

Spanish trade unions against labour market reforms: strategic choices and outcomes

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Summary

Trade unions are considered to be key political actors in the formation of welfare states. Their importance for the current fate of welfare states, however, has been disputed within academia. Aiming to contribute to this vast body of literature, this article analyses the participation of Spanish trade unions in labour market reforms since the restitution of democracy in Spain. The article analyses the strategic choices open to trade unions, particularly the choice of calling for mobilisation, and why unions make the choices that they do. Mobilisation in the form of a general strike constitutes unions' last and most extreme resort for confronting the government. We also explain the context in which such mobilisations are able to prevent retrenchment measures attempted by the government.

Résumé

Les syndicats sont considérés comme des acteurs politiques essentiels dans la formation des systèmes d'État-providence. En revanche, leur importance dans le destin actuel de ces États-providence constitue un sujet contesté dans les milieux académiques. En cherchant à contribuer à une littérature déjà très importante, cet article analyse la participation des syndicats espagnols dans les réformes du marché du travail depuis le retour de la démocratie en Espagne. L'article analyse les choix stratégiques qui s'ouvraient aux syndicats, en particulier le choix d'appeler à la mobilisation, et les raisons pour lesquelles les syndicats ont fait les choix qui ont été les leurs. La mobilisation sous la forme d'une grève générale constitue pour les syndicats l'arme ultime, à n'utiliser qu'en dernier ressort dans une confrontation avec le gouvernement. Nous expliquons également le contexte dans lequel de telles mobilisations sont en mesure de faire obstacle à des mesures de restriction projetées par le gouvernement.

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Zusammenfassung

Gewerkschaften gelten als wichtige politische Akteure bei der Gestaltung von Wohlfahrtsstaaten. Ihre Bedeutung für das aktuelle Schicksal von Wohlfahrtsstaaten wird in der Wissenschaft jedoch kontrovers diskutiert. Als weiteren Beitrag zu dieser umfangreichen Literatur analysiert der vorliegende Artikel die Beteiligung der spanischen Gewerkschaften an Arbeitsmarktreformen seit der Wiederherstellung der Demokratie in Spanien. Der Artikel analysiert die strategischen Entscheidungen, die Gewerkschaften zur Verfügung stehen, insbesondere die Entscheidung zur Mobilisierung, und aus welchen Gründen die Gewerkschaften ihre Entscheidungen treffen. Die Mobilisierung in Form eines Generalstreiks stellt das letzte und extremste Mittel der Gewerkschaften in der Auseinandersetzung mit einer Regierung dar. Wir erläutern ebenfalls den Kontext, in dem solche Mobilisierungen in der Lage sind, von der Regierung vorgesehene Sparmaßnahmen zu verhindern.

Keywords

Trade unions, mobilisations, strategic choices, labour market reforms, retrenchment

Introduction

‘Pedro, this document [with austerity measures] is unacceptable; what you’re suggesting would cost us two general strikes.’

José Luis Rodríguez Zapatero, Prime Minister of Spain, to Pedro Solbes, Minister of the Economy, 2008

There is no doubt that trade unions have been a key political actor in the formation of welfare state regimes. Every strand of academic thought would cite trade unions as a relevant factor in the emergence of welfare states. Both institutionalists and power resources scholars, for example, have put trade unions centre-stage, either as an institution exerting pressure for expansion from inside the system or as an actor confronting government (Avdagic et al., 2011; Esping-Andersen, 1990; Korpi, 1989).

Some doubt about the role of trade unions has developed since the 1990s, however. Pierson declared open season (1994, 1996), claiming that organised labour was no longer central to the future of the welfare state. According to Pierson, the dynamics driving welfare state development has changed, and retrenchment responds to a different logic from expansion. Pierson argues that there are two main reasons for the obsolescence of trade unions in this respect. First, welfare states developed welfare arrangements that empowered new political actors in their defence. Secondly, because of the popularity of welfare states, governments engaging in retrenchment reforms face punishment from voters. This new logic has left trade unions outside the policy-making picture. More recently, the influence of trade unions has been questioned as a result of their declining legitimacy (Culpepper and Regan, 2014). In the cases of Italy and Ireland, Culpepper and Regan argue that neither the carrot nor the stick approach taken by trade unions are sufficiently potent for governments to consider them in policy-making. In a way, this argument is consistent with Pierson’s, as they both find that unions have fallen back among a generality of social actors, losing the power that they once had as the unique voice of organised labour.

Several works, however, have pointed in the opposite direction, claiming that trade unions have kept their central role in determining the fate of European welfare states. Numerous explanations for this have been found based on institutionalism. Some of them explain the importance of unions through the institutionalisation of their participation in social concertation, which has not decreased but has even expanded in unexpected countries (Avdagic et al., 2011). Others point to their institutionalised role in the administration of the programmes created in the expansion phase, which now serve trade unions as veto-points, as in the case of the Swedish pension system (Anderson, 2001). Even Hall and Soskice, although highlighting the importance of business, do not neglect the role of trade unions (2001). Power resources also explain why trade unions are able to influence the destiny of welfare states: the actions of trade unions affect the behaviour and choices of government in social concertation. In particular, it is the perception of the relative power of trade unions that influences governments in social bargaining (Avdagic et al., 2011: 265), and, more specifically, the potential electoral damage that trade union actions could do (Afonso, 2013; Rathgeb, 2018). All in all, as Bonoli moderately suggested, ‘some aspects of retrenchment are not totally unknown to traditional welfare state theory’ (2000: 35), but there are aspects that need further exploration.

There is enough scholarly literature about the political role of trade unions, focusing mainly on their participation in social concertation (Afonso, 2013) and their importance for social pacts (Avdagic et al., 2011); there is even literature about mobilisations and general strikes (Hamann et al., 2012). But despite the volume of this literature, it still lacks an explanation of how and why trade unions decide to spend their political capital on mobilising when they are confronted with a retrenchment attempt by the government. Furthermore, Hamann et al.’s (2012) effort quantitatively to depict the variables that lead to success in the case of general strikes is not sufficient, as the model lacks the ability to explain country-specific factors leading to a positive outcome for trade unions. This article therefore aims to reveal the choices available to trade unions when facing a welfare retrenchment attempt, thereby filling a gap in this stream of the literature. It focuses in particular on the involvement of trade unions in labour market reforms in Spain, asking what strategies the unions have used to influence these reforms and under what circumstances they have been successful.

We have selected the case of Spain because of the highly contentious profile of trade unions in the country. Our selection contributes to the research field in two ways. First, it helps in the observation of the phenomena because it offers more observations, which are easier to identify because of the visibility of the contentious actions. Secondly, it constitutes a paradigmatic case within the contentious model, given the social importance of trade unions – which would in itself warrant researching this issue – and their belligerence. Thus it is worth remarking that, as exploratory research, it ought to induce further qualitative research on the issue.

Trade union choices

Put simply, this article elaborates on the theoretical conception that trade unions make choices driven by their organisational interests. These interests are shaped by the context, which leads the leadership to make utilitarian calculations based on the impact of their choices on their own membership (reputation) and on the government (in the potential content of the policy), in a scenario in which employers’ organisations also have a relevant role. Once trade unions opt for the most extreme option of mobilisation, their success will depend on their ability to politicise the issue. As this article is theory-driven, it is necessary to explain in some detail the theoretical framework and the connections of the existing literature with the particular cases.

Trade union organisational interests

To analyse the organisational interests of trade unions, it is appropriate to review their historical development. When they appeared by the end of the 19th century, trade unions were understood as ‘a continuous association of wage-earners for the purpose of maintaining or improving the conditions of their working lives’ (Webb and Webb, 1920: 8). Much has changed since then. What was originally created as an instrument to defend workers’ rights at company level has become a key institutional actor for welfare states, in both their economic and their political dimensions.

The importance of trade unions in the economic arena has declined and certain pressures have diminished their relevance, however. On the one hand, trade unions have had to face the expansion of precarious jobs, and, despite their efforts in responding to the demands of these atypical workers, the literature suggests that they ought to make ‘substantial changes to their structures, thinking and way of operating’ (Gumbrell-McCormick, 2011: 293) to attract such employees to become members. Meanwhile, this lack of effective responses has led to lower trade union density across Europe as these workers are harder to attract to the traditional networks of unionism. This situation has been aggravated in the post-crisis scenario: between 2009 and 2015 Spanish trade unions lost 584,788 affiliated members (Durán López, 2016). On the other hand, unions have witnessed the progressive decentralisation of collective bargaining. While the effects on wages might experience variations across countries because of this transition (Dell’Aringa and Pagani, 2007), it is clear that this decentralisation has affected the trade unions’ central institutionalised position. Both of these pressures have resulted in weaker trade unions over the past few decades (Katz, 1993). Facing this trend of eroding power, trade unions need alternatives to legitimise their institutional importance and politics seems a viable approach.

As Anderson explains therefore, while trade unions seem to be losing importance at the workplace, they find shelter in their institutionalised position as a social partner in welfare states to justify their own existence (2001). This transition from workplace to politics is not new; Pizzorno defined it as a ‘political exchange’ based on trading wage moderation for favourable social policies (1978). In the meantime the unions’ political power has evolved, however. Now the carrot of wage moderation or even the political support that unions can offer are not the only options, but so is the stick of mobilisation. This strategy does not mean that trade unions have decided only to focus on politics. Nonetheless, a sensible strategy to avoid losing relevance is of critical importance and emphasises the need for further research on the role of trade unions as a political actor (Hamann, 2011).

Despite focusing on a different arena from the more conventional one in which trade unions are usually analysed, their preferences can still be derived from their goals. The unions’ main goals are to obtain rising real wages and favourable working conditions for their members (Anderson, 2001). Following the traditional literature on organised labour interests, however, we suggest that their ambitions do not end with these two goals. Trade unions, as an institutionalised organisation, will seek to strengthen their capabilities or at least secure self-survival (Ashenfelter and Johnson, 1969). As a rule, this will mean aligning with the position of the rank-and-file, but, given a deeper knowledge of the scenario they are operating in, the leadership might opt for diverging from the membership’s opinions and justifying their decision before the rank-and-file later on (Ross, 1948). Therefore, these two dimensions, found in trade union policies and processes, mark trade union interests and affect their utilitarian calculations.

Choice of strategies: mobilisations

Once trade union interests are defined, what resources do trade unions have to confront government policies that deviate from their ideal stance? There are several categorisations of union

strategies that outline union possibilities (Frege and Kelly, 2004); to systematise the analysis in this article, however, we will contend that when trade unions are faced with a retrenchment attempt, they can resort to three main strategies: lobbying, bargaining and mobilising. These three strategies have previously been identified in the literature; for example, Schludi presented them as 'not necessarily mutually exclusive' (2005: 82), but sometimes even complementary, as mobilisations can help strengthen unions' bargaining position (Katz, 1993).

There are differences between the three strategies with regard to their nature, potential effects and costs, however. The first option, lobbying, is probably the least known due to its behind-the-scenes nature. It differs from the pressure exerted by other advocacy organisations because of the privileged treatment that derives from the close historical links between trade unions and socialist or social democratic parties. This close relationship, in many cases, has resulted in institutional settings that grant trade unions preferential access to high positioned decision-makers in government (Anderson and Meyer, 2003).

The second option, bargaining, involves engaging in conversations between government, trade unions and employers that are generally aimed at reaching an agreement that takes the form of a social pact or a public defence of the reform by the trade unions. A key issue derived from the research done in corporatism (which, in itself, could be considered a sophisticated form of bargaining) is the reinforced role of government in these processes (Avdagic et al., 2011). These first two strategies pose a double potential risk for trade unions in the form of 'member opposition and uncontrolled militancy, on the one hand, and member demotivation and apathy on the other' (Streeck and Hassel, 2003). Still, unions are willing to use both of them, as the potential gains are higher, allowing them to maximise their options to attract the policy to their ideal stance, as well as legitimising unions in their political institutionalised role (Avdagic et al., 2011).

We argue that the third option, mobilising, has both an economic and a higher reputational cost for trade unions. These costs mean that it will be used in only two scenarios. One scenario is when the reputation of trade unions is at stake because of the level of grievance – distance between the reform and unions' ideal stance – against the government's policy. The other scenario is when there is a political opportunity for trade unions, given the weakness of the government or a favourable political context that allows them to expect a favourable outcome to their protests. It is relevant to note that differences between countries in the ways trade unions assess these scenarios has led to two different models, one characterised by pluralist bargaining and another, contentious model in which trade unions are more likely to draw upon mobilisations, which applies to Spain (Crouch, 1993; Schludi, 2008; Vail, 1999).

In short, a variety of contentious actions are available for trade unions, and each has different potential costs. Recently, as a result of the unionism crisis, the literature has focused on labour strategies, particularly their revitalisation options (Frege and Kelly, 2004). This research offers a comprehensive cross-country comparison and a long list of union options. For the purposes of this article, however, it is necessary to break down political action into mobilisation categories based on their potential costs. We identify two of these cost dimensions, economic and reputational, which correlate in the sense that both far-reaching actions and mobilisations increase costs. Therefore we can categorise mobilisations into three types: (i) declarative actions and informative campaigns, which allow trade unions to set out their position on issues that have minimal economic and reputational costs, even though their impact might be limited; (ii) mobilisations within their own membership, which include protests such as marches or sit-ins; and (iii) mobilisations that reach beyond their membership, which require a larger investment, both economically and reputationally, as trade unions risk failing to mobilise enough people, thereby weakening their position before the government.

General strikes are the epitome of trade union mobilisations. Hamann et al., revising Hyman's conceptualisation of strikes (1972), defined general strikes as 'a temporary, national stoppage of work by workers from many industries, directed against the executive or legislative arms of government, to enforce a demand or give voice to a grievance' (Hamann et al., 2012: 1033). As can be deduced from the last paragraph, trade union mobilisation capacity reaches beyond their membership (Culpepper and Regan, 2014), even though the membership does not completely lose its influence (Vail, 1999). This wider influence makes general strikes particularly powerful in this context (Culpepper, 2002; Hancké and Rhodes, 2005).

Utilitarian calculations made by the leadership

As already mentioned, the stronger role of government in neo-corporatism (Avdagic et al., 2011), together with the character of trade unions as 'intermediary organisations' makes them typically a reactive actor to social bargaining (Gumbrell-McCormick and Hyman, 2003: 191). Trade unions can request the involvement of other parties, but it is the government that calls other actors to the table to negotiate social policy (Ebbinghaus and Hassel, 2000). Only in exceptional situations in which government is severely weak may trade unions assume an active role and try to define the agenda. The fact that trade unions react to the government's call influences their choice of strategies and their potential payoffs. As Schludi portrays it, 'the process can be seen as a sequential game . . . [in which] the government moves first' (2008: 50).

We theorise that trade unions are aware of this rational behaviour on the part of the government and that they react accordingly, pursuing their own goals. In this context, trade union goals combine maximising workers' well-being and the survival of the organisation. Both goals converge in their means: preventing welfare retrenchment, particularly in those areas that directly affect workers. By fulfilling these means, trade unions can both claim their institutional role in the political system as social partner and satisfy workers by preserving their rights. The financial and especially political capital resources available to respond to or affect welfare retrenchment are limited, however. The first issue that needs to be assessed therefore is whether, as theorised, the motivations for trade unions to opt for the most extreme strategies, reaching beyond their membership, arise from reputational and utilitarian reasons.

Success of mobilisations

Politicisation is central to understanding how trade unions gain leverage in the often government-driven sequential game, and how their mobilisations succeed. To approach the issue, we start from the literature on welfare state retrenchment developed by Paul Pierson in the 1990s because the logic that moves governments has not changed. Moreover, it has not changed much since the late 1950s when Anthony Downs analysed governments as vote seekers, whose motivations are constructed on electoral calculations by choosing the best way to maximise their votes in elections (1958).

We define politicisation as the ability of trade unions to raise awareness, which creates electoral incentives that move governments to seek trade union acquiescence (Afonso, 2013). This brings it back to the welfare state retrenchment literature that identifies retrenchment as highly unpopular and the need of governments to find ways to deflect or minimise the blame. Consequently, union support is beneficial for governments in two ways: first, it contributes to diffusing the blame; and secondly, it prevents unions from mobilising and potentially increasing the cost of the policies.

Frege and Kelly (2004) argue that it is relatively difficult for trade unions to politicise issues, as their access to the media is limited and they are still in the process of adapting to the strategies required in globalised markets and societies. They are relatively successful when they choose wisely to use traditional mobilisation instruments, however, such as general strikes in specific occasions. According to Hamann et al. (2012), their success depends on the political context and particularly on their ability to keep the issue alive.

The logic behind union success is also found in the same rationale, namely the electoral calculations of the government. In this case, governments' electoral calculations will consider the damage that may be inflicted by the trade union and the cost of modifying or withdrawing their policy. Thus, the second main issue this paper addresses is twofold: uncovering the conditions under which trade unions successfully prevent labour market reforms in Spain after mobilising and examining whether politicisation plays a role in it.

Methodological considerations

Of particular relevance to the aforementioned question is what is to be understood as 'success' for trade unions. Trade union success is evidently linked to preventing welfare retrenchment, but this has proven a complex variable to operationalise (Green-Pedersen, 2004). Following Afonso's practical approach therefore success can be analysed by focusing on the policy itself, and it will be achieved when the labour market reform attempt is blocked, is subsequently withdrawn or substantially watered down (Afonso, 2013).

First of all, some methodological considerations need to be addressed with regard to selection and sources. There have been over 80 labour market reforms in Spain since the Workers' Statute was introduced in 1980 (Fundación 1° de Mayo, 2014), and so for practical reasons, it is necessary to narrow them down without affecting the validity of the research. We therefore selected reforms that were either structural or were perceived by trade unions as more important. These cases are the ones in which we are able to observe trade unions resorting to the strategies previously mentioned. To select such cases we need to follow the criteria established by trade unions, and the best source to gauge their judgement is through their own reports and working papers. Fundación 1° de Mayo, CCOO's think tank, is pre-eminent as a valid and reliable source, given its prominent access and relevance. From their data, we identified eight significant reforms or attempts (Fundación 1° de Mayo, 2012; 2014), and we add another, more recent one that has not been fully documented by the think tank.

In order to establish the storyline of the cases, data were collected from primary and secondary sources. The scenario generated for each of the reforms was created from reports, primarily trade union ones, and statements collected from newspapers and memoirs. The bulk of the data, however, were gathered from semi-structured interviews with top trade unionists from CCOO and UGT, labour ministry officials and politicians.¹

Labour market reforms in Spain

There is no general consensus on the causes of Spain's high unemployment rate (Gil Martín, 2012), but there is no doubt that it has influenced the reforms of labour regulations in Spain. To highlight

1 We conducted one-hour interviews with three members of the CCOO executive committee (Interviews A), three former members of UGT executive committee (Interviews B), four labour ministry officials (Interviews C) and one former labour minister and two advisors of his cabinet (Interview D).

the severity of the problem, it is worth noting that the unemployment rate has never gone below 8 per cent and in three periods since the transition to democracy in the late 1970s, it has risen above 20 per cent.

The original regulation of the Spanish labour market dates from 1980 when the Workers' Statute (ET) was introduced. This item of legislation offered little flexibility as regards types of employment, limiting the options for employers to hire under fixed-term contracts, which clearly went against the international paradigm, defended by the European Commission – among others – at that time. This soon paved the way for discussions envisioning reforms aiming for increased flexibility (Gil Martín, 2012).

Before examining the reforms, it is relevant to highlight the lack of a legally binding consultation process with trade unions when legislating social policies. This fact affects the sequential game, placing government in a stronger position in the sense that it is its prerogative whether or not to call trade unions to the table, stressing the latter's reactive role. In line with the theoretical approach of this article, the emergence of social pacts between the government and trade unions, as business organisations have traditionally been less relevant in Spain, has been explained based on utilitarian and power-distributive arguments (Molina and Rhodes, 2011).

The first reform of the Workers' Statute (ET) came after tripartite negotiations that resulted in the Economic and Social Agreement (AES) of 1984. This agreement is particularly relevant, not only because of its content, which signalled the beginning of labour market duality in Spain, but also because it represented a unique case of lack of unity of action between the two largest trade union federations. The General Union of Workers (UGT) signed the agreement with the government and business representatives (CEOE and CEPyME). The links between UGT and the majority party were particularly strong at this time, as evidenced by the fact that Nicolás Redondo, the UGT secretary general, was also a PSOE MP. Under this scenario, the pressures from the PSOE on UGT's leadership to sign the agreement defined the trade union's final position. On the other hand, the Workers' Commissions (CCOO), the largest Spanish trade union, despite being seated at the negotiation table and bringing up a package deal, did not sign the final agreement as their leadership considered that it 'opened the doors for temporary hiring without cause' (Fundación 1° de Mayo, 2012).

This reform deeply affected the labour market in Spain. As there was little doubt about the duality characterising the labour market, future demands focused on the promotion of open-ended contracts (Dolado, 2017). The lack of a unified response by the trade unions, which watered down CCOO's protests, together with the government's absolute majority in parliament, meant that reform of this fundamental institution was relatively peaceful. This was the only occasion on which CCOO and UGT did not speak with one voice when confronting labour market reforms or attempts. Unity of action would become, according to UGT and CCOO sources, a 'key factor' in their later successes (CCOO, 2017: 60).

The biggest show of strength by Spanish trade unions came in 1988, in the general strike on 14 December. A general strike that, according to lead trade unionists at the time, 'exceed[ed] everyone's expectations, despite what we anticipated due to the hard work preparing the protest' (Interview B). As reported by the media, the general strike was a response to the government's 'intransigence' in negotiating with the trade unions, whose membership and influence had been growing over time. This behaviour had led Nicolás Redondo, UGT leader, to renounce his PSOE seat in parliament in late 1987 in order to 'preserve UGT's independence from the government' and to 'strengthen the unity of action with CCOO' (El País, 1987).

The opportunity to prove the strength of their unity of action came as the government presented the Youth Employment Plan in October 1988 after months of failed negotiations with labour

leaders. The trade unions did not limit their demands to the Youth Employment Plan, but extended them to include raising pensions and public sector wages, increasing unemployment benefit coverage to 48 per cent of the unemployed, as agreed between the government and UGT in 1984, and full recognition of collective bargaining rights for civil servants. Support for the general strike was so big that even the government had to recognise the need to get back to the negotiation table and just a day after the protests it called on the social partners to rejoin the dialogue. The negotiations led to agreements on all the points raised by the trade unions, except for the increase in unemployment benefits.

The period following these agreements was not as peaceful as might have been expected. The Gonzalez government, pressured by a deteriorating economy and the fulfilment of the Maastricht convergence criteria, felt the need to make new changes to the labour market (El País, 1992). These changes came in 1992 and 1994. There were differences between the reforms, however. In 1992, the changes were simply incremental, as unemployment benefits were cut and the minimum duration of fixed-term contracts was increased; the second in 1994 saw 'deep structural changes' (Fundación 1° de Mayo, 2012: 10), particularly the legalisation of temporary employment agencies and giving more importance to sectoral agreements in collective bargaining. Still, the reactions of the trade unions and their impact on both policies were similar, as, despite the general strikes called, Gonzalez decided not to give in to any of their demands (ABC, 1994). Nevertheless, the trade union leadership decided not to cease their protests, but to maintain their opposition to the government until the elections in 1996 (Hamann, 1998).

The newly elected Aznar government (conservative) approached labour in a very different fashion. From early in his term, he opened a 'trilogue' with the trade unions and business representatives that resulted in some minor agreements by the end of 1996 and the Agreement for Employment Stability and Collective Bargaining in 1997. The 1997 agreement, which introduced incentives to use open-ended contracts and in return reduced redundancy pay, was first reached between trade unions and business representatives and later fully endorsed by the government. Aznar, in declarations to the media, stated that the new climate of harmony between the government and trade unions was 'an element of tranquillity, modernisation and certainty for Spanish people' (El País, 1996).

Re-election with an absolute majority brought a change in the relations between the Aznar government and the trade unions. What had seemed to be a honeymoon during the previous term, soon turned into a turbulent relationship. The first signs of this new phase appeared in 2001, when the government adopted reforms of redundancy pay, while the trade unions and business representatives advocated continuing the negotiations. This unilateral decision forced trade unions to react with sector-specific protests. The conflict escalated in early 2002, however, when the government started the legislative process for deep reform of the ET. Despite an ongoing dialogue with the government, the trade union leadership perceived that it was doomed to failure. They therefore called a general strike to demand the 'withdrawal of the unemployment reform the government was elaborating that restricts social rights and slashes dismissals' (Cinco Días, 2002). The reaction of the government was to speed up the process and pass the reform using a decree to make it immediately enforceable. Trade union leaders perceived that this decision would fuel their call for the upcoming general strike and that it was one of the keys to the absolute success of the protest, which gathered hundreds of thousands marching in demonstrations across Spain. Demonstrations continued during the following month until the Minister of Labour resigned, and the government decided to call trade unions back to the table to renegotiate the reform. The legislation was completely watered down, with all its main aspects removed (Jodar, 2006).

The impact of labour mobilisation before the economic crisis is indubitable (Hamann, 2011). Such mobilisation not only prevented specific reforms from being adopted, as in 1988 and 2002, but also influenced government behaviour with negative feedback. The trade unions' stick and carrot approach to different governments therefore worked to moderate or prevent labour market reforms in Spain.

Some research points to a change in this dynamic after the economic crisis, however, suggesting that the carrot and the stick approach no longer affects governments, as the trade unions have become just another interest group (Culpepper and Regan, 2014).

A dramatically new scenario arose in Spain with the onset of the financial crisis in 2008. Unemployment figures skyrocketed in just two years, rising from 8.79 per cent at the end of 2007 to 18.88 per cent by the end of 2009. After a pause in 2010, job destruction continued, reaching its maximum in the first quarter of 2013, when unemployment reached 27.16 per cent (INE, 2013). The rapid deterioration of labour market conditions and its worrisome reflection in the employment figures put pressure on the government to act, urged on by Brussels, as the European Union went beyond its traditional procedures to force the Spanish government to introduce labour market reforms (Pavolini et al., 2015). The Council adopted specific recommendations suggested by the Commission in June 2010, which specifically demanded that the Spanish government introduce labour market reforms. The reaction of the Zapatero government was to accept the mandate and sit down with the social partners to negotiate the implementation of the Council recommendations.

After negotiations on a reform agreement that would satisfy the recommendations of the Council failed, the government decided to act unilaterally. Despite a certain unease within the government as it realised that this would put it on a collision course with the trade unions (Solbes, 2013), the reform was presented in June 2010. This immediately triggered a call for a general strike by CCOO and UGT; this would not take place until late September, however. The outcome was a moderate success in terms of participation, but no concessions were gained from the government, 'as there was no room to manoeuvre given the pressure of the context' (Interview D).

The change in government in the 2011 election did not translate into a change of attitude this time. Even before taking office, Mariano Rajoy called the social partners and business representatives to the table to negotiate a new reform of the labour market and collective bargaining, and gave them barely two months to reach an agreement that the government would endorse. He warned that if they failed to do so, the government would act unilaterally. As one top trade unionist explains it, 'using very strict deadlines, which are impossible to achieve, has become a common practice of Rajoy's government as an excuse to ignore social partners and to give fake legitimacy to their reforms' (Interview A). As expected, trade unions and business representatives failed to reach an agreement on the main issues that were brought up by the government. Consequently, the government legislated unilaterally and presented the reform on 12 February 2012. The reform included several measures to ease individual and collective layoffs and structural changes in the collective bargaining system, reversing the hierarchy of collective agreements, putting company-level agreements over sectoral agreements. The announcement of the reform immediately triggered a reaction from the trade unions, which called demonstrations across Spain on 18 and 19 February. Attendance at the protests was very significant, which the trade unions described as a show of 'massive support' from the people, and they announced an 'escalation of the mobilisation if the government did not improve its offer' (Interview A). After the reform was passed in Parliament on 8 March, the trade unions called a general strike on 29 March, which, despite being a success in terms of participation, did not help to change any aspect of the reform.

Later in 2012, in an effort to maintain the pressure on the government and to make it a trans-European issue, Spanish trade unions led the ETUC attempt to organise a general strike across Europe. The ETUC's call for a European Day of Action on 14 November was a partial failure, however, demonstrating the division between European trade unions (Dribbusch, 2015), as strikes took place in only six southern European countries. Still, the national effort in Spain received extensive media attention, incorporated new forms of protests and saw trade unions seeking support from new social movements (Cerrillo Vidal, 2013), although the trade unions were still leading the protests.

Recent efforts of the trade unions regarding potential changes in labour market regulation in Spain took place in late 2016 after the new minority government took office. Again, it was the government that took the initiative, as president Rajoy called trade unions and business representatives to the table to discuss four main issues, including labour market regulations (Cinco Días, 2016). Despite the government's predisposition to engage in negotiations, the trade unions announced mobilisations on 18 December to 'recover social rights' (El Mundo, 2016) and threatened to maintain the conflict in the streets. The trade unions made the decision to organise protests as they recognised the 'weakened position of the government' (Interview A), which no longer held a parliamentary majority. Despite not obtaining their main demand – correction of the previous two labour market reforms – the trade unions did reach a tripartite agreement on the minimum wage. In addition to the agreement, Josep María Álvarez, UGT's secretary general, highlighted the importance of the agreement as a stepping-stone to 'more agreements, more dialogue and more social concertation' (El País, 2017).

During the economic crisis therefore, the trade unions were unable to obtain any policy concessions through mobilisations. In the context in which the government saw itself operating, the perceived potential electoral damage seemed unimportant compared with the advantages of implementing the policy reforms, particularly the pressure coming from other actors and the envisaged benefits of the policies in tackling the effects of the economic crisis in the labour market. Once the economic pressure grew, however, and the trade unions' political threat was perceived as important, a 'trilogue' was reopened. The return to business as usual after the crisis proves that the trade unions retained their ability to influence the government with both carrot and stick. The potential of these tools is limited, however, because despite reaching an agreement on the minimum wage, they were unable to reopen the government's agenda on reforming the labour market.

Discussion and conclusions

We have tried to understand under what circumstances Spanish trade unions choose to mobilise or not when confronted with labour market reforms, and to what extent their protests have been successful. Three main aspects have been highlighted: the incentives that drove Spanish trade unions, the calculations made by the leadership to opt for mobilisations and the circumstances under which mobilisations were successful in the nine main labour market reforms or reform attempts in Spain since the 1980s.

Based on the incentives, we argue that two dimensions guide trade union decisions when choosing whether to mobilise or not, namely the policy-content dimension and the institutional dimension. These two dimensions were raised repeatedly in the interviews with the leaders of the Spanish trade unions when asked about the choice of strategies in the different scenarios. From observation of the cases through secondary sources, we can arrive at the same conclusion. On the one hand, trade unions mobilised against every reform that they identified as too far-reaching and in which an agreement had not been reached during negotiations, or when they needed to

Table 1. Outcomes of the reforms.

Year	Government	Government's approach	Mobilisations	General strike	Outcome
1984	Socialist	Bargaining	x		Agreement with UGT
1988	Socialist	Broken negotiations	x	x	Withdrawn
1992	Socialist	Unilateral	x	x	No modifications
1994	Socialist	Unilateral	x	x	No modifications
1997	Conservative	Bargaining			Agreement with social partners
2002	Conservative	Broken negotiations	x	x	Strongly watered down
2010	Socialist	Broken negotiations	x	x	No modifications
2012	Conservative	Broken negotiations	x	x	No modifications
2017	Conservative	Bargaining	x		Agreement with social partners

strengthen their own position. On the other hand, trade unions reached agreements in 1984, 1997 and 2017, reinforcing their role as unique social interlocutors with the government with regard to the labour market.

As expected, labour market reforms have proved particularly sensitive for the trade unions, given their *raison d'être*. Consequently, as we see in Table 1, trade union leaders opted to call general strikes, their last resort, on every labour market reform that they identified as 'major' and in which an agreement had not been reached. The only exception was in 1985, when the lack of unity of action gave the government a blame-avoidance option to defuse the CCOO.

Another scenario in which we could clearly observe the utilitarian calculations of the trade unions coming into play were the autumn 2016 protests. The mobilisations took place as the leadership saw the weakness of the government as a political opportunity to maintain a highly politicised perception of the latest labour market reforms, succeeding in their attempt to keep the issue high on the agenda. We can therefore assert that the trade unions do acknowledge the cost of mobilisations; however, given the centrality of labour market regulations to their mission, general strikes are almost guaranteed in cases in which no agreement is reached on deep reform. The calls for general strikes have been consensual decisions reached in leadership meetings between CCOO and UGT, in which the membership was not formally consulted.

When it comes to assessing the success of mobilisations, two phases should be differentiated. First, in the pre-crisis scenario, we can observe how the trade unions framed their mobilisations as 'successful' in two different ways. The first, which is consistent with our theoretical framework, refers to those cases in which trade unions either forced the withdrawal of a reform attempt or managed to have it watered down. The second encompasses cases in which the unions were able to improve their relationship with the government after failing to gain concessions from the previous government.

The 1988 and 2002 general strikes are clear examples of protests against different majority governments that led to watering down or blocking of reform attempts. The rationale behind the success of these successful obstructions can be found in the momentum that the protests gained and the 'unnecessary' damage both governments perceived they suffered. By contrast, the 1992 and 1994 general strikes did not have a direct impact on the reforms, which were passed as presented by the government prior to the general strikes. The lack of changes in these labour market reforms can be explained by the environment in which the González governments had to act. The worsening economic situation put them under pressure and they thus prioritised improving employment figures over possible electoral damage. Still, as members of Aznar's cabinet recognised, these

general strikes deeply influenced the relationship between their government and trade unions from 1996, thus highly politicising labour market policy.

The process that led to Spanish governments introducing labour market reforms during the economic crisis was highly unconventional (Pavolini et al., 2015). Furthermore, there is no reason to believe that these dynamics will persist once financial tensions are alleviated. The economic constraints clearly influenced the government's electoral calculations, as blame-avoidance opportunities arose from the 'inevitability' discourse and defused the projected threat posed by the trade unions. The new labour market legislation was guided by a 'lack of democratic foundations underlying the reforms and their negative impact on fundamental social rights and workers' protection' (Clauwaert and Schömann, 2012), which partially left trade unions out of the process. Still, trade unions were asked to participate in negotiations in each of the labour market reforms in recognition of their institutionalised role, although the importance of their participation was greatly reduced.

There are, however, two key indicators that point to the return of the trade unions' carrot-and-stick approach to government relations. On the one hand, trade unions have been successful, together with opposition parties, in keeping the repeal of the labour market reforms introduced during the crisis high on the political agenda. On the other hand, trade unions are still the main interest group considered by the government when discussing labour policies, as Rajoy's appeal to the unions in 2016 proves.

Overall, Spanish trade unions have attempted to influence labour market legislation since the restitution of democracy. Their success has varied with the context in which the government happens to be operating. As Zapatero's conversation with Pedro Solbes proves, however, governments acknowledge the political cost of facing down trade union opposition, although in certain scenarios it may constitute the lesser evil. Despite the apparent setbacks as a consequence of the economic crisis, it is business as usual for Spanish trade unions and their ability to influence government through the carrot-and-stick approach.

This article is consistent with the previous literature, particularly with that based on the actor-centred institutionalism approach, and sheds light on the mechanisms underlying trade unions' strategic choices. We have gone beyond quantitative analysis, examining trade union behaviour in terms of their goals, existing institutions and the particular contexts in which they operate. Our article develops new theoretical and conceptual foundations on this issue, which will stimulate further research on trade unions' political strategies, focusing not only on more in-depth single-country and policy analyses, but also on more cross-country and cross-sectoral comparisons.

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