Made-to-Measure Future(s) for Democracy?

Views from the Basque Atalaia

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Springer

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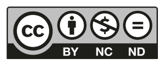

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State Construction and Democratization: The Basque Union Majority in the Face of Systemic Exclusion

Jon Azkune , Jule Goikoetxea , and Eneko A. Romero

Abstract This chapter seeks to analyze the tension between strategies for de-democratization – the privatization of democracy – and democratization in operation in the contemporary state. We begin by conceptualizing the state, adopting a strategic-relational approach that allows us to overcome the structure-agency division and to understand the state as a complex relationship. We situate this theoretical reflection within the study of neoliberalism as a form of governmentality, offering an approach that is not limited to the field of economics. Neoliberalism is driven by states, through states, and develops within states themselves. Therefore, on a more concrete level, we analyze the most direct consequence of neoliberalism: the privatization of democracy. While this model does strategically reinforce private institutions and actors, it is also necessary to study the resistance and alternative proposals for democratization that arise in response. We analyze the case of Basque majority unionism to draw attention to democratization strategies employed by subjects formerly included in the "power bloc" and subsequently expelled in the post-Fordist era. We conclude that one strategy for democratization is based on a re-territorialization of power through public institutionalization, including not only the subjects and classes more recently excluded from power through neoliberal governmentality, but others that were not central in other forms of governmentality either. We call this strategy "communitarian statism."

Keywords State · Trade unions · Governmentality · Democratization · Strategic-relational approach

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1 Introduction

Saskia Sassen illustrates how the dynamics of globalization have been driven by states themselves, transferring key elements of nation-states to the private sphere. This process has led to what we call the privatization of democracy (Goikoetxea, 2017). The transference of state capabilities and, therefore, public and political capacities (from decision-taking, lawmaking, and implementation to evaluation, re-regulation, production, and distribution) into private hands, including those of experts, lobbies, interest groups, executive actors, and corporations, is one feature of the privatization of democracy.

The process of hollowing states' public-political (authoritative) capacities is a process driven by different nation-states (not by objective market necessities or universal economic truths) as a result of power relationships, internal structures and the interests of different socioeconomic classes. In this sense, globalization does not affect all nation-states equally, since the effects within nation-states differ due to the diverse configurations and economic power of each state. According to Sassen (2008), globalization is a process of disassembling the nation-state's organizational logics and authoritative capabilities and reassembling them into global scale economic, judicial, and financial logics. These capabilities and organizational logics are leading to the denationalization of territory. However, in the absence of global public and political structures elected by the people, the word "denationalization" may be understood as a euphemism. If public global structures are not elected by and accountable to the people, denationalization is just another word for the privatization of democracy, or de-democratization.

In the Basque case, one facet of the privatization of democracy is the "expulsion" (Sassen, 2014) of trade unionism, or at least part of it. We have observed how a "hollowing out" of the capacity of the so-called Basque State Institutions (BSI) (Goikoetxea, 2013) has occurred with respect to decision-making around key dimensions of the labor market. This decision-making power has been recentralized in the matrix – central/Spanish – state. This phenomenon has been accompanied by a systemic exclusion, in the sense understood by Sassen (2014), of the socioeconomic classes traditionally represented by unions, leading to an expansion of the tertiary sector of the economy based on precarious or directly unpaid and feminized jobs (Goikoetxea et al., 2020).

Union responses to this process of de-democratization have varied, although we can distinguish two principal union blocks: One is the so-called Basque union majority, made up of two of the main regional unions which are both linked to Basque nationalism, and other smaller sectorial unions. The other block includes the matrix state unions, the UGT and CCOO. In this chapter we analyze the strategy for re-democratization deployed by the first bloc, focusing on attempts to institutionalize an alternative governmentality project at a local scale, as an alternative to that being developed by the matrix state and other BSIs.

To provide support to our thesis, we start with a review of theories of the state, and from this, we develop a causal link between, on the one hand, neoliberal

governmentality and de-democratization and, on the other hand, unionism and democratization, from within our state strategic-relational approach.

2 Theorizing the State: Beyond "Separate Tables"

In most Romance and Germanic languages, words that contain the stem st- tend to reflect (st)ability and, therefore, temporal duration: statue, structure, institution, statute, state…. Therefore, as much as we try to do without these terms, one way or another, they always return to the front lines of academic debate, demanding what seems to be a generational readjustment. However, reflection on these terms does not occur in a vacuum but is conditioned by both the dominant currents in each era and the general political context.

When studying the question of the state, a tendency towards disciplinary segmentation has predominated. Gabriel Almond offered the metaphor of "sitting at separate tables" (1988). In his opinion, different schools and sects within political science sit at separate tables, each with its proper conception of what political science is, and each maintaining its own vulnerabilities (1988: 828).

Debate on the theory of the state has run in parallel with the great debates in sociology and political science. These have included the disputes between abstraction and empiricism, structure and agency, and the separation between state and society (Simón, 2004: 47). While each current has defended the supremacy of its approach, only a few attempts have been made to engage in constructive dialogue and integrate the best of each.

We believe that understanding the basis of these debates and trying to move beyond them has helped enrich our theoretical perspective and situate it with respect to the most important epistemological ruptures of recent decades. As Simón indicates, Migdal, who comes from pluralism, and Jessop, whose origins are in Marxist structuralism, have been the only theorists to have developed approaches that draw from different sources while transcending the limits of each (ibid.: 425). To the extent that the main axis of Jessop's work is the theory of the state, it is the primary point of reference in our own theoretical approach.

With respect to the break between abstraction and empiricism, both classical pluralism and behaviorism, driven by authors such as Truman, Dahl, Polsby, and Latham, maintained a blind faith in empiricism (ibid.: 455–456). While early criticisms came from the reformist pluralism of Richardson and Jordan and the neo-pluralism of early Dahl and Lindblom, it was not until Migdal's contribution that this great theoretical current was able to coherently integrate the interaction between abstraction and empiricism (ibid.: 457).

From an antagonistic approach, Althusserian structuralism started from pure abstraction in which structures dominated and "it made no sense to dwell on historical events that did not amount to more than pure anecdotes without explanatory capacity" (ibid.: 458). Although Theda Skockpol and Fred Block had already offered criticisms rejecting "the structuralist obsession with abstraction," it was Bob

Jessop who offered a proposal capable of bringing the "separate tables" together. In his opinion, no empirical and scientifically objective reality appears without prior theorization, and no theoretical abstraction entirely dispenses with real, concrete, and empirical elements (1982: 214). To overcome this false dichotomy, he developed a method of articulation.

This method integrates the dialectic between abstraction and empiricism since, starting from an abstract and simple level of analysis, it proposes step by step movement towards new planes of analysis leading to more concrete-complex levels (Jessop, 1982: 213–220). In this sense, before analyzing the democratizing effect of Basque trade unionism on a specific level, we believe that it is necessary to begin with the prior, more abstract, and simple step of understanding what the state and neoliberal governmentality are. Subsequently, adding more levels of analysis will bring us closer to the object of our research in a more concrete and complex engagement.

Continuing, the break between agency and structures maintains a logic similar to that described earlier. The pluralist tradition begins with the work of Richardson and early Jordan, who demonstrate absolute confidence that actors gradually integrate structural elements. A second phase is marked by the neo-pluralism of Charles Lindblom and the "late" work of Robert Dahl (Simón, 2004: 460). It was Joe Migdal, in his attempt to limit the impact of "neo-statism" within pluralism, who succeeded in integrating the dichotomy of agency and structure, recognizing the reality of political institutions and even the performative importance of different conceptions and images with respect to these (ibid.: 461).

In a similar vein, the abstraction of Althusser and Poulantzas is closely linked to their epistemological reliance on structures in which actors are nothing more than a reflection of the relations of production (Ritzer, 2001: 179). Jessop rejects both the determinism of this approach and the reductionism of theories such as that of Holmwood and Stewart's sturcturation. He integrates structure and agency in an original way. In his opinion, we must consider the structurally inscribed strategic selectivity of the structures and the actions of actors as strategically calculated and structurally oriented (Jessop, 1996: 124). We depict a synthesis of these ideas in the following diagram (Fig. 1):

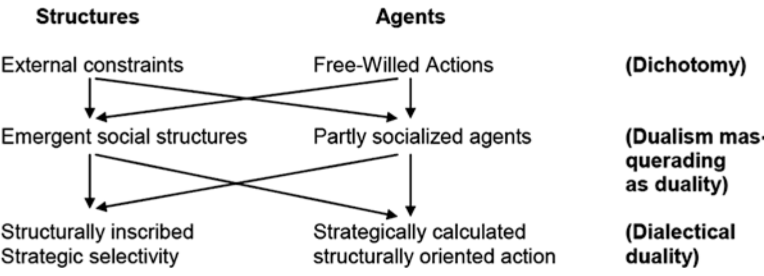

Fig. 1 Structure-agency beyond structuration theory (Source: Jessop, 1996: 124)

An analysis of social actors, in our case unions, and of contemporary democracy, must integrate both a strategic perspective on structure and take into account this structural dimension of agency. As we will see later, among other things, this is essential for understanding the process of building a demos and a nation differentiated from that of a matrix state, as is the case in Basque Country.

Finally, with regard to the division between society and the state, unlike the ruptures described in other cases, pluralism and structuralism have undergone a process of parallel evolution from an absolute prioritization of society to an integration of both dimensions. While pluralism rejected the concept of the state and prioritized concepts such as "social groups" or "political systems," structuralism prioritized the economic and social dimensions of the capitalist system (Simón, 2004: 462). In this sense, despite the fact that Althusser and Poulantzas attributed a certain autonomy to the state, in the end, it maintained an epiphenomenal or secondary role in the interests of the capitalist system (idem).

In this case, it is once again Migdal and Jessop who overcame this dichotomy and integrated both dimensions. In their opinion, a static perspective cannot be maintained since state apparatuses and practices are materially interdependent on other institutional orders and social practices (Jessop, 2008: 5). In this sense, both dimensions are inseparable since the state is socially integrated, and the "appearance" of such division is the result of contemporary state-building processes (Mitchell, 1991: 95).

Given this reading, when speaking about the state, we cannot understand it as a "thing" or an "object" and limit ourselves to its institutional construction. Nor, however, is it an entirely active subject with a life of its own. It is also not a passive tool at the service of a dominant actor who uses it in their own interests, nor a neutral actor which acts as an arbiter between different social interests (Jessop, 2016: 54). Following the definition offered by Poulantzas, the state is a social relationship determined by its form (1979 [2014]: 154). This, beyond questions of definition, has far-reaching effects when studying contemporary unionism and its influence on democratization processes.

Therefore, the state is not structure and society agents. The state is not essence and accumulation, and agents are not only action and contingency. The state is not a representation of the universal and people a particular instance (Goikoetxea, 2014, 2017).

Defining the state as a social relationship implies that the exercise of state power assumes a condensation determined by the shape of the changing balance of forces (Jessop, 2008: 46). According to Jessop, "State power reflects the prevailing balance of forces, mediated by the state apparatus with its structurally inscribed strategic selectivity" (idem). From this perspective, "the state can be defined as a set of institutions, organizations, social forces and activities, embedded and socially regulated, strategically selected and organized around decision-making that is collectively binding for an imagined political community" (idem).

Jessop understands by strategic selectivity the way in which the state, read as a social ensemble, has a specific and differentiated impact on the capacity of different political forces to pursue their interests and particular strategies in specific

spatiotemporal contexts (idem). As a result of this selectivity, it is more open to certain interests, practices, and discourses than to others.

As the British researcher indicates, “It is necessary to pay close attention to the structurally inscribed strategic selectivity of state forms and specific political regimes and to move away from abstract and often essentialist theorizing in favor of more detailed versions of the complex interactions between institutions and social struggles” (ibid.: 48–49).

In this sense, power is not exercised by the state as such, but depends on the balance of forces both within society, understood in a broad sense, and within state apparatus themselves. As we have indicated, society and the state are not two separate dimensions that are opposed to each other. When studying the state, we must understand it in a wider sense (Gramsci, 1981), taking into consideration the complex interaction between what we label society and what we understand as the state. This, in our case, is of great importance since unionism acts strategically to advance its position within institutional structures and tries to use these to “govern” society and generate “state effects” on it.[1] Furthermore, we must include social mobilization, not only of political parties, but also of unions and other types of social movements that are fundamental in any process of democratization.

3 Foucault and Neoliberal Governmentality

When defining neoliberalism, we find ourselves confronting a concept that has been used so widely and in such diverse contexts that it sometimes appears to be an empty shell lacking in analytical usefulness. Any attempt to define a complex phenomenon will always be selective, so there is no neutral or objective understanding (Jessop, 2008: 2). In our case, we use a Foucauldian perspective on governmentality to approach the idea of neoliberal government, continuing our analysis at an abstract level.

Michel Foucault set out to study the microphysics of power, those concrete, dispersed, and heterogeneous practices of power, from a perspective “from below” (Foucault, 2008: 95). It is through an analysis of these practices that Foucault develops the concept of governmentality and subsequently a concept of government and the state. In a similar way, we reject the a priori reification of supposedly universal concepts such as the state, society, the market, or civil society, which grant them their own essences. In fact, they can only be explained as a result of concrete practices of power (Foucault, 2008: 17). The most appropriate analytical framework to approach these relationships is the concept of governmentality (Foucault, 2008: 186).

In general, governmentality addresses the way in which people’s behavior is shaped (idem). It is simultaneously external and internal to the state, because it is

[1] The development of welfare policy is, for example, is one of the most common state effects in contemporary democratization processes.

governmental tactics themselves that define what is and what is not under the control of the state (Foucault, 2006: 136). Based on this, instead of understanding neoliberalism as a mere colonization of the economy or a withdrawal of the state, we must define this apparent "end of politics" as a political program (Lemke, 2007: 45).

3.1 Neoliberal Governmentality as a New Rationality

Unlike classical liberal governments, "laissez-faire" is one of the fundamental principles of neoliberal governmentality. The problem no longer consists of the autonomy of the economy, but in deciding how political and social powers should be articulated to shape the market economy (Cotoi, 2011: 113). There is a shift in focus from exchange to competition, which is why "laissez-faire" becomes a naturalistic naivety insofar as competition is not a given natural fact but the effect of artificially constructed conditions (Foucault, 2008: 120). Competition emerges as a result of continuous effort, of the incessant work of active governmentality (Cotoi, 2011: 113).

In this context, state intervention is required that is not directed at the market, but at the conditions of possibility of the market economy (Read, 2009: 28). Therefore, the key axis is not intervention in the market, but in the social fabric, so that the mechanism of competition can expand and multiply at all levels and in all regions of the social body (Cotoi, 2011: 114). The objective is not so much a society subject to the effect of merchandise, but to competitive dynamics, not a supermarket society but a company society (Foucault, 2008: 147).

Above all, neoliberal governmentality offers us a new rationality, a new "political knowledge" that is neither neutral nor simply representative of the governed reality (Lemke, 2002: 59). It is not an external influence but an element of government itself that helps to create a discursive field in which the exercise of power is "rational" (idem). Therefore, it functions as a "regime of truth," producing new forms of knowledge, inventing new notions and concepts that contribute to the governance of new domains of regulation and intervention (Idem).

In this sense, we observe that different organizations such as the IMF, the World Bank, the EU, UNESCO, and national and local institutions use similar discourses in which the free market, good governance, responsible action and accountability are emphasized (Joseph, 2014: 12). In different areas, including poverty reduction, state reconstruction projects and even European Union projects, ideas such as "devolution of powers," "local responsibility," "partnership," "co-responsibility," "governance networks," and "active citizenship" constantly emerge (idem). Why? Despite being applied in very different contexts, these projects are very similar to each other because they are molded by the same dominant rationality, that established by neoliberal governmentality (idem).

The call for open and decentralized governance, facilitating action from a distance, becomes evident here. There is a rejection of direct action and control by sovereign authorities. However, governing from a distance requires new technologies of power and is from this need that we understand the rise of new instruments,

such as governance, New Public Management, the promotion of active citizenship, NGOs and other types of non-governmental actors, and the involvement of civil society in order to achieve a "more democratic" and "efficient" government (Kohler-Koch, 2007: 255).

We believe that a Foucauldian perspective on governmentality offers us a useful instrument to understand what underlies many of the changes that have occurred over recent decades, their rationality and how they work. This said, the theory of hegemony better explains how and why they have become dominant (Joseph, 2014: 12). This perspective is more useful when approaching the general institutional context, the role of class forces, how particular interests are represented, and how different political projects are constructed (ibid.: 9). In turn, governmentality is driven by states, in states, and through states (ibid.: 12). In a two-way dialogue, the state shapes new forms of governmentality, and the latter in turn shape the state (ibid.: 12). This is the context in which we situate the current question of the privatization of democracy.

4 Neoliberalism and the Privatization of Democracy

Our theoretical premise as regards to the link between the state and democracy is that the complex of structures, practices, techniques and relationships that we call the state can be effective in creating and reproducing violence. They can also, therefore, be much more effective in creating welfare, inclusion, and equity. This difference in approaching not just the state, but the regime of existence of any social object is highly significant when analyzing power relations and the effects of these relations in shaping society, individuals, and any type of community.

To propose democratization without a state and people, as neoliberals and liberal cosmopolitans do when speaking about postnational and post-sovereign democratic global governance, would require a new perspective, approach, or theory of democracy. These theories would have to demonstrate that equalization and empowerment or capacitation is possible without public structures and public territories (where public refers to peoples), that is, without communities, nations, and peoples' sovereignty and, again, without people's institutional-legal-political capacity (Goikoetxea, 2014). New theories would also have to show that capitalism, the economic system proposed, can work without states and peoples. No one has explained how capital can produce more capital without the free labor that women and the state provide, through public institutions, or without the entire legal-authoritative and binding platform of the juridical and executive branches of the state, not to mention the public infrastructure through which capital circulates.

"The modern worker," "the industrial worker," and "the financial capitalist" are all specific historical subjects, and in order to create them, it is necessary to modulate-regulate bodies. In short, certain bodies and social groups have to be subjected to a specific production line and discursive framework. A specific art of government is necessary, and only the state, understood as a complex of public structures

and strategies, has been able to provide and, more importantly, keep on providing this. No market, global governance system, international commerce arrangement, free enterprise or individual has ever provided welfare for the community in a structural and sustainable way, as has been achieved through public structures and strategies.

We define public structures and strategies according to the SRA approach (Jessop, 2008). Thus, we include public education, health, public services and all those goods which we consider public, including water, air, energy, roads, and railways, provided and managed by one or more of the public networks, institutions, or publicly trained workers or freely cared-for and fed individuals, plus those institutions which are publicly financed or certificated, including unions, parties, and any other types of association. The state is not just the parliament, the police, and the juridical system. The state is not just the privileged domain of the dominant class since there is no one privileged class, and hence, there is more than one political struggle or class conflict. The reduction of the state to a violent nucleus of power or to the tool of the dominant class is the consequence of an old – antiquated – patriarchal and liberal state-phobia, which perceives the state and power as something "bad," the family as something "good," the individual as morally rational, and the community as a space of freedom (Goikoetxea, 2017). The state is an effect of power rather than its origin, but because it is a structured and a structuring set of social phenomena, it is not only an effect but also a point of (re)production which the concept of "cause" does not entirely encompass. Social objects are both objective and subjective, in the sense that they are not only institutionalized or objectified power relations but also beliefs, perception, and discourses which generate our meaningful world and, therefore, these very power relations. The regime of existence of social phenomena cannot be reduced to dichotomies of cause/effect according to propositional or elemental logic, since in many instances, effects articulate their own causes a posteriori, because causes are meaning effects.

Proposals to address both global and European democratic deficits are based on the premise that democracy can work without sovereignty. National, popular, and state sovereignty are being rejected by most liberal thinkers as mechanisms for democratizing contemporary society. Our premise is that the set of public structures we call the state, along with the theory and practices of popular and state-sovereignty, are fundamental to democratization. Among other factors, this is because the less institutional and constitutional power a political community has, the less sovereignty that community will be able to acquire, and hence the less reproductive power it will have for maintaining itself across time and space as a self-governed community. It can be seen how and why these local territorial assemblages we call demoi require a type of power we may call sovereignty as long as we understand sovereignty in terms of the institutional and territorialized political capacity a community has for self-government, where the ultimate objective is emancipation.

This way of understanding sovereignty implies moving away from liberal conceptions of both sovereignty and institutional political power. It is time to go beyond industrial statism and liberal democracy. Democratization cannot be limited to enfranchising people but must also include how public education (compulsory for

everyone) and health care (for instance) are implemented and how they modulate and empower individual and collective bodies for self-government and emancipation. To this end, we need to bear in mind the political and public decision-making capacity that certain Basque territories have relied upon to reproduce themselves and survive as democracies and not as mere national, cultural, or economic regions. In those territories where the conditions for local democratization exist, the Basque nation has been reproduced as a demos, while in those territories where these conditions are absent, the Basque nation is disappearing. All political identities and loyalties require resources and a certain level of institutionalization or formalization, in order to reproduce themselves.

The multidimensional and multiscale process of global privatization involves the creation of new spaces, and this reterritorialization and deterritorialization includes unsettled and uneven processes of de-democratization not only outside but also within the same bounded politico-institutional space where the traditional role of democratizing institutions such as unions is transformed.

One example of this privatization is the Transatlantic Trade and Investment Partnership (TTIP) agreement. The TTIP free trade agreement is being negotiated between the European Union and the United States of America. With the creation of a free trade agreement between two world powers, we can see what Sassen (2008) calls the "denationalization of territory" and what we call the "privatization of democracy." States actively give up their authority to supranational entities organized independently of popular sovereignty and act in the interests of the market and private companies. Changes in international law and the impact this has on the sovereign laws of nation-states, plus the opacity of the negotiations and the transfer of political power to the executive and corporations, mean not only privatizing the state but also de-politicizing the demands of the working classes and population in general for inclusion and welfare.

The union was a privileged actor in interactions with the state during Fordism. It acted as the representative of the interests of the workers in the welfare state by means of tripartite negotiations between the state, employers, and unions. In post-Fordist globalization, social dialogue is transformed into bilateral negotiations between capital and state, which is subsequently translated into direct employer–employee negotiations. However, in this negotiation, the price of labor is decided entirely by the market and by the capital-employer combination. Getting rid of unions means that workers have no leverage, and as a result, the social contract takes on many of the inequitable characteristics of the sexual contract as described by Pateman (1995). Thus, at this stage, there is at least one certainty: unionism has been a democratizing phenomenon, but unless it changes its structures, practices, type of organization and discourses, it may cease to be so.

5 Trade Unionism as a Democratizing Agent

Unionism has been defined on occasions as a second-level agent, a kind of intermediary agent between the working class and employers and/or the state that responds to a context external to the union itself, defined by capital (Offe, 1997; Hyman, 2007). Progressively more authors have recognized the capacity of unionism to act strategically (Hyman, 2007; Alonso, 2009; Schmalz et al., 2018), that is, not just as subject to but also capable of reproducing a given reality. To remain consistent with a strategic-relational approach, we must understand unions as a state institution.

Following the Polanyian logic of the double movement (Polanyi, 1944; Fraser, 2013), unions and union action are a fundamental part of the axis of social protection or "community" against the market or laissez-faire. Forms of neoliberal governmentality base their forms of capital accumulation on the financialization of the economy, austerity policies and debt as a "new" element of social reproduction against wages. They undo the demos – limited and based on the industrial working class – on which the community axis has been built (Alonso, 2009; Sassen, 2014; Brown, 2015).

In the case of the Basque Country, the process of institutionalization of trade unionism took place in the mid-1970s, after the death of the dictator Francisco Franco and just at the moment when neoliberal governmentality began to develop worldwide. One of the milestones in the institutionalization of unions in the Spanish State was the so-called Moncloa Pacts of 1979. In addition to different political parties, employers' associations and unions (initially only CCOO but subsequently the UGT) also participated.

These pacts were not just economic agreements aimed at establishing a social peace to accompany the transition from dictatorship. They symbolized the agreements reached between the old political and economic elites favorable to reform (represented by the government of Adolfo Suarez), the political left (mainly PSOE and PCE) and trade unions (as in the case of CCOO). The accords also included elements of moderate nationalism (PNV and CiU) and the right (Alianza Popular). In short, the pacts brought together the set of old and new elites that were to take a central role in the governmentality of Spain and that would constitute the basis for a new power bloc throughout post-transition governments (Petras, 1990; Calvo, 2015; Azkune, 2018).

This historical moment highlights the divergence between Spanish and Basque unionism. Spanish unions are service-offering (housing, training, etc.) entities financed almost entirely (around 85–88%) by the central state. In Basque Country, unions provide only legal services and support. Furthermore, in the case of ELA, the Basque majority union, 90% of its funding comes from its own members and only 10% from the Basque government. These features may help to explain why Basque unionism can be more polemic and swing intermittently from contentious to institutional politics.

5.1 The Basque Trade Union Majority

The Basque union panorama is made up, broadly speaking, of four large unions. The UGT and CCOO (which has around 54,000 affiliates in the Basque Country) operate at the level of the matrix state. ELA and LAB operate only in subordinate states.[2] Although the evolution of the strategies of the different unions has been unstable, at the dawn of the twenty-first century, the so-called Basque union majority began to take shape. It includes ELA (41.32% share of union membership) and LAB (19.64%), as well as other small unions.[3] Outside this majority are the unions CCOO (18.42%) and the UGT (10.35%). The Basque union majority, in any case, has taken on a more social and political role, centered on a project for the subordinate state and maintaining competitive strategies in the labor sphere (Letamendia, 2009: 96; Elorrieta, 2012: 110).

A high level of union membership and a difference in composition with respect to the Spanish demos have allowed for a similarly different distribution of capital – economic, social, and cultural. It should be noted that the more confrontational strategies deployed by the majority of the Basque trade unions with respect to the state – as opposed to the institutional tendencies of the UGT and CCOO – have favored the signing of more advantageous collective agreements for workers. In this way, the Basque demos and BSIs are (re)produced with capacities and objectives different from those of the matrix state (Goikoetxea, 2013).

If all agents, including trade unions, behave strategically, they do so "according to a logic that is not abstract or ideal, but rather a historical product that always expresses symbolic operating identities" (Alonso, 2009: 24). In the Basque case, the center-periphery conflict also cuts across union strategies (Kaiero, 1991; Letamendia, 2009: 96). Ultimately, some unions are constituted as state institutions of the matrix state and others of the subordinate state. In this sense, beyond the representation of the "community" axis by the unions, these, through union pillarization, represent an (ideologically) specific part of the community itself: ELA as a union linked to the PNV (Basque Nationalist Party – Christian Democrat), LAB as the union branch of the Basque National Liberation Movement, CCOO as the union linked to the PCE (Communist Party of Spain), and the UGT with the PSOE (Socialist Party). Even if de-pillarization, especially in the ELA and CCOO unions (radical in the first case), facilitates some flexibility in union strategy, the relevance of the Basque Country as a separate territory has maintained universal strategic relevance.

[2] We are making use here of the idea developed by Azkune (2018) in which the matrix state would be Spain and the subordinate state entities would be, in this case, the Basque Autonomous Community and Navarra. These are not to be considered stateless nations because they have state structures. The relationship of material, strategic and discursive dependency is what makes them subaltern with respect to the matrix state.

[3] Data with respect to the union elections held up until the 12-31-2019 in the CAPV and collected in the annual Socio-Labor Information presented by the Council of Labor Relations of the Basque Country.

Thus, although the Spanish Constitution approved in 1978 places labor relations within the jurisdiction of the matrix state, at the beginning of the 1980s, what we can call a Basque proto-framework of labor relations was developed, based on the autonomy of different parts of the tripartite model: a Basque government that seeks to expand its jurisdiction, a high, predominantly nationalist union membership, and the institutionalization of a Basque employer's association (Kaiero, 1999; Kortabarria, 2015: 44–46).

The autonomous framework of labor relations, which provoked a rejection by the UGT and suspicion by CCOO (Kaiero, 1991), disappeared after different waves of centralization, which began with the approval of the Workers' Statute in 1980 and continued through the approval of different labor reforms after the economic crisis of 2008 (Kaiero, 1999; Elorrieta, 2012; Goikoetxea, 2013; Calvo, 2015).

However, the expulsion of the unions from the Basque subaltern state did occur not only in terms of what can be labeled their "institutional power" but also in the "structural" or economic sphere (Schmalz et al., 2018). The majority of Basque trade unions follow different strategies for collective bargaining and prioritize different areas. However, this universal trend is unmistakable when we observe the evolution of the Basque labor market – including unpaid work. It is characterized by the loss of industrial employment, an increase in "atypical" contracts that are applied principally to women and workers in traditionally less unionized sectors, as well as the intensification of unpaid work (Petras, 1990; Elorrieta, 2012; Goikoetxea, 2013; Calvo, 2015; Azkune, 2018; Goikoetxea et al., 2020).

5.2 A Democratization Tied to Territory

How has the Basque union majority responded to this expulsion? Beyond internal adjustments aimed at achieving greater organizational power (Hyman, 2007; Letamendia, 2009; Elorrieta, 2012), the answer has been a radicalization of a the answer has been a process of radicalization and a strategy of delegitimization (McAdam et al., 2001: 146) of tripartite institutions. The tripate institutions gradually abandoned include Hobetuz (the Basque Foundation for Continuous Professional Training), Osalan (the Basque Institute for Occupational Health and Safety), the Basque Labor Relations Council, and the Economic and Social Council.

One of the main conflicts is around ongoing professional training. A neo-statist Basque model, negotiated between the Basque government and the union majority, faces off against a neo-communitarian model imposed by the matrix state, with support from the UGT and CCOO and unions, Spanish employers, and the Spanish government (Kaiero, 1999; Jessop, 2008; Kortabarria, 2015).

Two documents presented by ELA[4] and LAB[5] indicate that this abandonment of social dialogue is not ideological, but rather a form of denunciation and pressure. It is part of a strategy that seeks to institutionalize an effective social dialogue with a real capacity to make change – at the local territorial level of decision-making – as well as to integrate the interests of the social classes that they represent. ELA and LAP also point out the illegitimacy of agreements negotiated with the union minority, polarizing – in the sense indicated by McAdam et al. (2001: 322) – positions against the tripartite model.

This polarization is not unilateral. From the union minority associated with the Spanish state, positions have been taken in favor of stripping ELA and LAB of their legal recognition as trade unions for their rejection of tripartite institutions.[6]

The desertion goes beyond the tripartite institutions and polarizes positions regarding the Basque Statute of Autonomy. This statute was initially supported by ELA but finally rejected in 1997. Through this process, a new structure of political opportunity emerged (Meyer, 2004) which took shape in the alliance between ELA and LAB in 1999. This alliance made possible what became known as the Lizarra Accords, which were to pave the way for a peace process based on various agreements between political, union, and social majorities. However, this process would later weaken after the failure of these agreements. However, the economic crisis of 2009 facilitated a new alliance between the two trade union organizations (Elorrieta, 2012; Letamendia, 2013; Kortabarria, 2015).

5.3 Communitarian Statism

The social response to the crisis of 2009 was based not only on the ELA and LAB unions but also on different small unions and multiple social movements (Letamendia, 2013). José Elorrieta (2012: 110), a researcher on trade unionism and former general secretary of ELA, adduced the need for collective identities that would allow the creation of a hegemonic alternative to the current system. The coordination of unions through the National Assembly of Social and Trade Union Movements of Euskal Herria fulfilled, in part, that brokerage function (Vasi, 2011). This was a part of a two-sided process: a search for bottom-up recognition of trade unionism and expanding the window of opportunity through the participation of more social agents.

[4] "Eusko Jaurlaritzaren Elkarrizketa Sozialari buruzko agiriaren balorazioa". http://www.mrafundazioa.eus/eu/dokumentazio-zentrua/beste-dokumentuak/eusko-jaurlaritzaren-elkarrizketa-sozialari-buruzko-agiriaren-balorazioa [Accessed: 2020/09/30].

[5] "Jaurlaritzaren elkarrizketa sozialaren mahaia osatzeko proposamenean ez dago eredu berririk". http://www.lab.eus/negoziazio-kolektiboa/3786-jaurlaritzaren-elkarrizketa-sozialaren-mahaia-osatzeko-proposamenean-ez-dago-eredu-berriri [Accessed: 2020/09/30].

[6] "The controversy over the illegalization" of ELA and LAB reaches the Social Dialogue Table. https://cadenaser.com/emisora/2014/11/28/ser_vitoria/1417197261_029272.html.

Both as a response to the crisis and in order to present an alternative to neoliberal governmentality, the Basque union majority and a wide variety of social movements launched the "Charter of Social Rights of Basque Country." This "radical agenda" (Bedin, 2017) addressed the axes of social protection and emancipation (Fraser, 2013), combining neo-statist proposals (Jessop, 2008), which demanded intervention and active regulation through BSIs, and neo-community initiatives (idem), giving ample space to the social and solidarity economy.

This radical agenda, agreed upon through the Assembly of Social and Trade Union Movements of the Basque Country and born of a decentralized participatory process throughout the Basque territory, gave birth to a proposal for alternative governability. It also represented, explicitly, a tool for conflict and mobilization against the dominant order. An example of the centrality of conflict and mobilization to the proposal is the fact that the charter was launched by way of a general strike on May 30, 2013, part of a run of eight general strikes since 2008, the most recent being the feminist general strike of May 8, 2018.

The attempt to reterritorialize power and the search for a new form of statist-communitary governmentality is, therefore, linked to conflict and politicization. It has enjoyed more success in terms of mobilization than, for example, the "European general strike" called by the UGT and CCOO, which was part of an attempt to apply pressure at a transnational level.

Beyond the democratizing effect of the proposal, it should be noted that this new agenda has also had an influence not only on the social power of unionism through facilitating coalitions but also on their organizational power. It has democratized unionism itself, focusing on the ever-increasing number of "atypical" workers and popular sectors, as well as opening the debate on transformative subjects.

6 Conclusion

We believe that, whatever its concrete institutional articulation, democracy will always mean "the government of the rulers according to the expressed preferences and demands of the demos" (Goikoetxea, 2014: 146). So far, sovereignty is still the social relation that articulates that democratic interaction between the government and its demos. Nevertheless, general trends indicate that the means to articulate that very relation have been progressively coopted into private hands, disempowering the access of popular forces. Neoliberal governmentality as a new political rationality is a necessary grid of intelligibility to understand the regime of truth that lies behind most of the changes mentioned (Foucault, 2008: 243). This is why we think that whatever claims might be made about the empowerment of civil society and new democratic governance, the loss of sovereignty and the privatization of democracy is its raison *d'être*.

Nonetheless, we must not forget that democracy must be understood as a relational process in which democratization and de-democratization constantly interact. Instead of using absolute terms, we would rather talk about trends. Thus, we are not

saying that democracy has been completely privatized or that the state is authoritarian in every aspect. However, we believe that those features related to the privatization of democracy are ecologically dominant (Jessop, 2000).

In that regard, we have emphasized the role played by Basque unions in terms of democratization, understood as a process whereby the people get to govern themselves.

Certainly, many mechanisms other than brokerage and structures of discursive and political opportunity have come into play both to include some of Basque majority unionism's demands in Basque public politics and to consolidate the Basque sphere of collective bargaining. Polarization, radical opposition and mobilization have been crucial factors leading to a union membership rate of 25% – far behind Northern European countries, but ahead of France and Spain, where it averages around 10%.

Nonetheless, while these mechanisms have increased equality among certain workers, inequality between groups has increased, as in other European countries. In 1993, Basque workers' income was 54.7% of GDP. It dropped to 48% in 2007 despite the fact that during this period, the BAC's GDP increased by around 150% (Goikoetxea, 2017: 218). Currently, the percentage of workers' income vis-á-vis GDP is dropping dramatically. Thus, as noted earlier, Basque democratization is not linear, and despite the current wave of de-democratization in terms of economic inequality and public incapacity, collective bargaining has so far been an essential mechanism not only for distributing wealth, resources and opportunities but also for negotiating a particular system of access to resources which differs from the Spanish one, and by means of which Basque unionism has steadily been incorporated into many people's trust networks. This has in turn enabled unions to monitor Basque government activity and make the Basque workers' collective voice heard. This means that institutional recognition, brokerage and collective bargaining have enabled Basque unionism to articulate objective socioeconomic differences as political distinctions. However, unions are being attacked by employers and corporations in general and executives in particular across Europe and the world, with the aim of disarticulating the working class so that it cannot unionize and mobilize against the global process of privatizing democracy.

Consequently, we insist that the institutionalization of a Basque collective bargaining sphere implies the existence of specifically Basque working classes; classes distinct from others in that they occupy not just a different territory, but a distinct space (Lefebvre, 1991), a distinct political field with its own organizational structures, governing systems, institutional representation, and socioeconomic regime (Jessop, 2008: 122; Poulantzas, 1979 [2014]: 40–45). On the other hand, having a territory with a differentiated political capacity, in accordance with which socioeconomic and cultural capital is distributed, entails the existence of differentiated social and political entities. These entities are characterized not only by objective socioeconomic differences (those who work in the BAC have different production rates, workdays, levels of education, health, salaries, and pensions) but also by political distinctions, since "what is at stake that lies behind the way in which work and health are regulated is the particular understanding given to the 'common' of the

community" (Rancière, 2010: 58). It is on these particular understandings that political distinctions flourish – distinctions that reproduce and are reproduced by material and objectified differences upon which diverse states, nations, and demos are constituted.

The objective and the idea of democratic governance and popular sovereignty has always been to ensure that the people reproduce themselves as they see fit. To use the term nation, demos, society, commune, or community does not change this fact.

References

Almond, G. (1988). Separate tables: Schools and sects in political science. *PS: Political Science, 21*(4), 828–842.

Alonso, L. (2009). *Economic practices and economy of practices. Critique of liberal postmodernism*. Waterfall.

Azkune, J. (2018). *Can the subaltern states speak? Estatuaren eraldaketa eta burujabetza eskaerak Katalunian, Euskal Herrian eta Eskozian* (Doctoral thesis). UPV/EHU.

Bedin, P. (2017). The crisis of universalism: redefinitions, proposals and debates. *Andamios, 12*(33), 273–301.

Brown, W. (2015). *Undoing demos: Neoliberalism's stealth revolution*. The MIT Press.

Calvo, N. (2015). *Building the Basque City: The political economy of nation-building*. Center for Basque Studies.

Cotoi, C. (2011). Neoliberalism: A Foucauldian perspective. *International Review of Social Research, 1*(2), 109–124.

Elorrieta, J. (2012). Combative unionism (ELA 2012: growing from the counter-power). Lan harremanak. *Journal of Labor Relations, 27*, 91–124.

Fraser, N. (2013). A triple movement? Parsing the politics of crisis after Polanyi. *New Left Review, 81*(81), 119–132.

Foucault, M. (2006). *Seguridad, territorio, población. Course at the Collège de France (1977-1978)*. Fund of Economic Culture.

Foucault, M. (2008). *The birth of biopolitics. Lectures at the Collège de France (1978-1979)*. Palgrave McMillan.

Goikoetxea, J. (2013). Nationalism and democracy in the Basque Country (1979–2012). *Ethnopolitics, 12*(3), 268–289.

Goikoetxea, J. (2014). Nation and democracy building in contemporary Europe: The reproduction of the Basque demos. *Nationalities Papers, 42*(1), 145–164.

Goikoetxea, J. (2017). *Privatizing democracy: Global capitalism European politics and Basque territories*. Peter Lang.

Goikoetxea, J., Rodriguez, Z., Garai, E., & Etxeberria, L. (2020). *Euskal demokrazia patriarkala*. Elkar.

Gramsci, A. (1981). *Cuadernos de la Cárcel: Critical edition of the Gramsci institute by Valentino Gerratana. 1*. Editions Era.

Hyman, R. (2007). How can trade unions act strategically? *Transfer: European Review of Labour and Research, 13*(2), 193–210.

Jessop, R. (1982). *The capitalist state: Marxist theories and methods*. Martin Robertson.

Jessop, R. (1996). Interpretive sociology and the dialectic of structure and agency: Reflections on Holmowood and Stewart's explanation and social theory. *Theory, Culture and Society, 13*(1), 119–128.

Jessop, R. (2000). The crisis of the national spatial-temporal fix and the ecological dominance of globalizing capitalism. *International Journal of Urban and Regional Research, 24*(2), 323–360.
Jessop, R. (2008). *The future of the capitalist state*. Waterfall.
Jessop, R. (2016). *The state: Past, present, future*. Polity Press.
Joseph, J. (2014). Combining hegemony and governmentality to explain global governance. *Spectrum: Journal of Global Studies, 6*(1), 1–15.
Kaiero, A. (1991). Establishment and profile of trade unions in the Basque Country. *RIEV, 36*(1), 261–300.
Kaiero, A. (1999). Basque trade unions and the Basque labor relations framework. *RIEV, 44*(1), 89–116.
Kohler-Koch, B. (2007). The organization of interests and democracy in the European Union. In B. Kohler-Koch & R. Berthold (Eds.), *Debating the democratic legitimacy of the European Union* (pp. 240–270). Rowman & Littlefield Publishers.
Kortabarria, G. (2015). *Guzak horrela (ere) izan ziren*. Pamiela.
Lefebvre, H. (1991). *The production of space*. Wiley-Blackwell.
Lemke, T. (2002). Foucault, governmentality, and critique. *Rethinking Marxism, 14*(3), 49–64.
Lemke, T. (2007). An indigestible meal? Foucault, governmentality and state theory. *Distinktion: Scandinavian Journal of Social Theory, 8*(2), 43–64.
Letamendia, F. (2009). *Political structure of the world of work: Fordism and post-Fordism*. Technos.
Letamendia, F. (2013). *Two Basque trials: End of ETA and resolution of the conflict. Responses to the crisis (2009–2012)*. Editorial Fundamentos.
McAdam, D., Tarrow, S., & Tilly, C. (2001). *Dinamycs of contention*. Cambridge University Press.
Meyer, D. S. (2004). Protest and political opportunities. *Annual Review of Sociology, 30*, 125–145.
Mitchell, T. (1991). The limits of the state: Beyond statist approaches and their critics. *American Political Science Review, 85*(1), 77–96.
Offe, C. (1997). Sinfulness and the labor market. A mid-term analysis of the available responses. In *VVAA, what crisis? Challenges and transformations of the work society* (pp. 11–50). Third Press.
Pateman, C. (1995). *El contrato sexual*. Barcelona: Anthropos.
Petras, J. (1990). Spanish socialism: On the road to Marbella. *Contemporary Crises, 14*, 189–217.
Polanyi, K. (2016 [1944]). *The great transformation. Criticism of economic liberalism*. Editorial virus.
Poulantzas, N. (1979 [2014]). *State, power and socialism*. Siglo XXI Editores.
Rancière, C. (2010). *Dissensus: On politics and aesthetics*. Continuum International Publishing Group.
Read, J. (2009). A genealogy of homo-economicus: Neoliberalism and the production of subjectivity. *Foucault Studies, 6*, 25–36.
Ritzer, G. (2001). *Modern sociological theory*. The McGraw-Hill Companies.
Sassen, S. (2008). *Territory, authority, rights: From medieval to global assemblages*. Princeton University Press.
Sassen, S. (2014). *Expulsions: Brutality and complexity in the global economy*. Harvard University Press.
Schmalz, S., Ludwig, C., & Webster, E. (2018). The power resources approach: Developments and challenges. *Global Labour Journal, 9*(2), 113–134.
Simón, M. (2004). *Beyond the separate tables: The development of the concept of political autonomy in contemporary structuralist and pluralist traditions*. UCM.
Vasi, I. (2011). Brokerage, miscibility, and the spread of contention. *Mobilization: An International Quarterly, 16*(1), 11–24.

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