

Spain: a peripheral economy and a vulnerable trade union movement

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1. Introduction

In this chapter we outline, in a historical institutionalist perspective, the main structural features of the Spanish economy, the welfare regime and the industrial relations system as the principal interlinked institutional setting in which to analyse the current strategic dilemmas of the trade unions. The origin of the deep and long economic downturn from 2008 to 2015 lies in the economic growth model established during the late-comer industrialisation in the second period of the Franco dictatorship (1959–1975) within the framework of an authoritarian development regime. The sectoral profile and structural weaknesses of this model still shape the Spanish economy and limit its recovery and growth expectations. Among other factors that we will present, these basic conditions of the Spanish model influence to a large extent the current situation and available strategies of the trade unions.

Following the dictator Franco's death in 1975, the democratic transition enabled the establishment of modern social welfare institutions and democratic industrial relations with free trade unions. The crisis- and conflict-driven institution-building process in the context of a fragile political democratisation led to a fragmented, incoherent institutional system, unable to deal with the new challenges of globalisation and economic competition, new social risks and increasing social inequality.

The Spanish trade unions developed their organisation and representation model in accordance with this economic model and the dynamics of the democratic transition period (1975–1982). Based on electoral representativeness and occasional mobilisation power with low membership figures, the two major confederations – the post-communist Workers' Commissions CCOO (Comisiones Obreras) and the socialist General Workers' Union UGT (Unión General de Trabajadores) – consolidated their hegemony against smaller radical, regional or corporatist organisations during the long-lasting real estate bubble (1994–2007), focussing primarily on institutional power sources, such as all-encompassing collective bargaining, bipartite and tripartite concertation and institutional participation in public administration bodies. The impact of the economic crisis since 2008 weakened all these institutional power sources and confronted the unions with difficult strategic dilemmas with uncertain outcomes. The analysis of these dilemmas is the object of our concluding section.

This chapter is grounded in an institutional historical analysis that seeks explanations for the character of the economic crisis and the dilemmas of trade unions in Spain, emphasising processes unfolding over time and involving causal analysis. Institutions usually tend to condition social actors and policymakers but do not determine them

entirely as they are the outcome of political struggles and power relations and thus change over time. It is to be assumed that trade unions always maintain a certain ability to strategise. However, to understand the strategic choices in the context of multiple constraints, it is indispensable to analyse the institutional setting and its historical legacies.

The interrelations among historically shaped economic profiles and regulatory mechanisms, social welfare regimes and industrial relations are analysed in a dynamic perspective to identify not only the causes of the current social order and conflict, but also historically lost or still available alternatives. The processes of globalisation and Europeanisation have led to extended commodification, increased external dependence and significant disruptions in the national-based Spanish economy. Nevertheless, the specific articulation of a semi-peripheral economic growth model, the mixture of elements of distinct social welfare state models and the historically bounded industrial relations system with particular trade unions still allow us to speak of a Spanish version of modern capitalism. We agree with those comparative studies that present Spain as having a low degree of institutional coherence and thus unable to exploit the benefits of institutional complementarity (Höpner 2005).

To underscore the relevance of political struggles and asymmetrical power relations, two dimensions often neglected in institutionalist approaches, we refer to the extended trade union power resources concept as developed and applied by Gumbrell-McCormick and Hyman (2013: 30–31). Trade unions have four traditional power sources, achieved during the struggles and conflicts of the nineteenth and twentieth centuries:

- (i) structural: possessing scarce skills or occupying strategic positions in the production process;
- (ii) associational: membership, willingness to pay;
- (iii) organisational: unity to collectively support its policies, willingness to act;
- (iv) Institutional: Legislative support, administration of social welfare, tripartite corporatism.

Regarding potential revitalisation strategies in times of crisis and weakness, these traditional power sources require three complementary sources that are not necessarily new, although they may have been slightly forgotten:

- (a) moral: a mission and identity based on achieving social justice;
- (b) collaborative or coalitional: seeking allies and sharing resources;
- (c) strategic: intelligent use of scarce resources.

The current economic and political crisis entails a twofold challenge for trade unions: to develop efficient strategic action against the social cutbacks and attacks on workers' rights and revitalise their own organisational structures and power resources. These challenges have been transformed into contradictory strategic dilemmas of collective action in an extremely hostile environment, characterised by the political and ideological hegemony of neoliberal globalisation, the particular vulnerability of the Spanish economic growth model, the fragmentation of the Spanish labour force and the distance from other social protest movements.

The chapter is organised as follows. Section 2 develops the institutional evolution of the Spanish economy from authoritarian late-comer industrialisation towards a European peripheral economy and the related development of the Spanish welfare regime as the principal institutional context for the current trade union strategies. To complement the institutional framework, Section 3 analyses the Spanish trade unions and the industrial relations regime, including the basic labour market regulations, while Section 4 focuses on the current crisis. Section 5 examines the impact of the long economic downturn and neoliberal crisis management. Having laid out the enabling and constraining context conditions for strategic action in the current European crisis, in Section 6 we deal with the difficulties of the Spanish trade unions in developing efficient alternatives and resistance against the dominant neoliberal austerity policy and the corresponding loss of traditional trade union power resources. Reflections on the structural dilemmas and strategic options for Spanish trade unions close the chapter.

2. Spain's economy and welfare regime

Spain is a latecomer to the industrialised world with about 40 per cent of the workforce still employed in agriculture in 1960 when industrialisation was being pushed by the new technocratic elite of the Franco regime. It was during the Spanish 'economic miracle' (1960–1973) that the main foundations of the current economic structure were established. Spain had joined the Western system during the 1950s after reaching an agreement with the United States in 1953 and could henceforth benefit from financial and technical support from the Bretton Woods organisations (IMF, World Bank). This facilitated a turnaround in economic policy towards a sort of indicative planning with growth poles, attracting foreign investment, export subsidies, currency devaluation, fiscal consolidation and additional development measures, all aimed at economic modernisation in the context of a favourable economic environment in western Europe. All this was packaged in a new discourse of productivity and rationalisation, thus marginalising the former fascist and national Catholic ideology. The renewed Franco dictatorship was converted into an authoritarian-technocrat development regime.

During this period Spain developed some modern consumer industries and tourism became a leading economic sector. Millions of Spaniards left the rural areas for the growing urban agglomerations or emigrated to northern European countries. However, the authoritarian economic modernisation project established various structural weaknesses that still harm the Spanish economy today and have never been tackled by subsequent democratic governments. Spain depends on imports of foreign capital, know-how and technology and lacks domestic industrial capital. It also depends on oil imports and has unsustainable energy-consuming equipment. There is constant inflationary pressure and a trade deficit; furthermore, the Spanish banking system lacks effective controls and has undergone several severe crises, with state-financed bailouts and forced concentration. The high proportion of low-skilled employment in the service and construction sectors, the underdeveloped vocational training and

innovation system, the dominance of very small micro-enterprises¹ and the large informal sector are additional factors in the structurally weak competitiveness of the Spanish economy.

The Spanish governments of the democratic period, dominated in alternation by the Socialist Workers' Party PSOE (1982–1996, 2004–2011) and the conservative Popular Party PP (1996–2004, 2011 onwards), have never tried to tackle the structural deficits of the Spanish economy but nurtured a speculative real estate bubble with impressive growth rates from 1994 to 2007. Low interest rates, excess liquidity in international financial markets, the security of the euro zone, falling public debt and public policy incentives created the conditions for private debt and a prolonged demand-driven growth cycle centred in housing and real estate. In this period, unemployment fell from 25 per cent (1993) to 8 per cent (2007) and the economic sectors related to construction and tourism created nearly eight million new jobs. The aforementioned structural weaknesses, however, were intensified by the huge low quality employment sectors, speculative financial activities, unsustainable construction projects and the corruption networks around the municipal management of licenses and allowances.

Spain's economy depends on a few strongholds, mainly the tourist sector and the automotive, chemistry, food and beverages industries under the control of foreign multinationals and the commercial sector. The few big Spanish multinationals operate mainly in Latin America while others have become part of larger foreign transnational corporations. In the European context, Spain may be considered a peripheral economy lacking strong European companies and dominated by small local firms and subsidiaries of foreign multinational companies. R&D and innovation are low and a large part of the labour market is characterised by low quality and precarious employment.

An additional structural problem of Spain's economy is the inefficient and poorly constructed state whose regions (17 autonomous communities) and especially its municipalities have no clear financial basis. Twenty years of transferring competences to the autonomous communities have led to enormous growth in the bureaucracy but not to improved public services and the constant wrangling over financing and financial balance between the regions and the central state is threatening Spain's political cohesion. An inefficient tax system with high portions of hidden economic activities and tax evasion completes a public state deficit and the country's poor capability of coming up with effective economic policies.

The uneven economic development has also conditioned the evolution of industrial relations and the welfare regime. Esping-Andersen (1990) distinguished between three welfare models: the liberal Anglo-Saxon, the conservative-continental and the social democratic-Nordic. Spain combines elements of all three models and shares some features with other southern European countries and therefore has often been included in a fourth type of welfare system or social policy model, the 'Mediterranean'

1. The medium size of Spanish firms is 4.9 employees and more than 30 per cent of the workforce belong to micro-enterprises (fewer than 10 employees) (CREO 2015).

(Sapir 2005: 6). This regime is characterised, among other things, by fragmentation of benefits and programmes, low social expenditure and low levels of redistribution, strong ties between family members and importance of other welfare providers, like organisations linked to the Catholic Church. Spain's single most characteristic trait is the crucial role played by the family as an institution of welfare production and distribution of income and services (Esping-Andersen 2002). Moreover, Spain has one of the lowest fertility rates in Europe, which can partly be explained by the labour situation (youth unemployment, deficient employment security, precarity and so on).

From the 1990s until 2004, under pressure of the crisis (1990–1993) and the stability pact criteria of the Maastricht Treaty (1992), the principles of rationalisation and containment determined social policies. The long economic growth period from 1994 to 2007 was not used to further consolidate the welfare system, but was built on the extension of precarious low quality employment, increased social inequalities, segmented labour markets, discriminating young, female and immigrant work forces, and reduced levels of protection.

The consolidation of democracy and industrial relations during the two final decades of the twentieth century, as well as the reform of social security and the fiscal system, led to further growth in social expenditure and coverage. This was also possible due to the access to EU social, structural and cohesion funds. At the same time, social contributions became insufficient to finance the system and so the state had to use more resources from general taxation. Behind all these advances in health care, unemployment benefits and pensions stood the pressure of the democratic unions, sometimes bargaining with the governments, sometimes applying pressure with general political strikes (Carreras and Tafunell 2005: 894; Santidrián Arias 2014). The pressure of social mobilisation, namely the huge general strike in December 1988, and the political struggles between the central state and the autonomous regions were behind the progress in social welfare.

Today, the Spanish social protection system is characterised by a mixture of principles regarding social provision. Income maintenance (pensions, unemployment benefits) has remained conservative-corporatist, health care and education have become social-democratic and social services and social assistance have become liberal/means-tested (Guillén 2010; Guillén and González Begega 2015). The Spanish social protection system deals successfully with pensions and health care problems, but in other policy areas improvements are still necessary. Except for contributory pensions, all welfare benefits and minimum income schemes are below the relative poverty threshold. Regarding the reduction of income inequality and poverty, the Mediterranean countries exhibit the lowest rate compared with Nordic or continental countries (cf. Sapir 2005).

The Spanish welfare system is thus a hybrid model, with the Bismarckian strand still in a dominant role as the position in the labour market determines social rights to a large extent. Coverage is wide but uneven and protection levels are low. The system is ill-prepared for the new challenges such as an aging population, integration of immigrants and refugees, female integration into the labour market, flexibilisation of working times and contracts, and changes in family structure.

The role of trade unions in the Spanish welfare system has always been a mixture of social pressure group and social dialogue partner, including institutional participation. In the 1980s and early 1990s social protest and pressure led by the unions motivated the establishment and extension of social welfare institutions. Since the mid-1990s a network of tripartite social dialogue and institutional participation in public administrative bodies has been established and the unions participated in the main reform acts on pensions, health care, minimum income and social services. Since the outbreak of the financial and economic crisis in 2008 and the crisis of social dialogue the unions find themselves again taking a social protest stance against cutbacks and privatisation of social services.

In our approach, the Spanish welfare regime is one element of the hybrid and fragmented structure of the institutional system, which is characterised by low coherence. The hybrid and uneven outcome of the Spanish welfare model implies structural weaknesses, such as high rates of unemployment and relative poverty, low levels of protection and social services, rigid labour market segmentation and centrifugal tensions in the governance of social policies. The twenty-first century has brought new challenges, notably immigration, an ageing population and increasing social inequality for the ill-prepared Spanish welfare state.

Due to the factors outlined above concerning the main features of the Spanish economy and welfare regime, the structural power of Spanish trade unions has never been very high. They have been concentrated mainly in large manufacturing plants, banks and savings banks and the public sector. These sectors have always represented a regionally concentrated minority in the Spanish economy and exposed to severe downsizing processes since the democratic transition. Public industries and savings banks have been privatised and the banks and manufacturing plants have been restructured, with high employment losses. The recent economic and institutional transformations have diminished trade unions' capacity to impose their views even more. Loss of structural power means loss of effectiveness with negative effects on the ability to recruit and retain members and this also reduces the associational and organisational power of trade unions. In consequence, their social and political influence is fading away. In the past two decades, Spanish unions have neglected to maintain and develop independent sources of union power and have been overconfident about their growing institutional power. With the onset of the economic crisis from 2008, a neoliberal and anti-union crisis management approach has made unions extremely vulnerable, as will be discussed later.

3. Trade unions and industrial relations

Trade unions in Spain are traditionally assigned to the Latin European model, which differs from the Anglo-Saxon and the corporatist central and northern European types in terms of its low union density, frequent mobilisation and strike activities, fragmented unions with particular ideological or party political links, competing collective bargaining levels and a high level of state intervention in employment relations (Köhler and Calleja 2013). Over the 1990s and 2000s, while other national union movements were looking for ways to halt their decline, Spanish unions were 'politically' revitalised

by the government through institutional integration and bi- and tripartite concertation (Hamann and Martinez-Lucio 2003: 63).

The origin of Spanish labour unions is twofold. Some of them were founded in the late nineteenth or early twentieth century; others emerged with the ‘new labour movement’ of the 1960s, leading the clandestine democratic opposition against the Franco regime in the context of authoritarian industrialisation (Köhler 1993 and 2004). After the turbulent transition years when hundreds of workers’ organisations were competing for hegemony in the new democratic union arena, a bi-union model with regional nuances (mainly in the Basque Country and Galicia) was consolidated, with the socialist UGT and the post-communist CCOO being the two dominant unions at the national level. In several (mainly) public sectors – health care, public transport and administration, education – there are also strong corporatist organisations.

Box 1 **Main Spanish trade union confederations**

CCOO (Comisiones Obreras – Trade Union Confederation of Workers’ Commissions): The Workers’ Commissions emerged as clandestine and spontaneous groups during the late 1950s, leading the so-called ‘new labour movement’ (in reference to the old pre-dictatorial organisations in exile) and the democratic anti-Francoist opposition. At the end of the dictatorship they came under the strong influence of the Communist Party (although never completely) and represented the union most embedded among Spanish industrial workers during the democratic transition. During the course of the democratic transition and the following crisis of political communism they converted into a modern social democratic – although somewhat heterogeneous – trade union organisation, affiliating to the European Trade Union Confederation in 1991. Their political and ideological differences from the social democratic UGT are today only minor. The organisational basis of CCOO comprises eight industrial federations in all important branches and regions, with around 1 million members.

UGT (Unión General de Trabajadores – General Workers’ Union): Founded in 1888, the UGT is the oldest Spanish trade union confederation and since its founding has had close ties with the Spanish Socialist Workers’ Party PSOE. Virtually absent in Francoist Spain and reduced to a few exile groups, the socialist organisations re-emerged strongly after Franco’s death (1975) with considerable support from the German and Swedish social democratic organisations. Since the 1980s the UGT, with the CCOO, has formed a dual trade union hegemony in the fragmented Spanish trade union spectrum and since the 1990s the two majority trade unions have acted in unison. Currently, UGT is involved in an ongoing process of concentration and merger towards three federations (industry, private services, public services) with around 900,000 members.

USO (Unión Sindical Obrera – Workers’ Trade Union Confederation): The USO was formed in the left-wing Catholic milieu of the democratic opposition from the end of the 1950s. It participated very actively in the anti-Franco underground in the early workers’ commissions and thus differentiated itself from the communist majority. In the course of the democratic transition it lost a lot of influence as member groups switched to the UGT and CCOO. Since 2006 the USO has been a member of the ETUC and the ITUC. Its influence today is limited to individual large enterprises and administrations, such as the Catholic education sector, and its membership is around 120,000.

Besides these ‘representative’ national confederations there is a broad spectrum of smaller local and sectoral trade unions. In the public sector (officials, doctors, nursing care, education, flight

and transport personnel) there are strong corporatist organisations, with the union CSIF (Central Sindical Independiente y de Funcionarios – Independent and Civil Servants' Union) achieving good representation. The two confederations in the once important Spanish anarcho-syndicalist tradition, the **CNT** (Confederación Nacional del Trabajo – National Confederation of Labour) and the **CGT** (Confederación General de Trabajadores – General Confederation of Workers) today no longer play a significant role, apart from a few local exceptions.

ELA-STV (Euzko Langilleen Alkartasuna-Solidaridad de Trabajadores Vascos – Basque Workers' Solidarity): ELA-STV is the strongest and oldest regionalist trade union, founded in 1911 and linked to Basque nationalism with a strong social Catholic influence. Already affiliated to the European Trade Union Confederation in exile, ELA-STV soon recovered union leadership in the Basque Country and, to a lesser extent, Navarra during the democratic transition. These are the two Spanish regions in which Basques form a majority of the population. ELA-STV is traditionally characterised by pragmatism and well-organised union practice and negotiation capability. Since the 1990s it has been aligned with the radical separatist LAB and has distanced itself from the CCOO and UGT. It has around 100,000 members.

LAB (Langile Abertzaleen Batzordeak – Assembly of Basque Patriotic Workers): LAB emerged as part of the radical Basque nationalist movement in the 1970s maintaining an ideological affinity with ETA terrorism. With a strong grassroots orientation LAB developed into an effective trade union organisation which now has around 18 per cent of the works committee seats in the Basque Country and participates actively in collective bargaining and interest representation activities with its 45,000 members.

CIG (Converxencia Intersindical Galega/Confederación Intersindical Galega – Galician Trade Union Confederation): CIG is a coalition of several quite heterogeneous Galician regionalist trade union groups, which combined to reach the statutory representativeness threshold of the Trade Union Freedom Act (15 per cent of the works committee seats). Loosely associated with the Galician nationalist party, the Bloque Nacionalista Galego (Galician Nationalist Bloc), CIG today represents around a one-third of organised labour in Galicia. They declare a total membership around 80,000.

In Spain the concept of *representation* is generally linked to three criteria: (i) the 'associative' criterion, based on the number of trade union members; (ii) the criterion of electoral strength, which is based on the principles of democracy and proportionality; in other words, the election of union delegates as workers' representatives to workers' committees; and (iii) the 'legal-organisational' criterion, in terms of social power.

The high participation in electoral processes, together with the low membership figures has motivated the labelling of the Spanish case as 'voters' trade unionism rather than members' trade unionism' (Martín Valverde 1991: 24; Martínez Lucio 1998: 436), as well as 'more audience than presence' (Köhler and Martín Artiles 2010: 487). It is their electoral strength rather than their membership that is regarded as the source of their legitimacy and representativeness.

In terms of the results of workplace elections (workers' delegates and workers' committees), the leading organisations since 1978 have been CCOO and UGT (see Table 1). Since the elections of 1986, these two trade union organisations have obtained more than 70 per cent of the delegates, at the expense of non-union members and

small independent unions. However, since the beginning of the crisis they seem to have been losing delegates in favour of minority unions, especially CSIF, the union for civil servants. The nationalist trade unions, such as the Basque ELA-STV and LAB and the Galician CIG, have increased their number of delegates progressively since the late 1970s in parallel with the growth of the workforce, although this seems to have reached a plateau recently.

Table 1 Results of works committee elections in Spain

Year	CCOO	UGT	USO	ELA-STV	LAB	CIG	Others
1978	34.45%	21.69%	5.56%	0.99% (18.9%)		0.55% (22.3%)	20.85%
1980	30.86%	29.27%	8.68%	2.44% (25.6%)	0.48% (4.7%)	1.01% (17.4%)	11.94%
1982	33.40%	36.71%	4.64%	3.30% (30.2%)	0.68% (5.9%)	1.17% (18.9%)	8.69%
1986	34.27%	40.19%	3.83%	2.92% (34.9%)	1.06% (10.7%)	1.34% (21.2%)	9.95%
1990	37.60%	43.10%	3.00%	3.2% (37.8%)	1.27% (13.1%)	1.5% (23.4%)	9.70%
1995	37.74%	35.51%	3.56%	2.97% (39.7%)	1.22% (15.4%)	1.91% (26%)	17.09%
1999	37.63%	37.17%	3.49%	3.06% (40.5%)	1.33% (15.2%)	1.62% (26.2%)	15.62%
2003	38.74%	36.80%	3.11%	3.24% (41%)	1.37% (15.2%)	1.62% (26.2%)	15.12%
2007	39.09%	37.15%	2.95%	3.13% (40.2%)	1.39% (16%)	1.82% (28.6%)	14.45%
2011	38.38%	36.33%	3.43%	3.03%(39.8%)	1.39% (17.2%)	1.63% (26.4%)	15.77%
2015	36.17%	33.30%	3.89%	2.58%(40.6%)	1.24% (18.9%)	nd	22.25%

Note: The figures in brackets refer to the proportion of delegates achieved by regionalist trade unions in their respective territories.

Source: Informe de Elecciones Sindicales (CCOO 2012) and ABC-Economía (González Navarro 2015).

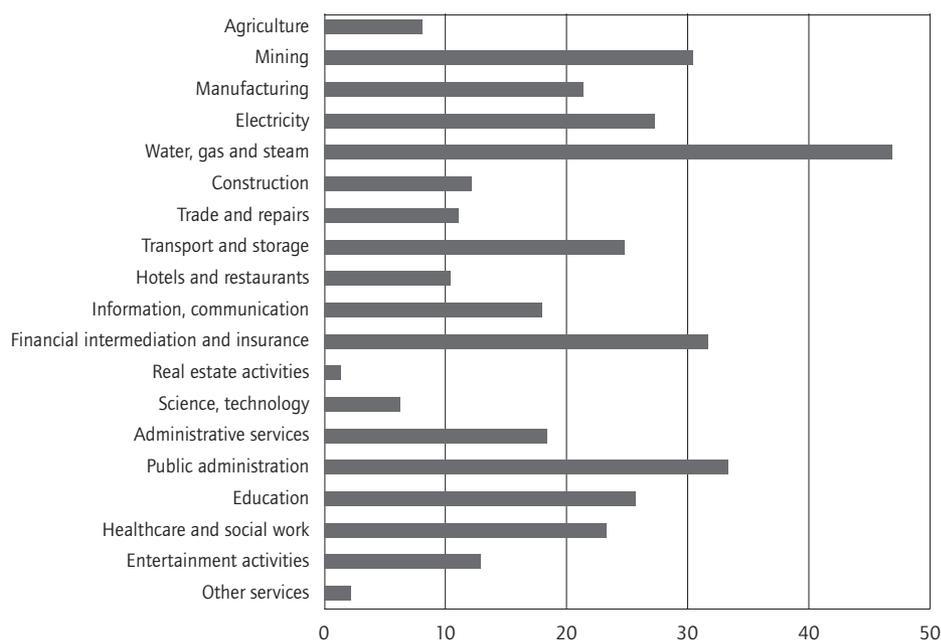
The development of trade union membership in Spain follows a pattern very similar to the evolution of employment. During the democratic transition, membership rose to about 18 per cent of the wage-earning population. This growth was thought to be due mainly to political reasons associated with major industrial conflict and the euphoric climate of the transition. Most of the 1980s was characterised by a sharp fall in trade union membership due to a serious economic crisis and at the end of the decade membership again grew moderately, stimulated by the improvement of economic prospects and employment. From 1990 to 2008, there was a substantial rise in the number of members, but union density has remained relatively stable at around 16–18 per cent. The employment boom from 1994 to 2007 brought thousands of new members and the composition of membership changed towards a younger and more female profile, although both groups, together with the immigrant workforce, are still underrepresented in union membership. As Figure 1 shows, union density is concentrated in the public sector, banks and some industries. In much of the tertiary sector, characterised by small firms and enterprises employing small workforces, the union density rates are particularly low.

Table 2 Union density among women, young and temporary workers, 2010

	Union members	Workforce
Temporary	15.5%	25.0%
Female	40.7%	46.1%
Under 30 years	15.8%	21.7%

Note: Carried out by the Spanish Ministry of Employment and Social Security until 2010 (most recent data available).
Source: Quality of Working Life Survey (Encuesta de Calidad de Vida en el Trabajo).

Figure 1 Union density by sector (2010)



Source: Quality of Working Life Survey (Encuesta de Calidad de Vida en el Trabajo).

The relationship between the two main union confederations has developed towards a quite smooth and cooperative level after long years of tough competition. The consolidation of an articulated bargaining and representation structure and social dialogue, together with a general de-ideologisation of the political and union culture in Spain have contributed to this phenomenon. Fundamental differences between UGT and CCOO have disappeared and both have converged towards a modern pragmatic union organisation. However, a merger of the two is not on the agenda, for several reasons. Among the militants, the experience of bi-unionism is deeply rooted in their identities and at workplace level competition and inter-union conflict is still frequent. A merger would also strengthen smaller radical or corporatist alternatives and would imply innumerable organisational difficulties and conflicts, leading to a weakening of unionism.

In the international arena, Spanish unions have increased their participation, mainly in Europe. The initial enthusiasm for the development of supra-national bodies such as European works councils among unionists led to a feeling of frustration and disappointment (Köhler *et al.* 2017). Unions are nation-based organisations and consequentially they tend to carry out strategies based on their particular interests. Frequently, those supranational representation bodies turn into a scenario for inter-union and inter-plant competition. Furthermore, the asymmetrical power relations between capital and labour are now plainly evident in European political institutions. Spanish unions are very aware of the importance of developing international and European union power to counteract pro-capital policies. However, the lack of associational and organisational power directly linked to the international level is a major challenge with regard to achieving a successful strategy.

Since the 1990s a far-reaching system of institutional participation by the social partners in institutions such as employment offices, social security, occupational training, universities and economic and social councils has developed. The main trade unions are thus involved at all levels (national, regional, local, sectoral) in a multitude of political negotiation processes. The climate of social dialogue has led to many tripartite social pacts (concertation) concerning economic and employment policy, pension reform, the health system and the public sector. Last but not least, this institutional participation provides public funding for unions that makes up around 30–40 per cent of their total budget and is essential to maintain their actual organisational structures.

Coverage by collective agreements in Spain is generally high (at around 80 per cent of all employees) because of the automatic generally binding rule (*erga omnes*), in the sense that all establishments, regardless of membership, are subject to the currently applicable branch collective agreement. In the 1997 labour reform a clear structure of levels was introduced into the collective bargaining system for the first time by reserving certain issues for the national branch level and tasking the social partners with reaching agreement on a hierarchy of competences for the other issues. Since that time it has been normal practice for the central confederations to sign collective framework agreements stretching over several years, which not only cover wage guidelines, but have also introduced new issues, such as gender equality, reconciliation of work and family life, health and safety, and part-time working for older workers into Spanish collective bargaining.

Spanish labour markets have changed greatly since the democratic transition in the 1970s. The labour force has become more heterogeneous, more qualified, less industrial, more precarious, more female, more immigrant and more flexible. The heritage of dictatorship was a rigid employment system with stable open-ended contracts, very low rotation, narrowly defined job classifications and lifelong employment. The labour market reforms in the democratic period opted for a deregulation of external labour markets, introducing a wide range of fixed-term contracts that have been used extensively by employers. Spain soon became a 'leader' in terms of fixed-term contracts in Europe. Open-ended contracts became the exception and the labour market has become strongly segmented into older male workers with high stability and protection and younger and female workers with high rotation and low protection. On the other hand, internal labour markets

remain unchallenged by politics and collective bargaining, thus delaying the necessary modernisation of work organisation and skill and career schemes.

The employment boom that increased the working population from 16 million (1993) to 23 million (2008) had some particular and problematic features. The major part of employment creation occurred in sectors such as personal services, construction, retail, hotels and restaurants with high proportions of low-quality, low-income and low-stability jobs. This explains why Spain was the European economy with the highest employment creation in the period from 1994 to 2007 and the one with the highest employment destruction since the inception of the economic crisis.

Table 3 **Structural data on the Spanish labour market**

	1990	1992	1996	2000	2002	2007	2009	2011	2013	2015	2017
Unemployment rate	16.3	18.4	22.2	14.2	13	8.6	18.3	21.6	27.2	20.9	16.5
Proportion of long-term unemployed	51.4	46.6	54.6	44.6	37.7	22.6	34.5	50	56.3	48.7	42.8
Women's unemployment rate	24.2	25.5	29.6	20.5	16.4	11	18.4	23.3	27.6	22.5	18.4
Youth unemployment rate	33	35.7	42	28.1	22.3	18.1	39.6	46.4	57.2	46.2	37.5
Unemployment rate of Spaniards	nd	nd	nd	nd	nd	7.9	16.8	20.6	25.1	19.9	15.6
Unemployment rate of foreigners	nd	nd	nd	nd	nd	12.3	29.7	34.8	39.2	28.3	23.6
Proportion of fixed-term employment	30.3	33.5	33.8	32.9	31.6	30.9	25.4	25	22.1	25.7	26.7
Proportion of part-time employment	4.6	5.9	7.4	7.5	8	11.6	13.3	13.8	16	15.7	14.7
Activity rate	nd	nd	nd	52.5	54.9	59.4	59.9	60.2	59.8	59.4	58.8
Female activity rate	nd	nd	nd	42.8	43.2	49.9	52.1	53.4	53.9	53.7	53.3

Source: Spanish Labour Force Survey (Encuesta de Población Activa) carried out by the National Statistics Institute on a quarterly basis and Eurostat.

Similar to the economic and social welfare regime, the Spanish labour market is characterised by a number of incoherent and contradictory institutional features that contribute to the high rates of unemployment, precarity and inequality. There is a clear mismatch between the education and the production system, with an underdeveloped vocational training system and difficulties facing young academics seeking initial employment and career path entry. The polarisation between the huge number of micro-enterprises and the few big public and private employers corresponds to an insider–outsider polarisation between well-protected, stable employees and a high proportion of precarious workers. Active labour market policies increased with the EU social funds but the results were highly ineffective and often ended in opaque trade union and employer's association entities.²

Labour market policies in Spain illustrate the continuous force of failed neoliberal ideas. Socialist and conservative governments alike swallowed the argument that deregulation goes hand in hand with employment creation. Since 1980 more than 50 'reform' acts have

2. The management of continuous training funds by employers and trade unions has been at the origin of several corruption scandals since its foundation in the late 1980s.

been adopted that all pointed in the same direction: increase of temporary and atypical contracts, reduction of employee protection and costs of layoffs, decentralisation of collective bargaining and opt-out clauses and reduction of unemployment benefits. The evolution of employment in quantitative and qualitative terms has never confirmed this argument; on the contrary, it clearly indicates the high vulnerability and low quality of employment with strong incentives for hire and fire policies and disincentives for long-term investments in human capital on the part of employers. Despite all the evidence against it, the neoliberal approach is stronger than ever and currently counts on the support of the Troika (IMF, European Commission, European Central Bank).

4. Current crisis: bursting of the bubble and outbreak of structural weaknesses

Our institutional historical analysis so far has outlined the structural weaknesses and vulnerability of the Spanish economic growth model and its welfare and labour market regime. The bursting of the real estate bubble in the context of the international financial crisis in 2008 moved the Spanish economy back to a state of chronic underdevelopment and a lack of competitiveness. The private debt of enterprises and households reached nearly 300 per cent of GDP, which was refinanced in international credit markets. The public deficit increased sharply due to falling tax revenues and increasing social spending. The inflated construction and housing sector crashed, the savings banks that had financed the bubble had to be rescued and converted into private banks with huge amounts of public money and unemployment rose over 20 per cent, with a youth unemployment rate near to 50 per cent. The Troika-led neoliberal crisis management, which perversely doubled down on labour market deregulation, pension cuts, cutbacks of public services, privatisations and downsizing of the public sector served merely to intensify the social harm of the crisis without tackling the structural problems of the Spanish economy.

During the crisis years 2008–2014 GDP shrank 9.3 per cent and Spain lost nearly 18 per cent of its employment and became the euro-zone country with the highest income inequality, unemployment and youth unemployment rates. After the EU enlargement towards central and eastern Europe, the exceptional conditions responsible for economic growth periods in the second half of the past century, have disappeared and there are no substitutes in sight. Spain thus seems to be condemned to suffer its structural economic weaknesses for a long time and so far no political alternatives likely to initiate a change of the outdated economic model have emerged.

The economic, financial and debt crisis since 2008 has led to significant changes in the industrial relations and social welfare regimes of the southern European countries, but left the dominant economic and financial regime largely untouched. The hegemonic neoliberal discourse has transmogrified the failure of deregulated financial markets and the ill-constructed European currency into an alleged crisis of the social welfare state and labour market regulation. Since 2010 Spanish governments have followed the neoliberal Troika's instructions obsequiously.

The severe impact of the bursting of the credit and housing bubble, together with the related economic and financial crisis thus encounter a vulnerable, not fully articulated welfare regime. Public budget restraints, Troika-led neoliberal ‘reform’ agendas and high unemployment and poverty rates have resulted in severe cutbacks in social spending in a time when rationality dictates that it is more necessary than ever. Cutbacks in health care, a growing number of long-term unemployed without benefits, elimination of early retirement schemes, elevation of retirement age, cutbacks in public pensions, restrictive labour market and education reforms, the paralysation of long-term care policies and more indicate the extent to which the Spanish welfare state has been left prostrate by neoliberal capitalist crisis management in the context of a European Social Model in crisis. Spanish society, however, has developed an admirable capacity for self-defence and response in terms of new social protest movements and political parties, which leaves the future of the welfare regime open.

Since 2015, after seven years of depression, a new optimistic discourse emerged with Spain growing out of the crisis and creating jobs. These more favourable statistics, however, are the result of exceptional external factors and in no way indicate a reduction of its huge structural deficits. First of all, the statistical growth rates are relatively higher as Spain had shrunk much more than the rest of Europe during the crisis years. The expansive policy of the European Central Bank and the low interest rates make the refinancing of the still huge private and public debt easier. The fall in the oil price and the depreciation of the euro have benefitted the export sector and the trade balance. All these factors have also stimulated a modest recovery of domestic demand. The major part of new jobs are part-time and fixed-term contracts, however, while Spain continues to destroy stable employment and the number of long-term unemployed is increasing.

5. Trapped in strategic dilemmas: deliberate revitalisation or conservative recovery?

The economic crisis since 2008 has hit the Spanish economy extremely hard. Nevertheless, this dire situation has been met with a policy response that is undermining many of the social and political institutions that have stabilised Spanish society since the democratic transition at the end of 1970s. One of the most prominent victims of this neoliberal crisis management is the institutional power of trade unions. Thus, the weakness of other power sources makes the search for new union strategies an urgent issue for Spanish workers’ organisations.

The consequences of the current economic crisis and the drastic austerity programmes and two anti-trade union labour market reforms (2010, 2012) have brought social dialogue to a standstill at many levels and it is currently uncertain whether and when it can be revived. The recently signed agreements on extended subsidies for the long-term unemployed (2014, tripartite), the increase of the national minimum wage (2017, tripartite) and collective bargaining (2015, bipartite) after three years of silence among the bargaining agents have opened a debate between two interpretations. The signatory parties see a revitalisation of social dialogue as part of the economic recovery at the end of the prolonged crisis. More critical voices,

however, consider these agreements as another ‘headline concertation’ (Avdagic *et al.* 2005: 8) among three weakened and delegitimised partners (Köhler and Calleja 2015). The bipartite agreement aims at saving collective bargaining against the damaging impact of the Labour Reform Act 2012, which incentivises employers not to renew collective agreements and instead to leave the workforce without protection. Increasingly powerless employers’ and workers’ associations thus try to regain bargaining capacity. Similar motives have moved the government after years of losing electoral and social support to sign an agreement on benefits for the huge number of long-term unemployed without any social assistance. Concertation and social dialogue have proved moderately successful with regard to the distribution of increasing public resources, but have come to grief with regard to a fair distribution of the consequences of the crisis.

As indicated in the introduction, the inherent asymmetry in capital–labour relations becomes even more evident in times of economic downturn with shrinking institutionalised power resources for trade unions. Following our power resources approach, since 2008 Spanish trade unions have lost structural power in the internal and external labour markets due to high unemployment and constant company restructuring and downsizing. Even in highly unionised sectors, such as the automotive or steel industries, works councils and unions have had to make significant concessions in terms of wage cuts, working time and contract flexibility to safeguard employment. Shrinking membership and bargaining power are weakening the associative and organisational power sources and the conservative political climate, together with the power shift towards employers, are undermining institutional power and the willingness to maintain effective concertation and social dialogue. With trade union backs against the wall revitalisation strategies through the mobilisation of complementary power resources in terms of social movement unionism, alliances with other civic movements and an ideological and organisational renewal towards a recovered ‘sword of social justice’ (Köhler and Calleja 2015) have emerged on the agenda, but face high barriers of conservative inertia and risk-avoiding strategies. Moral, coalitional and strategic power resources are very difficult to mobilise for trade unions after decades of an almost exclusive orientation towards institutional power resources and representative forms of collective action.

Regarding our initial concepts of historical institutionalism Spain proves to be a case of incoherent and non-strategic institution-building, within the framework of which corporate structure and governance lack a complementary occupational and training system; banks are not sufficiently controlled and not interlinked with the companies; management–labour relations tend towards unproductive conflict; collective bargaining remains poorly articulated and fragmented; different administrative levels produce redundancies and inefficiencies; and the welfare regime remains underdeveloped and family dependent. In this situation of structural institutional weakness and vulnerability, the social and political actors in general, and the trade unions in particular, have been unable to develop strategic power and resources to intervene in the deterioration of social and economic institutions. These institutions often block each other instead of creating complementarities and coherent growth strategies (Royo 2014).

Trade unions are thus suffering the new political priorities of tackling the public deficit and cutbacks in social services and labour costs to regain productivity and attract foreign investment ('internal devaluation'). Institutional union power is being further reduced through labour market reform acts that foster the decentralisation of collective bargaining towards the firm level (Köhler and Calleja 2013: 15) and a reduction of political concertation (Nogueira *et al.* 2015). Inertia and lack of strategic reorientation in the Spanish unions are shifting the model from 'neo-corporatist concertation' to 'crisis concertation' (Luque Balbona and González Begega 2016; Molina and Miguélez 2013) in response to external factors and unstable relations. This line of social dialogue does not help to achieve any revitalisation objectives. On the contrary, in the current state of this mechanism unions are being instrumentalised by the government for its own interest to give the appearance that policies are being negotiated with social actors. The trade union side has maintained the inertia of concertation as the strategy chosen by a leadership that is increasingly dissociated from the rank and file members. Furthermore, Spanish unions are highly dependent on public funding. Given their ability to modify these financial allocations governments are able to put pressure on union structures and bureaucracies. As a result, trade union independence and the scope of their strategic discretion is compromised (Calleja Jiménez 2016).

Spanish unions have stood by passively as their membership base has been eroded, receiving organisational resources from the government. This has generated a sense of a lack of representativeness in Spanish society. 'They don't represent us!' is a central claim of the new social protest movements against the established political and trade union organisations (Köhler and Calleja 2015). Union leaderships follow the tradition of 'pale, male and stale' and public confidence in union organisations is pitifully low. In the periodic CIS³ surveys inquiring about public confidence in institutions, unions rank third last out of sixteen (CIS 2015a: 8), ranking above only political parties and the government, but all besmirched by corruption scandals. According to another CIS survey, corruption and fraud are the second most important problems facing Spain as perceived by its population, after unemployment (CIS 2015b: 4). The institutional role of the unions has provoked Spanish society in general – and social protest movements in particular – to identify them as insiders or as part of the political system at a time of great political disaffection. However, there are a few experiences of mutual collaboration. Cutbacks in social expenditure have been perceived as important enough to develop shared actions among trade unions, social movements and other organisations of civic society. These actions took the form of so-called *Mareas ciudadanas* (Civic tides) in 2012 and 2013. The new and innovative potential was the common collective action of trade unions, corporatist professional organisations and recipients of public services. The aim was to defend public services and to develop political measures to protect certain groups (such as those affected by subprime mortgages). Priority has been given to action and all participants have adopted a low profile with regard to its primary organisations. The structures that the largest trade unions have within the public sector functioned as key pillars of these successful actions.

3. The surveys carried out by the the *Centro de Investigaciones Sociológicas* (CIS – Sociological Research Centre) are the primary means of measuring Spanish public opinion (2,500 interviews, margin of error +/- 1.9 points and a confidence level of 95.5 per cent).

Another coalition partner for trade unions among social movements is the women's rights movement for effective equal rights and against discrimination and sexual violence. Together with more than 300 feminist groups from various countries the Spanish unions called for a general strike on International Women's Day, 8 March 2018, demanding effective policies against sexual violence, wage discrimination and precarious employment. The increased presence of women in trade unions provides a strong basis for establishing solid cooperation with feminist groups in terms of broadening the unions' social base and political reputation.

Spanish unions are losing influence as they are suffering from a deterioration of their institutional and social legitimacy. With other sources of power neglected in the past two decades, the social and political effects of the economic crisis are becoming a major challenge for their future role. The outbreak of new social movements, such as the *Indignados* (Outraged) and *Mareas ciudadanas* (Civic tides) expressing popular indignation about the causes and consequences of the crisis, has acquired great social and political importance. This situation provides an opportunity as well as a serious threat to Spanish unions. The opportunity comes from the possibility to develop revitalisation strategies such as coalition-building, whereas the threat is related to the possibility that these new social movements may displace or marginalise unions, thus contributing to their decline (Köhler *et al.* 2013).

The competition among the two big union confederations and a considerable amount of small regional and more radical unions, often very active in the social protest movements, make coalition-building difficult.⁴ Unions that are playing a role in the institutional arena try to form 'coalitions of influence' (Gumbrell-McCormick and Hyman 2013: 146), while unions outside institutional participation try to form 'coalitions of protest' (*ibid.*). In the past few years, small but radical Spanish unions have attained greater social visibility by allying with social protest movements. For instance, several precarious worker collectives have organised themselves under the platform 'Marches against precarity' (*Marchas contra la precariedad*). In clear separation from the large trade unions they periodically organise protest actions in many cities against precarious working conditions, low wages and low pensions. Particularism and poor relationships between Spanish unions are increasing the divisions and blocking some of the possibilities of union revitalisation. Thus, structural power as the capacity to influence employers but also political decisions is being weakened. This is evidently having negative effects on membership or associative power and resulting in decreasing organisational capacities. In our view, union revitalisation is an interconnected and accumulative process of developing sources or union power using several strategies aimed at gaining influence in social, industrial (labour processes), political and economic processes. But in order to achieve revitalisation objectives for the entire union movement a minimum degree of coordination is desirable and a comprehensive, long-term vision of the process is essential.

4. Besides the regional unions in the Basque Country, Navarre and Galicia with their more grassroots approach, there are other leftist regional trade unions, such as the SAT (Sindicato Andaluz de Trabajadoras y Trabajadores – Andalusian Workers' Union) and the CSI (Corriente Sindical de Izquierdas, a left-wing trade union in Asturias). In other areas the anarcho-syndicalist CNT and CGT and the Maoist SU (Sindicato Unitario - United Trade Union) maintain a certain presence.

6. Spanish trade unions at the crossroads

Spain largely confirms the common trajectories of institutional change identified by other comparative studies (Baccaro and Howell 2011). Capitalism is being deregulated, welfare states are being downsized, trade unions are being weakened, collective bargaining is being decentralised, but – interestingly – tripartite macro-concertation remains a nationally specific divergent indicator. Spanish unions are facing large and diverse challenges both at the internal (membership, structure, democracy, representation) and the external levels (relationship with society and other institutions). To continue being a relevant actor in Spanish society, they depend on a certain degree of success in confronting those challenges. Specifically, they should transform their constant internal debates about the future of unionism into real actions leading to effective transformation.

Spanish unions are more aware than most of their European counterparts of the need for transnational organisation and the importance of the European dimension. Together with other southern European workers' organisations they have suffered directly from the impact of the ill-constructed euro and the pressures imposed by the Troika. When the European Trade Union Confederation (ETUC) called for a Day of Action and Solidarity against Austerity across Europe on 14 November 2012, the Spanish unions, together with their colleagues in Portugal, Greece, Italy, Cyprus and Malta, organised a general strike. Many activist groups of the '*Indignados*' movement joined the protests in one of the few actions taken together by the unions and the new protest movements. The lack of support from central and northern European organisations, however, led to some disappointment and a certain Euro-scepticism.

Recent political developments since the general elections in December 2015 and the new elections in June 2016, which resulted in new, more fragmented parliaments with two new important parties – the left-wing social movement party Podemos (We Can) and the liberal technocrat Ciudadanos (Citizens) – added new problems and uncertainties for the Spanish trade unions. The very strong Catalan separatist movement is paralysing the political situation in Spain, causing a deep institutional crisis and dividing the political left, including the unions. Initially, the unions supported a referendum in Catalonia, but withdrew when the separatist parliamentary groups initiated illegal unilateral actions.

The deep divides among the four main parliamentary groups make stable government coalitions impossible and weak minority governments are now in office all over the country. These minority governments often try to regain support and confidence from the unions and thus open up an opportunity to recover some institutional power. Out of the four dominant political parties only the very much weakened and divided socialist PSOE has traditional links and affinities with trade unions, especially with UGT. In CCOO, voices are emerging in favour of approaching Podemos and thus increasing the distance from the Socialist Party. On the other hand, the new social protest movements have been weakened by the dominance of the Catalan conflict and the fact that many militants are now working for Podemos in the institutions. Regarding the results of the workplace elections in 2015, where the two main confederations suffered losses but maintained their hegemonic position, the union leaders expressed with a certain pride

that bipartism had ended only in the political but not in the trade union sphere (Europa Press 2016). So far, as Gago says, the two large Spanish unions are like a captain refusing to abandon the sinking ship 'Concertation' (Gago 2012: 1100).

Institutional power resources have operated in Spain mainly as a trap as they have been used by governments to co-opt and tame the unions. Showing little overall strategic vision, the unions have accommodated themselves to the products of the institutional power provided by the government. These products in the form of political concertation, institutional participation and public funding to develop union structures have been embraced, while other sources of union power are being neglected. From a revitalisation perspective, it is necessary to develop more independent sources of union power, whether associational, organisational or structural. In Spain, structural power has traditionally been weak and the other two have been diminished since the beginning of the recession in 2008. Recovering a sense of the importance of complementary trade union power sources in developing new strategies can be useful for Spanish trade unions. Regarding institutional power, it is always necessary as it is an important tool for creating and consolidating an environment favourable to trade union activity and development.

Social unrest and the upsurge of new and diverse social and political protest movements in the course of the economic downturn and against the neoliberal crisis management have opened up new spaces and possibilities for civil society organisations in Spain. Trade unions need to use these new possibilities for an effective revitalisation strategy and overcome their accumulated organisational diseases. To this end, unions need to undertake deep structural and strategic transformation. CCOO launched an interactive initiative with all affiliates in May 2016 under the label 'Rethink the union', although the document it has distributed does not include really innovative ideas. UGT, having celebrated its 42nd congress in March 2016, is involved in a further merger and concentration process under the new executive, leaving just three big federations: one for the private manufacturing sector, one for private services and one for public services. Revitalisation is a difficult and often contradictory process. The current renewal of the leadership, bringing forward a new generation and more women onto union executives, is providing a favourable impetus towards revitalisation. These new union leaders at least feel the need for renewal and organisational innovation. Besides, unions tend to develop strategies adapted to the existing political and socio-economic environment. The environment remains hostile and the logic of adaptation is futile and should be replaced by a proactive attitude to change the environment. Renovating and expanding the unions' social base must be accompanied by an expansion of internal democracy and a rethinking of the organisational form with efficiency and feasibility criteria. Furthermore, most union strategies on membership recruitment and retention, political action, collective bargaining and mobilisation – such as the general strikes against the labour market reforms in 2010 and 2012 – are failing and a reboot is required. To achieve this, unions should meet a series of internal and external challenges and dilemmas. Their future as relevant social actors in Spanish society depends strongly on their ability to deliver successful solutions.

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