



THE CHALLENGES FOR LABOUR ORGANISATION
IN THE EUROPEAN UNION

**TRANSNATIONAL GOVERNANCE AND
THE CHALLENGES FOR LABOUR ORGANISATION
IN THE EUROPEAN UNION:
TOWARDS A MEANINGFUL SOCIAL DIMENSION?**

By

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ABSTRACT

The primary goal of the thesis is to examine the role of the European labour movement as policy coordinator at the transnational level of governance and to analyse the significance of labour-related collective action for the development of the Social Dimension. The first chapter provides a literature review outlining the obstacles that constrain labour organisation at the European level, as well as a description of the analytical framework utilised in the thesis to assess the importance of transnational labour activity for the Social Dimension. Chapters two and three constitute the core of the thesis, with the focus of analysis centred on the strategic orientation of the labour movement as both social partner and social movement organisation. By differentiating between the two roles, social partner and social movement, the thesis explores the impact of labour-related collective action on the European decision-making process; the distinction between strategies of transnational labour activity highlights the emergence of a traditional model of trade unionism and alternative forms of labour organisation between trade unions and nongovernmental organisations. Data for the case study is drawn from primary and secondary sources and involves both descriptive and interpretive content analysis of European official documents as well as on-line databases and web pages. The findings suggest that the European labour movement has made significant progress in influencing the direction of European integration so as to include a social dimension. However, labour's access to the decision-making process continues to be limited by the shifting political opportunity structure that defines transnational governance in the European Union. The thesis concludes with an explanation of the broader implications of transnational labour-related collective activity for capital-labour relations and the policy making process that go beyond the boundaries of the nation-state.

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This project has been about the centrality of dialogue as it occurs at various levels of community – the local, the national, and the international. From my research, I have come to realize that there can be no dialogue without a solid foundation upon which to build lasting relationships.

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ABBREVIATIONS

EIFs	European Industry Federations
EMU	Economic and Monetary Union
ETUC	European Trade Union Confederation
EU	European Union
EWCs	European Works Councils
NGO	Non-Governmental Organisation
UNICE	Union of Industrial and Employers' Confederations of Europe

INTRODUCTION

EURO-CLASH? PROTEST AND POLITICS IN THE EUROPEAN UNION

In late April 2001, following news of financial losses, profit warnings, and a slowing economy, the corporate headquarters of Marks and Spencer, a British-owned retail conglomerate, announced its decision to close all of its 38 stores in Continental Europe. More than 3,300 jobs would be terminated as a result of corporate restructuring.¹

For the workers of those 38 stores, the news of their unemployment came by way of television, radio, and newspaper. Despite national legislation in Belgium and France on workers' rights to information and consultation and the European directive on works councils, both of which ensure worker representation in the decision-making process concerning corporate structural change, the employees of Marks and Spencer had been unprepared for the announcement of the sackings.

As was the case four years ago when the Renault automobile firm closed its company in Vilvoorde, Belgium, trade unions in France, Spain, Belgium, and the UK staged a transnational workers' rally to protest against irresponsible corporate conduct. They were led by Emilio Gabaglio of the European Trade Union Confederation (ETUC), John Monks of the British Trade Union Confederation (TUC), and Philip Jennings

¹ Susanna Voyle and Astrid Wendlandt, "Workers Rally to Protest at Marks and Spencer's European Store Closure Plan," *Financial Times*, 18 May 2001, [newspaper on-line]; available from www.globalarchive.ft.com; Internet.

secretary-general of Union Network International (UNI). Nearly 2,000 workers converged on London's Hyde Park in a show of solidarity for the thousands laid off by Marks and Spencer.² Workers from other European supermarket chains as well as workers from Danone, who in recent months had also seen many of their positions made redundant by massive company downsizing, joined in the Euro-demonstration.

The rise in European protest activity like that witnessed in London and Vilvoorde seems to point to a much larger problem than the difficult and uneasy relationship between capital and labour. The nature of the relationship itself is nothing new. What is different, however, is the way in which the relationship is being redefined within an increasingly internationalised economy. It is the speed and magnitude of the transformation to corporate governance that is absolutely staggering. Hyper-competitiveness drives this economic system.³ No firm, nor country for that matter, is immune to the pressures. For example, according to a survey conducted by *the Economist*, Europe has experienced an increase in merger activity worth more than \$1.5 trillion, and hostile takeovers adding up to \$400 billion, in 1999 alone.⁴ Meanwhile, unemployment levels have reached a staggering high⁵, and income growth has levelled

² Robert Taylor, "Inside Track: Sparks Fly over Corporate Restructuring: Industrial Relations: Opposition to Marks and Spencer's Store Closure Plan Reflects Trade Unions' Desire for EU Regulation to Improve," *Financial Times* 16 May 2001, [newspaper on-line]; available from www.globalarchive.ft.com; Internet.

³ James Mittelman, *Globalization Syndrome: Resistance and Transformation* (Princeton: University of Princeton, 2000), 15-18.

⁴ "Survey European Business: Mariage a la Mode," *The Economist*, 29 April 2000, 8

⁵ George Ross and Andrew Martin, eds., "European Unions Face the Millennium," *The Brave New World of European Labor: European Trade Unions at the Millennium* (New York and Oxford: Berghahn, 1999), 17-21.

off or stagnated.⁶ The outcome of such activity is a growing power differential between capital and labour.

There is no doubt that labour has been somewhat slow to correct the imbalance. It has been forced to deal with changing labour market conditions, a fragmented labour force, declining union density⁷ – all of which are closely intertwined in explaining labour's slow response to market deregulation and trade liberalisation. Labour-related collective action at the European and international levels, however, reflects the labour movement's resolve to claim a place in the decision-making process of global governance. It is this of restoring the balance of power between capital and labour interests that has prompted wide-scale mobilization across national borders.

For labour organisations in the European Union, the Euro-demonstration is but one of many examples of transnational collective activity, and its purpose remains that of an active commitment to the Social Dimension of European integration. The Social Dimension has evolved so as to represent today the means by which to regulate capital, protect workers, nurture social cohesion, and reconstruct solidarity.⁸ At the heart of the debate is how effective these labour organisations have been in advancing their agenda for a Social Dimension. The subject of this thesis is this struggle to develop cross-border,

⁶ Harry Garretsen, Jolanda Peeters, and Albert de Vaal, "The Impact of Globalization on the European Economy," in *Global and European Polity? Organizations, Policies, Contexts*, ed. Henri Goverde (Aldershot, UK: Ashgate, 2000), 92-4.

⁷ Jeremy Waddington and Reiner Hoffman, eds., "Trade Unions in Europe: Reform, Organisation and Restructuring," in *Trade Unions in Europe: Facing Challenges and Searching for Solutions* (Brussels: ETUI, 2001, accessed 7 May 2001); available from www.etuc.org/ETUI/Publications/Books/Challenges/ChallChap1.pdf; Internet.

⁸ Beverly Springer, *The Social Dimension of 1992: European Faces a New EC* (New York: Praeger, 1992).

transnational relations between European labour movements for the purpose of influencing the institutional framework and policy content of the Social Dimension.

CHAPTER ONE

CHALLENGES FOR LABOUR ORGANISATION IN THE EUROPEAN UNION

Introduction

The European Union as it exists at the beginning of the 21st century is a necessary study in transnational relations. It marks a critical juncture in political, economic, and social relations not only between states but also within the state itself. Characterized by its flexible structure for decision-making and the fluid relationships between institutions and actors, the European system of governance is a departure from that which had previously provided order to the interstate system. The significance of this transformation remains a matter for debate. Nevertheless, it is a transformation that continues to serve as a benchmark for the international system as a whole and a yardstick for measuring the regionalization of the interstate system in particular. The European Union as it has emerged today signals a pivotal experiment in multilateral, multilevel governance.

Since its inception in 1957, the European Community has represented nothing less than a mandate for economic integration towards a free trade zone, a single internal market, and economic and monetary union. Almost 50 years later, however, developments in the European Community suggest a growing willingness by its member states to accept some degree of social integration that would complement the economic dimension of European integration. With the signing of the Treaty of Amsterdam (1997), there appears to be a renewed commitment by various member states to implement both

the economic and social pillars in the integration project, which they perceive as necessary if European integration is to continue forward. The Social Dimension may very well provide the link between economic integration and social harmonisation.

In its present form, the European Union represents an intersection of conflicting interests. On the one hand, there is increasing pressure to continue economic integration, leading to greater liberalisation and deregulation at the national level. On the other hand, there are calls for re-regulation at the European level to constrain the structural power of capital. In effect, a European regulatory regime would provide a basic foundation for citizenship rights. What this tension between liberalisation and regulation playing out at the European level signals is a new chapter in the history of the relationship between capital and labour.⁹ It marks the beginning of the transnationalization of social relations.¹⁰ Capital moves freely; markets expand across national borders. Capitalist industrialisation carries on at a level beyond the jurisdiction of the nation-state. As history has demonstrated time and again, labour organisation has been forced to follow in an effort to expand its own capacities to counterbalance the structural power of capital. Labour's answer to the single market and economic and monetary union is the Social Dimension.

The primary concern of this thesis is with the role of labour in a transnational system of governance. The rise of transnational governance in which economic and political autonomy is shared among states warrants further examination of the interaction

⁹ George Ross, "Labor Versus Globalization," *AAPSS* 570 (2000): 78-91.

¹⁰ Bastiann Van Apeldoorn, "Transnationalization and the Restructuring of Europe's Socioeconomic Order," *International Journal of Political Economy* 28, no. 1 (1998): 12-53.

between social actors, understood in this context as international institutions and national governments as well as capital and labour, beyond the level of the nation-state. From this point, there follow two secondary concerns. The first considers the prospects for a social dimension, as both an institution and a policy framework, to complement, or in fact counterbalance, the effects of economic integration. In this capacity, the social dimension signifies the development of political and social citizenship, the second and third components of T.H. Marshall's triad of citizenship rights, at the transnational level.¹¹ The third concern of this thesis is with the relationship between transnational labour-related collective action and the construction of the social dimension. Do these developments in transnational governance signal a new social contract between markets, the state, and civil society? Does labour's interaction with the wider community of interests, in an effort to transform the public space for discussion and debate, indicate the source of Polanyi's countermovement at the transnational level of governance?

This case study on European labour develops around three arguments. First, a distinctly European labour movement has emerged at the transnational level of governance where it acts in the capacity of social partner, interest group, and social movement organisation. Second, the opportunities for access to participate in the decision-making process at the European level of governance have steadily improved for the labour movement. The ratification of the Treaty of Amsterdam (1997) represents a turning point for transnational labour-related collective activity to influence the direction

¹¹ Wolfgang Streek, "Public Power beyond the Nation-State: The Case of the European Community," in *States against Markets: The Limits of Globalization*, eds. Robert Boyer and Daniel Drache (London and New York: Routledge, 1996), 300-1.

of European integration through the construction of a social dimension. Third, labour plays a significant role in the development of the social dimension. Its relationship both to the EU institutions and national governments as a social partner and to the wider community of interests as a social movement organisation places the European labour movement in a unique position to negotiate the terms of agreement for a social dimension to European integration.

This thesis sets out to accomplish two objectives. The first purpose of the study is to define the main characteristics of the European labour movement, focussing specifically on organisational structure and strategic orientation. In this thesis, organisational structure refers to a model or pattern of organizing that fosters transnational cooperation among labour groups, while strategic orientation denotes a particular method of representation or approach to mobilization of labour groups. The second purpose of the study is to assess the significance of European labour-related collective activity by focussing on the relationship between strategic orientation and policy outcome. This requires evaluating the impact of transnational collective action on the decision-making process at the European level of governance so as to pinpoint the implications for social policy.

There are three reasons for turning attention to labour organisation in the European Union. First, the European labour movement presents to-date the best example of efforts to secure transnational representation of labour interests in a *multi-national, multi-level* system of governance. It can be argued that transnational organisation is possible because the European labour movements share a common history and thus have

pursued similar goals at the national level. This common bond between them can be traced back to the political and economic conditions of World War II, which helped to foster a sense of political-working class consciousness, as well as to the years that followed the war, aptly called the “Golden Age” of European trade unionism. As Berger explains, the development of the welfare state system after World War II and the pinnacle of labour organisation during the Golden Age suggest an interlocking relationship between the two.¹² For this reason, the European labour movement continues to be associated with pursuing such goals as the decommodification of work, the protection of the welfare system, and the democratization of society.¹³ This experiment in transnational labour organisation in the European Union today seems to indicate an obvious attempt to protect these interests, even if that means transferring social policy competence to the European level.

Second, the opportunities and constraints facing the European labour movement have been a common theme in the literature. What has been written about the Europeanization of the labour movement, however, has tended to emphasise only that aspect of collective action involving the trade union structure. References to social movement activity in this body of literature have tended to overlook or discount labour’s success in mounting a transnational social movement campaign. For these reasons, this thesis intends to explore not only the strategy of trade unionism but also that of social movement unionism. The study covers both the industrial relations aspect of collective

¹² S. Berger, “European Labour Movements and the European Working Class in Comparative Perspective,” in *The Force of Labour*, eds. S. Berger and D. Broughton (Broughton. Oxford: Berg, 1995).

¹³ George Ross and Andrew Martin, eds., “European Unions Face the Millennium,” in *The Brave New World of European Labor: European Trade Unions at the Millennium* (New York and Oxford: Berghahn Books, 1999), 1-5.

action as well as the political arena of labour movement activity at the European level. In doing so, it captures the evolving relationship not only between trade unions and the EU institutions but also other members of the labour movement, such as nongovernmental organisations and activist groups, as they engage the EU institutions in the policy making process. Analysis of labour-related social movement organisation also recognises the emerging relationship between labour and civil society in their efforts to create a transnational public space for collective action.

Third, a study of the European Union provides an opportunity to examine labour-capital relations on another plane, as it takes shape at the transnational level of governance. In his analysis of capitalist development, van der Pijl describes the growth of a transnational capitalist class with broad implications for class formation, labour-capital relations, and the production system. Accordingly, he conceptualises a new pattern of capitalist development in which economic integration and the information-technology revolution represent a fundamental shift in the balance of forces, which threatens the present socio-economic order between capital, states, and labour – and, subsequently, fosters the emergence of a global network society.¹⁴

What Rhodes and van Apeldoorn have observed from this development is a transformation in corporate governance that signals the end of traditional contractual relations between capital and labour and the beginnings of an institutional regime rooted in ‘embedded neo-liberalism.’¹⁵ This particular regime appears the result of converging

¹⁴ Kees van der Pijl, *Transnational Classes and International Relations* (London and New York: Routledge, 1998), 132-5.

¹⁵ Martin Rhodes and Bastiaan van Apeldoorn, “Capital Unbound? The Transformation of European Corporate Governance,” *Journal of European Public Policy* 5, no. 3 (1998): 407-8.

domestic and international forces whereby the balance of power shifts from stakeholder to shareholder, and from public sector to private sector, regulation and control. The restructuring of the socio-economic order in the European Union captures this struggle between capital and labour to redefine their needs in a political and economic system bound to neo-liberal globalization. But as Rhodes and van Apeldoorn explain, “[w]hile there has been a perceptible shift in the balance of power between capital and labour, neither the destruction of cooperative labour relations nor the abandonment of social partnership is imminent; on the contrary, as elsewhere, new forms of social partnership will prove essential for macro-economic policy innovation and micro-economic adjustment.”¹⁶ The question for this thesis is how the labour movement uses this particular environment to its own advantage, so as to restore the balance of power between its interests and those of capital and thus ensure a framework of social cohesion at the transnational level of governance.

The labour movement will continue to face rather formidable obstacles and challenges in constructing a unified front. This case study of the European labour movement will explore two strategies available to the labour movement. The first strategy is the traditional model of trade unionism, which underscores the role of labour as a social partner in the industrial relations arena. The second strategy is that of new social unionism.¹⁷ This strategy of collective action places labour within the broader

¹⁶ Ibid., 421.

¹⁷ Peter Waterman, “The New Social Unionism: A New Union Model for a New World Order,” in *Labour Worldwide in the Era of Globalization*, eds. Ronaldo Munck and Peter Waterman (New York: St. Martin’s Press, 1999), 247-8.

social movement framework in which case the labour movement exists as part of wider community of interests that lobby the European level of governance.

The remainder of this chapter is divided into three sections. The first section addresses the research problem in greater detail. It will be necessary at this point to supply operational definitions for the terms labour movement, transnational collective action, and the social dimension. After defining these terms, this section considers the interrelationship that exists between the three variables. It also includes the research questions that have defined the parameters of the case study on transnational labour activity. The second section of this chapter offers a brief literature review of earlier studies on the labour movement and its impact on European integration. This literature review provides an overview of the challenges for labour organisation prior to the ratification of the Treaty of Amsterdam. The third section outlines the theoretical framework that will guide the next two chapters of the thesis.

Situating Labour in the Transnational Political Economy

Before proceeding with discussion of the research problem, it is necessary first to establish definitions for the terms labour movement, collective action, and social dimension. Because the focus of interest here is labour's response to the European integration project, these definitions attempt to capture the transnational significance of collective identity for the development of a European labour movement.

For the purpose of this thesis, the term labour movement will refer to trade unions as well as nongovernmental organisations and activist groups concerned with protecting workers' rights and labour standards and with improving the general socio-economic well

being of workers.¹⁸ The opportunity to build transnational solidaristic ties between workers' organisations presents itself when these organisations recognise they share similar economic and social problems that require cross-border cooperation.¹⁹ It is this realisation of a common interest that drives transnational collective action.

Melucci has defined collective action as “a set of social practices (i) involving simultaneously a number of individuals or groups, (ii) exhibiting morphological characteristics in contiguity of time and space, (iii) implying a social field of relationships and (iv) the capacity of the people involved of making sense of what they are doing.”²⁰ Drawing from Melucci's definition, this thesis will refer to collective action as a system of sustained interaction that fosters both horizontal and vertical coordination between members of the European labour movement for the purpose of challenging the existing power structure at the transnational level of governance.

According to Rucht, this system of social relationships that underpins collective action can be divided into two types of transnational social movement structures.²¹ He argues that transnational collective activity can take on either one of two forms.

(Figure 1.1)

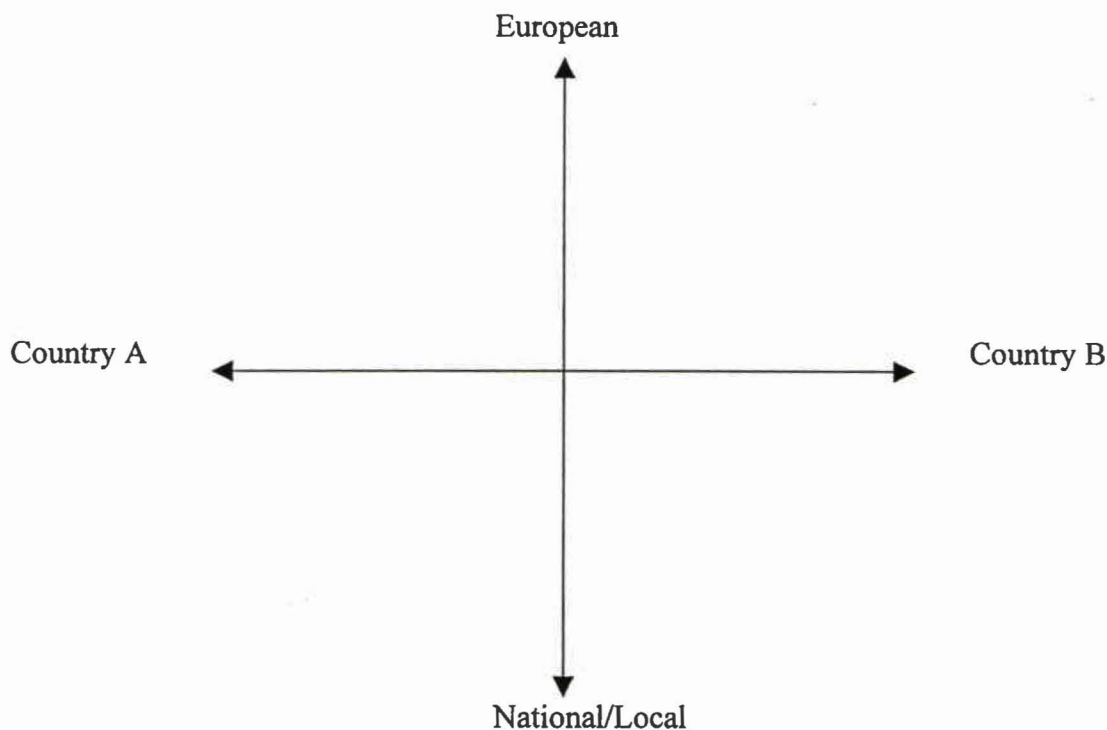
¹⁸ Lewis Lorwin, *The International Labour Movement: History, Policies, Outlook* (New York: Harper and Brothers Publishers, 1953), xiii.

¹⁹ John Price, *The International Labour Movement* (London: Oxford University Press, 1945), 2.

²⁰ Alberto Melucci, *Challenging Codes: Collective Action in the Information Age* (Cambridge: Cambridge University Press, 1996), 20.

²¹ Dieter Rucht, “The Transnationalization of Social Movements: Trends, Causes, Problems,” in *Social Movements in a Globalizing World*, eds. D. Della Porta, H. Kriesi, and D. Rucht (London: Macmillan Press, 1999), 207-9.

Figure 1.1 Models of Coordination



The first type of organisational structure indicates a vertical relationship between the international organisation and the national and/or local levels of social movement organisation. The second type of organisational structure identifies a horizontal relationship between national social movement organisations. In discussions on the Europeanization of the labour movement, there is evidence, first, of international coordination between the European umbrella organisations and the national trade union federations and/or social movement organisations.²² Second, there are indications of transnational coordination between labour movement organisations across national

²² Andrew Martin and George Ross, "European Integration and the Europeanization of Labor," in *Transnational Cooperation among Labor Unions*, eds. Michael E. Gordon and Lowell Turner (Ithaca and London: Cornell University Press, 2000).

borders.²³ These two types of organisational structure constitute the main characteristics of transnational labour-related collective action in the European Union.

Labour-related collective action can take place in either the industrial relations sphere or in the political arena.²⁴ By no means are the two domains mutually exclusive; overlapping interests between the industrial relations system and the political system are not uncommon. For example, trade unions have used political parties as a vehicle for asserting workers' interests in the political system. Likewise, there appears to be an increasing number of trade union-NGO alliances, which may reflect a new role for civic associations in the industrial relations sphere.²⁵ As Touraine has pointed out, the overlapping jurisdictions between the industrial relations system and the political system are indicative of the evolutionary nature of the labour movement – from interest group to social partner and from social movement to political force.²⁶

The final definition to consider is that of the Social Dimension of European integration. The term social dimension has featured prominently in the public eye in recent years as one such answer to the 'democratic deficit' conundrum that continues to dog the legitimacy of European-level governance. But like most other facets of the European integration project, developing a policy framework such as the social dimension to complement the economic pillar of the single market and monetary union

²³ Doug Imig and Sidney Tarrow, "From Strike to Eurostrike: The Europeanization of Social Movements and the Development of Euro-Polity," (Weatherhead Center for International Affairs, 1997, accessed 20 July 2000); available from www.cc.columbia.edu/sec/dlc/ciao/wps/imd02/imd02.html; Internet.

²⁴ John Price, *The International Labour Movement* (London: Oxford University Press, 1945).

²⁵ Dan Gallin, "Trade Unions and NGOs: A Necessary Partnership for Social Development," UNRISD Programme on Civil Society and Social Movements, Paper No. 1; available from ftp.unicc.org/unrisd/outgoing/pp/cssm/01gallin.pdf; Internet.

²⁶ Alain Touraine, "Unionism as a Social Movement," in *Unions in Transition: Entering the Second Century*, ed. Martin Lipset (San Francisco: ICS Press, 1986), 170-2.

has not gone without its fair share of controversy and debate. The conceptual framework of a social dimension to European integration has evolved over the last 10 years to encompass a rather wide range of social policy initiatives.

Following the 1992 Initiative on European Union, the EU institutions attempted to integrate the social dimension into the economic integration project as a part of a legal mechanism in which to establish a common European labour market and industrial relations system. In this capacity, the social dimension would fulfill two objectives in the area of social policy: first, the development of European labour market legislation and, second, the creation of a European system of industrial relations.²⁷ Examples of policy initiatives under the heading 'Social Dimension' included the Charter of Fundamental Social Rights (1989), the Social Action Programmes, and most recently the Social Dialogue.

Literature on the topic of the social dimension and the development of a distinctly European social model has tended to focus on the formulation of social policy either in the area of welfare redistribution or in the area of industrial relations. On the one hand, scholars like Springer²⁸, Leibfried and Pierson²⁹, and Hantrais³⁰ have explored the relationship between government and citizens by evaluating the changing nature of the welfare system and the definition of citizenship rights. On the other hand, research

²⁷ Carsten Stroyb Jensen, Jorgen Steen Madsen, and Jesper Due, "A Role for a Pan-European Trade Union Movement? – Possibilities in European IR-Regulation." *Industrial Relations Journal* 26, no. 1 (1995): 8.

²⁸ Beverly Springer, *The European Union and Its Citizens: The Social Agenda* (Westport, CT: Greenwood Press, 1994).

²⁹ Stephan Leibfried and Paul Pierson, eds. *European Social Policy: Between Fragmentation and Integration* (Washington, D.C.: Brookings, 1995).

³⁰ Linda Hantrais, *Social Policy in the European Union* (Basingstoke: Macmillan, 1995).

undertaken by Streeck³¹ or Rhodes,³² for example, considers the prospects for a corporatist arrangement at the European level of governance and the possibilities for labour legislation under this system.

This particular definition of the social dimension refers to the development of a social pillar to complement and indeed counterbalance the economic pillar of European integration as seen with the implementation of the single European market as well as economic and monetary union. For the European labour movement, the addition of the social dimension entails legally-binding European legislation to protect all workers affected by the creation of the single market and EMU. In the case that it signifies the transfer of social regulatory powers to the European institutions, the social dimension of the European integration project has the potential to restore the balance of power between economic and social forces. As Walby suggests, “[i]t is within the social dimension that concerns of social exclusion and social integration are raised and where a distinctive European Union project integrating social justice with economic efficiency might be considered to be addressed.”³³ By this account, the social dimension would provide a platform of basic labour rights and standards enforced at both the European and national levels.

What is important to note at this point is the interrelationship between the three variables: transnational labour organisation; labour-related collective activity, and the

³¹ Wolfgang Streeck, *Social Institutions and Economic Performance: Studies of Industrial Relations in Advanced Economies* (London: Sage, 1992).

³² Martin Rhodes, “A Regulatory Conundrum: Industrial Relations and the Social Dimension,” in *European Social Policy: Between Fragmentation and Integration*, eds. Stephan Leibfried and Paul Pierson (Washington, D.C.: Brookings, 1995).

³³ Sylvia Walby, “The New Regulatory State: The Social Powers of the European Union,” *British Journal of Sociology* 50, no. 1 (March 1999): 125.

social dimension. The conceptualisation of the research problem for this thesis derives in part from wanting to understand the relationship between transnational collective action and policy outcome. If one is to assume the emergence of a distinctly European labour movement, as this thesis has, then it seems only logical to question the function of transnational collective action. Having said that, this case study of the Europeanization of the labour movement proposes to examine the relationship between the independent variable, transnational labour-related collective action, and the dependent variable, the development of the social dimension. It will be argued here that transnational collective action by the European labour movement has a significant role to play in influencing the content of the social dimension.

The case study is guided by three research questions. First, how has the labour movement responded to the political, economic, and social transformation of European integration? Second, what specific contributions or advancements has the European labour movement made to the social dimension? Third, what implications follow the institutionalization of the labour movement at the European level? The next section of this chapter provides a brief literature review of the obstacles that have faced the European labour movement, covering specifically the years between the Treaty of Maastricht and the Treaty of Amsterdam.

Identifying the Obstacles to Transnational Labour Activism and the Social Dimension

The obstacles to transnational collective action are well-documented in the literature on the European labour movement,³⁴ as are the constraints on social policy making at the European level.³⁵ For this thesis to explore the relationship between the two, that is between transnational labour activity and the development of the social dimension since the Treaty of Amsterdam, first it is necessary to review the obstacles and constraints that have hindered transnational collective action and the wider implications for European social policy development. Only then, once the groundwork is laid for comparison between the two periods – before the Treaty of Amsterdam (1997) and after both the Single European Act (1986) and the Treaty of Maastricht (1992), is it possible to evaluate the labour movement's progress in advancing the social dimension. As this thesis will argue, the Treaty of Amsterdam represents a turning point for European social policy and, consequently, the role of the European labour movement in pursuing a social dimension to European economic integration.

Literature on this topic of obstacles and constraints covers three definitive areas: transnational collective action, the content of social policy initiatives, and the formation and implementation of European social policy. The purpose of this section is to outline

³⁴ Fritz Scharpf, "Introduction: The Problem of Problem-Solving Capacity of Multi-Level Governance," *Journal of European Public Policy* 4, no. 4 (1997): 520-38; Lowell Turner, "The Europeanization of Labour: Structure before Action," *European Journal of Industrial Relations* 2, no. 3 (1996): 325-44; Jelle Visser and Bernhard Ebbinghaus, "Making the Most of Diversity? European Integration and Transnational Organization of Labour," in *Organized Interests and the European Community*, eds. J. Greenwood, J.R. Grote, and K. Ronit (London: Sage, 1992), 207-37; Stephen J. Silvia, "The Social Charter of the European Community: A Defeat for European Labor," *Industrial & Labor Relations Review* 44, no. 4 (1991): 626-44.

³⁵ Bernhard Ebbinghaus, "Does a European Social Model Exist and Can It Survive?" in *The Role of Employer Associations and Labour Unions in the EMU*, eds. Gerhard Huemer, Michael Mesch, and Franz Traxler, (Aldershot, UK: Ashgate Publishing, 1999), 1-26; Fritz Scharpf, *Governing in Europe: Effective and Democratic?* (Oxford: Oxford University Press, 1999); Martin Rhodes, "A Regulatory Conundrum: Industrial Relations and the Social Dimension," in *European Social Policy: Between Fragmentation and Integration*, eds. Stephan Leibfried and Paul Pierson (Washington, D.C.: Brookings, 1995), 78-122.

briefly the constraints that have limited the development of European social policy, both procedural and substantive in nature, as well as the obstacles that have challenged transnational labour activity. With this checklist in place, then the thesis can turn to the matter of policy outcome by comparing how the process of transnational labour activity, and its influence on the social dimension, has evolved.

One of the greatest obstacles to social policy development at the European level of governance pertains to the substantive character of the social dimension. This refers to the actual content of social policy. Indeed, what constitutes European social policy remains fairly narrow in scope. The outcome has been a policy vacuum in the area of EU social policy.³⁶ As a result, it would appear that, on this basis alone, the social dimension has suffered innumerable obstacles and setbacks.

Since the Single European Act (1986), the primary objective of European integration has been economic liberalisation, first, through the completion of the internal market and, second, through economic and monetary union. According to Springer, between 1986 and 1992, social policy development was secondary to the completion of the internal market.³⁷ It was stipulated that social policy development was acceptable only to the degree that these policy initiatives furthered the economic liberalisation programme of European integration. In this regard, European-wide social policy – if it can be called that – amounted to the free movement of labour as well as provisions to prevent social dumping between member states. The Single European Act also signalled

³⁶ George Ross, "Assessing the Delors Era and Social Policy," in *European Social Policy: Between Fragmentation and Integration* eds. Stephen Leibfried and Paul Pierson (Washington, D.C.: The Brookings Institute, 1995), 359-63.

³⁷ Beverly Springer, *The Social Dimension of 1992* (New York, Westport, CA, and London: Praeger), 13-9.

support for some form of dialogue between management and labour, which was perceived as integral for the process of co-ordinating national labour markets. Without a doubt, social policy competence at the European level was non-existent during this time period. The reason for this is simple. National governments had resisted the loss of autonomy and sovereignty in the area of social policy. Thus, social policy development would remain part of the national jurisdiction whereas economic and monetary policy making became increasingly centred at the European level. The consequence was a power-sharing scheme that established rather strict parameters for economic and social policy making between the two levels of governance.

By and large, these boundaries defining social policy competence between national governments and the European institutions are still in place, although the Treaty of Maastricht (1992) did appear to widen the scope for social policy initiatives to be taken at the European level. The social dimension becomes relevant to debates on the future direction of economic integration only to the extent that social policy development represents a market-correcting tool necessary to adapt to the adverse fallout from intensified market liberalisation and international capital mobility. As Leibfried and Pierson have suggested, the notion of a social dimension was to refer only to those social, regulatory policies connected to labour market participation.³⁸ Indeed, after the Treaty of Maastricht, there is a marked increase in health and safety measures, equal opportunity legislation, as well as training and development policy co-ordination – all of which have been negotiated at the European level.

³⁸ Stephan Leibfried and Paul Pierson, "Social Policy," in *Policy-Making in the European Union* eds. Helen Wallace and William Wallace (Oxford: Oxford University Press, 1997), 185-208.

The second impediment to the construction of the social dimension is best understood as procedural in nature. By all accounts, the process of adopting social policy measures – from the initial stages of policy formation and agenda-setting to the end goal of implementation – remains highly complex and ambiguous. Despite efforts to reform the legal framework in both the Treaties of Maastricht and Amsterdam, the root of the problem is the EU legislative process itself. It represents a dual institutional track for social policy making. The consequence is a fragmented legal framework by which social policy making is virtually lost in the details of the complicated legislative procedure at the European level.³⁹ One can centre the debate around two articles as established in the Single European Act and later revised in the Treaty of Maastricht, Article 100 and Article 118. In the case of the former, Article 100, it is a matter of voting procedure. And in the latter, under Article 118, it is an issue of legal jurisdiction.

To consider first the voting procedure, it is necessary to summarise the principle aim of Article 100. In effect, this article represents the subsidiarity clause in the area of EU social policy. According to Leibfried and Pierson, as defined in the Single European Act, Article 100 rendered provisions for the “harmonization of legislation to avoid distortions of competition.”⁴⁰ But any social policy measure that fell within the bounds of Article 100 required unanimity in the Council of Ministers. Under Article 100a, however, social policy provisions could be decided by qualified majority voting if the case was made that such measures related to the internal market. Likewise, Article 118a,

³⁹ Martin Rhodes, “A Regulatory Conundrum: Industrial Relations and the Social Dimension,” in *European Social Policy: Between Fragmentation and Integration* eds. Stephan Leibfried and Paul Pierson (Washington, D.C.: The Brookings Institute, 1995), 82.

⁴⁰ Stephan Leibfried and Paul Pierson, “Social Policy,” 191.

which defined the parameters of social policy development in the area of health and safety for workers, also required qualified majority voting.⁴¹ The ambiguity of these articles has resulted in policy gridlock. During this period between 1986 and 1992, social policy development came to an evident standstill. And it would remain this way because social policy making was in fact captured by the national veto in a legal framework requiring unanimity.

By no means did the Treaty of Maastricht remedy the dilemma of voting procedure. It has been argued that the process only grew more complicated with the signing of the Maastricht Protocol on Social Policy. Although the Social Protocol seemed to provide a way to circumvent the challenges of enacting social policy legislation by offering the British an opt-out clause, the social dimension continued to founder for the very reason that social policy represented the beginning of a 'two-speed Europe.'⁴² The Treaty of Maastricht was still unable to reconcile the matter of subsidiarity, which related to a process of harmonisation in social policy making at the European level. Social policy competence remained deeply embedded within the national authoritative domain.

What further complicated social policymaking after the ratification of the Treaty of Maastricht was the introduction of European social dialogue as a part of the decision-making process. Under Article 118b, the European social partners were to be consulted on Commission proposals regarding EU social policy. It also meant that the social

⁴¹ Jeff Kenner, "The Paradox of the Social Dimension," in *Reforming the European Union from Maastricht to Amsterdam* eds. P. Lynch, N. Neuwahl, and W. Rees (Harlow, England: Pearson Education Limited), 108-10.

⁴² Beverly Springer, *The European Union and Its Citizens: The Social Agenda* (Westport, CT: Greenwood Press, 1994), 65-8.

partners might very well enjoy the status of policy innovator or policy broker if they chose to issue a framework agreement before the Commission drafted social policy legislation. Accordingly, the obstacle to social policy development becomes a matter of time lag between formulation and implementation. Furthermore, the provisions as outlined under Article 118b suggest overlapping authoritative jurisdictions between the social partners and the European institutions. Again, the result has been a fragmented legal framework for social policy making.⁴³

The final point to consider is the obstacles to transnational labour activity. According to the literature on the emergence of a European labour movement, there are numerous obstacles that have challenged the labour movement, thus limiting its capabilities to advance the social dimension. From this body of literature, it is possible to distinguish between internal, organisational obstacles and external, structural obstacles to labour-related collective action.

Understanding the international, organisational obstacles to transnational labour activity requires analysis of power resource theory. According to Stroby *et al*, the European labour movement remains an ineffective actor in the decision-making process because it lacks institutional, political, and conflictual power resources at the transnational level of governance.⁴⁴ The first two power resources, institutional and political power, are closely related in meaning, suggesting a causal relationship between the two. Labour's development as a transnational social actor, and subsequently its

⁴³ Martin Rhodes, "A Regulatory Conundrum: Industrial Relations and the Social Dimension," 104-8.

⁴⁴ Carsten Stroby Jensen, Jorgen Steen Madsen, and Jesper Due, "A Role for a Pan-European Trade Union Movement? – Possibilities in European IR-Regulation" *Industrial Relations Journal* 26, no. 1 (1995): 5-8.

ability to exert influence on the decision-making process, is hampered because the organisational structure itself is weak. Without an effective organisational structure in which to channel or concentrate its resources at the European level, the labour movement remains powerless to access the EU institutions and to influence the policy making process. In a transnational organisational structure, power resources are too spread out among the individual labour movements. In effect, national-based labour movements are unwilling to transfer their resources to the larger movement represented by the transnational umbrella organisation.

The third power resource, conflictual power, refers specifically to the labour-capital relationship. In the past, the European labour movements had claimed a rather significant degree of influence over capital's access to the supply of labour. But as Stroby *et al* note, the current direction of economic integration has greatly diminished this particular power resource for labour.⁴⁵ This indicates a shift in the balance of power between capital and labour where capital interests today dictate the terms of agreement on wages and employment as well as strike activity.

This analysis of power resource theory leads discussion to the second challenge for transnational labour activity: the external, systemic obstacles to labour organisation. In effect, the structural power of capital has increased exponentially at the European and international levels -- at the same time of course that labour has experienced a decline in organisational power at the national level. The result is this shift in the balance of power between capital and labour signalling disequilibrium within the system: that is to suggest,

⁴⁵ Carsten Stroby Jensen, Jorgen Steen Madsen, and Jesper Due, "A Role for a Pan-European Trade Union Movement? – Possibilities in European IR-Regulation" *Industrial Relations Journal* 26, no. 1 (1995): 12-3.

the consolidation of the transnational capitalist class today parallels the fragmentation of the working class.

Rhodes and van Apeldoorn have linked this trend in labour-capital relations to the emergence of 'embedded neo-liberalism.' The danger for labour in particular is what they see as the transformation of European corporate space and, more importantly, the social underpinnings of production. As social power shifts from labour to capital with the separation of the market from social and political institutions, labour is effectively locked out of decisions concerning economic policy management, be it at the national, European, or international levels of governance.

All of these reasons that explain the difficulties of sustaining transnational labour activity hint at a much larger obstacle, and a significant one for that matter, a fragmented solidarity within the labour movement.⁴⁶ What one finds is disagreement over the definition of solidarity and the purpose a transnational labour movement might serve at the European level of governance. The obstacle for the labour movement is a matter of both identity and jurisdiction. And it is over these two points that conflict and contradiction arise. Neither has the labour movement been able to agree upon a suitable 'European' identity nor the proper jurisdiction for the representation and mobilization of labour interests. Consequently, its opportunity to engage and pressure the other European social actors on the issue of the social dimension has been greatly diminished. As Imig and Tarrow have observed, an alternative form of transnational collective action is more

⁴⁶ Sidney Tarrow, "Beyond Globalization: Why Creating Transnational Social Movements is so Hard and When is it Most Likely to Happen," (Global Social Dialogue, 2000, accessed 16 June 2001); available from <http://www.antenna.nl/~waterman/tarrow.html>; Internet

likely to occur whereby national labour movement's reaction to European policy developments is aimed not at the EU social actors but rather at their own national governments and business interests located within their borders.⁴⁷ The development of a European labour movement thus requires a structure flexible enough to accommodate the diversity that exists within the labour movement. Only then might the obstacles to transnational labour activism seem less formidable.

The intention of this brief literature review has been to survey views on the formidable obstacles that challenge not only the formation of a European labour movement but also the prospects for a social dimension of European integration. What one observes from this analysis is a particularly damaging combination of a divided labour movement, a weak centre at the European level for social policy development, and a complicated legislative process for enacting social policy measures. As should be noted, however, the research in these three areas has tended to cover a time period between the Single European Act and the Treaty of Maastricht or between the Treaties of Maastricht and Amsterdam. This point suggests there is more research to be done concerning the development of the social dimension and the influence of the labour movement in this process since the ratification of the Treaty of Amsterdam.

Developing an Analytical Model of European Labour Activity

Over the last 10 years, empirical research on the European labour movement has painted a rather dismal picture of labour's contributions to the regionalization project.

⁴⁷ Doug Imig and Sydney Tarrow, "Contentious European: Is There a European Repertoire of Collective Action?" (Lazarsfeld Center, 1999, accessed 20 July 2000); available from <https://www.cc.columbia.edu/sec/dlc/ciao/wps/imd03/imd03.html>; Internet.

This body of literature focused overwhelmingly on the political opportunity structure that has emerged from European integration.⁴⁸ Emphasis was placed on the labour movement as the dependent variable in the relationship between political opportunity structure and transnational coordination of the labour movement. Research found that more obstacles existed than opportunities for the labour movement to access the political system, and particularly the European institutions. Accordingly, European integration impacted the labour movement – and not vice versa.

For Dunlop, understanding the growth and development of any labour movement requires consideration of its function in the larger system. He has argued that the emergence of the labour movement does not occur in a vacuum. Rather, labour organisation is a manifestation of labour's need to exert its influence in the decision-making process.⁴⁹ Dunlop's focus on function removes from the equation this notion of political opportunity structure. If a labour movement exists, then it does so to serve some purpose. From this perspective, it becomes possible to evaluate over a period of time the strategic role of the labour movement in the political system. That is to say, it is possible to assess how well the labour movement fulfills its purpose as an organisation representing its members' interests in the decision-making process. The independent variable is the transnational labour activity, with the dependent variable being policy

⁴⁸ Jelle Visser and Bernhard Ebbinghaus, "Making the Most of Diversity? European Integration and Transnational Organization of Labour," in *Organized Interests and the European Community* eds. J. Greenwood, J.R. Grote, and K. Ronit (London: Sage, 1992); Gary Marks and Doug McAdam, "Social Movements and the Changing Structure of Political Opportunity in the European Union," *West European Politics* 19, no. 2 (1996): 249-278.

⁴⁹ John T. Dunlop, "The Development of Labor Organization: A Theoretical Framework," in *Theories of the Labor Movement* eds. Simeon Larson and Bruce Nissen (Detroit, MI: Wayne State University Press, 1987), 12-22.

outcome. This, it would seem, is what earlier research on the European labour movement had overlooked: the agency of labour.

The basis of this argument is grounded in the ‘agent-structure problem’ of social theory. The underlying premise of the debate suggests a causal relationship between human agency and the structural factors that influence action.⁵⁰ Following this line of argument, it becomes necessary to observe the agential power that exists within a particular historical context, which together condition action and thus outcome. According to Herod, scholars have overlooked this relationship between the agency of labour and the political-socioeconomic context of internationalization.⁵¹ This vantage point indicates an active role for labour groups in framing an increasingly global economy in which they act. Taking this argument one step further, O’Brien has identified four mechanisms or key dimensions where labour exerts its influence in shaping global order: the state, international economic organisations, the market, and civil society as part of a broader social movement network.⁵² This thesis contends that a transnational, European labour movement acts as an agent of social change within the European Union. In that regard, this thesis proposes to add another dimension to analysis – the regional bloc. Regionalization is a fundamental component or condition of the global order. And in turn, it is worthwhile to examine the role of the labour movement in this sphere of activity.

⁵⁰ David Dessler, “What’s at Stake in the Agent-Structure Debate?” *International Organization* 43, no. 3 (Summer 1989): 443.

⁵¹ Andrew Herod, “Labor as an Agent of Globalization and as a Global Agent,” in *Spaces of Globalization* ed. Kevin Cox (New York: Guilford Press, 1997), 167-200.

⁵² Robert O’Brien, “The Agency of Labour in a Changing Global Order,” in *Political Economy and the Changing Global Order*, 2nd ed., eds. Richard Stubbs and Geoffrey R.D. Underhill (Toronto: Oxford University Press, 2000), 38-47.

There are two recent studies in particular that have influenced the research problem of this thesis. The first is Hyman's analysis of the future direction of European trade unionism. The second study is Waterman's research on prospects for new labour internationalism.⁵³

Hyman's study of European trade unionism provides a useful typology for classifying alternative trade union identities. (Chart 1.1)⁵⁴ From this typology, he outlines five possible strategic orientations for trade unionism in Western Europe. However, only two are of particularly significant interest to this case study on the Europeanization of the trade union movement. The first type of trade unionism is characterized as the social partnership model where the key function of trade union organisation is political exchange. The target of collective action is government. The second model is that of social movement unionism. The function of this model is campaigning with the focus of action being mass populist support.

⁵³ Peter Waterman, *Globalization, Social Movements & New Internationalisms* (Washington and London: Mansell, 1998).

⁵⁴ Richard Hyman, "Changing Union Identities in Europe," in *The Challenges to Trade Unions in Europe: Innovation or Adaptation* eds. P. Leisink, J. Van Leemput, and J. Vilrocx (Cheltenham, U.K.: Edward Elgar, 1996), 70-3.

Chart 1.1 Alternative Trade Union Identities

Focus of Action	Key Function	Ideal Type
Occupational Elite	Exclusive Representation	Guild
Individual Worker	Services	Friendly Society
Management	Productivity Coalition	Company Union
Government	Political Exchange	Social Partner
Mass Support	Campaigning	Social Movement

Source: Richard Hyman, "Changing Union Identities in Europe," in *The Challenges to Trade Unions in Europe: Innovation or Adaptation* eds. P. Leisink, J. Van Leemput, and J. Vilrocx (Cheltenham, UK: Edward Elgar, 1996), 70.

By using Hyman's typology of trade unionism, it is possible to analyse the transformation of trade union identity at the national level for the purpose of determining whether there is convergence occurring in Western Europe. It also provides a means of classifying the function of trade unionism and the target of action at the European level. Research on the Europeanization of trade unionism suggests both models may prove to be an accurate description of what has emerged thus far. In particular, European social dialogue seems to indicate the beginnings of the social partnership model. The second type of trade unionism, that of social movement unionism, has been hinted at in the literature.⁵⁵ It remains, however, a matter of debate as to whether social movement unionism will be accepted as a viable option for transnational collective action.

⁵⁵ Gary Marks and Doug McAdam, "Social Movements and the Changing Structure of Political Opportunity in the European Union," *West European Politics* 19, no. 2 (1996); H. Kriesi, R. Koopmans, J.

Having suggested the model of social movement unionism as part of the European trade union structure, it is also useful to consider social movement unionism from the perspective of European nongovernmental organisations and labour activists. The second source relevant to the conceptualization of the research problem for this thesis is Waterman's study of what he refers to as new labour internationalism.⁵⁶ He argues that the present era of globalization has had the effect of ushering in an alternative form of labour organisation. In fact, the reinvention of the labour movement becomes a necessary development if labour expects to be able to challenge the current power of structure. This alternative form of labour organisation is based on the principle of building a web of transnational alliances between the labour movement and other issue-based social movement organisations such as women's groups, environmental activists, and university students, for example. According to Waterman, this becomes possible for one obvious reason: "The new activists of movements for global solidarity are largely Networkers: they provide the resources (languages, communication means and skills, access to information) necessary for creating international linkages."⁵⁷ Resource-sharing between the labour movement and other social movement organisations is a fundamental component of coalition-building as it seems to establish a bond of trust between the different movements.

Duyvendak, and M. Giugni, *New Social Movements in Western Europe: A Comparative Analysis* (London: UCL Press, 1995).

⁵⁶ Peter Waterman, *Globalization, Social Movements and the New Internationalism* (London: Mansell Publishing, 1998).

⁵⁷ Peter Waterman, "Internationalism Is Dead! Long Live Global Solidarity?" in *Global Visions: Beyond the New World Order* ed. J. Brecher, J.B. Childs, and J. Cutler (Boston: Sound End Press, 1993), 260.

There is evidence of this process of coalition-building occurring in developing regions and countries. However, less has been written about new labour internationalism taking hold in the North. And as Waterman was quick to point out in his earlier research on new internationalism, the prospects for new labour internationalism in Europe had seemed rather doubtful at the time.⁵⁸ The question is whether this has changed over the last several years. Does his conclusion about new labour internationalism in the European Union now warrant another look at the prospects for transnational collective action by the labour movement, considering the fact that labour finds it increasingly more difficult to influence the decision-making process at the national level? Has the European labour movement used the process of European integration as a reason to expand a social space so as to support the emergence of a distinctly European civil society? Or will predictions of increasing fragmentation with the labour movement ring true? New labour internationalism might very well offer the European labour movement a way in which to redefine the power struggle between labour and capital. But it seems obvious that, in order to achieve this, the European labour movement will need to continue building horizontal linkages between its members and this broader community of interests.

There is very little empirical evidence to support any sort of conclusion regarding the prospects for social movement unionism in the European Union. What has been written has tended to question the labour movement's success in pursuing these strategies of transnational collective action. Tarrow's work on the Europeanization of social

⁵⁸ Ibid.

movements does indicate some degree of cross-territorial alliance and networking occurring within the European Union.⁵⁹ However, he continues to argue that horizontal linkages between the members of the labour movement are the exception, not the norm.⁶⁰ But it should be noted that his research has focused specifically on the trade union structure and the Euro-Strike as evidence. According to Waterman, though, the trade union is one of many actors that comprise the labour movement. For this reason, this case study of the Europeanization of the labour movement will consider nongovernmental organisations and labour activists in addition to the trade union organisation.

This analysis by Hyman and Waterman provides the basis for the theoretical framework to be utilised in this case study on the Europeanization of the labour movement and its contributions to the progress of the social dimension. The point of interest here is the strategic orientation of the European labour movement. This thesis contends that strategic orientation most accurately captures the means by which the labour movement defines its purpose and thus achieves its goals. This variable strategic orientation not only describes the type of organisation structure necessary to sustain collective action but also the issues of concern to the labour movement. Using the term strategy shifts focus away from political opportunity structure and the conditions that foster collective activity as an explanatory variable. Instead, the focus is on how the

⁵⁹ Sidney Tarrow, "Building a Composite Polity: Popular Contention in the European Union," (Cornell University: The Institute for European Studies, 1998, accessed 20 July 2000); available from www.cc.columbia.edu/sec/dlc/ciao/wps/tas03/tas03.html; Internet.

⁶⁰ Doug Imig and Sidney Tarrow, "Contentious Europeans: Is There a European Repertoire of Collective Action?" (Lazarsfeld Center, 1999, accessed 20 July 2000); available from www.cc.columbia.edu/sec/dlc/ciao/wps/imd03/imd03.html; Internet.

labour movement mobilizes its members so as to influence the decision-making process at the European level of governance.

The analytical framework of strategic orientation considers the key players involved in transnational labour-related collective action, the organisational structure of the European labour movement, and the issues of greatest concern to labour interests. There are two patterns of strategic orientation that can be identified from Hyman and Waterman's research on the labour movement. The first type is traditional unionism, and the second type is transformed unionism.⁶¹ The chart below captures the main differences in strategic approach to transnational labour-related collective action.

Chart 1.2 Defining the Strategic Orientation of Labour

	Traditional Unionism	Transformed Unionism
Key Actors	Trade Unions	Trade Union/NGO Coalitions
Organisational Structure	Formal, Hierarchical	Informal, Networking
Issues of Concern	Collective Bargaining; Labour Market Regulation	Quality of Life; Social Relationships

⁶¹ Peter Waterman, "The New Social Unionism: A New Union Model for a New World Order," In *Labour Worldwide in the Era of Globalization* eds. Ronaldo Munck and Peter Waterman (New York: St. Martin's Press, 1999), 247. Waterman uses transformed unionism interchangeably with the term new social unionism.

Finally, the influence of the political opportunity structure of the European Union should not be overlooked. Certainly, the way in which the labour movement accesses the political system defines what strategies of collective action will be most effective in labour's efforts to advance the social dimension. Consequently, both chapters on trade unionism and social movement unionism will address briefly political opportunity structure. The main emphasis of these next two chapters, however, is on structure and orientation, in effect examining the function of transnational collective action for the European labour movement. From this analysis, then it is possible to evaluate the significance of transnational collective action for the labour movement in the process of building a more social Europe. It will be argued that transnational collective action does influence policy outcome.

Methodology

The methodology used in this thesis is the case study. The case study allows for a more in-depth examination of a single institution, the European labour movement, within a limited time frame, namely that period following the Treaty of Amsterdam. The advantage of the case study is the opportunity it affords this thesis to isolate the relationship between transnational labour activity and progress made in constructing the social dimension. Likewise, it is possible to view the interaction between the labour movement and the other European social actors in the wider political-economic environment of European integration.

Data collection entails descriptive as well as interpretive content analysis of European documents, web pages, and on-line databases. It also includes conference

proceedings and interviews, conducted in Bristol, UK, and Brussels, Belgium, respectively. This type of data collection serves two primary purposes. The first is to examine trends in transnational labour activity that has influenced the direction of the social dimension. The second is to evaluate social policy outcomes as they relate to the construction of the social dimension – a central player in the decision-making process being the labour movement. There are also two secondary goals defining this project. The first goal is to compare and contrast political opportunity structure before and after the Treaty of Amsterdam. The second is to explore alternative meanings of European labour activism, what will be categorized as trade unionism and social movement unionism for the purpose of this thesis, as well as this notion of transnational solidarity. The conclusion of this study on the Europeanization of the labour movement and its success or failure in achieving transnational collective action will attempt to assess the wider implications for the social dimension by examining the significance of the European labour movement in the decision-making process at the European level of governance.

Chapter Outline

The following two chapters, which make up the body of the case study, share identical section layouts for the purpose of comparing the two strategies of traditional trade unionism and transformed unionism at the European level of governance. The first section of each chapter identifies opportunities for transnational labour-related collective action since the ratification of the Treaty of Amsterdam (1997), with particular emphasis on the evolving institutional framework of European governance. The second section

presents the findings of the case study, examining three labour organisations in each chapter. In chapter two, the discussion focuses on the role of the European Trade Union Confederation (ETUC), the European Industry Federations (EIFs), and the European Works Councils (EWCs) in the industrial relations sphere of activity. In chapter three, analysis turns to social movement unionism by evaluating the contributions of Euromarches, the Platform of European Social NGOs, and the European Clean Clothes Campaign. The final section of each chapter considers the significance of these strategies of European labour activism for the social dimension. The focus of analysis here is the relationship between strategic orientation, that is traditional trade unionism and transformed unionism, and policy outcome as it relates to the development of a European social regulatory regime.

Chapter four of this thesis concludes with an evaluation of the broader implications of labour activity for transnational governance. It suggests that labour has an increasingly more demanding role to fulfill in securing transnational social cooperation. This requires comparative analysis of labour's role as both a social partner and a social movement organisation at the European level of governance.

CHAPTER TWO
TRADITIONAL UNIONISM:
A EUROPEAN SOCIAL PARTNERSHIP MODEL

“The labor movement is seen as the product of its total environment. As labor organizations grow they become an independent factor affecting the course of their own destiny.”⁶²

“In the final analysis, the Europeanisation of industrial relations requires a Europeanisation of the trade unions... The need for an exchange of relevant experience and stronger co-ordination is beyond question. Modernised trade unions at [the] national level, which are open to new groups of workers and able to adjust to the new labour market realities, are a fundamental prerequisite for a Europeanisation of industrial relations.”⁶³

The first half of this case study on European labour relations begins with a closer look at the transformation of trade unionism as a strategy of transnational collective action. The central proposition of this second chapter assumes that the labour movement has been successful in its bid for representation at the European level of governance, with the trade union organisation serving as one of the primary vehicles of negotiation for labour interests. Because the concern of this thesis is policy outcome and, more specifically, labour-related social movement outcome, the important question here is what specific contributions has the European trade union movement made to the social dimension.

⁶² John T. Dunlop, “The Development of Labor Organization: A Theoretical Framework,” in *Theories of the Labor Movement* ed. Simeon Larson and Bruce Nissen (Detroit: Wayne State University Press), 14.

⁶³ European Trade Union Confederation, “Towards a European System of Industrial Relations,” (accessed 6 November 2000); available from www.etuc.org/EN/Decisions/Congress/Contents/Res_9thCongress/En/Resoluspec_130799.cfm; Internet.

The trade union movement has entered a new phase in its development, which represents a critical juncture for labour organisation. This chapter argues that the Europeanization of traditional trade unionism, or to be more specific the social partnership model, signals the reinvention of labour-related collective action. Labour's role in the transnational arena of policy making should not be overlooked nor dismissed, as this thesis will argue labour's relationship to the social dimension indicates the emergence of a transnational space for collective action in the industrial relations sphere. This becomes a particularly important point to keep in mind throughout this analysis of trade union strategy because, for the integration project to continue forward, there must be widespread support by civil society, of which the labour movement is part. Without this support, the integration project may lack the degree of legitimacy necessary to establish a system of governance at the transnational level. The social dimension, then, represents a specific concession to civil society groups: socio-economic rights must underpin economic integration. The relationship between organisational structure and strategic orientation that defines the traditional trade union model is fundamental to this argument that any progress made in advancing the social dimension, in large part, depends on the revitalisation of the trade union movement at the European level.

As a strategy of collective action, traditional trade unionism must be understood in terms of the key actors involved in the representation of labour interests, the organisational structure that shapes the means of communication between actors, and finally the issue areas of concern which are translated into organisational goals and policy objectives. In the European context, the traditional model of trade unionism is

characterized by its hierarchical organisational structure between transnational umbrella organisations and national-based trade unions whereby the purpose of collective action is to represent labour interests in the industrial relations sphere as it emerges at the European level.

Traditional trade unionism defines the social dimension as a legal instrument that widens the boundaries of economic and industrial citizenship. Full employment, guaranteed minimum income, and the right to collective bargaining, for example, are all part of a European platform of labour standards. What the social dimension represents in this capacity is a European industrial relations system whereby the social partnership model is replicated at the transnational level.

The focal point of this chapter is the European Trade Union Confederation (ETUC). Two reasons explain this decision to analyse the ETUC. The first points to organisational structure. The ETUC represents an umbrella organisation comprised of 58 national trade union confederations and 14 European industry committees.⁶⁴ If any progress is to be made in building transnational ties of solidarity, then the ETUC is a starting point for understanding the means by which cross-border interaction occurs between national trade unions. By the very definition of an umbrella organisation, the locus of authority remains vested in the national trade unions, but the ETUC must act as an interlocutor if these national-based unions are to agree upon a common set of interests to be represented at the European level of governance. The second reason for examining the ETUC is its representative functions. With its access to the EU institutions, the

⁶⁴ Keith Abbott, "The European Trade Union Confederation: Its Organization and Objectives in Transition," *Journal of Common Market Studies* 35, no. 3 (1997): 466.

ETUC is the best example yet of a transnational umbrella organisation that has some degree of influence in the decision-making process at the European level of governance. The ETUC's input may very well be minimal, and yet its contributions to the process have yielded significant returns in policy outcomes for its members.

The chapter also surveys two other transnational labour organisations: European Industry Federations (EIFs) and European Works Councils (EWCs). There are two primary reasons for examining these organisations. First, they represent the two types of organisational structure of transnational coordination, vertical in the example of EIFs and horizontal in the case of EWCs. Furthermore, they illustrate the different levels of interaction. For the EIFs, transnational collective action occurs at the sector level where they may target business sectoral organisations, while EWCs exist within the multinational corporate structure and thus target Euro-company management. Second, as this thesis will argue, these two organisations, in addition to the ETUC, form part of a larger European industrial relations model. It is useful for analytical purposes to compare their roles in the policy making process and their contributions to the social dimension.

The argument develops in the following three sections of the chapter. The first section provides an overview of the political opportunity structure that shapes transnational coordination between the European organisations and national trade unions in the industrial relations sphere of activity. Discussion here provides analysis of opportunities for labour to access the European decision-making process and, subsequently, to develop a consultative and participative role as a social partner representing labour's interests at the transnational level. The second section examines

the key actors and strategies that contribute to the development of a European social partnership model. Analysis in this section not only surveys each of the three organisations contributions to dialogue on the content of a European social regulatory regime but also considers the nature of the relationship between them that defines the institutional structure of a European industrial relations system. The last section shifts discussion to the implications of European trade unionism as part of a larger social partnership model emerging at the transnational level of governance for the development of the social dimension.

Political Opportunity for European Trade Unionism

The ratification of the Treaty of Amsterdam (1997) marks a critical phase in the development of the social dimension by signalling the emergence of a political environment that is becoming increasingly more supportive of a social pillar of European integration as a policy framework to protect social rights and to institutionalize social welfare in the European Union. For the labour movement in particular, the agenda outlined in the Treaty requires its active participation through a process of social concertation with both capital and the EU institutions at the transnational level of governance. The result is a widening political opportunity structure for the labour movement to influence the formulation and implementation of European social policy. In effect, the Treaty of Amsterdam removes many of the obstacles to transnational labour-related collective action that at one time had blocked transnational labour organisation.

Tarrow defines political opportunity as “consistent – but not necessarily formal or permanent – dimensions of the political environment that provide incentives for

collective action by affecting people's expectations for success or failure."⁶⁵ With this definition, Tarrow identifies five key factors of political opportunity that can potentially transform resource mobilization into sustained collective action. These factors of political opportunity include (1) increasing access to participation, (2) shifting political alignments within the system, (3) the emergence of influential allies, (4) the appearance of disagreement or division among elites, and (5) state development that facilitates or represses participation in the political system.⁶⁶ This section briefly examines these aspects of political opportunity that determine the European trade union movement's access to the decision-making process at the transnational level by considering the conditions in which the trade union movement engages the EU institutions and capital-business interests. The opportunities and constraints facing the European trade union movement today seem to indicate that the European system of governance itself may be at a crossroad. Whether the trade union movement takes advantage of this opening depends largely on the movement's handling of the political opportunity structure the current system affords it.

European trade unions' access to the decision-making process at the transnational level improved by a substantial margin with the unanimous agreement by all member states to ratify the Treaty of Amsterdam. According to Gold, Cressey, and Gill, the Treaty contained three major provisions that essentially redefined labour's relationship to both capital-business interests and the EU institutions by altering labour's access to the

⁶⁵ Sidney Tarrow, *Power in Movement*, 2nd ed. (Cambridge: Cambridge University Press, 1998), 76-7.

⁶⁶ *Ibid.*, 76; 77-80.

decision-making process in the area of European social policy.⁶⁷ The first provision ended the period of UK opt-out that had created a dual institutional track for social policy making at the European level of governance. As a result, the Agreement on Social Policy has been integrated in the Treaty as a new chapter on social policy.⁶⁸ The significance of the Social Chapter lies in its detailed description of the general objectives for Community social policy and the responsibilities of member states to coordinate their action so as to promote employment as well as to improve living and working conditions within the European Union.

Whereas the first Treaty provision deals specifically with changes to decision-making procedures and institutional structures in the area of EU social policy, the other two provisions outline the scope of social policy as it relates to the development of a European labour market. The second provision is the addition of the anti-discrimination clause to ensure equality of opportunity and treatment between men and women.⁶⁹ Under this new Treaty provision, social policy that falls within the anti-discrimination clause or the article on social exclusion is subject to qualified majority voting in the European Council rather than unanimous voting, which had been the case previous to the Treaty of Amsterdam. The third provision extends Community responsibility in the development of a transnational employment strategy to combat the high level of unemployment in the

⁶⁷ Michael Gold, Peter Cressey, and Colin Gill, "Employment, Employment, Employment: Is Europe Working?" *Industrial Relations Journal* 31, no. 4 (2000): 275-8.

⁶⁸ Tina Weber, "Amsterdam Treaty Brings Small Advances for Employment and Social Policy" *EIROOnline Database* (1997; accessed 15 June 2000); available from www.eiro.eurofound.ie/1997/07/features/EU9707135F.html; Internet.

⁶⁹ Michael Gold, Peter Cressey, and Colin Gill, "Employment, Employment, Employment: Is Europe Working?" 275.

European Union by creating new opportunities for work.⁷⁰ While in fact the employment strategy provides a legal basis for promoting labour market flexibility, it does so by supporting active labour market policy such as worker training and education. The important point to note about the Employment Chapter is the link drawn between employment strategy and the broad economic guidelines that had required a commitment to labour market deregulation and social spending cuts. The Employment Chapter, in conjunction with the Social Chapter, helps to recast the debate on competitiveness in terms of non-discriminatory labour markets and the right to work.

What these three Treaty provisions signify for the trade union movement is an ever-widening opportunity to engage with the EU institutions that are now confronted with the difficult task of formulating and implementing social policy measures where coordination among the member states is necessary under the terms of agreement outlined in both the Social Chapter and the Employment Chapter. For European trade unions, gaining access to participation in the policy making process occurs through social dialogue at the European level of governance. The European social partners, that is the European Trade Union Confederation (ETUC) and the Union of Industrial and Employers' Confederations of Europe (UNICE) as well as the sector-level organisations, play a greater role in the decision-making process as a result of the Treaty of Amsterdam. For example, according to Gold *et al*, [t]he [European Employment] Pact relates broad economic guidelines to the requirement for budget consolidation, social security reform and labour market deregulation and so implies that, potentially, each is a subject for

⁷⁰ Ibid., 277-8.

social dialogue.”⁷¹ The consequence of these developments in social policy is bipartite and tripartite negotiations not only with capital-business interests but also with the EU institutions.

The EU institutions’ capacity to broker agreements under the Social Chapter and the Employment Chapter indicates greater autonomous decision-making powers in the area of social policy, particularly for the European Parliament as a result of the co-decision rule and for the European Commission that seeks the role of policy innovator.⁷² As a result, the European Commission, and to a lesser degree the European Parliament, has expressed a willingness to support labour’s contributions to the social dimension. It is politically desirable for both the Commission and the trade union movement to accept the conditions of European social dialogue as outlined in the Treaty of Amsterdam. In supporting the emergence of a European trade union movement, the Commission recognises a way in which to legitimize its own role as policy maker. For the trade union movement, forging ties with the Commission has meant improving its capacity to advance its agenda for a social dimension that would protect labour rights at the national level while simultaneously harmonizing these rights at the European level.

Interestingly, though European labour may boast of expanding access and influential allies at the European level, the process of social concertation between capital, the EU institutions, and labour occurs in a political environment that is characterized by its instability – certainly as witnessed in the apathy of the general population to the

⁷¹ Ibid.

⁷² Sylvia Walby, “The New Regulatory State: The Social Powers of the European Union,” *British Journal of Sociology* 50, no. 1 (1999): 123-5.

integration project. The European decision-making process, particularly in the area of social policy, is fraught with both institutional and policy gridlock, as consensus for the integration project can be difficult to sustain for any great length of time. However, concerns with what Mishra has called the 'double deficit,' that is both a democratic deficit and a social deficit in the European Union, have continued to drive support for the social dimension.⁷³ The democratic deficit refers to the loss of autonomy by national governments to dictate market forces in a global economy, while the social deficit implies the demise of social welfare protection and in turn the loss of community identity among citizens. This factor of shifting political alignments, where neither proponents of market-led integration nor those representing positive integration in the form of a more federal, supranational institution have a clear majority to govern and thus they are forced to compete for public support, reveals yet another opportunity for the labour movement to participate in policy making.

As a result of this particular combination of improved access, influential allies, and shifting political alignments, the political opportunity structure that emerges following the ratification of the Treaty of Amsterdam (1997) provides the trade union movement the best chance yet to influence the decision-making process at the transnational level.

⁷³ Ramesh Mishra, "Beyond the Nation-State: Social Policy in an Age of Globalization," *Social Policy and Administration* 32, no. 5 (1998): 489.

Strategies of European Trade Unionism

This section considers three strategies utilised by the trade union movement to pressure both policy makers and business interest organisations at the European level. These strategies include worker consultation, social dialogue, and collective bargaining. According to the European Commission, these strategies are part of a larger process of representation and negotiation – what it refers to as social concertation.⁷⁴ The Commission defines social concertation as a “method of managing labour, social and economic issues by means of consultation...between public authorities and bodies representing employees and employers.”⁷⁵ This section questions whether the process of social concertation does in fact signal the emergence of a European industrial relations model. Regardless of the answer to this question, it does appear that social concertation has carved out a role for worker representation at the European level.

European Trade Union Confederation – Social Dialogue

Since its inception in 1985 following the Val Duchesse talks to establish a social partnership model at the European level, the social dialogue has come to represent an important forum for consultation and negotiation in matters of employment relations and, more recently, economic policy management. The European Commission defines social dialogue as a “process of continuous interaction between the social partners with the aim of reaching agreements on the control of certain economic variables, at both macro and micro levels.”⁷⁶ Whether this process will lead to the establishment of a pan-European collective bargaining system remains debatable, but as it exists presently, social dialogue

⁷⁴ European Commission, “Report: Industrial Relations in Europe 2000,” (2000; accessed 9 November 2000); available from europa.eu.int/comm/employment_social/soc-dial/news/com113f_en.pdf; Internet: 8.

⁷⁵ Ibid.

⁷⁶ Ibid.

is a separate and distinct process from that of worker consultation and collective bargaining.

The purpose of social dialogue is two fold. First, social dialogue strengthens the role of the European social partners by providing for them a formal structure in which to represent their interests at the European level. Second, social dialogue increases the visibility of Community economic and social policy by placing the European social partners in the centre of the policy making process. Under Article 138 of the Treaty of Maastricht (1992), the social partners are to be consulted in areas of social policy legislation such as health and safety regulation, working conditions, worker information and consultation, and social protection of workers. These provisions ensure that the social partners maintain a key role in policy formulation, particularly in determining the direction and content of Community directives.⁷⁷ This process leaves the European social partners a period of nine months in which to draft a framework agreement that is acceptable to both sides. If this does not occur in allotted timeframe, then the Commission intervenes, and the social partners are consulted after the Commission has submitted a legislative proposal to the European Parliament.

There are two models of social dialogue at the European level. The first constitutes tripartite negotiations between capital, the EU institutions, and labour and is found in the following examples: the Standing Committee on Employment between representatives from the European Council, the Commission, and the social partners as well as the Macroeconomic Dialogue between the Ecofin Council and the social partners.

⁷⁷ Ibid., 12.

The European social partners have also met, both formally and informally, with the 'troika' of heads of government and representatives of the European Central Bank.⁷⁸ This process may very well expand in scope after EMU, which is expected to have a significant impact on macroeconomic stability, thus warranting greater coordination in wage trends as well as monetary and fiscal policy. Both of course are of major concern to labour. As Coen explains, "[u]nder a single currency national labour markets would therefore become truly competitive markets: the consequence would be an increase in the responsibility of pay and social policy for employment levels."⁷⁹

The second model of social dialogue denotes a bipartite arrangement between the European social partners. Under bipartite social dialogue, the social partners meet on a regular basis that culminates in Social Dialogue Summits. The Social Dialogue Committee arranges these summits after consultation with the three working groups on macroeconomics, the labour market, and education and training.⁸⁰ It is clear that the success of social dialogue depends largely on the social partners' support of the process through sustained interaction.

Following the Commission's lead as set forth in the Treaties of Maastricht and Amsterdam, the role of the ETUC in the social dialogue has been to foster policy debate among its members in order to build support for Community action in the area of employment relations. Essentially, meeting this objective involves a three-prong

⁷⁸ Ibid., 13

⁷⁹ Martin Coen, "The European Dimension to Collective Bargaining Post-Maastricht," in *European Industrial Relations? Global Challenges, National Developments and Transnational Dynamics* eds. Wolfgang Lecher and Hans-Wolfgang Platzer, (London and New York: Routledge, 1998), 65-71.

⁸⁰ European Commission, "Report: Industrial Relations in Europe 2000," (2000; accessed 9 November 2000); available from europa.eu.int/comm/employment_social/soc-dial/news/com113f_en.pdf; Internet: 14

strategy. First, the ETUC promotes the exchange of information and experience between the national trade union confederations so as to institutionalize cross-border interaction at the European level. One of the ETUC's more recent attempts at transnational cooperation is NETLEX, a trade union network of more than 65 legal experts from 25 countries and 47 ETUC-affiliated organisations.⁸¹ The international organisation of the ETUC also facilitates communication between the members, with standing committees on economic democratization of multinationals, structural and regional policy, and the labour market for example.⁸² In addition to these more informal arrangements within the organisation itself, the ETUC convenes a congress every four years to discuss past performance and to determine future strategy and policy objectives.

Second, the ETUC fosters consultation between its members, the EU institutions, and business interests by actively engaging in bipartite and tripartite concertation.⁸³ In this capacity, the ETUC serves as both an information post for the EU institutions and a watchdog of labour interests in matters relating to social policy. Third, the ETUC encourages negotiations not only with UNICE, but also between its member affiliates. According to Abbott, the ETUC provides its members with both general guidelines and detailed appraisals that together constitute extensive policy programmes for transnational coordination.⁸⁴ The result is an agenda less focussed on the harmonisation of industrial

⁸¹ "News and Background," *Transfer* (January 2000): 150.

⁸² Keith Abbott, "The European Trade Union Confederation: Its Organization and Objectives in Transition," *Journal of Common Market Studies* 35, no. 3 (1997): 470.

⁸³ European Commission, "Report: Industrial Relations in Europe 2000," (2000; accessed 9 November 2000); available from europa.eu.int/comm/employment_social/soc-dial/news/com113f_en.pdf; Internet: 13-6.

⁸⁴ Keith Abbott, "The European Trade Union Confederation: Its Organization and Objectives in Transition," 477.

relations and more on standardisation in which a platform of minimum standards is agreed on by the member organisations. This gives the ETUC and its affiliates the flexibility necessary for sustained transnational cooperation.

The ETUC's performance in the social dialogue has been modest thus far. In a period of eight years, between 1991 and 1999, the European social partners have negotiated six framework agreements, mostly in the area of health and safety and work organisation, that have been adopted as European legislation.⁸⁵ Furthermore, the social partners have issued numerous joint opinions on employment strategy and coordination of economic policy. That said, however, social dialogue has stalled more often than not, as UNICE in particular shows little interest in transnational negotiations concerning the development of a European contractual area for collective bargaining.

On the upside, social dialogue does appear to represent a 'third way' for negotiations on social legislation in that it creates a forum for discussion between the social partners at the transnational level. In anticipating the transformation of the European Union with full implementation of EMU by January 2002, the process of social dialogue and the role of the European trade union movement take on additional importance. According to Visser, as institutionalized concertation begins to show some effect of stabilizing participation among the social partners and the EU institutions, the social dialogue process will become increasingly more important in the development and implementation of social legislation and for the coordination of macroeconomic policy

⁸⁵ European Commission, "Report: Industrial Relations in Europe 2000," (2000; accessed 9 November 2000); available from europa.eu.int/comm/employment_social/soc-dial/news/com113f_en.pdf; Internet: 15; 20.

strategies.⁸⁶ It can be expected that the ETUC will continue to evolve into this role as labour representative in European social dialogue.

European Works Councils – Social Consultation

The effectiveness of European Works Councils to facilitate workplace consultation between employers and worker representatives was called into question after the 1997 Vilvoorde controversy when Renault closed its Belgian plant without prior consultation with worker representatives. At the time, the announcement seemed to deal a deathblow to the development of an EWC framework and a certain setback for the trade union movement that had supported the adoption of European legislation on worker consultation. Not only had Renault set a damaging example for corporate governance when it blatantly disregarded European legislation in the area of social policy, but it also shook the confidence of workers to rely on this process of worker consultation to protect their interests.

Consultation is defined as “a process of discussion and debate, usually distinguished from collective bargaining and negotiation in that it does not imply a process of bargaining, compromise and joint agreement.”⁸⁷ In this capacity, EWCs function as information committees by providing employee representation at the workplace level. While the ETUC represents the emergence of a vertical relationship between the transnational umbrella organisation and the national trade unions, EWCs are

⁸⁶ Jelle Visser, “The Revival of Social Dialogue in Europe,” *Perspectives on Work* 3, no. 1 (1999): 6.

⁸⁷ European Commission, “Report: Industrial Relations in Europe 2000,” (2000; accessed 9 November 2000); available from europa.eu.int/comm/employment_social/soc-dial/news/com113f_en.pdf; Internet: 8.

characterized as cross-border organisational structures, with the potential to foster horizontal coordination between employee representatives.

The adoption and subsequent implementation of the EU Directive on the Establishment of European Works Councils signalled a new opportunity for the trade union movement to organize its interests at the European level. According to Wills, the development of EWCs represents yet another avenue for social partnership between capital and labour by encouraging the two to meet on a regular basis.⁸⁸ As a compromise between business lobbies and trade unions, the directive offers a decentralised approach to information exchange between employer and employee representatives. For business interests, EWCs provide a way to reduce costly information asymmetries. For labour, EWCs offer not only a forum for discussion and consultation but also a political vehicle for strengthening its bargaining position.⁸⁹

Four years after the Vilvoorde-Renault incident, there are an estimated 450 Article 13 EWC Agreements and 111 Article 7 EWC Agreements in place.⁹⁰ As Lecher *et al* explain, the difference in language between Article 7 and Article 13 signals a paradigm shift and, more specifically, a political compromise between labour, capital, and the EU institutions.⁹¹ Under Article 7, companies are required to set up an EWC within a three-year timeframe. In failing to reach agreement on the electoral procedures

⁸⁸ Jane Wills, "Taking on the CosmoCorps? Experiments in Transnational Labor Organization," *Economic Geography* 74, no. 2 (1998): 123.

⁸⁹ *Ibid.*

⁹⁰ European Foundation for the Improvement of Living and Working Conditions, *1999 EIRO Annual Review: A Review of Developments in European Industrial Relations*. (Luxembourg: Office for Official Publications of the European Communities, 2000); available from www.eurofound.ie/publications/files/3774EN.pdf; Internet.

⁹¹ Wolfgang Lecher, Bernhard Nagel, and Hans-Wolfgang Platzer, *The Establishment of European Works Councils: From Information Committee to Social Actor* (Aldershot, UK: Ashgate, 1999), 29-31.

and voting powers of the proposed EWC, legal sanctions are to be levied against the company in breach of Community law. EWCs established under Article 13, on the other hand, are the result of voluntary agreement between central management and employee groups. The advantage of negotiations under Article 13 is that agreements settled prior to the transposition date of 22 September 1996 have remained in force after the transposition date passed. Thus, companies were given wider latitude in negotiating the framework agreement under Article 13 than those reached under Article 7 where negotiations were required to go through the Special Negotiating Body before the agreement could be accepted.

Whether EWCs will emerge as a key social actor in the development of European industrial relations remains unclear at this time. On the one hand, as noted in the 1998 EIRO Annual Report on key trends in European Industrial Relations, "EWCs are seen as being likely to contribute to a greater awareness of the internationalisation of company strategies; the creation of networks of employee representatives across boundaries; and a possible 'centralisation' of company-level industrial relations."⁹² In this scenario, not only would EWCs ensure that employee information and consultation rights are being met at the workplace, but also they could provide the impetus for horizontal coordination between labour organisations. The danger of EWCs, however, is that they may lead to a dual system of representation in which EWCs and trade unions would compete for

⁹² European Foundation for the Improvement of Living and Working Conditions, *1998 EIRO Annual Review: A Review of Developments in European Industrial Relations*. Luxembourg: Office for Official Publications of the European Communities, 1999; available from www.eurofound.ie/publications/files/3668EN.pdf; Internet: 22.

member support and thus resources.⁹³ The consequence suggests greater management control over collective bargaining and widening gap in negotiating powers between capital and labour.

It is still too soon to evaluate the significance of the EWC directive for the social dimension. Only recently have the last agreements in the UK been negotiated and implemented. According to Lecher *et al*, the EWC Directive affects over 1,500 companies and more than 40,000 employees.⁹⁴ The directive is once again up for review, and revisions to the law are being considered by the European institutions and national governments as well as by business interests and trade unions.

European Industry Federations – European Collective Bargaining

The third strategy of trade unionism is collective bargaining. Collective bargaining is characterized as a process of negotiation established “to guarantee a fair share of income, to promote employment and to improve living and working conditions.”⁹⁵ Although the social partnership model as it has existed in Europe at the national level may indeed boast a long history of protecting workers’ shares of production in the form of social benefits, there has been increasing concern expressed today that the future of this model is in trouble.

If a system of European-level collective bargaining is to emerge in the near future, it would more than likely grow out of sector-level negotiations. At the present stage in

⁹³ Ibid.

⁹⁴ Wolfgang Lecher, Bernhard Nagel, and Hans-Wolfgang Platzer, *The Establishment of European Works Councils: From Information Committee to Social Actor* (Aldershot, UK: Ashgate, 1999), 256.

⁹⁵ European Trade Union Confederation, “Towards a European System of Industrial Relations,” (accessed 22 June 2000); available from www.etuc.org/EN/Decisions/Congress/Contents/Res_9thCongress/En/Resoluspec_130799.cfm; Internet.

the integration project, the likelihood of European collective bargaining contributing to macroeconomic and social policy is remote. But having said that, what does appear to be happening is increasing coordination between sectoral labour organisations, with the European Industry Federations playing a significant role in this process.

Because the focus of this chapter has centred specifically on the vertical relationship between European umbrella organisations and national labour organisations – or in the case of this example sector-level labour organisations, European Industry Federations are considered in greater detail, with particular emphasis on their role in establishing a system of European collective bargaining. Of the three types of organisations examined in this case study, the EIFs seem to be the most neglected in research on labour organisation.

There are several reasons that might help to explain the lack of information on sector-level activity. First, the EIFs have had very little to contribute to European-level negotiations between business and labour interests and the EU institutions. The problem with the idea of European sector-level negotiations is that no European counterpart exists to represent the business side. That certainly is the case in the metal industry as well as in the textiles, footwear, and leather industry. The other problem is the overlapping jurisdictions between the national level and the sector-level of labour organisation. Similarly to what the ETUC has experienced in its attempts to construct a system of European collective bargaining, the EIFs do not seem to have the necessary support from their member affiliates to initiate collective bargaining negotiations. Instead, the EIFs have acted in the role of watchdog and information post for their members.

Current trends in European-level collective bargaining indicate an increase in bargaining coordination within the EIFs. For example, the affiliated trade unions of the European Metal Federation agreed to adopt a “wage coordination rule.”⁹⁶ The agreement between the trade unions stated that wage policy must consider both inflation and productivity gains in order to determine a wage increase that improves purchasing power for workers. The Textiles-Clothes-Leather Federation also adopted a similar strategy on collective bargaining wage coordination. Once these international protocols on collective bargaining coordination are accepted by the member affiliates, then sector-level collective bargaining may occur across borders, which signifies a deepening of transnational links between national sector organisations. This has been the case in the metalworking industry where unions from Austria, Germany, Hungary, Slovakia, and Slovenia have accepted an interregional collective bargaining policy that requires ongoing cooperation between the unions so as to prevent wage dumping.

For the European trade union movement, the transnationalization of the collective bargaining model suggests the emergence of a system of negotiation based on differentiated cooperation among the three levels of trade union organisation. A European collective bargaining model seems the best option for the trade union movement if it expects to counterbalance the structural power of capital. This point raises two questions. First and foremost, is there support for European collective bargaining? While there is agreement that transnational coordination is necessary to

⁹⁶ European Foundation for the Improvement of Living and Working Conditions, *1999 EIRO Annual Review: A Review of Developments in European Industrial Relations*.(Luxembourg: Office for Official Publications of the European Communities, 2000); available from www.eurofound.ie/publications/files/3774EN.pdf; Internet.

contain the pressures of EMU, there continues to be disagreement about the structure and function of a European industrial relations system. Second, what would be the role of the transnational umbrella organisations in this system? Although it might appear that the ETUC or the EIFs are the most logical choice for representing labour in collective bargaining talks at the European level, there seems to be very little support for this development – particularly from national trade unions that do not wish to relinquish their authority in negotiating collective bargaining agreements at the national level.

European Industrial Relations – Virtual Collective Bargaining

Evaluation of these three organisational structures drives home the point that the development of a distinctly European industrial relations system in which the European social partners negotiate collective bargaining agreements for their members is most unlikely at this stage of integration. Present conditions are not conducive for establishing a collective bargaining system at the European level. For labour, highly divergent national industrial relations systems have made it particularly difficult to pursue one particular model of best practice at the transnational level of governance. From the business perspective, there is no interest in supporting a European-level collective bargaining structure. As UNICE has indicated, such a system would only further compound the European Union's dilemma of labour market rigidity.

What does seem to be emerging is a system of virtual collective bargaining.⁹⁷

This process of virtual collective bargaining is noteworthy for its horizontal and vertical

⁹⁷ Paul Marginson and Keith Sisson, "European Collective Bargaining: A Virtual Prospect?" *Journal of Common Market Studies* 36, no. 4 (December 1998): 505-28; Keith Sisson, James Arrowsmith, Mark

organisational structure between the ETUC and trade union organisations located at both the national and firm levels. For the system to work, it is the responsibility of the ETUC to facilitate the flow of information from the European level downward to the national and firm levels of organisation. The ETUC does so by providing a forum for discussion between its members.

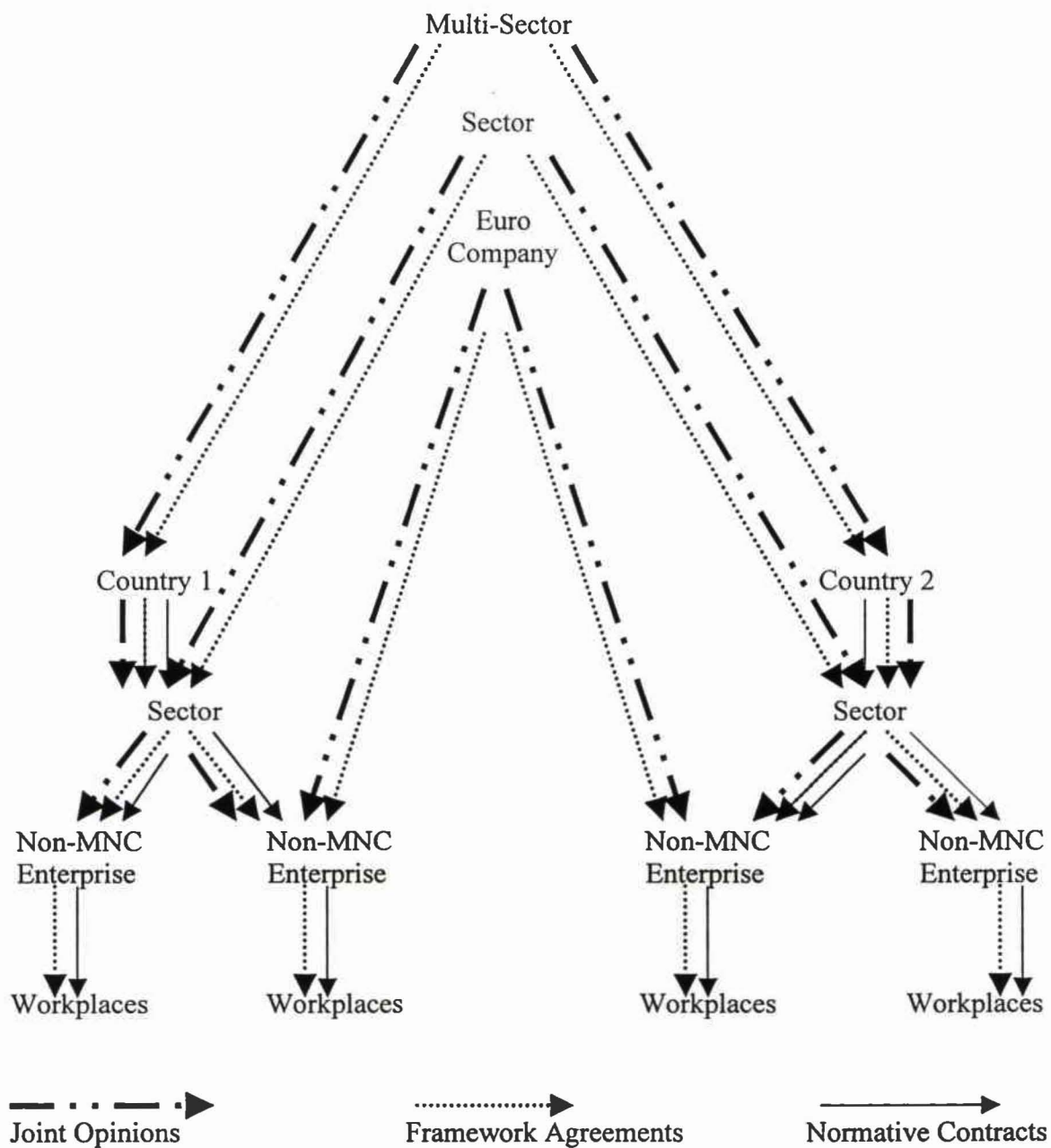
According to Marginson and Sisson, two main processes underpin virtual collective bargaining at the European level. (Figure 2.1) The first process occurs when the European social partners at the multi-sector, sector, or company level negotiate the terms of either a framework agreement or a joint opinion. These negotiations between the European social partners establish a platform of workers' rights and labour standards at the European level for the national levels to incorporate into legislation or collective bargaining agreements. The second process occurs through "arm's length bargaining." Marginson and Sisson define arm's length bargaining as a process of negotiation in which "the parties do not meet, but seek to influence the outcome by the use of comparisons, 'pattern setting', coordination and the diffusion of 'best practice.'"⁹⁸ This second process facilitates coordination not only between national trade unions but also among worker organisations in the subsidiaries of multinational corporations.

This model of virtual collective bargaining seems to indicate the emergence of a uniquely European industrial relations system whereby the European labour movement, namely the ETUC and the sector-level industrial federations, acts in conjunction with national

Gilman, and Mark Hall, "EMU and the Implications for Industrial Relations," (Dublin: European Foundation for the Improvement of Living and Working Conditions, 1998, accessed 18 August 2000); available from www.eurofound.ie/publications/participation/3646.htm; Internet.

⁹⁸ Ibid.

Figure 2.1 Structure of European Virtual Collective Bargaining



Source: Paul Marginson and Keith Sisson, "European Collective Bargaining: A Virtual Prospect?" *Journal of Common Market Studies* 36, no. 4 (1998): 507.

trade union organisations. Thus, the purpose of the European trade union movement is to ensure an on-going exchange of information and experiences between its members. For this reason, the aim of both social dialogue as well as this process of virtual collective bargaining is to protect the national base – not through standardisation but rather through the harmonisation of labour standards. So what one sees at the European level is an interlocking process of representation and negotiation in which the process of social dialogue provides a discussion forum at the European level while the sectoral and national levels of trade union organisation negotiate the details of joint opinions and framework agreements through collective bargaining.

On-going coordination between the different levels is a necessary factor in ensuring the success of this system of virtual collective bargaining. Once a framework agreement is agreed upon by the ETUC and UNICE through the process of social dialogue, implementation of the framework agreement becomes the task for the national level. Implementation of the agreement occurs either by way of EU directive or through national collective bargaining. What this indicates is a top-down process of interaction where the ETUC establishes the parameters of European social regulation and the national trade union organisations negotiate the details of implementing the framework agreement. Not to be overlooked, the second part of virtual collective bargaining represents a horizontal network of national sectors and firm level trade union organisations. In establishing a bottom-up process of interaction, the system of virtual collective bargaining ensures some degree of comparison and coordination between national and firm level trade unions across national borders. Whether this process leads

to pattern-setting and, in fact, diffusion of best practice remains a matter of debate. The important point to note, however, is the establishment of a European-wide network of trade union organisations.

Discussion

It was noted at the outset of this chapter that one of the primary reasons for examining the three major cross-industry organisations was the opportunity to analyse the potential development of a European industrial relations system. The findings of this research indicate a substantial increase in efforts at European social concertation, which may very well prove to be a decisive factor in bringing together support for the creation of a European industrial relations model. Under the auspices of social concertation, virtual collective bargaining has provided a forum for cooperation between trade unions as well as an area for autonomous negotiations between the European social partners.

The process of managing virtual collective bargaining assigns separate roles to each of the three organisations, in effect establishing parameters of authority that are recognisable to the actors involved in negotiations both at the national and European levels of governance. The result is a division of labour where each European umbrella organisation – be it the works councils, the industry federations, or the trade union confederation – has a distinct role to play in formulating policy or negotiating framework agreements that are to be handed down to and dealt with by the national-based trade union organisation. It will be interesting to follow these developments in transnational labour organisation over the next several years, particularly as their position in the

decision-making process becomes part of a larger pattern of labour-related collective activity.

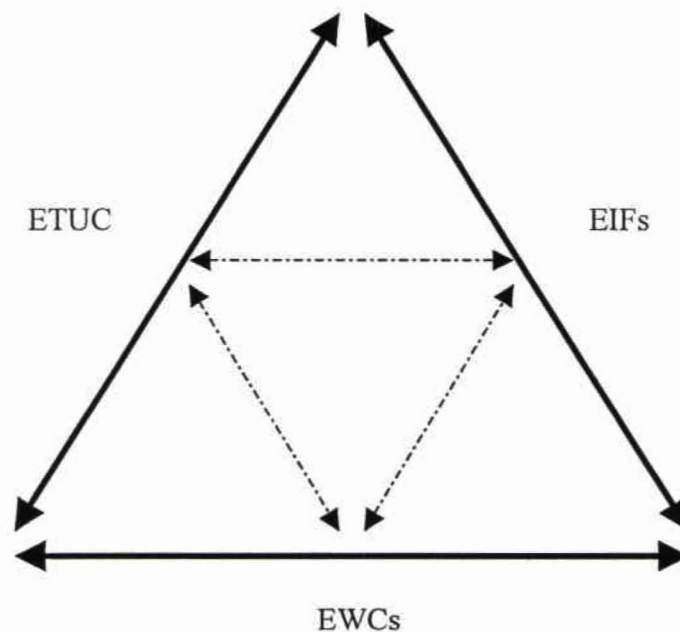
While this framework of virtual collective bargaining as illustrated in Figure 2.1 is useful for understanding the division of labour that differentiates between levels of governance (European, national, and Euro-company), it fails to capture the nature of the potential relationship between the three models of transnational labour organisation (works councils, industry federations, and trade union confederations). Some of the more recent depictions of this relationship suggest the three have already begun to compete with each other as vehicles of labour representation. According to this argument, this has led to even greater fragmentation of the working class because there is no one single voice representing the labour interests.

What explains the relationship between the three organisational types? Is there a common bond or characteristic purpose shared between them which might foster solidaristic ties at the European level of governance? Following the analysis of Lecher *et al*, there are two possible scenarios for European industrial relations and consequently the relationship between transnational labour organisations.⁹⁹ The first suggests the emergence of a European industrial relations model where the relationship between organisational types is best recognised for its interlocking, mutually reinforcing organisational structure and strategic orientation. (Figure 2.2) In this scenario, each organisation is independent of the other two when representing labour interests in the decision-making process; however, they would share a common set of purposes. To

⁹⁹ Wolfgang Lecher, Bernhard Nagel, and Hans-Wolfgang Platzer, *The Establishment of European Works Councils: From Information Committee to Social Actor* (Aldershot, UK: Ashgate Publishing, 1999).

arrive at this point would require ongoing communication so as to facilitate cooperation among organisations at the transnational level of governance. The second scenario hints at an industrial relations system in which there is struggle over resources and thus some degree of competition between the three organisations.

Figure 2.2 Triangular Model of European Industrial Relations



European Trade Unionism and the Social Dimension

The final section of this chapter examines the impact of the traditional model of trade unionism on the decision-making process as it has influenced the institutional form and policy direction of the social dimension. In order to understand better labour's role in the industrial relations sphere of policy making, this section compares two policy frameworks that fall within the boundaries of the social dimension project: the Social Chapter and the Employment Chapter. Do in fact the Social and Employment Chapters

in the Treaty of Amsterdam (1997) bring the European trade union movement any closer to establishing a European industrial relations system?

These two policy frameworks represent very different approaches to social policy development. With the ratification of the Treaty of Amsterdam (1997), the Social Chapter has provided the legal basis for Union activity in the area of social policy by defining a specific regulatory regime for European labour law. According to Kenner, the primary objective of the Social Chapter is “to establish a floor of rights for Community workers that can be built upon at national level while ensuring a broadly level playing field consistent with the requirements of market integration and competitiveness.”¹⁰⁰ The distinguishing characteristic of the Social Chapter is its programmatic approach to policy development, which means that the Community level is responsible for formulating social policy in the area of health and safety, working conditions, worker information and consultation, equal opportunity and treatment of work between men and women, and labour market integration.¹⁰¹ The national level then is responsible for implementing these directives and meeting the minimum requirements for social policy.

The Employment Chapter is a fairly recent policy development, ratified at the same time as the Social Chapter in the Treaty of Amsterdam, and constitutes a macroeconomic employment strategy for the European Union. There are three components to the Employment Chapter. The Luxembourg process is the first part of the strategy, requiring member states to submit National Action Plans (NAPs) for annual

¹⁰⁰ Jeff Kenner, “The Paradox of the Social Dimension,” in *Reforming the European Union from Maastricht to Amsterdam* eds. P. Lynch, N. Neuwahl, and W. Rees (Harlow, England: Pearson Education Limited, 2000), 109.

¹⁰¹ *Ibid.*, 110-11.

review by the European institutions. In effect, member states must be able to demonstrate what progress they have made in improving labour market conditions at the national level.¹⁰² According to the 1997 EIRO Annual Review, “[t]he focus differs from country to country as to the groups targeted for specific assistance, but there is an overall emphasis on measures for long-term unemployed people, young workers, older workers, women, people with disabilities and migrants.”¹⁰³ The Cardiff process is the second component of the Community’s employment strategy. This process establishes a comprehensive programme of structural reform and modernization of the labour market, which is to foster a sort of convergence or model of best practice among the member states and thus better prepare their workforce for the transition to a knowledge-based economy.¹⁰⁴ The third element of the employment strategy is the European Employment Pact. The Employment Pact inserts social dialogue into the process, ensuring a role for the European social partners in macroeconomic policy making.¹⁰⁵ This suggests two implications for the European labour movement. According to Casey and Gold, “[t]he Employment Pact, by linking in the broad economic guidelines with their concern for budget consolidation, social security reform and labour market deregulation, implies that, potentially, each is a subject for social dialogue. Second, it emphasises that wages policy

¹⁰² European Commission, *Employment Policies in the EU and in the Member States: Joint Report 1998* (Luxembourg: Office for Official Publications of the European Communities, 1999), 5-9.

¹⁰³ European Foundation for the Improvement of Living and Working Conditions, *1997 EIRO Annual Review: A Review of Developments in European Industrial Relations*. (Luxembourg: Office for Official Publications of the European Communities, 1998); available from www.eurofound.ie/publications/files/2044EN.pdf; Internet: 19.

¹⁰⁴ EIRR, “Lisbon Summit Focuses on Employment in the New Economy,” *EIRR* 316 (May 2000): 23-5.

¹⁰⁵ European Foundation for the Improvement of Living and Working Conditions, *1999 EIRO Annual Review: A Review of Developments in European Industrial Relations*. (Luxembourg: Office for Official Publications of the European Communities, 2000); available from www.eurofound.ie/publications/files/3774EN.pdf; Internet.

is a critical component of employment policy.”¹⁰⁶ Whether the labour movement will be able to capitalize on these developments remains a matter of intense debate.

Having explained briefly the basic characteristics of the Social Chapter and the Employment Chapter as outlined in the Treaty of Amsterdam (1997), it is necessary at this point to identify the objectives of traditional trade unionism. With this established, only then is it possible to pinpoint the relationship between trade union activity in the industrial relations sphere and the development of the social dimension.

In this capacity of social partner, the European labour organisations pursue a set of interests that can be described as the traditional core agenda of collective bargaining.¹⁰⁷ The first set of priorities is procedural in nature, detailing the conditions of work and wage policies. The second set of priorities is substantive in nature and deals specifically with workplace rights, job security, and career advancement such as education and training opportunities. The question of concern here is whether these objectives of traditional trade unionism can be achieved through social concertation under either the Social Chapter or the Employment Chapter. The answer to this question reveals that the European labour organisations may in fact be constrained in what objectives they can pursue at the European level due to the principle of subsidiarity which reaffirms the national jurisdiction in deciding these matters. Nevertheless, these two policy frameworks broaden European competence in macroeconomic policy making,

¹⁰⁶ Bernard Casey and Michael Gold, *Social Partnership and Economic Performance: The Case of Europe* (Cheltenham, UK: Edward Elgar, 2000), 116.

¹⁰⁷ Richard Hyman, “Trade Unions and Interest Representation in the Context of Globalisation,” *Transfer* 3 (1997): 517-8.

with spillover effects for labour market regulation and thus providing the European trade union movement a forum to address these concerns.

The European labour organisations have been very straightforward in outlining their expectations for the social dimension. In doing so they have signalled to the EU institutions and particularly the Commission, the DG V (Employment and Social Affairs), and business organisations like UNICE that European integration cannot continue to proceed at its current pace in the direction that it is without further developing a social pillar to offset the negative effects from economic integration. The organisations' key objectives for the social dimension can be summarised as follows: the upward harmonisation of labour standards and living conditions, the development of a European system of industrial relations, and the establishment of a legal framework that defines pan-European trade union rights. The ETUC, for example, has supported the social dimension for its capacity to encourage political recognition of the ETUC and its contributions to the social partnership model at the European level. In effect, the social dimension gives the organisation the legitimisation it needs to coordinate policy objectives and strategies among its members and to represent their interests in the social dialogue. For this reason, the ETUC has called for cross-border mutual recognition of trade union membership, provisions, and services so as to complement the emerging structure of consultation and negotiations between national trade union federations.¹⁰⁸

¹⁰⁸ European Trade Union Confederation, "Towards a European System of Industrial Relations;" available from www.etuc.org/EN/Decisions/Congress/Congents/Res_9thCongress/En/Resoluspec_130799.cfm; Internet.

Business organisations' interest in the social dimension project has wavered somewhere in between ambivalence and antipathy, which certainly helps to explain their approach to social concertation at the European level. In fact, the one clear objective that has been agreed on concerning the social dimension is that it should not interfere with economic integration. Accordingly, when social policy is drafted and implemented under the auspices of the social dimension, it should complement the economic pillar of the integration project. From the business perspective on the social dimension, cross-sectoral negotiations have occurred only when business interests have been threatened by pending legislation to be accepted by the European Council for implementation at the national level.¹⁰⁹ The peak associations recognise that, once social policy is set at the European level, it is difficult to undo, and with a European Commission that has become increasingly more sympathetic to the idea of striking a balance between labour interests and capital demands, there is a perceived danger by the various business organisations like UNICE in ignoring the social dialogue process.¹¹⁰ By and large, business has engaged in social dialogue for the express purpose of determining joint opinions to the EU institutions. In this capacity, the social dimension is a useful tool only for preparing the European workforce to enter a competitive, knowledge-based European economy.

¹⁰⁹ Andrew Martin and George Ross, "In the Line of Fire: The Europeanization of Labor Representation," in *The Brave New World of European Labor: European Trade Unions at the Millennium* (New York and Oxford: Berghahn Books, 1999), 329-35.

¹¹⁰ George Ross, "Assessing the Delors Era and Social Policy," in *European Social Policy: Between Fragmentation and Integration* eds. Stephan Leibfried and Paul Pierson (Washington D.C.: Brookings, 1995), 376-8.

Like its counterpart in the ETUC, UNICE has been most forthcoming in its agenda for social policy.¹¹¹ UNICE supports provisions on health and safety in the workplace, improved education and training for the labour force, the promotion of equal opportunity, and the modernization of social protection programmes such as social security reform. For UNICE, the key issue in this debate on the future direction of European integration remains that of improving competitiveness. Structural reforms for a more flexible labour market and European benchmarking of national employment standards are its primary objectives for the social dimension. Thus, social policy is part of a broader agenda to ensure economic growth and higher employment rates throughout the European Union. UNICE has argued that building a prosperous Europe depends on the region as a whole accomplishing higher economic growth and expanding employment opportunities. Only in this context is the social dimension useful as an institutional framework – in other words, social policy as a means to modernizing the European economy and improving its competitiveness. On any other aspect of social policy, UNICE defends its position to veto collective bargaining at the European level by referring to the principles of subsidiarity and proportionality.

To a large extent, these differences in expectations and policy agendas have hindered negotiations on the social dimension. Examining the six framework agreements, one finds more progress made on the substantive policy objectives, particularly in the area of health and safety and work organisation, than on the procedural

¹¹¹ Union of Industrial and Employers' Confederations of Europe, "Releasing Europe's Employment Potential: Companies' Views on European Social Policy beyond 2000," available from www.unice.org; Internet.

policy objectives. While labour has lobbied for a social dimension protecting economic and industrial citizenship, business organisations have pursued a quantitative approach to the social dimension that measures economic growth and employment levels as indicators of well being and prosperity.¹¹²

For its part in the social dimension, the Commission has also failed to stimulate long-term interaction between the European social partners. As a result, the Social Chapter is becoming increasingly more marginalized in comparison to the Employment Chapter. One can see the difference by examining the Social Action Programmes over the last 10 years. The Commission's Social Action Programmes provide guidelines and appraisals for member states as well as future policy objectives and strategies for social concertation at the European level. To illustrate this point, in 1989, the Commission issued a Social Action Programme to implement legislation on the Charter of Fundamental Social Rights for Workers.¹¹³ With the integration of the Employment Chapter into the Treaty of Amsterdam, these Social Action Programmes have been used to strengthen the European social partners' role in the European employment strategy.¹¹⁴ What this suggests is a shift in focus and priorities. Whether the Employment Chapter will be the natural link between social legislation and the emergence of a European collective bargaining system remains to be seen.

The advantage of the Employment Title for the European trade union movement is that the Title should complement the Social Chapter, thus giving labour even more

¹¹² UNICE, "UNICE Contribution to the Definition of a New Agenda for Social Policy," (2000); available from www.unice.org; Internet: p. 2 of 5.

¹¹³ Andrew Martin and George Ross, "The Europeanization of Labor Representation," 318.

¹¹⁴ EIRR, "Commission Issues Social Policy Plans," *EIRR* 314 (March 2000): 23-4.

room to negotiate at the European level. The Employment Pact, it can be argued, presents the trade union movement yet another opportunity to co-ordinate efforts across national borders. Furthermore, the agreement forces an understanding of the mutually interlocking relationship that exists between the Stability and Growth Pact, the Broad Economic Policy Guidelines, and employment levels.¹¹⁵ The need for a co-ordinated economic response as defined in the Employment Title has the effect of widening the competences of all parties involved in the process of setting economic and employment policy guidelines. The ETUC has supported the development of the Broad Economic Policy Guidelines in exchange for Employment Guidelines that set the employment rate at an average of 70 percent for the entire region.¹¹⁶ A trade-off of sorts, a tighter labour market would seem to suggest greater bargaining leverage for trade unions, while ensuring business interests a commitment to productivity growth and economic recovery. In effect, the Employment Pact locks both business and labour into agreement on benchmarking performance and employment rate convergence.

The disadvantage of the Employment Title for the trade union movement is that discussion on employment rates and productivity growth has begun to replace dialogue on social regulation. While it celebrated the incorporation of the Social Chapter into the Treaty of Amsterdam that would remove many of the obstacles to implementing social

¹¹⁵ European Trade Union Confederation, Union of Industrial and Employers' Confederations of Europe, and European Centre of Enterprises with Public Participation, "1999 Employment Guidelines: Joint Declaration of European Social Partners to the Vienna European Council," (1998); available from europa.eu.int/comm/employment_social/soc-dial/social/euro_agr/data/en/981209.htm; Internet.

¹¹⁶ European Trade Union Confederation, Union of Industrial and Employers' Confederations of Europe, and European Centre of Enterprises with Public Participation, "Social Partners' Contribution to the Employment Summit," (1997); available from europa.eu.int/comm/employment_social/soc-dial/social/euro_agr/data/en/971113.htm; Internet.

provisions at the European level, labour has come to realise the cost of tying the Social Chapter to the Employment Title. The European trade union movement faces a difficult task: balancing demands for provisions on job-protection versus those centred on job-creation. Although it has been argued that such measures are compatible, the European trade union organisations may find themselves in a rather difficult position where they are forced to sacrifice the former for the latter. It seems obvious that the Employment Pact is growing in importance, all the while the Social Action Programme shifts into the background. As Kenner has argued, "Social policy is subsumed by the competitiveness agenda and the demands of globalization, with each proposed measure having to pass a competitiveness test...[T]he dynamic of social policy increasingly lies with the Employment Title and the enhanced status of employment policies in the Community's activities."¹¹⁷

Despite evidence of labour's efforts to represent its interests at the European level through a process of social concertation, there remains widespread criticism in the literature concerning the effectiveness of transnational labour activism to exert its power and influence within the European Union. Although a formal institutional structure for labour representation exists at the European level, it lacks the support of the larger movement. According to Turner, the biggest obstacle to the Europeanization of labour is the failure of these structures to empower the rank-and-file and to stimulate mass protest

¹¹⁷ Jeff Kenner, "The Paradox of the Social Dimension," in *Reforming the European Union from Maastricht to Amsterdam* eds. P. Lynch, N. Neuwahl, and W. Rees (Harlow, England: Pearson Education Limited, 2000), 125.

at the transnational level.¹¹⁸ The next chapter challenges this argument by examining the Europeanization of social unionism and the rise of trade union-NGO coalitions to foster the organisational commitment and active participation necessary to sustain long-term interaction across national borders.

¹¹⁸ Lowell Turner, "The Europeanization of Labour: Structure before Action," *European Journal of Industrial Relations* 2, no. 3 (1996): 326-8

CHAPTER THREE
TRANSFORMED UNIONISM:
EUROPEAN TRADE UNION-NGO COALITIONS

“[N]etworks refute the one-sided denunciation of the negative consequences of individualization. Such consequences do indeed exist, yet egoism and isolation are only one aspect of individualization; the other aspect is the relative but growing autonomy of individuals who, just because they are more isolated, because they must rely on themselves, seek and create new social bonds.”¹¹⁹

“What Nice [EU Summit, December 2000] exposes is that the two-tier Europe some people talk about is here already though not in predictable form. One is governed by politicians and guarded by the police, and the other contains the people who are nowhere to be seen and whose views on the enormous events are hard to elicit.”¹²⁰

Public outcry against the current direction of the integration project has become an all-too-frequent happening, enough to unsettle even the staunchest and most optimistic advocates of European governance. Threats of a two-speed Europe, as a symbol of the widening gulf between governance and citizenship at a level beyond the nation-state, is very real. The Danes and Swedes turned down the opportunity to join the Euro-zone earlier this year, and the British remain unconvinced of the advantages of signing onto the single currency. And only so recently did the Irish public vote against ratifying the Treaty of Nice (2000), a clear sign of their discontent with expanding European powers.

¹¹⁹ R. Zoll, “Neither Social Partnership nor Class Struggle: A Plea for New Social Contracts,” *European Journal of Industrial Relations* 4, no. 1 (1998): 110.

¹²⁰ Christopher Hope, “Jeux sans frontières,” *Guardian*, 11 December 2000, [newspaper on-line] (accessed 18 December 2000); available from <http://www.guardian.co.uk/Print/0,3858,4103372,00.html>; Internet.

Despite such warnings to re-evaluate priorities, nobody really believes that European integration will not move forward as planned. But with enlargement and the Euro less than six-months away and tensions between the European institutions, national governments, and their constituents at an all-time high, the Social Dimension seems to represent the only approach to curb the rising tide of public disenchantment. As a buffer against the demands of neo-liberal globalization in which individualism and competitiveness are heralded as the cornerstones of economic prosperity, the social dimension of European integration promises to fill the void created by too much individualism and the shortsightedness of profit-maximization. In this form, the social dimension would restore equilibrium between the individual and the collective by carving out a space for civil society at the European level of governance.

What Tarrow argues may arise from this transnational structure of governance is a distinctly European composite polity. According to Tarrow, a composite polity is characterized by an increase in the number of horizontal linkages sustained across national boundaries.¹²¹ The European Union symbolizes a reconfiguration of social forces, a broader community of interests tied not only to the national but also to the European level of governance. Evidence, for example, of cross-border social movement activity seems to validate this argument that a European polity is emerging. But largely absent from this analysis is the labour movement. As Marks and McAdam note, "most disadvantaged by the shift of power to the EU level are those movements which seem

¹²¹ Sidney Tarrow, "Building a Composite Polity: Popular Contention in the European Union," (Cornell University: The Institute for European Studies, 1998, accessed 20 July 2000); available from www.cc.columbia.edu/sec/dlc/ciao/wps/tas03/tas03.html; Internet: 8.

both ill-suited to transnational mobilization and whose interests find little resonance in the Union. The labour movement would seem to be saddled with these twin deficits.”¹²²

This leaves the European labour movements in a difficult position. They are increasingly pressured to defend their interests at the European level but are denied access to this system and lack the resources necessary to gain such access.

Certainly, these criticisms should not go ignored. And yet, in this rather bleak analysis of labour-related collective action at the European level, the labour movement is not identified by its social movement activity in the political sphere but rather only by its trade union activity in the industrial relations arena. Social movement organisation by the labour movement is noticeably absent from discussions, despite the fact that social movement organisation preceded the rise of the trade union as an institution for representing labour interests. Is it possible that the labour movement might once again resort to this particular strategy of mobilization at the European level?

This chapter argues that previous pessimistic judgments on the strategic role of the labour movement are unfounded for the very reason that these criticisms overlook the value of social movement activity for the labour movement. By taking a cross-section of civil society that looks beyond trade union activity and the industrial relations sphere, one locates a European labour movement re-embedded within civil society. There are indications that the European labour movement has begun to build transnational coalitions by reaching out to a wider community of interests. It will be argued in this chapter that labour has chosen an innovative approach to organisation and mobilization

¹²² Gary Marks and Doug McAdam, “Social Movements and the Changing Structure of Political Opportunity in the European Union,” *West European Politics* 19, no. 2 (1996): 273.

that aligns it with other social movement organisations. The social dimension is the common denominator for structuring collective action between the various social movement organisations, including the labour movement. Labour's efforts to advance the social dimension of European integration may be understood as part of a broader agenda to create a distinctly European social space.

However, this chapter also recognises that there is some disagreement over the term social movement unionism, or what Waterman refers to as new social unionism.¹²³ The bigger question for this study is whether the sort of NGO-trade union cooperation occurring in the European Union today can be described as social unionism. It may very well be that the three labour organisations examined in this chapter are not part of a trade union network but rather a movement-oriented NGO structure. The dilemma is where to draw the line between trade union activity and NGO activity when the two spheres overlap. The typology has its limitations, but the value of using the term transformed unionism to capture the development of alternative forms of labour organisation with the trade union outweighs the limitations. The focus should not be on the type of organisation specifically, but rather on the workers themselves that support networking within and between trade unions and NGOs as a strategy for encouraging labour-community alliances and in turn transforming social relationships.

¹²³ Cf. Dan Gallin, "Trade Unions and NGOs: A Necessary Partnership for Social Development." UNRISD Programme on Civil Society and Social Movements, Paper No. 1; available from ftp.unicc.org/unrisd/outgoing/pp/cssm/01gallin.pdf; Internet; Paul Burstein, "Social Movements and Public Policy," in *How Social Movements Matter* (Minneapolis and London: University of Minnesota Press, 1999), 7-9; Peter Waterman, "The New Social Unionism: A New Union Model for a New World Order," in *Labour Worldwide in the Era of Globalization* eds. Ronaldo Munck and Peter Waterman (New York: St. Martin's Press, 1999), 260-1; Peter Waterman, *Globalization, Social Movement & the New Internationalisms* (London and Washington: Mansell, 1998), 63-5; 71-3; Kim Moody, *Workers in a Lean World* (London: Verso, 1997), 269-75.

The case study explores the potential for NGO-trade union cooperation through a process of horizontal networking at the European level of governance. Whereas the second chapter of this thesis discussed the social dimension essentially in terms of economic and industrial citizenship, this chapter builds on the definition in chapter two by including social and political citizenship rights. Social inclusion is the policy objective in this context, and the implementation of the social dimension would be a step in the right direction in protecting the European model of society. If there is a compromise to be found between liberalisation and regulation at the European level, it seems likely that the social dimension will remain at the centre of the debate.

The remainder of this chapter follows the process by which the labour movement reinvents a type of collective action more suitable for transnational contention. Following a similar format as that found in the previous chapter, the first section explores political opportunity for transnational labour-related collective action. In the second section, analysis traces the development of European social unionism in the three examples of labour organisation: Euromarches, the Platform of European Social NGOs, and the European Clean Clothes Campaign. The focus of interest here is on the emergence of both interest group representation and social movement organisation evident in these three labour groups. Underpinning this development towards a European model of social unionism is trade union-NGO coalitions between labour and other activist groups that have formed cross-border networks of coordination. The final section of the chapter examines the significance of this activity for the social dimension.

Political Opportunity for European Social Unionism

Analysis of the opportunities and constraints facing the European labour

movement requires a definition of new labour internationalism and social movement unionism. By doing so, then it is possible to explore the relationship between political opportunity structure and collective transnationalist activity and political opportunity structure. According to Waterman, new social unionism symbolises cross-border activity between the labour movement and other social movement organisations for the purpose of mounting opposition against the exploitation of human, social, and labour rights.¹²⁴ The aim of new social unionism is the creation of a wide-ranging community of interests that would complement those identities and social movements already in place. For Moody, social movement unionism signifies a conscious effort by trade unions specifically to reach out to community and to civil society groups.¹²⁵ Both frameworks suggest that it has become increasingly more difficult to differentiate and thus disentangle labour interests from those of other social movement organisations and issue-based groups.

Four points can be drawn out from these definitions that will be useful to this analysis of political opportunity structure. The first point of interest underscores the extent to which these organisations – for example, the labour movement acting in concert with environmental activists and women’s groups – have found common interests and objectives around which to mobilize their membership base. The second point underlines

¹²⁴ Peter Waterman, “The New Social Unionism: A New Union Model for a New World Order,” in *Labour Worldwide in the Era of Globalization* eds. Ronaldo Munck and Peter Waterman (New York: St. Martin’s Press, 1999), 248-51.

¹²⁵ Kim Moody, *Workers in a Lean World* (London: Verso, 1997), 275-7.

the degree to which these organisations are willing to share resources – financial, technological, and even symbolic. The third point suggests congruence is necessary between the old model and the new model of collective action if these organisations expect to be able to relate to and thus mobilize their members. Lastly, the success of social movement unionism and new labour internationalism depends on whether other social actors, and particularly important to this case study the EU institutions, recognise and acknowledge this new model of mass protest.

It should be made clear that the actors and organisations engaged in social movement unionism include non-governmental organisations and issue-based activists. The targets of social movement unionism are both European and transnational in nature. This case study of transnational social movement unionism will focus specifically on transnational corporations and the EU institutions. The rise of European social movement unionism proves to be as complicated to untangle as the development European trade unionism. The difficulty in identifying the political opportunity structure in this case, however, is that social movement activity tends to occur sporadically and at various levels of governance. The purpose of this section is to explain the shift in political opportunity from the national level to include today the European level.

Once again, discussion of political opportunity for transnational labour-related collective action turns to Tarrow's analysis of contentious politics. This time, however, it is necessary to examine the formation of transnational social movements from an international regime theory perspective. Specifically, Tarrow refers to this as an 'institutional hypothesis,' arguing that "transnational social movements form as

grassroots movement activists and activist networks encounter one another and develop lateral links around the opportunity structure afforded by international organizations, regimes and institutions.”¹²⁶ The horizontal links created between domestic actors through a process of domestication, resource borrowing, externalization, and internationalization prepares these organisations so that they may overcome obstacles to transnational collective action.¹²⁷

As noted in the previous chapter on political opportunity, Tarrow’s analysis of social movement activity provides a useful theoretical framework for evaluating the close connection between political opportunity structure and labour-related social movement activity. In his work *Power in Movement* (1998), Tarrow identifies five aspects of political opportunity. The five elements are (1) increasing access to participation; (2) shifting alignments between and/or among supporters and challengers; (3) divided elites; (4) influential allies; and (5) the repression and/or facilitation of resource mobilization. According to Tarrow, a change in any one of these conditions of political opportunity can provide an opening necessary for social movements to access the political system and the decision-making process.

The problem with using this particular theoretical framework of political opportunity, however, is that it applies specifically to the domestic arena of contentious politics. In doing so, it overlooks the role of international institutions to create a political environment that encourages the formation of transnational alliances among social actors

¹²⁶ Sidney Tarrow, “Beyond Globalization: Why Creating Transnational Social Movements Is So Hard and When Is It Most Likely to Happen,” (Global Solidarity Dialogue, 2000; accessed 16 June 2000); available from www.antenna.nl/~waterman/tarrow.html; Internet p. 17 of 28.

¹²⁷ Ibid., 13-7.

across national borders. A transnational system of governance poses a different challenge to understanding the decision-making process – and access to this process.

Instead, Tarrow's more recent work on the relationship between international institutions and social movement activity offers a compelling argument about the opportunities and obstacles facing the labour movement. He contends that international institutions play a significant role in transforming domestic social movements into transnational social movements. According to Tarrow, "[w]hile international institutions vary greatly on the dimensions of communication, coordination, and constraint, and the degree to which they encourage member-states to adopt transnational norms, they all share at least one benchmark characteristic: *legitimizing the access of non-state actors to decision-making levels beyond the state.*"¹²⁸ The means by which international institutions encourage the development of transnational social movements is best understood as a four-step process. This process includes (1) brokerage; (2) certification; (3) modeling; and (4) social appropriation.¹²⁹ Brokerage refers to the construction of a temporary political identity between otherwise unrelated domestic actors with the international institution in question acting as the connection between these groups. Certification occurs when new actors to a particular sphere of activity are recognised, and in turn their action in the public realm legitimated, by the international institution. Modeling is defined as the adoption of norms, institutions, or forms of collective action through a process of exchange and convergence resulting in a model of best practice.

¹²⁸ Sidney Tarrow, "Beyond Globalization: Why Creating Transnational Social Movements Is So Hard and When Is It Most Likely to Happen," 18.

¹²⁹ Ibid.

Lastly, social appropriation denotes a form of resource sharing between international institution and its affiliated members, thus enabling transnational connections between domestic actors.

From this process of communication and coordination between domestic groups, transnational norms develop, a result of the institutionalization of the lateral links between organisations. These organisations then are more likely to overcome obstacles to transnational collective action because international institutions have legitimated their access to participate in the decision-making process at the international level. Applying this analysis to the European labour movement, one finds that the European institutions have become more recognisable as targets of transnational collective action.¹³⁰ As their decision-making powers have increased, so too have they become more visible to the public.

There are two recent developments in the relationship between the EU institutions and the European labour movement. The first development is the funding of interest groups and social movement organisation programmes.¹³¹ The second development is the conceptualisation of a civil dialogue process, similar to social dialogue, whereby civic groups meet with representatives of the EU institutions to discuss and negotiate policy measures on a regular basis.¹³² Both point to the institutionalization of the relationship

¹³⁰ Sonia Mazey and Jeremy Richardson, "Interests," in *Developments in the European Union* eds. L. Cram, D. Dinan, and N. Nugent (New York: St. Martin's Press, 1999), 110-11.

¹³¹ Platform of European Social NGOs, "Annual Report," available from www.socialplatform.org/English/pdf/finalreport1999-2000.doc; Internet: p. 8 of 17.

¹³² Suzy Sumner, Platform of European Social NGOs Campaigns Officer; interview by author; Brussels, Belgium, 8 June 2000.

between the EU institutions and emerging civil society at the transnational level of governance.

Strategies of European Social Unionism

It is necessary at this point to return to Waterman's work on new internationalism and, specifically, his typology of collective internationalist activity to examine the structure and function of social unionism at the European level of governance. After operationalizing the definition of collective internationalist activity, the remainder of the section will apply this typology to three examples of social movement unionism: the Euromarches, the Platform of European Social NGOs, and the Clean Clothes Campaign.

Waterman identifies three variables in his definition of collective internationalist activity. (Chart 3.1)¹³³ The first variable is organisation type, which indicates the structure and level of collective action. The second variable is the direction of collective action, or what Waterman calls geographical scope. This variable specifies the function and orientation of collective activity. The third variable relates to the space in which collective action takes place.

¹³³ Peter Waterman, *Globalization, Social Movements & the New Internationalisms*, 58-63.

Chart 3.1 Basic Aspects of Collective Internationalist Activity

Organizational Type	Geographical Scope	Sphere of Action
Transnational	North-North	Socio-Cultural
Interstate	South-South	Political
Inter-nongovernmental	North-South	Economic
Internationalist	East-West	

For the purpose of this case study, the type or model of interests is the transnational, inter-nongovernmental organisation that claims some relationship to the labour movement and thus acts on behalf of labour interests. The direction or function of transnational collective action is to mobilize the membership base for the purpose of achieving cross-border, transnational solidarity. The objective of transnational collective activity is to advance the European social model by supporting the social dimension or some form of social integration. The third variable, space, includes three spheres of activity: the sociocultural sphere, the political sphere, and the economic sphere. According to Waterman, each sphere defines a target of the activity.¹³⁴ In the sociocultural sphere, collective action is addressed to citizens for the purpose of increasing their social power in the political-economic system. Collective action in the political sphere targets officials and representatives of the decision-making process. The purpose of collective action in the political sphere is to make the policymaking process

¹³⁴ Peter Waterman, *Globalization, Social Movements & the New Internationalisms*, 58-9.

more democratic. Lastly, in the economic sphere, collective action is taken against the capitalist system – be it targeted at production, distribution, or consumption.

It can be argued that the three examples in this case study exhibit these characteristics of collective internationalist activity. They are transnational in nature, representing nongovernmental organisations as well as labour activists and networks. The orientation of these organisations suggests transnational co-ordination between the labour movement, or those individuals and groups affiliated with the labour movement, and other issue-based social movement organisations. Although there is certain to be overlap, each example represents some form of collective action carried out in the different spheres of activity. For the purpose of this case study, this variable denoting sphere of activity will be utilised to distinguish between the three examples of social movement unionism.

*Euromarches*¹³⁵

Following Waterman's typology of collective internationalist activity, this section on the Europeanization of social movement unionism begins with a closer look at the sociocultural sphere of transnational collective action. According to Waterman, the function of collective action in the sociocultural sphere is to challenge directly the political system through mass protest, demonstrations, or boycotts. For the labour movement to be effective in fulfilling this purpose, collective action is aimed at citizens in an attempt to inform and persuade them. Mobilization in the sociocultural sphere of activity seems to suggest an on-going effort to create a social space for the emergence of

¹³⁵ Analysis of Euromarches is based on information available from www.euromarches.org; internet.

a European civil society. Euromarches provides one such example of populist campaigning in the sociocultural sphere of activity that brings together labour groups and other interest-based social movement organisations.

Of the three labour groups examined in this chapter, Euromarches most closely resembles an emerging transnational, labour-related social movement organisation. This becomes an especially important point to remember in this discussion of European social unionism for two reasons. First, in arguing that Euromarches exhibits characteristics of a social movement organisation, it answers the charge that labour has generally failed to adjust to the changing political and social environment that follows from the development of a global capitalist system. Here is an example in the Euromarches of a decentralised, non-hierarchical umbrella organisation with a pan-European secretariat in Paris that coordinates multinational grassroots campaigns and drafts European policy initiatives for the express purpose of representing labour interests in the struggle against neo-liberal globalization.¹³⁶ In its attempts to build support for its agenda for a social Europe, the organisation not only pressures national and European policymakers but also targets the public at-large in an ongoing exchange of information and debate through demonstrations, counter-summits, and Euro-wide publications such as “Marches-Européennes-News.”

Second, this assertion of labour-related social movement activity provides a point of comparison between the three organisations, thus suggesting variance in the organisational structure and strategic orientation of European social unionism. As noted

¹³⁶ Andy Mathers, “Euromarch – The Struggle for a Social Europe,” (2001, accessed 5 May 2001); available from www.euromarches.org/english/01/andym01.htm; Internet.

in the beginning of the chapter, there is obvious disagreement in the literature about what constitutes social movement unionism – and from that, what constitutes a social movement organisation. This thesis has taken the position that there are varying strategies to social unionism, representing a wide spectrum of social movement activity utilised by the European labour movement.

Euromarches represents a loose-knit coalition of social movement organisations and activist groups that have formed a transnational umbrella organisation for the express purpose of defending human and social rights now seemingly threatened by the integration project and its neo-liberal austerity measures.¹³⁷ Accordingly, without securing some form of a social dimension at the European level of governance, there are obvious fears that economic regionalization driven by a neo-liberal agenda will result in a vicious cycle where social spending rollbacks lead to an increasing marginalization of short-term contract workers and the unemployed and, consequently, a widening divide between rich and poor. By developing lateral links across issue areas and between national-based social movements, the organisation structure of networking utilised by Euromarches has tended to facilitate the degree of horizontal coordination necessary to mobilize large groups of people around a single set of priorities. In its agenda, the “Declaration of War against Unemployment, Job Insecurity and Social Exclusion,” Euromarches seeks to protect the right to work through the establishment of a unified, European social welfare system and guaranteed minimum income.¹³⁸ The difficult task

¹³⁷ Euromarches, “Nice 2000: Declaration of War against Unemployment, Job Insecurity and Social Exclusion,” (2000, accessed 20 June 2000); available from www.euromarches.org/english/nicea1.htm; Internet.

¹³⁸ Andy Mathers, “Euromarch – The Struggle for a Social Europe.”

facing the organisation remains one of strategic orientation – that is how to present a unified front so as to satisfy its objectives for a social Europe when the organisation itself represents such a diverse group of actors and interests.

The answer is found in the evolutionary and flexible nature of the organisation that has allowed it to strengthen and formalise the links between social movements, while also supporting the diversity of the organisations and activities that make up the Euromarches campaign. Its beginnings as a pan-European social movement coincided with the 1997 EU summit in Amsterdam where more than 50,000 people demonstrated in the streets to demand greater representation in the decision-making process of European governance.¹³⁹ From this start as a series of national-based grassroots campaigns that had finally converged at the Amsterdam summit meetings, Euromarches has evolved so as today support a pan-European secretariat and its liaison committees. Policy matters are debated and protest activities coordinated at open meetings, referred to as “assizes,” every six months in order to provide a forum for its members to exchange information and experiences. Because the organisation’s main focus remains that of employment rights and social inclusion, the vast majority participating in the meetings and demonstrations have been anti-poverty and unemployed activists, and to a lesser degree rank-and-file trade unionists. Euromarches has further accommodated their demands for another forum of debate by sponsoring counter-summits and what the organisation calls the “European Parliament of the Unemployed.”

¹³⁹ Ibid.

A three-prong strategy underpins the organisation of the Euromarches. The first strategy is to create a forum for discussion between activists and social movement organisations that have chosen to support this platform for transforming the European system of governance. In this regard, the Euromarches acts as an interlocutor between national and local as well as European and international social movement organisations. The second strategy requires establishing permanent horizontal linkages. Maintaining a network system is a prominent feature of this second strategy. This web of transnational alliance structures becomes critical for the Euromarches if it is to develop the sort of rapid-response mobilizing capacity necessary to launch a multi-front campaign. The third strategy of the Euromarches is to support transnational solidarity where it already exists and to cradle new forms of transnational solidarity as it emerges.

Overall, Euromarches has been quite successful in its efforts at transnational coordination. The targets of the organisation's protests have included national and European policy makers, EU council summits and UNICE meetings as well as the G-8, the World Bank and International Monetary Fund, and the United Nations. In a span of five years, the number of demonstrations and counter-summits has more than doubled. Both 1997 and 1998 saw Euromarches involved in three protest activities. In 1999, the organisation helped to coordinate five mass demonstrations and counter-summits. Only one year later, this number jumps to 12.

The 2000 EU Summit meeting in Nice proved to be one of the most important, and certainly most contentious, battles to-date for Euromarches. On the agenda was the draft Charter of the Fundamental Rights of the European Union, and at stake the idea of a

European constitution, both of which Euromarches has actively supported. Leading up to Council Summit in Nice, Euromarches set seven calendar dates for demonstrations and counter-summits, starting in March with the European Day of Action in Lisbon and ending in December with both a Euro-demonstration and counter-summit in Nice. In October, the organisation co-sponsored an International Conference of Unemployed Trade Union Members and Representatives of Trade Unions, which was attended by 70 representatives from Austria, Belgium, Germany, and the Netherlands. The conference resulted in a declaration defining a clearer role for the unemployed and marginalized in the decision-making process. For example, the declaration called for greater efforts by both national and European policy makers to lower unemployment rates through the reduction of working time. It sought better protection of the unemployed by national trade unions and the ETUC as a transnational coordinator and representative of their interests. The declaration also called for increased public support for uniform criteria for standards of social protection and skills improvement across the European Union.

Platform of European Social NGOs¹⁴⁰

Turning now to the political sphere of social movement activity, this analysis considers the significance of transnational collective action as a strategy of democratization. Whereas in the sociocultural sphere the purpose of collective action is to influence the individual citizen's behaviour, the function of collective action in the political sphere is to influence the actual policy making process. This requires targeting

¹⁴⁰ Analysis of the Platform of European Social NGOs is based on information available from www.socialplatform.org as well as an interview by the author with Campaigns Officer, Suzy Sumner, Brussels, Belgium, 8 June 2000.

its officials and representatives. To some degree, the labour movement in this role takes on many of the characteristics of an interest group lobbying policy makers at the European level of governance.¹⁴¹ Where European competence in the area of EU social policy has expanded, the labour movement has a greater role to play in this system of interest group intermediation. In the case of the Platform of European Social NGOs, one finds an example of an organisation that lobbies the European institutions on the issue of the social dimension.

The first point to observe about the Platform of European Social NGOs is its organisational structure. The Platform is comprised of 30 European nongovernmental organisations, federations, and networks that together represent more than 1700 direct member organisations and associations from the local, national, and European levels. It is an umbrella organisation with the responsibility of coordinating action between these groups where there is common interest and shared concerns. Thus, its organisational structure must be flexible enough to be able to deal with a broad range of issues that may be affecting its members' interests.

The organisational structure of the Platform takes the shape of a web of horizontal and vertical linkages. At the peak level are 30 European organisations representing different issue areas. Each peak organisation, in turn, co-ordinates the activities of its member groups by providing a channel communication from the bottom-up, and from the top-down. This suggests vertical co-ordination between the organisation and its affiliated members. Horizontal co-ordination then occurs between levels of governance and across

¹⁴¹ Sonia Mazey and Jeremy Richardson, "Interests," in *Developments in the European Union* eds. L. Cram, D. Dinan, and N. Nugent (New York: St. Martin's Press, 1999).

issue areas. It is here that one sees coalition-building between the labour movement and other issue-based social movement organisations. The positive aspect of this organisational structure implies there are numerous avenues for representation. Furthermore, if the Platform expects to reach agreement among its members so that it may lobby the European institutions, then it must set a rather broad agenda that will cover a wide range of interests and concerns. For the labour movement, the upside of this development is that it may form alliances with other community-based civil society groups. Conversely, because the Platform must accommodate diverse, and often conflicting, interests, any agenda to which its members agree may lose its effectiveness in terms of advancing the European social dimension. Its agenda becomes one of lobbying for minimum rights and standards.

The second point to note about the Platform of European Social NGOs is its strategy for collective action. Its strategy of building coalitions across national borders and between interest areas ensures the exchange of information on EU policies and activities. This internal dialogue is an important component of its strategy for collective action. Successful transnational co-ordination depends largely on finding common ground that all members will agree to accept and support as part of the larger agenda. However, it is a strategy of indirect representation. Mobilization is likely to take the form of interest mediation handled at the peak level with trickle-down effects for its members. It can be argued that, as a strategy for making the policy making process more accountable and transparent, this exchange between civil society groups and policy

makers becomes a critical point in the development and growth of a distinctly European political space.

For the labour movement in particular, the political sphere has provided an opportunity to engage European officials in the policymaking process. Labour's interests have been represented by the Platform of European Social NGOs in discussions regarding the establishment of civil dialogue, similar to what the trade union movement has with the social dialogue. As defined, civil dialogue would provide a formal institution for representation and negotiation between civil society groups and the European institutions. The terms of this agreement had been worked out prior to the Summit meeting in Nice, but in fact civil dialogue was taken off the agenda several months before the meeting. The labour movement has also lobbied for the implementation of a European Charter of Fundamental Rights, which would include basic trade union rights to association and collective bargaining. At the Nice Summit, the Charter was not formally ratified in the treaty process. So it remains a document of principle without any concessions for enforcement of these rights at the European level.

*European Clean Clothes Campaign*¹⁴²

This case study on the Europeanization of social movement unionism concludes with a closer examination of the prospects for transnational collective action in the economic sphere. Collective action in this sphere indicates direct confrontation between labour and capital. Accordingly, the targets of labour organisation are both the producer

¹⁴² Analysis of the European Clean Clothes Campaign is based on information available from www.cleanclothes.org.

and supplier as well as the consumer. In the economic sphere, transnational collective action serves two purposes. On the one hand, its purpose is to challenge the capitalist system by disciplining producers and suppliers guilty of poor labour standards or unfair trade practices. These practices threaten to result in social dumping. On the other hand, the objective of transnational collective action is to raise awareness among consumers about the production system. If the labour movement accomplishes these two functions, then the result would be greater corporate responsibility, higher labour standards, and ethical consumption. The focus of this study of transnational collective action in the economic sphere centres on the Clean Clothes Campaign and its efforts to influence the direction of the social dimension of European integration.

The history of the code of conduct in the European Union begins with the statistic that 42 of the 100 top multinational enterprises are based in Europe, compared to 35 in North America.¹⁴³ The ramifications of this fact seem obvious: these corporations exist beyond the authoritative jurisdiction of any one national government. The opportunity for exploitation of workers and the environment in which they work is great enough to warrant concern. The concern of recent years has been social dumping where labour organisations are threatened by downsizing and plant closings. These multinational corporations have at hand the capability to move production and utilise outsourcing in an effort to cut labour costs while increasing productivity and thus profit margins. The answer to this dilemma suggests social harmonisation at the European level by protecting

¹⁴³ European Parliament, Committee on Development and Cooperation, "Report on EU Standards for European Enterprises Operating in Developing Countries: Towards a European Code of Conduct," (1998); available from www.cleanclothes.org/ftp/howittresolution.pdf; Internet.

labour standards and social benefits as well as improving working and living conditions. It is to create a floor of rights that must be met by all multinational corporations based in the European Union. To achieve this requires an institution that can accommodate an exchange of information and experiences between workers. Indeed, it would require tying trade practices to labour standards, ethical consumption, and corporate responsibility.

Labour's role in this history should not be overlooked. The European Clean Clothes Campaign is one such example of the labour movement's attempt to enshrine core labour standards into the system. The European Clean Clothes Campaign represents 200 nongovernmental organisations and trade unions in 10 countries: Austria, Belgium (Flanders and Walonia), France, Germany, Italy, the Netherlands, Spain, Sweden, Switzerland, and the United Kingdom. To be more specific, the organisation is a transnational network comprised of trade unions, consumer organisations, solidarity groups, church groups, women's organisations, youth movements, and world shops. At the European level, the 10 national secretariats meet twice per year to exchange information and experiences. In turn, the European Clean Clothes Campaign coordinates national initiatives and, when necessary, sends out urgent appeals to the wider community. Furthermore, through this process of networking, the Clean Clothes Campaign has been able to approach the European institutions, and particularly the European Parliament, as a unified front. It continues to lobby in support of a European Code of Conduct and Monitoring Platform.

Its most recent initiative, the Clean Clothes Community Campaign, is one example of the organisation's efforts of bringing the Model Code of Conduct to the local level. The goal of the campaign is to create a local agenda on international trade relations that would involve local communities improving working conditions in the apparel and sportswear industry. The campaign involves lobbying consumers, companies, and local politicians in order to raise public awareness about labour exploitation in the industry. The European Clean Clothes Campaign serves as a coordinator between local, national, and European levels, which becomes absolutely necessary if the organisation expects to use its code of conduct to improve working conditions in the global supply chain.

Similar to the relationship between the ETUC and the European Commission, the European Clean Clothes Campaign finds a willing partner in the European Parliament. For the labour movement, this development presents an opportunity to launch an appeal for a European Code of Conduct that would complement national collective bargaining agreements while ensuring enforcement of core labour standards at the European level. Members of Parliament have been sympathetic to the cause, as noted in the recent initiative with the Howitt Resolution. There are two reasons for this support. First, not only does it protect labour but also producers and suppliers that already practice some form of fair trade. As an ideal, a European Code of Conduct and Monitoring Platform would put an end to this threat of social dumping within the European Union. The second reason is rather subtler than the first. It indicates an effort by the institution to legitimize its role in the decision-making process. It suggests a European Parliament that is expanding its own authority in the area of EU social policy.

The European Code of Conduct and Monitoring Platform remains in the early stages of development. The organisation continues to lobby the European Parliament as well as the Commission and Council to draft and implement the Code giving it legally-binding status. For now, the European Clean Clothes Campaign must rely on national initiatives on codes of conduct and social labelling, followed by transnational co-ordination.

Discussion

The purpose of this section has been to explore the strategies of social unionism as a fundamental component of collective internationalist activity in which rank-and-file members of trade unions form transnational connections with other issue-based social movement organisations and activist groups. These horizontal links among social actors across different countries may in fact point to larger trends in labour-related collective activity where trade unions develop ties to community-based NGOs, but what is important about social unionism is not so much the coalitions themselves but rather the commitment of the individual members to rally in support of transnational ties of solidarity. The focus of analysis should be on the 'movement' aspect of transnational labour-related collective action.

As hinted at in the beginning of this chapter, the question is whether it is accurate to characterize this type of activity as social unionism. Instead, the more appropriate label may be what this chapter has referred to as transformed unionism, signalling a transformation in both the structure and function of trade union organisation. The result is the formation of trade union-community alliances, sometimes led by the trade unions

themselves, as in the example of the European Clean Clothes Campaign, and other times by and NGO or interest groups such as Euromarches or the Platform of European Social NGOs. In both cases, their purpose for organisation and mobilization is to protect human and social rights, and it is interesting to note how the labour movement's concern with improving quality of life aspects of work relations is intertwined with the defence of human rights.

Burstein has suggested that, instead of using the label social movement organisation to explain sustained interaction between groups, the better description is interest organisation, a combination of the terms social movement organisation and interest group organisation, to capture the similarities in approach to mobilization and collective action.¹⁴⁴ However, while it is useful to note these similarities, it is equally important to pinpoint their differences so as to be able to differentiate between strategies of collective action. This chapter argues that the three labour groups examined in this case study of social unionism represent different phases in social movement organisation – from social movements to interest groups and from temporary, sporadic mobilization to long-term, permanent collective action. From this distinction concerning organisational structure, then it is possible to identify patterns in transnational labour-related collective activity by examining the targets of mobilization and the type of agenda supported by the European labour movement.

¹⁴⁴ Paul Burstein, "Social Movements and Public Policy," in *How Social Movements Matter* eds. Marco Giugni, Doug McAdam, and Charles Tilly (Minneapolis and London: University of Minnesota Press, 1999), 7-9.

Of the three labour organisations in this case study, Euromarches comes the closest to resembling a transnational social movement organisation practicing social unionism at the European level. This means that Euromarches has been fairly successful in building a network of community-based coalitions between the labour movement and other activist groups. By and large, Euromarches has outlined and followed the most radical agenda for collective action, calling for greater democratization at the international level and even at times expressing its support for the dismantling of European governance in its present form in order to restore political, economic, and social autonomy at the national and local levels. It is also, however, the organisation least likely to access the European decision-making process. Here are two obvious reasons for this. The first points to a divided membership base, the consequence of competing ideologies and agendas within the organisation itself. The second reason for its struggle in accessing the policy making process is the temporary and sporadic nature of collective action, which makes it difficult to build long-term coalitions necessary for sustained collective action at the transnational level.

The Platform of European Social NGOs, at the other end of the spectrum, most closely resembles an emerging transnational interest group organisation. Its organisational structure and purpose for collective action have been institutionalized at the European level of governance. Thus, it appears that, because of its role as a lobby group, the Platform has the best opportunity to access the policy making process, as evident in its relationship to the EU institutions, and particularly the European Parliament, by serving as an information post in exchange for funding of organisational,

operating costs. Its agenda, however, is built on compromise, so it is more likely to work in conjunction with the EU institutions as well as capital interests when necessary to accomplish its goals for public policy.

Finally, the European Clean Clothes Campaign presents an example of a nongovernmental organisation that stays outside of the immediate political system, with its most significant concern being labour-capital relations. Instead, collective action is channelled within the economic sphere of activity; the emergence of a transnational marketplace influences its organisational agenda and capacity to mobilize its resources. Consequently, the Clean Clothes Campaign appears in the best position to represent its members' concerns about work relations. And yet, because the organisation specifically targets business-capital interests within the economic sphere of activity, the European Clean Clothes Campaign must remain aware of the constant threat of co-optation with capital interests, which would alienate its membership base and signify its demise as an effective representative of labour interests.

European Social Unionism and the Social Dimension

What can be concluded from these examples of collective transnationalist activity by the labour movement? Is social movement activity, represented in the cross-border coalitions of civil society, a viable and effective alternative for organizing and mobilizing the labour movement? The three examples of social movement unionism offered in this chapter suggest that this particular type of collective action does in fact hold some promise for the European labour movement. But although these groups may be inclined to embrace social movement unionism, the question is really whether transnational co-

ordination of this magnitude produces similar results as the more traditional model of trade unionism. To answer these questions, it will be necessary to consider two points: first, trends or patterns in European collective action and, second, the significance or effectiveness of this activity. From here then, it is possible to see how labour interests are translated into policy outcomes.

Analysis of European social unionism covers three areas: organisational structure, representative function, and policy outcome. What this final section attempts to provide is a composite study of the similarities and differences between the three examples of transnational social movement unionism. The first area considers the primary objectives and aims of European labour movement activity. The second looks at the means by which the labour movement accomplishes these objectives. The third area compares policy outcomes that have advanced the social dimension of European integration. It will be argued here that European social movement activity is a necessary alternative strategy by which the labour movement may find itself in a better position to negotiate the details of the social dimension. The idea of a social dimension in this context, however, takes on a broader meaning – where reference to the social dimension denotes the building of a European model of society.

Two types of objectives can be distinguished in these organisations' approach to social movement unionism. The first type of objective defines the organisation's purpose. The second type of objective outlines the organisation's strategy for influencing its external environment – whether it occurs in the economic, political, or socio-economic sphere of activity. For the Euromarches, this means building a movement around those

various groups, firstly, committed to securing human and social rights and, secondly, protesting the current economic system in place at the European level. The Platform of European Social NGOs seeks to link a wide range of civil society groups – from women’s organisations to those organisations protecting the rights of the disabled, the unemployed, or the homeless – under a single umbrella organisation. Their targets of influence are the EU institutions, and primarily the European Parliament. The European Clean Clothes Campaign has outlined a series of objectives that allow each of its members a significantly wide degree of autonomy in pursuing social clauses or social labelling but, in turn, require these organisations to co-ordinate their efforts at the transnational level in the form of a Model Code of Conduct. These objectives both enable and constrain labour organisation by defining the parameters of transnational collective action. In each example, the underlying theme is networking and mobilization – for the very strength of this type of labour movement organisation, that which is rooted in European civil society, lies in its ability to build lateral links with other activist groups so as to sustain collective action across borders.

At the European level, rapid response mobilization remains the key-determining factor for success. It becomes obvious that -- without mass turnout, noise and fanfare – without a common cause or shared concern, the opportunity to advance the European social model is greatly diminished. The structural power of capital has given business interests the upper hand in negotiations, and it is for the labour movement to challenge this power differential. Transnational corporations have to their advantage the structural power of capital to exert pressure, both directly and indirectly, on political and economic

authorities at the macro as well as the micro levels. According to Gill and Law, the structural power of capital influences the international business climate, creates inter-state competition, and fosters international capital mobility.¹⁴⁵

Each of these three factors – international business climate, inter-state competition, and international capital mobility – can be applied to Europe and its experiment in transnational governance. Depending on one’s perspective on causality, regionalization in the form of economic integration can be the cause of the effect of the structural power of capital. In either case, the outcome is the same: governments are forced to bow to capital’s demands for liberalisation and deregulation if they expect to keep investment capital within their borders.¹⁴⁶ European convergence criteria, for example, were agreed on by the member states in order to improve the region’s business climate and thus improve investment opportunity. The result is the state’s loss of autonomy in economic policy management. Furthermore, fears of social dumping not only within Europe but also between regional blocs are a consequence of inter-state competition. Both of these factors, in turn, contribute to the rise in international capital mobility, where capital moves from country to country, and from region to region, in search of a more favourable business climate and few regulations. As Gill and Law explain, this cycle results in “the widespread public acceptance of the view that economic growth and prosperity are fundamentally dependent on investment and innovation by

¹⁴⁵ Stephen Gill and David Law, *The Global Political Economy: Perspective, Problems, and Policies* (Baltimore: The Johns Hopkins University Press, 1988), 92-4.

¹⁴⁶ David Cameron, “Creating Supranational Authority in Monetary and Exchange Rate Policy: The Sources and Effects of EMU,” in *European Integration and Supranational Governance* eds. Wayne Sandholtz and Alec StoneSweet (Oxford: Oxford University Press, 1998), 192.

private enterprise”¹⁴⁷ At this point, one can argue that the market has become disembedded from the state and civil society; and as van der Pijl argues, a transnational capitalist class emerges.¹⁴⁸

The strategy of social unionism is one such example of efforts to counteract the structural power of capital. Labour mobilization represents the power of voice and of involvement, in direct opposition to the power of exit as held by international capital. There are two reasons why mobilization of civil society against the transnational hegemony of neo-liberal globalization is fundamental to restoring the balance of power between capital and labour. First, social movement activism, that is mobilization, requires sustained interaction between groups, ideally the end product being the creation of social space for collective action. According to Buechler, transnational social movements promote a common identity and a sense of solidarity as a symbolic challenge to the sort of individualism bolstered by neo-liberal globalization.¹⁴⁹ Second, transnational problems like environmental degradation, the AIDS epidemic, and labour exploitation require a transnational solution. As Buechler notes, transnational social movement organisations have the potential to pressure a particular state or corporation into changing its behaviour or correcting the offence.¹⁵⁰ Certainly, the Euro-Strike is one such example, as is the Euromarches protest at European Council Summit meetings.

¹⁴⁷ Stephen Gill and David Law, *The Global Political Economy: Perspectives, Problems, and Policies*, 86-7.

¹⁴⁸ Kees van der Pijl, *Transnational Classes and International Relations* (London and New York: Routledge, 1998).

¹⁴⁹ Steven M. Buechler, *Social Movements in Advanced Capitalism: The Political Economy and Cultural Construction of Social Activism* (New York and Oxford: Oxford University Press, 2000), 78.

¹⁵⁰ *Ibid.*, 77.

Under the right conditions, the result of transnational collective action can be a strategic reorientation of civil society, political institutions, and corporate entities.¹⁵¹

The purpose of social movement unionism as a strategy of organisation and mobilization is to re-establish the symbolic power of labour in the political and socio-cultural spheres of activity. The fact that organisations like the Platform of European Social NGOs or the Clean Clothes Campaign have found a common ground in which to create and sustain transnational alliances demonstrates that social movement unionism provides an opportunity for labour to transcend national differences. Choosing to act at the European level, the labour movement fulfills a dual purpose: to protect those human and social rights already established at the national level by writing them into a broader framework of rights to be respected at the European level. As evidence of this strategy, both the Euromarches and the Platform of European Social NGOs have lobbied the European level for a legal framework to protect citizenship rights.

It is interesting to note that the idea of social unionism within the European labour movement is useful for creating the impression of a flexible organisation. Ironically, the labour movement uses the word to its own advantage. Organisation at the European level is never to replace but rather to complement national and subnational efforts at social movement unionism. In each of the three examples, regardless of the organisation's view of the European Union and the consequences of European integration, representation at the European level is a top priority. But at no time did these organisations require their

¹⁵¹ Craig Murphy, "Globalization and Governance: A Historical Perspective, in *Globalization and Europe: Theoretical and Empirical Investigations* ed. Roland Axtmann (London and Washington: Pinter, 1998), 160.

members to resign their commitment to the national level or other social movement organisations to which they may be affiliated. The advantage of building horizontal networks across national borders and between social movement organisations is that the labour movement stands to gain from this cross-section of interests, representing concerns that may fall outside the jurisdiction of traditional trade unionism. The disadvantage, of course, is the difficulty in co-ordinating this cross-section of interests that, at times, may compete for attention. To overcome this obstacle, the organisations in this case study of social unionism have situated labour rights within the broader discourse of human rights. Thus, for example, safe working conditions have been linked to protecting the environment. Job security and the social safety net are considered from the perspective of people with disabilities or as part of a wider agenda for women's rights.

These three organisations have tended to rally around the need to harmonize labour and social rights and to improve working and living conditions. The European level provides an opportunity for the labour movement to pressure the EU institutions into creating a floor of standards that signifies a range in which national governments and multinational corporations as well as European treaties should act in respecting citizenship rights. For the Platform of European Social NGOs and the European Clean Clothes Campaign, the upward harmonisation of human and social rights might rid the system of the threat posed by social dumping. And in the case of the Euromarches, establishing a legal framework protects workers disadvantaged by the current wave of European integration.

In evaluating the effectiveness of European social movement unionism, one might find little evidence of the labour movement's success at the European level if considering only policy outcomes. By and large, this indicator suggests that labour has nothing to show for its efforts to advance the social dimension. Transnational social movement unionism, however, defies the old definition of working class solidarity; policy objectives, then, must reflect this new orientation. The crux of social movement unionism, and indeed the success of the labour movement, is this notion of organic solidarity or new labour internationalism.

According to Hyman, organic solidarity is replacing the old model of mechanical solidarity.¹⁵² Whereas mechanical solidarity was based on the aggregation of interests along class lines, organic solidarity respects the differentiation of interests, the overlapping membership or allegiances to other interests besides those related to industrial relations and collective bargaining. What has been referred to as the crisis of the working class is the result of a number of contributing factors. For example, Hyman points to the segmentation of the labour market between the manufacturing sector and the service sector, the feminisation of the work force, intensified competition, the rise of human resources management and flexible specialization, and trends indicating deregulation and liberalisation as explanations for this crisis of the working class.¹⁵³ Consequently, the labour movement has needed to reinvent itself so as to support these

¹⁵² Richard Hyman, "Imagined Solidarities: Can Trade Unions Resist Globalization?" (1997); available from www.antenna.nl/~waterman/hyman2.html; Internet: p. 1 of 20.

¹⁵³ Richard Hyman, "Trade Unions and Interest Representation in the Context of Globalisation," *Transfer* 3 (1997): 521-4.

differing, and more often than not, conflicting interests and divided loyalties among its membership base.

Likewise, Waterman suggests a model of complex solidarity as part of the larger construct of new labour internationalism.¹⁵⁴ This meaning of solidarity includes not only a shared sense of collective identity but also the principles of reciprocity, affinity, and complementarity. To dismiss any one of these principles of complex solidarity is to risk overlooking the transformation underway within the labour movement. By this account, the labour movement has not met its demise but rather that it is in the process of revitalizing its institutional structure.

It is clear that both organic solidarity and new labour internationalism require an organisation that is flexible enough to support ongoing negotiations between its members regarding the future direction of the labour movement. The organisation must be able to co-ordinate diversity and envelop a wide range of group interests. Is there a trade-off in these negotiations? The answer is clearly yes. In order to sustain collective action among such a diverse group, the movement must accept a rather expansive agenda that may lack the clarity and detail that trade unions boast with collective bargaining in the industrial relations system or with interest group representation in the political arena. But as this case study of transnational social movement unionism demonstrates, the need to reassess continually the movement's interests and goals requires nothing less than a proactive, responsive membership base. The result is a cycle of new ideas, agendas, and strategies.

¹⁵⁴ Peter Waterman *Globalization, Social Movements & the New Internationalisms*, 235-8.

This alternative approach to collectivism has given the labour movement wide latitude in representing its members' interests at the European level. In doing so, the labour movement has been innovative in demonstrating its support for the social dimension. From the civil dialogue to the clean clothes campaign to the counter-summits, the labour movement has attempted to make its presence known in its clashes with both capital interests and the EU institutions. What these organisations hold in common is a commitment to the progress of a European social model. In sharing resources, information, and experiences, they also share a common set of identities and framework of values. As each of these organisations has indicated, the social dimension cannot move forward without the mobilization of a European civil society.

CHAPTER FOUR

AFTER THE TREATY OF AMSTERDAM: THE NEXT CHAPTER FOR EUROPEAN LABOUR

This thesis began by arguing that the European labour movement plays a significant role in influencing the construction of a social dimension to the integration project. In order to evaluate the labour movement's success in advancing its preferred agenda for a social dimension, it has been necessary to define the main features of a European labour movement by analysing the structure and function of transnational labour activity. What is emerging in Europe can only be described as an organisational structure based on horizontal and vertical coordination for the purpose of representing labour interests through the mobilization of labour groups at the European level of governance. By using the terminology horizontal and vertical coordination to explain the organisational structure and function of transnational labour activity, it becomes possible to visualise a loose coalition of labour groups that form a web of relationships between the local, national, and European levels.

The practice of networking across national borders underscores the point that transnational collective action can be utilised to labour's advantage by securing a public space for negotiation at the European level at the same time that labour attempts to protect its strategic position in the industrial relations arena and political system at the national level. To the degree that social regulatory powers are either transferred from the

national to the European level of governance or shared between the two levels, one can expect to see an increase in transnational collective action. Whether this process of shared competence in the area of social policy recreates similar conditions for the emergence of a distinctly European industrial relations system remains a matter of intense debate. That does not mean, however, that labour has been unsuccessful in lobbying the European institutions for a platform of labour rights and standards that would guarantee a level playing field between countries.

As this thesis has argued in the preceding two chapters, the European labour movement's approach to transnational collective action has taken two forms: trade unionism and social unionism, or what this thesis has referred to as traditional unionism and transformed unionism respectively. It is an important distinction to make between the two approaches to transnational labour activity because it illustrates a two-pronged strategy to mobilization that involves not only trade unions but also nongovernmental organisations and activist groups. In fact, the distinction between the two strategies, traditional and transformed unionism, raises an important point about transnational labour activity.

By distinguishing between the social partnership model of traditional trade unionism and the network model of transformed unionism, it emphasises difference not only in the actors that comprise a transnational labour movement but also the organisational structure that facilitates transnational labour activity. Whereas traditional unionism typifies a hierarchical organisational structure between the supranational trade union confederation, like the ETUC or the EIFs for example, and their national trade

union affiliates, transformed unionism represents an alternative approach to labour organisation in which labour forms alliances with other issue-based civil society groups to challenge the political-economic arrangement of European integration. The organisational structure of transformed unionism is best recognised for its cross-border, horizontal linkages between trade unions and nongovernmental organisations. What is important to note about this second strategy is not so much the coalition-building process between trade unions and NGOs, although certainly it is one of the defining characteristics of social movement unionism, but rather the mobilizing capacity of the organisation structure to influence the rank-and-file to reach out to a broader community of interests and support these coalitions that emerge from community organizing.

It has also been argued in this thesis that these two strategies of transnational labour activity are determined by the political opportunity structure in which it interacts with the other European social actors. In effect, political opportunity structure defines the parameters of access to the decision-making process at the European level. After the Treaty of Amsterdam (1997), the opportunity to engage the European institutions in the area of social policy improves considerably. The Treaty of Amsterdam provides such an opening for the labour movement to expand its strategic domain in the matter of protecting and improving labour standards.

The relationship between transnational labour activity and the development of the social dimension is a complex one – all the more complicated by external factors such as political opportunity structure. It appears correct in large part that the European labour movement is playing an increasingly more significant role in co-ordinating transnational

collective action. Its relationship to the decision-making process, however, is tempered by the resilience of the economic liberalisation programme. Social integration remains secondary to the economic pillar of European integration for a number of reasons. One such reason is that national governments reserve the right to make decisions in the area of social policy. Thus, the European labour movement has supported the social dimension as a platform of labour rights and standards at the European level that should complement what already exists at the national level.

At the core of this research project are two questions concerning the nature of the strategic position of the labour movement at the European level of governance. The first considers the significance of the European labour movement and, more specifically, transnational labour activism. The second addresses the implications of transnational labour-related collective action for the social dimension of European economic integration. This case study represents an attempt to integrate theoretical frameworks defining organisational structure and strategic orientation. However, if the purpose of this thesis is to identify and assess the relationship between transnational labour activity and progress made in constructing a social dimension to European economic integration, then it is absolutely imperative to consider, first, the significance of institutionalizing the labour movement at the European level and, second, the implications of European labour-related collective action for the decision-making process in the area of EU social policy. This chapter will examine these two points in greater detail before concluding with suggestions for further research in theory building and policy analysis of the European labour movement.

Defining the Role of the European Labour Movement

Identifying the impact of transnational labour activity requires analysis of the system of exchange and coordination that fosters interaction between citizens across national borders. As this process of interaction pertains to the Europeanization of the labour movement, one can discern a polarisation of views, representing two endpoints of a continuum that measure degree of institutionalization at the European level of governance. One perspective is undeniably pessimistic in its analysis of the role of the European labour movement.¹⁵⁵ According to this view, the labour movement has been unable to build a transnational network of labour interests and in fact will continue to be blocked from the decision-making process at the European level. These obstacles are the cause of a deeply divided transnational organisation: lack of common interest between members, lack of authority by a European labour organisation to represent and negotiate labour interests, and lack of resources – both material and symbolic in nature. Furthermore, the basic legal provisions necessary for harmonisation of social policy do not exist at the European level. In this case, there is no relationship to be expected between transnational labour activism and the construction of a European social dimension.

The other perspective tends to be rather more optimistic in its evaluation concerning the significance of the European labour movement.¹⁵⁶ This position argues

¹⁵⁵ Eg. Fritz Scharpf, *Governing in Europe: Effective and Democratic?* Oxford: Oxford University Press, 1999; Wolfgang Streeck, "The Internationalization of Industrial Relations in Europe: Prospects and Problems," *Politics & Society* 26, no. 4 (1998): 429-59.

¹⁵⁶ Eg. Otto Jacobi, "Transnational Trade Union Cooperation at Global and European Level – Opportunities and Obstacles," *Transfer* 1 (2000): 12-28; Wolfgang Lecher, Bernhard Nagel, and Hans-Wolfgang Platzer, *The Establishment of European Works Councils: From Information Committee to Social Actor* (Aldershot, UK: Ashgate Publishing, 1999).

that an opening exists for labour to serve in the capacity as social partner, with shared responsibilities as policy innovator in the area of EU social policy. In this role, labour acts in conjunction with the European institutions, more so the Commission and Parliament rather than the Council, to fill the void in social policy initiatives or to counteract the negative effects of trade liberalisation and labour market deregulation. This perspective points to the active role of the labour movement as well as the EU institutions to develop social policy.

It appears, however, that the true nature of transnational labour activity falls somewhere in-between these two positions. By this account, there is space at the European level of governance for transnational collective action. But the European labour movement has yet to develop this opening for representation and mobilization to its full potential. Rather than policy innovator, the labour movement serves more as policy co-ordinator – not only among the various levels of labour organisation but also between labour interests and those of the other European social actors. It is a difficult role to cover adequately. And yet, there are indications that the labour movement continues to evolve into the role of policy co-ordinator.

Before taking up this discussion about the European labour movement's role in the decision-making process, it is useful to consider explanations for the emergence of transnational space for labour-related collective action. This becomes necessary for two reasons. First, this analysis provides a context in which to centre the relationship between institutional framework and policy outcome. Second, it offers conjecture about prospects for future transnational labour activity in the European Union.

An increase in transnational labour activity suggests the beginnings of a distinctly European space for representing and negotiating labour interests in the area of EU social policy. This case study of the Europeanization of the labour movement cites as evidence of transnational collective action the process of social dialogue, an emerging system of virtual collective bargaining, and the rise of social movement unionism in the sociocultural, political, and economic spheres of activity. The European labour movement has negotiated the details of the European Employment Pact, the Fundamental Charter of Rights, and the European Code of Conduct and Monitoring Platform. It has supported a civil dialogue between the European institutions and nongovernmental organisations, federations, and networks. It has demonstrated against social exclusion, high unemployment, and job insecurity at counter-summits and through mass appeals. Its pursuit of a social dimension to European economic integration comes amid fears of social dumping, regime shopping, competitive labour markets, lost social benefits, and ever-diminishing labour standards.

The concept of transnational space parallels that of political opportunity structure.¹⁵⁷ Indeed, the two are synonymous with this idea of creating an opening for sustained transnational collective action. The last 15 years have witnessed a European, transnational political opportunity structure that has expanded in scope, allowing for a significant number of actors, like the labour movement for example, to access the European decision-making process. The development of a distinctly European,

¹⁵⁷ Colin Crouch and David Marquand, eds. "Re-inventing Collective Action," in *Reinventing Collective Actions: From the Global to the Local* (Oxford: Blackwell Publishers, 1995), 15-9.

transnational space simultaneously constrains or limits the very nature of discussion, debate, and negotiations within the larger political-economic system.

For the labour movement in particular, this suggests two implications. First, the labour movement finds more room to manoeuvre at the European level but within a political opportunity structure defined by labour's relationship to the market specifically. Second, the rallying point for transnational labour activity remains the social dimension. However, the construction of a social dimension to European integration is increasingly couched in terms of labour market regulation specifically as it applies to the strengthening of the economic pillar – and, subsequently, Europe's competitiveness in an internationalised economy. This dynamic interplay between transnational labour activism and the social dimension, and between economic and social forces, has been all too obvious in recent negotiations at the European level – from the Employment Pact to provisions for training and development as it relates, for example, to information-communication technology. This type of labour market regulation denotes active rather than passive labour market policies. It has been argued that the primary objective of labour market regulation at the European level is to connect these policies and in fact the redistribution of European funding to labour market participation so as to target specifically those individuals marginalized in the labour force. The purpose is to draw them back into the labour market and thus improve employment rates and productivity.

The interesting point to follow in coming years is the impact of the two principles, subsidiarity and mutual recognition, in the area of EU social policy. Despite its attempts to widen the area of EU social policy by removing many of the obstacles that have

hindered the decision-making process, the Treaty of Amsterdam did nothing to resolve the ambiguity of subsidiarity and mutual recognition. Both principles represent a process of collective rule-making and, more specifically, an approach to harmonisation. But subsidiarity dictates Community action only in the case that there is a distortion of competition between member states which necessitates legal recourse, that is some degree of harmonisation to level out the playing field, at the European level. Mutual recognition suggests an approach to harmonisation by indirect means – through the acknowledgment of and respect for market standards and arrangement between member states. The spillover into the social policy domain has become more likely having completed the internal market. It is at this point of intersection, between a levelling-up and a levelling-down approach to harmonisation, that labour's role of interlocutor and policy co-ordinator may become even more pronounced at the European level of governance.

As it stands in the current environment, transnational labour activism has continued to take the form of a network based on horizontal and vertical co-ordination for the purpose of information exchange. By and large, the European labour movement maintains its role as interlocutor between its members at the national and local levels. More recently, particularly since the Treaty of Maastricht, the labour movement has played a larger part in the decision-making process as an intermediary between labour interests and the other European social actors. Although wide-scale mobilization has occurred at the European level from time to time, it suggests a reflexive strategy best understood as crisis response management. Whether this aspect of transnational labour

activity changes, particularly if citizenship-based discourse trained at the European level becomes more prominent between the European institutions and civil society, remains unclear at this time.

Assessing the Implications of Labour Activism for the Social Dimension

Two key trends can be identified that describe the development of the social dimension over the last 10 years. These trends point to a much larger pattern in European integration with far-reaching implications for the labour movement and its role in the decision-making process at the transnational level of governance. The first trend indicates an active period for the construction of the social dimension as an institutional framework that lays the foundation for a European social regulatory regime. As noted at the beginning of this thesis, the turning point for the social dimension occurs with the ratification of the Treaty of Amsterdam (1997), in effect signalling the possibility of a new era in policy making style that is more consensual in its approach to social regulation than in past years with the dual-track system for social legislation.

The second trend suggests overlapping boundaries in the content of economic and social policy. While certainly this blurring of boundaries between macroeconomic policy and social regulation could spell disaster for the social dimension in that social policy is effectively captured by economic interests for deregulation or labour market flexibility, for example, this development could also mean that social regulation as in pay setting and collective bargaining at the transnational level will become a necessary mechanism to ensure coordination between national and European levels. For labour in general, this may mean avoiding the sort of distributional conflict between regions within the

European Union that can harm economic performance and undermine transnational cooperation.¹⁵⁸

Recent events surrounding the social dimension of European integration indicate a relatively activist phase in social policy making. This statement requires explanation. First, what is the timeframe in question that allows this conclusion to be drawn? Second, what role has the labour movement played in these developments? The answers to these questions suggest an incremental, piecemeal approach to European social policy making that has drawn the labour movement into the institutional framework for policy making by providing space for transnational collective action in both the industrial relations and political spheres. The labour movement's input into the decision-making process serves not only to legitimize the integration project through its support of the social dimension but also to expand the authoritative domain of social policy competence at the European level of governance. It is indeed a convoluted relationship in which the evolution of the social dimension parallels the development of a European labour movement.

There are three distinct phases in the development of the social dimension. The first phase begins with the ratification of the European Single Act and ends with the Treaty of Maastricht. Under the SEA, the social dimension was defined as a secondary goal to the economic liberalisation project. Furthermore, the labour movement remained highly fragmented at the European level.¹⁵⁹ The effect of these two factors meant a slow

¹⁵⁸ Martin Coen, "The European Dimension to Collective Bargaining Post-Maastricht," in *European Industrial Relations? Global Challenges, National Developments and Transnational Dynamics* eds. Wolfgang Lecher and Hans-Wolfgang Platzer (London and New York: Routledge, 1998), 67-9.

¹⁵⁹ Silvia, Stephen J. "The Social Charter of the European Community: A Defeat for European Labor." *Industrial & Labor Relations Review* 44, no. 4 (1991).

start for a social dimension to counterbalance the economic pillar of European integration. Labour's only contribution to the social dimension was the 1989 Community Charter of the Fundamental Social Rights of Workers, a legally non-binding document that established basic labour rights to be respected by member states during this process of building the internal market. Although the implementation of the Charter continued to be the responsibility of the member states to ensure the protection of labour rights and standards, as defined in the subsidiarity clause, the European Commission issued annual reports on the Charter's application at the national level, forwarded on to both the European Parliament and the EcoSoc Committee for review.¹⁶⁰

The second phase begins with the Treaty of Maastricht and concludes with the ratification of the Treaty of Amsterdam. In fact, these years between 1992 and 1997 signify the first formative stage in the evolution of the social dimension and the development of a European labour movement.¹⁶¹ One can argue that, at this point, the social dimension ceases to exist as only a secondary objective to the economic liberalisation programme. Rather, it begins to complement the broader agenda of economic and political regionalization of Europe. With the completion of the single market and a commitment to economic and monetary union, there is an increasing need to legitimate the authority of European-level governance. The social dimension helped to fulfill this purpose as both treaties widened the boundaries for social policy development

¹⁶⁰ Andrew Martin and George Ross, eds., "The Europeanization of Labor Representation," in *The Brave New World of European Labor: European Trade Unions at the Millennium* (New York and Oxford: Berghahn Books, 1999), 318.

¹⁶¹ Dirk Buda, "On Course for European Labour Relations? The Prospects for the Social Dialogue in the European Union," in *European Industrial Relations – Global Challenges, National Developments and Transnational Dynamics* eds. Wolfgang Lecher and Hans-Wolfgang Platzer (New York and London: Routledge, 1998), 26-30.

at the European level. Although both procedural and substantive constraints existed during this second phase, the social dimension represented a fundamental link between social policy making at the European level and the national level. It did so by establishing legal recourse for the distortion of competition between member states.

As noted earlier, this period also finds a far more proactive, independent European labour movement. Having negotiated the terms of the 31 October Agreement to be included in the Treaty of Maastricht, the labour movement in effect carves out its own niche in the social policy making process at the European level, all the while attempting to protect its role in decision-making at the national level. The result is the legitimization of the European labour movement as well as the social partnership model through European-level social dialogue. By drafting joint opinions and framework agreements for consideration, the labour movement has been able to take the principles and guidelines of the Charter of Fundamental Social Rights of Workers and translate them into specific policies that require some degree of harmonisation across national borders.

The third phase takes root after the Treaty of Amsterdam and, it can be argued, continues today. It is this third period that indicates an activist phase in social policy development. There are two reasons that explain this argument. First, many of the substantive and procedural obstacles to social policy making at the European level have been removed with the inclusion of the Social Chapter, which replaces the Social

Protocol and its dual track for decision-making in the area of EU social policy.¹⁶²

Second, there has been a marked increase in interest group representation and mobilization at the European level demanding greater input in social policy development.¹⁶³ For labour interests specifically, this refers to a process of strategic intervention as both a social partner and a social movement organisation. What one finds in this third period is the intersecting trajectory between the development of the European labour movement and that of social policy competence at the European level of governance.

Interestingly, the third phase also represents the culmination of these attempts to bridge the gap between economic and social integration. The result is overlapping boundaries not only between levels of governance, which has always been a dilemma with this system of multilevel governance, but also between policy domains. There appears to be a narrowing of definition and purpose between what constitutes social policy versus that of economic policy management. And while this may seem nothing new, in fact it is a fairly recent development since the Treaty of Amsterdam in which the Employment Title was written so as to co-exist with the Social Action Programme. In light of these developments, issues of social inclusiveness and social cohesion may very well be re-routed through the Employment Pact.

¹⁶² Jeff Kenner, "The Paradox of the Social Dimension," in *Reforming the European Union from Maastricht to Amsterdam* eds. P. Lynch, N. Neuwahl, and W. Rees (Harlow, England: Pearson Education Limited, 2000), 109-10.

¹⁶³ Sonia Mazey and Jeremy Richardson, "Interests," in *Developments in the European Union* eds. L. Cram, D. Dinan, and N. Nugent (New York: St. Martin's Press, 1999), 105-29; Jeremy Greenwood, *Representing Interests in the European Union* (New York: St. Martin's Press, 1997).

Further Research on the European Labour Movement

The argument that the European labour movement is playing a significant role in the construction of a social dimension to the integration project has developed from three propositions about the nature of the relationship between the labour movement and the EU institutions. The first proposition assumes that a distinctly European collective identity exists, which underpins the development of a transnational system of governance and thus fosters sustained interaction among members of the labour movement and between labour and the EU institutions. The result of this interaction is a sense of mutual recognition of the role each plays in the decision-making process. The second proposition implies that the European labour movement has established as one of its primary policy objectives the development of a social regulatory regime at the European level of governance. Without labour's contribution, the social dimension could take on a very different meaning than what has been intended for the project thus far. Consequently, the European labour movement will continue to engage and pressure the European institutions and other social actors to support the construction of the social dimension. The third proposition asserts that European integration will move forward as planned, with the EU institutions playing the greatest role in keeping the project on track. This gives labour a recognisable target in which to lobby its interests at the European level and in turn gives the EU institutions particular incentive to draw interest groups like labour into the decision-making process so as to legitimate their own roles as policy making institutions.

If of course any of these conditions were to change, it would warrant the necessary modifications to the argument to take into account these new conditions as they

alter the relationship between the European labour movement and the decision-making process at the transnational level. What this final section considers is just that – the possibilities of systemic, structural changes to European governance and, subsequently, its impact on the European labour movement.

The European Union is quickly approaching a rather significant transformation in the structure of its political-economic system of governance. In terms of structural changes to the economic system, by January 2002, the European Union will have completed the third and final stage of EMU: the issuance of the single currency to those member states that have committed themselves to EMU. The second transformation to the European Union affects the political system. Enlargement stands to impact the institutional structure of European governance. Not only the authoritative jurisdiction of the European institutions but also voting power will need to be re-configured if the political system is to be expected to absorb the influx of new members to the European Union. It is with these two points in mind that this final section formulates suggestions for further efforts in theory-building and policy analysis as it relates to this fluid relationship between the labour movement and the nature of European multi-level governance.

So these pending developments lead to another series of questions about the significance of transnational collective action, the role of the European labour movement in the decision-making process, and the implications for the social dimension of European integration. The next several pages intend to consider these questions,

indicating areas for future research on the development of European, transnational labour activity and the relationship between institutional structure and policy outcomes.

The first point to note is full EMU and its impact on industrial relations – both at the national level and what may develop at the European level. EMU promises greater transparency for labour cost and wage comparisons.¹⁶⁴ Will this development be to the detriment of the labour movement, as having the effect of creating competitive labour markets and thus further fragmenting the labour movement? Or will the labour movement be able to use EMU to its own advantage by making the case for a stronger social pillar of European integration to protect existing labour standards and to create a platform of European political, economic, and social rights enforceable at the European level of governance? It can be argued that the final stage of EMU represents a critical juncture for the labour movement. The result of EMU will bring either a more united labour movement that utilises EMU as an opportunity to co-ordinate its interests across national borders, or at the other end of the spectrum, a deeply divided labour movement where EMU creates a wedge between national labour organisations and company-level sectors, thus pitting one against the other in a struggle to protect its own at the expense of the larger movement of interests.

The second point to consider is enlargement and, related to this development, institutional reform of the European system of governance. At the Nice Summit meetings, efforts were made to prepare the political system, and indeed the European

¹⁶⁴ Martin Coen, "The European Dimension to Collective Bargaining Post-Maastricht," in *European Industrial Relations? Global Challenges, National Developments and Transnational Dynamics* eds. Wolfgang Lecher and Hans-Wolfgang Platzer (London and New York: Routledge, 1998).

institutions, for enlargement in which over the next several years the European Union will admit possibly anywhere between 12 and 27 new members. For the larger system of governance, enlargement is an issue of democratic accountability. It is the culmination of struggle for power and for influence in a system of governance where representational proportionality becomes the guiding principle. For the labour movement in particular, the prospects for enlargement prove just as uncertain. The first concern for the labour movement is social dumping or regime shopping. The second concern is weak labour organisation in Central and Eastern Europe. The third concern is the division between East and West about what constitutes unfair labour practices or protectionism.

At the root of the problem is the definition or purpose of labour market regulation. It is an issue that, for one side, signifies job-creation incentives and, for the other side, job-protection initiatives. Attempts to level the playing field between the East and West thus far has meant obvious division between the two sides. In this context, the European labour movement faces the monumental task of balancing conflicting interests. It will require setting an agenda that will satisfy both sides. The question is what role does transnational collective action play in bridging the differences between East and West representatives of labour organisation. How will the labour movement manage transnational co-ordination of this breadth and scope? Will either strategy of transnational labour activity – be it the social partnership model of trade unionism or the networking approach of social movement unionism, provide the necessary forum for discussion and negotiation between conflicting interests within the labour movement

itself? Can in fact the labour movement continue to broaden its internal agenda without losing the details of the social dimension in the process?

As suggested, the prospects for enlargement are directly tied to the issue of institutional reform. Although member governments of the European Union have begun the process of institutional reform, the effects of these changes will not be seen until the process of enlargement is underway. However, it is useful at this point to question the implications of institutional reform for the labour movement and, particularly, the construction of the social dimension. This thesis has argued that the political opportunity structure of European governance has provided the labour movement access to the decision-making process in the area of EU social policy. What this has meant for the labour movement is a form of mutual reciprocity between the labour movement and two of the European institutions, the European Commission and Parliament. From this relationship, the labour movement has been able to engage and pressure the European institutions for support of the social dimension. And to some degree, it has been rewarded for its efforts. The question that follows is whether the labour movement will continue to find access to the decision-making process after institutional reform.

Institutional reform of this magnitude indicates a shift in the balance of power between large and small states. And while new voting allocation gives both Germany and France, both of which have supported some form of a social dimension, greater say in the political system, it also means the chance for bloc voting between large and small, rich and poor, East and West. The implications are serious for interest groups like the labour movement. Small coalitions can block a qualified majority. Neither has

institutional reform resolved the matter of national vetoes in such policy areas as social security and taxation reform – both of which remain subject to unanimous voting in the Council. This leads to the point of increased flexibility in political system and the prospects for “enhanced co-operation” where groups of countries may proceed with greater integration and co-ordination, most likely in financial and tax policies. For the labour movement, this development means a multi-front battle even at the European level. The complexity of this system leaves many questions about interest group intermediation and the prospects for the social dimension. Whether the labour movement will be able to access this reformed decision-making process based on relative voting weights and enhanced co-operation remains a question mark.

In this analysis of the agency of labour, the emphasis of the research has been on the relationship between the European labour movement, its efforts at transnational collective action, and progress made in constructing a social dimension to European integration. In fact, the argument focused on the top-down process of interaction whereby the European labour movement builds transnational, coordinative networks to protect the national domain in social policy by pressuring the European level for the harmonisation of standards through EU legislation. And while this examination of European labour activity provides some understanding of the complex nature of decision-making at the European level, it is an incomplete picture of the process.

The one variable held constant throughout this study has been that of the structure of multilevel governance in the European Union. This structure of governance denotes a system of power-sharing between levels based on a process of decentralised decision-

making. In this case, the nation-state serves as the intermediary between the local, the national, and the European levels. Thus far, it remains the primary locus of authority. In a multilevel system of governance, then, the effects of the social dimension are felt not at the European level but rather at the national level of governance. So while decisions on social policy may be reached at the European level, it is the national level that must implement these decisions.

For future research on the social dimension, it would be valuable to consider the bottom-up process of interaction, that is from the national to the European level, to see whether there has been some degree of convergence around a model of best practice in the area of social policy. Charting these developments at the national level, where the national labour movements play an increasingly more important role in implementing European social policy legislation, might very well present a slightly different perspective of the social dimension.

CONCLUSION

FROM TRANSNATIONAL COLLECTIVE ACTION TO INTERNATIONAL SOLIDARITY

Almost one month to the day after angry workers and protesters rallied in the streets of London to protest against the irresponsible corporate behaviour of Marks and Spencer, Employment ministers at the European Employment and Social Policy Council meeting pledged their commitment to implementing the EU Directive on Information and Consultation with Employees. The decision to adopt the directive came one week after political agreement also was reached on the Takeover Directive. Together, the two laws will require companies to consult with worker representatives and employees on organisational restructuring and takeover activity that could impact the conditions of employment, such as job security and wages. In tandem with the EU Directive on the Establishment of Works Councils, the two new pieces of legislation complete a triad of workers' rights to information and consultation.

A review of the arguments presented in this case study reveal signs of a rejuvenated European labour movement taking shape at the international level of governance. The question of concern for this thesis, however, is whether the reconfiguration of interests from the national to the European level is enough to restore the balance of power between capital and labour. Is the power of voice and of involvement, as demonstrated in this case study of transnational labour activity, enough to counterbalance the structural power of capital? The findings in this thesis indicate that

the restructuring of labour organisation at the European level remains in the nascent stages of development.

First, it has been argued that a European labour movement is emerging to engage both capital and the EU institutions at the transnational level of governance. Lateral links between labour organisations across national borders foster the degree of vertical and horizontal coordination necessary to support a European labour movement.

Transnational umbrella organisations seem to be the most prevalent organisational structure to emerge as a representative of labour interests, although certainly labour-related social movement activity has become more visible in recent years due in large part to the amount of media coverage it receives. The bigger concern here is whether these transnational umbrella organisations are truly representative of everyday activity among workers. The most damaging criticism of transnational collective action is that it is too far removed from the source to be effective. As this case study has attempted to show, the two models of traditional and transformed unionism are mutually interlocking strategies. Each represents a separate sphere of activity and possibly a different membership base, but together they constitute transnational labour organisation.

Second, this thesis has argued that political opportunity for access to the decision-making process at the European level has improved with the ratification of the Treaty of Amsterdam (1997). But in fact it is a narrow window of opportunity, due to the evolving nature of the institutional configurations of European governance that are subject to the principles of subsidiarity and variable geometry. Thus, the European labour movement

must act quickly to institutionalize its consultative and participative role in the current political and economic environment before conditions change.

Finally, it has been argued here that the European labour movement plays a significant role in influencing the institutional framework and content of social policy. This case study has identified two key variables in the relationship between the development of a European labour movement and the construction of a social dimension to the integration project. The first variable, organisational structure, illustrates the type or model of coordination utilised by the labour movement to mobilize its membership base. The following table captures the four combinations.

	Hierarchical Structure	Network-Structure
Vertical Coordination	European Trade Union Confederation European Industrial Federations	Platform of European Social NGOs
Horizontal Coordination	European Works Councils	Clean Clothes Campaign Euromarches

The second variable, strategic orientation, refers to the specific approach taken by the labour movement to represent labour interests in the decision-making process. Again, the chart below provides a sharper description of labour-related collective activity, highlighting both the sphere of action and the issue areas of concern to the labour movement.

	Traditional Unionism	Transformed Unionism
Industrial Sphere	European Trade Union Confederation European Industrial Federations European Works Councils	Clean Clothes Campaign
Political Sphere	European Trade Union Confederation	Euromarches Platform of European Social NGOs

The purpose of a 2 x 2 diagram like the one above is to highlight the interlocking relationship between the two variables, organisational structure and strategic orientation. The result is a much clearer picture of the defining characteristics of European and international labour organisation. Not only is the typology useful for describing the institutional form that labour may take in order to represent its members' interests and to mobilize support for its agenda, but also it provides an analytical tool that is effective for determining the degree of political opportunity available to labour and for evaluating labour's influence in the decision-making process. The advantage of the analytical framework is that it allows for comparison between types of organisational structure and patterns of strategic orientation. What becomes possible to see, then, are the subtle nuances in labour organisation that earlier works on the labour movement overlooked in their assessment of transnational labour activity.

If this proposition is correct about organisational structure and strategic orientation, the labour movement is being reinvented at the transnational and global

levels through a process of resource borrowing and externalisation.¹⁶⁵ But resource borrowing does not mean just financial and technical support, and externalisation should not imply emulation only. Rather, the strength of an emerging transnational or global labour movement lies in its ability to build networks of organisations that share common goals, although they may pursue these goals in very different ways.

One should not overlook, however, the growing importance of international regimes, and the degree of interaction between state governments and international institutions in determining when and how civil society engages in mass protest. Opportunity for transnational collective action is in large part defined by these transnational or international institutions that have become increasingly more visible to the public. They are the targets of transnational collective action, in effect channelling protest activity from the national to the transnational and international levels of governance. As it relates to the emergence of a global marketplace and the multinational institutions that dictate financial and economic policy, the social dimension represents one such example of a proposal to make these institutions accountable to public interest.

What broader implications can be drawn from this analysis of European labour? This argument describing the interrelationship between organisational structure and strategic orientation begs the question how does the example of transnational labour-related collective action in the European Union apply to labour groups in other regional blocs such as that found in North America, South America, Asia, or Africa. The findings in this study seem to indicate a notable pattern in the formation of transnational

¹⁶⁵ Sidney Tarrow, "Beyond Globalization: Why Creating Transnational Social Movements is So Hard and When Is It Most Likely to Happen," p. 14-6 of 28.

organisations which requires a durable, yet flexible, system of social relationships rooted in the nation-state but connected to the international level. Because of the nature of a multinational, multi-tiered system of governance, the national system of social relationships continues to provide the impetus for transnational collective action. In this particular system, the national-level organization forms the base of the mobilizing structure. The result is a criss-crossing of local and national organisations that are part of a larger network of transnational collective action. Without a solid base upon which to build that begins at the national level, however, it is unlikely that transnational collective action will be as effective.

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