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TRADE UNIONS IN CEE AND SEE
MODERNISATION OR SINKING INTO INSIGNIFICANCE?

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ABSTRACT

This article focuses on trade unions as important stakeholders in the system of labour relations in the countries of Central East and Southeast Europe, namely Poland, Czech Republic, Slovakia, Hungary, Bulgaria, Croatia, Serbia, the Former Yugoslav Republic of Macedonia – now North Macedonia, Albania and Kosovo.

Our hypothesis is that the development of trade unions in these regions, with their traditional company-centred organisation (syndicalism), is embedded in a discrete Central Eastern and South Eastern European type of neo-liberal economy. The cleavage of the EU in the East and West goes far beyond labour relations and the development of trade unions and determines other societal fields as well.

This empirical evidence comes from a multi-level evaluation of a prolonged consultancy project (1998–2013) involving German, Dutch, European and global trade unions and political foundations and aimed at modernising selected trade unions in the CEE and SEE countries. Beyond the necessary analysis of documents, 92 expert interviews with trade unionists, representatives of employers' associations and politicians were carried out between 2009 and 2013. The results were presented and discussed in five regional conferences involving different country groupings; these discussions influenced the final results by way of a reflexive process.

In summary, because of the faltering process of modernising trade unions in these regions, the trade unions are endangered and may sink into insignificance.

Keywords: labour relations, trade unions, Central East and Southeast Europe, transformation process, European Social Model

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INTRODUCTION

Digitalisation, the erosion of social “milieux” and the integration of national economies into the global one with all its risks and chances, as well as the political insecurities in Europe and around the world (to mention some of the many factors) are becoming the starting points and basic conditions for trade unions’ ever-more complex activities. In addition to these general trends, trade unions in the Central Eastern and South Eastern European regions (CEE and SEE hereafter) have been facing and continue to face tremendous challenges because of the transformation processes that started in the late 1980s. Though the single CEE and SEE countries differ from each other in many respects (e.g. history, social, political and economic institutional arrangements), their transformation process - as a worldwide “case sui generis” for the last 80 years - allows these countries to be put into one special cluster.

This became even more appropriate as all these transformation processes began to be accompanied by the process of Europeanising the CEE/SEE countries in the early 1990s (“Copenhagen process”, 1993). All countries presented in this article have had and continue to have a reference to the EU – either as member, candidate or pre-candidate state. The EU Acquis Communautaire, as the basic legal framework (including labour relations), has either already been implemented by these countries or is underway².

Currently, the EU itself is confronted by large challenges: Brexit and different interpretations of migration, fiscal and currency policies, as well as the rule of the law, are among other questions contributing to the destabilisation of its supranational structure.

Amidst this “ocean” of insecurities, trade unions in the CEE/SEE countries could, in theory, have contributed to a great extent to the development of structures that are socially fair, foster the institutions of a civil society and thus strengthen the democratisation process in the whole region.

In the first chapter of this article, we elaborate the theoretical framework of our qualitative empirical research project. The second chapter describes the development of the trade unions in the CEE/SEE countries, taking into account other (mostly empirical) studies. Chapter Three presents our own empirical results; and, last, Chapter Four integrates these results into a wider picture of European development.

² Poland, Czech Republic, Slovakia and Hungary (EU member states since 2004), Bulgaria (EU member state since 2007), Croatia (EU member since 2013), Serbia, Former Yugoslav Republic of Macedonia (now North-Macedonia), Albania (all EU candidate states) and Kosovo (EU pre-candidate state)

LABOUR RELATIONS, TRANSFORMATION PROCESSES AND EUROPEANISATION – STARTING POINTS AND THE BASIC CONDITIONS OF TRADE UNION DEVELOPMENTS IN CEE AND SEE COUNTRIES

By implementing a large-scale research project, we investigated the strengths, weaknesses, opportunities and threats facing trade unionism in the CEE/SEE countries.

Our research hypothesis was that the trade unions in this region, with their overwhelming orientations towards syndicalism, are substantially shaping labour relations in CEE/SEE as a distinct form when compared to the more firmly established types of labour relations in Western Europe³ that are embedded in the neo-liberal system of national economies.

Three general conditions, through which trade unions in the CEE/SEE region had developed since the beginning of the 1990s also form the theoretical reference points to evaluate our empirical findings. They are as follows:

- *Labour relations* in its structural framing function of negotiations between employers and employees (the latter primarily represented by the trade unions);
- The *process of Europeanisation* within the EU (including its impact on the candidate and pre-candidate countries). An important part of this process should be the idea (blueprint?) of a “Social Europe”, which could (should) determine labour relations and the role of their actors;
- The *process of transformation*, which started in the CEE/SEE societies in the beginning of the 1990s – from a planned economy with a one-party-dictatorship towards capitalism and liberal democracy, within which the trade unions needed to develop.

Labour relations

Our understanding of labour relations overlaps with an analysis of – collectively organised – employment and income conditions. In addition to trade unions and the collective bargaining relations between employers and employees, it includes national and (in the case of the EU) supranational labour market policies and labour legislation (see also Kaufman 2008, 31).

This enlarged, actor-focused institutional approach allows historical and theoretical institutionalism to be integrated with theories of action (primarily negotiation) concepts (Müller-Jentsch 1996, 57, *ibid.* 1997, 53–82, Weitbrecht 2001, Tholen, Czírja, Hemmer, Kozek, Mansfeldová 2006 12–13). Hence, it is possible to identify the different determining factors of trade union activities and the emergence of their strategies within the system of labour relations, as well as to find out the different qualities and functions of labour relations at the various levels of multi-level regulation in the context of the EU⁴.

3 Transnational research into labour relations in Western Europe is principally based on four types: the north European corporatism, the continental European model of social partnership, the Anglo-Saxon model of pluralism and the polarising model of the Roman countries (Ebbinghaus & Visser 1997).

4 The “concept of multi-level regulation” (Jachtenfuchs & Kohler-Koch: 1996) describes an organised process of regulation. That means the emergence of a new structure of interdependence concerning economy, politics and society in general, which is represented in every EU member state in a different way (Eberwein, Tholen & Schuster 2002, 13–17) and which is primarily shaped by the different political, social and economic conditions in the countries concerned (see the concept of “Varieties of Capitalism” Hall & Soskice 2001).

This concept of negotiation offers the necessary rationale for our understanding of labour relations as a socio-political process, in which the trade unions not only represent members' interests, but also – coming from this – could play a decisive role in mediating between the different interests by considering “member-external” data power systems (Müller-Jentsch 1997, 83–104). In other words, there are two bases on which trade unions can develop their strategies: the first comes from the embeddedness of trade unions in the network of labour relations; the second is based on the unions' membership/number of members; how trade unions are organised and their ability to mobilise their members (Glassner 2013, 45).

This understanding is different from that of the syndicalist approach, which favours a policy focused only on representing members' interests in single companies.

This different, theoretically driven, understanding of the role and self-concept of trade unions constitutes our analytical distinction between the internal and external aspect of trade union activities (elaborated in a later section).

Conclusion No. 1: Even 30 years after the fall of the Berlin wall, the position and situation of trade unions in CEE/SEE is rather different from that of trade unions in Western and Northern, even in Southern European EU member states. In the field of trade union activities, the dominant syndicalist approach is very often combined with the weakness of the unions' mediation function, while they tend to be marginalised or excluded from the legislative process and discourse on tripartism, and state policies on wealth distribution. In addition to these, unions' activities are influenced by the neo-liberal answers given by the political and economic elites in CEE/SEE countries to the global financial and economic crises (2007/8 and following years) as well as a similar, very one-sided policy of the entire EU.

Europeanisation:

In the 1990s and even shortly after the millennium, encouraging efforts were made in the field of Europeanising of labour relations, for instance, with the “European Works Councils Directive”, revised in 2009⁵ and with the EU Directive about a “general framework for informing and consulting employees in the European Community”.⁶

In order to represent employees' interests effectively, both institutions (European Works Councils and employees' representation bodies on companies'/plants' level) would have needed pro-active trade unions.

However, these attempts had been deformed or even destroyed by

- a) the EU itself, with its unbalanced, neo-liberal Lisbon Strategy from 2000: Within one decade, the EU should have been remodelled as the most competitive and dynamic, knowledge-based economic region in the

5 Directive 94/45/EG in relation with directive 2009/38/EG; European works councils are transnational bodies of representation of employees in companies with several sites in different EU member states. See for details, amongst others, Jäger 2011.

6 Directive 2002/14/EC of the European Parliament and of the Council on 11 March 2002, establishing a general framework for informing and consulting employees in the European Community; see for the resistance of CEE trade unions to the implementation of a two-level structure of representation (dualism) as negative competition with the companies' unions and the attempts by employers to misuse this second level of representation to marginalise trade unions Kohl 2002, 411, Tholen 2007a, 122–123.

world – however, this deadline was extended till 2020;

- b) the on-going transformation process after the collapse of communism in the CEE/SEE countries, which remains unfinished even today; the different waves of EU enlargement, which started in 2004, are unfinished even now, thus resulting in the confrontation between the previously dominant western- shaped ideas of a “Social Europe” and those prevalent in the CEE/SEE member states/candidate countries;
- c) the global financial and economic crisis of 2007/8 and after, which many EU member states/candidate countries – especially from the CEE/SEE region – planned on overcoming using neo-liberal policies⁷;
- d) the crisis of the Euro, which continues even now, with its costs of saving the private and public banks, being financed by the taxpayers not only in the Eurozone but also beyond.

One consequence of these developing general conditions, in which trade unions are an important actor in labour relations, was the partial retreat of national and European institutions in the fields of social policies and labour relations, far in excess of those levels that are normal in many countries in the context of free collective bargaining (Platzer 1999, Lecher, Platzer, Rüb & Weiner 2001). Apart from a common but entirely voluntary commitment of a “European Social Model” (parallelism and complementarity of economic development and social progress), no consistent social model exists: In the 1980s and 1990s different versions had emerged – key word: under the general title of Open Coordination Process (Kohl & Platzer 2003, 46, 49). Even in the “old” EU, in the 1990s, those “open” structures turned out to be insufficient to implement a “European Social Model” (e.g. the guarantee of minimum standards for work and subsistence, the implementation of norms of social justice, the redistribution of income and a guarantee for equal educational opportunities). Also responsible for these failures was the fact that this model had been more or less an elitist project. As such, a “European Social Model” had hardly been given a chance to remodel labour relations in the CEE/SEE countries in such a way that the respective trade unions would have been given a chance of modernising themselves in the direction of a powerful representation of employees’ interests – independently from their own internal trade union failures.

Conclusion No. 2: The “European Social Model”, originally planned as an instrument for social integration within the EU (beyond the economically oriented, market liberal implementation of the EU single market) was no model of standardisation even in its beginning in the late 1980s. Furthermore, this “top-down” model complicated the democratic participation and integration of the CEE/SEE countries into this “model”.

Transformation Process:

The combination of actor and system theories under the shelter of transformation theories (Merkel 1999, 17–109; *ibid.* 2010, following on from Jon Elster and Claus Offe: Elster, Offe & Preuß 1998; Zeitler 2011, 59–79) offers a useful frame to explain the subject of this article (development of trade unions as a decisive actor in labour relations in the CEE/SEE countries). A sustainable analysis of “constraints”⁸ will be necessary in order to do this; these will determine the framework and corridor for actors’ activities (Merkel 1999, 108) – and represent, among others, the external factors in the role of trade unions.

⁷ The core elements of neo-liberalism are the states’ withdrawal from the economy, the reduction of the social welfare state, deregulation, privatisation and acceptance of growing social inequality (Ther 2016, 87).

⁸ “Constraints” will be constructed by formal rules (e.g. constitution, laws, property rights) and informal limitations (e.g. sanctions, taboos, conventions, traditions, rules of behaviour); North: 1991.

A special feature of the transformation processes in CEE/SEE societies is the “dilemma of simultaneousness” (Merkel 1999, 377–395). Two, partly three processes have taken place since 1989 simultaneously: first, from a planned economy towards capitalism, second, from a one-party dictatorship towards a liberal democracy, including the reconstruction of the state’s administration and organisation. The third process was the transformation of the state’s sovereignty in some of our selected countries, which means the foundation of new national states – Yugoslavia collapsed into eight nation- states and Czechoslovakia gave birth to two countries in a peaceful process.

According to theory-driven perception, but primarily by our own empirical evidence, it is necessary to add the perspective of the subjects to the institutional analysis in order to gain an adequate picture of trade unions in CEE/SEE: Actors, respectively the groups of actors, are developing collective identities embedded in their existing cultural and social frames (Eisenstadt 2006). These identities are shaped by inter-generational experiences and their perception by the current actors. This combination of social change and the sequence of generations (Mannheim 1928) makes it possible to explain the activities of actors in the here and now, taking the long-lasting social changes as a background. CEE/SEE trade unions, their membership and their leaders are developing their strategies, action-goals and interactions primarily on the basis of their identities, which have grown historically, over generations. During the time of our empirical fieldwork (2009–2013), the transformation process had lasted only 20 years (roughly), which meant a timespan of less than one generation. That means that many experiences of “our” actors (e.g. trade union leaders) had been gained during the time of communism before 1990. Here, we can find an important explanation for the activities of the CEE/SEE trade unions in the here and now.

Conclusion No. 3: Despite the formal end of the transformation process in many selected CEE/SEE countries as a result of their becoming members of the EU, these member states must be still considered transformation societies, as the candidate and pre-candidate countries are seen anyhow. This ongoing transformation process still influences the developments of trade unions in this region.

The development of trade unions as an actor of labour relations in CEE/SEE countries since 1990 – a short outline of the literature

Roughly three decades after the end of communism in most of the CEE/SEE countries, the US journalist John Feffer (2017) suggested that the neo-liberal shock therapies of the World Bank, the International Monetary Fund, the EU and other Western experts, such as the economist Jeffrey Sachs (all of them as external actors influencing the transformation processes), are *the* decisive reason for the disillusion of larger parts of the population in these countries, which also strengthened the increase of “national populism”. Moreover, the global financial crisis (2007/2008 and following years), with its various impacts on the CEE/SEE countries (see in detail Bluhm 2014, 5) led to the marginalisation and social exclusion of significant groups of people from the global economy and its material advantages (Soulsby, Hollinshead & Steger 2017, 6).

The privatisation of the formerly state-owned planned economy as the core of the economic transition process produced a high level of deregulation. This deregulation led to a fragmentation of economic processes

and thus to a strengthening at the company level (Gradev 2001, 16). A consequence of this process of company-centring that foreign investors were free to shape labour relations according to their own ideas. Very often this ended in an enlargement of the concept of Human Resource Management, one excluding *collective* interest representation. Even today, this transition process has still not been finalised in this region (Soulsby, Hollinshead & Steger 2017, 6). Furthermore, this process is shaped by the difficult economic and social processes of adjustment. After referring to the theories of path dependencies in the development of institutions, it is remarkable that

- the shape of labour relations in multinational (mostly Western) companies as prevalent in the parent companies has not been reflected in their CEE subsidiaries. Empirical research into nine German multinationals and their sites in Poland, Czech Republic and Slovakia indicated that even the strong German interest representation bodies (Works Councils and trade unions) only had a small influence on modelling the labour relations in the CEE subsidiaries (Tholen 2007a, 149–161, see also Drahekoupil & Myant 2017, 55),
- even the “European Social Model” could not develop an integrative power in this direction so that the trade unions, as an important actor in labour relations, could have been able to play an effective role in improving the labour conditions of employees in the CEE countries. On the contrary, just before the first wave of Eastern enlargement of the EU started in 2004, Kohl & Platzer noted that the “European Social Model”, with its focus on the supra-companies wage policy and an autonomous organisation of collective bargaining relations in nearly all CEE countries, had not been implemented (Kohl & Platzer 2003a, 49), and Vos, de Beer & de Gier exhibited at that time a certain scepticism as to whether the “European Social Model” could develop its integrative power to develop labour relations in the Eastern EU member states (Vos, de Beer & de Gier 2004, 340).

Three years later, after the first wave of the Eastern Enlargement of the EU, this scepticism was intensified by the empirical findings of Meardi: *“Rather than introducing the ‘European Social Model’, EU accession has led to some social tensions, in spite of relatively strong economic growth, because of deregulation, European Monetary Union conditions and the enduring need to compete for foreign investment”* (Meardi 2007, 503). The promise given by the EU to improve and foster the “Social Dialogue” between employees and employers by introducing a second representation body at the plant/company level (alongside the existing, or better, very often non-existent trade union representation) was fulfilled inadequately; the implementation of sectorial social dialogues in the transformation societies, as well as the “European Employment Strategy”, had very limited impacts.

Furthermore, 10 years later, after the global financial crises, the same author stated that the “European Social Model” has not stopped the “race to the bottom” in the ongoing deterioration of the working conditions in this region (Meardi 2017; as well as Bafoil 2017, 29).

On the whole, globalisation, new production models and the specific development of the transformation processes in the former planned economies have led to a decentralised reorientation of companies’ strategies on the basis of new concepts of rationality and legitimation, primarily related to the global financial markets (Kädtler 2004, 63). All these developments, in various ways, question employees’ *collective* representation institutions.

This societal model (limitation of the Social Dialogue and sectorial/national collective agreements) has been pushed by Western experts, as well as by the ruling political and economic elites in the CEE/SEE region themselves. It has led to a weakening of trade unions and the position of employees, as through this the basic pillar of successful trade union activity (strengthening its overall social position in order to negotiate successfully), has been damaged tremendously. This weakening of the overall social position of trade unions has been deepening in the CEE/SEE region due to the increasing number of union-free small and medium enterprises, as well as micro companies with their comparably worse working conditions.

Parallel to that, on the political-social level, there has been a growing intolerance and anti-liberalism among larger parts of the population in the CEE/SEE countries.⁹ This can be explained first by the growing uncertainty in all European countries (not only in the CEE/SEE region). The population, which favours stability and security, is facing new global challenges (new complexities, identity and refugees crisis etc.), for which – at least at the moment – the liberal democracies within the EU have no proper answers. This has led to disappointments for many people and led to their political re-orientation: *“The democratisation process in societies in transition has disappointed many citizens”* (Laznjak 2018, 4).

Second, this anti-liberalism is a heritage of four decades of communist culture, which rewarded subservience and punished diversity. With regard to the recent past, it was easier to change from one intolerant, authoritarian culture to another one – meaning from communism to ethnic nationalism (Feffer 2017).

These path dependencies of the transformation processes can not only be found at the political-cultural level but also on an economic level (North 1994; Stark & Bruszt 1998). Bohle & Greskovits have identified three types of capitalism in CEE and some of the SEE countries, which had been in the process of development from 1990 till the beginning of the global financial crisis in 2007/8: neo-liberal, “embedded” neo-liberal and neo-corporatist types. The selected CEE/SEE countries have been assigned to this typology (Bohle & Greskovits 2012). However, this highly differentiated typology is of no good use for explaining the strategy, the situation and the activities of trade unions in the whole region, especially as it does not consider the time *after* the outbreak of the global financial crisis (2007/8). As such, we agree with Bluhm that the *“heuristic potential of the ‘Varieties of Capitalism’ approach for analysing institutional spheres in the advanced post-socialist economies has yet to be exhausted”* (Bluhm 2014, 6).

While reflecting on the topic and hypothesis of this article, we identified, for the entire CEE/SEE region, capitalism with a basic neo-liberal shape, neglecting the (state’s) social welfare component, in which labour relations and the trade unions were asked to develop.

As already mentioned above, this path of development has been enforced by the global financial (from 2007 onwards) and the following economic crisis, despite the country-specific characteristics:¹⁰ *“Despite con-*

⁹ For example, see for Poland Czarzasty 2018, 293–294; for Hungary Neumann 2018, 317.

¹⁰ It would overstretch the idea as well as the length of this article to consider all country-specific peculiarities of labour relations and trade unions in CEE/SEE countries, and furthermore, along the 1990–2017 timeline. A good overview of the trade unions’ development just before the first wave of the Eastern enlargement of the EU gave Kohl & Platzer: 2002; IBID: 2003; Kohl: 2002, and Schröder: 2004 (among others); after the first waves of the Eastern enlargement of the EU, see Glassner: 2013 and single articles in Delteil & Kirov: 2017 as well as in Traub-Merz & Pingle: 2018 (among others).

siderable differences between the EU-10 countries (meaning the 10 CEE/SEE countries, that became EU members between 2004 and 2012 – remark by the author) regarding economic, institutional, and political influencing factors and the reactions by the social partners to the crisis, the developments of wage policies are path dependent. As a general trend in this region a further shift in labour relations towards neo-liberalism could be identified” (Glassner 2013, 66).

The deregulation and company-focused wage bargaining taking place in this region since 1989/90 demonstrate strong interdependencies with

- a standstill and, moreover, a setback in the trade unions’ development – Delteil & Kirov call this “labour quiescence” (Delteil & Kirov 2017a, 13) referring to the union density (Schröder 2003, 55)¹¹, the unions’ fragmentation (Schröder, 2004, S. 7)¹², and the dominance of the plants/companies in the system of collective bargaining (Kohl: 2015, 289), as well as the low coverage rates of collective bargaining (Kohl 2002, 412). Because of this, the primary source of these trade unions’ power (number of members, organisation and mobilisation of members) has been considerably damaged, which is reflected in the low number of strikes. In the private economy (in which trade unions are rarely represented), strikes are exceptions; they are concentrated in the (shrinking) public sectors, including mining and energy (Funk & Lesch 2004, 270, Kohl & Platzer 2003, 44);
- the dominance of companies’ collective agreements. Sectorial collective agreements on a regional level are rarely found (Bafoil 2017, 29, Kohl & Platzer 2003, 44), which can partly be explained by the absence of corresponding employers’ associations. Even there, when one can find employers’ associations in the region, it can be seen that the latter reject region-based collective agreements. The second resource for a union’s strategic development (embeddedness in the institutional setting, which constitutes the union’s function of mediation) is inadequate as a result.

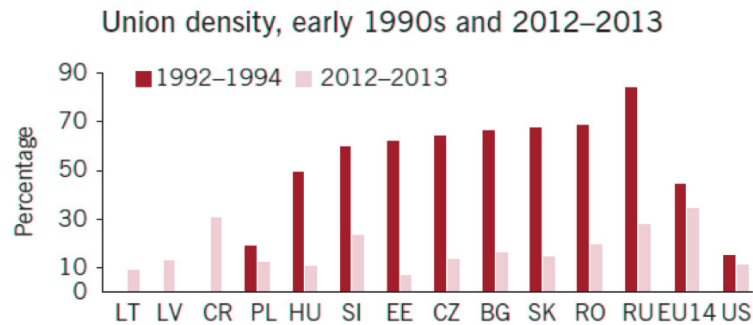
This trend in the unions’ weakness can be demonstrated by taking the example of union density as a core benchmark for unions’ strength/weakness¹³:

11 See, for example, for Poland Ostrowski: 2018, 299–332; for Hungary Neumann: 2018, 329–332.

12 Even in this field, we can find exceptions, such as Slovakia, with only one national confederation; see Kahancová & Sedláková: 2018, 356–357. Again, it would overstretch the idea as well as the length of this article to consider the entire structure of trade unions (confederations, branch federations, companies’ trade unions) including their names, the different densities and their relations to each other in all of the countries selected for this article.

13 In this figure, not all countries selected by us are represented, but it would go too far to add further data points, which would only show the same trend as in Figure 1. Hence, at this point, we give some literature hints to identify the figures of union density in Serbia (Ladjevac: 2017, 10 (Appendix)), North Macedonia (Eurofound: 2015; CRPM, 2014, Figure 1, 21), Albania (ILO: 2018) and Kosovo (Berkishaj: 2017, 5; Shaipi: 2017, 10–11).

Figure 1. Union density in CEE/SEE countries (EU member states) at the beginning of the transformation process, early 1990s; compared with 2012/13



Note: EU14 refers to the 15 EU member states pre-2004, without Luxembourg.

Source: ICTWSS database (Visser 2016, version 5.1). Online at: <http://www.uva-aias.net/en/ictws>; European Commission. *Industrial Relations in Europe*, 2014.

Source: Magda: 2017, 1

This figure shows how, 22 years after the beginning of the transformation processes and roughly at the time of our empirical work, the union density in the CEE/SEE countries had been reduced dramatically, for instance, in the Czech Republic, from 65 per cent down to 13 per cent –meaning one fifth of the figures at the beginning of the 1990s.¹⁴

The weak condition of the trade unions' function of mediation is reflected in the role of the unions in governmentally organised tripartism in CEE/SEE countries. In all transition countries, a "Tripartite Council" (its members were/are governments, employers' associations and trade unions) was established in order to accompany and steer the process of transformation along the principles of dialogue and social consensus. Because of unclear competences, but also because of the unions' weaknesses, including their lack of expertise, the trade unions' influence in this institution is pretty low (Kohl & Platzer: 2003, 46; Schröder: 2003, 58).

¹⁴ Taking into consideration the number of industrial actions (mostly strikes), there is no hint of big differences between Western European and CEE/SEE countries (European Trade Union Institute – ETUI 2019). However, these figures say nothing about the strength or weakness of trade unions – strikes could be wildcat strikes or strikes without any organisational help from trade unions.

SHORTFALLS AND DEPENDENCIES OF TRADE UNIONS IN CEE/SEE COUNTRIES EMPIRICAL FIELDWORK (2009–2013) AND RESULTS

Empirical Fieldwork

The following outline is based on a multi-layered evaluation of a long-lasting consultancy project by German, Dutch and European/global trade unions, as well as by political foundations in Western Europe to assist the modernisation processes of trade unions in CEE/SEE countries, during the 1998–2013 period.¹⁵

The author of this article had been asked to evaluate this consultancy project using a qualitative empirical approach. The fieldwork had been carried out between 2009 and 2013 in Poland, Czech Republic, Slovakia, Hungary, Bulgaria, Croatia, Serbia, North-Macedonia, Albania, and Kosovo – partly as single-country case studies, partly as comparable multi-country case studies and in two cases as panel studies (comprising three country case studies). In addition to the necessary analysis of documents and evaluation of other empirical studies, 92 expert interviews were also carried out (with the help of translators), mostly as single but also group interviews. Interviewees were representatives of confederations, branch federations and companies' trade unions, selected representatives from employers' associations, political representatives and representatives from the media in the countries concerned. All interviews were tape-recorded and afterwards transcribed (into English). There were no difficulties in getting access as the trade unions in the CEE/SEE countries took over the role of door-openers.

In a second empirical step, the results of the expert interviews and the analysis of documents were discussed at five regional conferences in different country combinations with the respective trade union leaderships, which often turned out to cause controversy. When the discussions started revising the first level of results (that not only means justifying the intentions of trade union leaders), they were integrated into the final results ("reflexive process of knowledge").

The contractors in this evaluation were the Friedrich Ebert Foundation (Germany), the German industrial trade unions Bergbau-Chemie-Energie (IG BCE), Gewerkschaft Nahrung-Genuss-Gaststätten (NGG), Industriegewerkschaft Metall (IG Metall), the Dutch confederation FV Bondgenoten, the Dutch Ministry for Foreign Affairs and the international trade unions IndustriAll Europe und IndustriAll Global Union;¹⁶ all in different combinations, depending on the shape of the empirical fieldwork.

Because of our theoretical approach (explained in part 1 of this article), we can generalise the results for the whole region. Of course, various country-specific peculiarities still exist. Just to mention one example,

15 <http://www.iaw.uni-bremen.de/ccm/research/Projekte/gutachten-zum-icem-iuf-imf-projekt-trade-union-development-project-for-south-east-europe.de?selectedTab=desc>

16 <http://www.iaw.uni-bremen.de/ccm/research/Projekte/trade-unions.de>
<http://www.iaw.uni-bremen.de/ccm/research/Projekte/studie-situation-der-gewerkschaften-im-kosovo-und-deren-herausforderungen.de>
<http://www.iaw.uni-bremen.de/ccm/research/Projekte/situation-der-gewerkschaften-in-albanien-und-deren-herausforderungen.de>
<http://www.iaw.uni-bremen.de/ccm/research/Projekte/evaluation-the-icem-iuf-imf-see-project-trade-union-development-project-for-south-east-europe-2010.de>
<http://www.iaw.uni-bremen.de/ccm/research/Projekte/gutachten-zum-icem-iuf-imf-projekt-trade-union-development-project-for-south-east-europe.de>

in part 2 we have seen – and this will be confirmed by our own empirical results – that typically, for CEE/SEE trade unions, several confederations existing in one country compete with each other. However, this is not the case for Slovakia.

Despite these variations in certain fields, the *trends and tendencies* mentioned below in an overall view are at least similar in all the CEE/SEE countries concerned. This is because our main theoretical reference frame is the transformation process in this region, which have not finished even today. A further reference frame is Europeanisation, which is, according to our empirical results, not so dominant in the development of trade unions in this region. Insofar as the transformation theories offer an essential frame for the interpretation of trade union modernisation processes, despite all country-specific variations of starting points, the speed and the focal points of these processes are similar in all the selected countries.

The results

In order to evaluate the empirical findings, we have to distinguish analytically between the *internal* structures and organisational forms of the trade unions and *external* factors, which influence the trade unions and their activities.¹⁷ Because of manifold interdependencies, these two factors are merged in the following presentation:

Organisational deficits of trade unions:

Amongst others, the number of trade union members and union density determine the primary power of trade unions. In the CEE/SEE region, the shrinking membership in nearly all unions can be considered dramatic, not only in relative terms (union density) but also in absolute figures. Of course, there are exceptions for this as well, for example with the tourism union in Croatia.

The majority of trade unions will be found in the public sector and in the former state-owned, now privatised, companies, mostly in the mining, energy and telecommunication sector. However, the first 2 branches are shrinking. That is one of the reasons for the dramatic reduction of membership.

The political conditions or, more precisely, government policies as an important framework for trade unions, has changed in some countries in this region to authoritarian patterns (but democratically legitimised) with partly unstable, partly unfair conditions for the trade unions to be active. In some countries, laws that are rather restrictively related to establishing (company) trade unions (e.g. in Hungary and Poland) have been passed. However, small companies are excluded from new foundations of unions. In fact, in some branches, these small and tiny companies compose a majority of companies and the majority of employees are excluded from collective bargaining by law. In those cases, employees are dependent either on individual employment

¹⁷ **Internal factors of trade union's activities** are the number of members, the recruitment of new members including the development of membership, the distribution of membership fees (mostly one per cent from the net/gross wage), industrial actions, collective bargaining (e.g. coverage rates, single plant/company agreements vs. branch/national agreements), cooperation between competing unions, modernisation processes etc. These factors can be influenced by the trade unions themselves. These internal factors constitute the primary strength of trade unionism. **External factors of a trade union's activities** are the judicial, economic and, in general, the societal conditions that influence the situation and position of trade unions, as well as their daily work and performance. Mostly, these external factors cannot be changed by the trade unions directly, as they construct the framework in which the unions have to act.

agreements or on the minimum wage in the respective country (in nearly all CEE/SEE countries, a minimum wage does exist). Even so, in nearly all countries in the region, this legal minimum wage is below the poverty line (= 50 per cent of the average income). As such, legal minimum wages can be called “poverty wages” and are absolutely not a safety line to living a decent life in the absence of collective agreements.

Parallel to this, in CEE/SEE countries, the low wage sector is increasing at a very high speed, despite the existence of a legal minimum wage.

Normally, these tendencies would have delivered very good arguments for the trade unions to replace single plant/company agreements with sector-specific collective agreements. However, for this, it would have needed, in addition to the will of trade unions, empowered employers’ associations as bargaining partners. But very often, these associations do not exist and/or not function on this level. On the contrary, the hostile attitudes of employers towards trade unions are very often socially accepted. Employees are very often afraid to become trade union members, as sanctions (including dismissals) would have been implemented had they done so.

In nearly all CEE/SEE countries, the real power centre of trade unions (including the financial means) is located at the company/plant level. The larger part of the membership fees (often more than 50, some up to 90 per cent) are kept by the heads of the companies’ trade unions respectively their chairmen. A smaller part is transferred to the respective branch federations and an even smaller one to the respective confederations. This means that

- trade union activities concerning, for example, national (sector-specific) strategies are under-financed (e.g. there are rare possibilities to pay union-external experts); the regional offices of branch federations – if they exist anyhow – are chronically understaffed, not to mention the remote possibility of implementing campaigns and industrial action at the regional/national branch level;
- controlling of the fiscal behaviour of the company trade unions with regard to their chairmen does not exist. Theoretically, the only internal control body is the union membership in the plant/company. All these lead to a further deterioration in the reputation of trade unions in society.

In most cases, membership fees are collected by the company’s management and transferred to the company’s trade union. In this way, the company’s management obtains a precise overview of the union’s strengths and weaknesses. For the management, this is very helpful in the course of collective bargaining processes.

In combination with the already described distribution of membership fees between the company’s trade union, the branch federation and confederation stands the dominance of collective agreements at *plant/company* level (again, with the exception of Slovakia). Though some branch federations – if they exist – would like to change this rule, many plant/company trade unions are against any change and have even threatened to leave the branch federation/confederation if there is any change. Hence, this promotes the fragmentation process of trade unions in CEE/SEE countries even more.

In this way, the interest of company trade unions with regard to their chairmen in keeping the union’s power centre at the plant/company level corresponds with the strategies of employers to prevent strong supra-company trade unions.

In nearly all CEE/SEE countries, there exists a (largely negative) competition between the different confederations, which can be also explained by history – the only exception is, as already mentioned, Slovakia.

After 1989, very often, the unions' assets (including hotels and sanatoriums), which remained in former state trade unions, had to be shared with the new (reformed) trade unions. This process was not amicably handled in every case. The fracture between confederations, branch federations and company trade unions therefore grew, disregarding the consequences for trade union activities of their financial dependence on these sources of income.

Wage policy, as a core element of the trade union's policy in the CEE/SEE region, anyhow weakened by the syndicalist form of the union's organisation with their competing unions, has been further negatively influenced by the low labour force participation rate (especially among women) when compared to the EU-28. This creates an "industrial reserve army", which further weakens the anyhow low negotiating power of trade unions. At the time of our fieldwork, the unemployment rates (especially among young people) in nearly all CEE/SEE countries (with the exception of the Czech Republic.) were above the limit, of what a society with the obligation of social justice and social peace could generally afford. Together with a growing share of precarious employment, these trends typify the special challenges for trade union activities.

Financial and political dependencies of trade unions:

As already indicated above, nearly all trade unions (confederations as well as federations) inherited the properties of the previous communist unions. In most CEE/SEE countries,¹⁸ after a tough fight, these properties came to be divided between the successors of the old communist unions and the "reform" unions, founded in 1990 and after. In addition to the buildings, in which the unions' offices were located, these properties primarily comprised hotels and resorts, for which the trade unions had been responsible during the communist time. However, even for this, the conditions were different from country to country. Even so, in some CEE/SEE countries, the unions' income was derived less from membership fees than from the rents for buildings, hotels and resorts. In these cases, the trade unions' activities are at risk of being less focused on recruiting new members. However, these recruitments not only have an economic but also a political function – an enhancement of the union's primary power. Very often, the chairmen (plus vice-chairmen – if existing), especially of smaller trade unions (see the remarks on the unions' fragmentation), are paid from the revenues from leasing the unions' estates and are the only full-time union officers of the confederations and/or federations.

Moreover, some governments grant financial donations to (mostly) confederations – these are up to 50 per cent of the unions' overall income. This can lead to a fatal dependence of the unions on governmental will. In addition, in many CEE/SEE countries, there are direct connections between trade unions and specific political parties, promoted by the fact that, after 1990, some trade unions, in their efforts to replace the old communist governments, had acted like political parties and continuing this "double role" (but no longer in the legal sense) till today.

¹⁸ But not in Serbia: During the timespan of our fieldwork, the assets were left to the ex-state trade unions.

Very often, CEE/SEE trade unions (confederations as well as federations) are very successful in raising funds from the EU, Western trade unions and NGOs. Nothing could be said against this (and it is even positive for the orientation towards the “terms of reference”), if this success will not be accompanied by a weakening will to recruit new members.

The tripartite councils (government, employers’ association and trade union), implemented in transition countries in order to provide social security and to shape the process of transformation, have increasingly degenerated into an extended arm of the governments to implement their strategic goals, legitimised by the trade unions’ participation in this council.

The balance of power in the tripartite councils is clear: because of the neo-liberal orientation of the majority of CEE/SEE governments, accompanied by the structural weakness of the trade unions, including their inadequate expertise, tripartism, with its three formally equal actors, leads not only to the trade unions but also the EU, with its requirements for a “Social Dialogue”, to believe in the role of trade unions, which does not exist de facto. We call this “the sweet poison of tripartism”. In addition to this, in many countries, especially in SEE, the representatives of the trade unions in these tripartite councils (mostly the chairmen of confederations) are paid (guaranteed by the state) according to their position, which is rather high when compared to the regional conditions (so their income is very often veiled by the terms “attendance money” or “expense allowance”). As such, government exertion of influence on the unions’ attitudes in these councils is opening the floodgates. The EU’s attitude should be criticised in that, for the Commission, the pure formal participation of the trade unions in the tripartite system was sufficient for a further completion of the *Acquis Communautaire* as a precondition to becoming an EU member.

Strategic deficits of trade unions:

Though the majority of CEE/SEE trade unions are aware of the fact that shrinking membership is threatening the survival of trade unionism, a long-term strategy to recruit new members is not in sight. Of course, in the past, respective campaigns had been implemented – but this task was not seen as a *permanent* obligation.

Parallel to this, a sustainable and long-term strategy of further education for full-time and part-time union officers is missing – in the past, these “projects” had been financed either by the EU or by Western trade unions. At the very moment when these projects came to an end, these efforts stopped as well.

In principle, an additional possibility to strengthen trade unionism could be created by cooperating with external actors such as NGOs, as well as religious and similar institutions with which the trade unions might have common points of contact. This cooperation could also include think tanks and scientific institutions, which are politically close to unions. Again with rare exceptions, the CEE/SEE trade unions are very much on their own, without searching for and using such cooperation systematically.

Options for trade union modernisation

The results presented herein and coming from our fieldwork allow us to propose selected options for trade union modernisation in CEE/SEE countries:

Organisational process of modernity: A reform of the trade union's organisation should take place. Instead of the plant/company's trade unions as the real power centre of trade unionism, branch federations at the national level, with their regional offices, should be strengthened;

Dual system of interest representation at the plants/companies: The usage of the possibilities offered by the EU's Directive 2002/14/EC of the European Parliament and of the Council on 11 March 2002 established a general framework for informing and consulting employees in the European Community. Using this possibility, trade union contacts could be established especially with small and "union-free" companies. However, a precondition for this is the "unionisation"¹⁹ of these so-called works councils in order to prevent negative competition between these two pillars of employee representation. This proposal does not mean a "Germanification" of labour representation, but just utilising the possibilities offered by the EU;

Recruitment strategy: Those "Works Councils" could contribute to recruiting new members in "union-free" companies. This includes the right of "individual membership" in a (branch) federation, including the recruitment of trade union organisers;

Qualification strategy: The aforementioned strategies should be safeguarded by ongoing further education of full-time and part-time union officers. Particularly, the promotion of trainees (especially of women and young people²⁰) should be included as the coming generation of full-time union officers. This mentality of this offspring is not shaped by the self-experienced memories of the communist times, insofar as these young people can modernise the trade unions, unburdened by the past before 1990. Out of some, a very good example of a modern recruitment and qualification strategy is the tourism trade union in Croatia, the leaders of which at the time of the empirical fieldwork were young (and not only male) and well-trained;

Anti-corruption strategies: A transfer of the trade unions' assets into trade union foundations, audited by independent controller, also to stop the danger of corruption among trade unions' leaders and, by doing so, to enhance the social acceptance of trade unionism;

Internal cooperation: Promotion of wage policy alliances until now between competing federations, which at the end of the day lead to unions merging;

19 The term "unionisation of works councils" had been used at first by Brigl-Matthiaß in 1926. He carried out pioneering empirical research on the impacts of the implementation of work councils in Germany in 1919, as a consequence of the lost WWI and the replacement of the German Empire with the first democracy on German soil. The "Works Council Act" (Betriebsrätegesetz) had been a compromise between the ideas of a liberal, representative democracy and the blueprint of direct democracy (councils) after 1918. At that time, the trade unions in Germany were successful in integrating this second level of representation into their activities (Brigl-Matthiaß: 1926) – a distinctive and extremely successful attribute of labour relations in Germany and Austria until now (Braun, Eberwein & Tholen 1992, 411–423).

20 Soulsby & Hollinshead; Steger emphasises the re-organisation of the current trade union hierarchy, the structure and the organisational mechanism as fields of modernisation, especially to attract young people to become active union members (Soulsby, Hollinshead & Steger 2017, 13).

External cooperation: A new political strategy should be developed, which will comprise allies from the outside (e.g. NGOs, religious institutions, media²¹) and promote the cooperation with scientific institutes, generating external expertise and political support for trade union activities;

International cooperation: Cooperation with Western trade unions to receive assistance in implementing efforts of modernisation and development of strategies for recruiting new members, as well as the political support at the transnational (esp. EU) level. The target of this political support should be the abolishment of political as well as legal constraints on trade union activities in some CEE/SEE countries.²² Furthermore, the national economies in the CEE/SEE countries are becoming part of the general trend of globalisation (keyword: global value chains): This trend offers opportunities for CEE/SEE trade unions to modernise themselves but leads to threats as well. Companies could easily relocate production from one country to another, either to benefit from lower labour costs in other countries and/or to avoid trade unions' power (e.g. the relocation of the textile industry in Eastern Slovakia first to the Ukraine and then to South East Asia).

Trade unions' developments in CEE/SEE countries as part of the ongoing transformation process and the East-West division of the EU

Our empirical results confirm that the trade unions in the CEE/SEE region have been developed within a permanent, until now unfinished, path-dependent process of transformation. Privatisation and de-regulation as core elements of the economic transition from planned to market economy have produced a strengthening of the plant/company level. Focus of trade unions on this level, the unions' fragmentation, decreasing union density and the declining coverage rate of collective agreements, insignificant representation power in the private sector, low political influence on the design of the transformation process etc., are further disconnecting the trade unions in the CEE/SEE region from shaping the working world and living environment, which are driven by globalisation. As such, the strategies of the CEE/SEE trade unions are looking increasingly old-fashioned.

The "European Social Model" has not developed an integrative force to give sustainable assistance to the modernisation process of trade unions.

At the moment, in which direction trade unionism in this region might develop seems undecided – either in the direction of overall insignificance or (by using examples of best practice) in the direction of modernity (of course in a hard way).

To sum up, the current position and situation of CEE/SEE trade unions can be identified by their syndicalist (company focused) encapsulation, extended symbolically by traces of instrumentalism of the unions' role in the tripartite system, organised by the respective countries' governments. A real influence of trade unions at the supra-company level can hardly be recognised.

21 Specifically, the cooperation between trade unions and the media is demanded by Mrozowicki, Karolak & Krasowska, who proposed measures of modernisation taking after the Polish example. They distinguish between traditional forms (collective bargaining, tripartism, etc.) and these new tools of cooperation (Mrozowicki, Karolak & Krasowska 2017, 240).

22 Already in 2003, Kohl & Platzer had demanded a fruitful and sustainable cooperation between trade unions in the CEE countries and in the then EU member states. Though this cooperation had taken place, after the respective "projects" ran out, the former structures, attitudes and activities were retained (Kohl & Platzer 2003, 50).

Because of this, the development of a discrete type of labour relations in the CEE/SEE region can be identified, unilaterally focusing on liberal market forces, alongside the four types of labour relations in Western Europe, as described by Ebbinghaus & Visser (1997).

This division of the EU in the East and West does not only apply to labour relations and the developments of trade unions but also to other fields of society (e.g. questions of the rule of the law, the understanding of democracy, refugees and immigration policy, corruption). This division of the EU is placed by Kääriäinen & Lehtonen in a broader context, based on Esping-Andersen's typology of social welfare regimes (Esping-Andersen 1990): They distinguish between the liberal, conservative, Nordic, Mediterranean and, last but not least, post-socialist characteristics as discrete types in Europe (Kääriäinen & Lehtonen 2006).

This process of division is accompanied but, at the same time, fundamentally influenced by the different concepts of the further development of the EU: Unlike the Western EU member states, which are looking discordant and helpless in coping with the EU's internal and external problems; influential CEE/SEE member states (which Hockenos calls the new "Eastern Bloc") have a strong vision of the EU: *"Europe as a confederation of independent nation-states, that will take over only a few supra-nationals tasks beyond the free-trade zone"* (Hockenos 2018, 2–3).

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