Decline in Affluent Democracies (2021) 62:6 Int J Comp Sociol 466-487.

2 Rebecca Gumbrell-McCormick & Richard Hyman, Democracy in trade unions, democracy through trade unions? (2018) Econ Ind Democr 1-20.

3 Lucio Baccaro, Chiara Benassi & Guglielmo Meardi, Theoretical and empirical links between trade unions and democracy (2019) 40:1 Econ Ind Democr 3-19; Greg J Bamber, Marjorie A Jerrard & Paul

social dynamics must be assessed as trade unions constitute the most significant mass movement based on democratic ideas and practices in numerous democratisation stages.⁴ Furthermore, capitalist development has diminished the role of trade unions and subsequently thwarted the democratisation process despite their significant role in democratisation.⁵

In 2016, Malaysia had a total of 479 trade unions with 362,031 members.⁶ By 2017, however, only 83 unions were recorded in Malaysian Borneo, with 45 in Sabah and 38 in Sarawak, despite higher labour participation rates of 68.4% and 67.8%, respectively, compared to other states. This highlights a significant regional disparity in union presence and membership density between Malaysian Borneo and the rest of the country.⁷ Similarly, eight to nine million trade union members existed in Indonesia between 1998 to 2000.⁸ In 2017, approximately 7,000 unions existed with only 2.7 million members, despite the presence of over 230,000 companies.⁹ The situation in Indonesian Borneo was exacerbated as Balikpapan, a city in Indonesian Borneo, contained only six unions with 346 members in 2017.¹⁰ Malaysian trade unions are gradually growing despite the semi-authoritarian political climate, whereas their Indonesian counterparts are declining despite the democratic progress post-Soeharto's rule.¹¹ The different circumstances in both countries could result from the respective national culture and trends.

A national trend refers to general patterns involving trade union membership, labour strikes, and trade union activism, wherein worker demonstrations and protests are more

F Clark, *How do trade unions manage themselves? A study of Australian unions' administrative practices* (2022) 64:5 *J Ind Relat* 623-644.

- 4 Michael Wallace, Todd E Vachon & Allen Hyde, "Two roads diverged: Legal context and changing levels of private and public sector union density in the US states, 1984-2019" (2021) 43:4 *Econ Ind Democr* 1539-1563; John Crossan et al, "Colours of Democracy: Trade Union Banners and the Contested Articulations of Democratic Spatial Practices" (2022) 48:1 *Trans Inst Br Geogr* 1-16.
- 5 Sebastian Elischer, "Trade union mobilisation and democratic institutionalisation in the Republic of Niger" (2019) 46:160 *Rev Afr Polit Econ* 204-222; Sokphea Young, "Organization without Revolution: The Labour Movement and the Failure of Democratization in Cambodia" (2021) 43:2 *Contemp Southeast Asia* 345-369.
- 6 Department of Trade Union Affairs Malaysia, *Trade Unions Statistics in Malaysia 2014-2018* (Department of Trade Union Affairs Malaysia).
- 7 Dzulzalani Eden & Mohamad Suhaidi Salleh et al, eds, "Introduction: Trade Unions and Industrial Relations Systems" in *Study Trade Union Eff Malays* (Cyberjaya: Institute of Labour Market Information and Analysis, 2017); *Keluaran Dalam Negeri Kasar Mengikut Negeri 2016* [Gross Domestic Product by State 2016], by Department of Statistics Malaysia (Department of Statistics Malaysia, 2017).
- 8 Nurhadi Pratomo, "Serikat Pekerja: Kepesertaan Terus Turun [Trade Unions: Membership Continue to Decline]", (2 May 2017), online: *Bisnis* <<http://jakarta.bisnis.com/read/20170502/448/649648/serikat-pekerja-kepesertaan-terus-turun>>.
- 9 CNN Indonesia, "Minister: Number of Trade Unions Drop Significantly", *CNN Indones* (29 March 2018), online: <<https://www.cnnindonesia.com/nasional/20180328143824-20-286542/menaker-jumlah-serikat-pekerja-menurun-signifikan>>.
- 10 Kota Balikpapan dalam *Angka 2018* [Balikpapan in Number 2018, by Statistics Indonesia Balikpapan (BPS Kota Balikpapan, 2018).
- 11 Nurliana Kamaruddin & Roy Rogers, "Malaysia's Democratic and Political Transformation" (2020) 47:2 *Asian Aff Am Rev* 126-148; Edward Aspinall et al, "Elites, Masses, and Democratic Decline in Indonesia" (2020) 27:4 *Democratization* 505-526.

common in Peninsular Malaysia.¹² Specifically, mainstream, and unconventional Labour Day celebrations are frequently conducted in Peninsular Malaysia, whereas similar activities are seldom organised in Malaysian Borneo. Meanwhile, the decline in the Indonesian national trend of unionism is observed across different provinces, which has significantly impacted the working-class movement in Indonesian Borneo. For instance, the number of trade unions, union membership, worker participation, and collective agreements continue to decline annually.¹³ Although previous studies acknowledged the impacts of the government on trade unions and democracy among developed countries, relevant investigations in the context of developing countries remain limited.¹⁴ Hence, more research is required on the impacts of trade unions, and particularly on their contributions towards democratisation in Malaysian Borneo and Indonesian Borneo.

Relevant research on trade unions and the labour movement is concentrated in Peninsular Malaysia and Java, demonstrating the need for more empirical evidence to be collected from Malaysian and Indonesian Borneo.¹⁵ Therefore, a thorough understanding is required of trade unions all over Malaysia and Indonesia. In addition, a holistic relationship between democratic aspects, cultural perspectives, and political power is required to bridge the gap in previous studies which primarily focused on the limitations of trade unions, including low trade union densities, ineffective leadership, unproductive trade union strategies, employer tactics, strict government controls, neoliberalism, and gender inequality.¹⁶

12 Malaysiakini, "Rundingan Tergendala, 80 Pekerja Syarikat Elektronik Berpiket [Stalled Negotiations, 80 Electronics Company Workers Picketed]", Malaysiakini (14 February 2020), online: <<https://www.malaysiakini.com/news/510902>>.

13 Dzulfikar Fathur Rahman, "Hanya 12% Pekerja yang Tergabung dalam Serikat Pekerja pada 2021 [Only 12% of Workers are Unionized in 2021]", (11 April 2022), online: Databoks <<https://databoks.katadata.co.id/datapublish/2022/04/11/hanya-12-pekerja-yang-tergabung-dalam-serikat-pekerja-pada-2021>>; Dwi Hadya Jayani, "Minat Pekerja Ikut Serikat Berkurang [Workers' Interest in Joining the Union Decreases]", (17 October 2019), online: Databoks <<https://databoks.katadata.co.id/datapublish/2019/10/17/kepersertaan-serikat-pekerja-menurun>>; Sedane, "Mengumpan Buruh Sebagai Tumbal Pandemi [Labour as the Victim of Pandemic]" Sedane (13 May 2020), online: <<https://majalahsedane.org/mengumpan-buruh-sebagai-tumbal-pandemi/>>.

14 Elischer, *supra* note 5.

15 Muzdalifah Jangli & Fazli Abd Hamid, "Densiti, Cakupan dan Pengiktirafan Kesatuan Sekerja: Analisis Kajian Lepas [Union Density, Coverage and Recognition: A Previous Study Analysis]" (2018) 28 MANU J Pus Penataran Ilmu Bls 183–197; Muhtar Habibi & Benny Hari Juliawan, "Creating Surplus Labour: Neo-Liberal Transformations and the Development of Relative Surplus Population in Indonesia" 48:4 J Contemp Asia 649–670; Teri L Caraway, Michele Ford & Hari Nugroho, "Translating membership into power at the ballot box? Trade union candidates and worker voting patterns in Indonesia's national elections" (2015) 22:7 Democratization 1296–1316.

16 Hazrul Shahiri, Zulkifly Osman & Kihong Park, "Union Relevance in the Malaysian Labour Market" 30:2 Asian-Pac Econ Lit 45–56; Ahn Taejoon, "The Labour Movement and Party Politics in Malaysia" (2006) 9:1 Int Area Stud Rev 35–58; Lillian Miles & Richard Croucher, "Gramsci, Counter-Hegemony and Labour Union-Civil Society Organisation Coalitions in Malaysia" (2013) 43:3 J Contemp Asia 413–427; Michele Ford, "Learning by Doing: Trade Unions and Electoral Politics in Batam, Indonesia, 2004–2009" (2014) 22:3 South East Asia Res 341–357; Lisa Cameron, Diana Contreras Suarez & William Rowell, "Female Labour Force Participation in Indonesia: Why Has it Stalled?" (2018) Bull Indones Econ Stud 1–40.

The current study seeks to comprehend trade unions in Malaysian and Indonesian Borneo by analysing respective national cultures and trends, with relevant impacts on the democratisation process and by defining the centre-periphery relationship in unionism. The impact of governmental actions on trade unions and democracy in employment relationships under different political systems has been inadequately appraised in both regions. Although Malaysia practises parliamentary democracy while Indonesia implements presidential democracy, both countries maintain superior or authoritative trade union regulations. Thus, this study also observed the democratic issues among trade unions in both regions. The current findings could enrich existing labour movement literature in Malaysia and Indonesia by including corresponding perspectives of Bornean trade unions. The working class and trade unions in both nations could also develop optimal strategies for organising and mobilising workers regardless of territorial and sectorial factors. Moreover, acknowledging Bornean perspectives fosters a more inclusive political environment that values diverse cultures and identities. Thus, embracing these perspectives can contribute to national unity by recognising and respecting the unique contributions of different regions and ethnic groups specifically in the context of trade unions throughout Malaysia and Indonesia.

Methodologically, the present study conducted purposive sampling to select representative samples and adhered to Guest et al.'s recommendations in interviewing six to 12 respondents to fulfil the study objectives.¹⁷ Therefore, a total of 19 representatives from trade unions, authorities, and academics in Malaysian and Indonesian Borneo were interviewed from September 2019 to March 2020. The interview was conducted in both semi-structured and in-depth formats to sufficiently garner specific knowledge from an individual's viewpoints, experiences, feelings, and personal understanding of a certain topic.¹⁸ The study respondents from Malaysian Borneo were recruited from Bintulu (oil and gas), Sipitang (timber), and Tawau (palm oil). Meanwhile, Indonesian Bornean representatives were recruited from Balikpapan (oil and gas), Banjarmasin (timber), and Kotabaru (palm oil). Tables 1.1 illustrates the list of trade unions included in this study.

17 Greg Guest, Arwen Bunce & Laura Johnson, "How Many Interviews Are Enough?: An Experiment with Data Saturation and Variability" (2006) 18:1 *Field Methods* 59-82; Benjamin Saunders et al, "Saturation in qualitative research: exploring its conceptualization and operationalization" (2018) 52:4 *Qual Quant* 1893-1907.

18 Alan Morris, *A Practical Introduction to In-Depth Interviewing* (SAGE Publications, 2015).

Table 1.1. Trade Unions

#	Malaysian Borneo	Indonesian Borneo
1	Petroleum Nasional Berhad Sarawak Employees Union (KAPENAS Sarawak)	Mathilda Balikpapan Workers Union
2	Sabah Timber Industry Employees Union (STIEU)	Banjarmasin City Timber and Forestry Workers Union (SP Kahut Banjarmasin)
3	Sabah Plantation Industry Employees Union (SPIEU)	Minamas Plantation Workers Union Federation for Sungai Durian Area (FSPMP ASD)
4	Malaysia Trade Union Congress Sarawak (MTUC Sarawak)	Confederation of All Indonesian Workers' Union (KSPSI) Balikpapan
5	Malaysia Trade Union Congress Sabah (MTUC Sabah)	

Accordingly, this study conducted multiple case-study analyses by creating a cross-case synthesis to compare the findings of all the cases and generate a synthesised conclusion.¹⁹ The current study also conducted an internal case analysis as suggested by Merriam in which the data of each case was collected, analysed, and reported separately.²⁰ Subsequently, the content analysis technique was performed to assess relationships and similar responses to each interview question.²¹ Summarily, answers from the informants were verified through the cross-reference of multiple credible sources, consulting experts, and data triangulation.

II. CONCEPTUAL UNDERPINNING OF TRADE UNIONS AND DEMOCRATISATION

The study's conceptual framework was underpinned by Hofstede's national culture model, Hyman's functions of the state, and Acemoglu's and Robinson's democratisation theory. Notably, Hofstede's national culture model is representative of the national trend and variations in cross-national employment. Hyman's functions of the state could be jointly applied to study the structural aspect of culture with Hofstede's model, as the state significantly contributes towards the development and implementation of laws related to workers and trade unions. Additionally, the study incorporated Acemoglu's and Robinson's

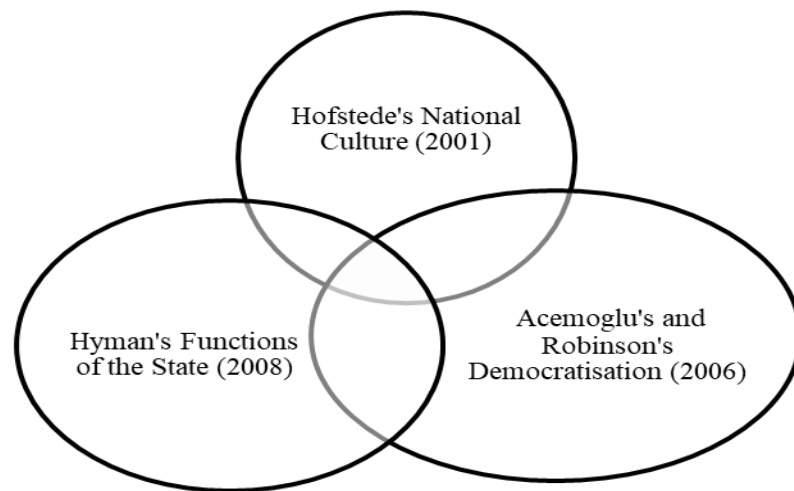
19 Robert Yin, *Case Study Research: Design and Methods* (SAGE Publications, 2013).

20 Sharan Merriam, *Case Study Research in Education: A Qualitative Approach* (Jossey-Bass, 1988).

21 Klaus Krippendorff, *Content Analysis: An Introduction to its Methodology* (SAGE Publications, 2013).

democratisation theory to support both aforementioned theories in establishing the research framework. Acemoglu's and Robinson's democratisation theory could complement Hofstede's national culture model, which does not emphasise democratisation among trade unions and labour movements.²² Figure 1 depicts the integration of the three theories implemented in the present study.

Figure 1. The Current Conceptual Framework



1. National Culture

National culture is a collective psychological programming process that differentiates one social group from another. National culture represents the set of values and beliefs shared by individuals via birth and residence in a specific country, which is the key determinant of behaviours, cognitive approaches, and learning methods.²³ Hofstede's model consists of four dimensions, namely individualism-collectivism, uncertainty avoidance, power distance, and masculine-feminine.²⁴ The individualism-collectivism dimension concerns the strength of the bond between one individual and another, in which the individualism index refers to the value of individual interests by perceiving oneself as 'me' instead of 'we'. Contrarily, individuals with a collectivist predisposition would associate personal identities as group members with a strong sense of belonging and loyalty. Meanwhile, uncertainty avoidance

22 Ming-Yi Wu, Maureen Taylor & Mong-Ju Chen, "Exploring Societal and Cultural Influences on Taiwanese Public Relations" (2001) 27:3 Public Relat Rev 317-336.

23 Ying-Cheng Hung, Tzu-Cheng Su & Kuo-Ren Lou, "Impact of Organizational Culture on Individual Work Performance with National Culture of Cross-Strait Enterprises as a Moderator" (2022) 14:11 Sustainability 6897.

24 Geert Hofstede, "Dimensionalizing Cultures: The Hofstede Model in Context" (2011) 2:1 Online Read Psychol Cult 1-26.

portrays the feeling of being threatened by an ambiguous situation, where a low uncertainty avoidance index is observed when society does not perceive differences as a threat but is more prepared for ambiguous circumstances. In a culture with the presence of power distance, individuals tend to accept authorities compared to other cultures with lower power distance, wherein citizens would strive for justice and equality in power distribution. Furthermore, masculinity represents the preference of society towards accomplishments, heroism, and materialistic rewards while femininity denotes the preference for modesty, cooperation, and being empathetic towards others.²⁵

2. Functions of the State

The state executes acquired power to shape employment relations, wherein Hyman identified three functions of the state.²⁶ The first function is accumulation, which encourages profits through competition and productivity, while the second is pacification to ensure no chaos or conflict occurs through necessary repressive measures. The third function is legitimacy, with laws and policies as legitimate tools to contrive public agreement with state actions. Accumulation may occur indefinitely, especially through the cheap labour practice in export-oriented industries. The state will also continuously perform necessary legislation as entitled by the functions for employment relationship control and legitimisation for the required interventions.²⁷ Hyman's functions of the state could assist in further understanding the employment relationship and glean further insights, as Hyman postulated that the state comprises social interactions and relations between various agencies. The state is also capable of providing opportunities or threats to trade unions and labour movements. Contrastingly, the traditional Marxist perspective propounds the state as an institute only responsible for security. Therefore, Hyman's functions of the state could delineate the politics of trade unions and labour movements under capitalism, aside from cross-national comparisons of the employment relationship.²⁸

25 Hofstede Insights, "Country Comparison", (16 October 2023), online: <<https://www.hofstede-insights.com/country-comparison/saudi-arabia,the-usa/#:~:text=Saudi%20Arabia%2C%20with%20a%20score,considered%20a%20slightly%20collectivistic%20society>>.

26 Richard Hyman, "The state in industrial relations" in P Blyton et al, eds, *SAGE Handb Ind Relat* (SAGE Publications, 2008).

27 Kristy Ward & Vichhra Mouly, "Employment Relations and Political Transition in Cambodia" (2016) 58:2 *J Ind Relat* 258-272; Michael Gillan, "Re-Making Labour in India: State Policy, Corporate Power and Labour Movement Mobilisation" in Kenneth Nielsen & Alf Nilsen, eds, *Soc Mov State India Deep Democr* (Palgrave Macmillan, 2016).

28 Carola M Frege, John Kelly & Patrick G McGovern, "Richard Hyman: Marxism, Trade Unionism and Comparative Employment Relations" (2011) 49:2 209-230.

3. Democratisation

Democratisation denotes the opposition between the elites (wealthier and minimal) and the citizens (impoverished and numerous). The state will be regarded as democratic when representing the interests of all citizens, whereas an undemocratic state only prioritises the interests of political and economic elites.²⁹ In a democratic state, union membership numbers and worker well-being will progressively increase as compared to trade unions in an authoritarian state.³⁰ Democratisation occurs when the political power shifts from the elite to ordinary citizens, such as in the presence of trade unions. Acemoglu's and Robinson's democratisation process depends on six elements, namely (i) the strength of civil society, (ii) the structure of political institutions, (iii) the state of political and economic crises, (iv) the economic inequality level, (v) the economic structure, and (vi) the globalisation level. Democratisation in a country can only be accomplished when a conducive political process emerges to create political equality underlain by the roles of economic factors, political conflicts, and political institutions. The national culture also plays a vital role in determining democratisation, which is frequently associated with the political culture in stimulating the emergence and survival of democracy.³¹

III. THE INTEGRATED CONTEXT OF MALAYSIA AND INDONESIA

Previous scholars concentrated on the factors contributing to the limitations of Malaysian trade unions. For example, the ineffectiveness of Malaysian trade unions in terms of leadership and capacity, although trade unions remained highly relevant in the country and essential to workers' struggles.³² Moreover, workers participated in unions for economic reasons. Several factors also contributed to the weaknesses of trade unions, including employer tactics with the state which prevented trade unions from expanding.³³ Concurrently, a conservative government, ethnic politics, and non-progressive policies led to the decline of trade unions in Malaysia, which advocated the transformation of the

29 Daron Acemoglu & James Robinson, *Economic Origins of Dictatorship and Democracy* (Cambridge University Press, 2006).

30 Lauren Keane, Alexander Pacek & Benjamin Radcliff, "Organized Labor, Democracy, and Life Satisfaction: A Cross-National Analysis" (2012) 37:3 *Labor Stud J* 253-270.

31 Somma Pillay & Nirmala Dorasamy, "Linking Cultural Dimensions with the Nature of Corruption: An Institutional Theory Perspective" (2010) 10:3 *Int J Cross Cult Manag* 363-378; Ammar Maleki & Frank Hendriks, "The Relation between Cultural Values and Models of Democracy: A Cross-National Study" (2015) 22:6 *Democratization* 981-1010; Inglehart Ronald, Miguel Basatez & Alejandro Moreno, *Human Beliefs and Values: A Cross-Cultural Sourcebook based on the 1999-2002 Value Surveys* (Siglo XXI, 2004).

32 Naresh Kumar, Miguel Martínez Lucio & Raduan Che Rose, "Workplace industrial relations in a developing environment: barriers to renewal within unions in Malaysia" (2013) 51:1 *Asia Pac J Hum Resour* 22-44.

33 Maimunah Aminuddin, "Employment Relations in Malaysia: Past, Present and Future" (2009) 11:1 *N Z J Asian Stud* 304-317; Suhaila Mohamed, Faridahwati Mohd Shamsudin & Husna Johari, "Union Organisation and Effectiveness: An Empirical Study on In-house Union in Malaysia" (2010) 78:1 *Akad J Southeast Asia Soc Sci Humanit* 89-94.

Malaysian political economy to reform the employment relationship.³⁴ Hence, Malaysian trade unions should incorporate worker benefit agendas in social movements while ensuring transnational solidarity by uniting local and migrant workers and conducting intersectional activism.³⁵

Neoliberalism is a frequently debated topic in Indonesia, in which the influx of investors and the flexible labour market are primary issues.³⁶ The situation is aggravated when trade unions and left-wing parties do not develop a solid political strategy.³⁷ The trade unions compete with each other to seize influence from the workers and the state while labour non-governmental organisations (NGOs) determine respective orientations which engenders frequent fragmentation between trade unions.³⁸ Simultaneously, trade unions encounter numerous challenges, such as the ineffectiveness of government oligarchy, *preman*, the legacy of Soeharto's New Order, corruption, and increased surveillance by the police, military, and paramilitary.³⁹ Thus, the state plays a pivotal role in resolving the aforementioned issues with employers' cooperation. Nevertheless, certain developments are observed in Indonesian trade unions, such as the growing effectiveness of tripartite or independent institutions in which all trade unions in the country are united to demand a

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- 34 Chris Rowley & Mhinder Bhopal, "The Role of Ethnicity in Employee Relations: The Case of Malaysia" (2005) 43:3 *Asia Pac J Hum Resour* 308–331; Amarjit Kaur, *Wage Labour in Southeast Asia Since 1840: Globalisation, the International Division of Labour and Labour Transformation* (Palgrave Macmillan, 2004); Vicki Crinis & Balakrishnan Parasuraman, "Employment Relations and the State in Malaysia" (2016) 58:2 *J Ind Relat* 215–228; Patricia Todd & D Peetz, "Malaysian Industrial Relations at Century's Turn: Vision 2020 or a Spectre of the Past?" (2001) 12:8 *Int J Hum Resour Manag* 1365–1382; Siti Suraya Abd Razak & Nik Ahmad Kamal Nik Mahmod, "Ratification of International Labour Convention and the Reformation of Trade Union Recognition Process in Malaysia" 29:1 *Pertanika J Soc Sci Humanit* 193–206; Peter Wad, "Revitalizing the Malaysian Trade Union Movement: The Case of the Electronics Industry" (2012) 54:4 *J Ind Relat* 494–509.
- 35 Richard Croucher & Lillian Miles, "Ethnicity, Popular Democratic Movements and Labour in Malaysia" (2018) 39:2 *Econ Ind Democr* 294–311; Michele Ford, "The Global Union Federations and Temporary Labour Migration in Malaysia" (2013) 55:2 *J Ind Relat* 260–276; Lilian Miles et al, "Advocacy for women migrant workers in Malaysia through an intersectionality lens" (2019) 61:5 *J Ind Relat* 682–703.
- 36 Vedi Hadiz, "Globalization, Labour and the State: The Case of Indonesia" (2000) 6:3 *Asia Pac Bus Rev* 239–259.
- 37 Marissa Brookes, "Explaining Employer Responses to Transnational Labor Activism: Indonesia and Cambodia Compared" (2018) 51:6 *Comp Polit Stud* 699–729.
- 38 Neil Rupidara & Peter McGraw, "Institutional Change, Continuity and Decoupling in the Indonesian Industrial Relations System" (2010) 52:5 *J Ind Relat* 613–630; Ezka Amalia, "Sustaining Transnational Activism between Indonesia and Hong Kong" (2020) 29:1 *Asian Pac Migr J* 12–29.
- 39 Indrasari Tjandraningsih, "State-Sponsored Precarious Work in Indonesia" (2013) 57:4 *Am Behav Sci* 403–419; Richard Robison & Vedi Hadiz, *Reorganising Power in Indonesia: The Politics of Oligarchy in an Age of Markets* (Routledge Curzon, 2004); Ian Wilson, *Politik Jatah Preman: Ormas dan Kuasa Jalanan di Indonesia Pasca Orde Baru* [The Politics of Protection Rackets in Post-New Order Indonesia: Coercive Capital, Authority and Street Politics] (Marjin Kiri, 2018); Edward Aspinall & Greg Fealy, "Introduction: Soeharto's New Order and its Legacy" in Edward Aspinall & Greg Fealy, eds, *Soeharto's New Order Its Leg Essays Honour Harold Crouch* (ANU Press, 2010); Muhammad Mustofa, "Labour Rights and Law Enforcement: The Role of the Indonesian National Police in Maintaining Order during Industrial Disputes" (2008) 9 *Labour Manag Dev* 82–90; R Herlambang Perdana Wiratraman, "Disciplining Post Suharto-Labour Law Reform" in Jafar Suryomenggolo, ed, *Work Act Reformasi 1998 New Phase Indones Unions* (Asia Monitor Resource Centre, 2014).

higher minimum wage or social safety net.⁴⁰ Notwithstanding, cooperation may not persist when different demands exist from each trade union or with the rise of populist rhetoric.

Past researchers discovered that trade unions in Malaysia and Indonesia experienced similar issues, namely the fragility of trade unions, uncooperative employers, and the extreme control by the state. This also means limited political freedoms, centralized decision-making, and a lack of checks and balances, leading to authoritarian tendencies that can impact workers' ability to organise and voice their concerns effectively. Meanwhile, several studies also discussed the strength of trade unions in Indonesia, such as the involvement in demonstrations, elections, the role of labour NGOs, and institutional support. Hence, trade unions in Indonesia possess more potential to further expand. Nonetheless, most studies only assessed the employment relationship in general in Malaysia and Indonesia through studies in Peninsular Malaysia and Java, especially when performing comparative studies. Concurrently, the topic of trade unions requires more investigations. More research in Malaysian and Indonesian Borneo is necessary to further understand trade unions and democracy in both countries by including the Bornean working class. Furthermore, democratisation in Malaysia and Indonesia requires a comprehensive understanding of the Bornean perspective.

IV. DEMOCRATISATION THROUGH UNIONISATION: INSIGHTS FROM MALAYSIAN BORNEO AND INDONESIAN BORNEO

This section discusses the study results with relevant interpretations. In Malaysian Borneo, the focus of the struggle among trade unions is related to collective agreements, the freedom of association, and decent work apart from various challenges throughout the history of Peninsular Malaysia (formerly Malaya), especially during the formation of Malaysia. Trade union activism in Malaya produced an impact on the approaches employed by the state in enacting employment laws before and after the formation of Malaysia. For instance, the Trade Union Act 1959 and the Industrial Relations Act 1967 are continuously practised throughout the country, including in Malaysian Borneo. From the 1960s to the 1970s, Malaysia also introduced different policies and laws supporting neoliberalism.⁴¹ Nevertheless, Malaysian Borneo was only involved in the second phase of the import substitution industry (ISI) between 1963 and 1970. Although Indonesian Borneo is regionally remote from Java, the nationalism agenda established earlier encouraged a sense of belonging and national identity among trade unions. Particularly, the transmigration programme in 1956 strengthened Indonesian nationalism, which facilitated the habitation of Javanese and Sundanese in Indonesian Borneo through smooth cultural assimilation.⁴² Hence, trade unions in Indonesian Borneo tend to adhere to the national trend and

40 Trade Union Movement and Democracy in Indonesia: 2010, 2014, and Beyond, by Surya Tjandra (Friedrich-Ebert-Stiftung, 2017).

41 Edmund Gomez & Jomo KS, *Malaysia's Political Economy: Politics, Patronage and Profits* (Cambridge University Press, 1997).

42 Brian Hoey, "Nationalism in Indonesia: Building Imagined and Intentional Communities through Transmigration" (2003) 42:2 *Ethnology* 109–126.

constantly focus on national issues, although each trade union possesses its respective struggles.

1. National Culture and Trend

The centre-periphery relationship could be associated with the national culture and trend in both Bornean regions, such as low uniformity among trade unions in Malaysian Borneo and Peninsular Malaysia, with differences potentially influencing the national trend. Additionally, the development of trade unions in Malaysian Borneo remains unstable. The experiences of the KAPENAS Sarawak, STIEU, and SPIEU demonstrate that trade unions in Malaysian Borneo are less involved in national issues, demonstrated by its dissimilarity from Peninsular Malaysia on local-migrant workers struggles. Furthermore, Malaysian Bornean trade unions act according to respective issues and interests without adhering to national trends, which leads to more individualistic trade unions with less associational power. Meanwhile, trade unions in Indonesian Borneo were discovered to be citizen-oriented concerning their character and unity. For instance, human rights, living expenditures, and environmental issues are addressed collectively through the collectivist spirit, which binds the trade unions in Indonesian Borneo. Essential values, such as '*gotong royong*', harmony, and tolerance are present to ensure balance among trade unions and serve as an indicator of collectivism.⁴³ Specifically, trade unions in Indonesian Borneo, such as the Mathilda Balikpapan Workers Union, SP Kahut Banjarmasin, and FSPMP ASD, prefer establishing mutual relationships with other trade unions to support the trade union movement despite originating from different sectors. The Indonesian Bornean trade unions also act in workers' interests by merging voices on national issues, participating in trade union federations and confederations, and complying with central instructions.⁴⁴ As such, trade unions in Malaysian and Indonesian Borneo may differ in the individualism-collectivism dimension while possessing higher similarities in uncertainty avoidance.

The current study findings revealed that workers in Malaysian and Indonesian Borneo encountered significant risks when involved in trade unions, due to the presence of constant uncertainty and a preference for avoiding all potential trouble. Moreover, employer tactics and the actions of the state to ensure employment relationship stability contributed to high uncertainty avoidance. For example, both employers and the state might disrupt collective bargaining, not recognise trade unions, and restrict freedom for trade union activism in Malaysian Borneo. Comparatively, trade unions in Indonesian Borneo could disagree and separate from one another, although a political risk is continuously present due to inherent limitations. The trade unions would prevent the risk by complying with central instructions and mobilising based on the national trend. Furthermore, trade unions in Malaysian and Indonesian Borneo are predisposed to avoid risks and conflicts with detrimental impacts given that the state favours employers. Trade unions are wary and continuously rely on

43 John Bowen, "On the Political Construction of Tradition: Gotong Royong in Indonesia" (1986) 45:3 J Asian Stud 545-561.

44 Caroline Kelly & John Kelly, "Who Gets Involved in Collective Action? Social Psychological Determinants of Individual Participation in Trade Unions" (1994) 47:1 Hum Relat 63-88.

existing structures or procedures to reduce uncertainty, which constrains the growth of trade unions in both regions.⁴⁵

In terms of power distance, this study demonstrated that trade unions in Malaysian and Indonesian Borneo exhibit a high-power distance index. The values of conformity and harmony universal in Malaysian and Indonesian Borneo further strengthen the high-power distance index. Particularly, Malaysian Bornean workers and trade unions are less vocal or not actively involved in trade union activism owing to strong loyalty to employers and constant emphasis on harmonious relationships by the state, which contributes to the misalignment between trade unions and the national trend. Similar situations are also present in the Indonesian Borneo. For example, a high-power distance index is observed from reliance on union federations or confederations, with higher value apportioned to hierarchy and stable power centralisation reflected in the national trend. Nonetheless, a high-power distance index is not beneficial for the employment relationship in both Bornean regions as the power gap could negatively impact worker voice, empowerment, leadership, and commitment in trade unions.

The current study revealed that trade unions in Malaysian and Indonesian Borneo differed in the masculine-feminine dimension, with the former demonstrating a higher masculine index. The low number of trade unions and members in Malaysian Borneo does not offer workers more bargaining power, which results in lower conformity with the national trend.⁴⁶ Contrarily, Indonesian Bornean trade unions exhibited a high feminine index as the Indonesian national agenda fostered citizens' sense of pride and belongingness as well as sufficient empathy towards each other.⁴⁷ Indonesians prioritise community well-being through the possessed strength of solidarity, which allows trade unions to align with the national trend. In addition, a meaningful relationship exists between national culture and the national trend. Trade unions in Malaysian Borneo demonstrated high indices of individualism, uncertainty avoidance, power distance, and masculinity, whereas their Indonesian Bornean counterparts manifested high levels of collectivism, uncertainty avoidance, power distance, and femininity. Two similarities between trade unions in the regions were discovered in terms of uncertainty avoidance and power distance, compared to the contrast between dimensions of individualism-collectivism and masculinity-femininity. All dimensions illustrate the relationship between national culture and trade unions, although the four dimensions of national culture are highly dependent on a specific context and cannot be regarded as a single factor.

45 Anna Sender, Alexandra Arnold & Bruno Staffelbach, "Job security as a threatened resource : reactions to job insecurity in culturally distinct regions" (2016) 28:17 *Int J Hum Resour Manag*.

46 Boyd Black, "Comparative Industrial Relations Theory: The Role of National Culture" (2005) 16:7 *Int J Hum Resour Manag* 1137-1158.

47 Boyd Black, "National Culture and Industrial Relations and Pay Structures" (2001) 15:2 *LABOUR Rev Labour Econ Ind Relat* 257-277.

2. Internal and External Factors

Both internal and external factors influence adherence to the national trend and democracy. Particularly, a lack of awareness of unionisation was observed from numerous workers in Malaysian Borneo, owing to insufficient knowledge regarding worker rights and benefits as stipulated in the employment law. Although trade unions primarily represent and educate workers, participation rates remained low due to the workers' relaxed, tolerant, gentle, and patient attitudes. Participation in unions tends to remain low when the current generation is also not interested.⁴⁸ This challenge prevents trade unions in Malaysian Borneo from continuously progressing and adhering to the latest national trend. The trade unions in Indonesian Borneo also experienced the issues related to a low level of worker consciousness. Notably, commando spirit was discovered to occur with regards to compliance with the national trend by trade unions in Indonesian Borneo. Members were requested to respect the instructions provided by the central leadership without any criticism allowed to cultivate the commando spirit. Resultantly, tailgating practices, patronage relationships, and high dependence on central leadership are ubiquitous in Indonesia, although every trade union should organise and mobilise freely.

The present study revealed that the union leader approach is another factor influencing trade unions. Specifically, the cooperation versus confrontation approach was demonstrated to be an integral factor for trade unions. It was found that female leaders dominate trade union leadership in Malaysian Borneo, in contrast to the male-dominated leadership in Indonesian Borneo. Although gender is not the decisive factor, the variable could enhance the understanding of trade union leaders' attitudes and actions. For instance, female union leaders in Malaysian Borneo might be inclined to negotiate, converse, and collaborate, which causes contradiction with the national trend. Moreover, the majority of trade union leaders in Peninsular Malaysia were males. Conflict management, emotional intelligence, and labour were also revealed to influence female union leaders. Meanwhile, male leaders in Indonesian Borneo may be more inclined to hold demonstrations, strike and defend workers' rights. There is no stigma against them compared to female leaders in Malaysian Borneo. Hence, they can bring trade unions to move in line with the national trend.

Trade unions were also discovered to be influenced by employment laws and trade union regulations, such as The Labour Act 1955, the Trade Union Act 1959, the Sabah Labour Ordinance, and the Sarawak Labour Ordinance, that separate workers and trade unions by geography, namely Peninsular Malaysia, Sabah, and Sarawak. The differences in enforcement practices could impact the effectiveness of trade unions in ensuring employers adhere to labour regulations and uphold workers' rights. Not to mention, each region manages their own affairs and is unconcerned about their counterparts, and disagreements exist between the Central MTUC, MTUC Sabah, and MTUC Sarawak. In 2019, the Central MTUC objected to the proposed amendment to the Industrial Relations Act 1967, as the amendment would allow the establishment of more than one trade union in the same

48 Che Supian Mohamad Nor et al, "Trade Unions: Relevant Out of Irrelevant? A Study on Generation's Perception in Malaysia" (2018) 8:3 *Int J Hum Resour Stud* 3852-3852.

workplace. The Central MTUC stated that multi-unionism would divide trade unions and reduce workers' bargaining power. The MTUC Sabah did not issue an official statement to address the issue due to various debates with other unions. Meanwhile, the MTUC Sarawak supported the amendment due to its alignment with the International Labour Organisation Convention 87.⁴⁹ Resultantly, the difference led to a discrepancy in the national trend. Notably, employment laws are applicable across Indonesia. Uniform employment laws provide clarity in regulations, making it easier for both employers and workers to understand their rights, obligations, and legal requirements. This consistency reduces confusion and legal ambiguity.

3. Employer Tactics and the Role of the State in the Employment Relationship

The study results revealed that workplaces in both Malaysian and Indonesian Borneo were undemocratic, owing to employers considering trade unions a burden. Nonetheless, the state continuously encouraged peaceful rapport between workers and employers, productivity, and teamwork. For instance, the STIEU experienced obstacles particularly regarding union recognition in Malaysian Borneo while the FSPMP ASD in Indonesian Borneo was assigned by the company to manage cooperatives, with both approaches seen as union-busting tactics. In Malaysian Borneo, the Sabah Employers Association (SEA) requested that the federal government consult with employers first before stipulating a maximum of 44 working hours to avoid additional expenditures.⁵⁰ Similarly, the KAPENAS Sarawak was involved in several protests against the collective agreement negotiations before appealing the issue at the Industrial Court. The impasse between the trade union and employers resulted in subsequent protests. In the case of Sabah Forest Industries (SFI), the denial of workers' rights and union restrictions were observed and the STIEU waited more than 25 years for the recognition of their unions. Meanwhile, the SPIEU struggled to organise and mobilise workers owing to the state policy of including migrant workers for cheap labour and allowing the *Sayangi Sawitku* (Love MY Palm Oil) campaign as a clear indication of the profit-driven objectives of employers and the state. Furthermore, although the state ensured that trade unions could be established, various limiting factors were observed in the Malaysian Borneo context as expressed by an interviewee:

"....a politician is always a politician. In this union, we do not believe in political rhetoric. Because we are based on the reality on the ground. Not perception..."

49 Utusan Borneo, "MTUC Sarawak Sokong Sepenuhnya Pindaan Akta Perhubungan Perusahaan [MTUC Sarawak Fully Supports the Amendment of the Industrial Relations Act]", (11 December 2019), online: Utusan Borneo <<https://www.utusanborneo.com.my/2019/12/11/mtuc-sarawak-sokong-sepenuhnya-pindaan-akta-perhubungan-perusahaan>>.

50 Daily Express, "SLO Changes: Employers Lament Non-Consultation", Dly Express (17 February 2019), online: <<http://www.dailyexpress.com.my/news.cfm?NewsID=131348>>.

Democratisation is difficult in Malaysian Borneo as the state is partial to employers and restrains unions. Although respondents from the authorities asserted the legality of relevant actions, investments were prioritised over worker rights when the radicalism of trade unions was considered to diminish the influx of investments. The Malaysian labour force, especially unskilled workers, does not possess sufficient bargaining power due to the failure to evenly distribute wealth and power.⁵¹ Additionally, Malaysian Bornean workers do not receive the same protection and convenience as their counterparts in Peninsular Malaysia, as employment laws at this point in Malaysian Borneo and Peninsular Malaysia are distinct. The Workers' Minimum Standards of Housing and Amenities Act 1990 is also not applicable in Malaysian Borneo. As such, employment laws divide and diminish workers' bargaining power and affect the democratisation process when the state acts in its legitimate role to impose employment laws on workers and trade unions.

In 2018, the Industrial Harmony Index (IHI) in Malaysian Borneo achieved a high score, with Sabah recording 76.1%, especially peace-making (77.7%) as the most accomplished dimension. Similarly, Sarawak achieved 78.0%, particularly in nurturing relationships and executing responsibilities which both earned 78.0%. A higher score in the IHI means that there is a greater level of industrial peace, cooperation, and effective conflict resolution between employers and employees, indicating a more harmonious and productive work environment. As such, labour strikes and pickets rarely occurred, with no strikes reported in Malaysian Borneo from 2011 to 2018. Meanwhile, only one protest in Sabah and 11 protests in Sarawak occurred between 2011 and 2016. The increase in advisory service activities, visits, talks, and dialogues in recent years organised by the Department of Industrial Relations has produced a positive effect. Simultaneously, trade unions are less involved in strikes and protests despite numerous issues regarding workers' rights, which encourages the harmonious employment relationship in Malaysian Borneo. Moreover, numerous restrictions on trade union activities are imposed to ensure trade unions in Malaysian Borneo are loyal and accept the authority possessed by employers and the state. Specifically, the segmentation of skilled and unskilled labourers experienced by the KAPENAS Sarawak engendered the fragmentation of workers in respective unions. The STIEU must resolve the fear-mongering tactics through the presence of the police when organising protests. In addition, the issue of migrant workers encountered by the SPIEU is a challenge for trade union activism in elevating the union participation rate. Therefore, trade unions tend to be tolerant of the existing authorities owing to the significant challenge of organising and mobilising workers in Malaysian Borneo.

During the first quarter of 2020, the unemployment rate in Malaysian Borneo was 5.8% in Sabah (the highest rate), while the unemployment rate in Sarawak was 3.1%.⁵² A high unemployment rate could lead to a decline in trade union membership and union density, which hinders the growth of trade unions in Malaysian Borneo. In addition, the high unemployment rate reflects workers' low bargaining power, as union and non-union members are insecure about personal employment opportunities and concerned about

51 Ng Hwa, "A Labour Agenda for Malaysia", New Mandala (20 January 2023), online: <<https://www.newmandala.org/a-labour-agenda-for-malaysia/>>.

52 Pocket Stats Q1 2020, by Department of Statistics Malaysia (Department of Statistics Malaysia, 2020).

potential job termination. Workers could be compelled to compromise with the mistreatment of employers and the state. Although a lower awareness level with a higher degree of obedience could ensure a harmonious employment relationship, democratic rights could be violated when workers are suppressed from being aware of entitled rights. Hence, trade unions could not efficiently progress, which thwarts the development of democracy for workers in Malaysian Borneo. Trade unions also encounter huge challenges in organising a labour movement when relevant endeavours are limited to workplaces.

Meanwhile, in Indonesian Borneo, employment policies remain within the neoliberalism framework and acquire control over trade unions. The structural relationship between capitalism and the state facilitates partiality towards profit-driven companies, such as awarding oil and gas exploitation contracts to foreign companies or the sale of two gigantic crude carrier tankers, which were protested by the Mathilda Balikpapan Workers Union. The preference provided to capitalism may result in increased national revenue, which is an undemocratic action as trade unions who strived to nationalise the Indonesian oil and gas sector are excluded. Concurrently, private authorities were further expanded by obtaining greater access to logging areas and palm oil plantations compared to the power possessed by trade unions, including the SP Kahut Banjarmasin and FSPMP ASD. Furthermore, the Wage Council is one of the institutions reflecting the accumulation function of the state. Although a price survey of goods was conducted to calculate the decent living needs (KHL) and the district or city minimum wage (UMK) of workers in Indonesian Borneo, employers are dominant in the Wage Council. For instance, a lower wage was acquired by the UMK in Balikpapan than the UMK in Penajam Paser Utara. In 2019, the UMK in Balikpapan could attain only Rp2,828,601 (USD199) compared to the UMK in Penajam Paser Utara at Rp3,100,000 (USD218).⁵³ Summarily, the minimum wage is determined by both the state and employer without satisfactory negotiations with unions. An informant explicated that:

“.... This law does need improvements. However, what we regret here is that the review of the law was at the will of certain parties, and one of them is APINDO. And does not involve the workers...”

Currently, 72 companies and 19 industrial areas are designated by the Ministry of Industry as the National Vital Object in Industry Sector (OVNI) to create a favourable business environment.⁵⁴ The companies can request protection from the Indonesian National Police (Polri) and National Armed Forces (TNI) in case of any received threats. Particularly, trade unions in Indonesian Borneo, such as the Mathilda Balikpapan Workers Union, SP Kahut Banjarmasin, and FSPMP ASD, frequently encounter various pacification strategies by the state. Surveillance by the Early Detection Team for

53 Loker Kaltim, “Daftar Upah Minimum Kota/Kabupaten (UMK) Provinsi Kalimantan Timur Tahun 2019 [List of District/City Minimum Wage (UMK) of East Kalimantan Province 2019]”, (2018), online: Loker Kaltim <<https://www.lokerkaltim.net/2018/12/daftar-upah-minimum-kota-kabupaten-umk-provinsi-kalimantan-timur-tahun-2019.html>>.

54 Boyke P Siregar, “72 Perusahaan Jadi Objek Vital Industri [72 Companies Become Industrial Vital Object]”, War Ekon (7 February 2018), online: <<https://www.wartaekonomi.co.id/read170045/72-perusahaan-jadi-objek-vital-industri>>.

Employment (*Tim Deteksi Dini Ketenagakerjaan*) also prevents workers' protests and creates collaborations between the police and trade unions by facilitating employment relationships prioritising reconciliation. Resultantly, dialogues are preferred to represent democracy in the Indonesian Borneo trade unions. Moreover, authorities, such as the Department of Manpower, are actively conducting outreach, encouraging communication through the Tripartite Cooperation Board (LKST), and peacefully resolving employer-worker conflicts. Pancasila Industrial Relations (HIP) remain employed to emphasise the partnership concept between workers and employers, which ensures stability in employment relationships while benefiting companies. With the central government's announcement of shifting the capital city to East Kalimantan and establishing a food estate, large investment opportunities and profit potentials are present in Indonesian Borneo. The peaceful employment situation in Indonesia Borneo shaped by the state also leads to minimal cases in the Industrial Relations Court (PHI). From 2013 to 2020, no cases were presented at the PHI Balikpapan and PHI Kotabaru, whereas the PHI Banjarmasin recorded 198 cases in the same year. The cases in Banjarmasin included the issues of salary disputes, worker rights disputes, and layoffs, with most companies involved as defendants from the oil and gas, timber, palm oil, mining, maritime, logistics, and construction sectors.⁵⁵

4. Trade Unions and Democratisation

The democratisation process is hindered by the authoritarian regime, including governmental departments, agencies, and security forces.⁵⁶ Therefore, restrictions on the local political democratic rights of trade unions would demonstrate the democratic trajectory in Malaysian and Indonesian Borneo. The non-uniformity of employment laws, such as the Labour Act 1955, the Trade Union Act 1959, the Sabah Labour Ordinance, and the Sarawak Labour Ordinance indirectly impact the national culture and democracy in Malaysian Borneo, while the Employment Act 1955 only applies to Peninsular Malaysia. The Trade Union Act 1959 also limits the membership of trade unions based on different geographical areas, namely Peninsular Malaysia, Sabah, and Sarawak. Meanwhile, the Sabah Labour Ordinance and the Sarawak Labour Ordinance are specific to Sabah and Sarawak respectively. Variances in legal frameworks can affect the level of participation and representation of workers in the democratisation process and labour practices, thus hindering their ability to organise within different geographical areas.

Peninsular Malaysia is the centre and Malaysian Borneo is the periphery, with conflicts and upheavals in a capitalistic system more frequent in the central region. Furthermore, the characteristics in the centre, such as a modern economy, trade and transport facilities, high investment, and social infrastructure, contribute to various dissensions. As such, activism, organisation, and mobilisation of workers are more prevalent in Peninsular Malaysia compared to the trade unions in Malaysian Borneo. The trade union development in

⁵⁵ Statistik Perkara [Case Statistics], by Supreme Court of the Republic of Indonesia (Supreme Court of the Republic of Indonesia, 2020).

⁵⁶ Bruce Gilley, "Democratic Enclaves in Authoritarian Regimes" (2010) 17:3 389-415." (2010) 17:3 Democratization 389-415.

Malaysian Borneo remains slow, isolated, and difficult to unite with their counterparts in Peninsular Malaysia, as the working class in Malaysian Borneo is less exposed to ideas about democracy and workers' rights. Comparatively, Indonesian Borneo is included in the nation-building agenda, in which the existing spirit of nationalism and collectivism could strengthen the national culture of trade unions in Indonesian Borneo in line with the national trend. Democracy issues in the employment relationship also pertain to both Java and Indonesian Borneo. Nevertheless, local issues related to workers or employment relationships in Indonesian Borneo may not necessarily be present in Java.

Hence, democratisation is not in a favourable situation in Indonesia, as workers in Indonesian Borneo are more prone to issues concerning violations of democracy and entitled rights. On July 16, 2020, demonstrations to reject the Omnibus Law on Job Creation (Ciptaker) were conducted by affected parties, such as students, activists, and trade unions, in several Indonesian provinces and districts or cities, including in Indonesian Borneo such as Palangka Raya, Banjarmasin, Samarinda, East Kutai, Tarakan, and Bulungan. The state and employers, such as the Indonesian Employers Association (APINDO) East Kalimantan, argued that investments would increase with the creation of numerous job opportunities by enacting the law.⁵⁷ Contrarily, workers rejected the enactment as the law would diminish the rights of the working class, such as altering daily wages to hourly wages, promoting outsourcing, and reducing workers' compensation, which engendered job insecurity.⁵⁸ The present study postulates that Malaysian and Indonesian authorities strived for investment due to the trickle-down effect on national development. Contrastingly, the majority of trade unions perceived that the state and relevant stakeholders did not comprehend the ongoing situation of workers and trade unions due to the profit-oriented relationship with the employers. Resultantly, democratisation is highly constrained in Malaysian and Indonesian Borneo.

The tension between trade unions and the state in the timber and palm oil sectors is also more strained than in the oil and gas sector, owing to the high global demand driving more extractive actions to develop the sectors in Malaysian and Indonesian Borneo. Moreover, the number of migrant workers is higher in the former two sectors compared to the oil and gas sector. The migrant worker policy implemented by the state due to the cheap labour factor has created barriers for local and migrant workers to unite. The state commonly attempts to prevent organising and mobilising workers as trade unions do not possess sufficient bargaining power with both employers and the government. Consequently, the state explicitly establishes inclusive economic institutions to minimise conflicts and pacify workers or trade unions. For instance, the Sabah Development Corridor (SDC) and the Sarawak Corridor of Renewable Energy (SCORE) in Malaysian Borneo were instituted in Malaysian Borneo while the Maloy Batuta Trans Kalimantan

57 Jaffry Prabu Prakoso, "Gubernur Kaltim: Kita Berprasangka Baik Omnibus Law Bermanfaat [Kaltim Governor: We Opined Omnibus Law is Beneficial]", (6 March 2020), online: <https://kalimantan.bisnis.com/read/20200306/408/1210072/gubernur-kaltim-kita-berprasangka-baik-omnibus-law-bermanfaat>.

58 Syarif Arifin, "Omnibus Law Cipta Kerja: Sesajen bagi Pemodal [Omnibus Law on Job Creation: Offerings for investors]" *Sedane* (12 March 2020), online: <http://majalahsedane.org/omnibus-law-cipta-kerja-sesajen-bagi-pemodal/>.

Special Economic Zone (KEK) was established in Indonesian Borneo. The state also created a Coordinated Market Economies (CME) programme to encourage a potential economic transformation, protection for the lower classes, and multiple job opportunities, although the minimum wage rate consistently remained low with a high unemployment rate.

Meanwhile, trade unions from the oil and gas sector in both Bornean regions share similarities in terms of disruptive behaviour. Despite being loyal to employers, workers are more willing to compel the government to accommodate workers' struggles, such as workers' pickets and demonstrations. Workers also continuously interact with the government to include trade unions in ensuring amicable employment relationships for positive economic growth. The actions suggest that workers' collective strength exists in Malaysian Borneo and Indonesian Borneo, albeit to a relatively modest degree. At the same time, different political developments reflect the democratisation stage in Malaysian and Indonesian Borneo. Since 1998, the number of trade unions in Malaysian Borneo has increased at an annual rate of one or two additional trade unions, although the figure encompasses active, inactive, and non-compliant unions. The main factors contributing to noncompliance are not holding a general meeting and not sending financial reports to the Department of Trade Union Affairs. Hence, the growth rate postulates that the increase in the number of trade unions in Malaysian Borneo is not equivalent to trade unions being active or improvement in democracy. In addition, trade unions which are dormant or passive could not be removed from the record as they may abruptly become active. Meanwhile, a total of 16 trade union confederations exist in Indonesia, especially in Java, with trade union leaders' activity or inactivity influencing the movement of affiliated members in Indonesian Borneo. In 1998, trade unions proliferated and were listed permanently after their registration. Therefore, the number of all recorded Indonesian trade unions, including in Indonesian Borneo, since the Reformation era does not accurately reflect the democratisation process. The mere count of trade unions does not reveal the depth or quality of representation they offer to workers. Some unions might have a larger membership base and robust mechanisms for democratic decision-making and representation, while others might have smaller memberships or limited internal democracy. Conversely, a decline would occur when the number of union members decreases.

Thus, the present study revealed that trade unions were more suppressed and controlled by the Malaysian Bornean state compared to the Indonesian Bornean state. Various factors are responsible for the limited development of trade unions in both Bornean regions, including introducing migrant workers to hinder unionism. Additionally, different languages could result in racial and language discrimination and subsequently impede the development of trade unions. The case studies with the KAPENAS Sarawak, STIEU, and SPIEU also identified several major challenges, such as low unity among the local and migrant workforce, an inactive industrialisation process, low awareness about the functions and benefits of trade unions, diverse cultures, low bargaining power, and the harmonious employment relationship. Concurrently, a plethora of small and medium-sized companies (SMEs) located in rural areas and family-based firms in Malaysian Borneo engendered low participation rates in trade unions or minimal trade unions. Specifically,

the relationship between employers and workers resulted in the inapplicability of the existing law when familial conflict resolution methods would frequently be conducted. The situation in Malaysian Borneo contrasted with the circumstances in Peninsular Malaysia, which consisted of large-scale companies and numerous workers recruited into trade unions. Therefore, the struggle for democracy through the contestation between trade unions and the state is intricate in Malaysian Borneo.

V. CONCLUSION

The present study aimed to consider trade unions in both Malaysian and Indonesian territories, namely Malaysian Borneo and Indonesian Borneo, based on Hofstede's identified factors that influenced compliance with national trends. The study findings posited the crucial role of trade unions in spurring democratisation through a power balance between trade unions and the state to ensure worker mobilisation by the trade unions. Furthermore, national, cultural, internal, and external factors could shape the dynamics of employment relationships in Malaysian and Indonesian Borneo by revealing contradictions in the employment relationship due to governmental actions. Workers from the oil and gas, timber, and palm oil sectors in Malaysian and Indonesian Borneo were also involved in contentious politics to fight for worker rights and trade union activities. Nonetheless, workers' struggles received limited attention, as previous research primarily focused on understanding the trade union movement in Peninsular Malaysia and Java. Thus, the current study illustrated the different struggle patterns of trade unions in both Bornean regions. Trade unions in both Bornean regions demonstrated a similar democratisation pattern when the state restricted relevant movements from enjoying full democracy. Conflicts in Malaysian and Indonesian Borneo are frequently specific to employment laws or procedures in employment relationships, instead of developing into a more effective labour movement or transformation of the capitalist economic system. Therefore, the struggle of trade unions in Malaysian and Indonesian Borneo requires more workers' awareness, critical thinking, internal democratic practices, and effective worker leadership to propel democratisation progress. This study also discovered low awareness of trade unions in both Bornean regions. Trade unions could raise awareness by engaging workers in relevant discussions and networking, as the democratisation of the state is highly associated with trade union negotiations and protection of worker rights. Influential trade unions in Malaysian Borneo and Indonesian Borneo are required to constantly acquire sufficient democracy from the state, as the process could not be solely dependent on the trade unions in Peninsular Malaysia and Java.

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