

After Arbeitsschutzkontrollgesetz. Strikes and organic intellectuals in the German meat industry*

Abstract

For decades, migrant workers with temporary and service contract work in the German meat industry have rarely been recruited by trade unions. The Arbeitsschutzkontrollgesetz (Occupational Safety and Health Inspection Act) law, implemented in 2021, aimed to grant equal employment conditions to the majority of workers in slaughterhouses, creating new avenues for trade unions to gain more members and organise industry-level negotiations for better wages and a collective agreement. This article explores the lessons from the series of strikes that accompanied those negotiations. Relying primarily on participant observation in the meat industry strikes and employing an actor-centred perspective, the paper reveals the role of shopfloor organic intellectuals – Gramsci’s term for those who grasp class interests and who generate cohesion and self-awareness of their class’s position in society – in mobilising and demobilising workers. Analysis of the strikes shows that organic intellectuals can be instrumental in articulating the resistance of subaltern groups, but they can also be co-opted by dominant groups to manufacture consent.

Keywords: meat industry, Romanians, migrant workers, organic intellectuals, trade unions, strikes, Germany

Introduction

On a very cold April morning in 2021, the Nahrung-Genuss-Gaststätten (NGG) union – the main trade union in the German meat industry sector – was organising one of many strikes that year. At 0430, the strike organising team set up a tent in front of a slaughterhouse in a town in southern Bavaria and started preparing to hand out information material. Workers showed up at the slaughterhouse gate in minibuses and cars at 0500 and then headed towards the main building to start their shift. The organising team handed out safety vests imprinted with the message ‘Wir streiken!’

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(‘We are on strike!’) on the back and flyers with the main claims agreed by the trade union: more money, more holidays and a collective agreement for the meat industry.¹

These strikes were long overdue. The German meat industry is one of the largest in the European Union (EU) and is concentrated in a handful of large companies.² As previous research has shown, these large producers gained their market share through very cheap production costs resulting primarily from subcontracted east and central European workers (Birke 2022; Cosma et al. 2020; Kossen 2018; Mense-Petermann 2018; Wagner 2015; Wagner and Hassel 2016). Out of circa 160 000 workers in the sector, some two-thirds come from eastern and central Europe (NGG 2021).³

Besides low pay, workers in the German meat industry have experienced uncertainty because of their short-term employment contracts, delayed remuneration, unpaid overtime or cost deductions for accommodation, transport and equipment (Voivozeanu 2019). Moreover, migrant mobile labour was excluded until recently from industrial labour relations because of the so-called ‘insider model’ which protected only permanent employees at the expense of posted workers who were seldom recruited by unions (Wagner and Hassel 2016).

The strikes in 2021 were boosted by the direct employment in slaughterhouses of former subcontracted migrant workers. Direct employment was made possible by the passing of the Arbeitsschutzkontrollgesetz (ASKG) (Occupational Safety and Health Inspection Act) at the end of 2020, after public outrage about the working and living conditions revealed by extensive media coverage of the Covid-19 outbreaks in slaughterhouses (Ban et al. 2022; Cosma et al. 2020; Seeliger and Sebastian 2022). ASKG put an end to service contract work (Werkverträge) in slaughterhouses with a minimum of 50 employees starting on 1 January 2021 and to temporary agency work (Leiharbeit) starting on the following 1 April.⁴ Trade unions started approaching workers at the slaughterhouses in order to negotiate collective agreements on their behalf and help them demand higher wages and more holidays. Still, altogether, in 2021 only around 10% of workers in the meat industry were estimated to be unionised (Erol and Schulten 2021).

- 1 Throughout 2021, NGG, together with consultancy centres and other local cooperation partners, organised around 300 information events and strikes outside slaughterhouses and meat processing plants as well as online, reaching more than 45 000 employees (Faire Mobilität 2022: 12).
- 2 In 2019, Tönnies, Westfleisch and Vion had a 57.1% share of the slaughtering sector in Germany (Heinrich-Böll-Stiftung 2021).
- 3 The exact total of the number of workers in the meat industry is not available and we rely here on the estimates in 2021 published by NGG:
<https://www.ngg.net/presse/pressemitteilungen/2021/mindestens-1230-euro-pro-stundefuer-beschaeftigte-in-deutschen-schlachthoefen-und-wurstfabriken/> last accessed 27 April 2023.
- 4 The new law applies only to ‘core business’ activities in the meat industry; that is, in the area of slaughtering, cutting and deboning (BMAS 2021) and excluding, for example, employees who clean the equipment. There were also derogations allowed for meat processing companies to hire up to 14% temporary agency workers around the year in order to supplement the workforce especially during the grilling season.

What lessons can we draw from this series of strikes that accompanied the negotiations for better wages and a collective agreement? Why are workers reluctant to join a strike and how are they encouraged to join one? What are the strategies of trade unions to represent this segment of the labour force and how can strikes contribute to increasing unionisation numbers?

In the Global North, trust in trade unions has decreased especially since the 1970s into what Kesküla and Sanchez (2019: 111) call ‘union disaffection’. This is predominantly the case in Germany too, where workers’ unionisation rates have decreased continually in recent decades and where especially first-generation migrant workers had limited unionisation possibilities (Birke 2022). Nevertheless, the 2021 strikes, of an otherwise extremely fragmented and precarious migrant labour force, seemed like a promising coagulation of workers’ interests and bargaining power for the unions.

Discussions on the unionisation of precarious migrant workers in the EU have, so far, focused on a combination of institutional and organisational settings at national and sector levels, as well as the sociocultural context in the host country and the ethnic identity of migrants. They have looked at how these settings have influenced the decision of trade unions to engage with precarious migrant workers and how these have determined their success (Connolly et al. 2017; Marino et al. 2017).

In general, the literature seems to highlight a tendency for trade unions to be less inclined to approach migrant workers. On the other hand, trade unions enjoy organisational security and are deeply embedded in national policymaking processes, while more vulnerable unions are aiming to revitalise their rank and file by engaging this segment of the labour force (Gorodzeisky and Richards 2013). The agency and ideology of unions also play a considerable role (Marino 2012; Refslund 2021). Strong unions also tend to stick to traditional union strategies whereas weaker unions have been more innovative in their actions, building broad societal coalitions and engaging with tactics beyond bargaining over a collective agreement (Tapia and Alberti 2019).

Recent articles focused on the German meat industry have confirmed these trends. Bettina Wagner and Anke Hassel (2016) have argued that trade unions in Germany, despite declining power, still have a strong presence in labour market policymaking, but that their focus has been on the protection of domestic workers in standard employment, ignoring the rising number of non-unionised migrant workers on the labour market. However, they also notice that the transforming employment structure of the meat industry, relying more on subcontracted migrant workers, has weakened the power of the NGG and its capacity to act.

Ines Wagner (2015) has shown how a coalition of Polish slaughterhouse workers, a community initiative and the NGG has led to better work contracts, but also to a proliferation of alliances between the union and civil society throughout Germany as well as to a discussion about the possibility of negotiating an industry-wide collective agreement (Sepsi and Szot 2021; Sepsi 2021; Specht and Schulten 2021). Coalition-building in other sectors of the German economy dominated by precarious migrant labour has also proven relatively successful (Wunderlich and Sommer 2022; Lackus and Schell 2021). However, in the case of the meat industry, neither the

introduction of a minimum wage nor the passing of the ASKG has been directly attributed to the union's new forms of engagement, but rather to conjectural situations (Ban et al. 2022; Kuhlmann and Vogeler 2020; Seeliger and Sebastian 2022).

In this article, we take a less institutionalist approach and adopt an actor-centred perspective. On the one hand, several authors have already pointed out the reasons for the reluctance of migrant workers to join a union. Amongst these we find employers' threats and tactics of intimidation, their temporary stay in the host country and at the workplace, workers' absence of previous interaction with unions, the public perception of trade unionism in their country of origin and the wage differentials between host and home country (Refslund and Sippola 2022; Wagner 2015). On the other hand, trust building has proven essential in including migrant workers in trade unions (Refslund 2021; Wagner 2015). Birke and Bluhm (2020) have also underlined the leverage that workers in the meat industry have with respect to their employers, and pointed out the important role of strikes in making use of it.

To understand why migrant workers are reluctant to join trade unions and are indeed discouraged from doing so, but also how unions can successfully include the migrant workforce in their rank and file, we look at a set of strikes organised by NGG at slaughterhouses in southern Bavaria after the implementation of the ASKG.⁵ Although researchers have focused mostly on the Lower Saxony and North Rhine-Westphalia states, where 60% of pork and poultry production is concentrated, the region of Bavaria is also relevant as it concentrates a large share of beef production (Heinrich-Böll-Stiftung 2021).

Participant and non-participant observation was carried out between September 2020 and July 2021 by one of the authors while working as a campaigner for Faire Mobilität, the largest labour rights advisory network in Germany, who travelled to slaughterhouses across Germany with NGG to provide interpretation for Romanian-speaking workers. We added to our field observations an analysis of press releases and news articles in Germany published during the same time period.

Although at the Bavarian slaughterhouses we visited, the workers came from different east and central European countries as well as from Germany, we predominantly talked directly with workers of Romanian or Moldovan origin. Workers from Poland, Hungary or Bulgaria were also present in our locations, but in very small numbers and, due to the language barrier, we could not talk to them. Moreover, at the three slaughterhouses where the strikes on which we are focusing took place, the workforce in the slaughtering, cutting and deboning departments (those taking part in the strikes), was dominated by male Romanian workers. While we acknowledge that separation based on ethnic considerations contributes to the fragmentation of workers, and that there is a need to create solidarity across ethnic divides (Refslund and Sippola 2021), our focus on migrant workers with the same ethnic identity has the purpose of revealing unionising obstacles and opportunities faced during interaction with an allegedly cultural homogeneous group.

5 We have anonymised the exact names of the places and the companies involved in our observations as well as the names and personal details of the workers with whom we talked.

We emphasise in this article the role of organic intellectuals in mobilising these workers. According to Antonio Gramsci (1971), organic intellectuals emerge out of and are linked to specific social classes and are defined by their role in generating cohesion and self-awareness of their social class's position in society. Gramsci's social theory has been widely used in the social sciences and humanities (Francese 2009), and in anthropology in particular (Kurtz 1996; Smith 2004; Streinzer and Tošić 2022). However, the notion of organic intellectual has been less deployed analytically in comparison to his concept of hegemony, although the former is integral to the latter.

Our understanding of the concept derives from the work of Susana Narotzky (2015) and Ida Susser (2011). On the one hand, from Narotzky we take the idea that the organic intellectual is capable not only of understanding the structural features that are immanent to a situational labour dispute but also of using those insights to build cohesion among workers and a collective identity. On the other hand, from Susser we identify organic intellectuals at different organisational scales. These can emerge and be active both at grassroots level but also in parliament. Moreover, we also want to underscore an often-ignored aspect of organic intellectuals; that is, while they can be instrumental in articulating the resistance of subaltern groups, they can also be co-opted by dominant groups to manufacture consent.

In the next section, we focus on Gramsci's concept of organic intellectuals and their role in the 2021 strikes in the meat industry. Subsequently, we describe a timeline of the changes in the meat industry in Germany from 1970 until the present. Here, we focus both on the most influential changes to the business model that paved the way for the drastic precarisation of the workforce as well as on the institutional struggles on the part of trade unions and cooperation partners to break this model through banning temporary and service contract work. Next, we analyse three slaughterhouse strikes where we highlight the role of organic intellectuals, showing that they can be instrumental in articulating resistance but that they can also be co-opted by employers to manufacture consent within the company. In conclusion, we reflect on the labour struggles and negotiations of 2021 and on the benefits and limitations that the presence of a general collective agreement managed to bring to workers.

Organic intellectuals and unionisation

Antonio Gramsci's theoretical reflections have had an enormous influence on all disciplines in the social sciences and humanities. Although written while he was imprisoned by the Italian fascist regime, scholars have put in a great deal of work to interpret, reconstruct and make analytical use of his insights. Primarily, it is his concept of hegemony that has had the greatest appeal for many scholars because it is at the centre of his theoretical efforts to grasp the modes in which social inequalities are produced and reproduced by the use of force and ideology, but also why these inequalities are so durable and how change can be attained.

Hegemony is a term which Gramsci uses to designate a form of domination exercised by the ruling classes through the active consent of the ruled classes. Stache and Bernhold (2021: 169) take the term and extend it to argue that the super-exploitation

of animals and workers, despite major social and ecological devastations, continues in a class-based society because what they call ‘meat capital’⁶ is economically profitable, it creates internal unity and it meets a consensus among all classes, creating a ‘meat hegemony’ (Stache and Bernhold 2021).

Intellectuals play an important role in achieving domination as they lead the institutions which mediate the relations of power between the classes. Gramsci takes this Marxist insight further and makes an important distinction between two types of intellectuals: organic intellectuals and traditional intellectuals. Organic intellectuals are linked organically to a class in the sense that they emerge out of the social practices of that class and represent specialised aspects of those practices. Hence, the working class’s organic intellectuals are, for example, machine operators; while those of the capitalists are entrepreneurs and high-skilled technicians.

We acknowledge that the notion of an ‘organic intellectual’ may not immediately resonate when examining a community of shopfloor or manual labourers in a slaughterhouse. However, the concept encompasses individuals within the working class who grasp class interests and take action either in support of or against the interests of their class. While we lack in-depth biographical data on the strike participants we are studying, we can track their recent professional trajectory and their understanding of the implications of strikes. By observing their role in interactions with trade unions, managers and colleagues, we can identify them as organic intellectuals in the Gramscian sense.

Gramsci contrasts organic intellectuals with traditional intellectuals, usually men and women of letters, philosophers, journalists or the clergy, lawyers, teachers, etc. As Gramsci (1971: 10) himself argued, referring to organic intellectuals:

... the mode of being of the new intellectual can no longer consist in eloquence, which is an exterior and momentary mover of feelings and passions, but in active participation in practical life, as constructor, organiser, ‘permanent persuader’ and not just a simple orator.

What gives organic intellectuals the function of intellectuals in the first place is their capacity to create the unity of the class to which they are organically linked by understanding the position it occupies in the political, economic and cultural order of society and to lead it through the mediation of institutions such as trade unions, the press or the political party. In her analysis of the uses of the class concept amongst shipyard trade union leaders in a Spanish town, Narotzky (2015) argues that how class is understood by these leaders is central to the creation of the cohesion and self-awareness Gramsci attributed to organic intellectuals. It is through an understanding of class that these leaders can become an organic intellectual, an individual capable of a knowledgeable analysis of the underlying features of the immediate situation, but also an activist, the speaker with the megaphone organising and leading protests, etc. (Narotzky 2015).

6 Stache and Bernhold (2021: 174) define ‘meat capital’ as ‘all capitalist corporations that accumulate profits by (super-)exploiting human wage laborers and super-exploiting animals in order to produce meat.’

However, as Ida Susser (2011) points out, organic intellectuals are present at different institutional scales, from the factory shopfloor to the political party and from grassroots organisations to national and transnational social movements, mediating the relationship between their class and other classes by resisting or consenting to hegemony.

Our methodological limitation to what was observable during the strikes aims to capture the practices of emergent organic intellectuals whose development could be hindered or transformed and who could thereafter be subjugated by the ruling classes. As Gramsci noted, there is a stratification of intellectuals achieved through the educational system through which the dominant class develops its own organic intellectuals, but hinders the development of the organic intellectuals of subaltern classes or transforms them into traditional intellectuals whose organic link to their class is severed. Another way of transforming organic intellectuals is through subjugation. Here, Gramsci was less clear about how this is done and his reflections are limited to an analysis of party politics during the Italian Risorgimento. The most relevant passage in this sense is the one referring to how the Italian South was disciplined by the Northern hegemony. He mentions that the dominant class individually incorporated the southern intellectuals capable of leading the peasants by making them personnel of the state and offering them privileges.

Since, in Gramsci's view, the peasant class does not create organic intellectuals, one can assume that these southern intellectuals were traditional intellectuals whose origins were the peasant class but whose links with it were severed by the state-managed educational system. But, if in the case of the peasants the subjugation must be of traditional intellectuals, in the case of the working class it follows that the dominant class has to hinder the development of the organic intellectuals of the dominated classes. Hence, in our case, we refer firstly to the subjugation not of traditional intellectuals but of the organic intellectuals created by the working class; and secondly neither to their incorporation into the state coercive apparatus but into the factory's hierarchical organisation.

In this article we show how the organic intellectuals co-opted by the slaughterhouse employers create fragmentation on the shopfloor scale and discipline workers; but also how organic intellectuals emerging out of the migrant workers' group build cohesion through collective self-awareness, and whose intellectual capacities could be developed through alternative educational initiatives established by institutions such as the trade union, the press or the party.

Personal working histories and experience with trade unions create durable dispositions (Narotzky 2010) which can explain why Romanian migrant workers, coming from a country with an – up to this day – large rural population and a history of rather weak trade unionism, have avoided collective action and instead relied on exit strategies enabled by their mobility inside the EU to find better jobs (Perrotta 2015). However, it does not explain why some workers joined the 2021 strikes in the German slaughterhouses. We show that, while the strikes were indeed initiated by the trade union, emergent organic intellectuals on the shopfloor were key in mobilising workers to strike and join the union but were, at the same time, vulnerable to co-option by management.

The German meat industry and migrant workers

The German meat industry has, from the 1970s, been characterised by the privatisation of communal slaughterhouses and a concentration of production followed by its displacement from cities to small towns, where large facilities were built to increase the scale of production and to allow the use of technology operable by 'low skilled' workers, drawn predominantly from immigrant communities (Schulten and Specht 2021; Mense-Peterman 2018; Wagner and Hassel 2016). Abusive work conditions for migrant workers have been characteristic of the meat industry and have been made possible by a system of posted, temporary and service contract work, all forms of employment which are overused by German employers.

Not only has this industrial structure helped meet the increasing demand for meat nationally, while also keeping food cheap (Euractiv Special Report 2017), but it also gave the industry a competitive export advantage. Within the European Union, Germany is the primary producer of pork (21%), the second producer of beef (15%) and the third producer of poultry (12%). Moreover, the country produces 16% more than the necessary domestic production of meat. And, because in neighbouring meat-producing countries, such as Denmark and Holland, the precarious contracts characteristic of the German meat industry have been used more rarely, companies from these countries have relocated parts of their production in Germany (Heinrich-Böll-Stiftung 2021).⁷

Postsocialist central and eastern Europe became, first, an export market for this meat; second, a source of cheap animal feed; but third, and most importantly, it became a reservoir of cheap and flexible labour. The case of Romania shows how these three aspects intermingled and reinforced each other.

After the fall of socialism at the end of 1989, Romania went through a series of reforms throughout a long decade of intermittent shock and gradual liberalisation, privatisation and stabilisation policies (Ban 2016). This led, on the one hand, to the restructuring of socialist industry, resulting in a scarcity of workplaces and a dismantling of the welfare state which increased the precarity of households (Meeus 2012). On the other hand, the postsocialist reforms led initially to a return of labour to small-scale agriculture for subsistence and semi-subsistence purposes, on land which had been restituted to them under the new privatisation impetus (Verdery 2003). Increasingly since the mid-2000s this also led to labour migration abroad, or even to a mix of agriculture and migration, in a repertoire of strategies of 'getting by'. Moreover, competition between postsocialist states over foreign direct investment (Drahokoupil 2008) resulted in an ever-increasing deregulation of the local labour market which, coupled with a shrinking labour force, weakened the power of trade unions (Adăscăliței and Guga 2017; Varga 2016).

As negotiations to become an EU member intensified, a new set of policies facilitated processes that engendered and reinforced each other: migration abroad boomed, creating a crisis in the agricultural labour force. At the same time, the arrival of foreign discount supermarkets outcompeted small-scale farm production,

7 Examples of such relocations are the Danish company 'Danish Crown' in the 2010s, as well as the Dutch company Vion (Erol and Schulten 2021: 7).

releasing more surplus labour. Land was gradually concentrated in large, capital intensive farms focused on the cultivation of feed crops for export, which made the country dependent on food imports. The surplus labour released by agriculture helped maintain low labour costs for the outsourced manufacturing sites of large corporations at home, despite food price inflation, and secured a cheap labour force for EU industries characterised by precarious working conditions.

Regardless of the sector in which they found work, Romanian migrant workers faced dire conditions (and still do). Scholars have documented the precarious conditions experienced by Romanian migrant workers in Austria (Hopfgartner et al. 2022), Italy (Domşodi 2019; Țoc and Guțu 2021), Spain (Molinero-Gerbeau et al. 2021) and the UK (Briggs and Dobre 2014; Ivancheva 2007). More recently, the situation of Romanian workers in the German construction and meat sectors (Voivozeanu 2019), as well as in agriculture (Cosma et al. 2020), has also been documented.

According to Voivozeanu (2019), the main dimensions of precarity among migrant workers in the meat industry relate to job security, income level, control over working conditions and salary, and the degree of protection. In our case, most of the newly directly-employed Romanian workers in the meat industry were dependent on the employer, be it the former subcontractor firm or the slaughterhouse, for a place to live; usually accommodation for workers was in the vicinity of the slaughterhouses, on the outskirts of Bavarian towns. Not only did this accommodation have substandard conditions (and still does), but it also left the migrant workers in isolation from their German colleagues and the rest of the world.

The return of Romanian migrant workers to their home countries during the Covid-19 restrictions revealed a shortage of labour supply which led to a set of exceptions to the EU-wide pandemic regulations, negotiated between Romania (and the other central eastern European states) and the western and southern European countries receiving this emigrant labour force (Paul 2020). This showed just how uneven the EU political economy is and how profoundly it relies on precarious migrant work. It also created an opportunity. The rhythms of exploitation characteristic of the ‘meat hegemony’ system (Stache and Bernhold 2021) had been the rule for more than a decade in Germany until the Covid-related scandals about mass infections and the miserable living conditions of migrants came to the fore in the public discourse.

The alarming working conditions in the meat industry have been addressed repeatedly by a coalition formed by the trade union, NGOs and a few politicians; these initiatives resulted most notably in the introduction of the minimum wage in 2015 and, in 2017, the adoption of the so-called GSA-Fleisch (Act to Secure Workers’ Rights in the Meat Industry), formally offering workers greater social security.

The first month of the Covid-19 pandemic showed that these provisions, gained through negotiations, had been only inconsistently respected by general contractor companies and subcontractor firms in previous years. In December 2020, the German Parliament passed, by a large majority, the ASKG, addressing some of the core issues in the meat business model (Faire Mobilität 2022). Apart from banning temporary and service contract work, the ASKG contains measures designed to ensure compliance with existing labour laws, such as including the time spent changing and

cleaning equipment as work time, the introduction of electronic time recording and the introduction of more controls in the meat industry.

The introduction of the ASKG resulted in direct employment becoming compulsory and, through this, it also became possible for migrant workers to unionise and for the minimum wage to be slightly raised. However, the ASKG had only vague provisions regarding living conditions while the number of compulsory inspections in slaughterhouses is also very low, with improvements being implemented only slowly: the minimum inspection quota by the responsible authorities per federal state each year, starting in 2026, is 5% of all companies. After the implementation of the ASKG, the negotiations for a collective agreement at industry level commenced in 2021. When nationwide Covid-19 restrictions were loosened in the spring of 2021, a string of warning strikes organised by the NGG took off, with the trade union asking for fairer working conditions and better salaries. Seeing hundreds of eastern Europeans, often mainly Romanians, on strike in dozens of slaughterhouses was long considered unthinkable for many (Götzke 2021).

After the third round of collective agreement negotiations in early April 2021, when the main claims of the union were rejected, strikes became the main pressure tool for the union and the workers. Following the first handful of these, on 17 April the employer association called for an extraordinary meeting and offered a starting wage of 10.75 euros per hour and a 45-month collective agreement. The union found the offer outrageous and ‘far from a serious attempt to finally put an end to exploitation in the meat industry.’⁸ Instead, NGG wanted collective agreements declared generally binding by the Federal Ministry of Labour and Social Affairs, thereby applying directly to all employees in the meat industry regardless of whether their employer was bound by a collective agreement.

Old structures and lack of cohesion

During the first strike that started in mid-April at 0500, most workers did not show immediate signs of enthusiasm for the strike vests and the flyers. A few took the vests and joined the strike immediately while others ignored us. The majority were mistrustful, preoccupied or scared and tried to walk away as quickly as possible. The latter group were reacting to the presence of two employees: a German one, who was in a management position; and a Romanian one, who was a slaughterhouse foreman and who occupied himself by going up to the passing workers and addressing them in Romanian. He could be heard saying that they should not listen to the strike organisers and that they should go in.

Andrei was the first Romanian worker whom the strike organising team could talk to. He was angry and really unhappy with the salary he had received for the first months of the year. He was one of the workers who had been working out of temporary work agencies, and had done so for nine years before being directly em-

8 See <https://www.ngg.net/presse/pressemitteilungen/2021/fleischwirtschaftarbeitgeber-verhindern-mindestlohn-proteste-auch-bei-branchenprimus-toennies/> last accessed 18 February 2023.

ployed by the main company that year, receiving a limited contract with a maximum probation period of six months – as if his first nine years of work did not matter.

Instilling job insecurity can be an effective strategy of accumulation (Kasimir 2014) and, as Voivozeanu (2019) shows, Romanian migrant workers in Germany experience different levels of job insecurity which create a variety of precarious subjects inside an ethnically homogeneous community. However, this does not necessarily relate to the time of their employment, as she argues, because long-term workers in the meat industry could work for many years in a row on limited contracts and the accumulated length of a job did not, for many migrants, bring any particular advantage or security for workers, as shown in Andrei's case.

While Andrei was smoking his cigarette and pondered joining the strike, the Romanian foreman and the German manager went up to him and convinced him to go inside. For one hour, the Romanian foreman and the German manager continued to persuade workers who wanted to approach us to go inside, after which the two went inside as well.

The Romanian foreman was an ally of the management and, as another Romanian worker told us, used to work as a workforce recruiter in a subcontracting firm providing Romanian workers to the slaughterhouse up to the end of 2020. Subcontracting firms used to dominate the meat industry until that point, being officially the main providers of cheap labour for German companies. After the adoption of the ASKG, recruiters from the subcontracted firms often became direct employees, as had the Romanian foreman, legally acting as human resources or integration consultants but, in reality, continuing recruitment and workforce management among their co-nationals and informally exerting on workers the power they had accumulated through their previous positions.

The personnel of the former subcontractors often acted as if the recruited workers were 'theirs' (Sepsi 2021) and workers perceived them as informal supervisors in many companies, even after the ending of the use of subcontractors at the beginning of 2021. A couple of days later, at a different slaughterhouse and during another strike, workers complained that, although working time was now being registered electronically, as the ASKG required, the working hours to be paid were not taken from this source but from a non-transparent notebook that the Romanian foreman kept.

The Romanian foremen are organically linked to the workers as they usually come out of their ranks. But, while organically linked in this way, they do not create cohesion and political self-awareness among the group; rather, they create consent to the working conditions on behalf of the employing slaughterhouse. In this case, the foreman persuaded workers that joining the strike and becoming members of the union could lead to them losing their job, conjuring up the idea that they might have to return home not only without pay, but maybe also in debt. Ultimately, the foreman reinforced the idea that, although working conditions were precarious, they still earned more than they could ever earn in Romania under similar, or worse, conditions.

These foremen are reliant on a combination of coercion and consent to reproduce the capitalist relations of production characteristic of the German meat industry

(Stache and Bernhold 2021). When consent fails, these organic intellectuals become agents of coercion that use violence to keep workers in line, as was the case at one strike from a different slaughterhouse where the Romanian foreman intimidating the workers was known for having attacked a worker physically a couple of weeks earlier during another strike. The young man who had been punched had filed a complaint against the foreman but, at the same time, he had been planned to drive back to Romania during the weekend and have two weeks of holiday, and was afraid of being forbidden to do so or even placed under threat of losing his job if he joined another strike.

An NGG secretary referring to a failed strike later in 2021 in the west of Germany recounted a similar experience: he was outside the slaughterhouse at 0200 and around 80 Romanian workers wanted to go on strike but, in the end, did not dare to because of the intimidation coming from their former formal bosses:

There's a lot of pressure on them, and some of the old subcontractors are still working here as consultants in the company and were already there this morning, trying to drive the colleagues back in by any means possible. All of a sudden, these securities and the former subcontractors showed up and talked to them very briefly in their language in a tone that was unbelievable, and the people panicked and gave their things back and went into the company to work. (Götzke 2021)

Although the literature on organic intellectuals usually focuses on those who organise resistance to the dominant group's consensus, we consider it important to understand that figures such as the Romanian foremen are also organic intellectuals of the subaltern classes, but subjugated and co-opted by the dominant classes. What drives this co-option is the financial and social privilege granted to the co-opted foremen in the organisation of labour and that the foreman's job exists only as long as this particular labour recruitment system endures.

During the strike we set out to describe in this section, after the German manager and the Romanian foreman left at around 0630, around 80 people joined the strike and continued until around 0930. The workers joining the strike were mainly from the slaughtering and cutting departments which, as Birke and Bluhm (2020) also note, are key in stopping the slaughterhouse workflow altogether. Some had questions about the dangers of joining the strikes, especially if there were likely to be consequences for their pay or their work contract altogether. They were informed repeatedly either individually or through the microphone, in Romanian, that union members are, according to the law, allowed to take part in strikes organised by the trade union.⁹ The absence of the Romanian foreman and the consultancy offered by the organisers were key to workers joining the strike.

Equally important, as we show in the next section, is the presence of organic intellectuals who link their experiences as workers with the structural features that

9 In our own experience, although workers are allowed by law to hide from the employer that they are members of a union, they can easily be uncovered when they join a strike or when they take part in works council votes. This does indeed sometimes translate into threats and intimidation on the side of the employer (cf. Schulten and Specht 2021).

make these experiences possible in the first place and who engage this knowledge in organising their class against the dominant group's consensus. This kind of organic intellectual is named by trade unionists and organisers in our context 'Vertrauensleute' ('trusted persons') or 'Multiplikatoren' ('multipliers').

Cohesion and collective action

The following night, another strike took place at a different slaughterhouse, belonging to the same corporation, in a Bavarian town some tens of kilometres to the north from the one where the strike had taken place the previous day. It was energetically coordinated by the two trade union secretaries responsible for the region, as well as a works council representative.¹⁰ The organising team approached Alin, a Romanian worker in his early thirties, who had been working in the slaughterhouse for seven years on an hourly wage of 9.50 euros.

Alin lived with his wife and six-month-old daughter and was the only breadwinner in the household. He was unhappy with the 1600 euros net he received at the end of the month for over 200 hours of work, as well as with an annual leave provision of just twenty days that he received after his seven years of work. At one point, he started offering us support spontaneously. He recognised his Romanian colleagues and approached them as they came to the slaughterhouse gate, told them who else was in the car park and took on the role of 'trusted person' within the community, convincing workers to go on strike. Around one hundred workers joined the strike and, by the end, there were several workers who had signed forms to become union members.

The next night at 0200 we were at the third Bavarian slaughterhouse belonging to the same company, employing around 400 workers, where the workforce was again predominantly from Romania. The local union secretary was visibly in close contact with many of the workers there, having learned dozens of their names and a few words of greeting in Romanian. The initial plan for the strike was for it to take place between 0115 and 0600, during which time around 50 workers remained outside. Once again, a Romanian worker, Ion, helped us approach people and explain to them what was going on. Between 0100 and 0200 AM, a few tens of workers in the slaughtering section joined the strike – almost all of them recent NGG members.

Although the main claims of the strike were around rises in the minimum wage, several workers complained about other abuses in the company and this is where much of the energy for the strike came from. Several workers told us that, every month, there were shortages in the pay received by workers of around 16-20 hours. Another worker complained about not receiving his salary for two months and being employed through another company registered in Austria. Moreover, only a few workers received direct contracts with the company; the rest still being paid through the former main subcontracting firm. There was a mix of issues which was making the workers angry.

- 10 A works council (Betriebsrat) in a company has the task of representing the interests of employees in dealings with the employer and is elected by the employees of a company every four years.

This anger led to a turn of events: in the first place, the strike was planned for circa four hours, until 0600, but many of the strikers said they did not want to go back to work for the day because, in the four remaining hours, they could still slaughter enough animals and thus not cause sufficient damage to the employer. The initial reservation over having a day-long strike had to do with it being a Friday and over the weekend there could be issues related to animal welfare provisions or that a day-long strike could create tensions among the workers who would be called out on Saturday to do the Friday work. In the end, sufficient room was found to keep the animals alive until the Monday. After the workers (backed by the campaigners) had negotiated with the union secretary, the day-long strike was approved.

Unlike the organic intellectuals that had been subjugated by the dominant class, Alin and Ion remained faithful to their class and collaborated with the union. Willingness to organise might have been motivated by individual interests but, in becoming part of the labour struggle, they framed their own interests as class interests, and these resonated with all the workers because they were organically linked to common experiences at the slaughterhouses. Unlike the coopted intellectuals, these experiences were not used to create threats and fragment workers but to create cohesion between them and mobilise them against the established consensus regarding their working conditions.

Our analysis confirms that, in becoming an active part of a collective structure, there is, without doubt, a self-serving interest at play but it comes from a collective sense of self, one that recognises the common interests in a group and the value and resilience of collective organisation and negotiation for workers (Lazar 2018). Organic intellectuals such as Alin and Ion are integral to generating group self-awareness and, as Lazar argues (2018: 270), ‘the processes of making collective selves are the source of the unions’ strength’.

Our analysis also shows that a stronger emphasis on building relations between the union and these organic intellectuals is needed, and for two reasons.

First, as shown in the previous section, organic intellectuals can be co-opted to generate consent to the existing working conditions amongst workers. This ensures the perpetuation of the labour-sourcing system developed by the German meat industry and other EU employment sectors relying on precarious migrant workers. And, as a consequence of this, fragmentation amongst Romanian migrant workers continues, hindering their unionisation and failing to strengthen the union in relation to the employers.

Second, although coalition-building has been emphasised in the industrial relations literature as both a mode of revitalising trade unions and including migrant workers, most of the work has been concentrated on coalitions between trade unions and other civil society organisations, with a preference for grassroots community organisations. However, as Alberti (2016) remarks in her research on Unite’s Living Wage Campaign in the UK, the assumption behind these coalitions is that migrant workers are unable to articulate their demands by themselves. Political actions are ‘contracted out’ to other civil society actors, creating the risk of bypassing the workers whose specific demands might remain invoiced.

Moreover, the literature on coalition-building tends to assume uncritically that community organisations exist and that they are representative, participatory and cohesive (Jiang and Korczynski 2022). In reality, the Romanian cultural associations in Germany, as well as in other EU countries where Romanians are employed in precarious jobs, do not participate publicly in coalitions for the improvement of working conditions such as the one analysed here. In the German case, the coalition building that led to the adoption of the ASKG relied on German civil society actors, concerned by inhumane working conditions in the slaughterhouses and the consequences this might have for them (Ban et al. 2022). Hence, rather than reflecting a bottom-up approach, the coalition-building action looks rather top-down, hindering workers' participation.

One way of overcoming these two obstacles is to create forms with which to engage organic intellectuals, such as Alin and Ion, in various forms of community building. This can take place at shopfloor level as well as outside the workplace, especially on the part of trade unions who can support and encourage 'multipliers' through regular visits to the same companies over years as well as through the engagement of workers' communities outside the workplace. Such community building initiatives can be carried out through the organisation of recurring social events, by establishing educational initiatives and creating media outlets. Moreover, by diminishing the 'passive tolerance' (Strache and Bernhold 2021) of wider German society in a reaction against the super-exploitation of workers and animals in the meat industry, it could also create broader social support for workers' struggles.

Conclusion

Since the 1970s, trade unions in the Global North have been confronted with a decline in membership and market deregulation that has hampered their actions and reduced their power. The rise of a precarious mobile migrant workforce has been a particular challenge, with union strategies regarding this new workforce varying depending on a multitude of factors, from institutional embeddedness in national policy and decision-making to differences in employment structures across sectors, or cultural frictions.

Trade unions in Germany have experienced a similar decline in power, but they have maintained a certain level of influence in policy decisions and they have, in general, thus been reluctant to incorporate the rising migrant labour force in their strategies. Exceptions have emerged, however, in economic sectors where this workforce has become predominant, such as in the meat sector, marked as it is by a concentration of market share in a few large companies. Migrant labour, mostly coming from eastern and central Europe, has allowed these companies to keep costs low and gain a competitive advantage in the export market. Yet, this success has been accomplished at great cost to workers who have been living and working in extremely precarious conditions.

After years of more or less successful struggles for better working conditions away from the media spotlight and the concerns of German citizens, and against a backdrop of the efforts made by NGG to organise these workers despite the unfavourable legislative context, Covid-19 revealed the poor conditions in which

workers in the industry live and work and helped pass a new law in 2021. The ASKG offered the union new tools and possibilities to represent and organise migrant workers and, in 2021, it initiated a series of strikes at German slaughterhouses.

Following dozens of strikes across Germany and a new negotiations round, in the summer of 2021 an increase in the minimum wage in the industry and an industry-wide, and generally binding, collective agreement were put into place. The new agreed hourly minimum wage was 10.80 euros, an increase from the 9.50 euros which previously applied. The union did not succeed in its initial request for an immediate increase to 12.30 euros per hour: instead, a slow and gradual increase was agreed upon in which, from January 2022, the minimum wage increased to 11 euros with an hourly wage of 12.30 euros implemented only from December 2023. Apart from the slow implementation, the increase in the meat industry minimum was also relatively unsuccessful in that the legal minimum wage in Germany increased in parallel and to a similar extent, reaching 12 Euros in October 2022 and remaining so until the end of 2023.

At the point of writing this conclusion, the ASKG and the presence of a general collective agreement had managed to bring some improvements to workers; the majority of the 160 000 workers in the industry have direct contracts and are no longer divided by the unequal pay fault line. It is estimated that circa 35 000 subcontracted workers have been hired directly, while the subcontractors themselves were taken over and dissolved in January 2021, with some of the abuses in the industry decreasing (Faire Mobilität 2022). During the 2021 negotiations, the NGG gained circa 1800 new members of which more than two-thirds were former service contract workers (Schulten and Specht 2021).

Our participant observation in several strikes at slaughterhouses in southern Bavaria revealed that the most effective strikes were those in which workers trusted each other and accepted their own participation in them for the most part only after a co-worker had talked to them, not when a trade unionist or a campaigner did. We have argued in this article that these workers are organic intellectuals, characterised by an ability to understand the structural conditions that have led to their precarious work experience and capable of deploying this understanding in the concrete actions of labour organising.

It is, however, visible that the former subcontractors, who have been employed as foremen and consultants, contribute to this day to the ‘authoritarian manners, harassment, verbal violence or activities’ (Adjan 2023) that typify the meat industry in Germany. A reason behind this is that, contrary to the fetishism amongst scholars to see organic intellectuals purely as the articulators of resistance to hegemony, organic intellectuals can be co-opted by the dominant class and used to discipline resisting workers.

We suggest that trade unions should pay more attention to organic intellectuals. Indeed, trade unions, and particularly the NGG, have engaged in coalition-building with civil society organisations in order to expand their repertoire of strategies and tactics beyond the workplace. However, in the absence of representative and cohesive migrant communities, as is the case of the Romanian workers who constitute a large share of migrant workers in the meat industry and who are, in some

slaughterhouses, the only or the main ethnic group present, it is German civil society that has been the main partners. The implication here is that these workers are passive victims of an exploitative regime and are unable to represent themselves. However, we have shown that workers in global capitalism are not passive victims of the relations of value extraction (Durst 2018); they are also social actors who are finding or creating new meanings and provisioning strategies in their everyday lives. Trade unions have to create, together with these organic intellectuals, new forms of community engagement to avoid co-option and to increase unionisation.

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