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The Future of Model Germany: Challenges to the Corporatist System of Business Labor Relations

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Abstract

Germany's economic and social system faces immense economic, social, and political demands. These may be encapsulated in challenges like "new management concepts and labor policies," "deregulation of the infrastructure sector," "globalization," and "reunification." The paper analyzes these challenges and changes to the corporatist system of industrial relations—a cornerstone in Model Germany's specific economic success and social consensus until now.

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THE FUTURE OF MODEL GERMANY

CHALLENGES TO THE CORPORATIST SYSTEM OF BUSINESS LABOR RELATIONS

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INTRODUCTION

The term 'Model Germany' is normally used in two different ways, a political and a scientific one:

The **political** phrase is concentrated on the facts that though there was existing a deep and protracted crisis in the international economy since the mid- 1970s this crisis produced different national reactions. Because of Germany's specific success and social consensus and stability through managing unemployment, price stability and international competitiveness, the larger of the two parties in the centre-left government, the SPD, used the phrase 'Model germany' as the basis for its federal election campaign in 1976. It identified the central characteristic of Model Germany as a goal oriented, anticipatory planning of social change so as to achieve strategic modernization of the economy in a way which integrates economic performance, social justice and integration as well as political stability and effectiveness (Esser and Fach 1983). Like other ideologies this SPD-slogan presented a partial even

distorted picture of reality, and the illusions it fostered have indeed been gradually revealed by political practice.

But despite its ideological origin, the model Germany slogan was fascinating enough for **political economists** in the 70s and the 80s to analyse in more detail this model of advanced capitalism. They conceived it as an institutionalized high-wage economy combining high competitiveness in world markets with strong social cohesion and, in particular, low levels of inequality along a variety of dimensions (Editorial 1979; Esser, Fach and Simonis 1980; Markovits 1982; Katzenstein 1987 and 1989; Hart 1992; Graf 1992; Streeck 1995).

To elaborate this conception theoretically, the following questions have to be answered:

- What is the manner in which state and civil society are organized and institutionally linked ?
- How is the state composed as a set of institutions mostly associated with the government but also including tripartite (government-business-labour) boards and commissions, state-owned business enterprises and other para-statal organisations?
- How is civil society composed and linked with the state and the domestic social environment in which the state operates and in which for economic performance and competitiveness two groups, business and organized labour, are very important?
- How is that specific arrangement in Germany more successfull than in other countries?

It is not my intention today to give detailed answers to all these questions . I only want to summarize the well known results of research on the German model. It can be differentiated in five

dimensions (for more details see Esser, Fach, Simonis 1980; Esser 1982; 1986; 1989a; 1989b; 1990a; 1990b; 1994; 1995; Streeck 1981; 1995; Simonis 1996)

1. The key exporting sectors of the German economy, which comprise the engineering, motor vehicle, chemical, electrical and electronic industries, steel, optical electronics, and mineral and plastics-processing. These internationalized sectors are interlocked with each other and operate in close cooperation with many competitive and technologically efficient small and medium-sized firms. The private and public service sectors, which are made up of banking, insurance, marketing, engineering, science and research enterprises, are functionally subordinated. An efficient and flexible internally and externally organized education, continued education and training system supplies these productive sectors with highly qualified labor.

2. A politically regulated and protected sector, consisting of energy supply, rail and transport, postal service and telecommunications,in which market competition was limited in the interests of political or social goals, through state stipulations, regulations or intervention.

3. Corporatism which I 'll deal with later in more detail.

4. All this is complemented financially and legislatively by state policy which supports the private industrial policy through tax reliefs, subsidies, investment aid, provisions for infrastructure, social support via structural adaption or regional aids. But it is also important that sovereignty is divided between the federal government , the Länder governments and a number of independent authorities insulated from electoral pressure, like the Bundesbank or

the Federal Cartel Office. Policy objectives like monetary stability and competitive markets are in this way removed from government discretion and depoliticized. A similar effect is caused by strong constitutional protections, like the right of unions and employers associations to regulate wages and working conditions without government interference. The result is the so called "Verhandlungsstaat" (bargaining state) with both its immobility and predictability of government policies, precluding rapid political innovation and allowing economic agents to develop stable expectations, pursue long-term objectives, and build lasting relations with one another.

5. German culture is said to be traditonalistic and instrumentalistic, and that the German trade unions and workers are state-oriented. But it is better is to say that they are welfare state oriented (Staatsfixierung) and have internalized the view of the functioning of society as systemically determined (the so called "Sachzwang") .

CAN THIS MODEL GERMANY SURVIVE IN THE 90s?

It is not possible here to answer this question for all the elements mentioned earlier. What I can do and want to do today is only to analyse the challenges and changes to the corporatist system of industrial relations - a cornerstone in model Germany's specific success, social consensus and stability by managing unemployment, price stability and the international competitiveness crisis.

Currently, however, its existing structure and method of functioning are being challenged by business strategies and government

interventions , which are closely related to one another although they will each be presented separately here for the purpose of analysis.

These strategies and interventions are:

1. New management concepts and labor policies associated with a new pattern of rationalization;

2. deregulation, commercialization and partial privatization of sectors of the infrastructure that have been politically regulated until now;

3.trends towards globalization of production and services ;

4. the impacts of the process of unification.

Time restrictions prevent me from examining the causes of these strategies, but I will instead attempt to describe **first** the extent to which they have become established in Germany and the way in which the actors in management and unions handle these, and

second the possible consequences these strategies could have for the model Germany as we know it.

But before beginning with this let me briefly summarize what corporatism in Model Germany really means:

First there is an effective mode of **interest mediation** and **self-organization** of the different fractions of capital managed by business associations, universal banks, chambers of industry and commerce and chambers of handcraft.

Second there is a far-reaching political integration of the labour movement into the social market economy established by the postwar settlement between capital and labour with the following elements :

- for every branch of industry there exists one powerful and effective organized trade union (the so called "Industriegewerkschaften").
- All these industry-wide trade unions cooperate which each other under the roof of the federal trade union, the Deutsche Gewerkschaftsbund (DGB).
- Co-determination at the firm level is institutionalized in a two-fold manner: first, statutory rights of work councils to be consulted and second, participation on the supervisory boards.
- Autonomous wage bargaining (Tarifautonomie) at the branch-level, which means labor market governance is above all accomplished through near-universal collective bargaining coverage, due to strongly institutionalized industry-wide negotiations and legal extension of agreements.

This trade union commitment to co-determination and social partnership was the basis of a relatively smooth management of industrial crisis, of the willingness to form crisis cartels whose rationale was a socially conscious modernization, rationalization, diversification and internationalization process of the key sectors of the German economy (Esser, Fach and Väth 1983; Esser and Fach 1989).. At the level of the economy it enabled the trade unions to engage in the more informal dialogues that all chancellors until Helmut Kohl organized as a way bringing together the social partners and coordinating their policies with that of the government.

But let me now come back to the four challenges and their detailed analysis:

NEW MANAGEMENT CONCEPTS AND LABOR POLICIES

The first aspect in this regard is the view that the concepts, institutions , forms of regulation , social arrangements and practices, which have long been accepted as well-established givens, are now being put in a historical context and thereby interpreted as being out-of-date and in need of reform (Siegel 1995) . There is a general consensus among actors in business, labor, politics and academia that the new pattern of rationalization to be supported must depart from the Taylorism of mass production and be open to flexible strategies of production and labor organization in the form of "new concepts of production", in a "new systematic rationalization" or "lean production" (Kern and Schumann 1984; Piore and Sabel 1985; Altmann et al. 1986; Jacobi et al. 1992; Altvater and Mahnkopf 1993; Kern and Sabel 1994; Schumann et al. 1994).

Experiments with such innovations are being conducted in every branch of German economy including the service sector and public administration. By continuing to scientifically rationalize production and work processes the various areas of business are being further linked together in their technology and in terms of economy of time. Assembly line and machine labor are being replaced by jobs in supervising and regulating computerized production procedures. Market conditions and changes in customer demands require a greater flexibility in production and labor processes. The potential for flexibility in technology and in the work force is utilized in a variety of combinations. In contrast to the single purpose job as defined in Taylor-type production, several activities are now beeing combined, especially in the form of group work. The monolithic

relationship between enterpreneurial networks and production processes is being relaxed and decentralized. And the permanently arising costs and risks incurred by this flexibility are being passed on to the subcontracting firm and its employes.

What are the concrete consequences for German labor process until now? **First**, only a certain segment of the workforce can be characterizised as being a new species of highly qualified skilled production worker and white collar employee adaptable to a cooperative style of management. This is because this new pattern of rationalization is being applied only to certain types of jobs, the necessity of which varies greatly in the different economic branches and businesses, and because it does not appear as if the type of workplace typical of Taylorism can be abolished in general. In other words: The gap is growing between these so-called rationalization winners (Kern and Schumann 1984) and the rest of the existing workforce, stuck in by the Taylor pattern. And the latter is faced with prospect of becoming permanently unemployed in the course of the further expansion of the new production concepts and/ or the moving of production sites to so-called cheap labor countries or by outsourcing to subcontractors. What is known as the unemployment base ("Sockelarbeitslosigkeit") already is estimated to be more than three million, around 10 per cent of the work force (Arbeitsgruppe Alternative Wirtschaftspolitik 1996, 10).

Second, equally important is the fact that common forms of organizing labor are changing as are ways of regulating wages and production, working conditions and qualifications within German industry. Although it is not yet clear which of the innovations will actually

prevail, it is possible to identify the following general trends in development.

- The organization of labor acts as the decisive interface in the relations between management and the workforce, because in the eyes of management, inflexible regulation hinders the introduction of innovations at the workplace and decentralized, flexible forms of production. For large sectors of German industry, labor organization is in the midst of change . And management is experimenting with decentralized forms of organization, group or team work, and flattened organizational pyramids (Schumann et al. 1994).
- Management prefers the subjective evaluation of an individual's performance over the objective assessment of performance disregarding the individual involved.
- The differentiation made in the base wage of single purpose jobs and individual positions is being replaced by a consideration of the entire labor process and/ or by a growing orientation toward qualification or seniority - with the contradictory result that a new adjustment and differentiation is being established with the various groups of wage and salary earners.
- What is also being abandoned is the link between control, motivation and legitimation, which exists in the Taylor incentive wage-performance-linked pay. The conflicts over pay and performance at the workplace are being politicized anew.

However, the empirical research done in this field until now has shown that the German model of co-determination, the social constitution of the German firms and the legal and tarif rules delivered important and effective protections against the breaking up

of the so called partnership between working councils and management and that all questions dealing with working conditions are further bargained in the classic corporatistic manner of micro- corporatism (Stahlmann 1995).

You can find this reflected in the discussions, concepts and strategies of the unions involved and which can be differentiated in two (Altvater and Mahnkopf 1993; IGM 1994; Riester 1994; Hoffmann 1995; Hoffmann et al. 1995) :

a)Decentralisation of, and more flexibility in bargaining policies: That means to combine acceptance of the new flexibility and decentralisation with the regulation of risks the workers are confronted with by introducing that flexibility. The instrument used here has the name 'Öffunungsklausel in Flächentarifverträgen' (opening clauses in regional wage agreements).

b) Different reform projects concerning the restrucutring within plants, the so called "Gestaltungspolitik" : Those policies all have in common the intention to control the working process and to raise the question of 'how and what to produce?' The approach is to combine bargaining power with the concept of co-management (working group projects; industrial dialogues; cooperative industrial policies, and at the macroeconomic level, "Bündnis der Arbeit" (Bispinck 1996), which was analysed here in more detail by Christoph Scherrer two weeks ago.

DEREGULATION, COMMERCIALIZATION AND PRIVATIZATION

Germany's social market economy has always featured two major sectors. One is comprised of key industries that compete fiercely on

international markets in areas such as mechanical engineering, car industry, factory construction, chemicals and electronics. The other has always been a politically regulated sector in which the principles and requirements governing competition on the marketplace took a back seat to the aims of social and structural policies. Such areas included transportation, postal services and telecommunications, public utilities, public banks and saving institutions . In Germany, as elswhere, this sector is beeing deregulated, reorganized, commercialized and in part privatized due to a complex mixture of technological factors (new information and communication technologies), economic factors (merger of branches in the area of ICT; globalisation) and political factors (creation of a common domestic market within Europe). Instead of defining themselves further as public firms with an orientation to the public good (Gemeinwohl) these firms are searching and experimenting to become so called market-oriented "global players". You all have, I am sure, in mind the privatization of German telecom but you should look to the energy utilities, the Lufthansa, the German Bundesbahn (rail) or the public banks, too. A consequence of such developments is that the traditional economic and political coalitons of interest and the local or regional clientele structures in this sector are being broken up step-by-step and the standards and practices of labor policy that prevail in this structure are being subjected to the new forms of rationalization mentioned earlier. This also means that the public service unions (ÖTV, Railway, Post , HBV), which traditionally have always been very strong, are now faced with a completely new set of challenges regarding wages, performance and employment.

What are their reactions until now? All of them accept these changes and restructurings, though their public rhetoric is one of protest and resistance to it. Their strategy can be best described as the logic of the smaller evil (Logik des kleineren Übels), which means first, try to establish their own organisation as part of the game in accepting job reduction and the new more commercialized working rules and practices, and in supporting their own global player in becoming or keeping strong and in defining their own role as a "business union" in its American meaning; second, forget social market oriented goals like an infrastructure sector as a public good for all in all regions and with social oriented fees.

TOWARDS GLOBALIZATION OF PRODUCTION AND SERVICE

Although it is not possible here to delve into the complicated debate on the new dimension of globalization or triadization (UNCTC 1988; Esser 1993a), let it suffice to say that I am referring to the trend among leading transnational companies to become so-called "global players" and to develop global company networks with new forms of international structures of subcontracting and with a new element of internationalization in their own research and development activities. And in contrast to earlier export strategies or multinational strategies - meaning loose conglomerates consisting of company headquarters and several quite independant subsidiaries - we now differentiate between the global and the transnational strategy (Hirsch-Kreinsen 1994; Ruigrok and van Tulder 1995). The former is aimed at globally homogenous segments of the market, seeks to achieve integration by means of the trend toward the worldwide

standardization of production and products, and strives to centralize decisions and functions, meaning to exploit optimally the "economies of scale" by reducing the production depth at each of the individual production sites, by purposely utilizing regional and country-specific cost advantages and by developing a global network of subcontractors. The latter is characterized by strong regional attachments accompanied by a differentiated line of products and production strategies, which thus entails a greater degree of decentralization and regionalization. But both of these strategies involve the worldwide optimization of activities along a value added chain that is integrated into a transnational system. And both strategies feature the trend toward denationalization, meaning that they rely less and less on national or regional bases of production (Reich 1991). This also means that such strategies involve the gradual departure from existing political-economic coalitions of interest on the national level. And they evade the regulatory intervention and controls of national governments or supranational organizations - what I have called the paradox of economic integration and political disintegration (Esser 1993b).

Even though both types of globalization strategies are being discussed in the German business world, little empirical study has been done on discovering which German companies have actually developed or are in the process of developing which type of worldwide company network. An initial investigation into this does show however, that the German automobile and electronics inddustries are developing in this direction and that the chemical industry and the banking business have indeed already become important global players.

A large number of small and mid-sized businesses are internationalizing their operations, be it as niche producer or as a part of a global production network, in order to enter the emerging cartel of subcontractors worldwide. Not to forget the "becoming global players" in the field of infrastructure, which I discussed earlier.

Until now, little research has been done on the impact of this on industrial relations in Germany. I tend to believe that the competitive struggle over production sites within Germany will intensify and that successful socio-economic and political adaptation to the investment demands of transnational companies will only enhance the economic, social and regional conflicts that already exist within Germany. Employee councils and trade unions will be further weakened, the legal and contractual norms will be undermined, and the pressure on wage levels and social standards will be increased.

Connected to these developments there are actually to be identified two important battles between trade unions and business associations on the one hand and between trade unions, business associations and the federal government on the other hand :

The first conflict arose about the future of the **Regional Wage Contract** (Flächentarifvertrag), which means that bargaining about wages and working hours are the exclusive territory of the trade unions and business associations and that these arrangements are obligatory for all firms of a specific branch within a specific region. In the last years there were many complaints, especially in the managements of small and medium-sized firms, which are more and

more wanting to negotiate labour deals with their own workforces without prior approval by the unions (Bispinck 1995). And the rise in foreign competition have strenghtened the big companies to argue in the same way. But so far they are only talking about it and they proved reluctant to use their power, because they feared an open confrontation with trade unions. While members are not leaving the business associations en masse (Schröder and Ruppert 1996) - and with it the system - they are certainly getting more impatient. They are insisting on opt-out clauses in wage contracts, so they can reach more flexible deals suitable to only their own economic conditions.

The second conflict is connected to a government program (Bundesregierung 1993) entitled, Safeguarding "Standort Deutschland (Location of production Germany)". Firstly, it aims to cut the share of public spending in the economy from 50 per cent to 46 per cent by the end of the century ,secondly to trim welfare so as to cut high non-wage labor costs to 40 per cent of gross wages by 2000 in order to create greater scope for private enterprise in going global and make location of production in Germany more attractive for foreign direct investment. But implementing the program is proving difficult. Much legislation gets blocked in parliament, because of SPD's oppositon in the Bundesrat, the second chamber representing the federal states, in which the SPD-governed states have the majority. The government has managed to secure approval for parts of the program against entrenched SPD-led opposition. So it was successful in cutting sick pay, raising the retirement age for women and reducing job security for workers in small companies, so reversing Bundesrat vetoes. But this success quickly gave way to a politically

costly dispute between employers and trade unions in the metal industry when some companies, led by the Daimler Benz transport equipment group, sought to override existing labour contracts and implement without delay the new law cutting sick pay to 80 per cent of income from the previous 100 per cent level. First round in the sick pay dispute has gone to the unions, after strikes centred on Daimler-Benz forced employers to back down. The employers' action came as a shock to the government, which has a vision of change that includes a role for the unions alongside employers and the government. You should keep in mind that Chancellor Kohl's leadership is not a neoliberal oriented one. He is trying to adapt to globalization while holding on as far as possible to the institutions - such as the state pension system and industry wide collective bargaining - that served western Germany well after the second world war. And this episode illustrated the difficulty of implementing change in Germany against determined union resistance. But even the unions do not think that they will ultimately prevail in this dispute. They accept that the welfare system has to be changed in order to safeguard the location of production Germany . They only want to continue to be a social partner in managing these changes. A first step to manage this conflict in the tradtional direction of corporatism was made in December 1996 in a agreement between IG Metall and Gesamtmetall in Lower Saxony. This package retains sick pay at 100 per cent of wage levels in exchange for concessions on vacation pay and other reductions (Financial Times, 9.12.96)

REUNIFICATION

I deal with reunification only to look for its impact to changing business-labour-relations. It is important to start with the argument that the political elites in the West, including business and labor organisations, were united in the belief that the well-established institutions of the West German model should be transferred to the East (Lehmbruch 1990). And exactly that has happened (Seibel 1994) . But in our case the big problem is that the institutions of the West don't work there because of the missing economic basis: a modern, selfsustained and competitive economy. Despite massive investment in infrastructure East Germany has not yet attracted the industry that might help it pay its way. Currency union and the rapid rise in wages toward west German levels, at a much faster rate than productivity, made Eastern industry instantly uncompetitve. Millions lost their jobs; six years after unification the region's unemployment rate is still 16%, and it would be much higher still but for a raft of work-creation and retraining measures which have involved half of East Germany's workforce. East Germans produce just 60% of what they consume; the rest comes from subsidies paid by increasingly reluctant west Germans - by the end of this year net transfers since 1991 will add up to over 900 billion DM, which are running at about 5% of West German GDP. Between two-thirds and three-quarters of the transfers go on consumption rather than investment, paying mainly for the welfare benefits (Czada 1995; Sachverständigenrat 1995; The Economist 1996; Deutsche Bundesbank 1996).

Frankly speaking, the West German system of industrial relations is not working there: All over East Germany individual employers and their workers are making deals to preserve jobs by circumventing

national pay agreements. Many employers are leaving the employer's association. Many of the rest paid less than the collectively-agreed wage. But I would be cautious to argue that this creeping erosion of collective agreements from within will eventually spread to collective agreements in the west as well - as many neoliberal-oriented German economists are hoping.

The impact of reunification on West German industrial relations is another question. How long will the West German taxpayers pay this bill when there own welfare benefits are in the balances (Esser 1995)?

CONCLUSIONS

What are the possible consequences of these challenges and the manner in which the important actors are tackling them for the corporatist system of business-labor relations in Germany?

I'll try to answer this question by first summing up the results of these four challenges separately. Second, I'll have to look at the dimensions of corporatism I started with and discuss whether and how they have changed.

New management concepts and labor policies:

We can argue that both sides try to manage this challenge in the familiar forms and mechanisms of selective corporatism and that trouble shooting and conflict solving have been able to keep the consequences of these developments in check, although the burden of problem solving is being shifted more and more to the micro level.

Deregulation of the infrastructure sector:

The results will eventually finish the dual economy of market-oriented versus politically regulated sector with unknown impacts to the aims of social market economy's public good oriented infrastructure. But trade unions engaged in this field are until now successful in establishing themselves as company unions. And capital there is until now successful in trying to become global players.

Globalization:

Captial and state are becoming more and more agressive against labor with uncalculable consequences for the corporatist model. You could interpret it in using the phrase of non-intended consequences of strategic intentions. The effective mode of interest intermediation and self-organisation between different capital fractions is eroding in issues like welfare cuts, regional wage bargaining, connections between banks and industry.

Reunification:

This is the biggest problem because the transfer of institutions to the East does not work until now. The questions are: Does that mean that we 'll have two different systems of industrial relations in the longer run? And would it be possible to separate them from each other? I don't believe that that could work but might argue that the well known system could not be kept established unless the East German economy will recover. Another big unsolved problem is whether the huge money transfers to the new Länder strengthens the welfare solidarity in Germany as a whole.

Let me finish with the impact on Corporatism as we know it:

1. Selforganization of capital is eroding.

2 Integration of the labor movement is not really in danger until now. But it could be demolished in the longer run by breaking up the welfare state, the regional wage bargaining, the infrastructure sector.

3. Trade unions are becoming weaker because of the creeping effects of micro-corporatism. What the trade unions would need are effective organizational reforms because of the changing structure of branches. But few of them are happening in this issue and the contradictions and conflicts between and within the different trade unions are becoming very intensive.

4. Co-determination and wage-tariff autonomy are still intact, though there are any unsolved problems like regional wage bargaining and reduction of non- wage labor costs.

5. Relative smooth management of industrial crisis and the willingness to form corporatist crisis cartels at the branch level are both eroding. Also the macro-economic coordination is withdrawing as the failure of "Bündnis der Arbeit" demonstrates. But other such arrangements are working.

The result of all this leaves us with a mixed impression: The corporatist business-labor relations in Germany are being exposed to remarkable processes of erosion, and it is far from certain what will be the outcome of this in the end.

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