

The influence of trade unions and social movements on EU trade policy

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Abstract— Public interest in Free Trade Agreements (FTAs) has traditionally been low, mainly due to the technical difficulties of the subject. This changed in June 2013, with the start of the Transatlantic Trade and Investment Partnership (TTIP) negotiations, whose primary aims are the removal of regulatory barriers restricting trade between the EU and the US. This has created a unique point of convergence for different social movements and trade unions. In the context of the unopposed neoliberal theories guiding trade regulation policies, the role of transnational alliances capable of collective action seems one of the only counterforces. This paper argues that TTIP presents an important window of opportunity for the development of civil society influence on trade policy negotiations. It also argues that coalition building between social movements and trade unions could help strengthen the former and revitalise the latter.

Keywords — TTIP, social movements, trade unions, transnational cooperation, coalition building, transnational networks

I. INTRODUCTION

Public interest in Free Trade Agreements (FTAs) has traditionally been low, mainly due to the technical difficulties of the subject. This changed in 2013, with the start of the Transatlantic Trade and Investment Partnership (TTIP) negotiations, which have faced increasing criticism, as they are perceived as lacking transparency and democratic control. As such, they have caused widespread protest as citizens, movements, and trade unions voiced their concerns on the matter (Institute of Modern Politics 2014; Lambert 2015).

This has created a unique point of convergence for different social movements and trade unions, as TTIP has the potential of affecting many policy areas other than trade, such as labour rights, food safety regulations, digital privacy, agriculture standards, etc. A fragmented network of approximately 500 trade unions, social movements, and NGOs was formed to mobilise for the protests against TTIP in various Member States (Stop TTIP 2016a).

The network's main achievement has been a European Citizens' Initiative (ECI), which so far has received more than 3.3 million signatures, but the mobilisation has nevertheless remained fragmented. The main cleavage hampering coalition building is the one between reformists, those organisations whose goal is the revision of some of the treaty's most

contentious issues, and the rejectionists, who oppose TTIP in its entirety.

This paper argues that TTIP presents an important window of opportunity for the development of civil society influence on trade policy negotiations. It also argues that coalition building between social movements and trade unions could help strengthen the former and revitalise the latter. To this end, the section II will contextualise the narratives used to advocate TTIP; section III will focus on the mobilisation against the treaty; section IV will deal with the cleavages within the organisations opposing it. Section V will present a brief overview of the theoretical framework used to study coalition building between social movements and trade unions, and the final section will present some preliminary findings.

II. THE CONTEXT: NARRATIVES ON TTIP

This section will offer an overview of the narratives used to advocate TTIP. The European Commission (EC) has been identified by many scholars (De Ville and Siles-Brügge 2014) as one of the treaty's main proponents, as it fits with its depiction of trade as "as the only possible source of growth for the EU-in-crisis" (De Ville and Orbie 2014:162). The aim of TTIP is therefore to "create growth and jobs on both sides of the Atlantic" by reducing tariff and non-tariff barriers and by aligning regulation, thus reducing disturbances to competition (European Commission 2015).

Targeting non-tariff barriers, however, means widening the scope of TTIP to sectors traditionally excluded from trade negotiations, such as social services. A particularly controversial point is the inclusion of investment protection measures in the form of investor to state dispute settlements (ISDS), which enable private companies to sue state institutions if their interests are violated by policy decisions (Beck and Scherrer 2014).

Despite the enthusiasm of the EC and the promising results of several studies (Felbermayr, Heid, and Lehwald 2013), TTIP negotiations have met with widespread opposition from civil society actors, such as NGOs and social movements, and trade unions. One of the main points of criticism calls into question the numbers involved, and in particular the models used to predict vast "economic and job growth" (European Commission 2013). The optimistic numbers produced to

argument in favour of TTIP are compared to similarly over-enthusiastic predictions for the outcomes of other FTAs, such as NAFTA (Lambert 2015). Moreover, the models themselves are called into question, as they are perceived as “unrealistic and biased, overstating the gains from transatlantic liberalisation and downplaying its potential (non-economic) costs” (De Ville and Siles-Brügge 2016:129).

Another argument used by the EC is that it will put the EU and the US “back in the driver’s seat of [the] global trading system” whilst “containing the rise of China and of other emerging powers” (Cardoso et al. 2013:62). This emphasis on the importance of transatlantic partnership and overall similarities between EU and US market cultures and values are an important narrative shift. Just a decade ago, the two “were engaged in fierce disputes before the WTO” (De Ville and Siles-Brügge 2016:44), such as the ongoing poultry dispute (since 1997), the beef hormone (1989-2009) and the genetically modified organisms (GMOs) (2004-2006) settled disputes (Skoba 2013).

What is particularly relevant to the research on the actors opposing TTIP is that many of those disputes are directly related to points raised to oppose the treaty. Environmental activists and consumer groups fear a lowering of environmental protection rules and the import of genetically manipulated food (Hilary 2014). “Chlorinated chicken” (D’Alema 2015), “hormone-treated beef” (Alemanno 2014), and GMOs (Scherrer 2014) have been one of the most prolific arguments against TTIP. These points represent a cleavage between the new EC narrative of transatlantic similarity and the old narrative, which saw the EU as a soft regulating power.

III. THE STAGE: OPPOSING TTIP

Early criticism on TTIP came in Summer 2013 from the Seattle-to-Brussels Network (S2B) (De Ville and Siles-Brügge 2016), “a network of development, environmental, human rights, women and farmers organisations, trade unions, social movements, [and] research institutes” formed “to challenge the corporate-driven trade agenda of the [EU]” (Seattle to Brussels Network 2016). Amongst its members are the Corporate Europe Observatory, Oxfam, Friends of the Earth, War on Want, and ATTAC. A common trait of this network is the participants’ involvement in earlier mobilisations against trade agreements.

The efforts of the S2B network were initially focused on opposing ISDS (De Ville and Siles-Brügge 2016). Following the “unprecedented public interest in the talks”, the EC suspended the negotiations on ISDS and opened public consultations on the matter (European Commission 2014). Opposition to ISDS started to seep through some national governments, such as Germany, France, and Austria (De Ville and Siles-Brügge 2016).

Other actors started entering the fore, forming a diverse and fragmented network of NGOs, social movements, and trade unions, which will be more thoroughly discussed in the next section. Other arguments also started circulating, such as those on labour rights, food safety regulations, digital privacy, agriculture standards, public services, and others. A comprehensive analysis of the arguments against TTIP is

beyond the scope of this paper. What is important to notice here is that this argumentative diversity has also seen the entrance of diverse actors in the coalition opposing TTIP, as the treaty offers a unique point of convergence for many organisations across the political spectrum (Lambert 2015).

Especially in Germany the debate gathered much momentum, and in July 2014 German NGOs launched the Stop TTIP ECI campaign to call on EU institutions to stop the negotiations (Stop TTIP 2016b). The ECI was eventually rejected by the EC, employing means perceived as “authoritarian” by the parties involved (Erne et al. 2015). The campaign was supported by various NGOs and trade unions such as ver.di (services) and GEW (education) in Germany, the National Union of Teachers (education) and UNISON (public sector) in the UK, FSP-CGT (public services) and FERC-CGT (education) in France. Figure 1 shows the organisation supporting the ECI divided by country.

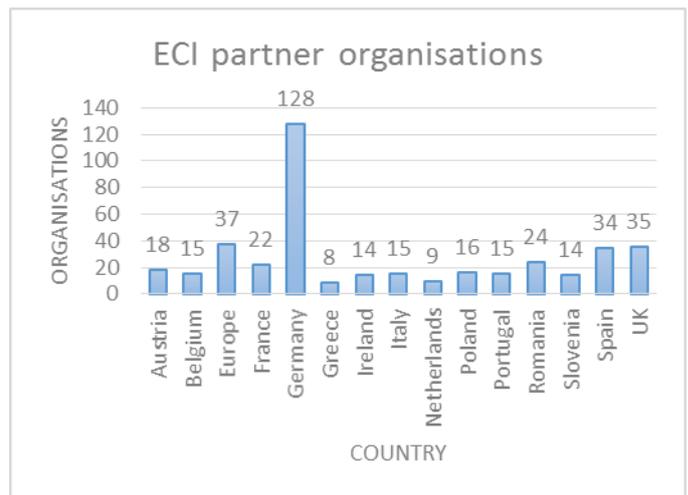


Fig. 1. Organisations participating the ECI, divided by country. Source: (STOP TTIP 2015b)

One of the most striking achievements of the coalition opposing TTIP were the 250,000 people marching in Berlin on 10 October 2015 (Stop TTIP und CETA Demo 2016b). The event was organised by a network of trade unions – most notably the umbrella organisation Deutscher Gewerkschaftsbund (DGB) and all its members; of social movements and NGOs – such as ATTAC and campact; in collaboration with the STOP TTIP ECI campaign and with the support of four political parties – Die Linke (left-wing), Bündniss90/Die Grünen (centre-left), Ökologisch Demokratische Partei (centre-right) and the Piratenpartei (apolitical) (Stop TTIP und CETA Demo 2016a).

While a comprehensive evaluation of the achievements of civil society actors on the TTIP negotiations is beyond the scope of this paper, it is still possible to draw some general conclusions from the reactions of European and national institutions to the pressure coming from below. A first important effect of the campaign concerns the investor protection regulatory body, as the EC was forced to limit the scope of the ISDS under negotiation by denying it the “power to adopt legal acts” (De Ville and Siles-Brügge 2016:106).

Another important criticism made by TTIP opponents has been the negotiations' lack of transparency, and the argument that important policy decisions were conducted behind closed doors (Open Letter to MEPs 2015). An important effect has been the “unprecedented level of openness for EU trade negotiations” allowed by the EC with transparency initiatives, social media communication, and more inclusive confidentiality rules for document access (De Ville and Siles-Brügge 2016).

The future aims of the coalition however, have much to do with its nature. As the next section will show, some of these achievements could bring a new set of problems for the future of the protest action.

IV. THE CLEAVAGE: REJECTIONISTS VS. REVISIONISTS

Important considerations on the transnational network opposing TTIP can be gathered by looking at the reactions of key actors to the 8 July 2015 European Parliament (EP) vote on TTIP negotiations. On this date, the EP re-affirmed the crucial strategic role of TTIP, albeit with some cautionary measures involving ISDS, agriculture, services of general interest, book- and newspaper price fixing, education, small and medium enterprises (SMEs), and data privacy (European Parliament 2015).

Some of the actors involved in the network – trade unions confederations such as the German DGB and the European Trade Union Confederation (ETUC), as well as umbrella organisations such as the Bureau Européen des Unions des Consommateurs (BEUC) – have welcomed the EP vote and recommendations. The cautionary measures suggested were seen as a step in the right direction to save the talks and increase the transparency and democracy of the process (BEUC 2015; ETUC and AFL-CIO 2015)

These actors represent the reformists, i.e. those expressing concern with some of the potential negative effects of TTIP on workers and customers rights whilst agreeing with the prospected economic benefits of transatlantic liberalisation (De Ville and Siles-Brügge 2016). These organisations are ready to support TTIP, provided reforms are made to ensure that existing social and environmental standards are not lowered and working and consumer protection conditions are not worsened (DGB 2014; IG Metall 2014).

Other actors – most notably the Stop TTIP campaign and its supporting organisations – have strongly contested the EP vote and its recommendation as insignificant and even dangerous concessions. They represent the rejectionists, i.e. those who see FTAs in general and TTIP in particular as a matter of normative trade conflict in which big businesses are opposed to civil society (De Ville and Siles-Brügge 2016). TTIP is perceived as a political issue rather than a strictly economic one. For many rejectionists activists their action is not confined to opposing TTIP and other current FTA's, but is also seen as a starting point to rethink global trade (Cardoso et al. 2013).

This fragmented network has been successful in mobilising for specific issues shared by both revisionists and rejectionists, such as ISDS and the need for more transparency in

negotiations (De Ville and Siles-Brügge 2016). However, such a deep cleavage calls into question the stability and sustainability of the network. This aspect will be further analysed in the last section.

Another cleavage to take into consideration is a geographical one. The participation of European social movements and trade unions to coordinate actions against TTIP has not been uniform. Figure 1 illustrates the disparity between the numbers of German organisations involved in the ECI and those of other countries. Moreover, there have been countries, such as Germany and the UK, where the TTIP debate has gathered significant political and media attention, while in others very little if at all (De Ville and Siles-Brügge 2016). Figure 2 shows the percentage of citizens, divided by country, who signed the ECI. The percentage is in relation to the minimum number of signatures needed in each country. Germany's 2197% is the product of a massive campaign effort that managed to spur parliamentary debates, massive demonstrations, and a regular presence in the media. These results dwarf those of countries such as Poland (117%) or Italy (134%), where the campaign has not managed to leave the activists sphere and reach the public.

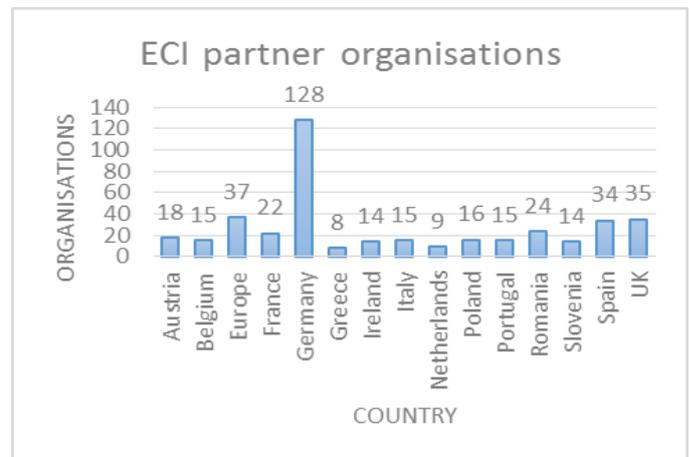


Fig. 2. Percentage of ECI signatures in relation to a predetermined population threshold. Source:(STOP TTIP 2015a)

V. THE THEORY: COOPERATION BETWEEN TRADE UNIONS AND SOCIAL MOVEMENTS

Coalition building between trade unions and social movements has been conceptualised as Social Movement Unionism (SMU) in the 1980s, describing the attempts at constructing a common agenda between trade unions and community organisations that goes beyond “workplace issues”. Trade unions have seen a progressive decline since the 1970s, just as capital started becoming progressively more transnational. Cooperation and coalition building with social movements has been thus conceptualised as a mean of union revitalisation (Frege and Kelly 2003).

Most early research on the cooperation of social movements shared a rationalist bias in assuming that groups would unite their efforts when doing so would facilitate goal achievement and not doing so would hinder it (McCarthy and Zald 1977). However, this assumption has been proven as not

consistently true (Beamish and Luebbers 2009). Transnational networks could represent a way of moving past trade unions' decline, but it would not be prudent to approach the issue with "false optimism" (Burawoy 2010). The forces behind them are "in disarray" (Turner 2011:325), cooperation between trade unions and social movements is not widespread, and the concept of union revitalisation through coalition building has often been undervalued in unionist practice (Turner 2005).

The literature identifies several conditions for coalition building, of which we present here the main five. One condition is a political opportunity structure (Tilly 1978), i.e. the circumstances surrounding a political landscape, enhancing or hindering different strategies. Coalitions are more successfully formed when the governing institutions are "structured to provide multiple points of access to policy" (Frege, Heery, and Turner 2004). It has been argued (Mcguire 2011) that neoliberal globalisation in general and trade liberalisation in particular provide that opportunity structure needed to trigger the emergence of networks linking work-related issues to wider social issues.

A second condition is framing, i.e. general interpretation schemes of reality (Goffman 1974:21). Frame analysis is used to explain why a specific topic has a wide appeal and what interpretations of situations and events are relevant to it (Snow et al. 2014). Differences in the diagnostic framing (i.e. the problem diagnosis) and in prognostic framing (i.e. the resulting forecast) can lead to conflict within a network, as they can cause disagreements on strategic developments and internal coordination (Benford and Snow 2000). In a coalition, framing functions as a catalyst for bringing partners together, as they have to find a common contextualisation and definition of the issue at hand, their demands, and the achievable goals. Differences in framing are often cited by the literature as one of the most occurring obstacles to cooperation (Bieler 2012).

Thirdly, it is important to consider that trade unions and social movements have different historical and thus organisational backgrounds, which can lead to difficulties in establishing a network. Organisational cultures can differ in terms of internal structure, such as the degree of hierarchy, and repertoires of action, such as the degree of contentiousness. Differences in organisational cultures may lead to problems, prejudices, suspicions, and even hostilities (Spooner 2004) and have been indicated as one of the main culprits in hindering cooperation (Turner 2011).

Political orientations are a fourth precondition to coalition building, in the sense political disagreements on certain issues affect not only the strategy and tactics of a coalition (Bieler 2012) but also the degree to which a compromise can be agreed (Frege and Kelly 2003). As seen in the previous section, the main cleavage hindering coalition building on TTIP protests are the opposing political orientations between TTIP rejectionists and reformists.

A final important element are resources. Resource mobilisation is one of the key reasons for the cooperation between trade unions and social movements (Frege et al. 2004). A perspective partner in a network may decide to join it in order to gain access to financial and material resources, to new members, to greater participation of masses, to greater

expertise, to legitimacy, and to mobilisation potential (Frege and Kelly 2003). Access to expertise is particularly relevant in mobilisations against FTAs, given the complex nature of trade negotiations (Mcguire 2011:10).

The way and the effectiveness by which resources are deployed depend on the strategies used by the stakeholders. Trade unions and social movement have different influence pathways at their disposal. There are four areas in which a network between trade unions and social movements can extend its influence: international organisations, national policy, market actors, and more civil society organisation (Zajak 2014). Not all participants influence these areas at the same level, thus determining different strategic approaches. Trade unions are more likely to be successful in influencing specific international organisations and nation states through litigation and cooperation procedures. On the other hand, social movement are increasingly important in mobilising market actors (King and Pearce 2010).

VI. THE PRAXIS: PRELIMINARY FINDINGS

This section presents some early-stage results of a doctoral research project financed by the Hans-Böckler Foundation on the transnational cooperation between trade unions and social movements on TTIP. These results represent the exploratory work for what aims to be a full and comprehensive analysis.

As section four has already foreshadowed, coalition building is hindered by radical differences in prognostic and diagnostic framing. This issue is particularly relevant when analysing trade unions involvement against the TTIP. The case of Germany is particularly telling. German trade unions have not been as pressured as unions in other countries to cooperate with social movements, as their decline has not been as steep and they are an accepted and relevant social partner by the government and industries alike. Therefore, when they have cooperated, they have done so on single issues that did not represent vital union interests (Frege et al. 2004).

This has generally been the case also concerning TTIP mobilisation. Trade unions, particularly the confederate body DGB (2014) and sector specific ones such as IG Metall (2014) have focused their narratives on worker-specific issues. TTIP as it stands is seen as an instrument threatening working conditions by encouraging a race to the bottom. Emphasis has been given to the lack of transparency in negotiations and the potential decrease in consumer protection, but there has not been a generalisation of this critique to TTIP as whole. Their involvement in the network is limited to traditional union issues (i.e. those favouring the interests of companies directly hurting those of workers) and there have been no credible attempts at inserting FTAs in a wider context.

Trade union involvement, however, has not been as cut and dry as the public statement by confederate organisations make it seem. Most notably, two members of the DGB, ver.di (services) and GEW (education) have taken a clear rejectionist stance by supporting the Stop TTIP ECI campaign (STOP TTIP 2015b). In this sense, they have adopted a more rejectionist framing, which they share with organisations such as ATTAC and campaq.

The question whether cooperation has been hindered by this difference in framing is an important one, as the literature indicates conflicting frames as one of the main factors hampering long term cooperation (Bieler et al. 2014). What these preliminary results seem to show is that discussions on common frames have been avoided. Rejectionists and revisionists have cooperated for protests events and global action days, but have avoided a comprehensive discussion about finding a compromise between the two positions. When such an action would have been unavoidable, such as the Stop TTIP ECI, the DGB has elected to not formally support the initiative.

A similar tension and cleavage seems to run across the lines of organisational cultures. Both trade unions – particularly industry oriented ones, and social movements – mainly radical ones such as Occupy, share a reciprocal diffidence in this regards. The hierarchical and institutionalised nature of trade unions raises question of democracy and transparency. On the other hand, the fleeting nature of certain social movements and their often innovative structure make potential partners wary of their suitability and credibility as partners.

As can be seen, these results are not at all conclusive nor comprehensive. However, they allow us to draw some preliminary conclusions on the action and the nature of European networks opposing TTIP.

VII. CONCLUSION

The public attention and the momentum gathered by the organisations opposing TTIP represents a potentially crucial moment in at least two ways. Firstly, it is an important window of opportunity for civil society actors to establish a role in trade policy negotiations. Some early successes in this direction can be seen in the reaction of European institutions and some member states to the criticism on the democratic and transparency deficit of the negotiation procedures. Whether these gains will be limited to TTIP, or will be extended to future FTAs negotiations is hard to tell at present.

Secondly, coalition building in response to TTIP could benefit and strengthen trade union, thus contributing to their revitalisation, and strengthen social movements. The preliminary results on this matter are ambivalent. On the one hand, the transnational network formed in response to TTIP negotiations has achieved some of its aims through the joint efforts of both social movements and trade unions. On the other hand, exploratory interviews and a review of the available position papers reveal a very deep cleavage between those who reject TTIP and the free trade agenda in its entirety, and those who assume a more moderate revisionist position. Such a difference in framing does not bode well for the long-term sustainability of the alliance.

However, the data at hand do not allow us to engage in a deeper analysis. To this end, we aim at deepening these findings by conducting a series of comprehensive expert interviews of the actors involved. This interviews aim at i) drawing a social network analysis of the transnational networks formed in response to TTIP; ii) understanding and better contextualising framing issues; iii) exploring the resource

mobilisation and influence pathways employed within the coalition.

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