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Trade unions and activation policies in
Europe**

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Abstract

Though the response of trade unions to activation policies seems a crucial test of their capacity to adapt to the challenges of post-industrialisation, the issue has to date received little systematic attention in the welfare state or labour market policy literature. This paper takes a first step in remedying this curious neglect. Drawing on relevant theoretical literature it first briefly outlines two very contrasting perspectives on how unions' broad adaptation strategies could be expected to shape their attitude to activation reforms. It then analyses the role played by unions across around twenty years of labour market policy reforms in three strategically selected national case studies, confronting the differing assumptions to some preliminary empirical evidence. The cross-case evidence suggests that union attitudes to activation policies are rarely unambiguous reflections of either pure sectionalism or planned revitalisation platforms, but are instead shaped by a mix of strategic policy trade-offs, institutional incentives as well, at times, by the influence of new policy ideas.

Keywords

Activation; Unions; Insiders; Preference Formation; Institutions

Introduction¹

Activation has been central to most of the blueprints for the adapting welfare states to a fundamentally transformed social and economic structure that have been published in the last decade. ‘From unemployment insurance to employability’ was, for example, the first heading in the agenda for welfare state reform mapped out nearly a decade ago by Ferrera and Rhodes (2000). Activation is a core principle of many policy frameworks that have been envisioned to recast social protection for post-industrial labour markets characterised by both individual premiums on mobility and collective risks of polarisation. The activation agenda has also been enthusiastically taken up by international organisations and governments from different ends of the political spectrum, as well as those pursuing apparently post-partisan ‘third way’ approaches, in which activation policies have been very prominent (Clasen and Clegg, 2004).

The breadth of activation’s political appeal can be explained in large part by its fundamental ambiguity (Bonoli, 2010). Market-reinforcing activation policies² have become popular at a time of increasing wage inequality and expansion of precarious employment in low-end services. Their ambiguity resides in the fact that they can either be seen as upholding and enforcing this new labour market structure, notably by closing off exit routes out of the labour market, or as an attempt to make it more socially inclusive and sustainable by combating risks of detachment faced by vulnerable groups with low skills and limited market power.

This ambiguity helps us to understand why activation policies would appeal to political parties pursuing the support of the median voter. Successful social and labour market policy reform does not only turn on the construction of winning electoral coalitions, however. Corporate social actors, and especially trade unions, are also key actors in the politics of welfare state transformation. Despite declining membership rates, trade unions still have the capacity to mobilise citizens against reforms that they oppose. Particularly where they have a role in the governance and administration of traditional welfare state policies, such as pensions and unemployment insurance, they may even be in a position to effectively veto changes to which they are hostile (Beland, 2001; Bonoli and Palier, 2000; Ebbinghaus, 2010). The assent of national-level trade unions – and employer organisations – may in fact be crucial for the effective implementation of some activation policies, particularly those that require firm participation (Mosely *et al*, 1998).

Notwithstanding the strategic significance of unions’ ‘actor orientations’ (cf. Scharpf, 1997) for the successful pursuit of activation reforms, little attention has been paid to this issue in existing research. While it has been recognised that activation may confront unions with a ‘dilemma’ (Valkenburg, 2004), the terms of this dilemma have not been specified in any great detail, and nor have the ways in which it is being resolved in different national contexts been systematically explored. Do unions see only the bad in activation policies, and fall back mechanically on the ‘conservative’ oppositional strategies with which they are associated in much

contemporary popular discourse, and of which there is some evidence from other social policy fields (Häusermann, 2010)? Or may they be willing to see opportunities and advantages as well as risks in activation, and engage constructively in the development of an active social state? Under which conditions will union opposition or engagement be more likely?

The present article attempts to provide a preliminary response to questions of this nature. The first section contrasts two broad perspectives on trade unions' response to a changing social and economic environment, which we loosely term 'sectionalism' and 'revitalisation', and draws out the logical implications of each for anticipated union attitudes to activation policies. The following sections then confront these differing perspectives to the findings from a qualitative cross-national comparison of unions' role in activation reforms in three European countries, France, Italy and the Netherlands. The third section identifies a number of factors, beyond sectionalism and revitalisation, that the case studies suggest may help to better understand patterns of union reaction to reforms of this kind. A brief final section concludes.

Sectionalism or revitalisation? Contrasting perspectives on unions and activation

Writing a decade ago, Crouch (2000: 71) argued that one of the key challenges facing trade unions was a risk that they "may come to represent secure labour market insiders whose position is envied and resented by outsiders drifting between temporary work and unemployment, against whose interests unions then start to work". The suggestion is that unions' mechanical response to labour market change may thus be *sectional*, as they seek to protect and narrowly promote the policy interests of their remaining core membership, even as their numbers are in decline. Recent work on so-called 'insider-outsider politics' in labour market policy has seemed to confirm the saliency of this perspective for understanding the development of activation policies. In a series of influential publications, Rueda (2005; 2006; 2007) has suggested that in labour markets characterised by strong employment protection legislation (EPL), social democratic parties tend not to promote policies that help the unemployed back into the private labour market. The reason is that as vote seekers these parties will rationally act in the interests of their 'core constituency' of securely employed insiders, who are not supportive of activation policies. In addition to deriving no personal benefit from these policies due to their relative insulation from the risk of unemployment in highly regulated labour markets, insiders will, according to Rueda, balk at supporting the costs they entail. Moreover and more importantly, insiders will also fear that such policies will, if successful, increase competitive pressures on the labour market and undermine insider opportunities for rent-seeking.

To the extent that this argument is correct, it seems to have clear implications for trade unions, which have a strong membership bias towards employed workers,

albeit with some cross-national variation (Ebbinghaus, 2006). Though he doesn't explicitly focus on unions in his work, Rueda has indeed argued that in the British case it was partly the weakening of its institutional linkages with the trade unions that freed New Labour to focus more on outsider interests, and encouraged it to turn to activation policies in the mid-1990s (Rueda, 2006: 365). Likewise, Saint-Paul (1998: 154) did explicitly argue that his very similar insider-outsider model of low support for active policies could be assumed to hold under assumptions of electoral determination of policy outcomes or corporatist determination, "where unions ... decide on labour market policy". According to the logic of the insider-outsider theory, then, we would expect unions to have at best ambivalent attitudes to proposals for the reinforcement of activation policies (and unemployment benefits), at least where EPL is strong.

Assuming unchanged labour market institutions, both Rueda and Saint-Paul agree that insider support for activation policies will likely increase in the event of a sharp increase in unemployment resulting from a macro-economic shock, due to previously secure workers becoming suddenly more exposed to the risk of unemployment³. Saint-Paul departs more from Rueda, however, in pointing out that substantial temporal and cross-national variation in the generosity of 'passive' support for the unemployed might also impact on the operation of this mechanism. If unemployment benefits are high, he reasons, insiders might be more readily persuaded to support activation measures, out of a desire to *reduce* their medium-term tax burden (*ibid.*: 153; see also Gaston and Rajaguru (2008)). How far this taxation effect would be expected to trump insider fears about low-wage competition is left as an empirical question that Saint-Paul does not directly try to resolve. In any event, high unemployment benefits represent, along with a macro-economic shock, the only conditions that qualify the expectation in insider-outsider theories that unions will tend to oppose the development of activation policies.

The assumption of knee-jerk sectionalism that underpins the insider-outsider approach to union behaviour is itself perhaps questionable, however. Industrial trade unions – if not craft unions – have always derived a large part of their legitimacy from missions and roles that go far beyond the simple defence of their members (Bode, 1997; Streeck, 2005). More importantly perhaps they are also 'vote seekers', and thus have structural incentives in this regard that are not so dissimilar to social democratic parties, who have been shown capable of revolutionising their policy platforms in a bid to appeal to new sections of the electorate (Bonoli and Powell, 2003; Green-Pedersen and van Kersbergen, 2002). Though unions are membership associations, and derive no small share of their resources from their current adherents, as corporate entities they also enjoy at least some autonomy from their 'base' and have genuine capacities for strategic action. For these reasons we might expect there to be both motivations and possibilities for unions to adopt less narrow and sectional stances on labour market policy than the insider-outsider approach allows.

The literature on the politics of welfare state change has rarely credited unions with such reflexiveness and strategic capacity. By contrast, the broader literature on so-called union *revitalisation* (e.g. Baccaro *et al.*, 2003; Frege and Kelly, 2003; Hyman, 1994) has extensively documented the attempts of unions, largely for recruitment reasons, to take up the causes and interests of workers beyond their core membership. From the perspective of this literature, the championing of activation policies that assist unemployed workers in entering the labour market would be attractive to unions as part of a more general strategy of agenda broadening. Moreover, insofar as these policies are actually effective in combating unemployment, then a revitalisation stance that emphasised the fight against unemployment and labour market exclusion could be expected to bring even more concrete and short-term membership benefits for unions. As Visser (2002: 424) has pointed out, “unemployment hurts unions, except under specific institutional conditions that have become rare”. Only in the few countries with voluntary state-subsidised systems of unemployment insurance (so-called ‘Ghent systems’) do the unemployed tend to remain union members in large number. By contrast, after controlling for the presence/absence of local union representatives, it does not appear that temporary and otherwise ‘atypical’ employment contracts are as much of an obstacle to unionisation as has long been assumed (Sanchez, 2007). Unions may thus have a specific recruitment interest in supporting activation policies, even if they move people into an increasingly flexible labour market.

In summary, then, very different predictions regarding the unions’ reactions to activation policies can be derived from the two dominant perspectives on their broader adaptation strategies in a context of profound labour market change. Those who emphasise the risks of sectionalism would expect unions to – except under certain clearly specified conditions - retreat to a narrow defence of the interests of insiders, for whom activation policies have no real benefits and quite possibly carry some costs. By contrast, those who see the potential for revitalisation would expect unions to champion activation measures, less through altruism than in the interest of medium-term organisational survival. These possibilities are of course not mutually exclusive and the two strategies may – indeed probably would – be expected to coexist, in which case one would expect to see structural indecision and/or a succession of conflicts opposing union leaderships to their established bases.

Trade unions and activation policies in France, Italy and the Netherlands

In the following section we explore how far the logics of sectionalism and/or revitalisation discussed above can help us to understand the reaction of unions to activation policies over a time period of around 20 years in three national cases, France, Italy and the Netherlands. These cases have a number of similarities. In each, EPL is relatively strict in comparative perspective, and has been rather stable over the past two decades; the institutional preconditions for an insider-outsider cleavage thus exist and persist across the observation period. None of these countries have

'Ghent systems' of unemployment insurance, which provide selective incentives for the unemployed to remain union members and reduce putative 'insider bias'. In each country union density among the unemployed is thus far lower than among the employed, albeit less so in the Netherlands than in France and Italy (cf. Table 1).

<i>Country</i>	<i>Union Density Unemployed</i>	<i>Union Density Employed</i>
France	2%	18.5%
Italy	5.7%	36.3%
Netherlands	17.4%	32.4%

Table 1: Union Density of Employed and Unemployed, circa 2000

Source: Ebbinghaus (2006)

Similarities also exist between the cases in the structure of the union movements and their articulation with the political system. In each country organised labour is internally divided, the legacy of religious and/or political cleavages that have attenuated somewhat over time (though less so in France than in Italy or the Netherlands). Such fragmentation of course makes it rather harder to speak of and analyse a single 'actor orientation' among trade unions. The competitive context in which the national unions operate in each case, however, brings to the surface a number of disputes that would otherwise remain internal or even submerged, and thus allows the strategic trading of potentially conflicting interests to be examined more closely. Although some country specificities can be noted, in none of the countries is there a symbiotic relationship between any of the trade unions confederations and any of the parties of government, meaning that union reaction to a given policy can be analysed broadly independently from the 'colour' of the government sponsoring the policy.

Comparable in a number of important respects, the three cases nonetheless have some significant differences that we might expect to impact on the attitude of unions to activation policies. First, while unemployment has remained high across the whole period in Italy and France, in the Netherlands it fell to exceptionally low levels between the early and mid-2000s, although non-employment remained high. Second, though they have been becoming more generous in recent years, unemployment benefit provisions remain far more residual in Italy than in either France or the Netherlands, potentially diminishing the fiscal benefits of activation reforms for insiders there. Finally, the institutional involvement of the unions in social policy making varies both across the cases and over time. In the Netherlands, the unions retain their role in influential national level corporatist structures, but have been progressively excluded from lower-level governance structures in the labour market policy sphere specifically since the mid-1990s. In Italy, unions have traditionally had fewer institutionalised roles in either general national institutions or specific policy structures. Contrary to the Netherlands, though, their involvement in such arrangements has been growing in the recent period. In France there has been less

change over time; though general socio-economic concertation has been and remains weakly institutionalised in France, the unions and employers co-manage the core social policy arrangements, especially the unemployment insurance system. As the following discussion shows, it is these institutional differences that in fact offer some of the best explanations of the pattern of the unions reactions to activation policies in the three countries since the early 1990s.

France

The two large union confederations that have been most vocal regarding questions of unemployment and labour market policy in France, the CFDT (*Confédération Française Démocratique des Travailleurs*) and FO (*Force Ouvrière*), have long defended rather different positions with respect to the question of the activation of the unemployed⁴. Already at the time of the belated creation of a compulsory unemployment insurance scheme in France, in 1958, the then CFTC (future CFDT) was already arguing that the new system should not be limited to the payment of benefits to the unemployed, but also take measures to ensure the rapid reintegration and re-adaptation of unemployed workers (Daniel, 1997: 141). This position was opposed mainly by the government of the time, which objected to the idea that the new unemployment insurance institution UNEDIC – which was to be co-managed by the unions and the employers associations on the basis of national-level collective agreements, extended by law – might encroach on the competences of the state in matters of employment. FO, the most enthusiastic proponent of a bi-partite (in French, *paritaire*) governance system for unemployment insurance, fell in line with the position of the government, and supported the strict separation between unemployment compensation and employment promotion issues.

This position, arguably initially adopted for the strategic reason of encouraging the government's agreement of the *paritaire* schema for unemployment insurance, would over time evolve into a strong doctrinal stance for FO. With FO co-presiding UNEDIC from 1959 until 1992, it largely guaranteed that propositions to put in place more active strategies for the treatment of insured unemployment benefit recipients were headed-off, whether they were mooted by Conservative or by Socialist governments, and with only minimal discussion of their substantive implications for the functioning of the labour market.

The incentive to defend the autonomy of the *paritaire* unemployment insurance system was sufficiently strong to also encourage the CFDT, once it had captured the co-presidency of UNEDIC from FO in the early 1990s, to quietly retreat from its traditional stance in favour of more active treatment of the unemployed. Despite a context of fast-rising unemployment, the CFDT and the employers' association agreed in 1992 to swingeing cuts in unemployment insurance benefits, allowing the unemployment insurance fund to partially absorb its deficit without having to appeal to the government for supplementary resources. The cuts were operated through the introduction of a new 'single degressive benefit' (*Allocation Unique Dégressive*, AUD), with 'degressivity' referring to a mechanism whereby benefit amounts were sharply

reduced at 4-monthly intervals. This simple retrenchment was defended as a form of 'active policy' by the then president of the CFDT Nicole Notat, who argued that it would "encourage dynamic behaviour among the unemployed and stimulate them in their professional reintegration" (cited in *Le Monde*, 18/8/1992). When in the following year - and with the unemployment insurance system still facing a sizeable deficit - a report commissioned by the government proposed enhancing the tax-financing of the unemployment insurance system as part of a reform package that would see a closer integration between UNEDIC and the state run public employment service (*Agence Nationale Pour l'Emploi*, ANPE), the CFDT rallied instead to the idea of further cuts in unemployment benefits to avoid a structural reform that would endanger *paritarisme* (Clegg, 2005: 243).

The defence of the autonomy of the *paritaire* unemployment benefit system thus traditionally tended to drive the French unions into positions of strategic opposition to activation policies that could concern the insured unemployed. With respect to activation policies for working age people in receipt of other social benefits, however, the unions were always more enthusiastic. When in the mid-1980s debates were raging in France over the introduction and design of a general social assistance scheme to provide support to those who fell through the social insurance net, the unions generally came down in favour of benefit policies that included a work or training condition for the recipient (Bode, 1991). Commenting on a proposition of this kind put forward by a report to the Social and Economic Council in 1987, and which foreshadowed the future *Revenu Minimum d'Insertion* (RMI) scheme introduced in late 1988, the CFDT noted approvingly that the proposal to link the minimum income scheme to an individualised insertion contract "allows the maintenance of the work/income link" (*Conseil Economique et Social*, 1987: 19), while FO commented that the proposal had the advantage of "avoiding the absorption of the problem [of individuals without social protection] by assistance" (*ibid*: 21). Both unions reacted in a very similar way to propositions for a work-linked 'autonomy benefit' for the under 25s - who are not eligible for general social assistance in France - when there was a rash of activity around this subject at the beginning of the 2000s (*Conseil Economique et Social*, 2001: 57-61).

The more positive stance of the French unions with respect to the activation of the non-insured unemployed can also be understood in relation to their social protection interests as organisations, and specifically their defence of the traditional insurance basis of French income protection schemes. Albeit less directly and immediately than a statist takeover of the financing and administration of the social insurance schemes themselves, the emergence of a large and visible tier of tax-financed social protection completely disconnected from the operation of the labour market would also represent a menace to the legitimacy of the unions' historic role in the French social protection system (Clegg, 2002). It is arguably for this reason that they traditionally embraced activation initiatives in social assistance while resisting their extension to unemployment insurance.

Since the very end of the 1990s, however, this traditionally 'dualistic' response pattern by the French unions to activation reforms has in turn begun to give way to a more general pattern of critical support, notably thanks to the unions warming to the development of activation measures within the framework of unemployment insurance. The strategic context for this shift has been the growing determination of first the French employers and more recently the government to generalise activation reforms. In this context the development of activation initiatives has come to be seen by the unions not as a menace to the autonomy of UNEDIC, but as a condition of its continued existence.

The French employers' association, who co-manage UNEDIC with the unions, were historically barely more enthusiastic about activating the insured unemployed than the unions. Also valuing the autonomy of the *paritaire* unemployment insurance system, and particularly the opportunities it afforded for member firms in key industries to manage lay-offs, the employers were reticent to see the system drawn into the sphere of public labour market policy, and for much of the 1980s and 1990s found it in practice more expedient to reach agreement with unions on parametric changes to unemployment insurance than to really follow-through on the ambitious structural reform agendas that they claimed, in principle, to champion (Clegg, 2005: 246-8). This situation however changed dramatically in the late 1990s. In large part in response to the Socialist-led government's high profile legislation on the 35-hour working week, and in the context of a shift in power between different federations within the main employers' confederation⁵, the employers launched an ambitious structural reform agenda called the *refondation sociale* in which the thoroughgoing activation of unemployment benefits was a showpiece proposal. Ostensibly designed to embarrass the government, these measures also directly menaced the survival of the *paritaire* social protection institutions such as UNEDIC, which the employers threatened to suspend their participation in if negotiations over their reform projects were not successfully concluded.

Faced with this menace, the French unions rallied at differing speeds to idea of putting in place a mechanism which linked receipt of unemployment insurance benefits to an individualised agreement detailing the rights and responsibilities of the unemployment individual, eventually introduced under the name of the *Plan d'Aide au Retour à l'Emploi* (PARE). For the CFDT, historically more positive about the principle of activation, the acceptance of this negotiating agenda was swift, with activation having a prominent place in their statement of initial positions ahead of the negotiations in spring 2000 (CFDT, 2000). Along with the CGT, FO ultimately refused to sign the agreement on the PARE, but had shown a growing if still grudging willingness to entertain the principle of activation during the negotiations, in the framework of its overarching concern to prevent the collapse of the *paritaire* unemployment benefit system. Indeed, the latter took precedence over more substantive issues regarding the calibration of rights and responsibilities for the unemployment in the positions of FO; in the middle of the wrangle provoked by the government's initial refusal to approve the agreement introducing the PARE, the general secretary of FO published a newspaper article simply entitled 'Paritarisme

must be saved' (*Le Monde*, 2/8/2000). For all the unions bar the CGT, indeed, "concern to globally defend the *paritaire* institutions was an important factor driving the search for compromise" (Freyssinet, 2002: 45).

At the demand of the government, who were concerned about the possible emergence of parallel employment service networks for the insured and other jobseekers, responsibility for the implementation of the PARE was ultimately vested in the ANPE, with the local offices of the unemployment insurance system retaining responsibility for the payment of benefits. Criticisms were quickly voiced as to the impact of this multi-agency delivery structure on the effectiveness of the new activation policy (Cour des Comptes, 2006), and the old idea of a merger between the ANPE and UNEDIC gradually returned to the top of the policy agenda. When this proposal was announced by Jacques Chirac in his 2007 New Year address to the social partners, it met with a flat refusal by the unions, who together with the employers organisations issued a common statement of opposition to this measure which argued that the best way of fighting unemployment was a "general policy promoting growth" (cited in *Les Echos*, 12/1/2007). But when barely 8 months later it was reiterated by the freshly elected President Sarkozy in his first high profile social affairs speech, the reaction of the unions was far less hostile, with the General Secretary of the CFDT calling the merger a "useful reform process, in which the CFDT is ready to engage" (cited in *Les Echos*, 19/09/2007). Negotiations ensued, and the law on the reform of the organisation of the public employment service voted less than 5 months later.

Why this seemingly radical change of position of the unions, or at least the CFDT, on the further development of activation measures in such a short period of time? Part can be explained by Sarkozy's affirmation that "evidently" the social partners would "preserve all their prerogatives concerning the determination of benefit rules" (*Présidence de la République*, 2007a), leveraging the unions agreement by opening the door to the continued existence of UNEDIC, albeit stripped of its delivery-level functions. Chirac had however by no means foreclosed such a compromise either, having spoken of the need for the social partners to play a continuing managerial role, alongside the state, in the new public employment service he proposed in only rather vague terms (*Présidence de la République*, 2007b). Most likely the key was that the unions judged that under Sarkozy, buoyed by his recent mandate and eager to prove his reformist credentials, the risk of a total statist takeover of labour market policy was far higher than it had been under Chirac's last, and highly unpopular, government. In this context the preservation of a real, if much reduced, role for UNEDIC in French labour market policy was their best possible outcome, and engaging in discussions over the further development of activation the price that they were willing to pay to obtain it.

Over the medium term, the reaction of French unions to activation initiatives has thus been neither generally supportive nor generally oppositional. Instead, the unions' responses first followed a dualistic pattern, before later becoming more generally supportive. As described above, the constant across the whole period has

been the unions' strategic desire to safeguard their prerogatives in the administrative structures of French labour market policy, and specifically in UNEDIC. The impact of this preoccupation on their attitude to activation policies has been shaped by the location of those policies in different parts of the social protection system, as well as by the changing positions and power resources of other actors in the policy system. Far more than any bias or change in their strategies of interest representation, it is thus the strategic pursuit of organisational interests under changing political conditions that can best explain the dynamics of union reactions to activation policies in France.

Italy

As already shown in Table 1, Italian union density is slightly above the EU average and also above the French and Dutch figure. With respect to the unemployed, however, the situation is quite different, since only a very limited number of unemployed are represented by trade unions (on the limits of unemployed representation in Italy see also Baglioni *et al*, 2008). The main peculiarity of the Italian trade unions, however, is that they are very strong in the representation of pensioners' interests. In 2010 pensioners represented 47.5% of the total membership of the three main industrial trade unions in Italy. As a result, at least from early 1990s onwards, Italian trade unions were particularly mobilised in the pension policy field. As Natali (2000: 34; see also Jessoula, 2009) shows, during this period the Italian trade unions were strongly concerned about pensions reforms since their main constituents could be seriously affected by them: in the Italian case “[t]he unions’ consent was the first step towards the subsequent adoption of the new legislation by the Parliament”.

Despite being primarily focused on pension policies, however, over the years the trade unions also became heavily involved in reform processes around employment policies (Mania and Sateriale, 2002; Gualmini and Ferrera, 2004), albeit with varying patterns of support and opposition. The 1997 Treu reform adopted by a centre-left government (clearly inspired by an activation principle; see Barberi and Fargion, 2004; Graziano, 2007) was fully supported by the unions, whereas the 2003 Biagi reform adopted by a centre-right government (even more openly inspired by an activation and flexibility principle; see Jessoula *et al* 2010) was only supported by CISL (*Confederazione Italiana Sindacati dei Lavoratori*) and UIL (*Unione Italiana del Lavoro*), while the largest union – CGIL (*Confederazione Generale Italiana del Lavoro*) – opposed the reform fiercely. But a more favourable orientation of the unions towards activation reforms has been reinforced over the years, especially from the second half of the 1990s. During the 1980s, only a very diversified and limited consensus on activation policies could be detected among the unions (Gualmini, 1998). By contrast, interviews conducted in early 2000s (Graziano, 2004) show that even the most traditionally ‘oppositional’ union with respect to activation – CGIL – had become more supportive.

While the opposition of CGIL to the Biagi reform was more connected to a broader political conflict engaged with the Berlusconi government which covered several social policy issues (see Epifani, CGIL secretary, 2003), it is nevertheless the case that from early 1990s to late 2000s the overall attitude of the most reluctant trade union has been changing with respect to the activation policies (and in particular, with respect to vocational training). Albeit to a lesser extent than CIGL, the positions of CISL and UIL have also become more supportive.

The overall commitment to full employment was fully supported by all the trade unions from the late 1980s on, and CISL also started to play an increasing role with respect to vocational training through a collateral organisation – IAL – which benefited significantly from the increased investment in activation. A similar story could be told for the less relevant of the ‘big three’ unions, UIL, which mainly represents public workers and was always in favour of active measures aimed at increasing skills of the workers (not much of unemployed). The only ‘resistant’ (initially, at least) trade union was CGIL which had no advantage in supporting activation since it was primarily protecting ‘insiders’, and therefore was more interested in ‘passive policies’ (where Italian trade unions also play a ‘discretionary role’ which is an important source of union power). CGIL poorly represented the unemployed.

Nevertheless, from the late 1990s also CGIL started to change ideas with respect to activation. The existing limited existing evidence suggests that this was partly due to the emergence of new opportunities connected to the implementation of the European Employment Strategy (EES), which provided access to some funding streams (though the only ‘financial instrument’ supporting the EES is the European Social Fund, which is almost exclusively aimed at funding vocational training measures). More importantly, with the consolidation of the EES the unions seemed to understand that activation policies could be part of a ‘positive sum game’, since the governments eagerness to respect EU recommendations in this area reduced their focus on changes to EPL, which the unions (and especially CGIL) were mainly concerned about in order to maintain the ‘competitive advantages’ of insiders. Nevertheless, the unions have played very little attention to the ‘midsiders’ (Jessoula, Madama and Graziano, 2010) who increased as a share of the labour force but who continued to be under-represented in trade union membership.

Another factor may help us explain the changing attitude of CGIL; the fact that the ‘core’ of the union’s activity from the early ‘90s on have not been workers in general (including outsiders and ‘midsiders’ such as flexible workers) but insiders and pensioners – for which activation was not very relevant, with the exception of vocational training ‘on the job’. The overall impression is, in other words, that Italian trade unions became increasingly favourable (including CGIL) to activation since it was a ‘positive sum game’ and further obtained that the government would not reform other – more relevant, for the unions – policy areas such as pension policy.

In sum, the Italian story is a case where attitudes moved significantly (especially with respect to the most important trade union, CGIL) from opposition to acceptance of activation due to the benefits that this had for the institutional consolidation in ‘concertation’ procedures and the expansion of trade union power in the vocational training field (which particularly explains the early development of vocational training services within CISL) as well as the percolation of (some) European ideas connected to activation measures which reinforced the revitalisation attempts carried out by the unions. The union attitude was particularly crucial during the 1996-2001 and 2006-2008 periods when the ‘concertation’ procedures with the centre-left government were established since the governmental coalitions were fragmented and there was a further need for social legitimation. The mechanisms of such new attitudes are a mix between the ‘rational’ representation of membership interests (i.e. predominance of pensioners’ interest over outsiders or ‘midsiders’ interests) in the context of changing government priorities, the quest for institutional and administrative roles and resources, and selective learning process connected to the implementation of the European Employment Strategy.

The Netherlands

In the past two decades, the Netherlands has firmly shed the passive bias of its welfare state in favour of a more activating stance. Fundamental to this change have been a series of reforms implemented in social security, starting in the early 1990s. Where the implementation of social security in the late 1980s could still be characterised as “lenient and friendly” (Van der Veen and Trommel, 1999: 291), the system underwent a paradigm shift in the 1990s, from one based on rights and duties to one based on incentives and disincentives (*ibid.*: 293). A 1990 report by the Scientific Council for Government Policy outlined the parameters for this shift in thinking by advocating to couple welfare reforms to activating labour market policies (WRR, *Een werkend perspectief*, 1990). It set the agenda for the remainder of the 1990s, when increasing labour force participation became the accepted goal of all societal actors. Specific initiatives and proposals have changed over the years (for example, from subsidized jobs (so-called Melkert-banen) in the mid 1990s, to a debate on the position of temporary workers and flexicurity at the end of the 1990s, to weakening employment protection in 2000s), but the emphasis has consistently been on an increase in labour force participation and getting people to move (back) into work. However, in the course of the 1990s, it also became apparent that for a successful change to an activating labour market policy, the Netherlands was facing a problem of “missing instruments and failing institutions” (Visser and Hemerijck, 1997:157).

The Dutch trade union confederations have been active participants in the debate on the activation of the Dutch state, and have supported – with some caveats - the goal of increasing labour force participation in the last two decades. However, there is evidence that the precise stance of the trade unions has shifted over the period. While in 1999 the social partners were able to hammer out a compromise on the implementation of the flexicurity concept in the Foundation of Labour after the government parties had failed to reach agreement, the unions have since become

increasingly apprehensive about the implementation and effect of activation policies. The main trade union federation, FNV (*Federatie Nederlandse Vakbeweging*), for example, has taken to emphasising the guarantee of ‘Decent Work’ rather than any work as its primary goal (FNV, 2009). Furthermore, though the FNV subscribes to the view that the entitlement to social security should be tied to the preparedness of the active population to engage in paid work, it voices concern that the implementation of certain activation measures – particularly those involving market principles – will lead to cream skimming and a breakdown of solidarity (*ibid.*). In other words, the trade unions seem to have changed from eager and active participants in the development of activation and full employment policies in the 1990s to a more reluctant attitude in recent years concerning specific policy proposals.

Three pillars characterize activation strategies in the Netherlands: reform of social security (including levels and duration of benefits); education and training; and reintegration. Interestingly, in the Dutch case changes in these three areas have not been limited to changes in policy objectives but have also included significant changes in the administration and governance of these areas. In all three areas, various rounds of reforms have led to the introduction of market principles in the administration, including the involvement of the private sector. For example, the restructuring of social security in the 1990s was not limited to changes to benefit levels but included fundamental changes to the administration of the system. The social partners, who traditionally had a large role in the administration of various insurance schemes, were deemed part responsible for the increase in uptake of benefits, and to better align the incentives, their role in the administration of social security has been progressively reduced. In 1997, the bipartite industrial insurance boards were dismantled and the administration of social insurance schemes was turned over to private organisations. (Van der Veen and Trommel, 1999).

Similarly, with the stepping up of the emphasis on activation during the 1990s, reforms to the Public Employment Service in 1996 and 2001 ironically diluted the social partners only recently gained role in the administration of the public employment services. Given the success of private employment agencies, who cater for those who find themselves temporary out of a job, the 1996 reform mandates the PES to focus instead on vulnerable groups in society. Furthermore, the reforms conform to changes to benefit policies, and commercializes the relations between the PES and local municipalities who administer social benefits. This shift in focus back again on weaker groups in the labour market is seemingly a step back for the PES, however, simultaneously the government also embarks on various measures to create subsidized work for precisely the groups that are weakest on the labour market. The trade unions generally welcome these schemes though warn that subsidized work should not replace a ‘real’ job, and are adamant that the scheme’s beneficiaries move on to a permanent job within certain time limits. They also explicitly oppose long-term job placement that is (part) financed by continuous entitlement to unemployment pay or other benefits.

Within a few years, the various job schemes were under debate. The schemes are expensive and their effectiveness in reintegrating people permanently back into the workforce is limited. From the demand-side, the emphasis shifts to the supply-side to create the successful conditions for an activating labour market policy. At the same time, where the credo in the 1990s was jobs, and more jobs, in the 2000s the emphasis shifts from a job guarantee to employment security. Employment security means that workers have the confidence that they can move from job to job or back into work whenever necessary (WRR, *Investeren in werkzekerheid*, 2007). An important component in building this confidence is the offer of career development through continuous training and education. These issues have figured prominently in collective bargaining since the early 1990s, with 90% of those covered by collective bargaining in 2007 having the possibility to demand leave for training and education, 40% having a formal entitlement to further education, and 76% having the possibility to obtain an individual plan for career development.⁶ Often these training arrangements in collective bargaining agreements are supported by funding from joint sectoral education funds (*O&O fondsen*).

From a group-oriented focus on vulnerable labour market participants (women, long-term unemployed, older workers or ethnic minorities), reintegration efforts in the last decade have become more individualized and market-oriented. Anyone who receives a benefit and who is deemed in need of assistance with finding a job, can submit a plan for an individual reintegration agreement (*IRO, individuele reïntegratie overeenkomst*). If this IRO is approved, then instead of the benefits administrator, the individual worker decides which (private) reintegration service to use in his efforts to find suitable employment again. The reintegration provider is paid by the benefits administrator, but no longer simply for effort delivered but according to results achieved (i.e., whether the worker indeed finds a job and is still employed after six months). Of course, this financing formula contains a significant risk for cream-skimming (reintegration providers only offering their services to those who are likely to find suitable employment soon anyhow), but compensatory measures have been adopted to avoid this problem. The consistent and firm prioritizing of reintegration (exemplified by a *work first* approach to benefits claimants) is backed up by sanctioning of benefits, though it should be noted that cutting or denial of benefits occurs relatively rarely.

Though trade unions support the change from job to employment security and hence, actively support measures that increase the employability of workers (e.g., training and schooling, but also provision of childcare, acceptance of flexible work hours), they are wary of the negative effects on solidarity of increased individualization and market provision. In addition to the important political and regulatory role they play in the Dutch consultation economy, both at central level (in various bi- and tripartite bodies, advising on legislation) and at sub-national level (in collective bargaining, but also in the implementation of labour market policies or social benefits), trade unions have tailored their individual member services to help meet the demands brought by the new paradigm of employment security. For

example, members that want help drawing up an IRO can call upon the services of a job seekers consultant from the union.

Notwithstanding the trade unions confirming yet again at the Participation Summit in June 2007 (at which the government discussed labour market issues with the social partners) their acceptance of the goal to help more people into work and increase labour market participation, there are indications that the concept of flexicurity has reached its limits. At the request of the trade unions, the government's plan to relax dismissal laws was explicitly excluded from discussion at the Participation Summit. For the trade unions (but perhaps more so for the main trade union federation, FNV, than for the smaller Christian Trade Union federation, CNV) the balance in recent years has been too much on flexibility and not enough on security. A compromise where the relaxation of firing procedures would be offset by active labour market policies such as outplacement or integration trajectories into new jobs was not on the table; the FNV categorically rejected the government's proposal to relax firing procedures. With the SER unable to provide a unanimous advice, the government referred the matter to an expert committee. The report produced by this committee (*Commissie arbeidsparticipatie* (Bakker), 2008) contained several suggestions for furthering activation, but to the trade unions' relief a radical reform of dismissal laws was no longer among them.

In sum, the turn to an activating welfare state has fundamentally changed the role of social partners in Dutch policy-making. The various reforms have entailed a loss of social partnership in the administration of social security in favour of a more incentive driven/ market-orientated system that is more individually tailored and decentrally implemented. The decentralisation and individualisation of activation, however, does not necessarily mean a loss of influence for trade unions. Rather, it seems to have led to a refocusing of their role as representatives of their core membership. The trade union federations remain firmly ensconced at the top tables of policy-making in the Netherlands, where their voice is still heard (and sought?), as exemplified by their successful participation in the recent debate on changes to employment protection legislation.

Thus, similarly to the French case, the key to explaining the unions' attitude to activation policies seems to lie in their strategic pursuit of organisational interests under changing political conditions. The unions could not but embrace the new activation paradigm in the early 1990s when they found themselves under parliamentary scrutiny for their perceived collusion in the use of social security funds for economic restructuring. Contrary to the French unions, the Dutch unions have arguably been less successful in the defense of their organisational interests at local and regional level as they have lost many of their prerogatives on the administration of labour market and social policies. They have been successful however in defending their strategic position in social partnership at national level even if they have not been able to fend off the government's privatisation drives on implementation. In fact, somewhat ironically, the government's push for increased

marketization may have helped the unions' to refocus on new opportunities by redefining their members' needs.

Discussion: Ideas, institutional incentives and strategic trade-offs

Despite the similar physiognomy of the French, Italian and Dutch labour movements and the comparable regulatory context of the three national labour markets, the above discussion has shown that the pattern of union reactions to activation reforms differed considerably across the cases. In the Dutch case initial enthusiasm has given way to a more hesitant attitude, while in the Italian case the opposite is true. In France, by contrast, some union support for activation policies is visible across the period as a whole, but has become less selective over time.

The observed patterns are difficult to account for from the perspective of insider-outsider theories of union behaviour. Certainly, the growing reticence of the Dutch unions towards activation and employment-promoting labour market reform more generally coincided with a fall in the unemployment rate to record lows in the 2000s, while the warming of the Italian unions to activation corresponds with a period when investment in passive labour market policies – and thus the fiscal burden of supporting the unemployed – was increasing. In the French case, however, the generalisation of union support for activation at turn of the last century in fact corresponded with a period of historic employment growth, while benefit levels have been high across the period as a whole. More generally, if unions in heavily regulated labour markets were as straightforwardly sectional as the insider-outsider approach suggests, we would expect rather less variation in unions' reactions to activation policies both across the cases and within them over time.

Nor, however, is there considerable evidence from the cases that union positions on activation policies have been shaped by the self-conscious pursuit of revitalisation strategies. While there are indications – especially from the Dutch and Italian cases – that unions have been influenced by activation as a policy idea, this seems to have been less based on calculations regarding recruitment opportunities than on a more general need to adapt to the terms of the main labour market policy debates at domestic and European levels. As Valkenburg (2004: 589) points out, “if the unions oppose [activation] and continue defending traditional rights to income protection only, it will be hard for them to play a relevant role in the contemporary political debate”. The recent cooling of the attitudes of Dutch unions to activation suggests however that, at least where the unions are sure of their more general legitimacy as policy actors, more material organisational or membership benefits may be necessary to sustain ideational change within unions over time.

The three cases all suggest that the desire to gain or retain valued roles in the governance and administration of labour market policy – which bring financial and power resources that are particularly valuable to unions at a time of declining membership – have shaped union support for activation policies more decisively.

Trade unions are, in other words, not only vote- and policy-seekers, but also office seekers (Natali and Rhodes, 2004), and office-seeking motive have helped to structure their preferences on policies in this field. In Italy, union support for activation was thus influenced at the margins by access to European funding streams and the aim of maximising the budget of satellite organisations involved in the delivery of activation measures. In the Netherlands, inversely, the cooling of union attitudes to activation coincided with their exclusion from historic governance roles in the late 1990s. In France the unions' attitudes to activation have always been articulated with their desire to defend the integrity of the *paritaire* unemployment insurance system, leading them first to oppose activation in unemployment insurance and then, when the 'shadow of hierarchy' cast by the government lengthened and the employers organisations adopted new positions, to embrace it.

This last example suggests that unions' positions on activation policies have been informed by their assessment of other actors' intentions with respect to institutional reform, and their desire to lever least bad outcomes in this context. The three cases also suggest, finally, that this is equally true with respect to the broader labour market policy reform agenda. Unions have been willing to strategically trade their support for activation policies against the foreclosing of policy alternatives that they, or their members, dislike more. In the French case this was evidenced in the unions' selective support for an activating approach in social benefit schemes other than unemployment insurance, which they preferred to the development of pure assistance policies that might risk undermining the social insurance basis of the French social protection system in the medium-term. In the Dutch case it was visible in the unions' support for activation policies as an alternative to simple cuts in benefit entitlements. In the Italian case, finally, it was seen in the unions' support for activation in return for the government agreeing to shelve fundamental reform of EPL, which was the most highly valued policy outcome for the core membership of the Italian unions.

In summary, if the logics of sectionalism and revitalisation both capture very real dimensions of the motives for union attitudes to policy change, their impact on trade union positions on any given policy - such as activation - appears to be strongly mediated by the strategic and institutional context. Union defence of the narrow interests of its membership cannot be understood in the abstract, but must be seen in relation to the concrete bargaining agenda and the power and determination of other policy actors. While in the abstract unions might oppose activation policies, in practice they will likely be prepared to strategically support them if they are the only alternative to even more painful reforms. Likewise, while unions are capable of reflexive modernisation and open to new policy ideas that perhaps drive against the interests of the existing membership, how willingly they take these up will likely depend on the structure of incentives provided by the institutional environment. Where agenda broadening also carries immediate pay-offs for unions in terms of access to organisational resources and influence, it will likely be more popular. But as the Dutch case illustrates nicely, when the other pay-offs disappear, even an apparently well-entrenched modernising position can be vulnerable to backsliding.

Conclusion

Although their stance on activation policies seems to offer a crucial test of how trade unions can and do adapt to a changing labour market structure and the emergence of new social risks, little research has to date been done on this issue. The aim of this paper was to take a – preliminary and tentative - first step in remedying this situation. Its comparison of the French, Italian and Dutch cases has shown, firstly, that there has been considerable variation in the attitude of unions to these reforms, even in relatively similar labour market contexts. In each case, moreover, union attitudes have also varied in time, though the movement has not been unidirectional. While some of the cross-case variation can be explained with reference to the permeability of the national union movements to new policy ideas, the paper has argued that the best explanations of variation in space and time are the differing (and changing) institutional incentive structures facing the unions, on the one hand, and their strategic trading of policy options in the light of the changing priorities and agendas of other actors, on the other.

The findings imply that in this policy field, and very probably in others, the struggle between sectionalism and revitalisation is not necessarily the most useful way of interpreting policy choice in contemporary trade unions. While the revitalisation perspective probably over-estimates the capacity of trade unions to overcome short-termism, assumptions of simple sectionalism applied to particular policy areas underplay the complexity of bargaining agendas and simplify the incentive structures facing union leaderships. Depending on the policy alternatives on the table, or on the organisational pay-offs available, short-term, self-interested strategies may well lead unions fall-in line with policies that benefit new social risk groups. Further research that leads to better modelling of these factors will allow a richer understanding on the scope for and limits on welfare state reforms in contexts where the unions remain influential actors.

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² The notion of ‘market-reinforcing activation policies’ excludes measures such as large job creation schemes in the public or para-public sectors that are sometimes included with activation measures in the broader concept of ‘active labour market policy’, despite having very different distributive consequences. The notion of activation is used here to denote only market-reinforcing measures, the political dynamics of which are the focus of this article.

³ Nelson (2009) found some empirical support for this hypothesis in her study of attitudes to active labour market policies among trade union members.

⁴ The third large French confederation, the CGT, retained close links to the highly orthodox French Communist Party (PCF) up until the early 1990s, and as a result until this time adopted systematically oppositional positions on almost every governmental policy or collective bargaining topic. As a result the CGT is not further considered in this discussion.

⁵ Marked by the name *Conseil National du Patronat Français* (CNPF) being replaced with *Mouvement des Entreprises de France* (MEDEF).

⁶ „The Netherlands: Flexicurity and Industrial Relations, *EIROonline* NL0803039, www.eurofound.europa.eu/eiro/

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