

Huke, Nikolai/Tietje, Olaf (2016): Глава 12. Экономия и сопротивление рабочего движения: изменение формы забастовок в Испании, 230-256, in J.P. Orlovskiy., E.S .Gerasimova (eds.): КОЛЛЕКТИВНЫЕ ТРУДОВЫЕ КОНФЛИКТЫ: РОССИЯ В ГЛОБАЛЬНОМ КОНТЕКСТЕ (untranslated author's version).

Austerity and Labour Resistance: The Shifting Shape of Strikes in Spain

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The economic crisis during recent years has significantly altered industrial relations in Spain. Up to the crisis, relations between capital and labour were generally characterised by institutionalized cooperation between trade unions, employers and state apparatuses in combination with strong elements of rather ritualized symbolic confrontation (e.g. a relatively high amount of workdays lost by strike) (Huke/Tietje 2014a). The crisis fundamentally changed these “rules of the game” (Gago 2013). Austerity policies not only cut back public employment and restructured public services along neoliberal lines, but also made dismissals easier to implement, decentralized collective bargaining to the company level and widened the scope for unilateral actions of the employers. In combination with rising unemployment and an increasing rate of precarious employment, these changes shifted the relations of force between capital and labour in favour of capital (cf. Haas/Huke 2015). Employers' willingness for concessions declined, whereupon the system of industrial relations moved towards one of fragmentation and symbolic cooperation (Huke/Tietje 2014a). At the same time, a strong cycle of protest following the *indignados* of 15M disrupted the passiveness and permissiveness of the Spanish population and politicised the socially devastating effects of crisis and austerity (cf. Huke 2014: 92).

The article argues that this triple movement – the weakening of labour, the decline and fragmentation of cooperative mechanisms and the crisis of hegemony enforced by the new cycle of protest – made strategic reorientations of the trade unions necessary that shifted the shapes of strikes. Rather than in the quantity of strikes, we argue, this change becomes visible in tendencies towards different *forms* of strikes and their linkages between each other.² The development of strikes during the crisis was characterised by general strikes, a decentralization of strikes to the company level, the replacement of demonstrative strikes by fighting strikes, strike movements organised by groups of workers instead of trade unions as well as aims to take strikes to the public arena and embed them into social communities beyond the affected workers. As the crisis continued, however, a normalization of austerity and a decrease in industrial conflict could be observed.

Empirically, the analysis is based on qualitative interviews conducted by the authors as part of their PhD-Projects between 2011 and 2014 with trade union officials as well as activists in

¹ We thank David Bailey, Mònica Clua-Losada, David Luque Balbona and Hans-Christian Jannsen for their valuable comments on an earlier version of this chapter. The first version of this chapter was finished in January 2015; more recent developments could not be included.

² In focusing on the *forms* of strike, our analysis builds upon the works of David Luque Balbona, but develops a more qualitative approach (cf. Luque Balbona 2012, 2013).

protest movements (e.g. the *marea verde* and the *marea blanca*).³ For reasons of anonymization we reduced the quotation of the interviews to the organizational level. In this way the political perspective of the interviewed persons and organizations can be understood but will not compromise any single person.

2. Cooperative confrontation: Characteristics of Industrial Relations and the Historical Development of Strikes in Spain

Before the current crisis, the system of industrial relations in Spain after the Francoist period could sketchily be described as following a path of *cooperative confrontation*: Strikes were frequent, but generally short-termed and demonstrative. Cooperation between employers and trade unions was well established at the company level as well as at the sectorial, regional and national level. Social dialogue and consultation included not only the social partners, but also state apparatuses. Large parts of the workforce were covered by collective agreements, due to their automatic extension (*erga omnes*-clause). The major trade unions pursued moderate wage increases. The labour market was characterised by a dual structure: Relatively secure long-term contracts with strong dismissal protection on the one hand, since the 1980s increasing numbers of precarious employment as well as a high amount of structural unemployment on the other (cf. Köhler/Calleja Jiménez 2014: 373). Union membership and support remained limited in groups that tended to work in more precarious conditions, e.g. young people, women and migrants, posing the problem of exclusive solidarity (cf. Huke/Tietje 2014a: 372; Köhler/Calleja Jiménez 2013: 4). Despite selective organizing efforts targeting these groups in the economic boom since the mid-1990s, trade unions sought “every time more refuge in workers [that were] a bit more stable [because] they mobilised themselves more” (CCOO,⁴ 17.07.2012 Madrid).⁵ The protection of workers during industrial conflict, but also beyond employment was (and still is) still rather weak. Only few Spanish trade unions maintain sufficient strike funds. Social protection in Spain is weakly developed, leading to a strong dependency on employment. Social security, unemployment benefits or pensions often lie below the level of the minimum wages (cf. Haas/Huke 2015; López/Rodríguez 2011: 19).

The development of strikes in Spain can be divided into four sub-periods:

A breaking wave (1976-1979)

The Spanish transition to democracy was marked by severe strikes that were met with fierce repression. During the 1970s the number of strikes increased sharply, especially in the metal

³ *Marea verde*, in English: green flood wave, and *marea blanca* in English: white flood wave. The *mareas* are Spanish protest movements, the mentioned ones are regarding to education (*marea verde*) and medical health care (*marea blanca*) (Huke/Tietje 2014b).

⁴ CCOO, Comisiones Obreras, in English: Worker Committees.

⁵ All interviews were translated by the authors from Spanish and quoted with organisation, date and location of the organisation.

industry, the mining industry and the construction sector. These strike movements formed the backbone of social movements demanding an end of the francoist dictatorship (cf. Luque Balbona 2013: 252-253). The number of participants in strikes is estimated between 2.5 and 5.7 million people (cf. Luque Balbona 2012: 571). Strikes in this phase were characterised by a very short duration with high numbers of participants, aiming at demonstrating the power of the workers (cf. Luque Balbona 2013: 252-253). Cooperative mechanisms between capital and labour, in contrast, were weak, not least because trade unions were not legalized until 1977 (RDL 19/1977).⁶

Moderation and embeddedness I (1980-1986)

The confrontational stance of the labour movement changed as the newly appointed government initiated a politics of negotiated consensus towards a transition to democracy in 1976. The Spanish communist party PCE⁷ as well as the PSOE followed a path of moderation and de-radicalization, which they rather successfully imposed on their respective trade unions (UGT⁸ in the case of the PSOE, CCOO in the case of the PCE). The major trade unions therefore embedded their strategies into the politics of a negotiated consensus (*consenso negociado*), in which all relevant social forces set limits to their respective demands. Part of this consensus, as agreed in the earlier phase in 1977, was wage moderation as well as a limited use of strikes (cf. Luque Balbona 2012: 573). This development set the pathway for a strong institutional embedding of and a bias towards social dialogue within the Spanish trade unions in the following decades (cf. Giner/Sevilla 1984: 126; Hamann 2003: 50-51). Strikes in this phase had fewer participants but the total amount and the time of duration were comparable to the strikes between 1976 and 1979 (Luque Balbona 2012: 569). The moderate stance of the trade unions was reinforced by an attempted *coup d'état* on February 23rd, 1981. In the following years, a number of social pacts were agreed upon in which trade unions committed themselves to restrain their demands (Giner/Sevilla 1984: 127). However, the low institutionalisation of industrial relations made a frequent use of strikes by the trade unions necessary. These tendencies continued under the governments of the PSOE⁹ that won the general elections in 1982 and followed an agenda of neoliberal structural reforms. While the UGT in the first half of the 1980s was very close to the governing PSOE, CCOO followed a strategic combination of grassroots syndicalism and mobilisations (Hamann/Martínez Lucio 2003).

However, it was not only political constraints that forced trade unions to limit their demands. Spain's entry into the EEC and the subsequent liberalization of its economy caused massive de-industrialization and paved the way towards a fragile and dependent model of capitalist accumulation very prone to global labour cost competition (cf. López/Rodríguez 2011: 12-13). Productivity growth was sluggish, unit labour costs increased in relation to other European

⁶ RDL, Real Decreto Ley, these are emergency decrees with an urgent priority who are effecting the constitution.

⁷ PCE, Partido Comunista de España, English: Spanish Communist Party.

⁸ UGT, Union General de Trabajadores, in English: General Union of the Workers.

⁹ PSOE, Partido Socialista Obrero Español, English: Socialist Party of the Spanish Workers.

countries, while investments in education as well as research and development lagged behind (cf. Prados de Escosura/Rosés 2009; Royo 2009: 20-22). In consequence, the economic development became more and more dependent on the existing Spanish ‘specializations’ in tourism, real estate and the construction industry (cf. López/Rodríguez 2011: 5). For trade unions, this growth model went along with a necessity to pursue only moderate wage increases in order to secure the economic competitiveness of enterprises based in Spain. This tendency was reinforced by the dual structure of the Spanish labour market that combined a segment with relatively secure contracts with a high rate of structural unemployment and an ever increasing segment of the labour market on precarious contracts (cf. Hamann/Martínez Lucio 2003: 68-70).

Political confrontation (1987-1994)

As the social consequences of the neoliberal reform agenda pursued by the PSOE in the 1980s became more and more visible, trade unions distanced themselves from the government as well as from social dialogue (cf. Luque Balbona 2012: 575). UGT partially unlinked itself from the PSOE, which led to a rapprochement with the CCOO. In 1986 both major trade unions were working in unity of action (Luque Balbona 2012: 574). Together, both trade unions mounted a massive general strike against PSOE’s labour market policies in 1988, followed by others with less participation in 1992 and 1994. Apart from the general strikes that characterised strike movements in this period, strikes remained demonstrative and very short confrontations with a high number of participants (cf. Luque Balbona 2012: 574).

Moderation and embeddedness II (1995-2009)

The effects of political confrontation remained limited, whereupon trade unions actively tried to re-establish forms of social dialogue and to increase political cooperation (Huke/Tietje 2014a: 377). The CCOO dissociated themselves from their earlier position of participation, mobilization and social movement unionism and re-oriented their organisational structure towards service unionism. Left positions within the trade unions were subsequently marginalized (cf. Hamann/Martínez Lucio 2003: 64). In consequence, a number of social pacts were signed in the 1990s, which promoted a flexibilisation of employment, but at the same time strengthened the institutional role of the trade unions by reorganising the collective bargaining system (cf. Royo 2007). Since then the politics of the CCOO and UGT have been characterized by a strong involvement in political negotiation processes on different levels (national, regional, local, sectorial) (cf. Köhler/Calleja Jiménez 2014: 372). Despite their institutionalized presence, however, the trade unions’ capacity of influence on politics remained limited (Hamann/Martínez Lucio 2003: 63). The embedding of the major trade unions within the institutional architecture contributed to a decrease in strikes. 2005 accounted for the lowest numbers of participants in strikes for the whole democratic period (cf. Luque Balbona 2013: 257). The decline of strikes went along with an increase in roundtables and the use of arbitrary mechanisms of conflict resolution (cf. Luque Balbona 2012: 580).

3. Unilateral Austerity: the Transformation of Industrial Relations in Spain During the Current Crisis

The system of cooperative confrontation that had come to characterise the industrial relations in the pre-crisis years, however, ended with the crisis. Following a breakdown of the real estate led mode of capitalist accumulation in 2007/08, the Spanish governments – be they social-democrat or right wing – unilaterally implemented harsh austerity measures. In consequence, the relationship of forces between labour and capital shifted significantly towards the latter (cf. Haas/Huke 2015; Huke/Tietje 2014a: 372-374). Insolvencies and an increase of economic fragility of enterprises during the crisis weakened the position of the trade unions to pursue offensive strategies (cf. Huke/Tietje 2014a: 379-380). Confronted with the crisis, many workers

“adopt a very corporate position [...]: I try to solve my problem. I do know it is a general problem, but I isolate myself and try to talk to my employer to protect me. It is difficult for them to understand, that they cannot maintain autarkic islands, closed, isolated, eh? [...] And in exchange I allow that my own employer creates around me margins of labour precarity above all with young people. New precarious employment that co-exists with my high level of protection. [...] The trade union tries to avoid it, but sometimes it cannot avoid it. Let's be honest. [...] It's like that [...]. And in the end they give them a slap and they push them aside or close them down. Because they are not competitive” (CCOO, 06.03.2014, Barcelona).

The unemployment rate rose from 7,9% in June 2007 to 24,5% in June 2014. The unemployment rate of people under the age of 25 years reached 56,5% in November 2013. In addition 9,2% of the employees (57,4% of the part-time employees) were underemployed (working less hours than wanted) and precarious employment rapidly substituted formerly secure contracts. At the same time, the trade unions were unable to overcome their organisational weaknesses in informal, precarious and restructured fields of work, whose relevance increased further during the crisis (cf. Köhler/Calleja Jiménez 2013: 4-6).

In 2013 in 1.9 million Spanish households, all members were unemployed and 3 million people were living with less than 307€/month. Over 30% of the unemployed did not get any unemployment benefit because their two years of unemployment benefit had expired. At the end of 2012 638,300 households did not have any income (CCOO 2013; Köhler/Calleja Jiménez 2014: 370; TAIFA 2010). The need for support by the organisation Caritas increased during the crisis by about 170%. 2.4 million people relied on support from the Red Cross and 1.3 million people on food banks. The membership and rate of unionisation declined as unemployment often meant the end of trade union membership (Köhler/Calleja Jiménez 2013: 4). Unemployment, poverty and evictions increased the risk of depressions, anxiety disorder or other psychological illnesses (cf. Gili et al. 2013). Despite of rising incidence rates the absence of employees decreased heavily – an indicator of rising pressure to work despite being sick (Adecco 2013: 1-2).¹⁰ The social crisis increased employers' possibilities to impose 'pacted' concessions on their workers (cf. Köhler/Calleja Jiménez 2014: 374). Social dialogue witnessed a breakdown, due to

¹⁰ At the same time, the regions with the highest unemployment rate like Andalusia (56,74% unemployment) are the ones with the lowest incidence rates, for example in Andalusia at 3,6% (Adecco 2013: 1-2).

an increasing unwillingness of first employer's organisations and later on state apparatuses to make even minor concessions to the trade unions. While the central government of the PSOE focused on social dialogue to pursue austerity – combined with the threat of emergency response tools – the PP was focusing on immediate confrontational politics. Their style was characterised by even brusquely ignoring agreements of the social dialogue partners (cf. Haas/Huke 2015). Confronted with this change, “trade union structure and strategy is more about mobilisation and confrontation and not [...] about negotiation, but that is because of the refusal of employers and government to cooperate” (UGT, 06.03.2014, Barcelona). Nonetheless, the major trade unions remained oriented towards cooperative strategies. Concessions by the trade unions in social pacts on pensions (2011) and on collective bargaining (2012)¹¹ decreased the legitimacy of the organisations in Spanish society (cf. Huke/Tietje 2014b: 534). The pacts were motivated by the hope of the trade unions to prevent more far reaching cuts, but also reflected a feeling that “there was no social mobilisation on the street strong enough to say we don't pact let's go to the street” (CCOO, 17.07.2012, Madrid). Because of this, “struggles are way more defensive” (SAT,¹² 25.08.2012 Sevilla).

The trade unions were weakened further by a wide range of structural reforms of the industrial relations implemented by the PSOE government (e.g. RDL 10/2010; Ley 35/2010), and radicalized by the PP under *Mariano Rajoy* (e.g. RDL 3/2012; Ley 3/2012). Protection against individual and collective dismissals was significantly reduced, while the possibilities for employers of making flexible use of contracts were increased. The system of collective bargaining was changed fundamentally. A priority of collective bargaining at company level was established. The persistence of collective agreements, that before had remained in effect until a new agreement was reached - even after their period of validity had expired -, was limited to one year after the period of validity. Furthermore, possibilities for employers to suspend collective agreements were expanded. Politically, the unions were weakened by the constitutionalisation of austerity policies with the implementation of a so called debt brake into the Spanish constitution in 2011 and its differentiation and application to all levels of democratic decision making by law in 2012 and 2013 (cf. Haas/Huke 2015). For the trade unions a clear picture of the future emerged: “[...] it is obvious that the patrons – the chefs – want to directly attack the collective bargaining. They want to destroy the basis of the trade unions” (SAT, 25.08.2012, Sevilla). The public sector – e.g. in education and health – underwent significant neoliberal restructuring going along with selective privatisations and reductions in employment. Under the PP government, laws were proposed which aimed at restricting and criminalizing activities of social movements and trade unions, that were accompanied by media campaigns to delegitimise trade unions (cf. Köhler/Calleja Jiménez 2014: 376):

¹¹ II AENC, segundo acuerdo para el empleo y la negociación colectiva, English: second agreement about employment and collective bargaining.

¹² SAT, Sindicato Andaluz de Trabajador@s, in English: Trade Union of the Andalusian Workers.

“We [...] are the retaining wall in defence of social and working right, no? And exactly because the governments and the markets know we are that wall [...] they are trying to break down the wall and [...] if you read the papers there are daily attempts to discredit [us]” (CCOO, 11.11.2013, Sevilla).

The speed with which the crisis unfolded and austerity measures were implemented posed a serious challenge for trade union responses, as the following quotes show exemplarily:

“If you enter the loop of the crisis [...] it absorbs you. Absolutely, right? All this processes of conflict absorb, right? [...] Since May 2010 we have not stopped. I am going to a minimum of two demonstrations a week” (UGT, 06.03.2014, Barcelona).

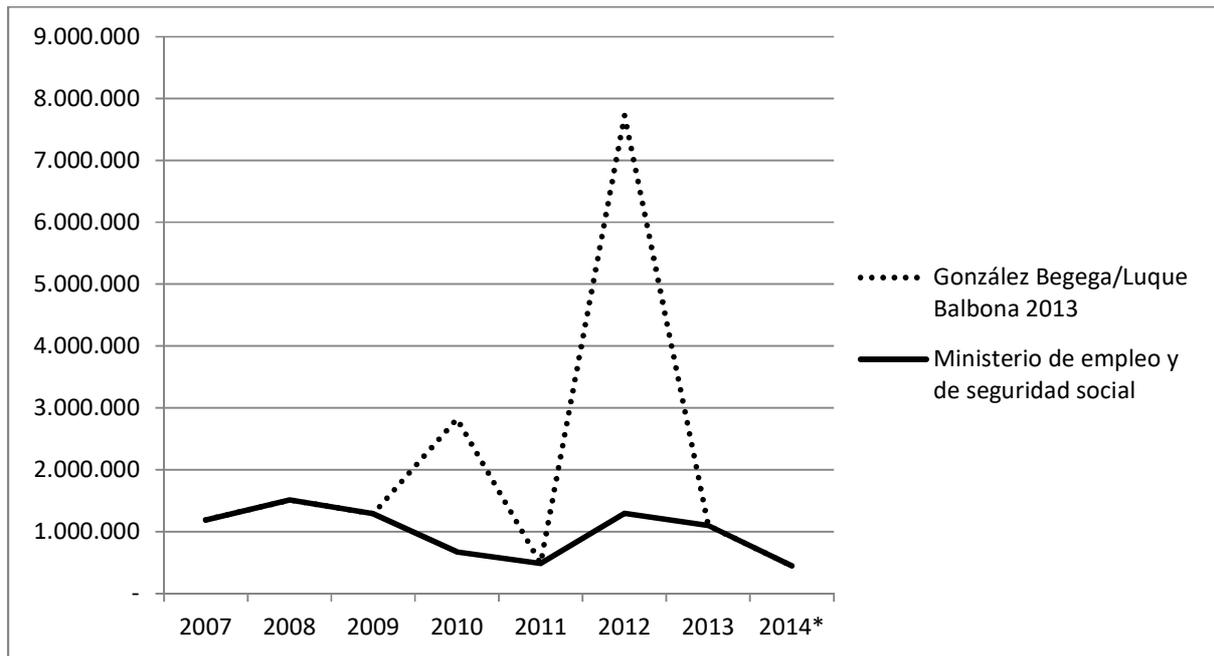
“Since the crisis started it goes non-stop [...]. There is not a single moment of calm [...]. You hardly gather material because it is always going forward” (UGT, 19.07.2012, Madrid).

Overall, the changes during the crisis were successful in their effort to “eliminate the system that we had consolidated in matters of labour relations in this country” (CCOO, 11.11.2013, Sevilla). Institutional and structural power resources of the trade unions were systematically weakened, their possibilities to influence policy formation or decisions at the company level decreased significantly.

4. Reinventing resistance: The shifting shape of strikes in Spain during the crisis

The fundamental change of industrial relations in Spain did not leave strikes unaffected. The amount of workdays lost by strike dropped at the beginning of the crisis. In 2012, it temporarily rose only to steadily decline again afterwards. However, the official statistics of the labour ministry do not include the general strikes in the years 2010 (September 29) and 2012 (March 29 and November 14) “given that it does not have information available from all of the Autonomous Communities” (González Begega/Luque Balbona 2013: 88). Based on the CIS barometer, *González Begega* and *Luque Balbona* (2013) have developed a corrected estimation of workdays lost by strike including the general strikes.

Figure 1: Workdays lost by strike



*Provisional data, January-September 2014

Source: Ministerio de empleo y de seguridad social; González Begega/Luque Balbona 2013

Beyond the varying number of workdays lost to strikes, the *form* of strikes during the crisis differed significantly from the pre-crisis period: The political exclusion of the trade unions led to three national *general strikes*, while the austerity policies triggered a *decentralisation of strikes to the company level*. Symbolic strikes became more and more replaced by *fighting strikes* as the unwillingness of employers to grant concessions to the trade unions increased due to the shift in relations of force between capital and labour. Drawing on Nowak and Gallas' Luxemburgian typology, the difference between these two forms of strike can be described as follows:

“Demonstrative strikes voice the opinion of workers and are limited to one or two days, while fighting strikes are about striking until the goal of the stoppage or a compromise has been reached, or until the workers decide to give in” (Nowak/Gallas 2014: 312).

Movements such as 15M successfully injected a spirit of rebellion into the rather permissive and passive civil society in Spain. In consequence, and in reaction to cuts, *workers' strikes and protest movements from below* evolved. At the same time, the weakness of trade unions at the company level made *efforts to embed strikes into public protests and aim to include social movements and local communities into strikes* necessary.

General strikes

Being deprived of their former institutional channels of influencing policies and industrial relations (social dialogue, etc.), while being exposed to blatant attacks on workers and trade union rights forced the trade unions to take a more confrontational stance vis-à-vis the

governments of first the PSOE and later on the PP. Maybe the most visible effect of this development were three general strikes in September 2010, March 2012 and November 2012. The pressure exerted by these strikes was largely symbolic, as they were limited to one day, for which a minimum service to be upheld was agreed with the government. Until 2010, both CCOO and UGT had enjoyed a rather harmonious relationship with the PSOE government. When the PSOE performed a U-Turn in 2010 from a moderately Keynesian crisis management to an austerity-focused agenda, they were ill-prepared for confrontations:

“We had not prepared or maintained the mobilisation of the workers or the level of critical consciousness. [...] It was thought that these adjustments would not come from the side of a social government. As they suddenly lashed down on us, they caught us wrong-footed on the position of the last years because the government had not given us motives [...], there was no scenario of confrontation” (CCOO, 17.07.2012, Madrid).

The announcement of the PSOE to rise the pension age in February 2010 was met with rhetorically fierce critique by the trade unions. Mobilisation, however, remained limited to sporadic action days with limited participation. Even after the PSOE introduced further austerity measures in May 2010 – including a 5% cut in salary for all public sector workers – the trade unions publicly deemed a general strike an inadequate response, although they organised a strike of public sector workers on June 8th, 2010. Just after the PSOE unilaterally imposed a flexibilisation of the labour market in June 2010 – a reform that featured significant reductions in dismissal protection – CCOO and UGT decided to convoke a strike for September 29th, 2010. However, the direction of the strike was rather limited: Both trade union leaders explicitly stressed that the strike was not meant to be against the Zapatero government, but as a wakeup call for the PSOE to change its course (cf. Huke 2014: 88). CCOO and UGT found it “very difficult to get the strike going” (CCOO, 17.07.2012, Madrid):

“We got used to a period of prosperity and there was not the organisation and the whole of the workers did not have the view [...] or attitude that we were passing from a period of prosperity to a period of cuts and that it was necessary to mobilize against them” (CCOO, 17.07.2012, Madrid)

After the strike in September 2010 it took the CCOO and UGT more than one year to organize the next general strike. As CCOO official Nuria Montoya argues, the background of this development was the analysis of the trade unions, that they did not have the power to realize continuous strikes as in Greece. In consequence, they opted for slowly building up a strike potential (cf. Montoya 2012: 157). As the PP – despite various action days of the unions – had proven unwilling to take back its labour market reform (RDL 3/2012) decreed in February 2012, they called for a general strike on March 29th. After two years of ongoing cuts, the scenario was very different with regard to 2010.

In May 2011, the 15M movement (*indignados*) had erupted, occupied squares in a large number of Spanish cities and organised neighbourhood assemblies that served as nodal points for ongoing protests. The movement produced a rupture with the permissiveness and passiveness that had characterised large parts of the Spanish society in the first years of the crisis (cf. Huke

2014: 92; Huke 2016). While focusing on a critique of representative democracy (“They don’t represent us”), 15M also challenged the legitimacy of the (major) trade unions that were – not least due to their acceptance of the social pact on retirement and their hesitant reorientation towards confrontation – regarded as part of the problem rather than part of the solution. In consequence, CCOO and UGT were initially reluctant towards the new movements:

“15M [...] claimed ‘I also represent the citizens and the workers. I am also a legitimate social interlocutor. [...] It is like the chair game, where you have four persons and three chairs that is to say no one wants that someone else another organisation another association another collective occupies the space that you already represent’ (CCOO, 17.07.2012, Madrid).

As austerity politics continued, however, both 15M and the trade unions gradually overcame their mutual distrust. The general strikes in 2012 were the first since a long time in which trade unions and social movements as well as neighbourhood organizations built up a stable and continuous cooperation that culminated in the general strikes (cf. Montoya 2012: 156). Another important factor for the increasingly confrontational orientation of CCOO and UGT were radical minoritarian trade unions, especially from the Basque countries, that performed several regional general strikes and also pushed for national strike movements (cf. del Bado 2012). The second strike in 2012, on November 14, was embedded into a European day of action organised by the European Trade Union Confederation (ETUC). The regional following of ETUC’s call was very uneven, in many countries being limited to small and symbolic actions.

Table 1: Motive and following of the general strikes

| Date | Motive | Participants (in thousand) | Employees (in thousand) | Strike participation rate (in % of total employees) |
|------------|--|----------------------------|-------------------------|---|
| 29.09.2010 | Labour market reform of the socialist government | 2.148,5 | 15.346,8 | 14,0 |
| 29.03.2012 | Labour market reform of the popular government | 3.357,3 | 14.347,2 | 23,4 |
| 14.11.2012 | Austerity policies and cuts in social welfare | 3.070,3 | 14.347,2 | 21,0 |

Source: González Begega/Luque Balbona 2012: 95.

The decentralization of strikes to the company level and the increased necessity for fighting strikes

As legislation – due to the labour market reforms – no longer promoted collective agreements but an “imposition by the employers and all mechanisms of control and equilibrium that existed [...] were significantly reduced” (UGT, 06.03.2014, Barcelona), the willingness of employers to negotiate agreements with the trade unions declined. While trade unions were – at least in some regions such as Andalusia and Catalonia – able to prevent the expiration of sectoral collective agreements, they found it increasingly difficult to enforce their application at company level:

“It is now very difficult to even reach a thousand Euros. Because you have a continuous battle [over collective bargaining and the fulfilment of collective agreements] in the companies and what they offer you are part-time contracts, contracts [...] where you have to work more hours than you are really paid and with salaries very inferior to the agreement” (CCOO, 11.11.2013, Sevilla)

In consequence, “it is now the company level where the conflicts are” (UGT, 06.03.2014, Barcelona). The shift to the company level is accompanied by a shift in the forms of strike at company level. While the pre-crisis period had broadly been characterised by (short) “demonstrative strikes” that were embedded in rather cooperative union-employer relations, the crisis witnessed the return of unlimited *fighting strikes*.

The fiercest fighting strikes occurred in plants where the management unilaterally pursued plant closures and decreed collective dismissals (e.g. in the cases of *Panrico* or *Coca-Cola*), with the strike at emblematic Spanish donut producer *Panrico* being the longest during the Spanish democracy, lasting eight months (cf. Diagonal 2014). Concessions by the employers and successes of fighting strikes remained limited, not least due to the massive shift in the relations of force between capital and labour during the crisis:

“You are in your company used to have a more fluid social dialogue, but in a certain moment it is subdued to a company director or a multinational group or adopts a different attitude in its own labour relations saying: Why would I negotiate with you if now I can do this, I can do that. The government has given me the legal possibility. [...] This then produces [...] a rupture of social dialogue in the company and the union resists” (CCOO, 06.03.2014, Barcelona).

The fighting strikes of the technical workers of one of the biggest communication companies in Europe (*Telefónica*) for example brought some distinctive differences between the rank-and-file and the leadership of the majoritarian trade unions to light. Initially mobilised by minoritarian trade unions like AST,¹³ CGT¹⁴ and Co-Bas,¹⁵ the workers began striking on March 28 2015 in Madrid whilst CCOO and UGT only joined the struggles because of the ongoing pressure of the rank-and-file of the CCOO. The established trade unions merely joined with sporadic mobilisations. In the next phase, the majoritarian trade unions – instead of the striking ones – were offered negotiations on May 5th 2015. The results of the negotiated pact were far away from

¹³ AST, Alternativa Sindical de Trabajadores, in English: Alternative Trade Union of the Workers.

¹⁴ CGT, Confederación General de Trabajadores, in English: General Confederation of the Workers.

¹⁵ Co-Bas, Comisiones de Base, in English: Committees of the Basis.

the demanded changes and for this reason the nearly 30.000 workers kept on striking in spite of the negotiated pact until June 22nd (cf. Diagonal 2015a; 2015b).

Grassroots strike movements

In the public sector, cuts and neoliberal restructuring spawned massive strike and protest movements in education (*marea verde*) and healthcare (*marea blanca*). A key feature of these movements was their grassroots democracy oriented organisational structure that was at least in part inspired by the 15M movement (cf. Huke/Tietje 2014b: 354; Huke 2016). As a trade unionist from UGT states,

“The whole 15M movement has diluted and is already very mixed up with everything, there are for example in the case of civil servants/public sector workers [funcionarios] very strong [Interjection by 2nd interviewee: spontaneous] mobilisations at the margins of the trade unions” (UGT, 19.07.2012, Madrid).

The *marea verde* developed in 2011 in Madrid, and was “obviously a bit the heir of 15M, right? Emanated a bit that wind of popular sovereignty, right? That came out of 15M, right?” (USTEA,¹⁶ 13.11.2013, Sevilla). Before,

“the teachers had lived [...] at the union level a very frustrating process, in which the teachers mobilised themselves very little and there was little class consciousness within the teaching staff, strikes were followed very little” (USTEA, 13.11.2013, Sevilla).

The name *marea verde* is derived from the movements’ green shirts with the demand for public schools for everyone, which became symbol of the protest. The movement was triggered by an increase in the number of teaching hours and the dismissal of nearly 3.000 substitute teachers by the regional government of Madrid (cf. Huke/Tietje 2014b: 536). In the subsequent years, the movement spread to other regions in Spain, where a significant restructuring of the education system took place that included an increase in the number of pupils in each class, an increase in teaching hours, cutbacks in internal democracy within the schools and an intensification of competition between different education centres, mainly connected to the so called ‘Ley Wert’ (LOMCE)¹⁷ that was introduced in December 2013. Subsidies for public school transport, school books and meals were reduced (cf. Huke/Tietje 2014b: 536). In consequence, “there were a lot of kids that have left the school canteen because the families were unable to pay due to the situation of crisis” (STES,¹⁸ 18.03.2014, Madrid). Cuts in public spending had uneven distributional effects on public and private schools: Schools organised as public-private partnerships and private schools were largely excluded from reductions in public spending. The consequence is an intensification of the tendency towards a silent privatisation of the education system, which increases effects of social exclusion (cf. Huke/Tietje 2014b: 536).

¹⁶ USTEA, Unión de Sindicatos de Trabajadoras y Trabajadores en Andalucía, in English: Union of the Trade Unions of the Workers in Andalusia.

¹⁷ Polemic vernacular renaming after the responsible politician of the LOMCE, Ley Orgánica para la Mejora de la Calidad Educativa, English: constitutional law for bettering the quality of education. Ley Orgánica 8/2013.

¹⁸ STES, Sindicatos de Trabajadores de la Enseñanza, in English: Trade Union of the Educational Workers.

In reaction to the cuts, teachers in Madrid in summer 2011 organised a number of assemblies. Influenced by the 15M movement and partly initiated by trade unions in the education sector, the assemblies rapidly evolved into a movement of their own that went beyond institutionalised representation of workers within and by the trade unions. The assemblies soon took place on a regular basis in a large number of schools and counted with an active participation of education sector employees – especially the teaching staff, and a notable, although less intense participation of pupils and parents. As a trade union official of the left education union STES recalls,

“they started to mobilise in a mobilisation totally horizontal that is in every institute every high school and every school there was a support group for the mobilisation. They gathered in zones and neighbourhoods and, well, they organised very important demonstrations, they did strikes that were supported by the parents” (STES, 18.03.2014 Madrid).

The grassroots structure of the assemblies soon led to a certain unease in the relations with the major trade unions. In some cases, the trade unions slowed down campaigns and action plans by the assemblies that in Madrid included an unlimited strike action for three days a week. CCOO, UGT and STEM¹⁹ significantly watered down this proposal to a limited number of strike days combined with action days keeping operative unity with the more conservative trade unions ANPE²⁰ and C-SIF²¹ (cf. Huke/Tietje 2014b: 537). These conflicts show that the new structures questioned traditional forms of trade union organisation, that were impregnated by a logic of “ok, assemblies, yes. [...]. Assemblies to make proposals and all decisions are taken within the trade union” (Interview STES, 18.03.2014, Madrid). Already at the end of 2011 protests in Madrid and participation in assemblies started to die away.

However, due to more cutbacks from national and regional governments in 2012 and 2013 in education the *mareja verde* spilt over to other regions of Spain as well. On May 22nd 2012 there was a nationwide general strike in the sector of education that for the first time counted on the support not only of all relevant unions in the sector, but also from student and parents associations (cf. Gago 2012: 1092). The crucial factor for the strong mobilisation was especially the high number of participating pupils and students. At the beginning of the school year 2013/14 the teachers of the Balears went on strike for three weeks. They were protesting against cutbacks and a decree of ‘integrated treatment of languages’ (TIL).²² The TIL decreed that lessons should be taught in equal shares in Catalan, Spanish and English, while before lessons were mainly (80%) taught in Catalan. As in Madrid, grassroots assemblies as well as horizontal use of social media and mailing lists played a key part in the mobilisations (cf. Riutort Serra 2014: 831). Even the strike itself was led by the *assemblea de docents* that coordinated the

¹⁹ STEM, Sindicato de Trabajadores de la Enseñanza de Madrid, in English: Trade Union of the Educational Workers of Madrid.

²⁰ ANPE, Asociación de los Profesionales de la Enseñanza, English: National Association of Professional Teachers.

²¹ C-SIF, Central Sindical Independiente y de Funcionarios, in English: Association of Trade Unions of Self-Employed Workers and Functionaries.

²² TIL, Tratamiento Integral de Lenguas, English: integrated treatment of languages.

different assemblies and was only supported by the trade unions (cf. López Vizquete 2013). On the Balearic Islands, the personnel in various schools rejected to implement the decree of the TIL, successfully slowing down its implementation. The government reacted by taking a number of the persons responsible for the boycott to court, thereby sparking a new wave of protest (cf. Huke/Tietje 2014b: 538).

The developments in education were mirrored in the health sector. The Spanish healthcare system was hit hard and deeply restructured by the politics of austerity. The RDL 16/2012 connected healthcare – formerly constituting a universal right – to contributions to social security. Thereby, illegalised migrants as well as people over the age of 26 who never paid for social insurance e.g. because of unemployment, lost access to health services or had to resort to expensive private insurances. Compulsory co-payments for medication were increased (cf. Gallo/Gené-Badia 2013). Health care centres were closed, opening times limited and the medical personal cut back. Treatments were delayed and e.g. in Catalonia the amount of people waiting for a treatment increased by 43% between 2010 and 2011 (cf. Legido-Quigley et al. 2013: 2). Simultaneously the rate of depression and suicidal tendencies grew, mainly connected to unemployment and mortgage debt (cf. Gili et al. 2013). Regional governments privatised or partly privatised sections of the Spanish healthcare system. One of the most ambitious plans in that sense was presented by the regional government of Madrid that proposed to privatise a number of hospitals as well as health care centres. After the plans became public, employees enclosed themselves into the hospitals (*encierros*) and organised assemblies with a massive participation of the workforce – the *marea blanca* was born (cf. Gago 2013: 1097-1098).²³ The assemblies initiated regular assemblies in every single of the affected hospitals that quickly expanded to also include users of health services. As an activist of the *marea blanca* recalls,

“In health we health sector workers have always been very quiet, we did not protest against anything. [...] This privatisation decree that woke us up [...] has caught many people immobile. And then they surprised themselves and surprised the others: ‘And you? What are you doing in the street protesting if you have never been there for anything, right?’ [...] Seeing that you are talking to a caretaker and you are the head of service and you are at the same demonstration because you are for the same things, well, that gave you goosebumps saying ‘My god, this is really important’” (Interview P.A.T.U. Salud, 20.03.2014, Madrid).

The political pressure built up by the numerous protests of the *marea blanca* contributed to the failure of the privatisation program in Madrid, which was finally stopped by a court verdict due to irregularities in the privatisation process, which led the PP government of the Madrid region to abandon the project (cf. Huke/Tietje 2014b: 541-542). Despite their successes in sustaining mobilisation, however, the capacities of the grassroots structures to realize strikes without the support of the major trade unions remained limited. Participation in strike days called for by the assemblies that were supported by the trade unions was relatively low therefore the outcomes are more likely a result of the successive discursive framing (by the movement) of health care as common heritage (cf. Huke/Tietje 2014b: 541).

²³ Like it happens in the context of the *marea verde*, the trade unions were nearly forced to join a strategy of confrontation (together with the *marea blanca*) by the government of the PP.

Taking strikes to the public arena and socially embedded strikes

Another key feature of strikes during the crisis was their active use of the public arena. Workers threatened by closures (shipyards, mining) or massive reductions in employment (financial sector) participated actively in public protests (cf. Köhler/Calleja Jiménez 2014: 374). Apart from education and healthcare workers the most vivid case of this tendency was the protest of the miners in 2012 against cuts in subsidies that threatened employment (cf. Huke/Tietje 2014a: 382). Furthermore, trade unions and workers increased efforts to embed their struggles where possible into social communities. Coordination platforms in the context of the protests of the *marea verde* and *marea blanca* included not only trade unions but also neighbourhood coalitions and social movements (cf. Huke/Tietje 2014b: 539, 542).

In many cases – above all in the protest of *marea verde* and *marea blanca* – a reframing of workers interests as common interests of the population could be observed. Part of the effectiveness of the *marea blanca* stemmed from its successful framing of health care as a public good which allowed its assemblies to reach a wide political spectrum and increase their social base beyond affected workers: “Users of public services [...] converged with the workers themselves. [...] A let’s say absolutely natural convergence was produced” (CCOO, 06.03.2014, Barcelona). The movement was based on a strong acceptance of public health care within the population (cf. Pastor Verdú 2013: 234-235).

Even strikes that – due to their immediate negative effects on the population – generally tend to generate rather limited support were able to generate strong public legitimacy, e.g. the strike in the public cleansing service in Madrid. Some struggles in private enterprises were also able to achieve public recognition and support. Exemplary, workers striking against collective dismissals and plant closures by *Coca Cola* called for a boycott (“If Madrid doesn’t produce, Madrid doesn’t consume”) of its products that received widespread attention and supposedly successfully diminished sales of *Coca Cola* – in favour of its competitor Pepsi (cf. ECD 2014). Similarly, in the case of *Panrico*, CCOO aimed at creating “a social compromise with the strike. For example: Neighbourhood assemblies, social movements, convergence in demonstrations” (CCOO, 06.03.2014 Barcelona). However,

“if you have a conflict in the health system, it is a lot easier for you to take it to the neighbourhood so that it defends [...] this health centre against being shut down, right? But the experiences are above all in the industrial sector. To try to find [...] solidarity movements, this is very important for us to be really effective and to maintain the capacity of confederal intervention. As a whole” (CCOO, 06.03.2014, Barcelona).

Success in organizing support in society did at the same time not necessarily translate into perceptible results at company level: While in the case of *Coca-Cola* the collective dismissal was declared illegal by the Spanish courts and the workers reinstated, the *Panrico* strike was – despite its militancy - unable to stop dismissals.

5. Conclusion

A fragile and dependent mode of capitalist accumulation, well established forms of social dialogue and a high coverage of collective agreements have historically contributed to the development of industrial relations in Spain as a system of cooperative confrontation. Strikes were frequent, but generally short-termed and demonstrative. The current crisis destabilised this model towards a system of fragmented and symbolic cooperation. The weakened position of the trade unions made them choose less confrontative strategies and the unilateral austerity policies shifted the relations of force between capital and labour to the disadvantage of the latter, which was already negatively affected by rising unemployment and the limits the crisis imposed on wage demands.

Workers and trade unions responded to this development by trying to reinvent resistance: They countered their political exclusion with general strikes and took the struggles to the company level due to the decentralization of collective bargaining enforced by the labour market reforms. Demonstrative strikes were partly replaced by way more fighting strikes – not so much by choice as by necessity. Strike movements from below supplemented traditional forms of trade union organization, while efforts to socially embed strike movements and make them publicly visible were increased.

The new forms were in many cases closely linked to a change in social climate during the crisis that was catalysed by the cycle of protest following the *indignados* of 15M. The long-term continuation of the crisis, however, saw a certain normalization of austerity and an exhaustion of protests, which led to decreasing strike rates. The wave of protest that disrupted of the passiveness and permissiveness of the Spanish population and politicisation of the socially devastating effects of crisis and austerity that has characterised the last years of the crisis seems to slowly ebb away. Despite certain openings during the crisis pointing towards a revitalisation of labour and the forces of labour, the quest of how to develop an effective response to crisis and austerity still remains unsolved.

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