Migration, regional integration and social transformation: A North–South comparative approach

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Abstract

Migration flows, regional integration and social transformation are increasingly interlinked. This article seeks to provide some clarification of these processes through a global North–South comparative approach. The authors problematize regional integration and regionalization but also the legal or rights-based approach to migration, now emerging as the dominant progressive paradigm. They propose a social transformation perspective that foregrounds the role of social movements – in this case the trade unions – in relation to migration in a regional context. This would pose an alternative form of promoting the cause of migrant workers within a mobilizing perspective which prioritizes the agency of non-state actors such as trade unions. In brief, migrants can be viewed from a citizenship optic and as bearers of individual rights but also, the authors propose, as workers who can organize collectively to pursue their objectives.

Migration, especially labour migration, is becoming increasingly important and the current ongoing capitalist crisis does not seem to have interrupted that process. Indeed, faced with undiminished North–South income differentials we can expect transnational migration to increase in importance. We are also cognizant, however, of the importance of South–South migration and the regional dimension. That is why we will seek to compare one Northern region, namely the European Union (EU), with a Southern regional association, namely MERCOSUR (Common Market of the South/South America's leading trade bloc). Current state preoccupation with the 'regulation' of migration has been countered by a rights-based approach not least from migrant support organizations.

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Strangely absent from the discussion has been the possible role of trade unions in regard to migrant workers, organizing them at the workplace and acting as agents of social integration. Our argument is not that trade unions are always progressive with regard to migration but that their role, for ill or good, cannot be ignored. The non-governmental organizations (NGOs) active in this area find a common point with the UN family discourse around rights and thus tend to ignore or diminish the importance of a 'non-state actor' deemed somewhat anachronistic and economistic. Our underlying argument is thus centred around the need to 'bring labour back in' to the debate on migration and social transformation.

As a first step we address/identify the various gaps in the academic research/policy development dialogue which we need to bridge to arrive at a holistic and transformative analysis. For example, while there has been considerable focus in recent years on the global regulatory frameworks for labour migration, far less attention has been paid to the regional dimension that is often lost between the national and global levels of analysis. There is also a conceptual gap between the migration and regional integration problematics on the one hand, and the role of trade unions and social or civil society movements on the other. We would argue that it is only by bringing together migration, regional integration and social movements into the paradigm framing process itself that we will be able to understand labour migration in a regional context. We compare and contrast these issues in the context of the EU and MERCOSUR (Common Market of the South) in the Southern Cone of Latin America. These are two quite distinct regional integration processes in the global North and South respectively, which, if we place in tension with each other, may illuminate the general patterns of regional dynamics for us.

The selection of the two regional integration projects – EU and MERCOSUR – is guided by a desire to compare a 'Northern' and 'Southern' process. While there are other examples – such as NAFTA (North American Free Trade Agreement) and ASEAN (Association of Southeast Asian Nations) – we have kept to regions of which we have some experience. While we do not wish to claim that these cases are paradigmatic in any strong sense, in Latin America the EU is widely regarded as a role model of how regional integration and social cohesion within a framework of shared sovereignty might be achieved. MERCOSUR, on the other hand, especially in the context of the rise of left-of-centre governments in the region, is beginning to emerge as a potential counter-globalization formation, at least according to some interpretations. Thus the comparative approach is posed in terms of cases that are similar, or at least parallel, while also being quite distinct in terms of the political economy of globalization.

We take a descriptive and evaluative approach to the social transformational agency of trade unions within the two regions discussed. We draw on a number of sources of information: first published research on North–South regional development; globalization; migration; social movements; trade unions and trade union revitalization: second, government, MERCOSUR and EU policy documents; third, ETUC policy documents and web-based materials; and finally, participant observations from within an ETUC migration specialist workgroup, Workplace Europe.

Our move towards a new explanatory framework works through various stages or Gramscian 'moments' as follows. First we consider the main *issues* at stake in the various debates such as the global policy polarization around restrictive migrant regulation

versus migrants' rights; the role of social movements in terms of the migration–democracy relationship; and the North–South differences and commonalities in terms of regional integration and labour migration. Next we consider some of the existing and alternative *perspectives* or paradigms within which labour, regionalism and social movements are set. The human rights paradigm is perhaps the dominant one but we also examine the trade union perspective of migrant workers as potential members. We also propose a new transformationalist approach which would integrate migration and social movement approaches in a dynamic manner. After a presentation of the EU and MERCOSUR cases of regional integration and labour migration we move to a preliminary discussion of those in terms of the issues and perspectives outlined above. That, in turn, leads us to look forward and consider the limits of a Eurocentric perspective, the potential for a transformationalist perspective and the need, as we would argue, to 'bring labour back in' as a social movement engaged closely with regional integration and labour migration issues.

Issues

International policy debates around migration, at least in the North, have focused on global regulatory solutions with, for example, the Global Forum on Migration and Development, set up in 2007, as high level policy maker and implementer space to discuss policy and seek alignment where possible. The regional dimension has been strangely muted or taken for granted in these high level debates. During the period of 'easy globalization' it did seem to some that we were moving towards a 'smooth' world and, indeed, the end of history. Since those illusions evaporated in the harsh post- Cold War world, the 'new regionalism' has been placed quite forcefully on the policy agenda, including in terms of labour migration management. Regional governing bodies and regional networks of non-state actors have taken up a series of key governance issues directly within a regional frame, not least, of course, within the context of the EU but also in a number of emerging regional bodies.

The limitations of a strict regulatory approach to migration are now, however, quite clearly evident in the real world whatever politicians might think or say they think (see Castles, 2004). This has created the political space for the emergence and considerable influence of a human rights based approach to the issue. Migrant focused NGOs tend to couch their objectives and demands in terms of a human rights discourse which is seen to resonate with the predominant western liberal understanding of citizenship and the individual. But it is also part of a more general trend because, as Grugel and Piper note, 'for the United Nations (UN), many development agencies, non-governmental organizations (NGOs) and academics, rights are intrinsic to, and may even define, development and underdevelopment' (Grugel and Piper, 2009: 79). This dominant 'UN-family' discourse around human rights has become hegemonic amongst many of the NGOs dedicated to migrant worker and refugee issues and has greatly coloured their approach to political reform and social transformation.

If we are to develop an understanding of labour migration from a democratic development perspective we need to include 'non-state actors', such as the trade unions and other social movements. Thus labour migration can be read as quite centrally a labour or

trade union issue, which does not depend on a human rights discourse for its legitimacy. Certainly migration was a key issue in the original formation of trade unions in Europe and the discourse of an international working-class identity over and above national identity was part of the labour movement structures and discourse. Trade unions today may take a solely negative view of migrant workers as a threat to trade unions and with the potential to drive down wages and conditions of existing trade union members. Unions may respond by adopting an exclusionary strategy towards these non-native workers or they may choose to promote an inclusive approach based on recruiting and organizing them through the trade union structures (Ebbinghaus and Visser, 1999; Penninx and Roosblad, 2000). Watts observes that labour leaders, realizing that immigration is inevitable, see restrictive immigration policies as 'unrealistic and futile' (Watts, 1998). Thus, this dilemma can be viewed not in human rights terms but, rather, through a pragmatic organizational calculus.

Despite this the role of the trade unions can be, and often is, at least in the North, posed in terms of human rights. For example, the international trade union movement, along with the International Labour Organization, promotes the so-called Decent Work Agenda which revolves around certain key rights to decent treatment, a decent wage, decent working conditions, etc. This campaign goes back to the post-Second World War campaign for 'core labour rights' which were meant to set a minimum standard to which all countries would agree. The balance sheet of this strategy is, on the whole, quite negative although some gains were made in the post-2000 period around the so-called International Framework Agreements by combining a rights and bargaining approach (see Hammer, 2005). Trade unions are also, however, responding to the decline caused by the long neoliberal period through a rethinking of their role which includes a more mobilizing and organizing perspective as part of a broader campaign for relevance and revitalization after their considerable weakening since the 1990s. A new possible role for trade unions thus seems to emerge, not as part of a human rights discourse and practice, but more in terms of social transformation and the still present conflict between capital and labour at a global scale.

The globalization paradigm had created the illusion of a 'smooth' world, but North–South differences have never gone away and thus regional integration cannot be assumed to be a uniform process. While the second half of the twentieth century saw marked levels of economic development in the so-called Third World countries, this did not lead to any significant convergence of incomes with the First World countries. Arrighi et al. demonstrate how this basic fact contradicts 'the widely made claim that the significance of the North–South divide is diminishing' (Arrighi et al., 2003: 3). Contrary to the position of the globalization promoters it did not diminish inter-country or intra-country social inequalities (see Sutcliffe, 2004, for a review). The 'rise of the East' may have altered some of the global income distribution figures in terms of poverty reduction, but at the cost of increasing inequality within India and China for example. Thus changes in the international division of labour did not lead to a diminution of the overarching polarizing effect of Northern power, prosperity and propensity to wage war when necessary.

A critical social analysis of migration, development and social transformation needs to go 'beyond' the North–South divide, sometimes seen as though they were separate social worlds as in the burgeoning development–migration nexus literature (see de Haas,

2008, for a review). Capitalist accumulation on a world scale operates according to the same logic everywhere and does not have Northern and Southern variants in terms of fundamentals. This has been well captured by Ulrich Beck (2000) through his reference to the 'Brazilianization' of the West in terms of the informalization and precarization of work and the reduction of the welfare role of the state. Thus our focus on migration, regional integration and social transformation can be global in scope, even if our comparison of the EU and MERCOSUR throw up distinct patterns of interaction between the three processes in a globalizer region as against one that has been globalized.

Perspectives

To take up and develop the above issues we need to expand on and deconstruct some of the relevant perspectives. The first is the notion that labour rights are human rights and thus the best way to pursue them is to present labour claims in terms of universal human rights. The second is to open up the ways in which trade unions might take up the question of labour migration which can be seen as competition or read through the lens of class solidarity. Finally within the trade union world we need to distinguish between the varieties of trade unionism including, in particular, economic, political and social unionism.

'Labour rights are human rights' is an engagingly resonant slogan. It would seem to raise a sectoral right to the global and universal level. What could be portrayed as narrow economic or class-based demands can now be presented in terms of the globally recognized and universally valid rights of the human being. At a tactical level it could also be seen as a 'scaling up' of sectional or economic demands. With the end of the Cold War, the liberal human rights regime became hegemonic and the UN Summit on Social Development of 1995 saw core labour rights, including freedom of association and the right to organize, reaffirmed as human rights. Particularly in North America there have been moves by labour scholars and activists to reorient trade union strategy so as to focus on making labour legislation and policy compliant with international human rights norms (Adams, 2008). This is posed as a new strategy to overcome economism and sectionalism but also to broaden the appeal of labour to the liberal middle classes.

While, on the surface, an attractive option for trade unions that have been weakened by 25 years of neoliberal policies, there are serious drawbacks to the human rights approach for the labour movement. As Larry Savage argues, it 'threatens to undermine class-based responses to neoliberal globalization by contributing to the depoliticization of the labour movement' (Savage, 2008: 68). Class power does not flow from human rights and nor does the liberal human rights regime really address the glaring inequalities of wealth and power which characterize neoliberal globalization. Nor are human rights truly global, being very much western in orientation, and not always having that much relevance in the global South. In tactical terms also, if trade unions commit to a human rights approach – as they have done with the Decent Work Agenda for example – they are clearly making a choice in terms of time and resources which could, arguably, be more productively deployed in other ways. Trade unions exist in a strategic and conflictual decision-making situation and not in the ideology-free zone implicit in a human rights view of the world. The international human rights movement does not have as its

main aim the democratic reordering of social and economic relations, nor does it focus on workplace democracy as a goal. In terms of its methods, it focuses on changing the law and influencing policy makers rather than on solidarity, mobilization and direct action. It is based on the rights of the individual whereas the trade union movement consists of, by definition, 'combinations' of workers pursuing collective rights.

We can thus pose an alternative perspective on labour migration, namely a trade union organizing or mobilizing one, given that most migrants are workers and thus potential trade union members. To date, as Patrick McGovern notes, 'If immigration is in important respects a matter of labour, then it is extraordinary that the literatures on immigration and trade unionism came together so rarely' (McGovern, 2007: 231). Industrial relations as a discipline tends to focus on the technical aspects of the employment relationship and then treats migrants as purely economic agents. The dominant economic theory assumption in terms of the immobility of labour as a factor of production, compared to capital, has probably coloured the approach to labour migration, which is seen as something of an anomaly. Also, for many trade union leaders, migration is just one issue amongst many, frequently classed as a 'diversity' issue perhaps. However, this is a flawed perspective if we accept, even to some extent; the verdict of Branko Milanovic that location has replaced class as the main global source of inequality: 'This is the basis on which a new global political issue of migration has emerged because income differences between countries make individual gains from migration large. The key coming issue will be how to deal with this challenge while acknowledging that migration is probably the most powerful tool for reducing global poverty' (Milanovic, 2011: 1).

The recruitment of foreign labour creates a significant challenge to trade unions, embedded as they are in their particular national contexts and charged, as they see it, with representing the interests of their national membership (Hyman, 2001; McGovern, 2007; McShane, 2004). Also trade unions have generally seen their interests as being best served by restrictions on immigrant labour largely because, as Castles and Kosack (1973) have pointed out, a surplus of workers on which employers can draw tends to weaken the position of trade unions and concomitantly have a depressing effect on wages. Penninx and Roosblad identified what they considered to be the three main dilemmas that historically unions had to face when confronted with the issue of migrant labour. First, was the question of whether to cooperate with employers and the state in the employment of migrant labour or to resist? Second, once migrant workers had arrived, whether to include them fully or exclude them. Third, if following a line of inclusion, whether to adopt a policy of equal treatment or one of special measures for this new category of union member (Penninx and Roosblad, 2000; Roosblad, 2000).

However, a more holistic trade union approach can be derived from current debates around the need for trade union revitalization. The decline in union membership and even relevance can be addressed through engaging and organizing new hitherto unorganized constituencies and, here, migrant workers are obvious candidates. Recruiting, organizing and mobilizing migrant workers can have an impact in terms of integrating the migrants in society but they also serve to revitalize the trade unions. They become more open to other perspectives and it also takes them beyond an 'economic' or corporate role. Another aspect of revitalization involves the unions recreating themselves in terms of how they operate. There are signs, in many countries, that the unions are

re-finding their original social movement characteristics, as defined by Martens (see Martens, 2000: 153). This shift is particularly apparent in campaigns to organize migrant workers where trade unions have worked with various civil society organizations from migrant workers centres to faith-based organizations (Frege and Kelly, 2004; Hayes and Hyland, 2012).

If the human rights perspective suffers from a certain legalism (*homo legalis*) and traditional trade unionism from an excessive economism (*homo economicus*) might a social transformation approach prove a possible alternative? Stephen Castles has, for some time, argued for a social transformation approach to migration. It is simply not plausible to take migration in isolation as though it were not impacted by globalization and development, social and political struggles or the recurring crisis of capitalism for that matter. A social transformation approach, for Castles, would be holistic (conscious of the complexity of social relations), interdisciplinary and comparative, always set in the broader context and historically grounded (Castles, 2000). This approach was also paralleled in the study of globalization which moved from the original 'supportive versus sceptical' binary opposition to a transformationalist approach (Held et al., 1999). This allows us to focus on the ongoing transformation of social relations due to shifting patterns of capital accumulation and changes in the balance of political forces as part of the continuous contestation and renegotiation of global capitalism by diverse social, political and cultural interest groups.

What we would add here is the need for closer attention to the emerging social transformation approach to trade unions, allowing us to view them as social movements and not just corporatist entities. For most of their history, particularly in Europe, trade unions have pursued an 'economic' trade unionism focused on 'selling' labour power. Famously, a long-standing US labour leader, George Meany, once stated that his labour strategy was simply 'More'. In Latin America, the dominant modality of trade unionism has been a 'political' or political bargaining approach where the state is seen as the privileged interlocutor that can deliver advances for workers. This approach was also typical of social democratic trade unionism in Europe at some stages and one should not dismiss its gains, for example in relation to the welfare state. Finally, a social transformation approach promotes a 'social' or social movement unionism which takes labour not as an economic unit or political actor solely but, rather, in its full social complexity and as part of communal, household, gender and cultural relations. This approach prospered during democratic challenges to authoritarian regimes in the South but it is now seeing a revival of sorts in parts of the North which have been devastated by the impact of neoliberalism. Thus we might bridge the migration/development and migration/democracy theoretical and practical divides in articulating a new form of migrant oriented social unionism. This approach would bring back human agency into what are sometimes rather technical debates on migrant remittances and migrant political networks.

The EU dimension

The European Union – Nobel Peace Prize winner of 2012 – is an economic and political union, now consisting of 27 member states. Its initial manifestation was as the European Economic Community (EEC) consisting of six countries (Belgium, Germany, France,

Italy, Luxembourg and the Netherlands), established in 1958 in the aftermath of the Second World War. The original philosophy was that the creation of a trade bloc with an economic interdependence was likely to decrease the possibility of conflict. The EU operates as a single market, enabling the free movement of goods, services, money and, crucially, people across the member states. It is often seen as paradigmatic of regional integration within a democratic development perspective. Prior to the introduction of freedom of movement across Europe, intra-European migration was a significant phenomenon, though workers came from outside Europe as well. The first wave of migration began in the period immediately after the Second World War and was defined by the mass influx of workers from the less developed countries of the Mediterranean, the developing world and Eastern Europe when the economies of the Western European countries involved in the war began a period of reconstruction. Within a short number of years many of these countries were confronted with labour shortages and had to look beyond their own borders to recruit labour. By the mid-1950s most Western European countries had become importers of foreign labour (Penninx and Roosblad, 2000; Wets, 2000). Most migration flows either reflected traditional bilateral links, defined in part by geography, culture and politics, or were a by-product of colonial relationships with countries in other regions of the world (Mac Éinrí, 2008). Castles et al. (1984) estimate that approximately 30 million people entered Western Europe as workers, or dependants, during this period, making postwar migration 'one of the greatest migration movements in human history'. This immigration facilitated the rapid and sustained expansion of the domestic economies, which fed the Western European postwar economic boom.

Employers and governments across Western Europe aggressively recruited foreign workers, and systems for recruitment and employment were developed. Recruitment areas differed from country to country: the historical ties (colonial or otherwise) of immigration and emigration countries played a significant role in the first recruitment phase, while more diversification took place in all countries later on, not least because the migration movement, once well under way, gained its own momentum and sought new destinations. But during this first phase a specific labour migration system came into existence which was employer led and lightly controlled and largely, though not universally, seen as being temporary, e.g. Germany and Austria introduced the concept of the *Gastarbeiter* (guestworker), a view of migrant workers which was also held in the Netherlands. The UK was the exception here, in that its immigrants at this time came largely from the former colonies of the Caribbean, India and Pakistan with, initially, greater rights to settle in the UK.

Post-1989 saw a recomposition of the European migration landscape with large numbers of migrants from Eastern and Central Europe migrating to the countries of Western Europe. With the post-communism collapse of 1989 Europe experienced higher net immigration than at any time since after the Second World War, with Germany the primary target for East and Central European immigrants, most particularly those coming from East Germany. However, these immigrant workers were also actively sought by employers in many Western European countries which were experiencing continued economic growth combined with ageing populations, labour shortages and a substantial need for workers. Despite the fact that the numbers who migrated from Eastern Europe were in the hundreds of thousands, rather than the millions that had been postulated by

some, it was during this period that the issue of immigration become one of the most incendiary on many domestic political agendas, leading to the formation and electoral success of anti-immigration political movements across much of Western Europe.

EU enlargement in 2004 heralded the most recent wave of migration, with the accession of 10 new member states into the EU allowing the free movement of workers from those countries, initially into just three existing member states, to five others from 2006 and to all Western European states by 2011 when all barriers to labour mobility from those countries were removed (Donaghey and Teague, 2006).

The process of devising a common European policy on immigration goes back to the Amsterdam Treaty of May 1999 when the community institutions first claimed competence in the fields of immigration and asylum. Subsequently, at the European Council Meeting held at Tampere in Finland later that year the Council called for the development of a common EU policy on migration and asylum to cover areas such as a European asylum system, fair treatment of third country nationals and management of migration flows (European Parliament, 1999). Prior to that migration policy was seen as a core *national* policy area.

In terms of trade union engagement with migration at EU level, the Brussels-based ETUC (European Trade Union Confederation) is formally recognized by the European Union, the Council of Europe and by the European Free Trade Association as a social partner, representing more than 60 million trade unionists throughout Europe. Among its affiliates are 82 national trade union confederations from 36 European countries and 12 European industry confederations. Political lobbying and consultation, both formal and informal, through the diplomatic channels of the European institutions are central to the work of the ETUC. Dølvik sees this as being the dominant mode of operation of international union organizations generally due to what he considers their 'lack of clout and limited ability to muster industrial muscle' (Dølvik and Visser, 2001: 97). But the ETUC, as a strong proponent of the European Social Model, sees its role as a social partner, a co-regulator of European social policy, as its major strength, particularly following the institutionalization of that position under the Maastricht Treaty of 1992 (Erne, 2008; ETUC, 2005). It initiated its first substantial engagement with the issue of migrant labour at its 1999 Helsinki Congress where it approved a resolution, *Trade Unions without Borders*, to develop mutual, cross-border support systems. It was a call for unions to act at the European level through the ETUC and other bodies and to develop cross-border solidarity so that the rights of workers in other jurisdictions would be guaranteed and defended irrespective of their national trade union affiliation. The delegates signed up to a resolution to provide for trade union members from one country working temporarily in another to avail of trade union support in that second country, a 'European Membership Card'. Though this was agreed at the time, it appears never to have been implemented.

It was only in 2005 that the ETUC articulated a comprehensive policy on migration, *Towards a Pro-active EU Policy on Migration and Integration*, where it affirmed its commitment to fighting for a Europe characterized by openness, solidarity and responsibility and which formed the basis of the ETUC engagement with the issue of migration subsequently. It called for a rights-based approach to labour migration and a guarantee of free movement for all persons who are either citizens of an EU member state or third country nationals who are legal residents and it sought the provision of a clear legal

framework of equal treatment and working conditions for all. It also called for severe sanctions for exploitative employers and for the creation of 'bridges' out of 'irregular situations' for undocumented immigrant workers. Finally, it called for the ratification of the ILO, UN and Council of Europe conventions on the protection of the rights of all migrant workers and their families (ETUC, 2005, 2011b).

There is an inherent complexity at the heart of the ETUC which circumscribes its effectiveness as an overarching transnational labour body. On the one hand, as Erne claims, it can be seen that through its lobbying approach and despite the lack of ties with a specific political group, the ETUC has considerable political influence at EU level, largely because of the importance of trade union support for the development of the EU integration process (Erne, 2008). On the other hand, Kip contends that, though the ETUC is the most prominent organizational vehicle of the labour movement at EU level, its power is circumscribed by what national unions allow it to do. He sees this as mirroring the low degree of political integration within the EU and the continuation of the national as the predominant political arena (Kip, 2011). Thus, the 'Europeanization' of the trade union movement can proceed only with the consent of member union confederations whose primary concerns will always tend towards their own national agendas (Hyman, 2001; McGovern, 2007; McShane, 2004).

It seems undeniable that the ETUC's primary field of influence is through lobbying at EU level but it has also shown a capacity to mobilize in certain situations, as evidenced in some substantial demonstrations in Brussels in recent years around treaties and proposed EU directives. Its opposition to the 'Services Directive' (2006) was effected through a combination of mobilization and lobbying which, arguably, contributed to the substantial watering down of the original 'Bolkestein Directive'. However, again it is clear that its success at mobilization is EU focused and while it can contribute to the debate among national trade union movements and encourage greater cooperation between unions across borders, it has no power in this regard, particularly as it operates on the political premise of mutual non-interference in national trade union politics.

MERCOSUR and labour

MERCOSUR (Mercado Común del Sur – Common Market of the South) was created in 1991 embracing Brazil and Argentina, then Uruguay and Paraguay, with Chile, Peru, Ecuador and Bolivia joining later as associate members. This was a trading bloc of 250 million people, accounting for three-quarters of the continent's economic activity, thus making it the fourth largest trading bloc worldwide. Taking a broad political perspective we can say that MERCOSUR is not just a socioeconomic bloc but also a complex and evolving cultural reality. Its early days were also marked by the regional move towards democratization after the long night of the military dictatorships which had severely constrained the capacity of labour and other social movements to organize. Grugel and de Almeida-Medieros correctly point out how, from the Brazilian perspective at least, 'regionalism is the result of a thought-out and planned set of initiatives aimed at protecting national interest' (Grugel and de Almeida-Medieros, 1998: 53). That is, arguably, different from the motivation to form a European regional alliance after the turmoil of the Second World War. Even at the height of 'easy globalization' in the 1990s, there was

a strong element of nationalist and statist development policy reflected in MERCOSUR debates and policies. Cross-border trade and investment often had an inward-looking dynamic and were not a simple reflection of the dominant free-market ideology.

With regard to migration, the role of MERCOSUR has been, at the rhetorical level, quite progressive. Inter-MERCOSUR migration flows are significant, especially in Argentina, where some 350,000 Paraguayans and 250,000 Bolivians reside, most working in the informal sector. While there are no formal regional labour market structures, cross-border flows are significant. The MERCOSUR trade unions have set up a Thematic Group and have declared the need for better social integration mechanisms for formal and informal migrants as well as some structured relationships between sending and receiving country unions (Jelin, 1999). However, in practice, nationalist, not to say xenophobic, instincts take over as, for example, when the militant construction workers union in Argentina responded to the 2001 crisis by demonizing migrant workers. At best we might say that the issue of migration is quite low on the agenda for national trade union leaders, although recent moves within the recently formed Trade Union Confederation of the Americas signal the possibility of a more engaged and proactive approach by the region's trade unions.

When MERCOSUR was established the free circulation of people was not on the agenda at all as the whole emphasis was on establishing a free trade zone (see Phillips, 2004). By the mid- 1990s – under the aegis of fundamentalist neoliberal regimes, especially in Argentina – the social and labour question (*la cuestión socio laboral*) was more or less buried. The free circulation of workers gave way to a more traditional nation-statist regime for labour migration as had always been the case in the past. These regimes tended to be quite restrictive, purely labour oriented and clearly tied to the needs of capitalism (see Perez Vichich, 2005). So, quite unlike the EU regimes, there was no normative framework geared towards the free movement of people as a principle or, quite clearly, no tendency towards the abolition of internal borders. Thus, quite logically, there would be no supra-national political structures or even a glimmer of shared sovereignty on the horizon as was the case in Europe.

In the years following 2000 there was a sea-change in the MERCOSUR approach to the free mobility of labour and the emergence of a new regional citizenship discourse for the first time. The new Residence Agreements of 2002 and the Statute for MERCOSUR Citizenship of 2010 began to pave the way for a new migration regime. Whereas previously there was a tacit acceptance of labour migration, now its management within the regional integration process would be made explicit. The commitment to strengthening and deepening the integration process (against US plans for a free trade zone of the Americas) would now necessitate the free movement of people across the zone as a matter of principle. Regional migrants (not necessarily third country ones but there were few of these) would henceforth benefit from equal access to jobs, health care and education. They would have equal economic, social, political and cultural rights in a way that MERCOSUR architects explicitly contrasted with the second class citizenship rights of migrants in Fortress Europe (see Balibar, 2009).

From the very start of MERCOSUR, organized labour was at the negotiating table debating and implementing regional integration. Led by the Brazilian trade unions, which had played a major role in re-democratization, the union centrals of Brazil,

Argentina, Bolivia, Chile and Uruguay came together in 1987 in the *Coordinadora de Centrales Sindicales del Cono Sur* (Southern Cone Trade Unions Central Coordinator) to create a flexible and pragmatic regional trade union presence. While the 1991 Treaty of Asunción largely ignored labour, a trilateral Labour Relations, Employment and Social Security sub-group gave labour a clear voice in subsequent regional negotiations. With the rise of left governments across the Southern Cone in the late 1990s there was also government support for trade union articulation of a 'social dimension' to the regional integration project. While this trade union influence has had its ups and downs, it is certainly more developed and structured than is the case for labour in NAFTA for example.

It is important though to bear in mind the element of contingency and how agency by social actors can change a situation. Thus while the building workers union in Argentina played a xenophobic card during the 2001 crisis it later became a pivotal force in pushing for an internationalist integration of cross-border workers. Placing this within its political context, while in the 1990s a neoliberal understanding of the world was part of the popular common sense in Argentina this evaporated after the collapse of the model. Thus the attitude towards migrant workers was transformed, as Grimson and Kessler recall contrasting the 1990s when immigrants were accused by many trade unionists of 'stealing jobs' with the situation that pertained when the crisis broke in 2002 and neighbourhood committees were set up in a virtual dual power situation, 'the unemployed formed neighborhood groups with no distinction made for national origin. Paraguayan and Bolivian immigrants marched with piqueteros, at times representing the entire group in organizations for the unemployed' (Grimson and Kessler, 2005: 141). This is what we mean when we stress the importance of agency: social transformation does not occur according to pre-allocated roles and positions.

MERCOSUR today is at the crossroads (not unlike the EU) and political negotiations and considerations are central to its outcome. Events, such as Argentina's economic collapse in 2001 and Paraguay's 'constitutional coup' in 2012, rapidly dominate the scene. MERCOSUR has clearly not become the seamless common market its founders envisaged and of which the transnational corporations could see the benefits. Trade liberalization within MERCOSUR will continue to be an issue with ups and downs but the hegemonic project of the US to create a free trade zone to its South will inevitably be countered by nationalist and regionalist counter-hegemonic projects. The role of the trade unions at a national and regional level will be crucial in determining the political direction of this new departure and whether it will be left at a rhetorical level or implemented on the ground.

Discussion

Any comparison of the EU and MERCOSUR needs to start with the North–South divide and the difference between globalizer and globalized social formations. Whatever its current problems the EU is part and parcel of the dominant capitalist order, it is a rule setter more than a rule taker. Whichever way we might read the rise of Brazil (as part of the BRICS and the reordering of global hegemony), MERCOSUR is still a regional constellation facing up to the hegemonic aspirations of the United States in the Americas.

The EU has also, as we know, moved much further than MERCOSUR in establishing a currency union (again notwithstanding the current travails of the euro) and the free movement of people across its member states. MERCOSUR, by contrast, has advanced by fits and starts and even the customs union agreements are often retreated from. It is thus distinct from the EU in its role within the global order and its advancement towards the goals originally set.

Both the EU and MERCOSUR have seen a growth in the role of non-state actors, specifically trade unions, in relation to labour migration. To date, according to Georg Menz, 'the role of such interest groups has not attracted major scholarly attention perhaps owing to a somewhat state-centric bias in the literature on comparative European migration politics' (Menz, 2007: 3). Trade unions, for their part, have tended to focus on 'bread and butter' issues and have sometimes, regarding immigration, shared Milton Friedman's private thinking that 'about migration the least said the better'. That is probably now changing with recognition that migration cannot be reduced to anti-racist policies in the workplace. Increasingly, given the impact of globalization and precarization, trade unions are compelled to confront directly labour migration policies and also the fact of migrants as workers and potential trade unionists.

The European Union and MERCOSUR are both examples of regional integration but they follow quite distinct dynamics. Regionalism, or to be precise regionalization, in Europe has been part and parcel of globalization in a dominant global region. Regional integration in the Southern Cone of Latin America has followed a quite different dynamic. MERCOSUR was largely a protective measure established to 'develop' countries faced with the impact of globalization. In terms of migration and the role of social movements again the differences are systemic. In the EU there is a common legal framework for migration and human rights are common currency in terms of discourse and legislative framework. MERCOSUR trade union and social movement mobilization is, in some ways, more developed but it lacks a cohesive regional framework and the human rights discourse is not nearly as effective in creating a common discursive terrain.

More recently there have been moves towards a wider regional association called UNASUR (Union of South American Nations), which may promote a stronger move towards genuine regional integration and freedom of movement. MERCOSUR itself in the Foz de Iguazú declaration of 2010 committed to freedom of movement, sociopolitical rights for migrants and a form of regional citizenship by 2021, which is the 30th anniversary of the organization. To date there have been some clear movements towards regional rights for migrants, not least in Argentina, which was the lead force behind the formation of UNASUR. While there is much regional inertia and national boundaries are not about to disappear any time soon, it is interesting to note an explicit critique of EU in relation to citizenship rights of migrants (see Ceriani, 2013). From outside Europe it is very clear that there is a disjuncture between the EU language of rights and the practice of Fortress Europe. The more radical governments of Latin America are pursuing a more consistent policy whereby the 'internal' democratic integration mechanisms are matched by more inclusive policies towards third country nationals and there is now a growing migration flow from Sub-Saharan Africa to South America which will prove or disprove this commitment.

The notion that 'labour rights are human rights' has had much more purchase in the EU than in MERCOSUR. Thus, not surprisingly, European trade unions are more likely

to couch their demands in human rights terms than are their Latin American counterparts. In relation to gender equality we can see this difference most clearly. As Abramo and Rangel note, in the global North 'clauses promoting equal opportunities are more frequent in collective agreements' (Abramo and Rangel, 2005: 215) than they are in Latin America. In the latter, collective bargaining institutions are in many cases weak and the violation of basic trade union rights have continued after the end of the military dictatorships. Paradoxically, the return of democracy and 'business as usual' has perhaps lessened the purchase of the human rights discourse which had become a major element in contesting the 'disappearances' and the denial of democracy.

The often conflictual relationship between trade unions and migrant rights in MERCOSUR shows how politics is at the centre of this issue. Transnational solidarity has often broken down and migrant workers have borne the brunt of xenophobic reactions of native workers, sometimes supported by their trade unions. It is hard to explain why the Bolivian COB (*Central Obrera Boliviana* – Bolivian Workers Central), which has been at the heart of revolutionary mobilizations since the 1950s, does not allow migrant workers to be members. Or why the militant construction workers union in Argentina ran a campaign to expel Bolivian and Paraguayan workers from Buenos Aires building sites. Clearly ritual incantations of proletarian internationalism at union congresses will not achieve the type of political dialogue and transformation needed to make native/migrant worker unity part of labour's common sense once again.

Finally, we might conclude that the cases of both the EU and MERCOSUR confirm, albeit in very different ways, the statement by David that 'solidarity with migrant workers is helping trade unions to get back to the basic principles of the labour movement' (David, 2002: 4). While trade unions may engage with exploitation and discrimination issues in the workplace, migration itself is sometimes seen as a 'state' issue. With neoliberal rationalization in full flow and traditional trade unionism being undermined, it is perhaps understandable that migration is viewed as somehow not part of 'core business'. However, we can perhaps agree with Hardt and Negri that 'A spectre haunts the world and it is the spectre of migration. All the powers of the old world are allied in a merciless operation against it, but the movement is irresistible' (Hardt and Negri, 2000: 230). Migration is quite simply part and parcel of the globalization process and its importance is set to increase. Trade unions confront questions fundamental to their very existence, not least among them being do they defend the interests of their existing members or those of the broader working class – when they deal with migration. How they respond will have a huge impact on their future and the quality of democratic development in general. Trade union revitalization could thus have an impact beyond the boundaries of the trade union movement, which, still today, is a major example of civil society associations. And, through alliances with social movements and political parties, it can have considerable impact on public discourse.

Looking forward

We see here, we would argue, the emergence of a new research paradigm. Migrants can be seen as potential citizens and bearers of individual rights but also as workers organizable by the trade unions that can articulate their collective grievances. Our comparative

study takes us beyond a Eurocentrist perspective which views the EU as the undisputed universal model other parts of the world should follow. We have suggested that a transformationalist approach might help us bridge the gap between migration studies and, for example, regionalism or labour studies. There are also gaps between the study of national and international migration, still seen, inexplicably, as somehow distinct phenomena. We must recall that whereas the total number of international migrants in the world is estimated at 214 million people the number of intra-national migrants stands at a massive 740 million (UNDP, 2009). It makes little sense, and is perhaps a symptom of methodological nationalism, to treat the movement of people within and between nations as totally separate phenomena.

Within migration studies we see an increasing interest in the possibilities of social activism, even though the main stress seems to be on the difficulties posed by the emergent global governance structures (see Grugel and Piper, 2011). While, in theory, the incorporation of civil society would be the mark of successful governance, in practice, in regard to migration states guard their sovereignty jealously. A rights-based perspective immediately comes up against the problem of which rights will be prioritized for example between those of existing 'national' workers and those of the 'non-national' workers seeking entry into the labour market (see Ruhs and Chang, 2004, on the ethics of labour immigration policy). From a majority world perspective, the human rights regime of the West looks distinctly ethnocentric and, in some ways, still marked by colonialism even in the postcolonial era (see Baxi, 2002). Human rights are still a discourse where a certain 'we' tells an 'other' how to behave properly. It is when it comes to migration that the contradictions are at their sharpest because, as Jack Donnelly puts it, it 'challenges a foundational assumption of international human rights law, namely, that the primary, and often exclusive, responsibility for protecting and implementing "universal" human rights lies with the state of which one is a national' (Donnelly, 2002: 230–231). It is well documented how human rights are at their weakest, or non-existent, at the border and how migrants face often insurmountable barriers to becoming citizens.

While within labour studies we see a serious research gap, there is also a policy gap between national trade union politics and their regional strategy, where there is one. Bridging this gap is thus a general matter arising and one that needs to be addressed with some urgency by trade unions who seek to be fit for purpose at a regional level. A social theory driven research agenda may be one way to overcome these debilitating divides, which will persist if a purely empirical path is followed. A transformationalist approach could take us beyond some of the debilitating lack of joined-up thinking in the debates by posing a holistic, dynamic and comparative agenda. The regional integration projects we have focused on raise absolutely fundamental issues around the free movement of people, the meaning of citizenship and what society actually means to us. No narrow, disciplinary or sectoral approach can possibly hope to deal with such fundamental questions. For trade unions and other social movements it is necessary to consider critically whether the existing state policies around multiculturalism, integration and anti-discrimination are sufficient to effectively manage labour migration. Fundamental issues around the very purpose of trade unions – service versus organizing models for example – and where they stand in relation to the global justice movement cannot be answered by state promoted integrationist policies.

A focus on the EU does not necessarily lead to Eurocentrism, but this form of ethno-centrism is still a distinct danger. Western social science is often seen as universally normative and thus reinforces tendencies to read development, democracy, governance, civil society, etc. in quite ethnocentric ways. We need to continually 'provincialize Europe' (Chakrabarty, 2007) as it were and not assume it is the benchmark against which other experiences of regional integration should be measured. Our focus on MERCOSUR may help provide another perspective and an interpretative framework which is less bound to one region, its history and its analytical constructs. The result should be a richer social science and a more flexible comparative analytical framework.

It is important to note that the human rights discourse is not politically neutral, contrary to the way it is sometimes presented as a given. So, for example, an uncritical perspective might miss the fact that 'Corporations are often eager to drape themselves in the human rights cloth, signifying their status as good corporate citizens' (Kolben, 2010: 46). International companies, financial institutions and trade unions may find common ground around basic human rights but corporate social responsibility is not a neutral political instrument. While, for example, the UN's Global Compact might be signed up to by companies as well as trade union and civil society 'stakeholders', that is not the same as a labour movement initiative on labour rights. Labour politics needs to be independent of both capital and the state (the very antitheses of the ILO in constitution and objectives) if it is to articulate a strategy for the working classes.

Last, but definitely not least, any consideration of labour migration from a transformationalist perspective needs to 'bring labour back in', that is to say labour as a social movement and not just an economic actor or even as a 'non-state' actor which somewhat diminishes its role. The labour movement in this sense has a history, a memory and a vision, albeit fractured, conflictual and often buried deep. Gerald Friedman even argues that the labour movement has, for over a century, been growing and 'building from strength to strength, making society more democratic, more respectful of the poor' (Friedman, 2008: 8). While this view might be seen to downplay the very real loss of trade union power over the last 25 years, there are now signs of a revival of trade union internationalism not least out of necessity given the impact of globalization (see Munck, 2011). Trade unions are also often seen organizing workers regardless of legal status, even breaking national laws in the process. Through their incorporation into the world of work, migrants become part of the continuous making, remaking and reinventing of the working class. It is in that remaking of global labour – including the billion or so migrant workforce – that we might find one of the sources for the (re)emergence of a renewed vision for global democratic development.

Acknowledgements

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