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Abstract

In the context of recent global economic and political changes, trade unions were forced to find new discursive and organisational strategies, as well as new means of imposing their agendas. However, the form and configurations of protests in Romania have shifted significantly from the workers' strikes of the 1990s to middle-class protests, often described as being founded on the interests of young people and mainly focusing on the quality of democracy. In this paper we explain the weakness of interaction and the absence of spillover effects between popular protests and trade union mobilization. We demonstrate that, despite the high level of social mobilization Romania witnessed in the period January 2017–July 2018, and arguably since 2012, trade unions and popular protests did not manage to build on each other's mobilization efforts. Although the mass protests might have positively influenced opportunity structures, trade unions were not able to benefit from them. Therefore, rather than looking at opportunity structures, in this paper we propose to understand the incapacity to join forces through an analysis of the mobilization claims of both parties and of their internal characteristics, such as their participants (by emphasizing the active involvement of young people), and organizational features. We argue that the lack of interaction between protests and unions is to be explained by incompatible mobilization frames: whilst unions also opposed the reform of the justice system, their main focus was the pension system and tax reform – moreover, they addressed issues specifically associated with work; popular protests, on the other hand, mobilized young people almost exclusively around the reform of the justice system.

Keywords: *participation, unions, protests, mobilization frames, Romania.*

1. Introduction

In the context of neoliberal globalization and recent global economic crises, trade unions have been challenged to find new means of imposing their agendas, even though this has sometimes supposed their radicalization (Upchurch and Mathers, 2011). In 2016, 150 million workers organized a National Trade Union strike in India, whilst more than one million people took to the streets of France against pension reform in late 2019. The worldwide annual May Day protests and the occasional and/or isolated actions of workers' unions prove that trade unionism is not only about some groups' labor rights, but is more than that: it concerns the urge of individuals to impose themselves as real participants and negotiators with and among economic and political decision-makers. From this perspective, the former can be perceived as a promoter of democracy (Erne and Blaser, 2018).

Along with the increase in economic pressure imposed by the global market for cheap labor and governments' decisions to favor companies often over their own employees, trade unions have had to reconsider their narratives and strategies for action. In the European context, 'the dominant tendency has been for union hierarchies to seek an accommodation with neo-liberalism through various forms of "concession bargaining" and "social partnership"' (Taylor and Mathers, 2002: 94). However, the most recent instances of social unrest in Europe have involved new forms of solidarity and the mobilization of trade unions and grassroots movements in joint activities (Greskovits, 2015; Hyman and Gumbrell-McCormick, 2017). Protests organized in Brazil in June 2019, Austria in July 2018, the UK in July 2017, Portugal in 2012, and Greece starting in 2011 are only a few of the many cases of collaboration between unions and civic grassroots initiatives that have exerted pressure on governments. All around Europe, including in Central and Eastern Europe, antigovernment protests have challenged political decision-makers to reconsider the austerity measures implemented in the aftermath of the economic crisis (Varga, 2015). The former have diversified their strategies by alternating protests and strikes, on the one hand, and negotiations with political authorities, on the other.

However, in Romania, the form and configurations of protests have shifted significantly from the workers' strikes of the 1990s to middle-class protests mainly focusing on the quality of democracy (Bădescu and Burean, 2014). Interestingly, young people have played a key role in the massive waves of popular protest that have struck this country (at least) since the 2013 environmental movement (involving Roșia Montană), the Colectiv protests at the end of 2015 (following a fire in the nightclub Colectiv that claimed 64 lives) and the more recent anti-corruption protests that continued throughout the years 2017 and 2018. The significant involvement of young people in the protests is also intriguing, as this age cohort has been known for its political apathy (e.g. participation in the 2016 parliamentary elections in the age cohort 18–24 was 29 per cent, and 32 per cent for those aged 25–34, as compared to 54 per cent for the age cohorts 45–64 and 49 per cent for those aged 65+; cf. Marin, 2016). This seems to confirm the conclusions of the intensifying debate about the low level of participation in elections of young

people (Zerka, 2019) but their increase in political involvement through non-conventional forms of participation (Dalton, 2008; Sloam, 2007). However, unlike in the country cases mentioned above, popular protests in Romania and protests organized by trade unions do not seem to have interacted. The fact that protests and trade unions have not overlapped might indicate a generational conflict between a 'new generation of citizens' and older people 'too set in their ways to be responsible for social and political change' (Franklin, 2004: 216).

In order to take stock of the cohort effects observable in the composition of popular protests and their relation to trade-union-organized events, this paper sets out to analyze the mobilization frames that were utilized therein. Whilst the former mainly relied on a salient anti-corruption and law-and-order mobilization frame, the latter mobilized around constituency-oriented claims. Generally, interactions between unions and movements against austerity politics have significantly differed from country to country, from tense relations to strong cooperation, as demonstrated by Della Porta (Della Porta, 2017) for several European countries, including Spain, Greece, Iceland, Portugal, Italy, Ireland, and Cyprus. What are the specific circumstances that conditioned the relation between trade unions and mass protests in Romania, and what form has their interaction taken in past years? In order to answer this question, we look at structural features and mobilization frames within both groups – trade unionists and popular protests–, thereby attempting to explain the weak cross-fertilization and absence of spillover effects between popular protests and trade union mobilization. We hypothesize that very subjective perceptions about the political and social problems of popular protest participants (namely, the overarching corruption/anti-corruption frame) and the narrow claims of labor unions have hampered the two from interacting in a mutually stimulating way. The rationale of this paper is elaborated by drawing on scholarship in the discipline, notably that related to framing and frame analysis (Section 2), whilst pinpointing the key characteristics of Romanian protests in the past years (Section 3). We then discuss the specific relationship of trade unions and mass protests in Romania and answer the question 'Why have trade unions and activists missed their date in the streets?' (Section 4), before offering concluding remarks about the relevance of the Romanian case and the conditions under which trade unions and mass protests can (potentially) stimulate one another (Section 5).

2. Theoretical framework

Trade unions represent hierarchical professional organizations that generally seek to provide workers with social and economic protection, and which struggle to express their voice in sectorial decision-making processes both at a local and national level (Fairbrother, 2008). Due to their capacity to create solidarity and their ability to challenge the political and labor-capital system, trade unions act as social movements. They create their own frames of mobilization, organization (membership and leadership), and discontent. They address economic and political leadership and formulate demands by engaging their members in a wide variety of

organizational, negotiation- and action-based strategies (strikes, marches, and picketing). Additionally, they express the labor and working-class struggles which influence their members' workplaces and day-to-day lives in terms of social justice, equity, and fairness (Ross, 2007; Webster, 2012).

Unlike other social movements, social movement unionism is rather focused on local features of workplaces and manifests sporadically; e.g. during economic crises that determine unpopular governmental decisions, such as budgetary cuts, fiscal austerity measures, inflation, and so on (Fairbrother and Webster, 2008). However, as Moody stresses, this involves a highly democratic, militant, politically independent form of activism that has the ability to associate itself with other forms of social and political activism not necessarily related to unionism (Moody, 1997: 4–5).

The impact of the labor movement on the evolution of human rights is undeniable. Moody's portrait of the former might seem idealistic, but the achievements of trade unions during the past two centuries have not only improved working conditions and citizens' rights, but have also dramatically changed societies (Scipes, 2014). Their diagnostic, prognostic, and mobilization frames have irreversibly contributed to the evolution of collective rights by proposing a more socially oriented perspective about how states and societies should work to become more equitable and fairer (Evans, 2015).

Frames are packages of meaning (Jasper, 2007: 76) – structures that help individuals and groups to observe and understand occurrences through their private and collective experiences. Thus, frames encode and decode experiences. In the case of collective action, frames express and shape the identity of a group, its values, norms, and environment (Gamson, 2015). According to Benford and Snow, frames are 'action-oriented sets of beliefs and meanings that inspire and legitimize the activities and campaigns of a social movement organization. [...] [They] are constructed in part as movement adherents negotiate a shared understanding of some problematic condition or situation they define as in need of change, make attributions regarding who or what is to blame, articulate an alternative set of arrangements, and urge other to act in concert to affect change' (Benford and Snow, 2000: 614–615). In this respect, the framing perspective offers complex insights into how activists perceive themselves and their environment, how they present themselves to the rest of society, and the instruments they use to coagulate and disseminate these frames within society. Differently put, the former 'attempts to understand the way in which social movements and social movement actors create and use meaning' (Christiansen, 2011: 145). Framing processes can be diagnostic, prognostic, or motivational (Benford and Snow, 2000: 615–618). First, diagnostic framing refers to the way a movement understands and evaluates its issues or its resources and identifies those responsible for the situation they intend to change. Second, prognostic framing encompasses action plans aimed at solving problems, based on the diagnostic framing. Third, motivational framing helps members and bystanders to join the movement and act together by stimulating mobilization and creating cohesion.

Frames constructed by mobilizing agents determine why ‘one set of meanings rather than another is conveyed’ (Snow, 2016: 124). For effective mobilization strategies, frames need to accord with the preferences of the targeted audiences to generate *frame resonance* (Snow and Benford, 1988). In the Romanian case, trade unions on the one hand and popular protests on the other constructed separately their own activities and discursive frames and failed to create a common core, at least in those areas where their claims coincided. Thus, they were not able to negotiate, articulate echoing messages, or influence each other in order to transform bystanders and outsiders into adherents.

Movements have to define their boundaries within an ideological and social structure framework (Snow, 2004; Veigh, Myers and Sikink, 2004), and whilst the post-communist context could undeniably provide at least a partial explanation of the low level of civic activism and apathy among citizens (Anderson, 1999), it does not explain why and how the framing activities of trade unionists and activists during the popular protests did not converge. In some cases, the content (the demands or claims) and activities (the tools used by movements to achieve their goals) are able to create an ad-hoc common framework for the combined work of several groups (Chesters and Welsh, 2004), whilst in others not.

3. Popular protests in Romania: Participants and claims

Massive anti-corruption protests broke out in early 2017 and continued, with fluctuation in participant numbers, until the summer of 2018. These protests highlighted a trend to increased social mobilization and participation in protest that has been observable since the anti-austerity protests of 2011, and that laid to rest the scholarly work on Romania that described that country’s political culture as unfavorable to civic involvement (Bădescu et al., 2004; de Bellet, 2001; Mungiu-Pippidi, 2005; Pitulac, 2011; Stan, 2010). The recent waves of protest were often empowered by strong coalitions of often diverging actors (Margarit, 2018; Rammelt, 2018).

At least since the Roșia Montană protests in 2013, and later in 2015 with the Colectiv protests, participants have often been characterized as ‘educated pro-West youth, fighting for values and “[a] moral revolution”’ (Abăseacă, 2015a). Surveys of Colectiv protest participants (leaving aside any considerations about methodological problems) in 2015 and the anti-corruption protests of 2017 shed light on the socio-demographic profile of the protesters: they mainly belonged to the age cohort 22 to 45, were highly educated, and their unconventional political engagement was characterized by strong continuity (Chiș, Nicolescu and Bujdei-Tebeica, 2017; Pasti et al., 2015). Notably throughout the year 2017 the characteristics of this social group, amongst others, tended to stimulate left-leaning intellectuals and commentators in the region to take a critical stance towards the protests (Rogozanu, 2017; Siulea, 2017). Others asserted that the ‘right-leaning middle-class’ had gained control of the protests in Romania (Țichindeleanu, 2017) or saw the 2017 protests as the culmination of a wave of ‘middle-class activism’ that started well before that year (Deoancă, 2017). G. M. Tamás described the

protesters' main stimulus as follows: 'The demonstrations are fueled by the contempt of the young liberal middle class for the poor who are regarded as the electorate of the governing party, the PSD [the Social-Democrat Party], considered old and decrepit and barbarian' (Bayer, 2017).

Whilst the anti-austerity protests of 2011/12 still included anti-capitalist themes (Țăranu, 2012) and were fueled by a perceived contradiction between former communist political elites and the neo-liberal politics they implemented (Deoancă, 2012), protests in the following years lost their anti-system character, increasingly integrating Western ideals about democracy and a capitalist meritocracy (Stoiciu, 2017). Consequently, corruption evolved as the identifiable source of discrepancy between European/Western aspirations and post-communist achievements. Nonetheless, corruption and a lack of respect for the rule of law of domestic elites was a central element in the mobilization of participants as early as in the Roșia Montană protests of 2013 (Abăseacă, 2015b). The constant attempts of the governing coalition since its inauguration in late 2016 to reform the justice system – mainly by targeting anti-corruption agencies such as the National Anticorruption Directorate (DNA) –, claimed by protesters to be weakening anti-corruption efforts, ultimately instituted 'corruption/anti-corruption' as the overarching axis of polarization in Romania (Craciun, 2017). The fire that broke out in the alternative club 'Colectiv' was an external catalyst of the pent-up discontent of broad segments of Romanian society with traditional political actors. 'Corrupt' politicians were able to be held responsible for actual lives being lost. Further, an image of secular and modern European societies was contrasted with that of a backward Romanian society, characterized by the collaboration of corrupt politicians with the Orthodox Church. Employing this image enabled the protesters to structure an alternative social identity by opposing the negative societal characteristics of the political establishment.

The protesters created a convincing diagnostic frame through which political elites could be held responsible for perceived misery by stressing discrepancies between European/modern expectations and post-communist achievements, whilst the in-group-outgroup distinction enabled them to define an effective identity frame in which the protest participants became the true representatives of Romanian society. 'We are the true Romanians. Not Firea, not Tăriceanu, not Dragnea. We are those representing Romania!' – a slogan used by a protest coalition throughout the year 2017 representative of the identity frame employed since the Roșia Montană protests, with the names of members of the domestic elite interchangeable. The consolidation of these mobilization frames provided the motivational basis for protest participation. It was notably the 2017/18 protests that showed how important the gradual construction of a unified vision of 'evil' in Romanian society was for mobilizing participants formerly not involved in protest activity.

Whilst employing this diagnostic frame, the prognostic one was strengthened through the externalization of protest claims. Appealing to foreign ambassadors and the international public, and 'calling out for help' on the EU level became means of counteracting the perceived lack of responsiveness of the

domestic political system. During the crisis of January/ February 2017, EU politicians were keen to express their disappointment with the incumbent Romanian government's stance in relation to anti-corruption efforts. The strong clientelism and corruption associated with the national government created a salient value-practice gap, further strengthening the motivational frame directed against national political elites. This frame was further amplified by criticism of EU officials and authorities related to the national government, and vice versa.

4. Discussion: Why did trade unions and activists miss their date in the street?

Following the mass protests held at the beginning of the year, Romanian trade unions mobilized for several rallies during the summer and fall of 2017. Notably, 'Cartel Alfa', a steel and mining labor union, and 'Sindicatul Sanitas', active in the health sector, managed to gather thousands of participants to protest in front of the parliament and the Romanian government. Their claims were focused on changes in the pension system ratified earlier by the Romanian parliament. Later that same year, trade unions adopted a strategy of reproducing the repertoire of contention used by the activists and proposed a joint initiative involving all union confederations on a Sunday in November 2017. They called upon society to support and join them in the protest, opposing a governmental decision to change the fiscal code and the justice system. They criticized, on the one hand, the idea of transferring the tax obligations of employment income from employers to employees, and, on the other hand, the amendments of the criminal code concerning the pardoning of the abuse of power, professional negligence, the use of voice or video recordings as evidence in court under certain conditions, as well as the subordination of prosecutors to the Ministry of Justice. Despite the massive protests against the amendments of the criminal code only a few months before, in February 2017 the unions' mobilization efforts were weakly rewarded. As a matter of fact, one of the union leaders admitted that the low rates of participation – only 20,000 people compared to almost 150,000 on February 1, 2017 (Marinas and Ilie, 2017) – was the result of the unions' hasty organization. Despite the massive wave of rallies and the associated (international) media coverage of the February 2017 protests, the unions not only failed to convince outsiders to join them but were also unable to mobilize their own members.

Although trade unions organized dozens of strikes and protests each year, their activities remained isolated and were not transformed into generators and diffusers of demand within society. Moreover, they failed to address bystanders and to encompass their claims in one common collective frame. The activities associated with popular protests and unions created their own diagnostic, prognostic, and motivational framings. Concerning the diagnostic frame, they addressed their complaints at the government and considered it as the main agent responsible for the perceived problems they had identified. At the prognostic level, their demands converged to the point where both groups demanded the prime minister's resignation. However, at the motivational level, the discrepancies

between the two groups created an insurmountable gap, as both the activists and trade unionists articulated different narratives about social change. The former aimed at the more profound and structural reform of the political system, only starting with the resignation of the government, whereas the latter had a narrower approach to change when referring to the amendments of the criminal and fiscal codes.

Given the decline in government legitimacy in broad segments of society caused by the mass protests at the beginning of the year, why did trade unions not get popular support, despite the antigovernmental character of their protests? The credibility of a movement or its leaders represents a salient aspect of the mobilization process and the diffusion of information (Sherkat and Ellison, 1997; Wilson and Sherrell, 1993). As Polletta states, 'how activists define a problem determines whether people will mobilize around it' (Polletta, 2008: 84). Activists create their own frames of understanding reality and solving acute and pressing issues. Thus, culture and agency play a decisive role in the configuration of collective action (Goodwin and Jasper, 1999). Within the cultural framework of distrust that dominated post-communist Romanian society after the fall of the pre-democratic regime (Rose and Mishler, 2011), the perception of the credibility and efficiency of trade unions and the low rate of individual participation of members of civil society evolved differently. Despite the formal democratization of the unionist movement on liberal grounds – i.e. involving the legal guarantee and protection of human rights –, the popularity of the former was severely damaged. Whilst in 1989 unionist membership comprised almost 100 per cent of the active population, this had declined to just 32 per cent by 2008 (Muntean, 2011).

In Romania, trade unionism suffered the first structural changes starting with the 1989 revolution and the fall of the communist regime. The national trade union that was used to gather all the workers together, and which functioned as a tool of control and domination by the ex-Communist Party, was dissolved. It was soon replaced by a locally and nationally decentralized unionism, which is still in place. The unionist body is structured into company unions (which have individuals as members) that are affiliated to national federations based on their fields of activity. National federations are in a similar manner part of national confederations. Five of these confederations (CNSLR-Frăția, CNS Cartel Alfa, BNS, CSDR, and CSN Meridian) are represented in the Economic and Social Council, a national social forum for negotiations between unions, economic actors, and the government, whose role is only consultative in respect to social and economic strategies and politics. Notwithstanding these and other legal and structural impediments, until 2011 trade unions managed to support strong forms of mobilization, hence Romania witnessed higher levels of industrial conflict than other countries in the region (Varga and Freyberg-Inan, 2015: 682). Mass demonstrations and strikes were organized in October 2009 and May 2010, and trade unions also played a role in mobilizing against austerity measures in 2012 (Hayes, 2017: 22).

However, surveys of Romanians' trust in institutions regularly identify unions as being among the less trustworthy agents, next to the government,

political parties, parliament, and the banks (Eurobarometer 74, 2011: 27; Ionescu, 2018). At least from this perspective, young Romanian people share a common mistrust of unions, as is the case with other social and age categories. According to research commissioned by the Friedrich Ebert Foundation conducted in 2018–2019 which examines socio-economic status, values, norms, perceptions about life, work, religion, democracy, and political engagement, young Romanians not only distrust unions, but they also avoid engaging in them (Bădescu et al., 2019: 45, 68). Later enquiries into youth participation proved that patterns of engagement have changed dramatically in the last thirty years. They now involve less institutionalized, more informal forms of organization and mobilization (Burean, 2019; Mercea, 2014). This explains why the civic and political engagement of youth takes the form of spontaneous gatherings in public spaces, rallies, or marches, whilst avoiding membership in unions, political parties, and even NGOs.

Several reasons, both internal and external, for this distrust in unions are worth pointing out. These include the a) organizational; b) strategic; and, c) legal framework. From the point of view of organization, unions have been characterized by an increasing gap in the incomes and political opportunities of leaders and members, which has reduced the legitimacy of their leadership (Korkut, 2006; Varga, 2013a). Union activities have a higher chance of succeeding when leaders and members have congruent values and visions about present and future outcomes (Upchurch, Croucher and Flynn, 2012), or, in other words, share diagnostic, prognostic, and motivational frames. Additionally, a number of the leaders of Romanian unions have been accused of having an income ten times greater than that of their members (Tutulan, 2016), whilst others have used their positions to achieve political advantages or obtain personal benefits (V.M., 2013).

Another issue which has considerably affected the credibility of the unions is the strategies they have used when articulating their demands and negotiating with the management of companies or the government. In this regard, we stress here some of the crucial moments that reflect their inefficiency at representing workers' interests. First, during the 1990s, when most industrial sectors and many companies were privatized, unions did not manage to advantageously negotiate for workers in relation to the terms of budget cuts and massive waves of dismissals (Varga, 2013b). Second, during the past almost 30 years, those trade unions that preferred direct negotiations to strikes or protests failed on many occasions, especially when their claims related to increasing workers' wages. The instability of the political system, as well as the transitory nature of the terms of political actors appointed for negotiations, did not favor the unions. On the contrary, those unions that chose less time-consuming and more direct, percussive, and visible strategies (such as strikes) proved more efficient than the others.

A third relevant aspect in understanding the debilitation of unionism in Romania is related to the legal framework, especially the Social Dialogue Act (62/2011), which was adopted without any prior public debate. This stipulates that establishments must have a minimum of 15 employees as a condition for creating a union organization. This significantly affects more than one million people working in small companies with fewer than 15 employees. In the event of non-

compliance with the rule concerning the minimum number of members, the organization can be dissolved at any moment if a third party makes a solicitation in court. In addition, the law only considers as valid employees who have a work contract, thereby excluding other categories of people that engage in independent activities/temporary employment (translators, actors, freelance journalists, day-laborers, students, and so on). Concerning collective bargaining contracts, the same law requires that for negotiations to proceed the number of union members should represent at least half of the number of employees at the same establishment. Finally, the law makes it even more difficult for the different types of unions to reach agreement, both between them and the economic sector, on the one hand, and with the government, on the other (Stoiciu, 2016; Trif, 2013).

5. Conclusion

We have emphasized that, despite the high level of social mobilization Romania witnessed in the period January 2017–July 2018, and arguably since 2012, the mobilization efforts of trade unions and popular protests did not manage to converge. Although the mass protests might have positively influenced cultural opportunity structures, notably due to the ‘dramatization of a system’s vulnerability or illegitimacy’ (McAdam, 1996: 28), trade unions were unable to benefit. Rather than looking at opportunity structures, in this paper we proposed understanding this incapacity to join forces through the analysis of the mobilization claims of both parties and their internal characteristics, such as their participants and organizational features. Very subjective perceptions about the political and social problems of participants of popular protests, and the prime importance of the anti-corruption mobilization frame, are the main impediments to interaction between mass protests and trade unions.

Amongst other reasons, the ‘middle-classness’ of the popular protests largely mobilized young people, with their intrinsic appreciation of Western models of democracy and meritocracy. This fact, combined with the quasi absence of the social dimension in the political discourse, did not appeal to those involved in trade union mobilization. On the other hand, the narrow claims of trade unions did not resonate with mass protest participants, and the nature of the latter excluded them from the constituency of the former. The fracturing of unions and legal restrictions limiting them to playing a consultative role has also contributed, at least since 2011, to their inefficiency at representing workers’ interests. Also, a lack of credible leadership and the weakness of their horizontal organization impacted the perception of their credibility and efficiency following the regime change. All these elements combined with the chronic lack of solidarity that pervades all levels of Romanian society – a cultural legacy of the communist era embedded in a neoliberal post-communist background – have undeniably deepened the gap between unionists and mass protesters.

In brief, what the analysis underpinning this paper has revealed is that the lack of interaction between protests and unions is to be explained by their incompatible mobilization frames: whilst unions also opposed the reform of the

justice system, their main focus was the pension system and tax reform; popular protests, on the other hand, mobilized almost exclusively around the issue of the need for reform of the justice system. In the light of scholarly evidence about the decline of class identification (Evans, 2000; Heath et al., 2009), particularly amongst younger citizens, further research is needed about the class identification of protesters in Romania.

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