

Trade unionism and social pacts in Spain in comparative perspective

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journals.sagepub.com/home/ejd**Marcial Sánchez Mosquera**

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Abstract

In this article, I contribute to the comparative literature on trade unions and social pacts, through an analysis of Spanish experience between 1996 and 2016. First, I specify the phases of agreement ('competitive corporatism') and confrontation. Second, I examine the impact of the agreements and the subsequent breakdown of tripartite social dialogue on the two most representative trade unions. This makes it possible to explain why these unions accumulated so little strength during the period of consensus, and their evident weakness and the risks they have faced since the start of the crisis and the turn to confrontation.

Keywords

Collective bargaining, competitive corporatism, economic crisis, employers, labour disputes, most representative unions, organizations, Southern Europe, Spain

Introduction

Trade unions in Western Europe in the last 30 years have lost membership density, representation and collective bargaining power. Despite these losses, however, in many countries, they still benefit from institutional power resources. The literature on tripartite social pacts shows the vital importance of such agreements for these organizations, as well as the influences on the type of pacts signed and the sequencing of agreement and confrontation.

In Spain, as in other Southern European countries, social pacts have been especially important. From the beginning of the present democracy, the two major union confederations, *Comisiones Obreras* (CC.OO) and *Unión General de Trabajadores* (UGT), have undergone significant development and achieved institutional presence through social pacts (Guillén Rodríguez and Gutiérrez Palacios, 2008). Social concertation was also a

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key factor in the governance of the country from the transition to democracy in 1977 until accession to the then European Economic Community in 1986 (Alonso, 2007; Martínez Lucio, 1998; Molina and Miguélez, 2013; Molina and Rhodes, 2011).

Taking social concertation in its broadest sense and at different levels (from macro to micro), the literature indicates a positive impact on unions. Among the institutional factors, participating in social pacts can have the beneficial effect of involvement in the development of specific policies (training, gender equality), and their administrative role may bring corresponding funding. Beneyto (2008) suggested that this was the Spanish case. However, as well as policies agreed by consensus, subsequent policies implemented unilaterally by governments must also be taken into account, since these contributed to the deregulation and flexibilization of labour markets.

In this article, I focus on the two ‘most representative’ Spanish trade unions, CC.OO and UGT. These confederations have the exclusive capacity to conclude an agreement with the national government. The most important reason is that representation through workplace elections, not union membership in itself, is the exclusive instrument for measuring representation. I examine their participation in tripartite social pacts, with two distinct phases, consensus (1996–2009) and confrontation (2010–2016), in a comparative Western European perspective. Despite some specific agreements in Spain, such as the pact on pensions in 2011, and also in Portugal (Campos Lima and Martín Artilles, 2011), the general relationship since 2010 has clearly been one of confrontation. The widespread crisis of corporatism has created a disturbing scenario for European trade unions, and especially for those in Spain.

In the following section, I review the literature which analyses the situation of trade unionism in Western Europe. This is complemented by an examination of the key incentives and outcomes of the social pacts developed from the 1990s onwards. In this respect, the concept of ‘competitive corporatism’ (Rhodes, 2000) is particularly important. A review of the breakdown of consensus and move to confrontation that began in 2009 completes this section. After this, I present the case of the Spanish unions in a comparative perspective. The results of this analysis are considered in the following sections, in which worker representation through elections, collective bargaining coverage and confrontation are examined. After analysing the changed role of the unions during the phase of crisis and confrontation (2010–2016), I consider the possible strategies of unions that are as dependent on the (tripartite and bipartite) institutional role as is the case in Southern Europe.

The study leads to the conclusion that the long period of social pacts did not sufficiently empower the main Spanish trade union organizations, dependent on consensus with the incumbent government, which did not accumulate enough strength to change government policies that they have considered to be regressive and detrimental, above all socially and in terms of employment.

Theoretical framework: trade unions, competitive corporatism and crisis in Western Europe

Trade unions in Western Europe have greater representation and capacity to intermediate and conclude collective agreements than in any other region in the world. Since 1980, however, most have experienced continuous decline in numbers and a weakening of their

position. Over the past decade, density in many countries has fallen to the rates of the 1950s. Likewise, collective bargaining coverage has contracted, though less radically (Waddington, 2015). This weakening has affected unions' capacity for representation and intermediation, with an evident effect on social dialogue.

The factors that explain this decline are to be found in the poor economic growth of the 1980s and 1990s, the persistence of relatively high unemployment, supply-side policies and economic deregulation, and the new competitive demands and deregulation of markets. The increasing internationalization of the economy undermines state regulatory frameworks and, consequently, makes national tripartite agreements less effective. This has led to a series of institutional changes that have justified privatization (Alonso, 2007: 198) and have reinforced managerial authority (Rocha, 2014). The dominant economic policy has embraced a vision of the market as a self-regulating mechanism for relationships between individuals, and corporate profits as the origin of economic growth and employment: a managerial viewpoint, according to which labour is secondary and dependent on economic and technological factors, and never an essential element for economic and technological development (Alonso, 2007: 63). By taking on board, at least in part, this view, European social democracy has contributed to undermining the traditional alliances between trade union confederations and major left-wing parties. Unions should therefore maintain a more independent position (Hyman and Gumbrell-McCormick, 2010; Martínez Lucio, 2008: 125). On the other hand, the financialization of the economy has made governments increasingly susceptible to the demands of the financial sector to deregulate industrial relations (Prosser, 2014). Finally, dependence on international institutions and the EU has generated external pressures in favour of austerity and flexibility policies, especially on the governments of Southern European countries, affected by the sovereign debt crisis and their external financing needs (Molina, 2014: 22).

The transformations outlined above affected social pacts, which did not disappear, but certainly changed. In Western Europe from the late 1980s, and above all in the 1990s, tripartite agreements were notably different from the general agreements on income, welfare and demand-side policies developed in the 1960s and 1970s, which coincided with the period of greatest membership and union power.

This new 'competitive corporatism' (Rhodes, 2000: 165) or 'supply-side corporatism' (Siegel, 2005:107; Traxler, 1995) has the basic aims of creating employment and preserving the economic viability of the welfare state. In the countries where they have taken place, competitive social pacts have promoted less radical and less harmful forms of deregulation and flexibility through 'least-worst options' (Gumbrell-McCormick and Hyman, 2013: 117). These pacts also have a lower political and economic cost for governments and companies and, moreover, they have fragmented and decentralized bargaining towards the local/regional and sectoral levels (Alonso, 1994: 47–50).

These competitive pacts spread in the 1990s, above all in countries with high unemployment, favoured by the profound institutional reforms and macroeconomic changes the EU demanded from Member States, and by the economic crisis of the first years of the decade (Baccaro and Simoni, 2008: 1341–1343; Hancké and Rhodes, 2005; Rhodes, 2000: 166–167). In Italy, Ireland, Greece, Portugal and, initially, the Netherlands the 'orthodox' criteria of economic convergence of the Maastricht Treaty were met through forms of tripartite agreement (Regini, 2003: 258). Furthermore, the European

Employment Strategy recommended national adaptation to its prescriptions by means of social pacts. Collective bargaining has also been subject to directives issued by Brussels requiring flexibility (Léonard, 2005). The EU backed a tripartite and bipartite institutional design centred on criteria that clearly favour employers and competitiveness.

Nevertheless, the political situation and the institutional framework of each country also played a key role, in which the anticipated electoral costs and the correlation of forces between social agents and the government were determining factors (Hamann and Kelly, 2007). Experience in Spain, and also in Italy (Molina, 2005) is illuminating in this respect. Despite a series of pacts in the early post-Franco years, adherence to the Maastricht Treaty and the fact that it suffered high unemployment since 1993, Spain did not join the wave of 'new' social pacts until 1996 (Molina and Rhodes, 2011: 182–185). This highlights, therefore, that the combined factors of weak governments and an intermediate level of union centralization were conducive to signing social pacts (Avdagic, 2010, 2011). These have enabled an improvement in the major unions' institutional position in the system of labour relations through participation in corporatist agreements, as can be observed in Southern European countries, and especially in Spain (Molina, 2005, 2006, 2014). More generally, the weakness of the social actors, particularly the unions, has been seen as favouring the conclusion of such agreements (Baccaro and Lim, 2007; Zambarloukou, 2006).

The culminating point was reached in 1996, with the greatest prevalence of negotiated and signed tripartite agreements since the late 1970s. Viewed as a whole, social dialogue in Europe was more widespread in the period 1990–2007, during which there were 80 negotiations and 54 social pacts were concluded, than between 1970 and 1989, when there were 70 negotiations and 34 social pacts were signed (Visser and Rhodes, 2011: 63–69).

In 2008, at the outset of the economic crisis, neo-Keynesian policies were initially implemented in many European countries, as an alternative to the supply-side policies, competitiveness and deregulation underway since the 1980s. The unions hailed the return of demand-side policies that could lead, as in earlier times, to a reinforcement of social protection systems and improvements in employment.

However, in 2009–2010, the EU authorities and Member State governments initiated policies of labour market deregulation and fiscal stringency (adjustment and reduction of social expenditure). The EU, through the Council and the Commission, the European Central Bank (ECB), and the International Monetary Fund (IMF) (the so-called Troika) has promoted large-scale adjustment policies based on internal devaluation, in a context dominated by high unemployment, government deficits and public debt. In Southern European countries, repeated measures to deregulate their labour markets have accompanied and favoured such internal devaluations (Marginson, 2015: 107–108). Unions have refused to endorse these policies. Despite the fact that they had been part of the competitive consensus, they were left with no room whatsoever for negotiation. Corporatism has entered a generalized crisis (Urban, 2012).

In spite of the tradition of consensus, social dialogue in Ireland was cut short in 2009 by the unilateral government decision to raise taxes, lower the salaries of public employees and reduce pensions (O'Donnell et al., 2011). In Finland, raising the retirement age led to a general strike. In the Netherlands, the trade union confederation FNV did not accept the increased retirement age. In the first half of 2009, the unions in France, Ireland and Finland called general strikes. The exception was Belgium, with an agreement that

included measures to provide workers with support in response to the crisis (Hyman, 2010: 4–8), although in 2012, the unions called a general strike against the reform of unemployment protection.

The Southern European countries soon joined this wave of general strikes. These took place in Italy in 2009, 2011 and 2014, although not all of these involved all three of the main union confederations. In Greece, the tremendous economic recession and the dissension between the union confederation and the government led to a succession of general mobilizations, and in 2013, there were more than 30. In Spain and Portugal, in spite of the social pacts signed in 2011, in what has been called an ambiguous union strategy that combined agreement and confrontation (Campos Lima and Martín Artilles, 2011), the general trend of the period has been significant confrontation. In Portugal, the unions called a general strike in 2010 against the state budget, and they continued with other general strikes in 2011, 2012 and 2013 against the policies and reforms being implemented. There have been three general strikes in Spain, one in 2010 as a response to labour market reform, and two in 2012 against the prevailing economic policy and further labour market reform. The general strike of 14 November 2012 took place within the framework of a call for strikes by the European Trade Union Confederation (ETUC), as a day of ‘Euro-Mediterranean’ protest and opposition to austerity policies (González Begega and Luque Balbona, 2014). In the southern countries, labour reforms have constituted a frontal assault on the intermediary role of the unions, as they have significantly weakened collective bargaining, above all at sectoral level, and they have strengthened employers’ unilateralism (Cruces et al., 2015; Rocha, 2014).

The Spanish unions: analytical approach and variables

The belated participation of the Spanish organizations in tripartite social dialogue is nevertheless representative of the cycles of agreement and dissension developed in Western Europe, and particularly in the southern countries. Furthermore, the national social pacts (and also regional agreements) reached in Spain from 1996 to 2009, and the one signed in 2011, clearly match the concept of competitive corporatism.

I develop an analysis of the Spanish unions in a comparative perspective with Western Europe for the period 1996–2015, divided into two stages: consensus and confrontation. The variables of analysis selected are, first the overall economy and the labour market, such as the annual variation in per capita gross domestic product (GDP) and the rate of unemployment. It is interesting to locate the stages (and intensity) of growth and contraction of the national economies (and unemployment).

Second, in order to examine changes in the unions, the variables chosen were membership density, collective bargaining coverage, worker representation (union elections) and the level of disputes. Spain had a model of union representation with high rates of collective bargaining coverage and low union density, quite common throughout Southern Europe, in which we can include France, Portugal and Italy (Beneyto, 2008: 67). The variables have been analysed from 1979 to 2014. This period exceeds the chronology of the study, but enables us to take into account the changes prior to the stage of competitive consensus, and also to establish an overall average (1979–2014) as a benchmark. Only the results of Spanish union elections are discussed, as this is not a homogeneous criterion of representativeness in Europe and as these results are significant in themselves.

Table 1. Union density in Western Europe (%).

	1979–1983	1984–1988	1989–1993	1994–1998	1999–2003	2004–2008	2009–2013	1979–2013
AT	55.4	50.6	45.6	40.0	36.1	31.5	28.0	41.0
BE	50.2	49.0	51.2	52.5	55.3	54.3	54.8	52.5
DE	35.1	34.0	33.1	28.1	24.0	20.7	18.2	27.6
DK	79.2	76.3	75.2	75.8	72.9	68.7	67.0	73.6
ES	12.4	12.4	15.1	17.1	16.4	15.4	17.1	15.1
FI	68.6	70.2	76.0	79.7	74.4	70.5	69.2	72.7
FR	17.6	12.8	9.8	8.5	8.0	7.6	7.7	10.3
EL	39.0	37.5	35.8	29.3	24.9	23.9	22.1	30.4
IE	56.9	52.7	51.1	44.9	36.1	32.2	33.9	44.0
IT	47.9	41.6	39.0	37.2	34.4	33.9	36.3	38.6
NL	33.5	26.7	24.6	24.8	22.2	20.2	18.8	24.4
NO	57.6	56.9	58.1	56.5	54.5	53.9	53.2	55.8
PT	53.2	41.3	28.1	25.1	21.7	21.0	19.1	29.9
SE	78.4	82.8	84.0	84.7	78.9	73.5	68.4	78.7
UK	51.3	45.8	39.7	33.4	29.6	27.4	26.5	36.2

Source: Visser, 2015.

State, competitive consensus and labour market dualism, 1996–2009

As with other Southern European countries with an authoritarian past, the state exerted a considerable role in the Spanish system of labour relations (Molina, 2007: 466). Until the 1980s, tripartite pacts regulated the labour market, collective bargaining, the institutional role of the social actors and the basis of their power; and also the management of the welfare system (Guillén Rodríguez and Gutiérrez Palacios, 2008: 173). The pacts soon had a clear supply-side orientation, fostering flexibility and deregulation, compensated by a universal social protection system. This orientation towards the market was accepted by the unions in order to preserve social dialogue (Martínez Lucio, 2016).

In almost all of Western Europe, union membership rates have fallen regardless of whether there were stages of consensus or dissension, as Table 1 indicates. This fall was more drastic, however, after the breakdown of competitive consensus in the 1990s.

In Spain, dissension did not entail a radical reduction in the already comparatively low levels of membership. Indeed, Spanish union was actually from the 1990s than before. The fact that the trend has been positive reflects not only the exceptionally low starting point but also the concentration of membership among workers less affected by unemployment ('insiders') in a context of a radical increase in unemployment. The period 1994–1996, a time of high unemployment rates, also saw a higher rate of unionization than the overall average for 1979–2013. Because total employment declined, density has risen somewhat but total membership has fallen. The main deterioration in the position of the Spanish unions has been in terms of influence and funding. After confrontation with the *Partido Socialista Obrero Español* (PSOE) governments between 1987 and 1996, the two main confederations lost almost 40,000 delegates in the 1994–1995 union elections, as Table 2 shows. Out of a smaller total of delegates, CC.OO increased its percentage slightly but UGT lost substantially, while smaller unions gained correspondingly.

Table 2. Number and percentage of workplace delegates elected, 1990–2015.

	Delegates	CC.OO		UGT		Others	
		Number	%	Number	%	Number	%
1990	237,261	87,730	36.9	99,737	42.0	49,794	20.9
1995	204,586	77,348	37.8	71,112	34.7	56,126	27.4
1999	260,285	98,440	37.8	96,770	37.2	65,975	25.0
2003	280,396	109,431	39.0	102,93	36.7	68,055	24.3
2007	310,231	121,556	39.2	114,269	36.8	74,406	24.0
2011	308,188	116,414	37.8	110,228	35.8	81,546	26.5
2015	261,237	94,263	36.1	85,917	32.9	81,057	31.0

Source: Jódar, 2013: 543 and *Secretaría de Organización y Comunicación Comisiones Obreras*.

The government's unilateral reform of the labour market in 1994 favoured disorganized decentralization (Molina, 2005: 17), with very high rates of temporary contracts from the beginning of the 1990s (almost triple the EU average). The result was damaging for the unions, whose representation was based on the election of workers' delegates in a fragmented and dual labour market. In this context, the major unions were the most interested in rejoining the social consensus. They avoided signing comprehensive agreements, which entailed policies of short-term cuts and at a great cost to their prestige and credibility (Molina, 2006), and opted for fragmented pacts, including one intended to recentralize and articulate collective bargaining (Molina, 2005: 22). This was a 'functional adaptation' to the situation in which ideological independence and the provision of services to existing members received priority, to the detriment of their socio-political profile (Martínez Lucio, 2008: 125). This change was particularly evident in CC.OO. The new Spanish conservative government, for its part, was also interested in restoring social consensus; moreover, the positive attitude of *Confederación Española de Organizaciones Empresariales* (CEOE, the Spanish Confederation of Employers' Organizations) towards the reforms that *had* to be carried out, and the beginning of economic recovery and the consequent generation of resources, were also contributory factors.

This phase, consequently, produced a number of tripartite agreements of a competitive nature. These were the *Acuerdo sobre consolidación y racionalización del sistema de seguridad social* (agreement on the consolidation and rationalization of the social security system, 1996), *Acuerdo de formación continua y profesional* (agreement on continuous vocational training, 1996, renewed every 4 years), *Acuerdo para el empleo y la protección social agrarios* (agreement on employment and social protection of agricultural workers, 1996), *Acuerdo extrajudicial de resolución de conflictos* (agreement on voluntary dispute resolution, 1996), *Acuerdo para la estabilidad en el empleo y sobre negociación colectiva* (agreement on employment stabilization and collective bargaining, 1997), *Acuerdo sobre trabajo a tiempo parcial* (agreement on part-time work, 1998), *Acuerdo sobre formación continua* (agreement on continuous training, 2000), *Acuerdo sobre la solución extrajudicial de conflictos laborales* (agreement on voluntary dispute resolution, 2001), *Acuerdo para la mejora y el desarrollo del sistema de seguridad social* (agreement for the improvement and development of the social security system, 2001)

and *Acuerdo de negociación colectiva* (agreement on collective bargaining, 2002) (González Begega and Luque Balbona, 2014: 87; Guillén Rodríguez and Gutiérrez Palacios, 2008: 175).

The reform of collective bargaining in 1997 did not go as far as the recentralization and articulation the unions aspired to, given that they were especially weak in small and medium-sized enterprises. Elements of fragmentation and a lack of articulation persisted, and reform was more superficial than real (Molina, 2007). However, an intense period of bipartite social concertation between unions and employers' organizations was initiated, which continues up to the present in the form of agreements within a national collective bargaining framework. There was only one important disruption of the social dialogue during this period, caused by the government proposal for changes to employment protection and unemployment benefits in spring 2002 and the consequent general strike in June.

In 2004, with a new PSOE government, social dialogue was re-launched. Two years later, an agreement was reached on labour market reform (*Acuerdo para la mejora del crecimiento y el empleo*) which, although it limited the concatenation of temporary employment contracts, also consolidated and extended the flexibility achieved by the conservative governments in terms of workers joining and leaving companies. The agreements, from thereon, were extended in areas such as support for those caring for dependent family members, equality for women and a reform of social security (González Begega and Luque Balbona, 2014: 87; González Fernández, 2010: 122–126).

There was a reduction in the percentage of workers covered by collective bargaining, starting in 2004 during the stage of competitive consensus, when the inter-confederal collective bargaining bipartite agreements were in full force. This contrasts with experience elsewhere: coverage has been relatively stable between 1979 and 2013 in Austria, Belgium, Denmark, Ireland, Italy, Norway and Portugal, and has even increased in Finland, France and the Netherlands. There has been a fall, however, especially in the confrontation stage (2009–2013), mainly in Germany, the United Kingdom and Greece, and to a lesser extent in Spain, Sweden, Norway and Ireland (see Table 3).

In Spain, the period of social pacts coincided with economic growth based on investment in infrastructure and construction. But the country's economy suffered important shortcomings with a clear impact on the level and quality of employment: sectoral specialization with low or intermediate technology and low added value, fragmentation of the labour market, low levels of productivity, significant inequality in incomes, associated with wage moderation and stagnation, and high private debt (companies and families) (Prieto, 2014; Rocha, 2014). These are structural characteristics that explain the unbalanced growth in the expansion phase and the profound recession and the substantial impact on the labour market after the onset of the crisis. In the period 2008–2011, growth in real GDP per capita fell by 1.7 percent, leading to an increase in unemployment of 8 percentage points (Table 4). This substantial deterioration in the labour market was related to the previous high rate of temporary contracts, over 20 percent, and this also explains why the rates of unionization and collective bargaining coverage did not receive a boost in the expansionary phase of the cycle.

The onset of the economic crisis initially reinforced tripartite social dialogue. At this time, the PSOE government introduced the *Plan Español para el Estímulo de la Economía y el Empleo* (Economic and Employment Stimulus Plan), with an increase in

Table 3. Collective bargaining coverage in Western Europe (%).

	1979–1983	1984–1988	1989–1993	1994–1998	1999–2003	2004–2008	2009–2013	1979–2013
AT	95.0	95.0	98.0	98.0	98.0	98.0	98.0	97.1
BE	96.0	96.0	96.0	96.0	96.0	96.0	96.0	96.0
DE	85.0	85.0	85.0	76.2	68.5	63.4	59.3	74.6
DK	82.0	83.0	82.9	85.0	85.0	83.3	83.0	83.5
ES	79.0	86.0	87.0	92.4	82.0	76.9	78.3	83.1
FI	70.0	77.0	85.0	83.0	89.0	89.0	86.0	82.7
FR	78.9	87.8	94.9	93.4	ND	97.9	98.0	91.8
EL	ND	85.0	85.0	85.0	82.0	82.4	60.0	79.9
IE	ND	ND	ND	ND	44.2	41.7	40.5	42.1
IT	80.0	80.0	80.0	80.0	80.0	80.0	80.0	80.0
NL	77.5	73.0	75.0	80.0	85.1	79.2	85.5	79.3
NO	70.0	70.0	70.0	71.0	70.5	70.0	67.5	69.9
PT	70.7	75.0	78.0	77.5	75.4	82.0	75.4	76.3
SE	88.0	91.0	91.0	94.0	94.0	92.5	88.5	91.3
UK	68.0	64.0	47.0	36.9	35.7	34.2	30.7	45.2

Source: Visser, 2015.

expenditure intended to encourage growth and restrain unemployment. The sound public finances and reduced public debt at this time made these neo-Keynesian measures possible. The major unions supported these measures, which they interpreted as being in the general interest and which favoured them particularly, following a strategy centred preferentially on institutional relations, as opposed to other alternatives for strengthening their organizations, as did other Southern European unions (Molina, 2014: 35). Throughout 2009 and the first months of 2010, social dialogue remained active in Spain, although without agreements being reached given CEOE's reluctance to endorse fiscal stimulus policies.

The number of delegates obtained in the electoral processes certainly showed clear advances for the majority organizations in the stage of competitive consensus. The start of the crisis and confrontation, conversely, coincided with a marked downward trend until the worst result of the series was reached in 2015, with a clear relative advance of the minority organizations and non-union delegates reaching 31 percent. This included both the advance of company and sector unions, a development already evident in the 1990s (Alonso, 1994) and more radical minority unions.

Confrontation and the breakdown of competitive consensus, 2010–2016

The fiscal stimulus policies proved totally ineffective in terms of stimulating economic growth and curbing the rise in unemployment. The financial year 2009 saw a 4.4 percent fall in real GDP per capita, while unemployment increased by 6.6 percentage points. As a result of increased public spending and the fall in revenue, there was a marked increase in the budget deficit, as well as an equally rapid growth of the national debt, resulting in the so-called 'public debt crisis'.

Table 4. Change in real GDP per capita and unemployment rate (UR), %.

	1996–1999		2000–2003		2004–2007		2008–2011		2012–2014	
	GDP	UR	GDP	UR	GDP	UR	GDP	UR	GDP	UR
EU 28	2.5	ND	2.0	9.0	2.3	8.4	-0.3	8.8	0.2	10.5
Eurozone	2.3	10.1	1.5	8.7	2.0	8.6	-0.5	9.4	-0.3	11.7
AT	2.8	4.6	1.4	4.3	2.4	5.3	0.4	4.7	-0.1	5.3
BE	2.5	9.1	1.4	10.0	2.3	8.2	-0.1	7.6	0.0	8.2
DE	1.5	9.1	0.8	8.5	2.3	10.1	1.0	7.0	0.5	5.2
DK	2.4	5.4	1.0	4.7	2.1	4.5	-1.3	6.1	-0.1	7.0
EL	3.1	11.6	4.0	10.5	3.4	9.5	-5.0	12.0	-2.8	26.2
ES	3.4	17.1	2.7	11.4	1.9	9.2	-1.7	17.6	-0.8	25.1
FI	4.6	12.2	2.7	9.3	3.6	8.0	-1.0	7.7	-1.4	8.2
FR	2.3	10.4	1.2	8.2	1.6	8.7	-0.2	8.8	-0.1	10.1
IE	9.6	8.7	4.8	4.3	3.2	4.5	-2.2	11.8	2.0	13.0
IT	1.6	11.2	1.3	9.0	0.9	7.2	-1.6	7.8	-2.1	11.8
NL	3.8	5.9	1.1	3.8	2.6	5.2	-0.2	4.5	-0.5	6.8
NO	3.1	3.7	1.3	3.6	2.2	3.7	-1.2	3.2	0.8	3.4
PT	3.7	6.8	0.8	6.0	1.5	8.7	-0.7	11.1	-0.9	15.4
SE	3.2	8.6	2.4	6.0	3.3	7.1	-0.1	7.7	0.2	8.0
UK	2.8	6.7	2.7	5.1	2.0	5.1	-1.1	7.3	1.4	7.2

Source: Eurostat.

In May 2010, the PSOE government, under pressure from the EU (which had a key role in financing the public debt) made a U-turn in economic policy, implementing budgetary adjustment measures, and it committed itself to a set of reforms aimed at liberalizing markets, and in particular the labour market: in other words, deregulating. The unions responded with a general strike in September 2010. In 2011, however, a tripartite agreement was reached to reform the pension system. This involved raising the retirement age, restricting eligibility for maximum benefits and cutting the average income of future pensioners. This agreement, presented as the precursor of another more ambitious agreement to address the economic crisis, did not restore social concertation despite the interest shown by the unions.

After the victory of the *Partido Popular* (PP) with an absolute majority in the 2011 general election, a strong conservative government was formed that confirmed budgetary restrictions and deregulation. The government had no interest in negotiating its economic policy, and its unilateral reforms also affected the bipartite agreements between the major unions and the employers' organizations (Molina and Miguélez, 2013). The labour reforms undertaken in Spain in 2012, like those in Portugal in 2011 and 2012 (partially reversed by the current centre-left government) and Greece (2010 and 2012), confirmed the return of state unilateralism in the regulation of industrial relations, which poses important questions about the autonomy of collective bargaining and the role of unions (Molina, 2014: 22–27). New regulations reinforced the decentralization of collective bargaining and even the unilateralism of employers in the interests of flexibility.

In a context marked by a fragmented and divisive approach by employers and a weak representative structure, these changes have favoured the ‘decollectivization’ of labour relations and authoritarianism (Rocha, 2014).

The unions called two general strikes, in March and November 2012. The impact, although greater than in 2010, was limited, with an estimated participation of less than 25 percent (González Begega and Luque Balbona, 2014: 96). None of the three general strikes altered the direction of government policies in the slightest. The absence of further strikes in the next years confirmed this ineffectiveness. Meanwhile, the overall level of labour disputes, measured by working days lost has followed the general Western European trend of constant decline, unaltered despite the onset of the crisis and the breakdown of competitive consensus. In 2002 and again in 2004, over 4 million days were lost in strikes in Spain. Since then the decline has been almost continuous, with under half a million days lost in 2015.

The productive structure, dominated by small and micro enterprises, the growing dualism of the Spanish labour market and the tradition of consensus have meant that the unions’ capacity to mobilize workers and channel industrial and social conflict into strike action has been significantly curtailed. Conflict and unrest have been redirected towards demonstrations and protests, including citizen protests (related to social and labour, as well as political issues), particularly those fostered by movements such as the *Indignados* or *Movimiento 15-M*, which emerged in May 2011 and from which has developed a new left-wing party, *Podemos*. In 2007, there were around 10,000 demonstrations, of which over 2000 were motivated by labour issues. In 2012, the total rose to 45,000 and up to 15,000 were motivated by labour issues (González Begega and Luque Balbona, 2014: 97). The demonstrations are composed of a wide range of citizens, not just workers, and they do not take place in the workplace. Furthermore, the unions are not the main organizers and leaders of these protests.

The last attempts to restore consensus have failed. The declaration made by the government and the social parties in July 2014 calling for the resumption of social dialogue (Rocha, 2014: 202) came to nothing. In November 2016, the unions tried to reopen a productive social dialogue, but this was rejected by the PP government, now with a weak position in parliament.

Discussion: the breakdown of consensus, assessment and alternatives

The major Spanish unions, like those in other European countries, have been in an unfavourable environment since the 1990s. The breakdown of competitive consensus and government unilateralism over the last 6 years have only exacerbated the situation and hindered union action. Competitive social concertation and institutional resources had enabled them, from the second half of the 1990s, to expand their influence over and above that of the unions in other Southern European countries (Beneyto, 2008: 68–73). Hence, the current interest in restoring consensus. The main unions have attempted this in 2011, 2014 and 2016, but without success.

The changes in the patterns of conflict analysed have affected and will affect any social pacts that may be signed by the Spanish unions in the future, and also their organizational

model. But they are also affected by a labour market that is especially fractured and dualized (Fernández Rodríguez et al., 2016: 268; Martínez Lucio, 2008: 123) and a collective bargaining framework which, as in other countries with a strong statist tradition (Portugal and Greece), has once again swung towards state interventionism (Molina, 2014), authoritarianism and employer unilateralism (Rocha, 2014). The debate goes well beyond the old duality of confrontation or agreement, or between giving priority to services to union members or socio-political mobilization (Martínez Lucio, 2008).

Within national boundaries, responses to the challenge that is posed require a triple course of action: seeking greater presence within companies, recruiting and defending precarious workers, and establishing much-needed alliances with other citizen-based organizations. Government reforms have also limited the right of free expression and the right to demonstrate (a tougher Penal Code), which has provoked strong social rejection, extending well beyond the world of labour. The major Spanish unions could intervene and form alliances; what is more, they are impelled to do so. The *15M* movement has exerted enormous pressure, like other social movements in Southern Europe (such as *Geração a Rasca* in Portugal) and in contrast to the Irish case (Geary, 2016), while the main unions have been able to maintain an ‘institutionally responsible’ and moderate position.

The interest in preserving an institutional presence cannot neglect the social mobilization in the midst of a clear change in the patterns of conflict, with a redefinition of alliances with left-wing parties (the ‘mosaic left’) and other social movements that until now had apparently aroused the distrust of unions (Gumbrell-McCormick and Hyman, 2013: 145–151; Hyman and Gumbrell-McCormick, 2010). It is pertinent to look back to the socio-political origins of these organizations (Pérez de Guzmán et al., 2016).

Although pursued by some European unions, attempts to approach and involve precarious workers, very few of whom are unionized, have encountered considerable organizational problems (Gumbrell-McCormick, 2011). Though the deteriorating Spanish labour market makes it even more necessary to organize precarious workers, a comparison with Italy reveals that Spanish organizations have a lower capacity to respond, as they are much more dependent on social dialogue for taking union action (Pulignano et al., 2016). This course of action, however, has been seriously undermined by the crisis and the reforms imposed.

Finally, despite the evident institutional difficulties, cross-national alliances and actions within the EU are relevant (Lehndorff, 2015). The unions, through competitive social pacts, shared the objective of improving national competitiveness and, therefore, intensified competition between the workers of different countries (Antenas Collderram, 2008: 46). However, the breakdown of national consensus and governmental unilateralism in favour of austerity policies have sparked joint international action, such as the European Action and Solidarity Day against the policies of fiscal stringency on 14 November 2012, especially well-supported in Southern Europe. Trade union alliances at European level and the operational revitalization of the ETUC would increase the capacity to confront an EU project that has accentuated its neoliberal character and is especially detrimental for the southern Member States and the imposition of reforms on the governments of Portugal, Greece, Italy and Spain (Gumbrell-McCormick and Hyman, 2013: 190).

Conclusion

Competitive social concertation was an appropriate model for promoting policies of moderate flexibility and deregulation in the cycle of expansion, but it has collapsed since the economic crisis. In Spain, in terms of growth and quality employment, the social pacts signed between 1996 and 2009 were unable to bring about a significant improvement.

Participation by the Spanish unions in competitive social concertation gave important backing to the policies of deregulation and flexibility implemented during this period, as was also the case with the restrictive agreement on pensions in 2011; this enabled an improvement in the institutional position of the unions until 2010, but it did not bring any improvement in terms of membership and collective bargaining coverage. These have been seriously affected by the poor quality of the labour market. The decline since 2009 has been very clear in all the variables analysed.

The strength accumulated by the two major trade union organizations during the cycle of concertation, and the increase in elected workers' representatives (in effect, trade union delegates), finances and institutional influence, were so negligible that their capacity to respond has been extremely limited. Industrial conflicts, measured in working days lost, have not increased as might be expected in a crisis situation. What has increased, however, is social conflict, which is not led by the unions. The labour reform of 2012, moreover, has limited their capacity to intermeditate and conclude collective agreements. Representation both in companies and in sectors has fallen to its lowest point of the period under consideration.

In this respect, the breakdown of consensus, the absence of pacts and increased state intervention have had a greater impact on Spanish unions than in other European unions. Moreover, the options for restoring consensus are also comparatively fewer than in countries such as Ireland, and also other Southern European countries, because of the persistence of conservative governments in Spain.

The main Spanish unions must confront the challenge of changing their organization and forms of union action to preserve their representativeness. As proposed in the discussion section, the strategic debate needs to go beyond the restoration of consensus with governments that are determined to maintain the reforms that weaken social dialogue and are not interested in restoring the tripartite agreements.

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