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Nate Breznau

Communism, slavery and social policy: Investigating the role of worker agency in the development of work-injury laws globally

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Postadresse / Postaddress:
Postfach 33 04 40, D - 28334 Bremen

Websites:
https://www.socium.uni-bremen.de
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SOCIUM · SFB 1342
No. 15

Nate Breznau, breznau.nate@gmail.com
https://orcid.org/0000-0003-4983-3137

Collaborative Research Center "The Global Dynamics of Social Policy" (SFB 1342), University of Bremen

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Abstract

This paper discusses the impact of worker agency on adoption of national policies to protect against work-injury. It uses the lenses of communist revolution and colonial forced labour to shed light on this relationship. Some common elements in the experiences, livelihoods, opportunities and structures among successful communist revolutions and colonially imposed production systems should lead to more or less collective risk-pooling in a society as a result of worker agency; thus, to faster or slower adoption of full-coverage work-injury policies. The main empirical analysis is a regression predicting how long it takes a country to transition from a first work-injury law to a policy that provides risk pooling and full-coverage for blue-collar workers. The test variables are whether a country was communist and the year that both slavery and forced labour became illegal. The sample is a cross-sectional analysis of 173 countries using data from the late 1800s until 2020. These findings have potential value in guiding if not motivating future work on worker agency in macro-comparative statistical research, and for filling in some empirical blind spots of macro-theories on social policy and work-injury law specifically.

Zusammenfassung

In diesem Papier wird untersucht, wie die Arbeitervertretung („Worker Agency") die Einführung von nationalstaatlichen Maßnahmen zum Schutz vor Arbeitsunfällen beeinflusst hat. Es betrachtet diesen Prozess am Beispiel der kommunistischen Revolution und der kolonialen Zwangsarbeit. Die Erfahrungen, Lebensgrundlagen, Chancen und Strukturen erfolgreicher kommunistischer Revolutionen und kolonial aufgezwungener Produktionssysteme sollten zu einer mehr respektive weniger ausgeprägten Risikobündelung führen; somit zu einer schnelleren oder langsameren Einführung von flächendeckenden Arbeitsunfallversicherungen. Die Hauptanalyse ist eine Regression, die vorhersagt, wie lange es dauert, bis ein Land von einem ersten Arbeitsunfallgesetz zu einer flächendeckenden Arbeitsunfallversicherung für Arbeiter übergeht. Die Testvariablen betrachten, ob ein Land eine kommunistische Vergangenheit hat und das Jahr, in dem sowohl die Sklaverei als auch Zwangsarbeit abgeschafft wurde. Die Stichprobe umfasst 173 Länder und nutzt Daten von den spätem 1880er-Jahren bis 2020, wobei Querschnittsanalysen angewendet werden. Die Ergebnisse haben das Potenzial zukünftige Arbeiten zur Arbeitnehmervertretung in der makrovergleichenden statistischen Forschung zu leiten und empirische Lücken zu Makrotheorien der Sozialpolitik und des Arbeitsunfallrechts zu schließen.

Contents

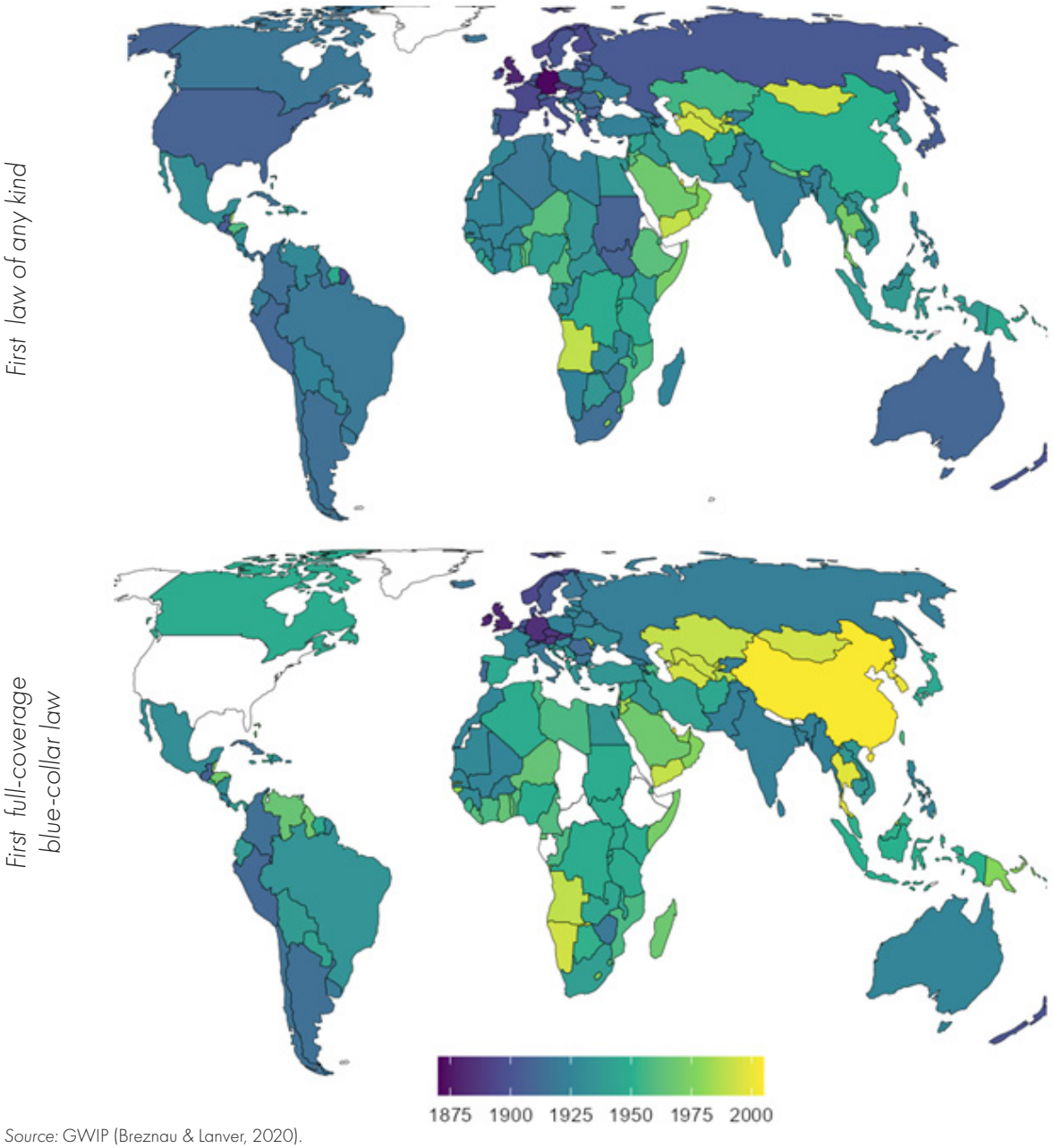
1. Introduction

In this paper, I argue that communist revolutions and forced labour in colonial economic systems offer historical insights into how worker agency led to faster or slower expansion of policies to protect workers against the risk of injury or death while working. The path to overthrowing the ruling system and installing a communist government involves certain lived experiences, changing opportunities and radical decisions taken by workers; events that collectively shaped social norms and political power structures and ultimately quickened the introduction of risk-pooling and full-coverage work-injury law for blue-collar workforces. A key feature of early communist governance was a state guided by a vision of workers' rights, security and power. At the same time, colonially imposed slavery or forced labour used for industrial or surplus agricultural production led to extreme conflicts between workers and colonizers that required violent repression to maintain colonial rule. This repression led to deeply institutionalized fractionalizations in society that impacted workers' livelihoods and opportunities, even after colonial rule and slavery ended. These events hindered the introduction of social risk-polling for work-related injuries.

I focus on work-injury laws because they are seen historically as the beginning of the welfare state. In most societies, they were the first social policies to address modern risks to workers (Abbott & DeViney, 1992; Flora & Alber, 1981). The very first laws were normatively framed as protection for workers, but failed to address worker risks because they were based on the concept of employer liability. They left the burden of proof of employer negligence in case of injury or death on the worker. Proof required legal action, usually in a courtroom, and workers had little chance of success. They lacked the literacy, finances or awareness of their rights to compete with their employers for damages. In most cases, the first laws were no better than already existing Common or Civil law systems (Kangas, 2010). It was not until societies introduced risk-pooling that this changed, and what we now know as a welfare state began to take shape (Moses, 2018).

Risk-sharing is a major development in both risk protection and normative concepts of the role of the state. Many early forms of risk-pooling were provident funds, taking a similar contribution across all workers, or a group of workers, and then providing the fund for any worker that becomes injured. These often lacked the capital or administrative effectiveness to protect all or even most injured workers. Yet, even rather ineffective provident funds cultivated a new way of thinking about risk as something to be collectivised. This is evidenced by the fact 97% of societies that adopted a provident fund or some other kind of risk-pooling system eventually became social insurance systems, if they did not immediately start as social insurance (see Appendix 1). Social insurance outsourced any necessary administrative and legal work to insurance companies, including the burden of managing or drawing on a fund. Employers often favoured this, as they were freed from any burden other than calculable, recurring payments. Much of society was or became in favour of social insurance because it protects against "situations where a grave insufficiency or a failure of work income would leave an individual and/or those depending on him in economic distress" (Lafitte, 1967, p. 3).

Figure 1.
Development of national work-injury laws globally



Source: GWIP (Breznau & Lanver, 2020).

Figure 1 shows how work-injury law developed across the globe in the 19th and 20th Centuries in 186 societies. The lower panel of Figure 1 displays the year that *de jure* legal coverage of all blue-collar workers (i.e., industrial workers) and a system of risk-pooling (either a provident fund or type of insurance system) was in place. In many cases *de jure* was far less than *de facto* coverage but this is outside the scope of this paper, but discussed in the conclusion briefly. By 1922, 50 out of the 71 existing nation states had first work-injury laws (see Appendix 1), and just under half had social insurance.

This means that, a majority of existing independent states had already adopted work-injury laws prior to the formation of the International Labour Office in 1919 (ILO) and the Soviet Federation in 1922. After 1922, the percentage of countries with work-injury laws remained above 70% and slowly increased to 100% by 2005 (upper panel of Figure 1 and Appendix 1). Readers should note that societies where first work-injury laws were imple-

mented prior to sovereign independence are also included in the map; e.g., colonial dispossessions or part of the Soviet empire.

2. Worker agency: Social policy from 'below'

The lived experiences of workers, collective actions and resistance to exploitation offer a 'bottom up' explanation for policy outcomes. Agency is a behind-the-scenes factor that shapes modernization processes, political power dynamics and the ideological frameworks guiding policymaking. It is 'behind-the-scenes' because it represents the daily activities and livelihoods of workers in a given society. It represents the shared meaning making, social institutions, expectations and decisions to take part in political activities by workers, their families and communities. Worker agency is a component of most theories of social policy development, but empirical research is often case-specific and draws on qualitative or historically comparative examples (Baldwin, 1990; Edwards, 2018; Seekings, 2011; Wright, 2000). Macro-comparative research is scarce. Empirical limitations likely deter researchers from pursuing worker agency as a variable in the analysis of social policy outcomes (see for example van der Velden, 2017), meaning the focus is usually only on the outcome of processes that lead workers to make or not make radical decisions, such as to strike, protest, lockout and support left-parties (Rimlinger, 1971; Flora & Alber, 1981; Korpi, 2001)[1] .

It would seem that any theory of the end of agrarian-based human social organization and the wide variety of social policy outcomes that followed that does not include a role for worker agency and its political outcomes, is incomplete (Polanyi, 2001 [1944]; Giddens, 1982; Harris & Scully, 2015). Flora and Alber (1981, figure 2.2) refer to "growth of information and expectations" and changes to "kinship and household family" in addition to "public protest and collective violence" as theoretical building blocks of welfare states in Western Europe. T.H. Marshall (1950) described how attainment of civil rights by workers in Europe set in motion sweeping social changes because they gave workers a new way of realizing their own agency. In Bismarck's famous 1849 quote that "The social insecurity of the worker is the real cause of their being a peril to the state" (Sigerist, 1943, p. 376), he points directly at the *experience* of social insecurity as the "real" cause of workers' capacities to affect the state. This suggests it is the daily lives and risks faced by workers and their families that cause them to make choices to take part in activities such as strikes and targeted violence.

By now, most textbooks of social policy cover *modernization, power resources* and *ideas* (and their diffusion) (e.g., Dodds, 2013; Kennett, 2001) as three overarching frameworks to understand policy development. Worker agency has an important role in each of these perspectives. Modernization refers to a process whereby workers lives transformed from agrarian, landless, feudal, familial and with few rights, to industrially productive, renter dwellings, wage labour, individualization, expanding rights and citizenship; and exposure to many new risks. Modernization is essentially what Polanyi (1944) calls the *Great Transformation* (Polanyi, 2001 [1944]). In this process, social, political and economic structures became bureaucratic and rationally organized. Through these structural changes, new spaces for collective group action emerged and differential successes of different groups became a product of their collective power resources; those with greater capacity to wield power had a larger impact on policy outcomes.

Workers were seeking new opportunities in mines, railroad construction or factories, or abandoning old ways of living because they were no longer sustainable. These new forms of work

1 By "workers" here I mean the working-class or working majorities and their families in each society that engage in labour where they are not managers or owners of the production process; i.e., wage labour, homemaking to complement a wage labourer or labour and homemaking in exchange for the means of subsistence (e.g., serfdom). I define them based purely on their labour form, regardless of whether they possess identity or class-consciousness as workers or any other segment of society (Fantasia, 1995).

would regularly kill or disable them. Societies did not automatically evolve or adapt to these new labour forms and risks, as often argued in the functionalist versions of modernization (see discussion in Moses, 2018). Social security was instead an issue resulting from worker experiences (deaths, illness and exploitation) and actions (adaptation, passive resistance and active movements). Resistance and often violent actions were necessary to push or convince the state to introduce and expand social policies (Edwards, 2017; van der Velden, 2017). As part of the same processes, new ideas of collective risk-pooling and entitlements of the working-classes emerged. What is often overlooked in these discussions (e.g., Mares & Carnes, 2009) is that the workers themselves were subjects in the process, that they caused modernization rather than being passive recipients of it (Hoggett, 2001; Giddens, 1982).

The success of workers in gaining and exerting power resources through unions, strikes, communist organizing, political parties, cross-class compromises and utilization of legal rights were essential to the development of social policy (Baldwin, 1990; Korpi, 1983). The degree of coherence (or inter-class compromise) and power in working-class interests directly influences how much the state mandated social protection of workers for example through replacement rates, extent of occupational diseases covered and the number of segments of the working-class covered (industrial sector, agricultural workers, domestic workers, etc.). Although organized movements are central to power resources arguments (Korpi, 1971), social historians point out that these movements start via workers' families, communities and changing daily activities, situations and struggles with personal and familial welfare (Benson, 2003; Engel, 1996). If so, the sustainability of socio-structural change and labour movements depends on workers' and their families' agency. The success came from workers' willingness to persevere, believe and find alternative means for well-being given breaks in wages, and threats and acts of legal repercussion and violence against them. The political landscape and institutions of power were created over time in response to changing manifestations of agency.

Actions and experiences were complemented by changing normative frameworks. Although societies were often extremely hierarchical, ideas spread across classes and geographic spaces, and ideas framed steps in policymaking processes in autocracies and budding democracies alike (Béland, 2009). Ideas spread through various diffusion mechanisms, often as elite transfer where governments engaged in policy learning from others (Obinger et al., 2013). For example, Japan's interest in, and subsequent development of, a Bismarckian welfare state system in the early 20th Century is an example of diffusion and elite consumption of policy ideas from western Europe. However, for at least fifty years' prior, workers in Japan were struggling with a new plague of industrial accidents and adopting and transmitting ideas about Christian humanism and communism, leading to actions that pushed the government to seek labour policy solutions (Kishimoto, 1951; van der Linden, 2020). The point is that idea transfer is not unidirectional, and not limited to the industrial revolution in Europe, and it did not operate only from the 'top down' (McAdam & Rucht, 1993; Béland & Lecours, 2008). Socialist uprisings and revolutions that took place in nearly all countries of the world at the start of the 20th Century are evidence of what was happening among workers. The spread of ideas was incredible, from the late 1800s until the first successful communist revolution in Russia in 1917, and is testimony that workers diffused these ideas among themselves and across occupations and borders (see for example: Maynes, 1995; Fuster, 1914; Haimson & Sapelli, 1992; Reichesberg, 1913; Van Daele, 2005; van der Velden, 2017; or the edited volume of Bonnell, 1983).

It is not my goal to exhaustively review theories of social policy, but only to point out that they all more or less logically depend on a causal role of worker agency. Worker agency is the ability of workers through their actions, both deliberate and not, to shape the nature of society and political outcomes. Organized movements and subversive actions are only the tip of the spear, the part that is easy to pinpoint as causing socio-political change (Korpi, 1989; Väisänen, 1992). The handle of the spear is what delivers the tip, and this consists of

the development of social norms and institutions (actions and expectations) and forms of survival given conditions and structures (resistance and ingenuity). Worker agency is a broad area of social theory covered in detail elsewhere (but see for example Burkitt, 2016; Hoggett, 2001; or Coe & Jordhus-Lier, 2011 for some discussion). The theory presented herein is that social institutions and ways of life develop out of worker agency that frame how workers and policymakers rationally make decisions; for example, by framing definitions of deservingness and fairness (van Oorschot, 2000; Steensland, 2006).

3. Understanding worker agency through communism and slavery

Unlike widespread measures of political institutions or economic processes, agency has no standard cross-nationally comparable indicators. Even analyses that look at labour movement activities such as strikes and lockouts (again just the 'tip' of agency) can only focus on a handful of rich countries as there are, to date, no global time-series data (Väisänen, 1992). Therefore, in order to attempt a comparative statistical analysis of worker agency, I rely on two ubiquitous world events that have some common experiences or themes relating to the agency of workers, and at the same time can be quantified as variables to enable comparative statistical analysis of social policy development. My intention is not to impose a statistical understanding of agency or any particular epistemology, but to attempt to study something that is missing in social policy research and in doing so help develop an agenda for future studies. These two world phenomena are communist revolution from organization through socialist organization of socio-economics, and colonially imposed production involving slavery, forced labour, and the trading of such labourers. Over two-thirds of the world's countries of today experienced at least one of these historical processes.

In pre-communist societies, mostly those that became the Soviet Union, the primary means of production involved a nexus of forced labour. The sites of production were large plantations and in the late 1800s industries engaged in extraction and production. Except in very rare cases, forced labourers only legally owed their *labour power* to a master. This contrasts sharply with colonial slavery, where imposed laws and militaristic force meant that workers legally owed their *entire person* to a master or a firm. Worker agency took on very different forms as did reactions to worker agency in pre-communist versus colonial societies. We now know that societies across the globe similarly organized agrarian production and trade into collective city centres (Johnson & Earle, 2000; McDougall, 1990), just that the shift to industrial production took place with different timing. The experience of workers in early communist revolutions, if not the very idea of communism itself, arose from early industrializing societies. It included class identity as a driving feature and it took over societies from within the existing social systems[2]. Colonial slavery and forced labour systems on the other hand, arrived from external powers to societies that were less industrialized and more decentralized. The colonizers were interested in resources and land, and this led to racial and ethnic fractionalizations used to prevent class-based or collective-based identity formation and counter-movements.

Communism

Worker movements are likely as old as work itself (van der Linden, 2020). Many of these movements were characterized by shared normative ideas. Especially in the early industrializing parts of the world, the idea that work or merit, rather than lineage, should determine individual positions in society led to major political changes in the industrialising phase of Europe. The role of worker agency coupled with new political ideas cataly-

2 Of course, it led to power struggles and imposed communist rule as the Soviet Union gained power, but in every society there were pre-existing communist revolutions that were harnessed if not usurped in the procession to Communism run by the Soviet Communist Party.

sed the Revolutions of 1848, the founding of the International Workingmen's Association in 1864, mass unionism in the 1870s (and the events leading up to that, e.g., 1824 Britain and 1848 Germany), the working-class 'victory' in the 1848 revolutions making France a centre of new workers' rights, and the 1861 end to forced labour in Russia where workers were told they were now free. Workers and ideas of class were at the centre of disruptive social and geographic transitions. The idea that a worker or that the working-class has rights was at first greatly at odds with the experiences of workers. For example, the newly 'freed' workers in Russia experienced little change other than the idea of change (Stanziani, 2008), arguably providing the engine to drive Lenin's Marxist movement around 1900. Communism was amongst the most historically impactful of these ideas. It was so powerful that it split the world into socialist/Communist states and non-socialist/Communist states; a division whose institutions are still visible today.

The experiences of communist revolution were very diverse across the globe, but at the same time had common elements that sprang from a basic idea: a worker-centric state where workers would collectively replace their employers and masters as the owners of their own labour and the means of production. At the core of each movement were the workers themselves who constituted a majority of the population in any given society by the definition I use herein. These workers' dynamic ideas, culture, hierarchies, gender relations and lifestyles were the building blocks for the nature and success of revolutions (Barker & Dale, 1998; Di Meglio, 2020; Wynn, 2014). At some point, these workers imagined no better options, or possibly had no other options, for redressing their own and their families' daily needs or risks. The realities of communist movements, like any labour movements, are super-complex and involve understanding the nature of occupational groups and their relations to one another, structures of elites and hereditary rule, penetration of communist ideas among workers, union coverage and effectiveness, charismatic idiosyncrasies of movement leaders, policy learning across states, previous movements, counter movements and wars between competing worker groups, and insurrection or direct imposition of communist rule, especially in the case of satellite Soviet states (Brass, 2007; Pihlamägi, 2008).

My argument rests on the assertion that societies with successful communist revolutions had two features that distinguish them from non-successful communist-labour movements[3] . *First*, workers and their families (those of wage or subsistence provisions) were motivated to collectively organize in ways that overthrew the state. Although many of these factors were exogenous to the workers in the form of coercion, violence, charismatic leaders and geographic and economic opportunities, the workers still had to decide based on their lived experiences, to be a part of the revolution. Thus, some amount of each successful revolution must be partly explained by worker agency. *Second*, once communist modes of state governance were implemented, their *early* state-building phases were characterized by policymaking intended to elevate the status of workers. This created structural and ideological forces that further enabled worker agency. I am interested only in the period leading up to and directly at the beginning of communist governance, because most Communist states quickly developed into repressive authoritarian regimes run by policymakers interested in promoting their power or the Communist Party at all costs, especially in the case of the Soviet empire or Mao's China, and over time became quite antagonistic to many segments of workers and their livelihoods.

If the pre-existing effectiveness of worker agency was strong and the early formation of a communist state enabled this even more, then workers' interests should materialize more often into political outcomes favourable to the workers. In this particular analysis this includes the transition to a legal mandate of risk-pooling covering all workers. To be clear, this is not an argument that workers had 'more' agency under socialist-rule. It

3 I make this suggestion without intent to mischaracterize or over-simplify the complexities of diverse histories and pathways to communism (and colonial slavery) although I am ultimately forced to do so to provide an operational basis for using the concepts of communism and slavery as variables in an analytical framework.

is that their agency had particular characteristics and structural features that could garner greater social policy outcomes.

Slavery

The enslaving of humans and their use as forced instruments in economic productivity shaped and restricted the livelihood of workers[4]. Colonizers had to develop institutionalized means of violence and repression to maintain enslaved worker productivity, because workers were extremely resistant to such brutal treatment (Williams, 2003). These institutions, backed by armies that were far more technologically advanced, segmented society and labourers by exploiting pre-existing ethnic, religious, gender and geographic boundaries (Amin, 1972; Francis & Webster, 2019; Tsikata, 2010). These institutions did not die with slavery (Worger, 1993) and contributed to post-colonial social group fractionalizations that undermined coherence, universal social policies and effective self-rule (Kangas, 2012). Illegal forms of slavery and legal forms of forced labour continued in most colonial societies after the legal end of slavery and after independence from colonial rule. In most settler societies for example, natives were legally bound to work in a range of 'blue-collar' occupations including extracting extra resources from subsistence farmers and more dangerous industrial work in construction of railroads and infrastructure or resource extraction and refinement. The compensation for this forced labour was often barely enough for subsistence, meaning that the forced workers' own material conditions were not much different from slaves; i.e., they could obtain food and housing for their work, rarely more (Fall & Roberts, 2019; O'Laughlin, 2002; Worger, 1993; Lovejoy, 2018). Thus, by "slavery", I refer to both enslaved labour without wages and forced labour.

The segmentation and repression impacts of slavery are not limited to systems using enslaved worker production, but also societies that engaged in the capture and trade of enslaved workers. When colonial powers offered resources to competing native groups for raiding and kidnapping to produces others as slaves, this also divided societies and institutionalised group conflicts (Jok, 2010; Rodney, 1966). Recent historical research on the slave trade itself demonstrates that the number of slaves shipped from African countries is highly correlated with those countries' social, economic and political developments (Nunn, 2020). As pointed out by Flora and Alber (1981, p. 73): "To some extent, differences in the strength of labour movements are a function of religious, linguistic and/ or ethnic cleavages that might have deflected attention and support from class issues and retarded the development of welfare states." Although a reference to western Europe, the group dynamics mechanisms are similar. DuBois (1925) identified these mechanisms when he pointed out that legal slavery enforced the construction of race, a 'colorline' or a caste-system, that undermines working class solidarity and labour movements.

I in no way suggest that worker agency itself was weaker or lesser under slavery and post-slavery production systems. If anything, slave systems and institutions produced more resilient and extreme forms of labour resistance (Edwards, 2018; Phakathi, 2012). I only suggest that the institutionalization of fractionalization and oppression restricted the potential political outcomes of worker agency. It also relegated agency to basic survival strategies that left less room for coordinated action. These limitations should be a function of the duration and intensity of the institutions of slavery and their descendant-continuations of post-slavery forced labour. I suggest this can be roughly measured by the timing of the end of legal slavery, including legal forced labour or trading of forced labourers. Societies that took longer to legally end slavery, but used slave production in their histories, were sites of greater suppression of the possibility for

4 I refer to slave systems that targeted material exploitation as part of capitalist development and modernization. Although many ancient societies used enslaved labor, I focus only on those that were subject to imposed colonial slavery or engaged in internal kidnapping and slave trading, mostly from the 18th Century onward (a process described in more detail in Solow 1987).

agency-driven political change. Again "workers" here is not necessarily wage or industrial workers at the time of colonialism. The abolition of slavery by colonial rulers also did not mark the end of slavery. Therefore, societies that incorporated enslaved workers in capitalistic production should take longer to introduce full-coverage blue-collar work-injury laws, due to the fractionalizations and impediments to their collective agency.

Hypotheses

H1: Communist societies should have a shorter transition…

H2: Of societies with a slave production past, those that abolished slavery later should have a longer transition…

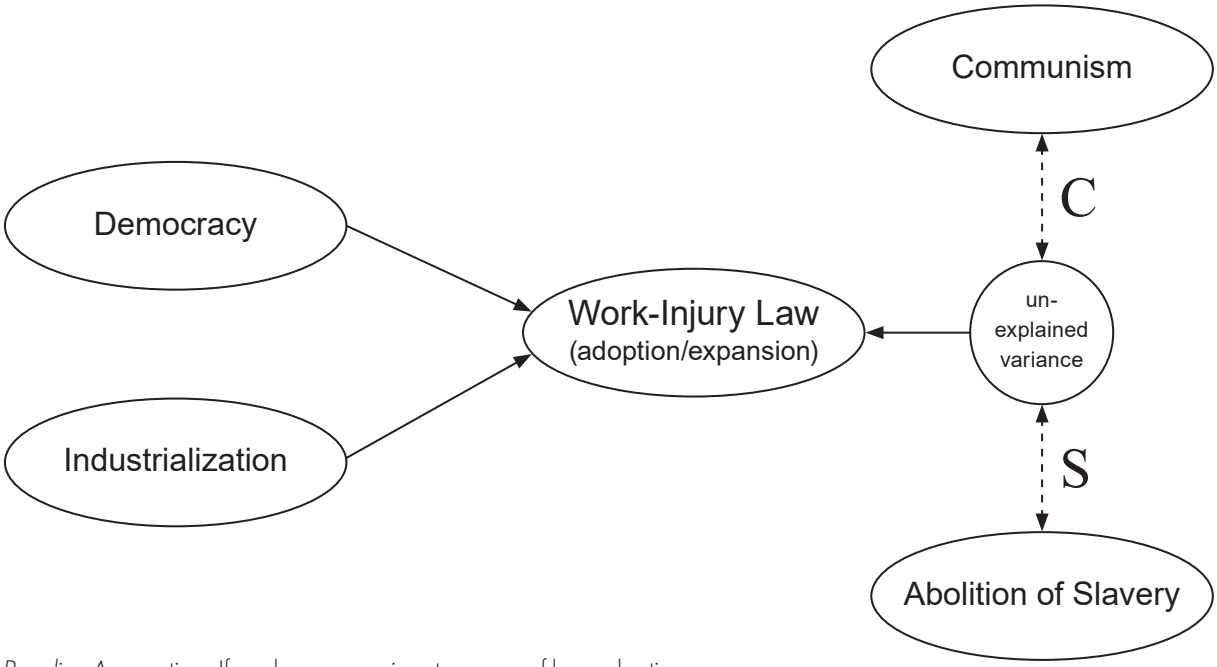
…from the year of introduction of the first work-injury law to the year of introduction of a full coverage blue-collar risk-pooling law.

4. Research Design

Test Model

Figure 2, presents my logical model where "Democracy" refers to the complexities of modernization in the development of political institutions in both the sociological and historical sense, and "Industrialization" is the growth of technology, industry, urbanization and capitalistic productivity. Essentially these two concepts refer to key causal processes explaining the development of the welfare state as starting with work-injury law and expanding to legal full-coverage blue-collar

Figure 2.
Testing a Theory of Worker Agency and Work-Injury Law across Countries



Baseline Assumption: If worker agency *is not* a cause of law adoption then C and S = 0, except for random measurement error.

Counterfactual Assumption: If worker agency *is* a cause of law adoption then C and S are > 0 in addition to random measurement error.

Source: own presentation.

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risk-pooling. If "Communism" (a successful communist revolution) or year of "Abolition of Slavery" correlate with the unexplained variance (meaning "C" or "S" is non-zero) in the time it takes to achieve this type of full-coverage blue-collar law when this model is applied to observational data, then this would be indirect evidence of worker agency as a factor in the development of work-injury law. This presumes that my variables indeed measure worker agency, a topic to which I return in the conclusion.

Dependent Variables

I take advantage of new data on the development of work-injury laws from their inception through 2020 using the *Global Work-Injury Policy Database* (GWIP) (Breznau & Lanver, 2020)[5]. The predominance of research on the Global North likely obscures our knowledge about welfare states and the role of worker agency at the global level. Therefore, I use all 186 countries in the GWIP, and find that 173 enacted some form of full-coverage blue-collar risk-pooling laws as of 2019[6] . The reader will find all data, sources and replication materials in the Workflow Repository[7] . I consider the introduction year of a first national law in any form (*"First Law"*) and then the time it took to implement the first instance of full coverage of blue-collar workers with some form of risk-pooling through a fund or social insurance (*"First Full-Law"*). My focus in on the duration between these two laws (*"Years Between"*).

5 These data will be soon publicly available via the Welfare State Information Systems (WeSIS) database, along with much more social policy data collected as part of the Collaborative Research Center 1342 "The Global Dynamics of Social Policy" at the University of Bremen.

6 Countries without a national blue-collar worker full-coverage law and thus excluded from the main analysis are: United States, Ghana, Gabon, Central African Republic, Chad, Somalia, Mozambique, Qatar, United Arab Emirates, Bhutan, Nepal, Paua New Guinea and Vanuatu. Technically Canada could be excluded, but all provinces have the equivalent law so it is coded as having a national law in the GWIP (see Figure 1).

7 https://github.com/nbreznau/work_injury_agency

Test Variables for Worker Agency

I measure societies that realized full Communist or socialist rule for a sustained period of time (at least 4 years), whether or not they remained (variable name *"Communist"*). This includes mostly rule by the Communist Party, which historically envisioned a single global party but was quite different across countries/empires such as the Soviet Union and China. It includes all countries where state or "social" ownership of the major means of production was a defining feature, and the ideology of communism as expressed in the First and Second Internationals and Marx and Engel's *Manifesto*. I describe such countries as "communist" to indicate that there was not in practice one Communist party or one type of socialist governance. These countries are identical to those listed in Table 10 of Iliev and Putterman (2007) with the exception of Zimbabwe where the government did not control major production and Nicaragua where the government's sovereignty was spatially and temporally contested due to the Cold War playing out in its internal power struggles.

To measure the time it took for a former colonial society to legally end slavery and forced labour, I first code all societies that used slave labour in capitalistic development, namely plantation economies, slave capturing and trading economies and hybrids. I code the year that slavery and forced labour was legally abolished in most cases (*"Abolition Year"*); visualized in Appendix 2. I construct an interaction so that there is a unique measure of *Abolition Year* for former slave production societies. This means I include a separate effect for *Abolition Year* in non-slave-production societies which is not of substantive interest, but necessary for statistical modelling through a dummy variable for societies with (*"No Slave Production"*).

Measuring *Abolition Year* in colonial societies requires careful consideration. Although many ancient societies used enslaved labour, I focus only on those that were subject to imposed colonial slavery or engaged in internal kidnapping and slave trading, mostly from the 18th Century onward (a process described in more detail in Solow, 1987). This is most of Africa and

Central America, some of South America, and parts of the Middle East and Indian Ocean. It also includes the United States and Australia. As an example: slavery and trading slaves was a longstanding practice in both Iran and Egypt, but Iran is coded as *No Slave Production* because the use of slaves was almost entirely domestic and a historical part of the social status hierarchy, while in Egypt there was a period of British colonial production of cotton for example, that broke from an otherwise similar tradition as in Iran. At the same time, Morocco used slaves for mostly domestic purposes like Iran, but as part of French colonialism it was an important slave trading hub not just for domestic slavery, and is thus coded as having *Slave Production*. At the same time, many countries (most of Europe and Asia) used forced labour but did not have a slavery production or trading past like the colonial systems. These countries are coded as having *No Slave Production*. I also exclude colonial slavery practices in South/-East Asia as it was nothing like the depth and institutional embeddedness found in Africa and the Americas (Ward, 2011). The timing of abolition is measured by laws that were legally binding at the national level in local politics. This means that when colonial powers outlawed slavery in their empires, it did not necessarily equate with a legal end to slavery. In almost all cases it was proceeded by a period of legal forced labour for native workers or simply no locally binding laws that ended slavery. For parsimonious reasons, any countries that abolished slavery or forced labour after 1981 (when it legally ended in South Africa) are recoded to 1982 to make the statistical analysis more parsimonious. The slavery data are from the *Legal Slavery v1* dataset (Rosling, 2018) but adjusted accordingly by the author.

Contextual Independent Variables

Industrialization democratic governance impacted policymaking responsiveness. Therefore, higher industrial productivity measured as gross domestic product per capita logged (GDP) and more democratic forms of governance (*"Democracy"*) are important alternative causes of the timing of work-injury laws and welfare state policy in general (e.g., Abbott & DeViney, 1992; Collier & Messick, 1975; Egger et al., 2017; Kangas, 2012; Kim, 2001; Schmitt, 2015). Support for either H1 or H2 is conditional upon the known impacts of GDP and Democracy on work-injury laws (see Figure 2). These variables are measured for the year of adoption.

The early introduction of work-injury policy was likely hampered by democracy. Prior to 1923, democracy was quite new and had barely gotten a foothold in Europe, for example in France and the United Kingdom. At this time, more authoritarian forms of government, for example in Germany and Austria were more effective at quickly implementing work-injury policies (Flora & Alber, 1981). This means that the role of democracy in social policy is non-linear. Therefore, I create an interaction of *Democracy* with a period dummy for countries that adopted prior to 1923. I select this year as a cut-off because it marks a key moment in work-injury policy history (see Appendix 1) and a key moment in European history with the establishment of the Soviet federation. This allows democracy to have a unique effect in countries before (*"pre-1923"*) and after 1923 (*"post-1923"*).

Models

Using ordinary least-squares regression I analyse the year of introduction of *First Law* and *First Full Law*, and then the main dependent variable *Years Between*. For each outcome variable I run two models with the suffix "1" or "2" (see Table 1). In the "1" models, I establish a baseline predictive power of the model without the test variables, then in the "2" models I add the test variables to make the model reflect that displayed in Figure 2 and test if they partially correlate with variance in the outcomes that are unexplained by *Democracy* and 'industrialization' (here *GDP*).

Ten countries have both a colonialized past and a successful communist revolution (*Com-*

munist = 1 and *No Slave Production* = 0), thus presenting a potentially confounding relationship with the effects of both test variables. To resolve this, I use two estimation strategies. For the main models (see Table 1), I recode *First Full-Law* to be two years prior to independence in case it came before independence (7 out of 10 cases) under the assumption that a successful communist revolution takes place around the timing of independence from colonial rule, whereas the effects of slavery on workers and society begin much earlier historically. As a robustness check, I create two cases for each of the 10 that had both slavery and communism[8], one coded with No Slave Production = 1 and all other variables left in original form, and the other with *Communist* = 1 and *First Full-Law* recoded in those 7 cases to two years prior to independence. This leads to 183 instead of 173 countries, and I robust cluster the standard errors for those ten cases that appear twice in the data (Appendix 4).

8 São Tomé and Príncipe would be number 11 but is dropped from analyses due to missing data on some variables

5. Results

It is well-known that richer countries were more likely to have more social policies in early welfare state history (Breznau & Lanver, 2021; Wilensky, 1974). In *First Law* 1 therefore, I interpret the *pre-1923* coefficient of negative 45.69 as indicative of the extremely high relative *GDP* of early adopting countries (high correlation) on average which then causes the *GDP* coefficient on its own to be slightly positive. What is important here is that industrialization and the possibility of democratic power resources are accounted for as variables to validate the test models. In *First Law* 2, I find similar effects for the independent variables and the test variables showing that *Communist* predicts a much later *First Law* on average, as does a later *Abolition Year*. First Full-Law models 1 and 2 are somewhat similar except that the effect of *Communist* is smaller (10.32 versus 13.02). This is already evidence in favour of H1 because communist societies introduced a *First Full-Law* sooner even though they were later to introduce a *First Law*. Thus suggesting that they were 'catching up' to the non-communist when introducing *First Full-Law* on average.

Table 1.
OLS Regression Results for Work-Injury Laws and Years Between, 173 Countries

	First Law 1	**First Law 2**	**First Full-Law 1**	**First Full-Law 2**	**Years Between 1**	**Years Between 2**
Predictors	*Estimates*	*Estimates*	*Estimates*	*Estimates*	*Estimates*	*Estimates*
GDP	5.76 ***	7.51 ***	-0.42	0.36	-3.09 **	-4.04 ***
pre-1923	-45.69 ***	-43.05 ***	-36.52 ***	-35.44 ***	6.95 **	5.69 *
Democracy, post-1923	0.68 **	0.80 ***	-0.42	-0.21	-0.98 ***	-0.93 ***
Democracy, pre-1923	-1.07 **	-0.77 *	-0.67	-0.48	0.85 **	0.71 *
Communist		13.02 ***		10.32 **		-4.71 *
Abolition Year		0.05 *		0.11 **		0.03
No Slave Production		0.06		-0.05		-0.07 *
Observations	173	173	173	173	173	173
R^2 / R^2 adjusted	0.582 / 0.572	0.666 / 0.650	0.408 / 0.394	0.463 / 0.436	0.145 / 0.124	0.186 / 0.146

** p<0.1 ** p<0.05 *** p<0.01*

Note: intercept and Abolition Year*No Slave Production coefficients omitted as they have no substantively meaningful interpretation and only assist in effect identification.

This faster transition becomes most clear in models *Years Between* 1 and 2, where *Communist* indicates a 4.71-year shorter time span, again supporting H1. Meanwhile, *Abolition Year* predicts a 0.03 (per year) longer duration. These coefficients must be interpreted carefully given the interaction in the model to provide a unique effect for *No Slave Production* countries and *Abolition Year* only in *Slave Production* countries. In other words, the confidence interval of the coefficients (indicated by the p-values) should not be interpreted alone until interactions are mathematically combined. Average marginal effects accounting for this are plotted in Figure 3.

The effects in Figure 3 reflect the change in *Years Between* predicted from being communist or formerly so, a 40-year difference in the timing of the abolition of slavery (on a scale from 1804 to 1982), a 1-point higher logged GDP and a 4-point higher score on the democracy scale (ranging from -10 to 10).

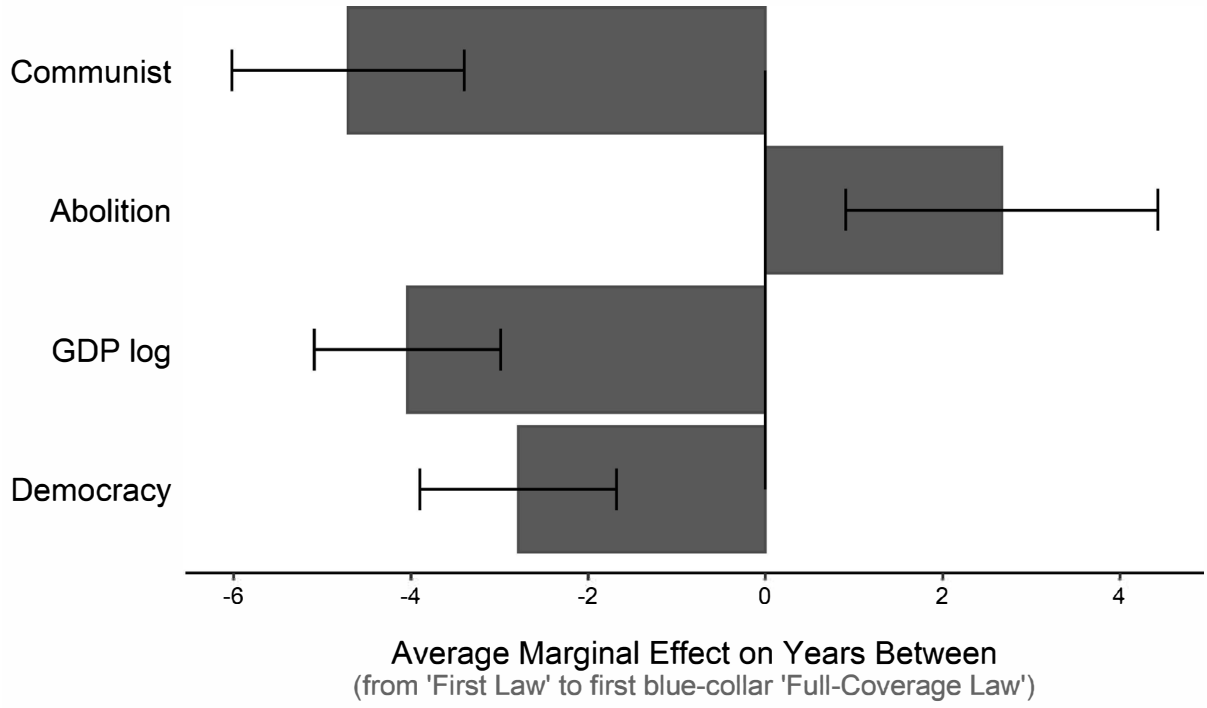
If correctly specified, this infers that Communist states made the transition to full blue-collar coverage more than 4 years faster than non-Communist states on average after the introduction of a first law, all else equal. Those that have a later abolition by 40 years (close to ½ of a standard deviation) take about 3 years longer to make this transition on average, again, all else equal. Both of these findings support H1 and H2. As a 3 or 4-year difference in policy adoption may not be ostensibly 'large', I would refer to this a 'moderate' or 'smaller' support of the hypotheses.

I check the robustness of these findings by running the analysis on all 186 countries while recoding the *Years Between* variable to 60 for all countries that had not adopted a national risk-pooling law by 2019 (the end of the GWIP data series, see Appendix 3), and with the 10 countries that had both Communist and Slave Production used twice (Appendix 4). These effects point in similar directions albeit slightly smaller than the main analysis.

6. Conclusion

Using multivariate regression, I demonstrated that the current or former existence of a communist state

Figure 3.
Average Marginal Effects of Results from Model "Years Between 2" in Table 1



and the timing of the abolition of legal slavery (including forced labour) are significant predictors of the time it takes a society to transition from a first work-injury law to a blue-collar full-coverage law respectively across 173 countries. These findings help fill a gap in social policy research where theory anticipates an effect of worker agency, but models and data have struggled to test this from a macro-comparative perspective. These findings have potential value in guiding and hopefully motivating future work on worker agency in macro-comparative statistical research, and thus for filling in some empirical blind spots of general theories on social policy and work-injury law specifically.

These findings complement existing theoretical perspectives in social policy research. The power resource perspective tends to look at the distribution of power across groups such as political parties, between employers and employees, across sectors and any relevant organized interests. In particular, this perspective suggests that when organized interests favour workers, as with left parties, unions or labour movements, then social policies are more favourable to workers. By focusing on the conditions of workers and their agentic realities in the historical processes of communist revolution and colonialism and forced labour, I aim to locate the workers themselves in this process. Not as an object for policymaking or fought for by organized interests, but as a subject of the historical processes that shaped the distribution of power resources and policymakers on which power resource theories place so much emphasis. This logic also applies to theories of modernization and normative ideas and their diffusion across time and space. The workers were participants in the modernization process and the transmission of ideas such as communism.

The treatment of workers as subjects whose agency impacts outcomes ranging from labour movements to vote shares to normative policymaking frameworks cannot be simply captured by adding new variables and more countries into analyses of social policy. These variables therefore only measure agency by proxy. Statistically speaking, a communist system of government that arrived via successful revolutions that included workers, and the institution of legal slavery are structural factors that predict certain developmental trajectories of social policy. The key propositions on which my findings hinge therefore are that the structural features of communism and imposed slave production systems were themselves partly produced by worker agency. Colonial systems produced intense revolts among native populations that required violent suppression and institutionalized fractionalizations and hierarchies to prevent workers from organizing. If enslaved workers under colonialism were satisfied with their livelihoods they would not have been so resistant and subversive. Their resistance certainly demanded that the colonizers use brutal violence and sometimes mass murder when they wanted to continue to extract productive labour and domestic service from the enslaved populations as their primary goal. In the case of communist revolutions, the workers faced miserable conditions, if not as miserable as being enslaved. In these societies, regimes were repressive and work-injury laws and social welfare in general did not exist. For example, in pre-1905 Russia, the newly 'freed' workers were not better off than when they were forced labour and serfs. Agency and collective organization flourished under these conditions. Notably missing in these settings was the sudden arrival of slave-supporting and racialized political control. Specifically, many other strata of society supported the idea of communism, unlike in colonial times where the colonizers naturally supported their own political rule.

An important fact in this study is that full-coverage blue-collar laws that included risk-pooling were introduced prior to communism and prior to the end of legal slavery in some countries. This is a reminder that these findings are not a story of *X* (e.g., communism) at time *t-1* causes *Y* (a faster transition to risk-pooling for blue-collar workers) at time *t*. Communism and slavery are proxies for long-term historical processes in the nature of workers lives, social structures and certainly time and place-specific opportunities. Put from the perspective of the workers: these two variables are indicators of how workers lived and what forms of resistance, family relations and social interactions they did or could engage in and to what degree.

Worker agency therefore differentially shaped the nature of society and political change in some generalizable ways between these two variables; and, at least in theory, the variables then indicate something about how workers constituted society 'from below'. Simply put, the variables do not reflect an observation of a country at an exact moment in time.

Even if the reader accepts communism and colonial slavery as variables measuring worker agency by proxy, there is undoubtedly great uncertainty in measurement from a statistical perspective because the main parts of my concept (the daily lived experiences, coping mechanisms, resistance tactics and achievements despite repression of workers) go largely unmeasured. Applying this empirical strategy to nearly all countries of the globe trades off accuracy for generalizability. Future studies might find ways to reduce measurement error with finer coding schemes such as different legal steps in the process ending slavery or key events that led to communist revolution from below. This study is a small step to focusing macro-comparative social policy research on worker agency. Yet, if readers are not convinced that these two variables measure worker agency, the analyses in this study none the less provide strong statistical evidence that communism and slavery have a correlation with the introduction of full-coverage blue-collar laws. This on its own could merit further investigation. It could be contextualized as part of how to explain policy developments in the Global South and move discussions beyond a Eurocentric research agenda (Edwards, 2020). Either way, these two variables demand further clarification both theoretically and empirically moving forward.

It is also of note that the effects of communism and slavery as variables should not be considered large, but more moderate as each predicts a 4 or 3-year faster transition to a full-coverage blue-collar work-injury law. Moreover, this has been a legal analysis. The introduction of risk-pooling laws, provident fund and/or social insurance that guaranteed protection on paper, did not ensure protection for all workers in practice. In societies using enslaved worker production in African colonies for example, existing laws did not recognize native Africans as 'workers' (Breznau & Lanver, 2020) thus rendering the first risk-pooling laws ineffective for natives. Important for the historical perspective contained herein as well, is that communist rule was not necessarily equally beneficial for all workers. For example, in the Soviet Union and China, there were additional laws and practices that led to a highly stratified application of work-injury protection and replacement rates (Madison, 1964).

A recent report by the ILO (2014) suggests that only about 51% of the global labour force is *de facto* covered by work-injury protection on average, with a huge range from around 4% in Nepal and Rwanda, to around 50% in Greece and Egypt, and up to 80% in Liberia and Hungary. Only in Poland and New Zealand do a full 100% have coverage. Worker agency should also play a role in explaining this gap, but this requires data to measure features of societies that lead to segmentation such as clientelism, familialism, patrimonialism and state capacity. It also calls for more fine grained measures of coverage and replacement rates for far more countries than we currently have (especially prior to 1995, see ILO, 2014).

On a final note: this paper could be written with "labour movements" or "working-class organization" in lieu of "worker agency". Especially because it is easier to argue that communist governance is an enabler and slavery an inhibitor of organized worker movements, at least in terms of how successful these movements can be. I would argue that making this language switch, however denotatively parsimonious, would be to dichotomize the lives, experiences and resistance of workers into 'movement' and 'not movement'. It would suggest that formally organized resistance tactics are the only ways that workers cause policy change, and this I believe is false. This would cast aside the institutional, cultural and normative impacts on society that workers' subjective and agentic realities cause and are part of; realities that often indirectly led to paradigmatic social policy changes because they affected the nature of society itself. The lived experiences of workers should be seen as much as a cause of labour movements as being shaped by those movements. These experiences should also be seen as causes

of modernization, political competition over power resources and generating, spreading and shaping ideas that lead to policy change as much as being shaped by these processes.

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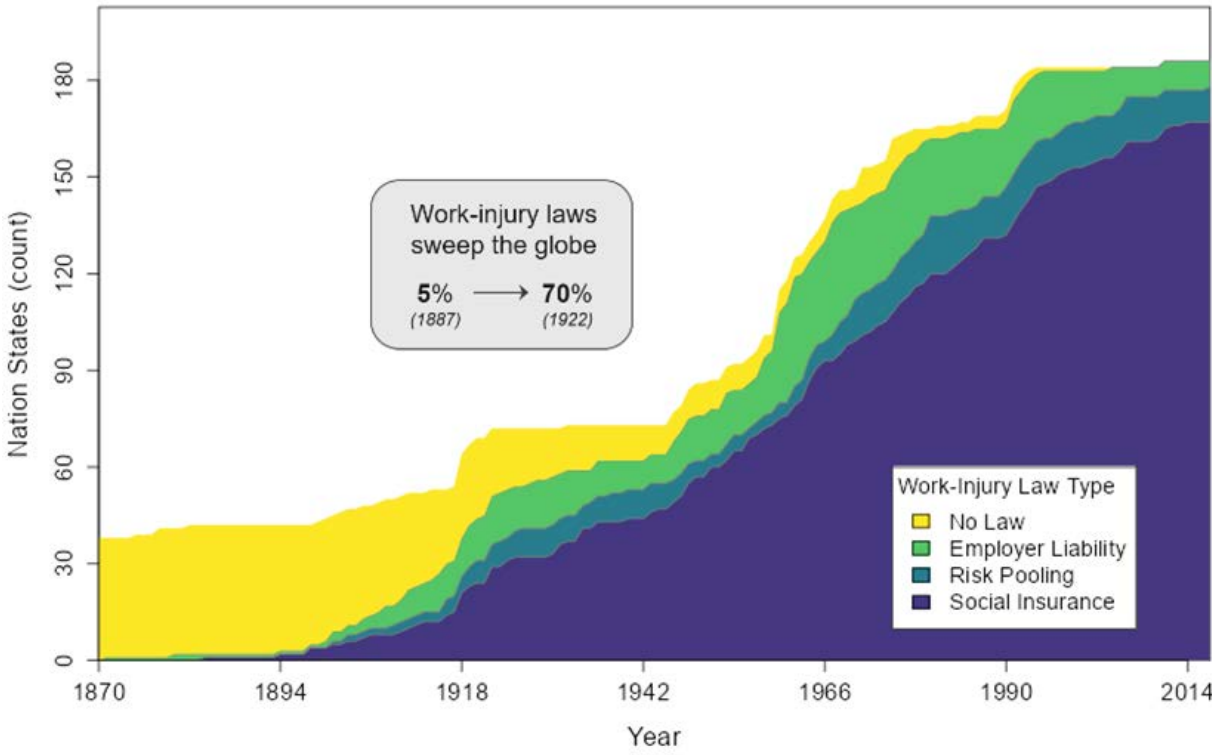
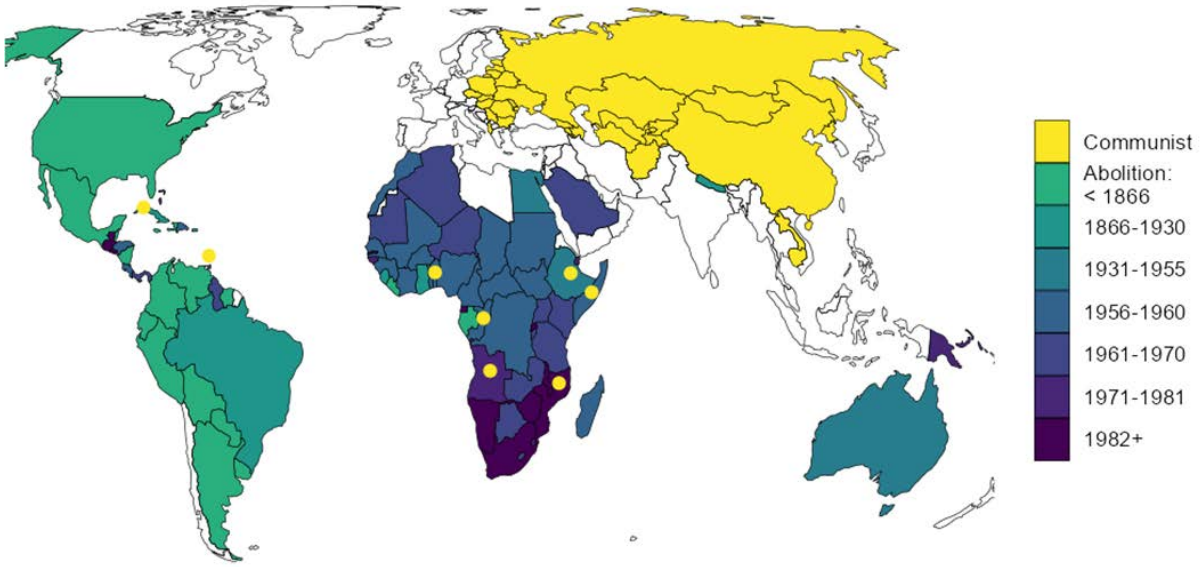
Appendix 1.
The global introductions and developments of work-injury law



Source: GWIP (Breznau & Lanver, 2020).

Appendix 2.
Communism and abolition year by country



Note: Abolition is when slavery and forced labor legally ended
Source: GWIP v1 .0 (Breznau and Lanver 2020); Legal Slavery v1 (Rosling 2018) adapted by Author.

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Appendix 3.
OLS regression results for work-injury laws and years between, 186 countries

	First Law 1	**First Law 2**	**First Full-Law 1**	**First Full-Law 2**	**Years Between 1**	**Years Between 2**
Predictors	*Estimates*	*Estimates*	*Estimates*	*Estimates*	*Estimates*	*Estimates*
GDP	7.00 ***	8.78 ***	1.73	3.36	-0.49	-0.86
pre-1923	-46.35 ***	-43.77 ***	-36.01 ***	-33.76 ***	6.35 *	5.93
Democracy, post-1923	0.56 *	0.68 **	-0.80 *	-0.64	-1.37 ***	-1.36 ***
Democracy, pre-1923	-1.02 **	-0.74 *	-0.00	0.21	1.32 ***	1.23 ***
Communist		12.97 ***		10.94 **		-3.48
Abolition Year		0.06 **		0.07		0.01
No Slave Production		0.05		0.00		-0.04
Observations	186	186	186	186	186	186
R^2 / R^2 adjusted	0.590 / 0.581	0.670 / 0.655	0.387 / 0.373	0.429 / 0.404	0.124 / 0.105	0.137 / 0.098

** p<0.1 ** p<0.05 *** p<0.01*

Note: intercept and Abolition Year*No Slave Production coefficients omitted as they have no substantively meaningful interpretation and only assist in effect identification. Thirteen countries without First Full-Law by 2019 are recoded to 2019 for First Full-Law and 60 years for Years Between as a robustness check to the main results.

Appendix 4.
OLS regression results adjusting for countries that include both communism and slave production histories

	First Law 1	**First Law 2**	**First Full-Law 1**	**First Full-Law 2**	**Years Between 1**	**Years Between 2**
Predictors	*Estimates*	*Estimates*	*Estimates*	*Estimates*	*Estimates*	*Estimates*
GDP	6.10 ***	7.85 ***	-0.50	0.26	-4.17 ***	-4.96 ***
pre-1923	-46.51 ***	-43.56 ***	-36.80 ***	-35.53 ***	7.66 ***	6.10 **
Democracy, post-1923	0.70 *	0.83 **	-0.42	-0.21	-1.02 ***	-0.96 ***
Democracy, pre-1923	-1.12 **	-0.77 *	-0.72	-0.51	0.80 **	0.70 **
Communist		14.66 ***		11.19 **		-2.42
Abolition Year		0.06 **		0.12 ***		0.04
No Slave Production		0.05		-0.06		-0.09 **
Observations	183	183	183	183	183	183
R^2 / R^2 adjusted	0.583 / 0.573	0.663 / 0.648	0.413 / 0.400	0.464 / 0.440	0.192 / 0.174	0.223 / 0.188

** p<0.1 ** p<0.05 *** p<0.01*

Note: intercept and Abolition Year*No Slave Production coefficients omitted as they have no substantively meaningful interpretation and only assist in effect identification. Ten countries where Communist = 1 and No Slave Production = 0 appear in the data twice, once as Communist = 0 and the other as No Slave Production = 1 and the First Full-Law variable recoded to the year of independence – 2 and Years Between adjusted accordingly. Standard errors then robust clustered by country.