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Inducements versus Constraints

Disaggregating "Corporatism"

Ruth Berins Collier and David Collier

The concept of "corporatism" has recently emerged as a central point of reference in research on interest representation. More broadly, this concept has played a central role in the renewed effort to discover more adequate ways of conceptualizing alternative patterns of state–society relations and alternative modes of political domination. Scholars concerned with various world regions have called attention to the tendency toward a corporative ordering of interest politics and of state–society relations around noncompeting groups that are officially sanctioned, closely supervised, and often subsidized by the state.

Corporatism has received particularly widespread attention in analyses of the relationship between the state and organized labor in Latin America. It is argued that Latin American governments have commonly sought to exercise control over labor movements and that within this context of control, the concept of corporatism captures an important aspect of the network of hierarchical relationships through which labor organizations come to be dependent upon and penetrated by the state.[1]

This focus on corporatism provides an important alternative to earlier pluralist perspectives in that it takes as a starting point the role of the state in shaping interest representation. Yet a closer examination of the contexts in which corporative patterns of state–labor relations have emerged in Latin America reveals such a diversity of political relationships and of goals on the part of elites who introduce corporative provisions that it seems reasonable to ask whether all these cases should be grouped under a single concept. While the

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[1] The focus on corporative structures as mechanisms of control is a central theme in the literature on Latin America. However, it should be stressed that some forms of corporatism do not primarily involve state control over groups. The discussion of "state" versus "societal" corporatism at the end of this chapter addresses this issue.

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concept of corporatism may be valuable as a first approximation, it appears to miss much of the give and take of politics.

We propose here a new approach to conceptualizing corporative patterns of state–group relations that will make it possible to deal more adequately with this diversity of power relationships. This approach provides a better basis for analyzing contrasting patterns of state–group relations – including both differences among countries and patterns of change within countries. Though our immediate empirical referent is the relationship between the state and organized labor in Latin America, this modified conceptualization may be extended to the analysis of other types of groups and other regional contexts.

CORPORATISM

The term "corporatism" has been applied to a wide variety of phenomena, including modes of political participation, types of political action, ideologies, and broad cultural traditions (Rogowski and Wasserspring 1971; Wiarda 1974; Palmer and Middlebrook 1976).[2] At the same time, there has emerged a common usage in which systems of interest representation – and more specifically, different patterns of state–group relations – are the central issue. Drawing on the shared usage in this literature,[3] one may define a system of state–group relations as corporative to the degree that there is (1) state *structuring* of groups that seeks to produce a system of officially sanctioned, noncompetitive, compulsory interest associations; (2) state *subsidy* of these groups; and (3) state-imposed *constraints* on demand-making, leadership, and internal governance.[4] Corporatism is thus a *nonpluralist* system of *group* representation. In contrast to the pattern of interest politics based on autonomous, competing groups and to the total suppression of groups, in the case of corporatism the state encourages the formation of a limited number of officially recognized, noncompeting, state-supervised groups.

This usage has been particularly common in research on state–labor relations in Latin America. Analysts have frequently viewed these relations as involving corporatism, with a widespread use of corporative mechanisms by the state to shape and control labor organizations.[5] And while there are

[2] For a more extensive introduction to the concept of corporatism, see Chapter 3, this volume, which was written 15 years after the present chapter. In contrast to Chapter 3, the present chapter retains the expression "intertest representation" rather than "intermediation."

[3] Cotler 1972; Schmitter 1974: 93–94; Wiarda 1974: 6; Kaufman 1977; Malloy 1977; Mericle 1977; O'Donnell 1977; Reyna 1977; Schwartzman 1977; Stepan 1978: chap. 2.

[4] In Collier and Collier (1977) we referred to these types of restrictions as controls. For the sake of clarity, however, we will here refer to them as constraints and use the term control somewhat more broadly (discussed later).

[5] Petras 1969; Schmitter 1971, 1974; Harding 1973; Cordoba 1974; Corradi 1974; Wiarda 1976; Collier and Collier 1977; Erickson 1977; Kaufman 1977; Mericle 1977; O'Donnell 1977; Reyna 1977.

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unquestionably important periods in which state–labor relations in Latin America involve outright repression, as well as a very few cases of a fair degree of pluralism, one may accurately characterize the predominant pattern during much of the twentieth century as corporative.

At the same time, we have argued elsewhere that in Latin America, corporative patterns of state intervention in organized labor have been introduced in the context of a striking diversity of power relationships and policy goals. Corporative provisions have been used in some cases to strengthen the position of workers and unions in relation to employers, whereas in others they have been used to weaken their position. Corporative provisions have sometimes been used by political parties to win workers' support, and at other times to insulate workers' associations from involvement with parties as a means of restricting their political power. In some contexts, members of the military elite have seized the government and used corporative provisions to aid labor organizations and mobilize their support, whereas in others, such elites have used these provisions to control labor sharply. Corporative provisions have been promoted by an extraordinary spectrum of governments, ranging from repressive, right-wing governments, through "populist" governments such as the Cárdenas government in Mexico and the first Perón government in Argentina, to Castro's Cuba (Wiarda 1974: 4; Collier and Collier 1977).

These observations suggest that the concept of corporatism may apply to so many different cases that it often tells one little or nothing. If such a diversity of cases can be found even within just one world region and considering only the relationship between the state and one class group, organized labor, perhaps this concept simply casts too broad a net to be useful.

This problem can be addressed by treating corporatism explicitly as a dimension along which cases may be arrayed. Since "real pluralism" may be relatively rare in the contemporary world, there may be a tendency to find corporatism almost everywhere. But, in fact, systems of interest representation are not identical everywhere; there are major differences in the degree of structuring, subsidy, and constraints introduced by the state. Corporative patterns of state intervention, like pluralism, should thus not be conceived narrowly as either present or absent, but rather as a variable that may assume different values; that is, as a phenomenon that may be present to varying degrees.

Aside from considering corporatism as a continuum, one can approach the very different political contexts in which it appears by disaggregating the concept and considering the different components of corporatism. Since few countries have the full complement of corporative provisions typically identified in the literature on this topic, perhaps different combinations of provisions appear in these different contexts. Though at a high level of aggregation these cases may all be corporative, at a more disaggregated level there may be striking differences among them, as they may consist of quite a few combinations of components.

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INDUCEMENTS VERSUS CONSTRAINTS

As a first step toward disaggregating corporatism, one may note that some corporative provisions bestow advantages upon the labor organizations that receive them, whereas others do not. The *structuring* of group representation through provisions that provide for such things as official recognition, monopoly of representation, and compulsory membership – as well as the *subsidy* of groups – provide important organizational benefits. In this sense these provisions are quite distinct from the *constraints*, which directly control labor organizations and labor leaders.

The argument that structuring and subsidy are benefits is supported by analysts of political organizations, who suggest that these provisions do in fact address basic organizational needs of labor unions (Bendix 1964: 80–97; Olson 1971: chap. 3; Wilson 1973: chap. 3). These include the need to compete successfully with rival groups that seek to represent the same constituency; the need to be recognized as the legitimate representative of their constituency in their dealings with other sectors of society; the need to recruit and retain members; and the need for stable sources of income. Because structuring and subsidy help to meet these needs, they confer significant advantages on the organizations that receive them.

Though structuring and subsidy thus provide important organizational benefits, one must understand the political context in which these provisions appear in order to interpret their significance. Corporative policies toward organized labor in Latin America have been introduced from above by elites, acting through the state, who have used these policies to help them pursue a variety of goals – involving an effort to shape the behavior of the labor movement and/or to win its political support. It therefore seems appropriate, within the Latin American setting, to view structuring and subsidy not simply as benefits but as *inducements* through which the elite attempts to motivate organized labor to support the state, to cooperate with its goals, and to accept the *constraints* it imposes. In this context, corporatism may thus be viewed as involving an interplay between inducements and constraints.

This idea of an interplay between inducements and constraints is consistent with standard discussions of the dialectical nature of state–labor relations in Latin America. Goodman (1972: 232) has interpreted Latin American labor law, the most important formal expression of the relationship between the state and organized labor, as containing both a "carrot and a stick" for labor. Spalding (1972: 211) has analyzed the tendency of the state and elite groups in Latin America to "seduce and control" organized labor. The terminology employed in a standard manual of labor relations in the US suggests that the inducement/constraint distinction is salient outside Latin America as well. This manual contrasts provisions in labor law that involve "labor sweeteners" sought by unions with those involving "restrictions" on unions sought by employers (Bureau of National Affairs 1972: 4).

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More broadly, Schmitter (1974: 92) hinted at this distinction when he suggested, without elaboration, that corporative provisions that we have referred to as constraints may be accepted by groups "in exchange for" the types of provisions we have identified as involving the structuring of groups.

Though one can thus distinguish between inducements and constraints, it is important to emphasize that these are not diametrically opposed phenomena. Analysts of power and influence such as Lasswell and Kaplan (1950: 97–98) and Gamson (1968) distinguish between inducements and constraints, but view both as mechanisms that serve to influence behavior. Constraints are seen as producing compliance by the application, or threat of application, of negative sanctions or "disadvantages." Inducements, by contrast, involve the application of "advantages" (Gamson 1968: 74–77). In this literature, inducements are also viewed as mechanisms of cooptation. As such, though they involve "advantages," they also lead to social control.

This dual nature of inducements is evident in the specific mechanisms of structuring and subsidy discussed earlier. These inducements may, like the constraints, ultimately lead to state penetration and domination of labor organizations, for at least three reasons. First, an inducement such as monopoly of representation is by its nature offered to some labor organizations and withheld from others. This provision has commonly been used in Latin America to undermine radical unions and to promote those favored by the government (Silverman 1967: 137–54; Kenworthy 1970: 159–60; Harding 1973: 71). Second, unions receiving inducements must commonly meet various formal requirements in order to receive them. Finally, the granting of official recognition, monopoly of representation, compulsory membership, or subsidy by the state may make the leadership dependent on the state, rather than on union members, for the union's legitimacy and viability. This dependency accelerates the tendency for labor leadership to become an oligarchy less responsive to the needs of workers than to the concerns of state agencies or the political elite with which the leaders interact. This dual nature of the inducements explains why high levels of inducements, as well as of constraints, are often instituted by elite actors whose goal is to produce a docile, controlled labor movement.

If both inducements and constraints ultimately lead to control, it remains to be demonstrated that labor organizations do indeed desire to receive the inducements – that these provisions in fact induce labor organizations to cooperate with the state and to accept the constraints. A preliminary examination of the evidence suggests that this often occurs.

A LOOK AT SOME EXAMPLES

Evidence can often be found at the time of the enactment of a country's first major law that provides a basis for legalizing unions and that commonly includes a number of inducements and constraints for the unions that become

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legally incorporated. An important example is found in Argentina. The dominant sector of the Argentine labor movement initially rejected Juan Perón's initiatives to gain the cooperation and support of the labor movement in the 1940s. Only when Perón began to adopt the program of this sector of the movement, that is, to support the *organizational* goals of labor as well as their substantive demands on bread and butter issues – in part through a labor law that placed heavy emphasis on inducements – did major sectors of the labor movement begin to accept his offers of cooperation (Silverman 1967: 134–35).

In Mexico the reaction of labor to the first national labor law in 1931 again reflected the dual nature of the law, encompassing both inducements and constraints. Labor leaders objected to certain constraints – the provisions for federal supervision of their records, finances, and membership lists – whereas they accepted the provisions for the recognition of unions – defined here as an inducement. Furthermore, they were dissatisfied over the *absence* of a provision that is clearly an inducement – compulsory membership (Clark 1934: 215; Harker 1937: 96).

The debate within the labor movement concerning the passage of the 1924 labor law in Chile reflects this same pattern. The dominant Marxist sector of the labor movement generally accepted the new system, arguing that it had to "use all the social legislation of the capitalist state to fight capitalism itself" (Morris 1966: 246). The debate within the labor movement showed that though this sector opposed the constraints contained in the law, it was clearly attracted by the law's provisions that would help it to extend its organization to new economic sectors and would allow it to receive a state-administered financial subsidy derived from profit-sharing. The inducements contained in the law were thus sufficient to motivate the dominant sector of the labor movement to cooperate with the state.

The 1924 Chilean law is useful for underlining another point as well. Though the inducements offered by the state have often been sufficient to win the cooperation of labor, this has not always been the case. Historically, the anarchists were acutely aware not only of the costs of the constraints that accompany the inducements, but also of the tendency of the inducements themselves to lead to social control. Thus, following the traditional anarchist position regarding the risks of cooptation arising from collaboration with the state, the anarchist sector of the Chilean labor movement rejected the 1924 law completely.

Another example is the 1943 law in Argentina, which was widely opposed by organized labor. At that point, the state was not willing to extend sufficient inducements to win the cooperation of labor, which rejected the constraints. It is noteworthy that the Peronist law of 1945 (noted earlier) provided the necessary level of inducements and was accepted by organized labor, despite its similarly high level of constraints.

These examples suggest that while some groups will resist these inducements, the inducements have, in fact, often served to win the cooperation of

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labor groups and to persuade them to accept the constraints. Furthermore, the distinction between inducements and constraints is not an analytic point of concern only to social scientists, but rather a vital political issue in the history of state–labor relations in Latin America.

AN OPERATIONALIZATION OF INDUCEMENTS AND CONSTRAINTS

Do inducements and constraints occur in distinct patterns in different political contexts? If so, does the analysis of these patterns contribute to understanding the different settings in which corporatism has appeared? To address these questions, we must focus in greater detail on specific corporative provisions that have typically characterized state–labor relations in Latin America.

In the context of state–labor relations, inducements and constraints of course take many forms – including bribery and overt repression. Yet many important inducements and constraints – such as those conventionally referred to in conceptual discussions of corporatism – are found in labor law, which will be used here as a basis for illustrating the interplay between these two dimensions. We hardly need emphasize that law does not, by itself, reflect the full reality of state intervention in labor organizations or labor relations. Laws may not be applied, or they may be applied differentially.

Yet law is important. It is commonly asserted by specialists in organized labor in Latin America that labor law is indeed one of the crucial factors that shape labor movements.[6] Furthermore, the adoption of laws is a major step in the decision process through which state intervention in labor representation crystallizes. Labor law is a highly visible and concrete policy statement around which political battles are fought, won, and lost, and around which political support is attracted, granted, and withheld. Perhaps especially for the years in which labor law is promulgated or modified, law thus provides a valuable point of reference for analyzing the larger political context. Of course, one must be cautious in using an older law that has been left on the books as a basis for interpreting the politics of a subsequent period. We therefore focus particularly on the years in which laws are adopted – though in some cases, as in the interpretation most notably of Mexico, long periods of stability of law do point to an important continuity in the political context. Despite this caveat, however, law provides a useful source of data for the comparative analysis of the different approaches to shaping labor organizations and labor relations that are grouped together by policy makers in this crucial phase of the policy process. For the analyst concerned with whether different patterns of inducements and constraints appear in different political contexts, law thus represents a valuable source of data.

[6] International Labor Office 1961: 269; Miller 1966: 11; Valenzuela 1976: 151; Wiarda 1976: 11; Erickson 1977: 29.

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In order to apply the inducement–constraint distinction in a comparative/longitudinal analysis of state–labor relations, we scored a series of legal provisions corresponding to the different elements in standard definitions of corporatism discussed earlier for twenty Latin American countries for each year over the period 1901 to 1975.[7] Under the heading of inducements, the scoring focused on provisions regarding registration, right of combination, monopoly of representation, compulsory membership, and subsidy of unions. The heading of constraints included provisions regulating collective bargaining and strikes, other controls on demand-making, controls on leadership, and provisions for state monitoring and intervention in internal union affairs. While these provisions obviously do not include all inducements and constraints that may appear in labor law, they represent a constructive starting point for analyzing this distinction.[8] Statistical analysis of these provisions indicated that it was appropriate to group them into two overall scales that reflected the degree to which inducements and constraints were present in the labor legislation of each country. These scales are used as the basis of the analysis presented later. Appendices 12.1 and 12.2 explain the scoring of these legal provisions and the construction of the scales. Given the time span of the dataset, the following discussion is focused on the period up to 1975.

Contrasting Patterns of Change. The distinct patterns of change in inducements and constraints in Figure 12.1 provide a useful starting point for exploring the relationship between these dimensions and the larger political context. In Argentina, for instance, one finds a volatile pattern of change that reflects frequent shifts in the coalitional position of organized labor – as well as, overall, a relatively greater emphasis on inducements in relation to constraints.[9] The dramatic shift to a high level of inducements in 1945 has already been noted. The context of this shift was the effort by Perón to gain the support of the large, well-established, and autonomous Argentine labor movement as he attempted to rise from a subordinate position within the military government that came to power in 1943. With the help of labor support, he was elected president in 1946. One of Perón's most visible acts in his attempt to court

[7] We used International Labor Office 1919–75, as well as a wide variety of other secondary sources, for identifying relevant statutes and for scoring the statutes. For most of the statutes, the original text was consulted as well.

[8] The scoring was restricted to labor law as it is formally defined in Latin American legal systems. Though the discussion does at a few points take into consideration other major legal provisions, such as states of siege, that may supersede labor law, the formal scoring does not attempt to cover all provisions relevant to labor organizations. It does not, for instance, consider provisions contained in criminal codes in the earlier part of this century that were used to restrict labor organizations in the period before the advent of formal labor legislation. The goal is not to provide a definitive assessment of all legal provisions relevant to labor organizations, but rather to see if certain patterns emerge among the provisions that have particularly concerned analysts of corporatism.

[9] This discussion of Argentina draws on Baily (1967: chap. 7), Silverman (1967: 134 ff., 194–210, 221), Kenworthy (1970: chap. 5), and Most (1978: chap. 4).

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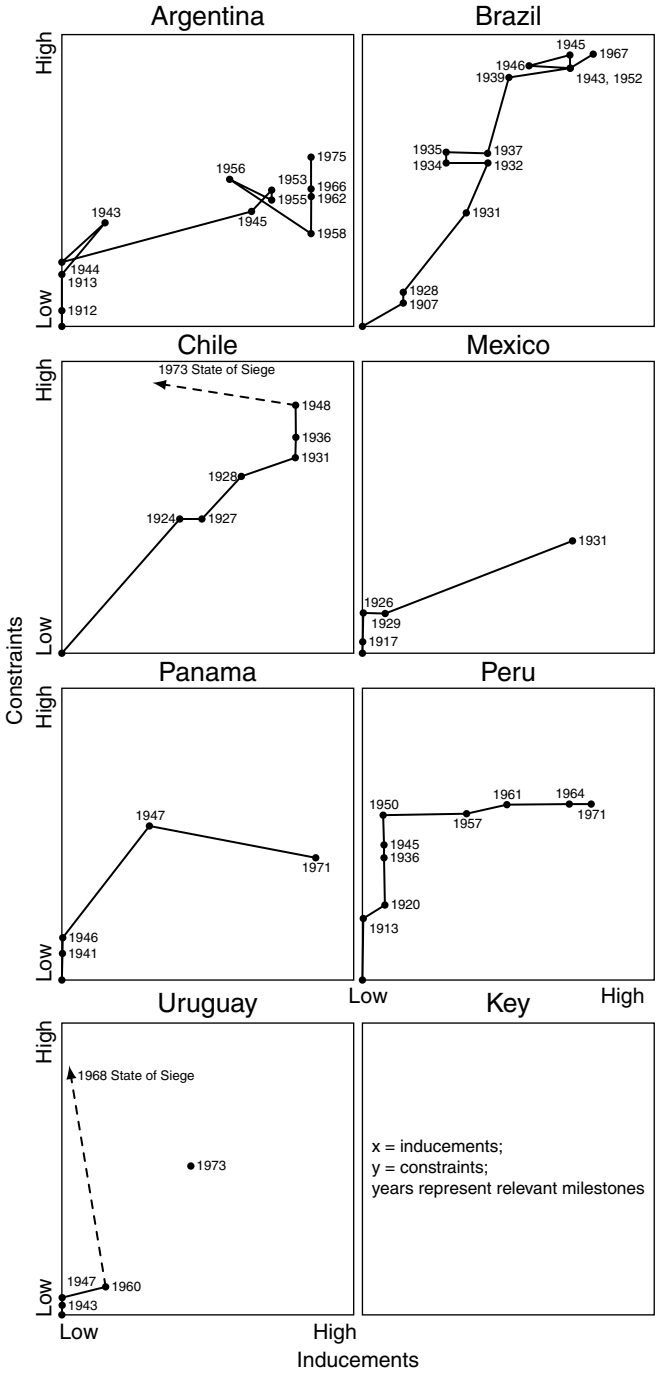


FIGURE 12.1 Patterns of change in inducements and constraints, 1901–1975.

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labor was the abrogation of the unpopular 1943 law, which was heavily oriented toward constraints. In 1945, a Peronist labor law was introduced, which included a similar level of constraints but which attracted overwhelming labor support in part because of the high level of inducements. Though Perón's most prolabor period might be said to have ended in 1946 and though Perón became increasingly preoccupied with curbing labor and its demands as early as 1948–49, this policy shift proved quite difficult, since he remained heavily dependent on labor support. This combination of dependence on labor and concern with restraining its demands is reflected in the more "balanced" addition to labor law in 1953. The years following the ouster of Perón in 1955 were characterized by ongoing shifts in labor law that correspond to changes in the political context. For instance, in 1956, the anti-Peronist government that sought to undermine the dominant Peronist segment of the labor movement added constraints and dropped inducements. In 1958, inducements increased and constraints decreased as Peronists bargained with Frondizi over the terms under which they would grant him their electoral support.

The relationship between the state and organized labor in Brazil was different from that in Argentina, and a distinct pattern of labor law has evolved.[10] Organized labor was relatively weak in Brazil and played a marginal role in the rise to power of Vargas in 1930. In fact, a major concern of the leaders of the "Revolution" of 1930, which brought Vargas to power, was to preempt the emerging labor movement and the "Bolshevik threat" that its connection with the Communist party seemed to imply. Once in power, Vargas sought to dismantle this labor movement and replace it with a state-controlled system of labor representation. Though his labor and welfare policies eventually won him the support of much of the working class, Vargas was not dependent on the working class for political support in the way Perón was in Argentina. Correspondingly, in the framework of a more full-blown corporatist system, Brazil moved to high levels of both inducements and constraints.

Within this overall pattern, there are interesting short-term changes in Brazil. The rise in influence of anti-corporative, liberal groups in the mid 1930s is reflected in a brief reduction in the level of inducements. The earlier level was restored in 1937, and by 1939, under the explicitly corporatist Estado Novo (New State), Brazil moved to an even higher level of both inducements and constraints. By 1943 the Estado Novo was on the defensive and Vargas began laying the groundwork for the more active electoral support that he would need with the introduction of competitive politics after 1945. At this point he assumed a more populist stance, sponsored a political party to mobilize labor support, and introduced a more inducement-oriented labor law. The period following the fall of the Estado Novo in 1945 was characterized by shifting power relationships, which produced, as in Argentina, a "circular" pattern

[10] This discussion of Brazil draws on Skidmore (1967), Schmitter (1971), Harding (1973), and Erickson (1977).

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of change in law as provisions for inducements and constraints were promulgated and abrogated. For instance, after the fall of Vargas in 1945, there was a brief reduction of inducements as the new government sought to undermine the dominant sector of the labor movement, which was linked politically to Vargas. These provisions were restored within a few months in the face of protests from labor leaders.

The link between the larger political context and the pattern of inducements and constraints is clear in other cases as well. In Mexico, the labor movement had since an early phase of the Mexican Revolution been an important, though coopted, actor within the dominant national coalition (Brandenburg 1964; Everett 1967; Stevens 1974; Purcell 1975). Correspondingly, the first major national labor law in 1931 placed heavy emphasis on inducements. Subsequently, labor law, like the dominant political coalition itself, was relatively stable over many years.

The clearest case of a separate elaboration of constraints and inducements and of a dramatic "right-angled" shift from one to the other is Peru. Until the late 1950s, Peruvian labor law had been shaped by a series of conservative governments concerned with curbing the powerful, labor-based APRA party. Labor law was heavily oriented toward constraints, and the 1950 law in Peru was nearer the "high constraint/low inducement" corner of the diagram than any other labor law in Latin America.[11] Starting in 1957, after APRA entered into an alliance with the Peruvian elite, there occurred a series of increases in inducements, with little further increase in constraints. Another case of a particularly dramatic shift to the inducement side is Panama, which until the 1970s had a constraint-oriented law. In 1971 the populist/nationalist government of Torrijos made a strong appeal for labor support,[12] and promulgated a law that decreased the level of constraints at the same time that it increased inducement provisions to a level as high as any in Latin America.

Chile is well known for the emergence of a powerful political left that enjoyed crucial support from the working class. However, the standard interpretation of the earlier history of state–labor relations emphasizes the preemptive, cooptive role of the state in attempting to create a weak, dependent labor movement (Morris 1966; Peppe 1971; Angell 1972; Valenzuela 1976). Correspondingly, Chile – like Brazil – followed in this earlier period a relatively balanced pattern of inducements and constraints and moved to a high level of each. In 1973, with the fall of Allende and the onset of the violently antilabor policies of the military government, the existing system of inducements and constraints was superseded by a state of siege and a variety of other legal and extralegal measures. Chile shifted to a system that predominantly

[11] This discussion of Peru draws on Payne (1965), Bourricaud (1967), and Sulmont (1975: 188–89, 239).

[12] *Latin America Political Report*, 1970–71, passim.

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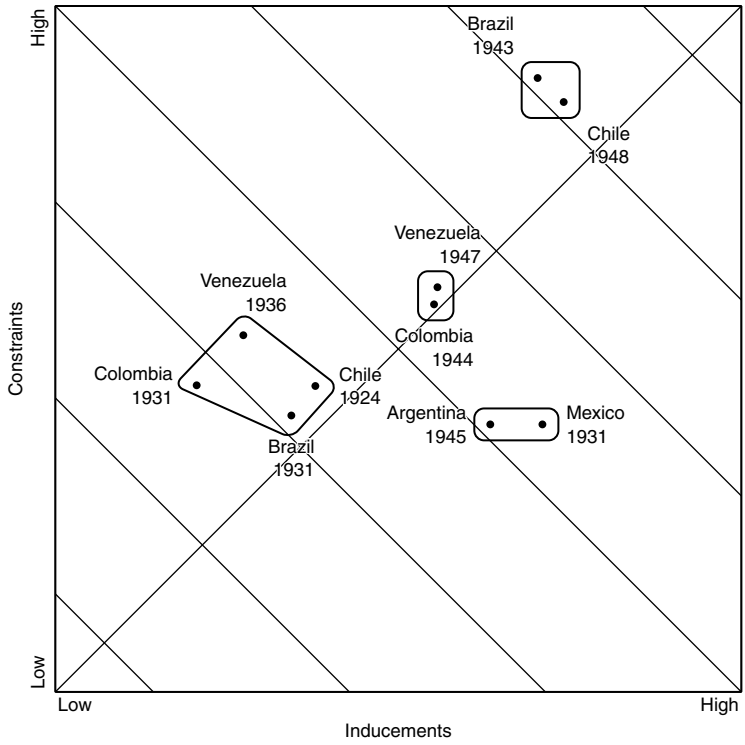
involved repression, with little use of cooptation during the first years of military rule (ILO 1975). This in effect involves an extreme movement upward and to the left in the diagram. Another example of a dramatic shift of this type is Uruguay. After many years as the most pluralistic system in Latin America with few legal provisions relating to labor organizations, Uruguay adopted in 1973, in the midst of a severe political crisis, a law that had a rough balance of inducements and constraints within the framework of a relatively low overall level of corporatism. However, state–labor relations had in fact been governed almost continuously during the violently antilabor period after 1968 by the legal framework of a state of siege (Handelman 1977: 11).

A Further Comparative Perspective. The comparison of major laws in Argentina, Brazil, Chile, Colombia, Mexico, and Venezuela sheds further light on the relationship between the larger political context and different patterns of inducements and constraints.[13] Four of these laws (1924 in Chile, 1931 in Brazil and Colombia, and 1936 in Venezuela) were for each country the first major legislation that legalized the trade union movement. These laws were adopted by governments that might be called "conservative modernizers." In these cases, a multiclass, modernizing coalition came to power, but organized labor did not play a critical role in building the coalition or providing support for it. Instead, the coalition derived its legitimacy largely from other sources. These labor laws tended to be the vehicle through which the government addressed the "social question." These governments sought to limit the radicalization of the working class by addressing themselves to the worst abuses to which it was subjected and by seeking to integrate labor into the established order within a framework of substantial emphasis on constraints. This grouping includes the laws promulgated under the Liberal party in Colombia, which in 1930 came to power after a long period of Conservative party rule; López Contreras in Venezuela, who came to power after Gómez's repressive, dictatorial rule; Vargas in Brazil and Alessandri in Chile, both of whom came to power at a point when traditional oligarchic rule had broken down and become discredited.

These four laws did not contain as many provisions for either inducements or constraints as the later laws, and like many early laws placed a greater relative emphasis on constraints than on inducements. Hence, they are located above (i.e., on the constraint side of) the hypothetical line of relative "balance" in Figure 12.2 (see note at bottom of figure).

[13] We elected the larger, more industrially advanced countries of Latin America, in part because they represent a coherent group and in part because we have analyzed them closely elsewhere (see R. Collier 1978; D. Collier 1978). In addition to the sources cited here, the discussion in this section draws on Stevenson (1942), Fluharty (1957), Brown (1964), Martz (1966), Michaels (1966), Ashby (1967), Dix (1967), Imaz (1967), Urrutia (1969), Nunn (1970), Caicedo (1971), Drake (1971), Powell (1971), Blank (1973), Cornelius (1973), Levine (1973), Ruiz (1976), and Spalding (1977).

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Source. Scored on the basis of data derived from ILO 1919–75 and 1930; other ILO sources; and the statutes of individual countries.

Note: Parallel lines from upper left to lower right correspond to equal levels of inducements plus constraints. In one sense, they could thus be interpreted as reflecting the "overall" level of corporatism. The single line from lower left to upper right can be used as a basis of reference in interpreting the relative "balance" between inducements and constraints. This is not to say that laws which are close to this line are in some substantive sense "balanced." Rather, comparing laws in terms of their distance from this line provides a basis for assessing the *relative* balance between inducements and constraints

FIGURE 12.2 Inducements and constraints in selected major laws.

The second group of cases involving the first major law includes Colombia and Venezuela at a subsequent point in time (1944 and 1946, respectively). Here the labor movement was also weak, but the activation of labor played a more central role in legitimating the ruling coalition. These "populist" coalitions were put together from above by Acción Democrática in Venezuela and the prolabor wing of the Liberal party in Colombia. Both of these parties sought to create and mobilize an organized labor sector, and both were dependent on labor as an essential support group for the government. Correspondingly, the new laws in both countries involved primarily the addition of new inducements, and both countries moved from their earlier position in Figure 12.2 over to the "balance" line, reflecting a greater relative emphasis on inducements in relation to constraints. At the same time that adding inducements is

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consistent with the greater dependence of these governments on labor, their level of constraints is consistent with the fact that these are far from radical, labor-dominated governments. Rather, they were multiclass coalitions dominated by middle-sector groups that needed the support of labor.

The most inducement-oriented group includes Argentina and Mexico, the two countries that had the strongest labor movements when the major laws were promulgated. While the populists in Colombia and Venezuela were trying to create a labor movement that would form a support group for the party, in Mexico and Argentina the task was to gain or sustain the support of an already existing and relatively powerful labor movement. The early political strength of organized labor in Mexico grew out of the role of the Red Battalions in the Mexican Revolution, the ideology and expectations that derived from the 1917 Constitution, and the subsequent role of labor as a major, though coopted, support group for the early revolutionary governments. The strength of Argentine labor derived from quite different sources. In this case, the major law came late – both chronologically and, even more so, relative to the level of industrialization. As a result, when Perón appeared on the scene, he faced a labor movement that, though subjected to repression, had for many years been developing autonomous associations. Correspondingly, the legal relationships that emerged in these contexts in which organized labor was relatively strong were different from those in the other four countries. One finds relatively low levels of constraints and high levels of inducements.

The final group includes Brazil and Chile, which started out – along with Venezuela and Colombia – in the group of conservative modernizers. Unlike these latter two countries, however, Brazil and Chile did not subsequently have comparable populist periods in the 1940s.[14] Instead, they continued and further elaborated their earlier efforts to coopt and control the labor movement. Correspondingly, in terms of both inducements and constraints, Brazil and Chile had by the 1940s moved to the highest levels in the region.

Identifying Patterns. On the basis of these findings, it is possible to identify recurring patterns in the relationship between the political context and

[14] The analysis of Brazil presented earlier referred to a shift to more populist policies in 1943. However, this was hardly comparable to these periods in Venezuela and Colombia. Chile likewise had a certain type of populist period in the form of the Popular Front government which came to power in 1938. What distinguishes Brazil and Chile from the other cases is the absence of a major mobilization of popular sector groups by a centrist party. In the other countries, the mobilization of the popular sector culminated in a period of "radical populism" in which the interests of the popular sectors were championed and the conservative elements (major elite economic interests) within the party became alienated and went into opposition. The result of such populist periods was polarization along class lines. In Brazil and Chile, the subsequent "populist" periods (at least through the 1950s) were quite different, involving a coalition of parties based on agreement among party leaders rather than a popular sector mobilization by the dominant party. As a result, the party did not move to the left in the same way, there was less polarization, and conservative interests were generally better served during these periods in Brazil and Chile.

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different combinations of inducements and constraints. Salient features of the political context include the degree of elite concern with winning the political support of organized labor, the degree of concern with controlling labor, and the strength and autonomy of the labor movement.

It appears that a higher level of inducements and a lower level of constraints tend to occur in contexts where the government seeks to gain or retain the political support of labor and in which unions are relatively powerful and/or autonomous. In these cases, labor has a greater capacity to resist the imposition of constraints and/or the state has a greater need to extend inducements in order to gain the support and cooperation of labor.

A higher level of both inducements and constraints is more likely where the government is less concerned with gaining labor's support and more concerned with controlling labor through creating organizationally viable unions that are coopted by and dependent on the state. This is often done to preempt the emergence of autonomous unions that are not dependent on the state.

A higher level of constraints combined with a lower level of inducements tends to appear, not surprisingly, in contexts where the primary concern of the government is with control, to such an extent that it does not seek even the passive support from organized labor that it may receive in the other cases and does not mind risking the outright opposition of labor. Rather than relying on cooptation, this control is based primarily on direct constraints on unions and is backed by considerable force and repression. This pattern is seen in contexts where labor is strong, as when an extremely antilabor government attempts to deactivate and impose severe controls on a highly developed labor movement.

Most cases do not, of course, fall at the extreme values of either dimension. For the numerous intermediate cases, however, this discussion of patterns nonetheless has pointed to some of the underlying issues that lead countries to position themselves at different points along the dimensions.

In summary, whether one considers patterns of change within countries or comparisons across countries, one may reasonably argue that there is an important relationship between different patterns of inducements and constraints and different political contexts. Whereas with a unitary concept one could only note changes in the overall level of corporatism, this disaggregated approach permits more differentiated observations and comparisons concerning what the government is doing and what is happening to organized labor.

CONCEPTUALIZING STATE–SOCIETY RELATIONSHIPS

We have suggested that recent discussions of corporatism have played a central role in the renewed effort to discover more adequate ways of conceptualizing alternative patterns of state–society relations. How does a focus on inducements and constraints contribute to this larger effort?

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First, this focus has the advantage of being interactive, of pointing to an implicit or explicit bargain or transaction that is struck at a particular time, reflecting the existing constellation of power relationships and the goals of relevant actors. This idea of a bargain is not intended to imply that the corporatized group, such as labor, is always actively involved in a formal process of bargaining. In many cases, labor is only a passive participant, and the degree to which labor is actively involved is indeed one of the factors that affects the balance that is struck between inducements and constraints.

Second, this interactive approach is dynamic in that it encourages the analyst to look for patterns of change over time. Once one has conceptualized state–group relations in terms of a bargain or transaction that reflects the existing configuration of power relationships and political goals, it becomes obvious that the terms of the bargain may be renegotiated. This tendency is well illustrated by the volatile pattern of change in inducements and constraints in Argentina noted earlier.

Third, because the political role of organized labor has been treated as a central issue in efforts to develop broad typologies of national political systems in Latin America, the distinction between inducements and constraints can make a useful contribution to refining these typologies. For instance, authors such as O'Donnell (1973, 1978) argue that the repressive authoritarian governments that emerged in the industrially more advanced countries of Latin America represent a new type of political system – referred to as "bureaucratic-authoritarian." These systems are seen as involving a complex constellation of characteristics, including the political and economic "exclusion" of organized labor, that is, the exercise of strong control over the organizations and the income of this sector.

Subsequent studies have suggested that while the concept of bureaucratic-authoritarianism made a major contribution, a more adequate analysis can be achieved if this concept is disaggregated and important variations among its component elements are examined separately (D. Collier 1978; Cardoso 1979; Kaufman 1979). The distinction between inducements and constraints provides a useful starting point for carrying out a disaggregated analysis of a crucial feature of bureaucratic-authoritarianism: the approach adopted for controlling organized labor. This may be illustrated through a comparative discussion of four cases – Brazil, Mexico, Chile, and Uruguay – which have been identified as bureaucratic-authoritarian.

In Brazil, the high-inducements/high-constraints pattern persisted. That is to say, the state exercised sharp control over labor organizations, in important measure through attempting to maintain organizationally viable unions that were coopted by and dependent on the state – but that were of virtually no importance as coalition partners for the government. Though important periods of worker protest in both the late 1960s and late 1970s threatened this system of control, it was the predominant approach in the post-1964 bureaucratic-authoritarian period (Erickson 1977).

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Mexico was likewise characterized as bureaucratic-authoritarian (O'Donnell 1978), yet the distinct pattern of inducements and constraints in Mexico noted in Figure 12.2 persisted through a substantial part of the twentieth century. Wage policy was exclusionary – as reflected in the decline in the real income of workers after 1976. Yet in contrast to Brazil, organized labor remained a crucial partner in the dominant coalition. In exchange for this support, major organizational inducements were extended to labor leaders – for instance, in the post-1976 period – in order to secure cooperation with the wage policies.[15] Thus, the Mexican system was characterized as involving "two carrots, then a stick" (Smith 1979: 57). In Chile and Uruguay, one found a still different pattern, involving a system of pure constraints. Here, the existing labor organizations played no role in the support coalition of bureaucratic-authoritarianism, and there was virtually no reliance – at least in the initial period of military rule – on an effort to maintain a system of organizationally viable, coopted unions.

Different combinations of inducements and constraints were thus found in these countries, and the analysis of the relationship between these two dimensions helps to bring into focus important differences in the pattern of state–labor relations among these four cases. The analysis of differences such as these can play a useful role in achieving a more adequate description and dynamic analysis of the emergence and evolution of "bureaucratic-authoritarianism."

Yet another issue concerns whether this distinction between inducements and constraints may be applied to the relationship between the state and other types of groups. In light of O'Donnell's (1977) important argument that corporatism is "segmental," in the sense that it means different things for different class groups, this issue merits attention here. Certain aspects of structuring and subsidy are, of course, especially salient to labor organizations, and one should not assume that the particular inducements considered in this chapter will be equally relevant to all types of groups. For instance, given the economic position of labor unions in society and the organizational requirements for effectively engaging in strikes and collective bargaining, such provisions as subsidy, monopoly of representation, and compulsory membership may be far more relevant to unions than to groups such as business associations. However, though the particular inducements – and constraints – relevant to other types of associations may vary, it seems likely that at a more generic level, the perspective of viewing state–group relations in terms of an interplay between inducements and constraints will be relevant for other types of groups as well.

Finally, though initially formulated with reference to Latin America, this focus on inducements and constraints can contribute to the broader

[15] See Stefanowicz (1979). We acknowledge our debt to Susan Kaufman Purcell for calling our attention to the importance of these measures. It should be stressed that these particular inducements were not among those included in the scoring for Figure 12.1.

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comparative analysis of different patterns of state–society relations. This broader application may be illustrated by examining the relationship between the inducements–constraints distinction and Schmitter's (1974, 1977) distinction between "state" corporatism and "societal" corporatism. He argues that the Latin American cases considered in this chapter, and more generally other cases of corporatism in the Third World and Southern Europe, involve *state* corporatism, in that the corporatized groups "are created by and kept as auxiliary and dependent organs of the state which founds its legitimacy and effective functioning on other bases" (Schmitter 1974: 102–03). Schmitter uses the expression *societal* corporatism, by contrast, to describe systems of post-pluralist interest representation in advanced industrial societies in which corporative patterns of state–group relations emerged in contexts in which "the legitimacy and functioning of the state [are] primarily or exclusively dependent on the activity" of the corporatized groups. In the first case, interest associations are thus "dependent and penetrated"; in the second case, they are "autonomous and penetrative" (102–03).[16]

The distinction between state and societal corporatism involves the same issues of power relationships and bases of political support that we have used as a basis for distinguishing *among* Latin American cases. Hence, while as a first approximation it seems appropriate to characterize state–labor relations in Latin America as involving state corporatism, it is useful to go beyond this assertion and treat the distinction between state and societal corporatism not as a dichotomy but as a continuum, with some of the Latin American cases located at least partway along this continuum toward societal corporatism. While Brazil stands out as one of the clearest cases of state corporatism, the discussion of the interplay between control and support in Argentina and Mexico suggest that these cases, at least during certain periods, are nearer to the middle of a state–society continuum.

As one moves beyond the variations within Latin America to contexts that involve more nearly pure cases of societal corporatism, one might expect greater emphasis on inducements and less on constraints, since these would be settings in which the state was more dependent on the corporatized groups. These are commonly situations in which the state ratifies patterns of noncompetitive interest representation that emerged "from below" involving strong, autonomous interest groups. In Europe, a major inducement that has appeared in such cases has been the opportunity for certain groups to be represented

[16] Elsewhere Schmitter points to a somewhat different definition. Whereas on pp. 102–03 he stresses these issues of dependency and autonomy, on pp. 103–04 he stresses the issue of whether corporative provisions are initiated from above or from below. The locus of initiative can vary independently from the pattern of dependency and autonomy. The question of the locus of initiative is obviously important, but within the framework of Schmitter's discussion it appears to be a subordinate issue. We therefore focus our analysis on the larger issue of autonomy and dependency

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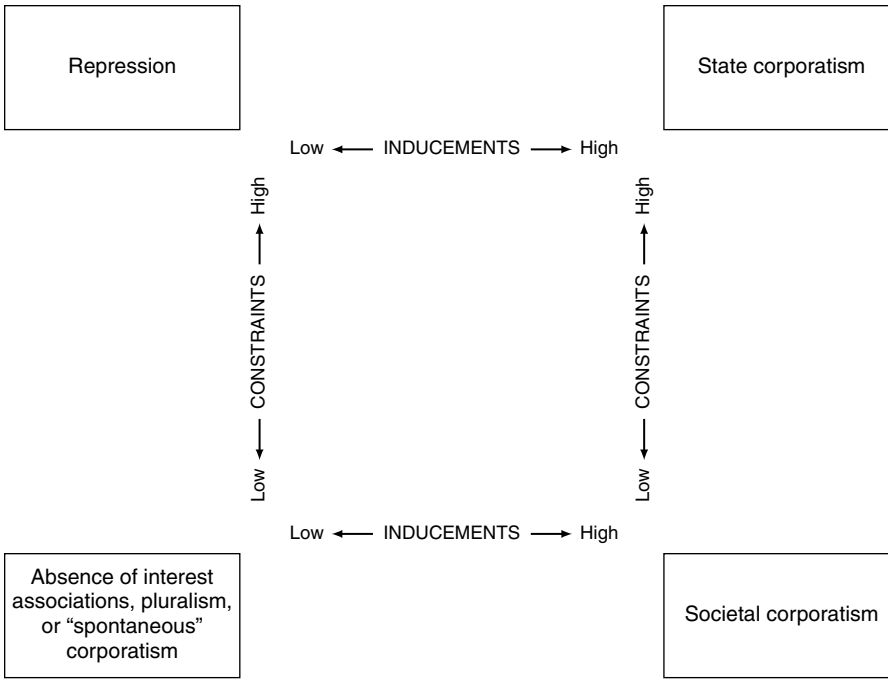


FIGURE 12.3 Hypothetical relationship between inducements–constraints distinction and broad types of group representation.

on functionally organized, semipublic entities such as wage-price councils and economic planning boards.[17] This contrast between the patterns of inducements and constraints that one might expect in hypothetically "pure" cases of state and societal corporatism is reflected in the right side of Figure 12.3.

The left side of Figure 12.3 suggests the hypothetical relationship between the other two combinations of "extreme" values of inducements and constraints and other types of group representation. High levels of constraints and low levels of inducements by definition involve a situation of outright control or repression of groups – cases of which have already been noted. Low levels of inducements and constraints involve contexts in which the state does not attempt to shape interest politics through these kinds of provisions aimed at interest associations. This pattern may correspond to situations in which

[17] Schmitter excluded these entities from his definition of corporatism because he observed that they did not consistently occur in conjunction with the set of characteristics that he defined as corporatist (1974, 94n24). We have likewise excluded them in the operationalization presented earlier, partly for the same reason and partly because of the extreme difficulty of establishing a reliable scoring procedure for such entities. For a discussion of their importance within the Latin American setting, see O'Donnell (1977).

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interest associations do not exist, to pluralism, or to situations in which pluralism may have been eroded "from below" through the oligarchic tendencies of group interaction but in which the state has not become involved in ratifying or reinforcing this erosion of pluralism. This is a substantial "residual category," which reflects the obvious fact that a focus on inducements and constraints does not allow one to distinguish among all different patterns of group representation. This focus does, however, provide a useful perspective for looking at variations in the state role in group representation.

In addition to stressing the utility of the distinction between inducements and constraints, we should note the limitations of this perspective as it has been presented here. First, the particular operationalization we have proposed is not intended to encompass all of the inducements and constraints formalized in labor law – not to mention those found in other areas of law or those not embodied in law at all. The purpose of this operationalization is to show that there are certain recurring patterns of inducements and constraints. The particular scoring employed here is not intended to be a definitive assessment of these two dimensions.

Second, the analysis has focused on two crucial actors – the state and labor organizations. Obviously, other actors are closely involved in the interplay of inducements and constraints that we have analyzed – most immediately the workers themselves (as opposed to labor *organizations*) and employers. What is ultimately called for is a more complex analysis that encompasses all four of these actors. Thus, in one context, the state may extend important benefits to labor organizations to strengthen the position of these organizations and of workers vis-à-vis employers. In another context, both the state and employers may extend inducements to labor organizations in order to secure their aid in enforcing regressive income policies on the workers. At this level, highly complex relationships may be involved. The goal of the present analysis has simply been to propose a conceptual distinction that will make it easier to analyze these more complex patterns.

Finally, this attempt to conceptualize more adequately different patterns of state–society relations is a building block in a larger analytic effort in another sense as well. A more sharply focused *description* of these relationships should ultimately contribute to a more adequate *explanation* of differences among countries and change over time within countries. It should help to address questions such as: Why is the pattern of state–labor relations that emerges at the time of the initial "incorporation" of organized labor sustained over many years in some countries, whereas in others it is not? Why have such different systems of labor control emerged in the context of "bureaucratic-authoritarianism," and what are the implications of these different systems of control for the ability of labor to achieve a more favorable distribution of political power and economic resources?

The answers to these questions can help us to understand certain anomalies in the long-term patterns of change. For instance, Figure 12.2 pointed to similarities in patterns of inducements and constraints at an earlier point in

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the twentieth century between Argentina and Mexico, on the one hand, and Brazil and Chile, on the other. Yet in a later period, if one examines the degree to which different countries have well-institutionalized systems of labor control, there appears to be a significant regrouping of cases. It might be argued that Mexico and Brazil subsequently had more institutionalized systems of control, whereas Argentina and Chile had less well-institutionalized systems of control. How does one explain this shift? What are the "transformation rules" that account for these changing patterns? The analysis of inducements and constraints will have proved useful if it can help to address questions such as these.

Appendix 12.1: Overview of Legal Provisions for Inducements and Constraints

INDUCEMENTS

Registration. The first inducement, both in terms of the timing of its appearance in each country and in terms of the low level of "corporatism" it represents by itself, is the registration or official sanctioning of unions by the state. This has appeared in every country in Latin America. Registration confers specified rights, including typically juridical personality and the right to represent workers' interests before the employer and before the state. Prior to the appearance of registration in each country, unions had either been repressed or could become legally incorporated only under general legislation concerned with freedom of association. In some important cases this mode of incorporation was not an attractive alternative to unions because the unlimited civil liability it imposed appeared undesirable in contexts in which unions might be held responsible for damages incurred during a strike (ILO 1930, 163). The provisions for official registration considered here created a separate type of incorporation that was particularly suited to the needs of unions. The point at which registration first appears is, in most cases, the point at which labor law first emerges as a distinct body of legislation designed to encourage the formation of worker organizations.[18]

Right of Combination.[19] These provisions facilitate the formation of unions, primarily by protecting them from various forms of harassment by

[18] In light of the importance of registration, it might have been given more than a single point in constructing the scales (see Table 12.1). However, because all countries adopted it at a relatively early point in the evolution of their labor legislation and because no countries rescinded it, this choice to give it only one point had little effect on the analysis presented here.

[19] For a discussion of the "right of combination" of workers, as opposed to the "freedom of association" of groups in general, see Bendix (1964: 80–87).

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employers. Because they protect the right of unions to exist as organizations, these provisions might be seen as providing a basis for either corporatism or pluralism. However, the notion that the state has to intervene actively in society in order to make it possible for workers' organizations to exist already takes one beyond the vision of interest politics contained in the conventional version of pluralism and into the sphere of state involvement in shaping interest politics that is the focus of our analysis.

Monopoly of Representation. This involves the degree to which there is an absence of competition among unions to represent workers in a particular occupational grouping. The relevant provisions range from the few cases in which several unions within a given occupational grouping are allowed to compete for members and to bargain with employers to the exclusive granting of the right of representation to a single union.

Compulsory Membership. This rarely exists in the form of an outright legal requirement that all workers must become union members. Rather, one finds a series of partial approximations. Some countries have legal provisions that permit collective bargaining agreements to include clauses requiring all workers to be union members. In other cases, there are requirements that nonmembers be subject to the same authority or obligations as members with regard to specific issues. For instance, collective bargaining agreements may apply to nonmembers as well as members, or nonmembers may be subject to a dues check-off.

Subsidy. Worker organizations are of course subsidized in a great variety of ways, both formal and informal. The provisions of interest here are those that involve the state directly in helping unions receive a regular source of revenue.

CONSTRAINTS

Collective Bargaining and Strikes. Collective bargaining over wages and working conditions is one of the most important areas of activity and demand-making of labor organizations, and the strike is labor's most important weapon. One of the most significant types of state control involves intervention in collective bargaining to avoid class conflict and the disruption of economic activity. In recent years, the state has become involved in setting wages and in decreeing other policies that have removed much of the substance of collective bargaining to the area of administrative and/or judicial decision. This state role has become so complex that it was· not feasible to score all aspects of it, particularly the state role in wage-setting. However, the provisions considered in the present analysis, which regulate the conditions of collective bargaining and the use of the strike, represent a large proportion of the important regulations in this area, particularly for analyzing the earlier phases in the emergence of labor law in Latin America.

Other Constraints. A series of additional constraints are commonly found which (1) limit the kinds of demands unions may make and the kinds of

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demand-making activities in which they may engage; (2) control leadership and leadership recruitment with the goal of restricting the role of radical political groups, or earlier in this century, radical foreign immigrants; and (3) give legal sanction to direct state monitoring and intervention in internal union affairs.

Appendix 12.2: Coding and Scaling of Labor Law

Table 12.1 presents an outline of the categories used in the actual coding. The first step in scaling the data generated by this coding involved constructing "subscales" that corresponded to the nine headings in Table 12.1. Considering first the five subscales concerned with registration, monopoly of representation, compulsory membership, subsidy, and control of collective bargaining and strikes, one can see that there is an inherent ordering among the categories under each of these headings and that at any given time, each country can logically be in only one of the categories under each heading. Hence, as they stand, the categories under each of these five headings represent unidimensional scales.[20]

The provisions under the remaining four headings – right of combination, other constraints on demand-making, leadership, and internal governance – are not inherently mutually exclusive. Rather, it is logically possible for any one country to have several of the provisions simultaneously. Guttman scaling was therefore used to discover if cumulative, unidimensional scales were present. The provisions did in fact follow a Guttman scale pattern,[21] and for each of the scales each nation was given a score according to the number of provisions in the scale that it possessed.

[20] For three of these five scales (see Table 12.1) we followed the practice recommended by Tufte (1969: 646) of assigning slightly different intervals on the basis of a substantive interpretation of the relative "distance" between the different provisions. If slightly different choices were made regarding these weightings, or if no weightings were used, it did not significantly change the results of the scaling analysis.

[21] Guttman scale analysis was selected as a technique for aggregating the component elements of these subscales because of an important property of these elements that was quickly evident from an inspection of the data. It was clear that while some of the elements were "easier," in that they appeared earlier and in more countries, others were "harder," in that they appeared later and in fewer countries. This resulted in a "nonlinear" pattern of relationships among the elements that made statistics such as product–moment correlations or tau less appropriate. The question remained, however, as to how regular this ordering from "easier" to "harder" in fact was. This is precisely the question addressed by Guttman scale analysis. The elements involved in the four subscales under consideration here do, in fact, follow a fairly regular Guttman scale pattern. The coefficients of reproducibility are in all cases above 0.92 and the coefficients of Guttman scalability are above 0.8 for two of the scales, 0.72 for the third, and 0.63 for the fourth.

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The relationships among these nine subscales were then analyzed to determine the degree to which it was statistically appropriate to form an overall index of inducements and of constraints. On the basis of cluster and factor

TABLE 12.1 *Outline of categories used in scoring labor law*

Inducements

1. *Registration*. Countries were scored 0 or 1 according to whether there was a provision for the registration of labor unions.
2. *Right of Combination*. Countries were scored 0 or 1 according to whether they had each of the following provisions:
   a. Employers may not make membership in a union an obstacle for obtaining or retaining employment.
   b. Employers cannot refuse to participate in collective bargaining with a legitimate representative of the workers.
   c. Unions may form into federations and confederations.
   d. Employers may not be organizationally involved in unions.
   e. Union leaders have some form of job security.
3. *Monopoly of Representation*. An ordered scale was constructed on the basis of the following values:
   0 = No provision.
   1 = Either multiple, competing unions are allowed to register and to represent members and bargain collectively, or there is the single restriction that for the purpose of collective bargaining, competing unions must form an inter-association committee.
   2 = Competing trade or works unions may exist, but only the largest union among those representing the same sector may enter into collective agreements.
   3 = Within a given sector, only singular unions are permitted.
   4 = Prohibition of all unions except for one works union per enterprise.
4. *Compulsory Membership*. An ordered scale was constructed on the basis of the following values:
   0 = No provisions.
   1 = *Either* dues collection (or its equivalent) *or* collective bargaining agreements apply to both members and nonmembers.
   2 = *Both* dues collection (or its equivalent) *and* collective bargaining apply to members and nonmembers.
   3 = Closed shop or union shop clauses are permitted in collective bargaining agreements.
   3.5 = Once a union is legally formed, membership is compulsory.
   4 = Legal requirement of universal membership.
5. *Subsidy*. An ordered scale was constructed on the basis of the following values:
   0 = No provision.
   1 = Dues check-off permitted if union requests it.
   2 = Dues check-off combined with closed shop provision or compulsory membership, or dues check-off that applies to members and nonmembers.
   2.5 = Some form of on-going, state involvement in the financing of unions, such as the provision in Chile for a form of profit-sharing in which a portion of the profits of the enterprise are paid to the union via a state agency.
   3 = Syndical tax.

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TABLE 12.1 (*continued*)

Constraints

1. *Collective Bargaining and Strike*. An ordered scale was constructed on the basis of the following values.
   0 = No provision.
   1 = Voluntary conciliation and/or arbitration preceding a strike.
   2 = Compulsory conciliation preceding a strike.
   4 = Compulsory arbitration to be initiated at a specified time after a strike begins.
   5 = Compulsory arbitration before a strike.
   7 = Strikes outlawed.
   Because there are often special conciliation, arbitration, and strike provisions that apply to the public sector, to public services, or to other sectors viewed as crucial to the economy, additional points were added to this score as follows: one point if strikes were outlawed in the public sector; one point if strikes were outlawed in public services or other "strategic" sectors; half a point if the score for the public sector on the above scale was higher than the score for industrial disputes in general (unless it was equal to 7, in which case it got a whole point); and half a point if the score for public services or other strategic sectors on the above scale was higher than the score for disputes in general (again, unless it was 7). The highest possible score was thus 9.
2. *Other Constraints on Demand-Making*. Countries were scored 0 or 1 according to whether they had each of the following provisions:
   a. Collective bargaining agreements must be approved in order to be legal.
   b. Political activities of unions prohibited.
   c. Political and/or solidarity strikes prohibited.
   d. Boycotts and/or picketing prohibited.
   e. Calling an illegal strike constitutes grounds for dissolving a union.
   f. Union officials can be removed for calling an illegal strike.
3. *Leadership*. Countries were scored 0 or 1 according to whether they had each of the following provisions:
   a. Salaries of union officials regulated.
   b. Union officers must be workers in the occupational grouping which their union represents.
   c. Union leaders must meet citizenship and/or residence requirements.
   d. Political activists associated with certain political parties or ideologies are excluded from union office.
4. *Internal Governance*. Countries were scored 0 or 1 according to whether they had each of the following provisions:
   a. The state can audit union financial records.
   b. Expenditures of union funds regulated.
   c. State official may attend union meetings.
   d. State authorized to assume direct control of unions (to "intervene" them).
   e. State may dissolve unions. For this crucial provision a score of 0 was assigned if there was no provision; a score of 1 if it could be done by judicial decision only; and a score of 2 if it could be done through a more discretionary administrative or combined administrative and judicial decision. A further point was added if the permissible causes for dissolution went beyond narrow procedural criteria to include broader political criteria. The maximum possible score for this trait was thus 3.

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analysis we concluded that there were strong associations both among the five subscales under the inducement heading and among the four subscales under the constraint heading. It was therefore appropriate to group the scales in this way.[22] Aggregate measures of inducements and constraints were then derived on the basis of these analyses.[23] It should be noted that the composite scales of inducements and constraints are themselves strongly correlated (0.84). Hence, it would also be meaningful to form an additional composite scale that combines all nine subscales which could be referred to as an overall measure of "corporatism." In any particular analysis, whether one analyzes the two dimensions separately or together thus depends on the theoretical concerns of the study. In the present chapter, our goal is to discover whether interesting patterns emerge if these two logically distinct dimensions are treated separately, and therefore we have employed them as separate indices.

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[22] The cluster analysis was based on the coefficient gamma, which was deemed appropriate because of the "nonlinear" property of the relationships referred to above in the discussion of Guttman scale analysis. Among the inducements subscales the mean value of gamma was 0.82, with the lowest coefficient being 0.74. Among the constraints subscales the mean value was 0.80, with the lowest coefficient being 0.69. Though the data do not meet all of the assumptions of factor analysis, it is useful to note as well the findings derived from this technique because the percent of variance explained by the first general factor provides a convenient summary of the degree to which a set of items go together. For the inducements subscales, the first general factor (using the principal factor method with iteration) explained 73 percent of the variance, with the lowest loading being 0.74. For the constraints subscales, the first general factor explained 82 percent of the variance, with the lowest loading being 0.81.

[23] Cases were assigned overall scores for inducements and constraints by summing the appropriate subscales. Though, as noted earlier, the data do not fully meet the assumptions of factor analysis, it is again useful to note the results that would have been provided by this alternative method, since they suggest that the findings reported here are not narrowly dependent on any one technique. The general factors that were extracted (noted earlier) both had correlations of over 0.96 with the combined scales that were formed by summing the subscales.

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