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WORKERS' MOVEMENTS AND STRIKES IN THE TWENTY-FIRST CENTURY

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EDITED BY JÖRG NOWAK, MADHUMITA DUTTA AND PETER BIRKE

Workers' Movements and Strikes in the Twenty-First Century

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Introduction

The New Upsurge of Strikes—Tendencies, Challenges and Limits

Jörg Nowak, Peter Birke and Madhumita Dutta

DAYS AROUND MAYDAY

On Friday, 28 April 2017, the first general strike in Brazil in eleven years launched protests against President Temer's plans to overhaul a pension scheme, a measure that will drastically affect the young workforce. Among the many aspects of President Temer's 'Bridge to the future' plan which has decimated public spending and social security, has included attacks on schools and universities, and will lead to even more environmental destruction, workers saw the planned pension 'reform' as the main attack on their entitlements. During the strike, thousands of workers across Brazil clashed with riot police.

On Saturday, 29 April 2017, the Turkish government dismissed no less than 3,974 civil servants, not only as part of a wave of repression directed against the participants of an attempted *coup d'état* but also as a purge aimed at all oppositional forces in the country. Among those sacked were many trade union organizers; like others they were accused of participating in (until now unspecified) 'terrorist activities'. A few days earlier, the director of the left trade union website Sendika.org, Ali Ergin Demirhan, had been arrested.

Also on 29 April, unions and workers joined tens of thousands of marchers, including indigenous groups, in Washington, DC, and other cities in the United States to take part in the People's March for Climate, Jobs and Justice. On 1 May, cities across the United States witnessed immigrant workers refusing to go to work, university students walking out of their classrooms, labour and civil rights groups marching down the streets protesting President Donald Trump's anti-immigrant policies that threaten the lives and livelihoods of millions of immigrant workers in the country.

On 2 May 2017, the Italian government appointed commissioners to assess whether the airline Alitalia would be maintained or liquidated. Alitalia was said to have incurred losses, and the liquidation was demanded by shareholders (such as the United Arab Emirates [UAE] carrier Etihad Airways) after Alitalia staff rejected a two billion euro (US$ 2.3 billion) plan involving pay cuts and the loss of 1,700 jobs, more than 10 per cent of the total number of its workers. On 29 May, a nationwide strike was called by air traffic controllers and staff in Italy, and more than 200 flights were cancelled.

Twenty-first-century working-class struggles have seen alliances of working people in response to issues such as climate change, immigrant rights, informalization of work and the political-economic crisis across the globe. A glance at protests over only a few days in the spring of 2017 reveals the increasing relevance of strike movements within social movements in general, but the research on work and working conditions rarely looks at this big picture. Rather, strikes are most of the time seen as 'non-movements' (Bayat 2013). They are more often conceived of as spontaneous unrest in everyday life rather than as important *political* events. In contrast, this book asks how to make sense of a seemingly decentralized, even fragmented, and massive although sometimes hidden, sometimes very visible world of labour conflicts.

A RESURGENCE OF STRIKES?

The beginning of the twenty-first century saw a comeback of labour strikes and working-class struggles. The bulk of those struggles were located in Asia, Africa and Latin America. An important background were local and regional recessions that forged labour unrest; take, for instance, the mass movements, riots and occupations in Argentina on the verge of the crisis of 1998–2002. A few years later, in 2007–2008, rising food prices led to protests in at least thirty countries – from South and South East Asia (Bangladesh, India, Indonesia) to Central Asia (Uzbekistan), North Africa (Morocco, Egypt), East Africa (Mozambique), West Africa (Burkina Faso, Senegal, Cameroon, Cote d'Ivoire, Mauretania) and Latin America (Mexico, Haiti). Notably, this first round of unrest on nearly a world scale started beyond the 'northern' centres of industrial production (Bello 2009; Birke and Henninger 2012).[1] At this stage, strikes in the narrow sense played a minor role. Rather, the protests consisted of mass demonstrations and political initiatives, and, as such, they preceded the wave of movements against authoritarian regimes during the Arab Spring in 2011 and thereafter (Dietrich 2012).

It was in this context – at the onset of the global financial crisis and as an integral part of the general picture of renewed social movements – that the resurgence of strikes took place. A list might start with the general strikes

in Guadeloupe and Martinique in spring 2009, followed by the largest strike wave, since the 1980s, in China in 2010. Such a list would include the massive garment worker strikes in Egypt in 2010, which prepared the grounds for the toppling of President Hosni Mubarak in 2011, and the public sector and miners' strikes in South Africa in 2010, 2012 and 2015. In addition, a series of strikes against austerity in Western Europe have to be noted, starting with the French strike against pension reforms in 2010, followed by general strikes in the United Kingdom, Italy, Greece, Belgium, Portugal and a general strike in Europe in November 2012. Some of the struggles extend over a period of time: for instance, the series of strikes in Indian automobile and auto parts companies unfolding since 2005 and continuing until today; or like the biggest strike wave in the past four decades in Brazil, which started in 2011 and is still gaining momentum; or a series of general strikes in Argentina after 2008; the enormous strikes by copper miners in Chile in 2015 and 2016; strikes and struggles of teachers, state electricity workers and peasants in Mexico – the list could go on with various other countries and sectors, and it would still be incomplete.

These new movements were accompanied by massive changes in the configuration of workers' resistance. Many new and independent trade unions, workers' organizations and collectives emerged; young female workers played a significant role in these collectives. Conflicts in established trade union federations grew, and even some of the big actors had to look for new political and organizational impulses. At the heart of these new forms of resistance are the rise of newly industrialized countries and the profound restructuring of work processes across the globe. Scholarship did discover those new workers' movements in recent years, and a wide range of incidents have been covered by a number of authors. Dae-oup Chang (2012) compared the forms of mobilization and organization of informal workers in East and South East Asia. A number of case studies have been conducted on strikes in China, many of them focused on the strike wave in 2010 (Kan 2011; Butollo and ten Brink 2012; Chan and Hui 2012; Friedman 2012; Pun and Chan 2012; Chen 2013). Several scholars wrote about the wave of general strikes and workers' mobilizations in Europe (Vandaele 2011; Birke and Henninger 2012; Gall 2012; Gallas, Nowak and Wilde 2012; Hamann, Johnston and Kelly 2013; Nowak and Gallas 2014), starting a debate on how to categorize the new forms of strikes and the consequences of their focus on the public sector. A special issue was published on the conditions of workers and trade unions in Latin American countries with left-wing governments (Trabajo 2011). There are accounts of the state of labour movements in India, Brazil and South Africa as they face the global crisis (Hensman 2010; Pillay and van der Walt 2011; Satgar 2012; Alexander 2013; Bond and Mottiar 2013; Bhowmik 2013; Stewart 2013; Véras 2013, 2014).

The most remarkable phenomenon of the conjuncture in the early twenty-first century is the relocation of the bulk of industrial manufacturing. The vast majority of industrial workers now live in countries that are often misleadingly called the Global South (Smith 2016). This epochal shift has occurred under the guise of a general restructuring of labour relations worldwide. Large multinational companies provide stable employment for core workforces while a larger chain of subcontracted workers work under different kinds of employment and precarity. This trend has seen various theorizations ranging from a precarity/informality regime (Breman and van der Linden 2014), relations between informalization and regulation (Mayer-Ahuja 2017) to the notion of a 'precariat' with different subgroups (Standing 2015). One of the main characteristics of labour relations presently seems to be an increasing individualization – unions might strike deals for certain workforces with production power, but the vast majority of workers fall outside of any collectively negotiated conditions. But while the number of industrial workers grew in absolute numbers over the past forty years, industrial workers are a smaller segment of the entire waged workforce than they used to be due to technological advancement and automation.

Between 2010 and 2012, almost all major countries in the Global South had been affected by large-scale strikes in the most important industries, while in Europe strikes were often concentrated in relatively poor countries (other than, notably, the United Kingdom and Belgium) and mainly in the public sector. Strikes in the United States are still infrequent and weak, and a few notable examples were seen only after 2014. But while those strikes erupted more or less simultaneously all over the world, strikers rarely established strong connections across national borders. The European general strike in 2012 formally remained an exception, but even here it was concentrated in a few crisis-ridden countries in Southern Europe. The relations of striking workers with other protest movements such as urban middle-class struggles, indigenous struggles or protests by slum dwellers are often vague and tenuous. It is only since the wave of global protests in 2011 that some of the industrialized countries like the United States, the United Kingdom, Spain, Ireland, Portugal and France witness the resurgence of left socialist parties or candidates, but with an uncertain future and it remains doubtful if they can make meaningful changes if in government. The Greek experience with Syriza speaks volumes – massive social movements against the notorious austerity politics of the International Monetary Fund, the European Central Bank and the Eurogroup produced it, but its institutional 'victory' was turned into the most depressive form of 'social' reorganization of austerity measures and politics. In most parts of the world, strikes are happening in a political vacuum and in full-fledged confrontation with the state, right-wing governments, fascist or fundamentalist thugs or paramilitaries and employers.

The overall picture leaves us somewhat puzzled: no question that there has been a massive resurgence of labour unrest, strike movements and social movements in the first two decades of the new century. But while those movements played a major role in the rebellions and revolutions of the recent years, they obviously tend to be weakened and even sometimes vanish under the triple pressure of fragmentation (like in Germany), institutionalization (like in Greece) and repression (like in Turkey, Brazil, Argentina, India and China). And even worse – counter-revolutions such as in Egypt and civil (world) wars like in Syria seem to destroy a lot of old memories and new hopes (Birke and Henninger 2017). To reflect upon the role of working-class struggles in such different, but related, contexts seems to be even more urgent than it had been earlier.

COMPARISON OF LABOUR UNREST

One of the main aims of this book is to discuss shifts in the spatial and demographic composition of strikes, thereby following the idea of an unequal, asymmetric but nonetheless entangled development. In recent years, the editors of this volume have been engaging in a discussion of the *forms* of 'contagion' of labour unrest, introduced as a concept by Beverly Silver and the World Labour Research Group (Silver 2003).

After revealing that there *are* cycles of strikes that 'follow' global capital investment and de-investment cycles, and the conjectures of crisis and wars, Silver asks how strikes and other forms of labour unrest are connected across borders. She introduces the categories of 'solidarity' and 'diffusion' to underline that the economic structure of those cycles does not automatically lead to an upsurge of strikes and that workers' agency has an important role, so that it has to be conceived of as an independent field of research. At this stage though, the involuntary structuralism of the World Labour Research Group based on aggregated data from newspaper archives leaves a gap, especially pertaining to the agency of workers. *Solidarity* could grow out of direct contacts between groups of workers or could be based on a moral economy that enables the translation of grievances and demands as a basis for solidarity actions. But what is *diffusion*? Our impression is that the discussions around Silver's and the world system approach's important texts around this question merely flag a mystery (Birke 2016).

The threefold notion of 'contagion' in this body of work is rather descriptive. Of course, if you search in the world of strikes, you will always be able to tell: (1) a never-ending story and (2) find a group of workers 'in solidarity' with others. This will be valid as long as there is capitalist accumulation and valorization and given that 'where capital goes, conflict follows'. Easy to

predict but – as with the evangelists always with a certain right to foresee the world's end – surely a bit banal? What are the preconditions for the fact that workers over time and space develop similar forms of struggle? Or, to put it in a more practical way: what can workers in, let us say, Germany, learn from a strike movement at, for example, Foxconn in Shenzhen? For some scholars, the answer will be easy: *it's all capitalism, is it not*? This book however aims at finding more specific relations in the highly complex and, at first sight, fragmented world of labour movements.

How can we bridge this gap between the global and the local? How is labour unrest connected in time and space, and on micro-level and macro-level? While this problem is what research on strike movements is all about, finding answers is difficult. The starting point of such examinations may be, just as it is in research based on world system theories, the observation of unexpected similarities of the forms strike movements develop on a world scale. A certain flexibility is needed when we want to make a point about commonalities. For example, results of empirical research in the newly developed and highly fragmented and informalized urban steel industry in New Delhi may be 'translated' in two different ways. On the one hand, strikes in-and-against informalized work are in fact bound to a historical regime of *formalization* – and this is beyond the North-South divide. On the other hand, we need to look at the would-be *fringes* of the steel industry in Western Europe, at the precarious landscape around the few big factories that remain if we wish to address the similarities of workers' struggles in a proper way. We turn then to the landscape of outsourced work, temporary agencies, labour that is redefined as part of the precarious service sector *around* the technologically advanced, highly productive hubs. Notwithstanding a long history of different trajectories of work and labour, different political regimes, and the North-South divide, we may find surprising similarities between, let us say, Germany and Indonesia in that respect (see chapters 1 and 12 in this volume). A comparative approach to the forms of labour unrest connected with such similarities is until now systematically underdeveloped. Our book might be a, albeit small, contribution to this question.

NEW STRIKES?

Narratives about workers' struggles hint at four aspects that are included in our analysis – a re-composition of strikes at the global level; a tertiarization of strikes; a feminization of strike movements; and, based on this, a renewal of the political character of strikes.

First, the transnational *composition of strikers* in industrial work changed significantly. While industrial workers tend to be a minority in strike

movements in Europe and the United States, a rising share of strikes in industrial work took place in Brazil, Russia, India, China and South Africa. In recent years, strike waves have occurred in heavy industries like construction, automobile production and mining. Male workers of those industries represent a large part of the strikers. In some of the emerging economies, public-sector workers have been on protest too, like when the public-sector strike in South Africa saw a historical participation of 2 million workers in 2010 (Bekker and van der Walt 2010), or when the public-sector strike in Brazil in 2012 likewise saw a historic amount of participation.

Second, a rising share of strikers work in public and private services; hence some authors speak of a *tertiarization* of strikes (Bewernitz and Dribbusch 2014). Part of this picture is strikes in the logistics and transport sectors, which have already been more pronounced than strikes in manufacturing over the past few decades. This sector remains crucial due to the logic of lean production and the increasing importance of commuting, especially in some countries of the Global North. On this ground, some authors already even speak of a new 'logistics' cycle of conflicts. This seems to be an assumption and it remains unclear to what extent we can speak of this as a dominant overall feature of the 'new strikes'. Notwithstanding that, many spectacular strikes have taken place recently at airports, on motorways, in the communications sector, and many of them were protests against low wages and precarization. The new areas of low-wage service work in private hospitals and care units, as in delivery services, and call centres, have witnessed spirited and visible strikes in recent times. These services – along with the transport and logistics sectors – have a high number of female and migrant workers. Adding up are the strikes in the public sector that are pronounced in both middle-income and high-income countries. Public-sector workers have been under constant attack throughout the past twenty-five years.

As the service sector tends to employ a large share of female workers, the third aspect of the 'new' strike movements is their *feminization*. It becomes more visible when struggles by women performing care work take place. In many countries – and beyond the North-South divide – the emancipation of care workers as crucial producers of public goods, on the one hand, and as specific targets of austerity measures, on the other, has led to a growing visibility and relevance of strikes in hospitals, nurseries and schools (Briskin 2013, 2014). Take for instance the four-week-long lockout of teachers in almost all elementary schools in Denmark in 2013 or the so-called nannies' strike in Germany in 2015 (Aulenbacher 2009; Artus et al. 2017). All these strikes were well covered by the media, as they disturbed the reproduction process and made everyday life for many people more complicated. These strikes miss some crucial pressure when they take place in the public sector, since states are saving money when employees in the public sector go

on strike. This often means that such strikes tend to be prolonged and hard to win, but even so they get huge media coverage and often become part of the political discourse on the usefulness and quality of the public sector and care work.

And fourth, public sector and care workers' strikes cannot but be political. Public-sector strikes constitute a crucial aspect of anti-neo-liberal politics as they challenge, sometimes successfully, efforts at privatization and the demolishing of public goods and/or the welfare state. Wherever mass strikes took place in Southern Europe during the period of intensified crisis, public service workers were their backbone. The same is valid for anti-austerity movements between 2008 and 2015 in such different contexts as Nigeria, the United States, Canada, Finland and South Africa. And most importantly, these strikes included demands to raise more resources for the public sector in order to improve conditions not only for the workers themselves but also for the most vulnerable groups in society.

Having said this, it must also be noted that we can observe different tendencies regarding the strikes in the Global South and the Global North in the current conjuncture after the global crisis. Strikes in the South are more often economic and sectoral. They often turn into protracted and intense conflicts that end only when some material result is attained. In order to use Rosa Luxemburg's typology, they can be labelled as 'fighting strikes', meaning that the symbolical aspect of the manifestations ranges second (Luxemburg 2008 [1906]; Nowak and Gallas 2014). Strikes in the North are more often defensive, political, general and demonstrative: some of them include large masses on the streets, but often only for a day or two, and mostly end with defeats. But at the same time, there are other types of strikes occurring in each of these regions; thus we do not claim that these are uniform tendencies and we can easily find links between the agendas of strikes in different world regions. We seek to explain in which sectors we can observe the manifestations of both types of conflicts, which represent different and often contradictory dynamics: mass and demonstration strikes of public-sector workers who are defending their rights or the existence of their sector on the verge of austerity, often in the framework of general strikes. Such strikes normally remain short-lived and are largely symbolic. But in the logistics industry (Ikea logistics in North Italy; Amazon warehouses in France, Poland and Germany) or the health industry (private clinics), new workers, a large number of them of migrant background, fight for better wages and work contracts (many of them work in the legal form of freelancers or 'entrepreneurs'). In Germany, for instance, private security officers at airports were able to push through a 20 per cent wage hike in 2014, and more than 10 per cent in 2017 – thus, offensive and defensive strikes occur in parallel.

In the South, the Brazilian case will provide an example of a parallel to this development. The biggest strike wave in terms of public attention and militancy has occurred in construction sites since 2011, where workers are 95 per cent male; they are among the lowest-paid wage workers and were yearning to ameliorate their conditions. These were classical cases of mass strikes occurring in one sector across the country, stretched across four years. At the same time, the bulk of striking workers since 2011 have actually been public-sector workers – often in the areas of health and education, but also among the police forces, whose strikes were sometimes less visible but who defended themselves against tertiarization. There is a significant number of female workers in the public sector, and a national strike in 2012 demonstrated their strength. The four-week national strike was followed by mobilizations of teachers in Rio de Janeiro in September and October 2013, a strike by São Paulo metro train drivers in June 2014 and a three-month-long strike of university personnel in Universidade de São Paulo in the summer of 2014. The Brazilian example could be complemented by examples from other countries, where both the lowest sections and more established sections of the working classes are in struggle.

The strong, offensive sectoral mobilizations in the South do not always connect with other struggles, but in a considerable number of cases they do. For instance, the 2010 strike wave in China that started with migrant workers in supplier factories of the Honda automobile company witnessed spillover of strikes to other sectors, which was a significant strength of the strike wave.

However, except for the European general strike in November 2012, which anyhow remained a tentative enterprise, there have been no transnational mobilizations. This is despite the fact that most of the companies affected by major strike waves operate at the transnational level. The construction of transnational solidarity remains one of the decisive challenges for future working-class resistance. Another challenge is at the political level. Although the European general strikes directly address national governments and multilateral financial organizations, and even though many of the economic and sectoral strikes in the Global South get politicized very quickly due to massive police and/or military interventions, there is a political vacuum in the new wave of working-class resistance. A mistrust of labour-based political parties is also discrediting the neo-corporatist unions that gained power in the 1980s and/or 1990s in Brazil, South Korea and South Africa.

There is massive dissatisfaction and a spirit of resistance among workers across the globe, but there is little open political debate or discussion about different models of political organization, let alone about models of alternative, post-capitalist societies. These aspects and both the advantages and the limitations of new worker unions and organizations will be addressed in

detail in various chapters in this volume. If we can conclude something from this first collection of facts and constellations, then we could say that we are in a phase of the constitution of a global working class; we are facing a multitude of strikes and struggles inside and outside the workplace, but there is a huge gap in terms of political organization and ideological orientation. This is also due to a legitimate scepticism towards older forms of progressive organization like political parties and trade unions, for example, in countries such as Brazil and South Africa, where the last generation of progressive forces has been or remains in government, in more or less corrupted variants.

BETWEEN RESEARCH AND ACTIVISM

At this point, we will try to bring together two issues that have already been touched upon: the theoretical instruments that are appropriate to analyse strikes and workers' movements and the specific global political conjuncture that impregnates these struggles (McMichael 1990). Like it was put forward by some authors in the recent years, notably Michael Burawoy, we contend that both cannot be conceived separately from each other. In our opinion, the study of strikes and working class action should not be cut off from larger political questions as to what type of society we want to live in; what do we want to produce and how; how to evade a descent into barbarism given the global tendencies of ecological collapse, privatization and commercialization of every aspect of human life, technological surveillance, fascism and authoritarian rule. A strong tendency in labour studies confines itself to thinking about how to revitalize trade unions, regain bargaining power and install global union federations as legitimate actors (Dörre, Holst and Nachtwey 2009; Webster 2017). This boils down to a strategy of using and reforming the existing institutions of social democracy with the limited aim of some betterment for some categories of workers.

The complement at the level of theoretical methods is a watered-down version of the power resources approach that aggregates power resources (bargaining power, associational power, production power and institutional power) in a mathematical fashion. However, the larger tendencies outlined earlier call for a larger blueprint for the future, beyond an imaginary come-back of social democracy.

These larger political tendencies are, we contend, imposing themselves on the social and political scenarios in the most violent and harsh ways. We have witnessed these in quick succession in the past few years, with the European refugee crisis; the escalation of the proxy wars in Syria; the crisis of the oil states in the Gulf; the rise of the far right in Latin America, India, Europe and the United States and the severe crisis of the European Union. This scenario

demands and will elicit more profound resistance and transformation than just a revitalization of corporatist trade unions that are anyhow losing credibility, relevance and influence with massive speed. Against a narrow perspective – often vaguely inspired by Polanyian notions of a swinging back of the pendulum aligned with state-led institutional strategies and focused on 'labour' as a category of people and not on 'class' as an encompassing social and political relation that goes beyond work, production and services – we will try to outline and take up other tendencies of research on strikes and workers' movements linking up with a vision of a profound transformation of society.

Beverly Silver's approach has been extremely influential and it is also precisely due to her influence that the power resources approach – used for long in social movement research as 'resource mobilization theory' (Tilly 1978) – became quite popular. But especially in some recent versions (Dörre, Holst and Nachtwey 2009; Brookes 2015), Silver's approach has been reduced to the power resources aspect, whereas Silver herself combines a large variety of methods with the power resources approach: the idea of product cycles (from textile to automobile), the notion of various fixes (technological fix, spatial fix, product fix), the influence of wars and the relevance of global superpowers for working-class movements. Thus, to isolate the power resources approach means reducing Silver's five analytical levels to one. This regression has only rarely been noticed until now (see Gallas 2016). It is also a regression because it ignores how social movement research has moved beyond the resource mobilization approach a long time ago. In social movement studies, analysing the 'how' of social movement organization has become essential (Tarrow 1998). More recently, the 'how' is also being complemented by analyses that look at different models of coalitions between trade unions and other social movements (Diani 2018; Zajak 2018). Another strand in social movement research is integrating the 'why' of social movements, and in this trajectory reintegrating class into the analysis (Barker et al. 2013; Cox and Nilsen 2014; Della Porta 2015).

When we ask those questions, we soon find that the category of space plays a decisive role. Labour geography, as one of the sub-areas of economic geography influenced by Marxist scholars, may grasp this phenomenon (Herod 1998, 2010; Coe and Jordhus-Lier 2011). This approach has the merit of integrating insights and approaches from various areas: critical geography, race theory, economic analysis of global value chains and global production networks, social movement analysis and ethnography/anthropology. However, there still remain missing links in this multidisciplinary field. The ecological collapse and the ensuing food crises urge us to look at the intersection of industrial and extractive labour, land use change, the displacement of peasants and environmental issues. A significant section of the new industrial, extractive and service workforces are from peasant households, who cannot

make their living in rural areas any more. Therefore, one cannot focus on labour as an isolated issue, especially in middle- and low-income countries.

In this book, this link is reflected in the chapters on Vietnam, Mozambique, the UAE and India. The close intersection of food riots and strikes is described in the chapters on Nigeria, Mozambique and Burkina Faso. To view labour struggles and other conflicts as discrete issues very much reflects a Northern reality, in which governments and political systems are still able to keep these issues apart. Although the focus of our book is on workers' movements and strikes – first of all, due to their lack of visibility in much protest research, but also because of the unusual explosion of strikes all over the world as one of the main means of struggle over the past few years – the material that we gather in our chapters already points at a larger picture in which different fronts of struggle organically intersect. This is not a new phenomenon – in the history of the workers' movement, tenancy struggles, food riots, the women's movement and genuine workers' struggles have very often been aligned with each other.

One of the gaps in our book is that we do not include much about struggles by agricultural workers or peasants – even more striking given the recent successful mobilizations of farmers in Baja California, Mexico; massive strikes and protests by peasants and workers in tea plantations in India; and strikes and struggles of migrant agricultural workers in Spain and Italy, to name just a few examples. Another area that deserves more attention, and is only touched upon briefly in some of the contributions in this volume, is the tensions between powerful states and their national industrial champions with workforces in low-wage countries. That is to say, the implications of imperialism for economic exploitation and the concentration of economic and political power in a few countries (see Smith 2016), recently accentuated with the presidencies of Donald Trump in the United States and of Xi Jinping in the People's Republic of China. The effects of imperialist competition and the superpowers on the situation of workers have also been highlighted by Silver in a systematic fashion but tends to be largely forgotten in much other research on labour studies (Silver and Arrighi 2001).

To sum up, we encourage scholars of labour studies to not follow a narrow disciplinary view but to incorporate insights of neighbouring disciplines and perspectives such as social movement theory, labour geography and theories of imperialism. At the same time, we strongly underline the necessity to ask clear questions on broader political strategies, specific national and local political conjunctures and the close connections between different social and ecological problems. These larger questions are often already present in the social conflicts themselves and can be distilled from them if they are analysed with an open lens. The unsustainability of the present global economic and political order is not something that has to be 'read into' ongoing conflicts

but is imposing itself as evidence due to the contradictions contained in the empirical material.

Having said this, we have to underline once again that most of the current struggles lack a transnational perspective. While there have been some instances of transnational strikes or workers' struggles in the past twenty years, these are still the big exceptions and are not led in a sustained fashion (see Bieler and Lindberg 2011; Bieler et al. 2015, for a more detailed exploration of the challenges and limits of transnational worker agency). Which means also that the national terrain is still the main area of mobilization for workers' movements and popular struggles. This has to be registered and taken seriously, and it certainly poses a serious limitation, given the global nature of today's political challenges and the fact that the capitalist classes are operating transnationally, albeit partially divided into national and geostrategic blocs.

Altogether, this book aims to reconstruct the logic and explore the interrelatedness of the stated aspects of strikes and struggles (transnational diffusion, tertiarization, feminization, etc.). By promoting an analysis of the dialectics between the *social* and the *political* recomposition of the working classes, we ask if there are common global tendencies in the strike movements of the recent years.

- How are strikes related to the whole picture of everyday resistance in labour relations?
- Is there a connection between the (quantitative/qualitative) composition of strikes and the movements of capital and/or the rise and fall of certain industries?
- Does conflict follow capital or is it rather the other way around that capital is increasingly able to use territories with a high level of violence and conflict as profitable sites of investment (mining in conflict-ridden Congo, the energy industry in Honduras, etc.)? How did the world economic crisis possibly change this picture?
- Which of the movements are directly and explicitly related to the crisis? (See, for example, the mass strikes in Greece.) What role does precarization and austerity politics play in this? What is the political impact of these strikes?
- How do core-periphery relations have a role as both the European Union and the capitalist world system seem to be in a profound crisis?
- What role do shifting gender relations have? And how do labour unrest and strikes themselves contribute to redefining those relations?
- In which ways do strikes deal with the crisis of reproduction? Is there an increasing relevance of care work and social service work in strike movements?

- How are strikes related to social movements that are led by working class and poor communities about health, housing, the household, electricity, environmental pollution and many other issues?

Our approach was to propose to authors from countries around the world to reflect on those questions. In addition, we were aiming at a broad perspective, one that did not stop with the description of a single strike or even a strike movement. For us, strikes play only a part in the process of a constant remaking of the proletarian condition, on the one hand, and the fight for a classless society, on the other. We therefore wanted the authors to weave conditions on the 'outside' of the factory, and even of waged work into their perspectives: the reshaping of cities, gentrification of neighbourhoods, redefinition of public goods and land acquisition/ land-grabbing. Finally, we asked them if the recomposition of strikes (or certain strikes, as described in the book) means that theories and research of social movements could be useful for the development of critical accounts. Not all the authors answered all these questions, and many remain unresolved, like the big political question that is behind all this: the resurgence of an emancipatory working-class movement on a transnational scale. As Bertolt Brecht once put it, it is *the simple thing that is difficult to make*.

STRUCTURE OF THE BOOK

The book is organized into four regional sections: Asia, the Americas, Africa and Europe. In the section on *Asia*, five chapters – on Indonesia, China, Vietnam, UAE and India respectively – present specific and national contexts of workers' struggles in this region. In their chapter on Indonesia, Panimbang and Mufakhir foreground the role of the labour movement in shaping the political landscape in a post-authoritarian regime. They examine the general strikes from 2012 to 2013 to understand the capacity of unions to mobilize and organize the Indonesian workforce. In the chapter that follows, and based on twelve months of ethnographic study, Deng Yunxue examines the strike waves between 2010 and 2015 in the automobile industry in Guangzhou to analyse the conditions that had produced a diffusion of strikes in the Chinese auto parts industry. Deng shows the significance of the spatial configuration of automobile industrial zones in facilitating strike diffusion in South China. Mark Anner analyses the wildcat strikes in Vietnam between 2006 and 2014 to understand the role of party-state-union relations, market-oriented reforms and working conditions in motivating the strikes. He also examines how workers organize strikes and, most often, win their demands in a challenging political context. Bindhulakshmi Pattadath's chapter on transnational migrant

domestic workers from India who work in the UAE analyses a completely different space of work, both intimate and public, examining the experiential realm of undocumented migration in the everyday lives of the female workers. The chapter underlines the prominent role played by women in the domestic labour market of the UAE. It foregrounds the everyday resistances and agency of female domestic workers to gain control over their labour in a context in which collective organizing is not only difficult but also attracts severe state action such as deportation. Tracing the evolution of an employees' union inside a special economic zone at a time when forming labour unions has become a huge challenge in industrializing regions in India, Madhumita Dutta writes about the everyday politics of labour in a multinational electronics factory where workers skilfully negotiate the formation of a shop-floor union with the management and party-affiliated trade unions.

In the three chapters on the *Americas* – Brazil, Chile and the United States – the authors examine the various forms of strike movements that workers engage in under different politico-economic contexts and at multiple sites of work. Jörg Nowak looks at the Brazilian construction industry that mostly employs internal migrants, at how the character of strike movements has changed in this sector where workers now use new technologies to share information and organize effective strikes across the country. Antonio Aravena Carrasco and Mauricio Muñoz look at post-dictatorship Chile, where workers from different sectors form coalitions with citizen's initiatives and religious groups to organize and mobilize. The chapter also looks at the strategies of unions organizing among subcontracted workers in Chilean mines. In his chapter on working-class struggles in the United States, Dave Kamper analyses four cases of organizing among largely non-unionized wage workers in the service economy: fast-food workers in the 'Fight for $15' campaign, the auto workers in Tennessee, janitors in Minneapolis-St. Paul and the teachers' union in Chicago. Kamper examines how despite drawing attention to the issues of income and racial inequality, in the case of 'Fight for $15', the campaign remains as much a public relations operation as a genuine workers' movement. On the other hand, the chapter analyses the alliance-building by the Chicago Teachers Union to develop 'bargaining for the common good' which works as an active ally for the poor and minority communities in the city and not just union members.

In the *African* region, three chapters on Burkina Faso, Nigeria and Mozambique examine the responses of workers and unions to the neo-liberal policies and reforms in formerly colonized and military-ruled countries. Bettina Engels looks at how demands are being framed and raised by unions and their allies and uses the concept of 'popular classes' in analysing the relationship between organized labour and other groups engaged in strike movements in Africa in a historical context. Femi Aborisade and Drew Povey point out

how despite the role played by the labour movement in ousting the military dictatorships in Nigeria, the national government has not been sympathetic to labour movements after the restoration of democracy and has aggressively pursued neo-liberal policies that had a huge impact on working people. The chapter describes how the labour movement, both unionized and non-unionized, has actively mobilized to resist the government's neo-liberal policies. In her examination of the labour movement in Mozambique, Judith Marshall argues that, faced with neo-liberal regimes characterized by the newly intimate relationships between governments and corporations, both foreign and national, working-class activism is confronted with the necessity to reposition itself in the new century. She claims that workers are finding old forms of representation, collective bargaining and defence of workers' rights dysfunctional and are therefore engaging in wildcat strikes and other forms of direct action, which are violently suppressed by the state using armed police and the military.

The last section of the book contains five chapters on *Europe*, more specifically on Germany, the United Kingdom, Spain, Greece and Russia. Peter Birke explores the current composition of strike movements in Germany, especially the increasing relevance of strikes in the service sectors. The chapter examines the role of austerity policies in Europe and its social consequences and provides a critical assessment of trade union politics during the first years of the global financial and debt crisis. Challenging the popular perception about a decrease of strikes in the United Kingdom, Alexander Gallas draws our attention to the shift in the nature and quality of strikes. He argues that in contrast to the boom years when strikes became political only after the interventions of politicians, more strikes make political demands from the outset of the global financial and economic crisis. Therefore, while the *number* of strikes might have declined, there is a rise in political strikes in the United Kingdom. Nikolai Huke and Olaf Tietje discuss how old forms of general strikes and old strategies of union mobilization have become ineffective in Spain and how the crisis has significantly changed the terrain of workers' struggle. The authors show the way in which strike movements from below have appeared alongside established forms of trade union representation, which underlines the importance of going beyond the cooperation/confrontation model. Using case studies from Greece, Anna Koumandaraki and Athanasios Tsakiris highlight the gender dimension of strikes. As a common thread with the other chapters from Europe using the economic and financial crisis as a point of reference, the authors look at how the crisis reversed the tendency of the massive entry of women into the labour market in previous years. Using non-official data and information on strike movements in Russia, Elena Gerasimova and Petr Bizyukov analyse the legal definitions of collective labour disputes, legal requirements for the resolution of collective labour

disputes and the organization of strikes and limitations of the right to strike in Russia. They argue that since most strikes are declared illegal by the courts in Russia, workers are forced to take recourse to alternative means of struggles rather than ones deemed legal.

NOTE

1. While the bulk of these protests were strikes, street protests have been a lot more in the spotlight both in the mainstream media and in the left academic and popular publications – often due to a middle-class bias of writers and analytical lenses and the long oblivion of class that is only starting to crumble in recent years. The large-scale street protests in non-core countries such as Brazil and Turkey (2013) and Egypt (2011) had been preceded by mass strike movements (construction and public-sector workers in Brazil, the Tekel tobacco and beverage workers' movement in Turkey and garment workers in Egypt).

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Chapter 1

Labour Strikes in Post-Authoritarian Indonesia, 1998–2013

Fahmi Panimbang and Abu Mufakhir

This chapter[1] discusses labour strikes in post-authoritarian Indonesia between 1998 and 2013, including the occurrence of general strikes in 2012 and 2013. Recovering from dictatorship since *Reformasi*[2] in 1998, the labour movement has increased its capacity for protest mobilization. It shows that workers and labour unions are capable of articulating their political aspirations with a combination of various strategies of legal and non-legal activities (direct actions, street politics). It argues that the coalitions of labour unions from different federations at the grassroots level and their increased capacity to mobilize workers have played a major role in successful strikes. Nonetheless, the state and the capital have also consolidated their power to enact counter-measures against labour.

LEGACIES OF THE AUTHORITARIAN ERA

Although Indonesian workers and labour unions are recovering from the dictatorship of the Suharto regime (1967–1998), its legacies remain to form the context in which they exist today. Labour unions face a number of impediments in their mobilization, including organizational fragmentation and the decimation of the Left. The corporatist system that was formulated by the regime in 1974 to create harmonious industrial relations has profoundly shaped labour relations until today.

During the Suharto era, a formerly vibrant labour movement was violently curtailed and the Left decimated with the massacre of hundreds of thousands of communists in 1965–1966. The regime banned leftist unions, which had played a significant role in independence movements and the dismantling of

colonialism. In 1973, the regime brought together the moderate and conservative unions under the umbrella of the Federasi Buruh Seluruh Indonesia/All Indonesia Labour Federation as a single trade union federation. It changed its name in 1985 to Serikat Pekerja Seluruh Indonesia/All Indonesia Workers Union (SPSI). This solely recognized trade union federation was heavily manipulated by the regime and served to control workers rather than to promote their rights.

Repressive labour policies were reflected in regulations that allowed military intervention in labour disputes, which resulted in severe suppression. Grievances were strictly regulated in the industrial dispute system, virtually allowing authorities and the military to suppress any resistance. Nonetheless, the regime never succeeded in completely eliminating independent labour organizing. Non-governmental organization (NGO) activists, student-sponsored workers' groups and self-styled 'alternative unions' extended their support for labour organizing in the 1980s and since, despite running the risk of being labelled communists and falling foul of the regime. In the early 1990s, spontaneous industrial actions increased in industrial areas around Jakarta. An unprecedented massive workers' strike at the tyre factory PT Gajah Tunggal in Tangerang, West Java, occurred in 1991 and subsequently spread to other industrial estates in Surabaya, East Java and Medan in North Sumatra. This was followed by the detention, kidnapping and murder of workers and activists who played a major role in the strikes (Kammen 1997).

The Suharto regime controlled and sought to depoliticize workers by fostering a corporatist industrial relations system that prevented non-workers or outsiders – including NGOs, academics, social activists and intellectuals – from promoting workers' rights and organizing them (Ford 2009). This has left an authoritarian legacy for labour relations today: workers are still largely not unionized, and SPSI, the former state-controlled union that is essentially unchanged, remains dominant and has the largest number of members. Workers were ill-placed to benefit from the drastic changes in Indonesia's political and social landscape after the downfall of Suharto (Hadiz 2004). Organized labour entered the immediate post-authoritarian period with little political power. International pressure, rather than domestic labour activism, was the key factor in forcing Suharto's successor, B. J. Habibie, to fundamentally change the industrial relations system: the adoption of basic rights, including freedom of association. Ironically, at the same time, the new administration embraced market-oriented and flexible labour policies. This double transition of Indonesia towards a free market economy and (neo)liberal democracy occurred under the pressure of the International Monetary Fund and World Bank during the Asian financial crisis in 1997 which forced the country to adopt austerity measures and structural adjustment programmes.

Some of the features of industrial relations in Indonesia's post-dictatorship phase are that they are liberal, flexible and decentralized (see also Tjandraningsih 2011). A flexible labour market policy was implemented to create a 'friendlier' pro-business environment. Since the enactment of Law No. 13/2003 that legalized contract work and put labour outsourcing practices into effect, employers turned their workers into more casual, contract; hence a more precarious workforce.

Since 2003, it has been the norm for companies to have three groups of workers – permanent, contract and outsourced (agency) workers. They are different in employment status and consequently in receiving wages and benefits, despite doing the same job. An outsourced worker does not get hired directly, but through an employment agency. The worker remains the employee of the employment agency and is temporarily contracted to work at a factory. Thus the factory is neither responsible for the worker's social security payments nor responsible for providing medical insurance, paid holidays, paid sick leave or any other benefits provided to regular workers as required by law. And importantly, in practice, the employment agency that contracted out this worker does not provide him or her with any of those benefits either.

A contract worker, one level 'better' than an outsourced one, is one hired by the company but unlike the permanent/regular worker does not get any benefits – he just gets little higher wages than the outsourced worker and is directly hired. Therefore, outsourced workers are paid less than contract workers, who in turn are paid less than the permanent ones, who receive minimum wages and several benefits such as transport allowances and annual bonus. The practice of using a large number of outsourced workers, contract workers and recent graduates (e.g. apprentices and trainees) as full-time workers who are usually paid less than the minimum wage puts tremendous downward pressure on the wages of all workers.

Numerous sources indicate that the typical composition of labour in a company is as follows: 20 per cent permanent, 30 per cent contract and 50 per cent outsourced (agency) workers. A study has shown the drastic increase of contract and agency workers in many companies. Even those with permanent employment status were transformed into contract workers by the management in order to cut labour costs (Tjandraningsih 2011). Such contractualization happened even before the enactment of Law No. 13/2003, but the law legalized the practice.

LABOUR STRIKES SINCE 1998

Freedom of association was easily gained after Suharto was overthrown in May 1998. The adoption of this basic right provided a space for workers to

express their aspirations freely. Workers' demonstrations and strikes began to occur massively. Initially, workers were only able to demand a meagre increase in allowance since demanding a wage increase was still too difficult. For instance, in February 1999, more than 5,000 workers of PT Maspion, a joint venture of South Korea's Samsung in Surabaya, East Java, went on strike for several days, demanding a small amount of allowance increase for food and transportation (for more details, see Appendix 1.1 at the end of this chapter). Despite that, authorities were still blatantly repressive in dealing with the striking workers (*Detikcom* 17 February 1999).

Later, workers became more aware that they were free to organize and that this was guaranteed by law. Many new unions were established, and several others spilt off from SPSI, the conservative union. Workers started to protest not only in front of factory gates but increasingly expanded to places they saw as power centres, including government buildings and parliament (table 1.1). Moreover, several unions have been able to develop new strategies against the employers. Since 2009, with a combination of legal knowledge and skills, they have successfully brought a company's general manager to criminal prosecution and eventually to jail for dismissing union leaders due to their labour activities (Tjandra 2010). In later years, they were also able to put several employers to jail for not paying minimum wages (Taufik 2013; *DetikNews* 24 April 2013) (see the last section of this chapter for a case in point).

As regulations are not favourable and a hindrance to workers, workers also began to abrogate formal and legal mechanisms for strikes that require unions to report to the police several days earlier. Workers often took direct actions such as toll road blockades and factory raids, and even occupied an entire industrial area. One such occupation in the industrial heartland of Bekasi, West Java, in 2012, caused a total collapse of an industrial estate. These widespread industrial actions have involved thousands of young working women and men, mostly between the ages of nineteen and twenty-five.

Although the demands during protests are varied and workers have gradually been able to make gains beyond basic rights, most of the grievances concerned basic rights such as claims for unpaid wages, the right of collective organization and a regular employment status as it is guaranteed by the law

Table 1.1.   Locations of Labour Protests in Indonesia, 2012

Location	Total
Government buildings and parliament	527
Workplace	370
Public road, toll roads, airport, seaport	63
City's major landmark	56
Industrial estate	33

Source: LIPS (2015).

Table 1.2.   Major Grievances/Demands of Labour Strikes in Indonesia, 2007–2013 (in percentage)

Year	Basic rights	Policy change	Other demands
2007	68	8	24
2008	44	32	24
2009	50	20	30
2010	51	27	22
2011	50	30	20
2012	42	36	22
2013	40	37	23

Source: LIPS (2015).

(table 1.2). One of the major problems is that the state agencies do not fulfil their role in monitoring the companies. For instance, in Tangerang, Banten Province, for 2,300 companies, there are only seven inspectors; in Batam, Riau Islands Province, for 4,000 enterprises, there are only three inspectors; in Bekasi, West Java Province, for 3,000 companies, there are only five inspectors; in Karawang, West Java Province, for 1,400 firms, there are only seven and for the hundreds of companies in Pasuruan, East Java Province, there are only five inspectors (Tjandraningsih 2011). Labour activists claim that inspectors are not doing their job. It clearly reflects an anti-labour regime that prioritizes the interests of corporations over workers (Pandita and Panimbang 2013). Despite all of this, workers continue to fight for justice.

Industrial actions began to increase steeply from 2008 following the global economic crisis, in response to employers attempting to tighten labour control and suppress wages to overcome increasing competitive pressure. Between 1998 and 2013, labour protests involved more than 6.3 million workers, not counting the massive mobilizations during May Day celebrations each year (table 1.3). There was an increase in industrial actions all over the country, notably during 2011–2013, with more than 100,000 workers participating in May Day rallies, and more than 2 million and 3 million workers participated in the general strikes in 2012 and 2013, respectively. Workers demanded decent wages, regular employment status and better working conditions. Their protests were a great success, illustrated by average minimum wage increases of up to 48 per cent in 2013, as a result of general strike in 2012. The increase was 13 per cent, 48 per cent and 19 per cent in 2012, 2013 and 2014 respectively, or 27 per cent on average throughout those years (LIPS 2014).

One of the key factors for the rise of the massive protests and mobilizations that escalated into general strikes was the workers' unified response against a series of refusals of the Indonesian Employers' Association (Apindo) to implement the governmental decree on the increase of minimum wages. The

Table 1.3.   Industrial Actions in Indonesia, 1998–2013

Year	No. of industrial actions	No. of workers involved
1998	604	141,495
1999	208	145,000
2000	324	730,000
2001	357	374,858
2002	218	138,667
2003	113	81,649
2004	215	169,000
2005	259	214,252
2006	234	289,584
2007	227	224,500
2008	505	430,000
2009	714	620,335
2010	731	691,320
2011	1,354	763,304
2012	1,050	613,548
2013	1,254	654,000
Total	8,367	6,281,512

Source: LIPS (2015).
Note: These figures do not include the May Day celebrations and general strikes in 2012 and 2013.

workers' demand for a wage increase was reasonable as annual inflation was as high as 8.4 per cent, and minimum wages were not sufficient to meet basic needs (Arshad 2013). Apindo had argued that a wage increase was not favourable for the business climate. In early 2012, Apindo even filed a suit to revoke the governmental decree (Yulisman 2012; *The Jakarta Post* 25 January 2012). This enraged the workers, who got intensively radicalized in different organizing initiatives. Street protests and direct actions became more popular among workers. A wave of strikes occurred, putting pressure on the wage councils (composed of employers, workers and the government) at the district, provincial and national levels.

THE GENERAL STRIKES IN 2012 AND 2013

The year 2012 witnessed an increase in the scale of strikes not only in terms of its quantity and geographical spread but also in terms of the number of workers involved. These huge mobilizations included a demonstration to revoke a government plan to increase fuel prices in early 2012. For the first time in Indonesia's history, such a plan was finally suspended due to strong opposition from the people, in which the labour movement played a leading role.

Preceding the strike, between May and November 2012, thousands of workers mobilized in a relatively new experience of factory raids that took place in the industrial heartland of Bekasi, West Java. The workers' key demand was to change their work status from outsourced/agency into regular/permanent workers. It is mandated by law that employers ought to legally absorb their contract workers as regular workers after two years of employment, but employers would not do so. The raids were undertaken after several negotiations did not end with an agreement, or when it was proven that employers did not keep their promises.

A large number of workers would gather almost every night and day in a different occupied company, moving from one factory to another. The length of factory raids varied. They mostly lasted one to three days in a factory, but in some cases, an occupation went on for several weeks as the management refused to meet workers' demands. In many cases the raids ended with the management finally agreeing to sign a joint agreement to fulfil workers' demands to change their work status from outsourced/agency into regular/permanent. Workers themselves called this factory raid as a workers' celebration or festivity (*hajatan buruh*). The factory raids happened in around 100 factories and managed to change the status of almost 100,000 contract workers into regular employment (Mufakhir 2014).

This success led to the general strike. This nationwide strike was held on 3 October 2012, the day when the wage councils at the district, city and provincial levels would negotiate the annual wage increase. Through an alliance of labour unions called Majelis Pekerja dan Buruh Indonesia/Indonesian Labour Assembly, workers made the following demands to the government: (1) to eliminate outsourcing practices and ensure job security; (2) to end the low wage policy and (3) to enact social security regulation. More than 2 million workers participated in the 2012 general strike, and it spread over thirty-five cities and districts in twenty provinces and eighty industrial estates all over the country. During this strike, tens of thousands of workers managed to occupy the country's oldest, worst and most notorious export processing zone, Nusantara Bonded Zone, in Cakung, North Jakarta, which consequently paralysed seven other industrial estates in Bekasi. These industrial estates are the backbone of Indonesia's economy as they contribute 46 per cent of the country's total non-oil-and-gas exports. Thousands of workers also blockaded a number of toll roads for several hours. This collective action finally brought about a sharp increase in the minimum wage of 48 per cent on average across regions. It was the first general strike after the dictatorship had ended in 1998.

The second general strike lasted for two days, 31 October and 1 November 2013. A week prior to this general strike, a wave of strikes escalated in different cities where industrial estates were located. This was meant as a warm-up. A new alliance called Koalisi Nasional Gerakan Buruh/National

Coalition of Labour Movement was formed to play the central coordinating role. Three major labour confederations and forty labour federations declared their endorsement. These included the Indonesian Trade Union Confederation, Confederation of National Labour Unions, GSBI (Federation of Independent Labour Unions) and Sekber Buruh (Joint Secretariat of Labour). Subsequently other unions and federations too joined. The coalition demands were: (1) a 50 per cent increase in the minimum wage; (2) elimination of outsourcing practices and guarantees for job security and (3) a revocation of the pro-business Presidential Instruction on Minimum Wages that was issued in 2013. The instruction was President Susilo Bambang Yudhoyono's response to accommodate the interests of business groups that complained about the minimum wage increase.

As a part of the coalition, the Federation of Seaport and Transport Labour Unions mobilized thousands of its members, occupying the country's largest international seaport of Tanjung Priok in Jakarta. This occupation caused a total collapse of the port. In total, more than 3 million workers participated in the 2013 general strike, which managed to disrupt production in forty industrial zones. However, a number of strikers were attacked by thugs, and some of them were severely injured (Koi 2013; Suparman 2013). The counter-attack from authorities and employers was very repressive. The use of private actors to repress labour resistance has been a practice since the 1980s during Suharto's dictatorship. It is discussed later in this chapter.

There have been some notable achievements of the labour struggle. Between 2011 and 2013, there were at least three major campaigns whose demands have been adopted into government regulations. One, workers demanded to take more wage components into account, following which the government increased minimum wages, as the list of wage components (around sixty items) was adopted into Minister of Manpower's Decree in 2012. Two, more restrictions on irregular or agency work have been recommended by the judiciary. A group of workers submitted a judicial review to the Constitutional Court to question the scope of employment and limitations of the recruitment of outsourced (agency) workers. As the judicial review was finally accepted in 2012, the court suggested that the government issue stricter regulations in impeding employers from recruiting contract and agency workers. The government was forced to issue the Minister of Manpower's Decree No. 19/2012. Three, the enactment of a social security policy was legislated. Despite controversy and debate within the labour movement around it – as this policy is based on monetary contributions and not universal free healthcare (hence it works like a private insurance) – this policy was successfully enacted to cover all citizens with health insurance, which was previously restricted to formal workers, civil servants and members of the military.

THE KEY ROLE OF LABOUR UNIONS' ALLIANCES
AT THE GRASSROOTS

Among the conditions for the general strikes were several prior developments. First, there is the collective memory of strikes and mobilizations that occurred between 2009 and mid-2012. The experience of resistance in this period had introduced different kinds of working-class action to Indonesian workers, including radical and direct actions such as factory raids and blockades of toll roads. Second, there were a growing number of radicalized workers, voicing their response especially to the unfavourable minimum wages policy. Cross-sector alliances of labour unions were formed to address this policy, especially at the district and provincial levels where most workers and union leaders shared common interests in a living wage. In many areas, the alliances of unions at the local level preceded the plan to hold a general strike.

Our data reveal that labour protests organized by alliances, rather than by individual unions, increased rapidly between 2007 and 2013, from only 4.5 per cent in 2007 to roughly 60 per cent over 2011–2013 (see table 1.4). This process of coalition formation was driven by common interests to increase minimum wages and to end the low wage policy. Unlike at national level, these local alliances at city and district levels provided space for exchange and debate, particularly on strategies to achieve a decent living wage. The exchanges provided a greater avenue to learn and to build solidarity.

National alliances were formed right before the general strike, while local alliances were already established long before the plan for general strike. Indeed, general strikes required a coalition structure that could combine two aspects: first, capacity to coordinate many different unions; second, capacity to coordinate the joint actions across regions. The general strikes were held by building union collaboration across regions at national and local levels. This structure has enabled many unions to reach agreements in different regions. The alliance at the national level has functioned as an umbrella organization as well as a political organization. As an umbrella organization, the roles of national alliances were formulating demands, negotiating agreements across unions at national level and mobilizing resources from the outside of unions. As

Table 1.4. Protests by Individual Labour Unions and Alliances in Indonesia, 2007–2013 (in percentage)

Industrial action	Year						
	2007	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*
Individual labour union	95.5	92	57	60	38	40	43
Alliance of labour unions	4.5	8	43	40	62	60	57

Source: LIPS (2015).
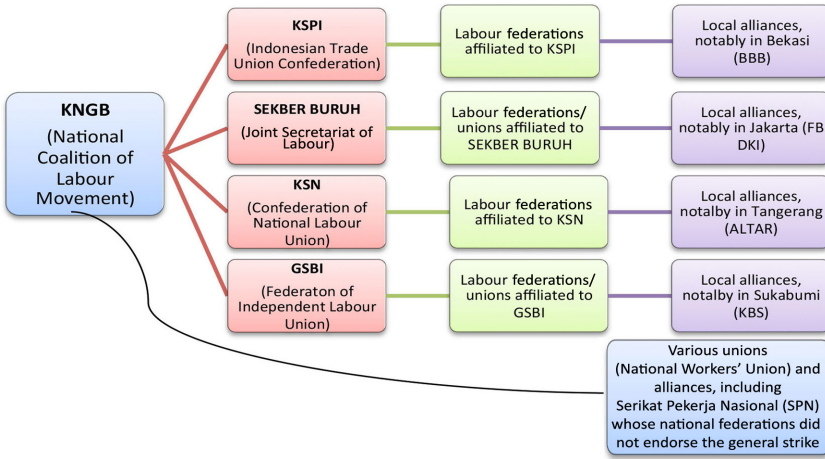
Figure 1.1.   Coalition Structure of the General Strike, 2013.

Note: ALTAR: Aliansi Rakyat Tengerang Raya or Alliance of People of Greater Tangerang in Tangerang; BBB: Buruh Bekasi Bergerak or Bekasi Workers on the Move in Bekasi; FB DKI: Forum Buruh DKI or Jakarta Forum of Labour in Jakarta; KBS: Koalisi Buruh Sukabumi.

a political organization, its roles were to confront the central government, the rallying campaign and building public opinion through mass media to mobilize general support for the strike. On the other hand, the local alliances functioned mainly for practical matters; they provided opportunity for daily coordination of unions in the period of the general strike. It also functioned to mobilize resources at the ground and to allocate technical tasks and responsibilities.

Figure 1.1 illustrates that various alliances at the grassroots level achieved a massive mobilization during general strikes, including the Buruh Bekasi Bergerak or Bekasi Workers on the Move in Bekasi, Forum Buruh DKI or Jakarta Forum of Labour in Jakarta, Aliansi Rakyat Tengerang Raya or Alliance of People of Greater Tangerang in Tangerang and Koalisi Buruh Sukabumi or Coalition of Sukabumi Labour in Sukabumi. There were at least three workers' alliances in Jakarta, one big alliance in Bekasi, five coalitions in Central Java, one alliance in Serang and so on. Additionally, although their national centres did not endorse the general strike, several other unions at the district and provincial levels joined in the mobilizations. These coalitions between unions from different federations and confederations at the local level played a significant role in labour mobilization during the nationwide strikes.

COUNTERMEASURES AGAINST THE STRIKE WAVE

After labour won some victories, there was a strong backlash from capital and the state. Employers have taken the threat of a strike wave seriously and tried

to consolidate their power. They are aware that the growing capacity of workers in mobilizing for protests is a serious danger to their business. The fact that many factories operate as part of a supply chain, like the ones in the densest industrial estates in Bekasi, means that a disruption in production in one workplace affects the production process in another and so on. Employers and business associations recognize how disturbing the situation could be, especially after knowing what had occurred in the case of PT Samsung Indonesia: workers at two supplier factories of PT Samsung Indonesia jointly conducted a factory raid in mid-2012, which eventually disrupted the operations of PT Samsung Electronic Indonesia (SEIN) (see Mufakhir 2013; Mufakhir 2014).

Employers retaliated in response to the strike wave. Around the Bekasi industrial estates, workers were prohibited from taking their motorbike to work because it helped and increased the speed of workers' mobilization for protests. The managements installed CCTVs much more than before. Thugs and gangsters, hired by employers, harassed the union activists in public to spread terror and fear. Union activists were randomly forcibly stopped from their motorbikes by thugs. These union activists or members were easily recognized, especially if they were wearing union signs on their clothing or had a union sticker on their motorbikes. Although they were not physically assaulted, it made activists more cautious about their union activities in public spaces.

Employers in the Bekasi industrial estates would mark a worker's employment reference letter (known as *paklaring*) with a special mark, especially in the case of union leaders or active union members who have participated in a strike. The purpose of this mark is to identify 'troublemakers'. If they are fired, it is difficult for them to get a job at any other factory in Bekasi. Allegedly similar to the special code stamped on the identification card of anyone associated with Communist Party of Indonesia during the New Order regime, this 'troublemaker' mark forces the worker to look for a job outside Bekasi.

Employers also spread fear by approaching community leaders or village heads around factories. It is part of a common pattern of patron-client relationships that the company calls on the village head to appease workers. Its purpose is also to strengthen the company's presence within the local community, so it would support the company's position rather than the workers'. In the Bekasi area, some companies have accommodated a number of village heads and through that a group named Masyarakat Bekasi Bersatu, United Community of Bekasi (MBB) was formed. The group consists of eight village heads of settlements within the Bekasi industrial area. On 29 October 2012, MBB members harassed workers who were on strike in front of the factory gate and tore down some of the workers' tents.

At the state level, new regulations have been issued to limit strikes. Unions are now required to submit a notice of a strike, rally or demonstration to the police, with the name of the coordinator, at least five days

prior to the event, and also include a copy of one worker's ID card for every twenty participants. Union activists find these requirements a contradiction to the law that guarantees the basic right of workers to strike. Another retaliatory measure is to localize decision-making, such as on minimum wages, to a bipartite, company level. A Presidential Instruction of 2013 suggested that the stipulation of wage increases shall consider the company's economic situation in order to maintain the business. Employers also successfully managed to introduce the regulation (Government Regulation No. 78/2015) that the minimum wage increase would be automatic with no more negotiation through the wage council as before. The formula is based on the percentage of economic growth and inflation. This regulation also suggested that negotiation through the wage council to review the minimum wage shall take place every five years instead of every year.

Furthermore, the central government has issued a certification scheme to declare certain economic units 'national vital objects'. The Ministry of Industry has guaranteed an added layer of security for forty-nine industrial firms and fourteen industrial estates with the help of the National Police's Directorate of Vital Object Security and with the help of the national army (Salim 2014). This means that workers face strict restrictions from any kind of protest in such factories or industrial areas. Even an instant noodles company that belongs to PT Indofood Corporation is certified as a vital and strategic to the country's economy, as the management could afford the expensive 'certificate fee'. Therefore, this instant noodle factory is highly guarded by security guards and the military.

A CASE IN POINT: HOW CAN WORKERS PUT THEIR EMPLOYER IN PRISON?

There are several cases where workers in Indonesia have been able to put their employers in prison for labour rights violations. However, the case of PT Siliwangi Knitting Factory Limited (PT SKF) shows that despite workers' increased capacity to exert their collective power and to win a legal battle, a set of factors remain that constrain workers to benefit from them.

Situated in North Jakarta, PT SKF had been operating since 1950. The company used to produce various kinds of socks, including for prominent brands such as Polo, and for the country's military and police. It was one of Indonesia's oldest sock enterprises until its closure in 2011. It is alleged that it has been relocated to the hinterland registered under a different name and owner.

A labour dispute began in PT SKF in late 2010 when some of its workers joined a labour union. One morning in January 2011, the management barred 120 workers who were union members from coming to work. In response to the intimidation, around a hundred of them decided to stay outside the factory gate to protest. The workers' struggle intensified over time, and the workers occupied the plant for more than two years!

The labour union is affiliated to the Federation of Indonesian Workers' Struggle. With the help of the federation, workers used legal mechanisms to fight: first by filing a case in the Industrial Court for unlawful dismissal and union busting, and then in the District Court for criminal acts (the management did not pay the workers minimum wages as required by law, and did not register workers for social security benefits). After two years of this legal fight, the Industrial Court issued a verdict in 2013, followed by the District Court verdict. Workers won the cases in both courts. While the Industrial Court directed PT SKF to pay a severance fee and allow the union to sell the factory assets, the District Court sentenced the factory owner to one year and six months' imprisonment.

The owner, a local businessman named Hendry Kumulia, also had to pay a fine of IDR 100 million (around US$7,700). As the workers were not satisfied with the verdict, they appealed to the Supreme Court demanding four years' imprisonment. Their appeal was rejected. Kumulia was able to escape and his whereabouts since the verdict remain unknown. Although the court decided to imprison Kumulia, there was no effort from the authorities to put him in jail. There was no formal order to detain him. The union demanded that the attorney's office issue a detention letter, and after three years of pressure the letter was finally issued in 2016. Moreover, workers pressurized the immigration office to blacklist Kumulia to bar him from travelling abroad. They also managed to do a sit-in protest in front of Kumulia's house, using various tactics as it is located in a luxurious housing complex with security guards. As the struggle continued, workers gradually sold the factory's assets and distributed the money to all workers as severance fee. On average, each worker received a monthly salary multiplied with the number of years they had worked in the factory.

This case illustrated that although the capacity of Indonesian workers has increased, and that there are means available to be used by workers (both formal and non-formal mechanisms) to seek justice, the rule of law remains a predicament. Workers' long struggle and their success in the legal battle, as described in the case of PT SKF, are not necessarily a victory as the employer remains untouched. Therefore, workers' success in bringing employers to prison is not a uniform trend and not an easy process. Rather, it depends on various factors, including the judicial system – which needs a lot of reforms – as well as on political opportunities and the intensity of struggle.

CONCLUSION

Since 1998, a wave of strikes has taken place in many Indonesian towns and cities involving several millions of workers. Recovering from the dictatorship since *Reformasi* in 1998, despite severe fragmentation, the labour movement has been active in shaping the country's political dynamic. This chapter discussed strikes between 1998 and 2013, including the general strikes in 2012 and 2013, examining the dynamics of workers' and labour unions' capacity for protest mobilization.

The Indonesian working class is gaining strength and confidence. It is recovering from the dictatorship and has increased its capacity for mobilization. Workers have shown their ability to play a greater role to enforce policy changes, and develop a capacity to exert their power in broader political struggles. Workers and unions have combined different strategies of legal and non-legal struggle, including direct actions, in order to achieve their goals. They have been able to put several employers in jail for violations such as union busting, using the existing legal mechanism rather than corporate social responsibility–sponsored protocols of Freedom of Association being promoted by some big brands and corporations. Collective experiences of strike and resistance have taught them that grassroots labour organizing is necessary for success in political struggle. Although it is still limited, these achievements would not have been possible without support from workers and alliances at the grassroots. The political agenda for the Indonesian labour movement today is to document all these experiences for their continuous learning and to develop them into more effective strategies for the future. But the most urgent task now is to think how to respond to the inevitable counter-attacks from state and capital.

NOTES

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2. The *Reformasi* (Reformation or Reform) began since the downfall of the dictator Suharto on 21 May 1998. It led to changes in Indonesia's various governmental institutions and reforms upon the structures of the judiciary, legislature and executive office.

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Appendix 1.1 Timeline of Key Labour Protests in Indonesia, 1999–2011

Month/Year	City	Methods of protest	Workers participating	Main grievance or demand
February 1999	Surabaya, East Java	Strikes for several days in front of the factory, and marches to provincial government office	5,000 workers of PT Maspion, an electronics company (a joint venture with South Korea's Samsung)	Increase of allowance for meals and transportation
March 1999	Bekasi, West Java	Two days' strike at the workplace	5,000 workers of PT Tong Kai Indonesia, a shoes supplier for Reebok	Two months' unpaid wages
August 1999	Pangkal Pinang, Riau Archipelago	Demonstration, marches	More than 12,000 former workers of PT Timah Tbk, a state-owned tin mining company, laid off in 1992 following the privatization of the company	That PT Timah pay attention to their condition after seven years of being laid off

(*Continued*)

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(Continued)

Month/Year	City	Methods of protest	Workers participating	Main grievance or demand
November 2000	Sidoarjo, East Java	Strikes for several days in front of the provincial government office	More than 10,000 workers from different plants	Increase of minimum wage as much as in their neighbouring city (Surabaya), which was IDR 3,30,700 per month
January 2001	Karawang, West Java	Stoppage	10,000 workers from two plants of Pindo Deli Pulp and Paper Mills	Wage increase of IDR 4,23,000 per month
January 2001	Denpasar, Bali	Strike assemblies; marches to Niti Mandala Public Park as solidarity to support other workers in Kartika Plaza Beach Hotel who were on strike for more than three months	10,000 workers from the tourism sector	Increase of transport allowance
June 2001	Medan, North Sumatra	Strikes; protests in front of the local government office; marches to local parliament and the governor's office	30,000 workers from FSPSI and Forum Solidaritas Union (SBSI, FNPBI, PPMI)	That the Manpower Decrees Nos 78/2001 and 111/2000 be revoked
August 2002	Jakarta	Strikes and marches along the main roads to parliament	5,000 workers from GSBI and GSBM	Opposition to the legislation of the Bill on Industrial Relations and the Bill on Workers' Guidance and Protection

Month/ Year	City	Methods of protest	Workers participating	Main grievance or demand
January 2003	Jakarta	Strikes; marches in front of State Palace	15,000 workers	Demanding the withdrawal of hikes in the prices of electricity, telephones and fuel
January 2003	Kediri, East Java	Stoppage at the workplace	15,000 workers of PT Gudang Garam (Unit V)	Increase in minimum wages
November 2003	Bandung, West Java	Strikes; protest assemblies	5,000 workers from PT Dirgantara Indonesia	The workers opposed the wage cut to 10 per cent from 12 per cent as planned earlier by the management. This policy was applied to the workers who were suspended due to the downsizing process of the company.
February 2004	Bandung, West Java	Strike assemblies; marches to the provincial parliament office	5,000 workers from more than a hundred factories including Adetex, Artostex, Asia Sport, PanAsia Group and Kahatex	Increase in minimum wages
December 2004	Cimahi, West Java	Strike assemblies in front of the mayor's office	5,000 workers from 270 factories	Increase in minimum wages
December 2004	Batam, Riau Archipelago	Marches; strike assemblies in front of the provincial government office	6,000 workers from the electronics and shipbuilding sectors	Increase in minimum wages

(*Continued*)

(Continued)

Month/ Year	City	Methods of protest	Workers participating	Main grievance or demand
November 2005	Batam, Riau Archipelago	Marches; strike assemblies in front of the provincial government	12,000 workers from the Workers' Alliance of Batam	Increase in minimum wages
December 2005	Surabaya, East Java	Strike assemblies for several days in front of the East Java provincial government office	7,000 workers across the industrial cities of Surabaya, Pasuruan, Sidoarjo and Gresik	Increase in minimum wages
December 2005	Kudus, Central Java	Strikes; marches along Kudus–Pati main roads	5,000 workers from PT Djarum Kudus	Demand to replace one supervisor who they alleged was always harsh towards workers
May 2006	Bandung, West Java	Strike assemblies in front of the provincial government, parliament building and Gasibu Public Park	10,000 workers	Opposition to the government plan to revise the Labour Law No. 13/2003
May 2006	Jakarta	Strike assemblies in front of parliament building	60,000 workers from Jakarta and its neighbouring cities; many also from West Java and East Java	Opposition to the amendment of labour laws that would introduce greater flexibility and disadvantage workers
December 2006	Batam, Riau Archipelago	Strike assemblies in front of the provincial government	10,000 workers	Increase in minimum wages
February 2007	Bojonegoro, East Java	Strike assemblies in front of the factory	5,000 workers from a cigarette factory	Increase in minimum wages

Month/ Year	City	Methods of protest	Workers participating	Main grievance or demand
July 2007	Jakarta	Stoppage and strikes for three days in front of the factory	6,000 workers from PT Sayap Mas Utama	Wage increase and the change of employment status into permanent workers
January 2008	Deli Serdang, North Sumatra	Mass stoppage and factory occupation	More than 13,000 workers from ninety companies organized under the Deli Serdang Workers' Alliance	Increase in minimum wages. Workers also said the company did not pay the social security contribution, employed contract workers and did not pay the workers minimum wage.
January 2008	Jakarta	Strike assemblies at their workplaces	7,000 workers of PT PLN	Opposition to the results of the shareholders' meeting to downsize and restructure the company
November 2009	Cakung, Jakarta	Industrial occupation, blockade of main gate of Nusantara Bonded Zone in Cakung	More than 7,000 workers from the Alliance of Industrial Workers	The workers were protesting a joint decree issued by the Ministries of Manpower, Industry, and the Interior to ensure economic growth. The workers' strike disrupted the whole zone.

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(Continued)

Month/Year	City	Methods of protest	Workers participating	Main grievance or demand
July 2009	Jombang, East Java	Strike assemblies	5,000 workers from FNPBI	Boycott the 2009 presidential election. Workers said all candidates are incapable and illegitimate and hence do not represent the people's will.
June 2010	Cilegon, Banten	Strikes	6,000 workers of Krakatau Steel Labour Unions	That the company pay the severance fee to the workers of PT Krakatau Steel who were dismissed, as mandated by the law
October 2010	Medan, North Sumatra	Strikes; marches	6,000 workers from Labour Council of North Sumatra (Dewan Buruh Sumatera Utara)	Opposition to the plan to amend Labour Law No. 13/2013
November 2010	Jakarta	Marches and assemblies in front of State Palace	7,000 workers	Opposition to the plan to amend Labour Law No. 13/2013
April 2011	Papua Island	Thousands of miners did stoppages; strikes	Three major strikes involving thousands of miners of Freeport McMoran, Chevron, Pertamina and Leighton Contractor Indonesia. Three miners were shot to death by the military who guarded PT Freeport mining site.	Wage increase and allowance for food and transport. Also protesting the discrimination between Indonesian and foreign workers

Month/ Year	City	Methods of protest	Workers participating	Main grievance or demand
April 2011	Tanah Laut, South Kalimantan	Road blockades of mining sites	1,000 miners	Increase the amount of allowance for food. Housing allowance
October 2011	Jakarta	Marches, strike assemblies for more than ten hours in front of the gate of the House Representative	10,000 workers from Action Committee for Social Security	The enactment of the Bill on social security
November 2011	Bogor, West Java	Strike assemblies in front of the municipality office	10,000 workers	Increase in minimum wages
November 2011	Batam, Riau Archipelago	Marches; strike assemblies for two days in front of the provincial government's office	7,000 workers	Increase in minimum wages

Source: LIPS (2015); processed from various sources, newspapers and newsmagazines (1999–2011).

Chapter 2

Space and Strike Diffusion in a Decentralized Authoritarian Country

A Study of the Auto Parts Industry in South China

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The automobile industry in Guangzhou was hit by an unprecedented strike wave in the summer of 2010. The strike wave began at the Honda Auto Parts Manufacturing Limited (CHAM) in Foshan, Guangdong, on 17 May 2010. It spread to the Denso (Guangzhou Nansha) Company Limted (DMNS) on 22 June and further impacted over eighty auto parts factories in Guangzhou in two months. These strikes showed remarkable similarities: autoworkers bypassed the state-run trade unions, organized peaceful sit-in strikes, employed a patriotic discourse to justify their actions and demanded wage increases far beyond what was legally stipulated.

In addition, from 2011 to 2015, autoworkers in South China launched continuous strikes demanding higher wages and more workplace union autonomy. Then too, autoworkers from different factories adopted demands and tactics similar to the strike wave in 2010. For instance, blocking outgoing goods is a strike tactic first employed by DMNS workers in 2010, and then adopted by strikers in two other auto parts factories in the same industrial zone in 2014. It became clear that autoworkers are learning strike strategies from each other.

Butollo's and ten Brink's (2012) study has commented on the strike diffusion effect in the Chinese auto parts industry. They argue that the CHAM strike triggered a series of copycat strikes across regions in a short time. Moreover, these strikes were not isolated 'cells', given that autoworkers from different factories were learning from each other and adopting similar demands and tactics. However, although Butollo and ten Brink notice the interrelations among these strikes, they fail to explain why the strikes in the auto parts industry have a high level of contagion and how strike tactics get diffused across factories without formal coordination.

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This chapter examines the protests of autoworkers in Guangzhou from 2010 to 2015, in order to understand what conditions the strike diffusion in the Chinese auto parts industry. Based on a total of twelve months of ethnographic research, it finds that the spatial configuration of automobile industrial zones plays a key role in facilitating strike diffusion in South China. In order to attract foreign investment in the automobile industry, local governments in China constructed gigantic automobile industrial zones and collective dormitory zones. This led to a concentration of automobile factories and autoworkers in several industry zones. The geographical concentration of production and living spaces in the automobile industry facilitates cross-factory interpersonal contacts among autoworkers, and then contributes to information flows in a political context in which information is usually suppressed. In addition, this study finds that strike experiences are accumulated and shared by autoworkers from different factories. Autoworkers have been actively learning strike tactics from each other; this enables them to make their strike tactics more sophisticated and increase the efficiency of their actions. However, the diffusion of strike tactics is impeded by the authoritarian state's decentralized control over strikes.

Later I first provide a brief review of the literature on space proximity and the diffusion of strikes. After discussing the selection of field sites and the methodology, I introduce the spatial arrangements of the automobile industry zones and collective dormitory zones in Guangzhou. Then, I analyse how the spatial arrangements facilitated communication, the sharing of information and social learning among autoworkers. Finally, I discuss the importance of the spatial arrangement of industry zones in shaping the process of diffusion of strikes in a decentralized authoritarian country like China.

INFORMATION SPILLOVER, SPATIAL PROXIMITY AND STRIKE DIFFUSION

Diffusion studies of social movements and popular protests indicate that collective actions are not isolated events. Rather, the occurrence of an action influences the likelihood of the occurrence of other collective actions (Givan et al. 2010; Wang and Soule 2012). This influence, according to Jansen (2016), is partly achieved through a mechanism termed as 'diffusion by learning', which implies 'the initial action provides information about the consequences of that action and the conditions under which it occurred and that others use this information to access the cost and benefits of adopting the same action in their own situation' (Jansen 2016, 1888). That is to say, actions diffuse across time and place through: (1) communication of information among actors and (2) a social learning process during which actors

learn from prior actions by others and decide whether or not they should take similar actions. From the perspective of diffusion by learning, strikes may stimulate further strike activities by revealing critical information about workers' grievances, demands, tactics and the responses of employers and further provide strike exemplars for other workers to learn from.

Although there is a bourgeoning literature on labour protest, only a few of them have examined the strike diffusion effect (Jansen 2016). The few existing studies highlight the importance of information transfer and learning processes in forging strike imitation (Conell and Cohn 1995; Biggs 2005). Conell and Cohn (1995), by analysing strikes in French coal mines in the period between 1890 and 1935, suggest that strikes create information and further stimulate strike imitation through three mechanisms (369–70). One, news of a strike can raise workers' consciousness by inducing them to think about their own circumstances and making them realize new potential grievances. Two, successful strikes can help workers in other workplaces to identify the proper time and occasion for collective action. Three, prior strikes define tactical opportunities in parallel settings, and sometimes also provide innovative strike tactics. As Conell and Cohn argue, all the three mechanisms involve some form of information transfer among workers. The communication of information about strikes, therefore, is an important condition for strike diffusion by learning. Biggs's (2005) study also suggests that workers' decision to strike is influenced not only by external economic and political circumstances but also by the action of others. Through studying the strike wave in Chicago from 1881 to 1886 and strikes in Paris from 1890 to 1899, he suggests that prior strikes generate a process of 'positive feedback' contributing to the emergence of strike waves. As he argues, knowing other workers have recently organized defiant collective actions, workers can learn from the strike experiences and tactical innovations of those workers.

The existing literature also indicates that spatial proximity increases the likelihood of information flows and social learning among actors (Hedström 1994; Strange and Soule 1998; Myers 2010). Hedström (1994), by examining the geographical expansion of trade union organizations in Sweden between 1890 and 1940, finds that geographical proximity facilitates interactions among actors, enhances the intensity of social ties among them and further increases the speed of information flows and the diffusion of unionization. Myers (2010), by analysing the spread of race riots in the United States from 1964 to 1971, notices that the likelihood of rioting decreases with geographical distance from cities where riots have occurred. This is because direct contact with friends and family is the main channel of the spread of information about riots, and these contact and communication networks are geographically concentrated. Therefore, the diffusion influence of riots is constrained by the spatial position of actors.

Previous studies deepened our knowledge of spatial proximity and strike diffusion. However, there is a lack of adequate studies on strike diffusion processes in decentralized authoritarian countries like China. It is noteworthy that the conditions for strike diffusion in a decentralized authoritarian regime are significantly different from those in a Western context. First, many studies have demonstrated that the Chinese government actively suppresses information on collective actions such as strikes (Hess 2013, 84; King et al. 2013). For example, both traditional media (such as newspapers and television programmes) and new social media (like blogs and microblogs) in China are under strict state censorship (Zhao and Sun 2007, 304; King et al. 2013). The efficient censorship apparatus of the state can block information about strikes. Therefore, there is a need for close attention to how autoworkers transfer strike news in this context of a state that actively suppresses information.

Second, the process of the diffusion of strike tactics among workers is also constrained by the decentralized authoritarian regime. Scholars argue that the Chinese authoritarian regime developed a decentralized control over social unrest, by which they mean that the central government delegates the power of managing popular resistance to subnational governments (Cai 2008; Hess 2013). It is the same in the case of strike settlements. There is no clarity about the right to strike in the law in China currently. Since local governments have considerable autonomy and power in dealing with strikes within their jurisdiction, they may have differing responses to similar protest events. For example, one strike tactic might be tolerated by one local government but might be repressed by another. Thus, it is necessary to examine how the decentralized control over strikes influences autoworkers' social learning.

Based on the earlier discussion, this chapter argues that, in order to understand the strike diffusion phenomenon in the Chinese auto parts industry, we must unravel the micro-mechanisms of the diffusion process in a decentralized authoritarian regime. In so doing, we must examine the processes of information communication and social learning among workers in specific spatial and political environments.

FIELD SITE SELECTION AND METHODOLOGY

I selected Guangzhou, the capital of Guangdong Province, as my field site for two reasons. One, it has become a major automobile-manufacturing centre in South China. In 2014, Guangzhou produced 1,973,911 automobiles. There were 268 automobile and auto parts-manufacturing enterprises, each with an annual revenue of more than 20 million yuan. Most auto parts factories are suppliers for three Japanese automobile manufacturers – Toyota, Nissan and Honda. It had a total workforce of approximately 1,41,600 people in 2014.

The majority of workers in the auto parts industry are male migrant workers from rural areas in China. They are not permanent workers and only have short-term labour contracts with their employers, usually for three years.

Second, it has been a centre of Chinese autoworkers' protests. For example, Guangzhou experienced two series of strikes in 2010 alone. From February to March 2010, there were over twenty cases of strikes in the Huadu Automobile Industry Zone. These strikes lasted for one to three days. After the strikes, autoworkers won wage increases ranging from 300 to 500 yuan.[1] The second strike wave occurred in the summer of 2010. As mentioned at the beginning of the chapter, over eighty cases of strikes swept the automobile industry in Guangzhou from June to July 2010. These strikes lasted for one to five days, and the workers won wage hikes of 300–800 yuan.

In order to understand the phenomenon of strike diffusion, I conducted ten months of field research in Guangzhou from November 2013 to September 2014, followed by field trips in January and May 2015. Through the network of a grassroots labour non-governmental organization in Guangzhou, I was able to interview sixteen strike leaders from ten auto parts plants. I also interviewed fifty-six autoworkers from twenty-nine auto parts plants and three assembly plants. The aim of the interviews was to understand how auto-workers communicate information about strikes and learn from others' strike experiences. Based on in-depth interviews, I recorded information about forty-nine cases of autoworkers' strikes in Guangzhou between 2010 and 2015. The information included strike duration, demands, tactics and inter-relations between strike events. Based on an analysis of these strike cases, I obtained a detailed understanding of the micro-processes of strike diffusion in Guangzhou's auto parts industry.

During the total twelve months of field trips, I made multiple visits to four main automobile industry zones in Guangzhou to examine their spatial arrangements. I mapped the location of assembly plants and key auto parts plants in these industry zones. I also visited eight collective dormitory zones in the four automobile industry zones. After a few months of my field trip, I befriended some autoworkers and was invited to their birthday parties, Karaoke parties and hotpot dinners in their dorms or shopping malls near the industry zones. In this way, I observed autoworkers' leisure life and social networks outside the workplace.

THE SPATIAL ARRANGEMENT OF AUTOMOBILE INDUSTRIAL ZONES IN GUANGZHOU

Since the decentralized governance reforms in the 1980s, local governments in China have been responsible for economic development in their jurisdictions and have high control over revenue and public expenditures (Landry

2008). In order to boost the local economy and increase revenue, local governments have a high motivation to attract investment, including in the automobile industry. Providing subsidized land and building new automobile industry zones have become the most important strategies of local governments to lure investment. This strategy of local governments, which is called 'nidificating to attract the phoenix' (*zhu chao yin feng*), leads to the construction of gigantic automobile industry zones and the geographical concentration of automobile-manufacturing factories.

Locating Auto-Manufacturing Plants in the Automobile Industry Zones

Starting in the early 2000s, the authorities in Guangzhou started to construct automobile industrial zones to boost the local development of the automobile industry. As table 2.1 shows, the government invested about 17 billion yuan to construct four automobile industry zones from 2002 to 2008. By 2014, there were four main automobile industry zones in Guangzhou (referred to as Q1, Q2, Q3 and Q4) with a total area of 114.5 square kilometres. Three of these four zones comprise over 100 auto parts plants.

Table 2.1.   Four Main Automobile Production Zones in Guangzhou

Automobile industry zone	Investment towards infrastructure construction	Location	Area (in square kilometres)	No. of auto plants
Q1	7.44 billion yuan investment by the government from 2003 to 2007	Nansha district	22.5	Over twenty auto parts suppliers
Q2	5.5 billion yuan investment by the government from 2002 to 2007	Luogang district	20	119 auto parts suppliers
Q3	3 billion yuan investment by the government and foreign companies from 2002 to 2006	Huadu district	50	Over 180 auto parts suppliers
Q4	Initial investment of 1 billion yuan by the government from 2005 to 2008	Zengcheng district	22	Over 140 auto parts suppliers

Sources: The data on the investments towards infrastructure construction of automobile industry zones are from Jiang et al. (2006, 402–3). The data on the area of the four automobile industry zones and number of auto suppliers in the Q3 and Q4 automobile industry zones are from Yang and Feng (2015, 9, 229). The data on the number of auto suppliers in the Q1 and Q2 automobile industry zones are from Li and Yang (2013, 4–5).

The construction of automobile industry zones led to the geographical concentration of automobile-manufacturing factories. Take the Q1 automobile industry zone as an example. The industry zone is located in Nansha district, in the southern part of Guangzhou. By 2014, the industry zone covered 22.5 square kilometres and had one assembly plant and over twenty auto parts plants. These auto parts plants are all suppliers of the same assembly plant, and all of them are within two kilometres of the assembly plant. In addition to locational proximity, factories in the Q1 automobile industry zone are very similar in terms of their work organization. Most of the auto parts plants tend to adopt the lean production system, which includes the just-in-time production and delivery[2]system (Womack et al. 1990). Since auto parts plants have similar production systems, a strike tactic that has proved to be low risk and high benefit can easily be adopted by other workers in the industry zone.

In sum, the local government, by building automobile industry zones, facilitated the geographical concentration of automobile-manufacturing factories in several industry zones. These co-located factories have similar production systems, which further laid important spatial and social bases for information flows and social learning processes among autoworkers.

Concentrating Autoworkers in Collective Dormitory Zones

In addition to the production space, the living spaces of autoworkers are also highly concentrated. Studies on factory regimes in China contend that employers systematically use dormitories within or near factory compounds to house short-tenure migrant workers in newly industrialized zones (Smith and Pun 2006). According to previous studies, collective dormitories are usually located inside or near the factory compound, separated from the outside by a brick wall and gated by factory security guards (Pun 2005; Smith and Pun 2006). In addition, Pun's and Chan's research (2012) asserts that strict disciplinary rules imposed by employers over workers' activities in dormitories can hinder communication and interaction among workers.

The dormitory arrangement in the automobile industry, however, is distinct from the collective dormitories described in the existing literature. First, the collective dormitory zones are constructed for workers from different auto parts-manufacturing factories in the same industry zone. Workers living in the collective dormitory zones can meet their counterparts in the assembly plants or other auto parts plants on a daily basis.

The Q1 Automobile Industry Zone provides a pertinent example. The Guangzhou government constructed a collective dormitory zone in 2014, and then rented it to factories in the zone. The collective dormitory zone is about eight kilometres away from the Q1 automobile industry zone. With an area of 1,36,000 square metres, the collective dormitory zone can provide

accommodation for 10,000–12,000 employees. Autoworkers living in the zone were from the assembly plant and four auto parts plants in 2014. Here, autoworkers from different factories share public facilities such as staff canteens, basketball courts, table tennis rooms, shops and parking lots for shuttle buses. The overlapping daily life spaces in turn offer opportunities for information exchange.

Second, the dormitory zones are not located inside the factory premises, but usually outside. Additionally, they are not directly operated by the employers, but by independent property companies. Compared to dormitory regimes as described by the existing literature, autoworkers' lives in the dormitory zones are not directly subjected to their employers' discipline. The property companies' control over workers' activities is usually less coercive and strict, which in turn enables autoworkers to have a relatively higher level of freedom. For example, four of the eight collective dormitory zones that are part of my research do not require identity cards to enter, which means it is convenient for workers to invite their friends from other auto parts plants to their dorms. This loose control over dormitory zones creates an opportunity for workers to contact their friends from other plants.

As a result, the working and living spaces of autoworkers are concentrated in a few large automobile industrial zones. I found during my fieldwork that many autoworkers have friends in other auto factories. For example, when I was invited to attend hotpot dinners and birthday parties, I usually met autoworkers from different plants in the same district. The cross-factory interpersonal contacts further contribute to the information flow and collective learning among autoworkers, which will be detailed in the following section.

THE MICRO-PROCESS OF STRIKE DIFFUSION UNDER A DECENTRALIZED AUTHORITARIAN REGIME

I now introduce the strikes in Guangzhou's auto parts industry, in order to illustrate the micro-processes of strike diffusion under a decentralized authoritarian regime. I first discuss the information flow among workers in the 2010 strike wave and then examine autoworkers' social learning during strikes between 2011 and 2015.

Information Flow among Workers in the Auto Parts Industry

During the 2010 strike wave, I found from my fieldwork, information on strikes travelled fast among autoworkers, despite the state's strict censorship on any news about strikes. The production interdependence system and spatially embedded interpersonal contacts, discussed earlier, played key roles

in the process of information flow and inspired autoworkers to take similar actions.

Denso's DMNS plant is a fully Japanese-owned auto parts plant that had a workforce of 1,100 in 2010. The plant supplies fuel injection equipment and other parts to assembly plants like Guangqi Toyota (a joint venture of Guangzhou Automobile Group and Toyota). On 21 June 2010, the DMNS workers launched a strike demanding a 800-yuan wage raise (from 1,300 to 2,100 yuan) and the right to elect a trade union at the workplace. Workers held a sit-in strike and blocked goods leaving the factory. Since Japanese automakers in Guangzhou usually outsource the manufacture of auto parts to one or two suppliers, this strategy can quickly disrupt the just-in-time delivery system. For example, by blocking goods leaving the factory, the DMNS workers forced the Guangqi Toyota assembly plant to stop production on the first day of the strike.

News of the DMNS strike quickly spread among autoworkers in the Q1 industry zone. It is noteworthy that the state restricted media reports on the strike. On 12 June, the Central Propaganda Department prohibited the domestic media from reporting on strike incidents in Mainland China. As a result, there was no news report on the DMNS strike until it was settled by the local government. Despite that, the spatial arrangements of factories and collective dormitories facilitated an information spillover among autoworkers. Since factories in the Q1 automobile industry zone are concentrated, autoworkers from other factories walked to the DMNS factory to witness the strike. Additionally, workers from four other auto parts plants lived in the same collective dormitory zone as the DMNS workers, so they quickly gathered information about the strike by meeting them. They also organized QQ groups (an instant messaging platform like MNS) to communicate with the DMNS workers online to trace the progress of the strike. Thereby, autoworkers in the Q1 industry zone obtained a detailed understanding about the DMNS strike.

In addition, autoworkers in the Q1 industry zone also showed a sense of solidarity beyond the scope of single factories. They have become aware that their wage standard and interests are highly related to each other. If the DMNS workers successfully win a wage increase, other factories in the same industry zone, in order to avoid copycat strikes, would likely institute wage hikes too. Therefore, some workers from other factories showed their support to the DMNS workers, such as sending them bottles of water and encouraging them to insist on the strike, helping to call news reporters and giving updates on the progress of the strike on the internet. For example, in a message sent to the DMNS workers, a worker in the Q1 industry zone mentioned:

> Compatriots in the DMNS and other factories in the Q1 Industry Zone, let us be united. . . . I have called a relative of mine in the Phoenix Television Station

(to report the strike). . . . Although I am not an employee of the DMNS, I am a member of the Q1 Industry Zone. (22 June 2010)

This statement also indicates that autoworkers in the same industry zone have developed an initial form of collective consciousness.

Other auto parts suppliers of Guangqi Toyota in the Q2 automobile industry zone also quickly gained information about the strike. To achieve just-in-time delivery, most first-tier suppliers of Guangqi Toyota deliver auto parts multiple times a day to the assembly plant by trucks. But on 21 June, when some workers from the Q2 zone transported products to the assembly plant, they found that its production had been stopped because of the DMNS strike. In this way, the strike news quickly spread to the Q2 automobile industry zone and inspired more auto-workers to take similar actions. On 22 and 23 June, workers from four auto parts plants (referred to as K1, K2, K3 and K4) in the Q2 automobile industry zone also held strikes to demand higher wages and trade union elections in the workplace.

Take the strike in the K1 factory as an example. Factory K1, established in 2002, is a Japanese and Taiwanese joint venture. It had a workforce of about 500 persons at the time in 2010. On 21 June, workers from its logistics department went to deliver auto parts to the Guangqi Toyota assembly plant. On talking with workers from the assembly plant, they learnt that production at Guangqi Toyota had stopped. They quickly transferred the news back to the K1 factory, which generated intense discussions among the K1 workers. Inspired by the DMNS workers, the K1 workers also organized a strike on 22 June (the second day of the DMNS strike).

The K1 workers adopted strike demands and tactics from the DMNS work-ers. They also demanded a wage increase of 800 yuan and the election of a trade union at their workplace. They also employed similar strategies includ-ing a peaceful sit-in strike and blocking goods leaving the factory. Like the DMNS strike, these strike tactics effectively disrupted the production chain. By occupying the shipment passage of the warehouse and blocking outgo-ing goods, workers prevented the transport of stored auto parts to assembly plants, which further contributed to the production stoppage in Guangqi Honda. The K1 factory, in order to reduce production losses, agreed to the workers' demands of a wage increase and a workplace trade union election after only one day of their strike.

Furthermore, the information about the four strikes further inspired more workers to launch strikes in the Q2 automobile industry zone. Despite the state's censorship, autoworkers utilized their interpersonal contacts with workers in other factories and collected strike information in a timely manner, as a worker in the Q2 automobile industry zone noted:

Everyone knows someone else in nearby factories. We asked our friends [in nearby factories], and knew about strike news. . . . The K2 factory [in

the Q2 zone] had a strike, so the [Guangqi] Honda assembly plant stopped production. . . . Later, the K2 factory agreed to increase wages. Workers in other factories in the [Q2] industry zone also wage hikes, so they launched strikes too.[3]

Another auto worker explained how the strike at K3 triggered more strikes in the Q2 zone:

The K3 is a large factory in Guangzhou. They held a strike [on] one day [22 June, 2010], and many other factories started to strike the next day. My brother works in K3, so I knew about the news on the night of the strike. News [of the strike] travelled fast. Pretty soon the whole [Q2] industrial zone knew about the strike. All of us wanted to fight for our interests.[4]

This reveals that although the state attempted to block news reports about strikes, the cross-factory interpersonal interactions were able to facilitate communications among autoworkers. The information spillover generated a 'positive feedback' effect (Biggs 2005) and encouraged other autoworkers to take similar actions.

In sum, based on the analysis of the 2010 strikes, the chapter argues that the information flow among autoworkers was facilitated by both the interdependence of the production system and spatially embedded interpersonal contacts. First, the production interdependence increased cross-factory interactions among autoworkers, which further contributed to the information spillover across factories. Second, the spatially embedded interpersonal networks also enabled speedy information flows among autoworkers. Studies on social movements suggest that spatial proximity is particularly important for information flows and mobilization processes in authoritarian countries (Zhao 1998). According to Zhao (1998), it is because "an authoritarian regime may crush intermediate associations, but it is not able to destroy ecology-centred human interactions" (1524). Echoing Zhao's argument, this study also finds that interpersonal contact is one of the main information channels among autoworkers.

Social Learning Process among Autoworkers in the Auto Parts Industry

The information flows further contributed to social learning among autoworkers. In-depth interviews reveal that strike experiences are accumulated and shared by autoworkers across factories. Autoworkers, by learning from strike tactics adopted by others, can quickly detect any weakness in the production chain and sharpen the efficacy of their actions.

The geographical spread of strikes, is, however, impeded by the state's control over strikes. As discussed earlier, the authoritarian Chinese state

adopts a decentralized strategy in dealing with social protests. As argued by Cai (2008, 412–13), the autonomy of local governments in handling social protests is conditional. If the local government fails to settle labour conflict in an efficient manner, higher-level authorities may intervene. For example, due to the unprecedented scale of the 2010 strike wave, the provincial government intervened and showed a high level of tolerance towards the autoworkers' strikes. Nevertheless, after the 2010 strike wave, the local governments again had a high degree of autonomy in managing strikes in their jurisdiction.

My case study of thirty-three strikes from 2011 to 2015 found that, in the majority of cases (twenty-one out of thirty-three), it was the district government that was responding to strikes. As mentioned earlier in table 2.1, the four automobile industry zones are located in four different districts of Guangzhou. The responses of district governments to autoworkers' strikes were varied, which in turn limited the diffusion of strikes across districts.

The next two subsections analyse two strikes, in the Q1 and Q2 automobile industry zones, in order to illustrate how autoworkers learn from prior strike tactics, and how the diffusion of strike tactics is constrained by the decentralized authoritarian regime.

The H1 Strike in Nansha District

H1 factory is located in the Q1 automobile industry zone in Nansha district. It is a Japanese and Taiwanese joint venture. After the DMNS strike in 2010, the H1 workers also gained a wage increase and established an annual wage negotiation system. There were about 700 workers in the H1 factory in 2014, and the majority of them lived in a collective dormitory zone with workers from four other auto parts plants, including the DMNS workers.

During a collective negotiation in 2014, the H1 workers asked for a 15 per cent salary increase. The management agreed to increase wages by only 10 per cent. In response, the H1 workers organized a sit-in strike on 23 April 2014. Additionally, they learnt from the DMNS strike and adopted the strategy of blocking outgoing goods. It is worth noting that there was a strike in this factory in 2006, during which workers did not adopt this strategy. Whereas, after they witnessed the efficiency of this tactic during the DMNS strike in 2010, it became the most important strike tactic of the H1 workers.

The strike started at 7:20 a.m. Interestingly, the signal for starting the strike was a worker broadcasting the national anthem. Immediately, strike leaders led workers and gathered at the warehouse. Similar to the DMNS workers, the H1 workers sat down at the shipment passage of the warehouse and blocked all outgoing goods. Although the H1 factory had an inventory that could sustain eight hours of production in the assembly plant, these auto parts could not be transported to the Guangqi Toyota assembly plant. Thus,

the assembly plant was forced to halt production at 9:00 a.m., which caused the assembly plant a production loss of at least 200 million yuan.

The Nansha district government displayed considerable tolerance for the autoworkers' strike actions. Although around 200 police personnel came to the H1 factory within about ten minutes of the strike, they did not take any action to disrupt it. Moreover, the district's trade union officials[5] organized a new round of collective negotiation between the employer and workers, and the management eventually agreed to a 15 per cent wage increase.

The H1 strike showed that the strike pattern of autoworkers is not only shaped by labour relations and experiences in individual factories but also influenced by strikes in nearby factories. Autoworkers, by adopting others' high-benefit and low-risk strategy, used more sophisticated strike tactics over time and organized their actions in a more strategic way.

The K5 Strike in Luogang District

K5 factory, established in 2003, is located in the Q2 automobile industry zone in the Luogang district. It is a Japanese-owned automobile parts supplier for assembly plants such as Guangqi Toyota and Guangqi Honda. It had a workforce of about 1,100 in 2013.

During collective bargaining over the annual bonus in 2013, K5's workers asked for five months' salary as a bonus (about 10,000 yuan), but the management only agreed to a bonus of 1.8 months' salary (about 3,600 yuan). In response, the K5 workers organized a sit-in strike on 28 January 2013. Similar to the DMNS workers, about 200 workers in the K5 factory occupied the shipment passage to cut off the auto parts supply to assembly plants.

However, the K5 strike faced repression from the Luogang district government. On the second day of the strike, a group of riot police equipped with batons and shields were brought into the factory. To prevent the externalizing of the strike, the riot police blocked the road around the K5 factory and set a guard line. As a result, news reporters or workers in nearby factories could not get near the K5 factory. The riot police attempted to disperse workers occupying the shipment passage and to resume the auto parts delivery to assembly plants. They announced to the strikers that blocking the shipment passage was illegal. Nevertheless, workers still refused to retreat from the shipment passage. Then the riot police and plainclothes police suppressed the strike by force. The riot police hit men and women workers with batons, pushed them with shields and threw screaming workers onto the ground. Over ten workers were detained for a period between three days and one week, and two workplace trade union leaders were detained for thirty-seven days and then were charged by the district Procuratorate for disrupting social order.

This strike shows how district governments have different boundaries of tolerance for strike activities: while the strategy of blocking outgoing goods was tolerated by the Nansha district government, it was repressed by the Luogang district government. The diverse responses of the district governments created obstacles for autoworkers from different districts to adopt the same tactics. I found in the course of my fieldwork that autoworkers paid more attention to strikes in their respective districts. It is because strikes by other workers in the same district are more relevant and informative than strikes in different districts, for they can reveal critical information about the responses of the local government. In this way, the decentralized authoritarian regime undermined social learning among workers to some extent.

CONCLUSION

This chapter has examined the phenomenon of strike diffusion in the auto parts industry in Guangzhou in southern China. According to Lee (2007), Chinese worker protests are characterized by 'cellular activism', meaning their actions were largely localized, single factory-based and seldom evolved into large-scale, cross-regional unrest (2007, preface). Compared to cellular activism, strikes in the auto parts industry show two different characteristics. First, autoworkers tend to imitate strikes in nearby factories, leading to the enlargement of the scale of strikes and the sophistication of strike tactics. Second, autoworkers in the same industry zone have developed a culture of solidarity which surpasses single factories and tend to send support to strikers in other factories.

This study highlighted the importance of space in facilitating information flows and social learning among workers under an authoritarian state. It argued that the spatial arrangement of automobile industry zones results in the co-location of homophilous factories. And that the collective dormitory zones create shared spaces for autoworkers' daily lives. This spatial configuration provides a vital condition for cross-factory interpersonal contacts and furthers the speed of information spillover among workers. For workers in an information repression regime, the spatially embedded interpersonal contacts serve as a main channel transferring information and news about strikes and motivating them to take similar actions. This study also demonstrates that the way that production is organized in the automobile industry contributes to strike diffusion. Since production in automobile-manufacturing plants are interdependent, a strike occurring in one key auto parts plant can affect production in other factories, resulting in the diffusion of strikes. In addition, because the highly integrated production system increases cross-factory interactions among autoworkers during work, these work-based relations can also be utilized by autoworkers to collect information during strikes. Therefore,

this chapter argues that the production chain plays a key role in shaping strike diffusion, and the diffusion due to production interdependence needs further examination.

Finally, this chapter discussed the diffusion of strike tactics among Chinese autoworkers. It asserted that the spatial configuration of the automobile industry also contributed to social learning among autoworkers. Autoworkers, by utilizing their spatially embedded interpersonal contacts with workers from other factories, have gained important knowledge about the weakness of the production chain and how to pressure their employers. In addition, strike experiences in nearby factories also provided important information about the boundaries of the local state, which enable workers to hone their strike actions and decrease the risks of direct state suppression. As a result, their strikes have become more strategic and well organized in recent years. However, local governments developed differentiated strategies to deal with autoworkers' strikes, which increased uncertainties for workers' adoption of strike tactics in different districts. This also adversely affected strike tactic diffusion among them. Moreover, due to the state's suppression of independent labour organizations, the interpersonal networks among autoworkers have not developed into more organized labour associations yet. Without formal organizations and external assistance, the social learning among autoworkers is still generally unstable and limited.

NOTES

1. This information is based on the author's fieldwork and an internal report of the Huadu District Trade Union.

2. A system wherein inputs and parts are delivered just before they are needed to be assembled, thereby saving the parent company the costs of storage space, inventory stocks and wages.

3. Interview by author. Personal interview. Guangzhou, 5 May 2015.

4. Interview by author. Personal interview. Guangzhou, 5 May 2015.

5. The state-run trade union in China, the All-China Federation of Trade Union is three-tiered, including national federation of trade union, regional trade unions (province, city, county/district, town level), and enterprise trade unions (also called as workplace trade unions). At the national and regional levels, the trade unions are integrated into state apparatus. At the workplace level, the trade unions are usually manipulated by the management in private-owned enterprises.

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Chapter 3

Strikes in Vietnam

Mark Anner

On 26 March 2015, some 90,000 Vietnamese workers went on strike to demand the government drop planned revisions to the social insurance legislation. Six days later, the government was forced to agree to take the law back to the National Assembly for its reconsideration. The scale of the strike is especially notable because it shifted the workers' demands to government policy. Moreover, it took place outside the official trade union structure. Such wildcat strikes are not unique in Vietnam. Over the past decade, in response to a series of market-oriented reforms and harsh factory conditions, wildcat strikes have ripped through the heart of Vietnam's apparel and shoe export sectors. In 2011, the peak year for strikes, 19 per cent of firms reported having at least one strike in the previous three years (Anner and Liu 2016).

This chapter examines the recent strike wave in Vietnam. It begins by examining why workers strike in Vietnam, paying particular attention to theories that may help explain wildcat strikes. It then explores the dramatic growth in apparel exports and the working conditions this process has produced. Next, it examines state policies and employment relations dynamics by exploring unionization, bargaining and other trends. The chapter then turns to the issue of strikes by probing survey data to see which firms are most likely to experience strikes. The analysis of this survey data is complemented by four months of field research in Vietnam in 2011 and 2014.

What this research indicates is that strikes are most common in large, foreign-owned factories in industrial parks. These strikers are mostly female workers who face harsh working conditions and diminishing purchasing power as they produce apparel and other consumer manufacturing products under tight deadlines and lean margins for foreign retailers and brands. It is in the context of these economic exigencies and a one-party socialist state in

transition that Vietnamese workers have turned to mobilizing identities based on their status as women, as workers and, at times, as internal migrants.

WHY WORKERS STRIKE

Economists, sociologists, political scientists, psychologists and industrial relations scholars have long provided myriad theories for the causes of strikes and other forms of social unrest (Hicks 1932; Gurr 1970; Atleson 1973; Tilly 1978). Social movement scholars suggest that strike waves may be the result of increased threats that force workers to respond (such as lay-offs or cuts in benefits) or new political openings in society that labour seeks to leverage (Tilly 1978; McAdam 1982). As such, they most likely are part of a larger cycle of contention in society (Tilly 1978; McAdam 1982; Tarrow 1989). And, as Ching Kwan Lee has eloquently illustrated in the case of China, the nature of socialist state transitions likely has a strong impact on forms of labour struggles (Lee 2007).

Strikes may also be the partial result of Marx-type labour unrest based on exploitation and growing worker strength through the centralization of production (Marx and Engels [1848] 1992; Silver 2003). Such protest, as Gurr argues (1970), may be fuelled further by rising expectations that result from a period of strong but unequal growth. As workers witness the benefits of growth accruing to a limited sector of society while their conditions remain largely unchanged, the desire to acquire a greater share of the benefits of growth may motivate them to protest. The recent strike against regressive reforms to the Vietnamese social security system even suggests Polanyi-type unrest, meaning a social backlash against the increased commodification of labour and an erosion of the social contract, as seen in China and elsewhere (Silver 2003; Lee 2007; Friedman 2014).

Scholars of strikes in Vietnam have explored a range of structural, institutional and cultural factors important to the constitution of strike waves. One common argument is that wildcat strikes are the result of the passive role of official trade unions (Tran 2007; Do and van den Broek 2013). Since unions do not fulfil their function of protecting workers' interests, workers take matters into their own hands and strike. Other literature points to the labour-repressive managerial styles of certain groups of South East Asian investors in Vietnam (Chae 2011; Kerkvliet 2011; Kim 2011), especially in foreign invested enterprises (FIEs), where Korean or Taiwanese managers 'reportedly have little knowledge in managing human resources and a "military" disposition that sometimes manifests itself in physical violence toward workers' (Van Gramberg, Teicher and Nguyen 2013, 262). Fuelling workers' discontent have been waves of high inflation that have eroded workers' purchasing power (Van Gramberg, Teicher and Nguyen 2013).

Angie Tran sees multiple and intersecting identities in the labour process as contributing to labour unrest (Tran 2013). She writes, 'Certain forms of cultural bonding among workers come first; then, in times of desperation or crisis, relying on the comfort and security derived from their cultural networks, workers may come to recognize a form of collective consciousness, including class consciousness' (Tran 2013, 2). In sum, there is a broad range of plausible arguments to explain current strike dynamics in Vietnam. Much of this research is based on very rich case study analysis. The goal of this chapter is to complement that research with field research and insights gleaned from a large survey analysis of firms in Vietnam. We first begin by exploring the economic and then the political context in which this strike wave is situated.

MARKET-ORIENTED REFORMS AND THE APPAREL-EXPORT ECONOMY IN VIETNAM

Vietnam's most significant policy shift towards market-oriented reforms took place in 1986 with the Party Congress's adoption of a set of economic renovation policies known as *doi moi* (Collins 2009). In the aftermath, the economy grew at a rapid pace, reaching almost a 10 per cent growth rate in the late 1990s. In 2000, then US President Bill Clinton restored full diplomatic relations with Vietnam, and in late 2001 the US-Vietnam Bilateral Trade Agreement went into effect. Exports to the United States boomed afterwards. By 2011, the apparel sector employed 2 million Vietnamese workers, making it the largest source of manufacturing sector employment in the country (Better Work Vietnam 2011).

Yet this dramatic growth did not translate into dramatic improvements for workers. In 2012, wages in the apparel sector were in average at US$124 per month. This was significantly lower than the average formal sector job of US$134 per month, and the lowest monthly wage paid to workers in all the sectors surveyed.[1] According to research by the Fair Labor Association, 75 per cent of apparel export factories pay the minimum wage and the remaining 25 per cent pay below the minimum wage (Worker Rights Consortium 2013, 15). Indeed, in 2010, Vietnam had the second-lowest labour costs among top exporters, after Bangladesh. Labour costs in China and Latin America were higher (see figure 3.1). Since that time, wages in Vietnam have risen largely as a result of strike activity, as we will see ahead.

The prices of inputs such as fabric and finishing components have an important impact on cost structures and thus competitiveness. But Vietnam has little leverage to influence these costs since most of these components are produced elsewhere. Vietnam's share of the production process is mostly limited to the assembly operations. For example, for running shoes that sell for
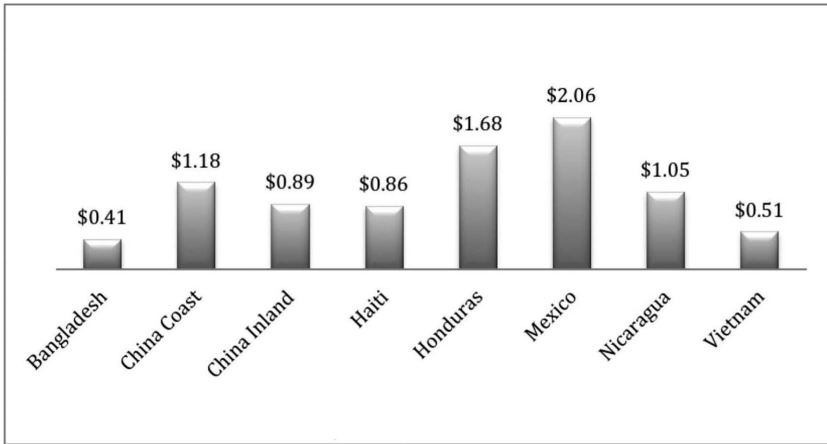
Figure 3.1. Hourly Apparel Manufacturing Labour Cost, in US Dollars (2010)

Source: O'Rourke Group Partners, Factory Audits.

US$100 in the United States, Nike pays the factory US$16, of which US$2 goes to the workers (Tran 2011). In the global supply chain system, Nike squeezes the factory owner, which in turn exploits the workers.

Moreover, as factory audits have consistently noted, forced overtime is a chronic issue in garment factories. One auditing organization found that 91 per cent of factories it inspected violated overtime rules (Better Work 2014). And stories of abusive treatment by management are also common. During a strike at the Hong Fu Vietnam Footwear Company in October 2012, a manager glued a worker's hands together as punishment. The report observes, 'After workers walked out in protest, representatives from the local district branch of the VGCL [Vietnam General Confederation of Labour] arrived, who convinced the factory's management to suspend the offending supervisor and pay both the affected worker's medical bills and the other workers' wages for the period of the strike' (Worker Rights Consortium 2013, 9).

Low wages, long hours, declining purchasing power and abusive treatment certainly could motivate strikes. But workers in many countries face such conditions and have not faced as dramatic a strike wave as Vietnam. To better understand Vietnam's contemporary strike wave, we must turn to the political climate and explore the country's employment relations dynamics.

THE POLITICAL CONTEXT OF STRIKES: EMPLOYMENT RELATIONS

Understanding employment relations institutions in Vietnam begins with understanding the history of worker organizations in socialist states. Alex

Pravda and Blair Ruble (1986) suggest that the legacy of trade unions in socialist states begins with the Tenth Soviet Communist Party Congress in 1921. At that Congress, in the midst of a debate over whether unions should be subordinated to the party or empowered to defend workers' interests, Lenin and his supporters successfully pushed through a decision that recognized a dual role of unions. Henceforth, unions were to work to increase productivity by increasing worker discipline (their productivity function) while also protecting workers from management abuse (their protective function). Lenin argued that unions might need to defend workers' interests because managers could not always be expected to do so. Stalin eliminated the protective role of unions and subordinated them to the state. In the post-Stalin era, Pravda and Ruble explain, 'State dominance over unions declined but party control remained firm' (Pravda and Ruble 1986, 2).

Party control and the goal of 'harmonious' employment relations remain explicit and prevalent throughout contemporary Vietnamese labour legislation, too. Control by the Communist Party is established in the first article of the 2013 Trade Union Law: 'Trade unions are . . . an integral part of the political system of the Vietnamese society under the leadership of the Communist Party of Vietnam'. Article 4.6 of the revised labour law states that the purpose of the labour law is 'to develop harmonious, stable and advanced labour relations'. Furthermore, Party influence is exercised directly, as the Party often selects union leaders. While some criticism of the government by unions is tolerated, criticism of the Party is not.

The VGCL is the only national labour centre. All enterprise unions are required to affiliate (Kim 2012). The range of strategic options available to trade unions is determined not only by the law but also by the diktats of the Party. The law allows for and encourages the formation of unions and collective bargaining, but the Party mandates that unions increase harmony in the workplace. As such, strikes by official unions – while legally permitted – are not politically tolerated. In Vietnam, strikes must be organized and/or approved by the official unions. The revised labour law also removed the right to strike over 'rights', while unions still are allowed to strike over 'interest'. Once a labour union requests a collective bargaining agreement (CBA), the employer is responsible for facilitating negotiations.[2] The Labour Code requires firms to appoint an enterprise-level Labour Conciliation Council made up of equal numbers of employee and employer representatives. The Council can attend to a range of disputes covering individual and collective concerns over interests or rights (Van Gramberg, Teicher and Nguyen 2013, 254).

Workers are allowed to elect their own enterprise-level leaders, but in practice the election process is often heavily influenced by management, and it is not uncommon for human resource managers to be selected as the president of enterprise unions (Do 2008). In May 2009, the VGCL adopted guidelines to prohibit managers who serve on the company's board of directors to stand

for office in enterprise-level trade union elections. However, these statutes
have no legal weight and the practice of selecting management representa-
tives as trade union leaders at the enterprise level continues in many firms.

The state capacity to enforce its labour laws remains limited. According
to Vietnamese law, every enterprise should be inspected once a year. Yet,
in 2007, the Ministry of Labour nationally had only 350 inspectors to check
approximately 100,000 enterprises (Clarke, Lee and Do 2007, 500). And the
penalties for violations are low (Kim 2012). As a result of the state's limited
sanctioning power, state officials put much more emphasis on training and
educating the employers rather than punishing them (Clarke, Lee and Do
2007, 550).

DATA ON EMPLOYMENT RELATIONS IN VIETNAM

The *Vietnam Provincial Competitiveness Surveys, Foreign Invested Enter-
prises* for 2010 and 2011 help to provide a more precise picture of employ-
ment relations dynamics in Vietnam.[3] This survey is addressed to and
completed by management representatives at each enterprise and thus is
reflective of management views and perceptions. In 2010, some 1,155 FIEs
responded to the survey representing forty-seven countries with a presence
in all sixty-three provinces of Vietnam. In 2011, participation in the survey
included 1,970 businesses from forty-five countries located sixty-one prov-
inces. The number of respondents in the 2010 survey accounts for 20 per cent
of the population of foreign investors found in the General Statistics Office
(GSO) Enterprise Census, and the 2011 survey accounts for 16 per cent of
that same pool of enterprises.[4] Of the firms responding to the 2010 survey,
813 were in the manufacturing sector (68 per cent) and 236 were in the ser-
vice sector (20 per cent).

Most respondents come from the largest manufacturing regions of the
country: Binh Duong (13.1 per cent), Dong Nai (8.4 per cent), Ho Chi Minh
City (13.3 per cent) and Ha Noi (16 per cent). The sample also varied by own-
ership structure. Of the firms in the 2010 dataset, 939 firms (83 per cent of the
total) were wholly foreign-owned, 54 firms (4.8 per cent) were joint ventures
between foreign investors and privately owned Vietnamese firms and 61
(5.4 per cent) were joint ventures with Vietnamese state-owned enterprises
(SOEs). Taiwan, Korea and Japan all had over 100 firms in the 2010 sample.
Approximately 20–25 per cent of Taiwan's and Korea's investments were in
apparel and footwear. Indeed, these two countries combined accounted for
approximately half of all apparel and footwear production in Vietnam. Some
European countries and China also had a significant presence in the sample.

The largest group of firms represented small- and medium-sized firms. But large firms employed significant numbers of workers, and wholly foreign-owned firms employed approximately 380,000 workers. Most workers had at least a high school diploma. Yet over 40 per cent of workers were perceived by managers to lack basic reading and writing skills. Some 25.58 per cent of workers had a college degree, with 3.33 per cent possessing a master's degree or higher.[5]

Female workers represented approximately half the workforce, reflecting their high numbers in large export sectors like apparel. Some 45 per cent of workers were classified as migrant workers, which reflect the high reliance on migrant workers in the booming export-manufacturing sector. The surveys indicate that a significant share of the workforce requires more training after being hired, but that figure has declined from 34.56 per cent in 2010 to 28.95 per cent in 2011. The opposite trend is apparent in terms of turnover. In 2010, some 34.17 per cent of workers quit their jobs one year after receiving training. In 2011, 36.2 per cent of workers quit one year after receiving training. This problem is even more exacerbated in the apparel and footwear sectors, where in 2010 over 40 per cent of workers quit one year after receiving training.

TRADE UNION DYNAMICS IN THE WORKPLACE

The survey findings indicate that the majority of firms have trade unions in their workplace (63 per cent), but rates of unionization vary considerably by enterprise ownership structure. Where the state is an investor in a joint stock enterprise, unionization rates are highest (between 88 and 92 per cent). Wholly foreign-invested firms and private sector joint ventures had lower unionization rates (between 60 and 63 per cent), which is still a high rate by international standards.[6] The data provide some evidence to suggest that there is less resistance to unionization in partially publicly owned enterprises. Indeed, in the SOEs it is where we see the legacy of the socialist system of employment relations the strongest, where unions were considered a fundamental part of firm operations. This legacy has carried over into private sector joint ventures with SOEs. And while the share of firms with CBAs and Conciliation Councils was significantly lower than the share with trade unions, joint ventures with SOEs were much more likely to have CBAs and Conciliation Councils than wholly private enterprises.

Furthermore, the data indicate that the majority of firm-level union leaders were not selected by the workers. While the mid- and upper-level union leadership structures are controlled by the Party, at the enterprise level, there
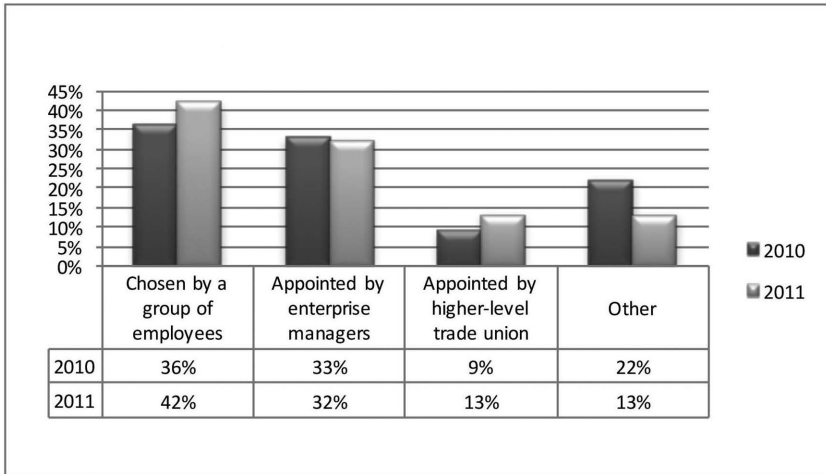
Figure 3.2. How Union Leaders Are Selected

Source: Vietnam Provincial Competitiveness Surveys.

is significant management control. Yet it is also noticeable that the share of leaders chosen by employees has gone up from 36 per cent in 2010 to 42 per cent in 2011(see figure 3.2).

It is important to note, that workers often choose a human resource manager as the union leader. A survey conducted in 143 apparel firms in 2014 revealed that 59 per cent of enterprise union leaders were from middle management (Anner 2017). This may be because no worker volunteered for the position. It may also be because having a human resource manager as the leader of the union provides the possibility of gaining greater access to upper-level management when needed. In sum, what the data on employment relations suggest is that there is a relatively high level of unionization in Vietnam, particularly in SOEs. Management and upper-level union control over enterprise unions is strong, but a significant number of factory union leaders are selected by workers. Collective bargaining appears weak; while approximately two-thirds of firms had unions, only one-third had CBAs.

STRIKE PATTERNS IN VIETNAM

In the early twenty-first century, Vietnam had a higher strike rate than China (Chan 2011). Indeed, it is most likely that it had one of the highest strike rates in the world. What is less clear are the dynamics of these strikes across a wide range of enterprises in Vietnam. What types of firms are most likely to go on strike? Large firms? Manufacturing firms? Foreign-owned firms? If so,

which foreign-owned firms? Correspondingly, which firms are least likely to go on strike? And what is the role of trade unions and collective bargaining? Do they help reduce strike rates? Finally, what are workers striking about? Wages? Hours of work? Health and safety issues? The goal of this section is to shed light on these questions.

The survey results from 2010 indicate that the larger the firm, the more likely it is for workers to go on strike. In firms with less than 100 workers, only 6.4 per cent experienced at least one strike in the previous three years. In contrast, firms with over 1,000 workers had a very high strike rate of over 40 per cent over the previous three years. And medium-large firms (with 250 to 999 workers) had a high strike rate, although not as high as firms with over 1,000 workers. Some 40 per cent of these firms experienced at least one strike in the previous three years (see figure 3.3).

This very high strike rate for large firms presents some evidence for a Marx-type pattern of mobilization, in which firms bring together larger and larger groups of workers who associate with each other and develop a consciousness of their need for collective action to pursue their demands. Workers in large firms also might perceive these firms to have greater resources and thus be more likely to support a strike based on wages or benefit demands. In contrast, in small firms more personalized relationships between firm owners and employees and more paternalistic employment relation practices might lessen the likelihood of strikes.

Employment relations research indicates that strike rates vary by sectors of the economy. And we find this to be true in Vietnam as well. In the

	1 to 99	100 to 249	250 to 999	1000 +
Strikes	6.40%	19.90%	29.80%	40.20%
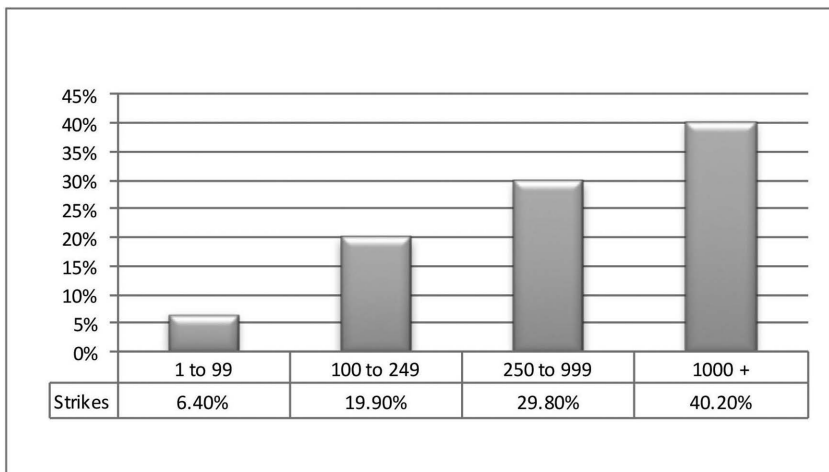
Figure 3.3. Strike Frequency by Firm Size (No. of Employees)

Source: Vietnam Provincial Competitiveness Surveys.

manufacturing sector between 19.3 and 22.8 per cent of firms experienced at least one strike in the past three years. In all the other sectors, fewer than 5 per cent of firms experienced strikes. Thus, the strike issue in Vietnam is clearly one affecting large manufacturing firms the most. Half of employment in the manufacturing sector is in the apparel export sector, where hyper-competitive conditions and low margins are conducive to low wages and long hours of monotonous work, which contribute to strike likelihood. In contrast, the service sector, representing 20 per cent of the survey respondents, experienced a strike rate of between 1.8 and 5 per cent. Employment relations scholars have observed that often strikes are less common in the service sector, especially in private services such as retail jobs and fast-food restaurants, because employment is more precarious when workplaces are smaller and more fragmented (Western 1997) (see table 3.1, for a breakdown of strikes by sector).

Strike rates also vary by patterns of ownership. What we see from the data is that strikes were most frequent in 100 per cent foreign-owned firms, with a 16.6–19.5 per cent strike rate. Strikes were lower in joint ventures between foreign investors and private Vietnamese businesses, with a 7.1–8.3 per cent strike rate. Notably, strikes were very rare in joint ventures with SOEs (see figure 3.4).

Thus, here again we see a distinct pattern between wholly privately owned firms and firms with joint ventures with SOEs. Joint ventures with SOEs have higher unionization rates and much lower strikes rates. Scholars studying this dynamic in Vietnam suggest that unions in SOEs are more likely to play a protective role relative to wholly privately owned firms and they also suggest that total compensation (wages and benefits) tends to be better in SOEs relative to wholly private enterprises (Karadjis 2011).

While strikes are more common in 100 per cent foreign-owned enterprises, prior research suggests that not all foreign management styles are the same (Hess 2013). Some countries are known for more open managerial structures,

Table 3.1.   Strikes by Sector

	2010	2011
	Strike rate (%)	Strike rate (%)
Industry/manufacturing	22.80	19.30
Construction/investment in infrastructure construction	4.50	3.90
Service/commerce	1.80	5.00
Agriculture/forestry/aquaculture	0	3.80
Mining	0	20.00
Finance/banking/insurance	1.90	0.00

Source: Vietnam Provincial Competitiveness Surveys.

	100% FDI	Joint Venture with Private Vietnamese Capital	Joint Venture with SOEs
2010	19.50%	8.30%	0.00%
2011	16.60%	7.10%	3.20%
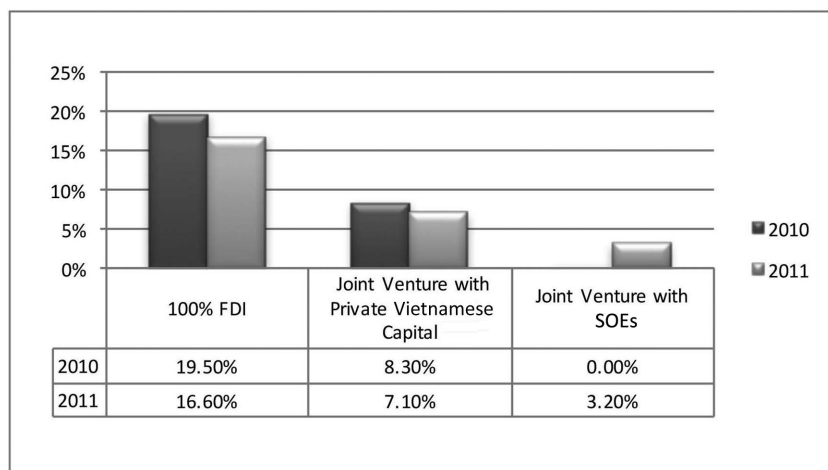
Figure 3.4.   Strikes by Ownership Form

Source: Vietnam Provincial Competitiveness Surveys.

and others may pursue a more top-down, authoritative approach. Historical factors and cultural differences may shape workers' perceptions of foreign managers and they may also influence whether workers choose to strike. Communication issues are often relevant. Some countries have a practice of hiring local line managers, which facilitates communication. Other countries have a tendency to bring their own line managers with them from their home countries, which results in direct interactions between foreign line managers and domestic workers. This may increase the likelihood of communication problems resulting in a higher strike tendency. Finally, foreign ownership patterns may be tied to levels of investment; wealthier countries may invest in higher-end sectors that are less likely to strike, whereas investors from less-developed countries may be more inclined to pursue their investment in low-end sectors where economic differences are more common.

What we find is that in 2010 strikes were most common in Hong Kong–owned firms, which experienced a 33.3 per cent strike rate. Firms from Thailand, Taiwan, Korea and Japan also had high strike rates. On average, over 20 per cent of these firms experienced at least one strike in the past three years. In contrast, European- and American-owned firms had noticeably lower strike rates, and none of the Australian firms in the sample experienced a strike (see figure 3.5). As noted earlier, this may partly be a result of these firms investing in higher-end sectors. Firms owned by overseas Vietnamese investors had a moderate strike rate.

Understanding strike trends requires an understanding of strike issues. What are workers striking about? We find that the majority of strikes
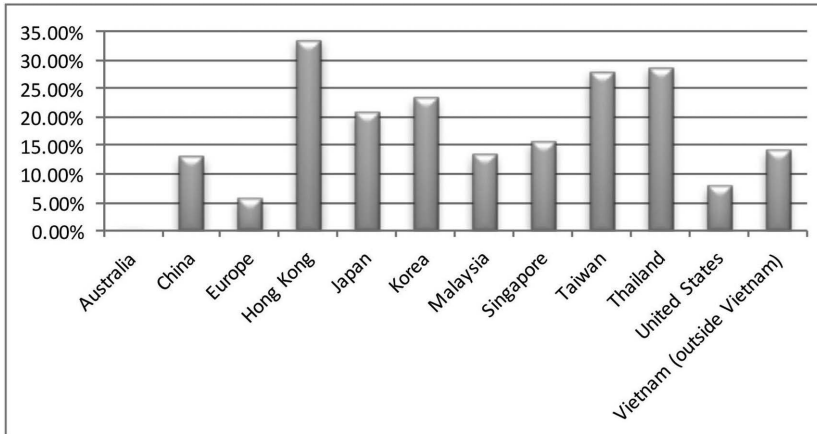
Figure 3.5.   Strike Rates by Firm Ownership (2010)

Source: Vietnam Provincial Competitiveness Surveys.

were over base wage and other wage issues (63–64 per cent). Overtime compensation and hours accounted for 11–18 per cent of strikes. Bonus-related issues accounted for 10–13 per cent of strikes. Health and safety accounted for 5–6 per cent of strikes. In sum, economic demands placed on employers feature prominently in these findings and suggested support for Marxist-type unrest. Yet this finding may also reflect the range of questions asked in the survey. It is also important to note that the survey found that workers struck over 'other wage issues' in 39% of the cases. This may include non-payment of social insurance, which more recently became an issue for workers at many enterprises. And, as noted earlier, strikes against changes to the state social security scheme have been particularly large and successful. This suggests that while Polanyi-type strikes that target the state might be less common than Marxist-type strikes that place economic demands on employers, they may be more powerful and hence potentially more transformative.

In a research project conducted with Helen Liu, we used three years of PCI data and employed statistical analysis (maximum likelihood probit estimation) to predict strike likelihood (Anner and Liu 2016). This exercise also allowed us to explore other variable such as gender, migration and factory age. What we found when controlling for a range of factors was that strikes were indeed more common in wholly foreign-owned enterprises in the manufacturing sector. We also found that apparel export firms (firms licensed by the industrial zone management board) are associated with a higher strike rate. And while controlling for firm size, sector and so forth, our results indicate that South East Asian–owned firms are associated with higher chances of wildcat strike.

Our results also indicated that the proportion of female workers increases the likelihood of having strikes, which provides support for Angie Tran's argument that strong female gender identities facilitate collective action.

However, the proportion of migrant workers is not significantly related to the likelihood of having a strike. What field research revealed is that while some migrant workers are indeed very militant and more likely to strike, other migrant workers feel the vulnerability of their precarious status as migrants and are less likely to strike. We also found that younger firms are more likely to experience strikes. What this suggests is that firms with a longer presence in Vietnam are more experienced in addressing employment relations issues in the country and thus better able to address worker concerns before they become strikes.

Our research project also revealed an important finding about unions and strikes. While unions did not organize strikes, unionized factories were more likely to experience strikes. Workers in non-unionized facilities face the problem of how to resolve strikes once they are initiated by workers. This is because wildcat strike leaders have the risk of facing adverse consequences by management or the state. They thus can clandestinely organize strikes, but they cannot clandestinely bargain with managers to resolve strikes. In this case, the union may play an important role in that striking workers may push unions to step up and fulfil their mandate to represent workers concerns (Anner and Liu 2016). Interviews also indicated that there have been cases where workers have approached union representatives to ask for support in an effort to increase wages or address other concerns; unionists have responded that they themselves cannot lead a strike, but if workers where somehow to start a strike themselves, then they could get involved and pressure for a solution favourable to workers.[7]

What our data cannot tell us is *how* workers manage to organize strikes without the support of trade unions. To explore this question, it becomes necessary to conduct field research in Vietnam. What that research indicated is that strike leaders need to be extremely cautious when organizing strikes. While strikes themselves are tolerated by the state, strike leaders often are not. Thus, strikes are organized in ways that do not identify strike leaders. Often, the idea to strike may begin among a group of trusted workers, who may be from the same family or town. This group becomes the hidden leadership of the strikes. They might spread out in the factory and start quickly talking about the need to strike. At lunchtime, they may hit their spoons on the table as a sign of defiance. The workers understand the sign, and soon most workers begin banging their spoons on the table. Once a critical mass begins banging, the workers stand up and move towards their machines, sit in front of them and cross their arms. In this way, many strikes are started.

CONCLUDING THOUGHTS

In Vietnam, labour unrest has increased as economic openness has deepened. This is particularly true as Vietnam attempts to compete in the extremely cost-sensitive apparel sector. Trade liberalization and trade relations with the United States resulted in a boom in apparel exports from Vietnam. And harsh working conditions low wages, and long hours created pent-up demands.

Labour unions have a relatively strong presence in Vietnamese firms, although their presence is lower in the private sector relative to public-private joint ventures. It is questionable whether these unions effectively represent workers' interests. The union structure at the plant level is often controlled by management. At the regional and national levels, the union structure is controlled by the Party and its desire for workplace harmony.

Vietnam differs from China in that it allows workers to strike. (China does not officially prohibit strikes nor does it legislate mechanisms for organizing strikes.) The limitation of the Vietnamese law is that it requires workers to receive plant-level union leaders' or, when there is no union, upper-level union leaders' permission to organize a strike, while also meeting a series of other obligations. But since neither employer-controlled unions nor Party-controlled unions support strike activity, workers never receive authorization to strike. As a result, all strikes take place outside the framework established by the law.

Wildcat strikes in general are frequent in Vietnam. Some sectors have experienced strikes in over one-third of their firms over the past three years. This is high in historical and in comparative terms. The survey results indicate that strikes are more likely in large, wholly foreign-owned firms in industrial parks producing for Asian-owned companies. Female gender identities appear to contribute to worker unrest, and younger firms are more likely to experience strikes than older firms. Time series data on strikes and inflation indicate a strong correlation between declining purchasing power and increased strike likelihood. Finally, statistical analysis presents another important finding: strikes are more likely in unionized firms.

How do these findings inform the theories of strikes presented at the beginning of this chapter? Are we seeing Marx-type labour unrest based on the growth in industrial production and worker exploitation? Or is the cause of strikes the result of excessive market reforms and a declining social contract, in a Polanyi-type counter-movement? In fact, we find evidence for both strike causes. Strikes are more likely in larger factories and appear mostly motivated by wage, hour and benefit concerns, as a Marx-type labour unrest model would suggest. But recent events, most notably the March–April 2015 massive strike against social security reform, suggest that Polanyi-type counter-movements against a weakening of the Vietnamese social contract are also possible.

A closer inspection of the data also provides evidence of a 'rising expectations' argument. While real wages have remained low, the economy has boomed and per capita income has soared since the implementation of market-oriented reforms. Notably, real per capita income has increased by 282 per cent since the onset of the *doi moi* reforms in 1986.[8] Workers' income, especially in the ten years following the reforms, failed to keep pace. Thus, it is not simply exploitation per se that may have motivated workers to strike in Vietnam, but the continuation of exploitation in the midst of a significant generation of wealth that was not shared with the lower strata of society. In recent years, worker militancy has resulted in rising real wages, which indicates that not only have strikes been common, but they have also been often successful.

Workers have shown themselves capable of organizing strikes on short notice and mobilizing the majority of the workforce. And my research on apparel indicates that in 96 per cent of strikes in Vietnam, workers achieved at least one of their demands (Anner 2017). In addition, not only have they pushed the government to implement increasingly higher minimum wages, but they also pushed the official unions to demand higher wages on their behalf. Indeed, the strikes themselves pushed unions to negotiate on behalf of workers contributing to their gains.

In sum, the wildcat strike wave that has exploded in Vietnam over the past ten years is a reflection of the capacity of everyday workers to respond to harsh factory conditions, take advantage of political openings and collectively mobilize to pursue their demands. These organic leaders are organizing strikes involving tens of thousands of workers without the benefit of official trade union structures or resources. And their strikes are remarkably successful. They have resulted in higher wages, improved benefits, removal of abusive managers and even better food in the cafeteria. And, despite their fragmented nature, they have forced the government to reconsider regressive policy reforms. If Vietnam manages to transform its model of export-oriented growth into an inclusive model based on a more equitable distribution of wealth, it will largely be the result of workers who, facing considerable risks, shut down their machines and demand better pay, more respect at work and protective government policies.

NOTES

1. Vietnam Net, 'Workers Struggle to Live on Salaries' (18 November 2012). http://english.vietnamnet.vn/fms/society/52482/workers-struggleto-live-on-salaries.html. Also, see (Worker Rights Consortium 2013).

2. See Better Work (2011), *Guide to Vietnamese Labor Law for the Garment Industry*, http://betterwork.org/vietnam/?p=559.

3. See: http://eng.pcivietnam.org/ (accessed 15 April 2015).

4. A comparison of GSO-registered firms and the firms responding to the survey indicates that the respondents can be assumed to reflect a representative sample of foreign investors in Vietnam.

5. More research is needed about categorization by bachelor, master, vocational training degrees for clarification about workers with vocational training including both high and lower general schooling levels.

6. Though this has to be measured against the Trade Union Law stipulations and the fact that many enterprise unions are in name only.

7. Author's interview, Hanoi, April 2014.

8. Author's calculation based on World Development Indicators data.

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Chapter 4

Making Sense of Legality

Everyday Resistance and Survival Tactics by Undocumented Indian Female Domestic Workers in the United Arab Emirates

Bindhulakshmi Pattadath

Laws relating to transnational migration often overlook the active participation of women in the blurred boundaries of legal-illegal migratory flows. Domestic as well as international laws often see women's mobility within the binaries of victims of circumstance or threats to international borders stemming from the anti-trafficking discourse. Based on ethnographic research conducted among transnational female migrant domestic workers, this chapter explores the experience of undocumented migration in the everyday lives of Indian female domestic workers in the United Arab Emirates (UAE). The fieldwork was conducted in 2007 and early 2008 in two emirates of the UAE, Dubai and Sharjah, and in Kerala, a coastal state in southwestern India. This chapter illustrates the specificity of domestic work in the context of the UAE and the prominent role of undocumented female domestic workers (popularly known as 'runaways') in the labour market there. It also explores the relative ease of women's mobility as domestic workers compared to that of men even though there are various gendered, restrictive policies at play. The study of transnational migration of female domestic workers is significant because of this contradictory feature. Drawing on women's experiential narratives, this chapter explains the limitations of understanding undocumented transnational migration as a masculine process where women are regarded either as victims or as a threat to international borders and national sovereignty (Kapur 2005). The attempt here is to show the active role women play in moulding the labour market through their everyday resistances and survival tactics. Domestic work, perceived as a normative feminine duty, makes it difficult for them to maintain the distinction between paid labour and the assumed gendered role. It is therefore necessary to explore the ways in which female domestic workers resist normative gendered expectations. Everyday resistances, in the

form of minute tactics, need to be recognized. In the UAE, where any kind of organized resistance is impossible, these everyday resistances provide meaning to their lives as significant workers in the global economy.

This chapter is organized around three main sections. The first section focuses on the location of migrant domestic workers in the labour market of the UAE in terms of their legal status and explores the possibilities it produces in terms of freedom, accessibility and mobility. The second section explores the way in which women move into 'public' spaces and make use of that accessibility, often in search of freedom and privacy. In the third section I describe in detail the risk of being visible and illegal and the way women negotiate that with their own survival tactics and everyday resistances.

MIGRANT TRAJECTORIES OF INDIAN DOMESTIC WORKERS TO THE UAE

One of the foremost criteria for travelling abroad as a domestic worker from India is the requirement of emigration clearance. Emigrants are grouped into two categories, emigration check required (ECR) and emigration check not required, based on the emigrant's educational qualifications and the nature of employment.[1] In the case of female domestic workers, emigration clearance is mandatory.

Emigration clearance is usually a temporary phase in the lives of many migrants. It is required only while crossing the border within India at airports or ports or other border areas on Indian territory. Most migrants, in the absence of valid documents and emigration contracts, bypass this requirement. Since 2004, a minimum age of thirty is required for female domestic workers who want to work in the Gulf countries, a move much applauded by the National Commission for Women, who wanted this measure extended to all countries (Varghese 2008). Hence, a large majority of migrant domestic workers leave India without an emigration clearance.

Most Indian migrant workers in the UAE are contract workers. A contract is usually granted for two years and only a few workers with a certain minimum income level are allowed to bring their family members. In order to obtain a contract, sponsorship by a UAE national is mandatory. This contract is usually granted under the *kafala* system. Migrant domestic workers are not covered under the labour laws of the UAE as they are employed in 'private households', but their employment is regulated by the Ministry of Interior. Since they are not covered by labour law, their employer – who is usually their visa sponsor – is responsible for them.

At the site of employment, Emirati nationals are entitled to sponsor three domestic workers. There are no income requirements for them to hire

domestic workers. They only need to pay a refundable amount of 5,000 AED (US$ 1,360) to the Ministry of Interior. On the other hand, a non-national can hire only one domestic worker and needs to earn a minimum salary of 6,000 AED (US$ 1,630) to sponsor a domestic worker. Non-nationals also need to pay a non-refundable amount of 5,000 AED and an annual fee of 4,800 AED (US$ 1,306) (Sabban 2002). This difference in hiring practices between nationals and non-nationals has created a highly profitable system of visa trading in the UAE, whereby nationals usually sell their visa to visa traders (Pattadath and Moors 2012).

Though it is illegal to do so, most employers and sponsors confiscate and keep the passport of their workers. This places enormous stress on domestic workers, particularly when they wish to change their employer in the case of exploitative working conditions. It creates a precarious condition for the women as they try to escape from their original sponsors but without their passports. Most of the runaway domestic workers I have interviewed in the UAE had experienced this ordeal of having their passports confiscated. Duplicate passport makers, popularly known as 'Kasargod embassy',[2] play a crucial role in such circumstances in providing a fresh set of documents (Pattadath 2008). The existence of shadow documents takes us to analysing the migrant trajectories beyond the boundaries of the state (Appadurai 1996) to understand the grey areas where non-state actors often play and contribute to gendered transnational activities.

Exploring Gendered Mobility and the Production of Moral Panic

Even though large numbers of women wish to migrate as domestic workers, the Indian state's restrictions on age make their mobility illegal. These named restrictions on domestic workers migrating to the UAE leave women under thirty often no option but to migrate through forged documents of age, of their birth certificates usually, which makes their travel precarious. In a sense, the state enables the production of illegality. Kodoth and Varghese (2012) argue that protectionism by the state reflects its investment in the gender norm but contributes to the production of a form of 'controlled informality' (2012, 171). This brings forth the discussion about the porous boundaries of legality and illegality. It raises the question as to whether these regulations were ever intended to limit the number of Indian domestics in the Emirates or whether they are examples of 'symbolic regulations' that present a concerned Indian and Emirati public with the impression that the state is acting and taking their concerns seriously. A definition of migrant domestic workers as powerless victims of their Arab employers or of unscrupulous men who try to traffic them into the sex trade labels these women as a category 'at risk'. As a result, rumours

and doubts about the sexual morality of migrant domestic workers circulate more widely and become cemented in the ways in which they are perceived, also in their own social circle (Pattadath and Moors 2012).

In the following text, I give a few narratives to illustrate the strategies adopted by women to challenge the regulations employed by the state: 'I came through "pushing"', Suja, an Indian domestic worker, explained to me using the Malayalam term *chavitti kayattuka*. 'I came through Bombay [Mumbai] airport. When I arrived in Dubai, the agent was waiting for me'.[3] Suja came to the UAE in the late 1990s, through an Indian agent. 'Pushing' – the system of bypassing the emigration clearance – is particularly prevalent among migrants who do not have an employment contract or are travelling through illegal agents. It has particularly become the prominent mode of travel by young migrants after the age limit was imposed in 2004. 'Pushing' involves both state and non-state actors such as emigration officials, airport officials and agents.

Mariyam, another domestic worker whom I interviewed in Dubai, said, 'When I came to board the flight, I was asked to wait for a week. Then the agent bribed the officials and they allowed us to go'.[4] Mariyam had previously worked in Oman and in Bahrain and had returned to Kerala. She decided to migrate again due to her husband's alcohol problems.

Shameema, another domestic worker, discussed her migrant trajectory and also talked about 'pushing'.

> There were some other women with me at the airport. The agent asked us to pay Rs 10,000 (US$ 153) to a person who came to meet us. This person left after collecting money from us. The agent strictly warned us that we should not talk to each other. I knew there was something going on. This is what I want to say: 'Let us come and work when we are young and able to work, not when we are old'.[5]

Later, Shameema got her husband and her brother to Dubai. During my interaction with Shameema, she was preparing to go back to Kerala. The narratives of women such as Shameema challenge the dominant normative notion of the migration process as one in which 'men move and women follow'. Many narratives in fact show them as trendsetters in the migration process. But being trendsetters in challenging the normative notion of migration does not mean that women challenge the normative notion of domesticity.

Though there are restrictive policies of age, many women find it relatively easier to move compared to their male counterparts. This has also to do with the gendered notion of skills. Domestic work, which comes under the category of 'unskilled labour' and a specifically gendered one, provides women an easier route to migrate compared to men. As male work usually falls under

the category of 'skilled labour', it attracts a higher visa fee, which many men find difficult.

Other than the gendered aspect of skills, women emerge as trendsetters in varied situations. Their migration provides a constant source of income for many poor families. My fieldwork in Kuttichira, a fishing hamlet in northern Kerala, showed that many women from the hamlet work as domestic workers in the Gulf. Traditional fishing has given way to the bigger, privatized mechanized fishing (trawling), which has adversely affected the daily subsistence of traditional fisherfolk. Migrating to the Gulf is one way to overcome poverty and unemployment. But the men find it extremely difficult to migrate abroad due to lack of money to pay for the visa and airfare. In the case of women, migrating abroad is relatively cheaper as the agent usually asks for half the amount they ask from men.

Sofia, an ex-domestic worker whom I interviewed in Kerala along with her husband, explained that her husband never thought about going abroad for work. 'We had to pay more for his visa fee, where[as] it is less for my travel'. Sofia's husband, who works as a security guard in a private company in Kerala, managed the home when Sofia was away. But he said, 'We did not have a proper house until she left. We made this house after she started remitting money'.[6]

Though women provide strong support to the everyday survival of the family, the key role that women play in the migration process is overlooked by emphasizing other 'vulnerable' aspects along the trajectories of their migration. This conceptualizes them as one leaving the 'safety' of home for the more risky terrain of a foreign country. The association of women's mobility with her gendered sexuality as somebody vulnerable to sexual harassment also contributes to a discourse of morality. This moral panic feeds into a national sentiment about women leaving home. Various legal discourses are created along those sentiments. At this juncture, it is important to note that this framework of vulnerability does not provide an adequate explanation to understand the complex relationships of state, migration and labour. It is pertinent to move beyond the classic vulnerability framework to understand the precarious nature of their work.

NEGOTIATING THE WORKSPACE

Migrant female domestic workers in the UAE are broadly classified into two categories based on their living arrangements, live-in and live-out. These two categories are further subdivided based on various other criteria such as sponsorship, legal status and the nature of work. Another important category of living arrangements of female domestic workers is shared bed-spaces. These

spaces are usually the target of public morality and legal scrutiny. These shared bed-spaces are usually in old, rundown Emirati villas. Over a period of time, when nationals moved out from the centre to the periphery of the cities, to more affluent localities exclusively for nationals, these rundown old villas were occupied by lower-class migrant workers.

Live-out domestic workers, mostly part-timers, usually live beyond the surveillance of their employers but often run the risk of being under surveillance by the public and by law enforcement officials. Women who live in shared bed-spaces manage to live a life of their own, with more freedom. They get to see the cityscape more closely than other domestic workers but also run the risk of being targeted by the authorities and face harassment of different kinds.

The limited physical space in the employer's house often contributes to various conflicts. Many employers who live in small apartments prefer allowing their domestic workers to go out which would give them some privacy in their home. In other houses, domestic workers do not have any privacy outside their working hours and are often forced to share rooms with children or forced to sleep on the kitchen floor or in the living room. Exceptions to this are middle-class Indian households where both the man and woman work outside; this gives some amount of privacy for domestic workers during working hours.

A domestic worker who has to occupy the living room of her employer's house after everybody goes to sleep says,

> I have to wait for everybody to sleep in order to get some rest. My work gets over by 8.30 pm but they [her employers] do not leave the living room until 11. They stay back and watch television and that is the space for me to sleep. [The] kitchen is small otherwise I could have moved into the kitchen to get some sleep. I am also expected to wake up at 5 am.[7]

The space of domestic work, as a gendered space with asymmetries and multiple hierarchies, is verbalized by other narratives. Ponnamma, a domestic worker employed by an affluent Indian family, and whom I met in a public park, recounted her experience as a live-in domestic worker.

> The house is big and there are many rooms but they wouldn't allow me to sleep in a proper bedroom. I was expected to sleep in the kitchen. I am supposed to clean their bedrooms every day and I have access to all rooms while I clean the house. But I am not supposed to enter any of their rooms after that. Madam yells at me and humiliates me. Once I forgot to remove my used towel from the bathroom and my madam shouted at me saying that I made their bathroom dirty. We do all the dirty works for them. For them servants are not human beings.[8]

Domestic work is a realm in which private space and public workspace come into conflict, exemplified in these narratives. Ponnamma was forced to become illegal (by running away from her employer's house later) due to the constant harassment she faced.

In the Households of Emirati Nationals

Women living in the households of Emirati nationals have different living arrangements.[9] These domestics often get a separate living space, but freedom is a distant reality for many of these women. They are either not allowed to move out of their employer's house or can move out only under strict surveillance. Women living and working in such households enjoy the privacy of their own space but are largely detached from the large network of migrant women who frequent public parks such as Karama. This isolation is common among women employed in a ghettoized Emirati neighbourhood.

My access to an Emirati neighbourhood in Sharjah brought out many interesting facts. All female domestic workers I met in this neighbourhood hailed from one village in Kerala. These women were completely detached from other expatriate communities in the UAE but managed to maintain a strong community identity among themselves.

For example, Nabeesa and Kunhamina, two sisters working in an Emirati house in Sharjah, are largely untouched by the everyday happenings of the city. Kunhamina, who migrated to the UAE in 1982, continues to work in the same Emirati house where she began working then. A couple of years after moving to the UAE, Kunhamina brought her younger sister Nabeesa to the same Emirati houses. Significantly, all houses I visited in this Emirati neighbourhood had a *Malayali* domestic worker, from the same place in Kerala and belonging to a Muslim community. The migration process was through an informal kinship network. The role of kinship networks is not so uncommon in migration and precarious labour contexts. In a different context, de Neve (2005) discusses how kinship morality is invoked to create a fictitious closeness so that employees can be asked to work in conditions of informality. In the context of migrant domestic workers, the kinship network is rather being used for recruiting workers in the global labour markets, as in the case of Kunhamina and Nabeesa.

In both contexts, the kinship network produces conditions of informality. There is a very strong community bonding among female domestic workers in the neighbourhood, though their access to the city space is limited. Since their interaction with other domestic workers who access the public sphere is very limited, they are not aware of the minimum wage requirements. All of them are underpaid compared to the minimum wage (600 AED, US$ 163) prescribed by the Indian state.[10]

One of the significant features of working in a private household as a domestic worker is the way integration happens with the employer's family. Domestic work is often considered an extension of the gendered, feminized informal care work, which is often unaccounted as work. This feminization of informal care work naturalizes the process of integration into the family of the employer. The distinction between home and workspace gets ruptured in such circumstances.

For instance, for Thankamma, a domestic worker who has been working for eight years in Dubai, integration into her employer's house was complex. Her employer was paying her 500 AED (US$ 136) a month, which was much less than the minimum wage. Thankamma, however, never expressed any dissatisfaction about the low wage.

> They are treating me well. My madam's daughter considers me like her grand-mother. She is very nice and loving. I didn't get that kind of love and affection from my own children. Even though the salary is less, I am ready to adjust. They at least consider me as a family member.[11]

However, this integration into the 'family' was short-lived. Things started changing when Thankamma's employer's mother visited from India. The grandchild's intimacy with the domestic worker created a lot of conflict.

Domesticity is rearticulated and reshaped when female domestic workers engage with a new family within this worksite/home sphere. Hierarchical domesticity performed by female domestic workers comes into conflict with the dominant domesticity of their female employers. This is more so when the employers also belong to a similar racial and regional background as we saw in the earlier narratives. Hence women have to deal with various complexities of this diverse and multiple domesticities of their worksite, sometimes by integrating into it and sometimes by refuting it. As Gamburd points out, domestic workers are 'the intimate outsiders and marginal insiders' (Gamburd 2000).

NEGOTIATING THE PUBLIC SPACE

It was on a bright and sunny Friday morning in February 2007 that I visited Karama Park in Dubai for the first time, where I subsequently did intensive ethnographic fieldwork. The visit was based on a telephone conversation I had with Susan, a live-in Indian domestic worker in an affluent Indo-European household in Dubai. 'Come to the park, we can meet there. You will also meet many other women domestic workers there. I will be there after my prayer meeting', she said. Susan was enthusiastic about our possible meeting.

Public parks in the UAE are one of the prominent locations where female domestic workers often go to and are visible. Most of my interactions with undocumented workers in Dubai were in the public park. The public park gave them a sense of privacy and reduced surveillance. But after a general amnesty[12] was declared in 2007, this notion of surveillance changed in the minds of many female domestic workers. Though the general amnesty provided a chance for undocumented workers to leave the country, many runaway domestic workers refused to avail the opportunity, largely due to the fear of a labour ban in case they accessed an exit pass. But this also generated a fear in them of being visible in public parks, since raids became stricter after the amnesty was declared. 'I don't go to the park these days. Raids are very strict these days. It would take a few months to settle everything', one of the runaway domestic workers informed me.

During the first half of my fieldwork (before the general amnesty was declared), I spent many Fridays in the public park. The park was also a place for the women to understand each other's problems and suggest remedies. Many women felt that coming into contact with other domestic workers helped them understand the wage structure and the inequalities they faced at work better.

As in the case of Janaki, a fifty-five-year-old live-in domestic worker, who got access to Karama Park after much pleading with her employer. 'I know why they are not allowing me out; I would come to know about rules and regulations about my work. They are paying me less. I came to know about it after I met other women in the park', she said in one of the meetings there.[13]

Suja, who gets off from work from Thursday evening till Friday night, prefers to come to Karama Park during off days. According to Suja, her employers do not care about her whereabouts during this period. This free time allowed by her employer pushes Suja into a state of 'spacelessness'. Suja says, 'I don't have a place to go on Thursday and Fridays. That is why I come here when I get days off. This park is my home'.

The notion of public space and its utilization by female domestic workers helps us to deconstruct the space in transnational migration. Female domestic workers who have gone through long and complex travel trajectories as migrant workers experience access to the public sphere as another site of negotiation. Gender, class and other identities play a specific role here. Accessing the public sphere involves different kinds and levels of negotiating tactics in each case, for live-in and live-out domestic workers.

The negotiating tactics of Subaida, a live-in domestic worker in an Emirati house in Sharjah, illustrate this point. Subaida lives in a one-room quarter ('servant' quarters) attached to her employer's house. She shares that room with a Sri Lankan domestic worker. Being a live-in domestic worker in an Emirati house away from the city centre in a gated Emirati neighbourhood

has made the possibility of accessing public spaces into a distant and difficult task for Subaida. The nearest and easily accessible public space was a grocery shop nearby and a supermarket. During my first visit, it took me an hour to locate Subaida's house. Staying out of touch with the city made it difficult for Subaida to clearly explain the directions to reach her house from the city centre.

Subaida: Come near the *jamaiya* (supermarket).
Me: (Wondering how to find out the *jamaiya*) What is the name for the *jamaiya*?
Subaida: I don't know that. There is a big mosque; this house is just behind the mosque.
Me: Ok, I'll find out (there were many mosques on the way!)
Subaida: Once you reach near the house give me a 'miss call' from your mobile phone, I will come and wait near the gate. I cannot come and wait outside now. People will be suspicious. So give me a call as soon as you reach there.

While she had said that she could not come outside and wait for me, she came up with a plan and enacted it beautifully. As soon as my taxi approached her house, which Subaida could see from inside, she came out with a dustbin and an empty bucket as if she was going to throw away the garbage outside. That was the signal for me to get inside her house. She asked me to come through the garage of the house. When asked why she had enacted this performance to get me in, Subaida explained, 'Otherwise they wouldn't allow me to come out. Now I could act as if I am doing a domestic chore'.

During my second visit to her house, Subaida had informed her employer about me (as a friend from her native village in Kerala). She wanted me to go and meet her 'mama' (female employer) and get her permission to take Subaida out. 'They will allow me to come out if you go and meet them. They just want to make sure I am going with a woman and not with a man'. Her 'mama' allowed Subaida to come out with me on the condition that she returned home by 7:00 p.m. Though Subaida did not have anything in particular to do in the city, just hanging around in the city was important for her, something she got to do only once in a while. She had earlier used different negotiating tactics such as 'going to eye doctor' and 'getting things from the Kerala store', to get out of the house. Subaida also befriended one of the drivers in the house, who was Keralite, and used his services to go out of the house.

Female domestic workers – unlike many other workers – always come under the surveillance of employers even outside their working hours. As it is, their working hours are not clearly defined and that helps the employers

to take advantage. Women discussed the various ways in which they negotiated their time and space with their employers. Interestingly, being an illegal, undocumented worker or a legal, live-in domestic worker with proper documentation imposes two different sets of negotiating tactics. In the first case, access to public spaces is easier, but in the second case it invites a lot of restrictions from their employers.

As was the case with Janaki, a live-in domestic worker in an Indian family. Her accessing the public park always happened under difficult and strained circumstances. Even after staying in the UAE for many months, Janaki's employers did not allow her to go outside her workspace. She was not even allowed to meet her son, who also worked in the UAE. However, after meeting other domestic workers in the park, Janaki gained some confidence to protest and ask for her right to access public spaces. She befriended Suja, whom she met in the park. Suja agreed to help Janaki come to the park. Following their discussion, Janaki informed her 'madam' that her sister was going to work in Dubai. The following Friday, Suja called up Janaki's employer and asked her permission to meet her sister. Janaki was allowed to go with Suja.

These small tactics carefully played out by Suja and Janaki to assert their rights to privacy and freedom are wonderful examples of women's negotiation in the case of transnational migration. Female domestic workers are definitely tactical. They are not actively resisting the status quo or social norms, but rather carefully trying to mark small resistances, which are significant for their everyday lives.

In the case of live-out domestic workers, accessing the public sphere poses another set of problems. Female domestic workers in shared 'bed-spaces' get easier access to public spaces, but their negotiations in the public sphere are always strained and tense compared to many live-ins. As live-out domestic workers, these women have to look after their everyday lives filled with lots of negotiations, be it with the landlord, the police or the common public. 'Neighbours complain about us. We are expected to behave in a certain way. Otherwise we would be labelled as "bad" women', Ramla, a live-out domestic worker said.[14]

Spaces of Informal Networks and the Question of Agency

A space like a church, which is unassuming, transforms into a space for informal networks. Many undocumented workers, runaways mostly, use church premises to meet potential employers and middlemen. And like churches, grocery shops in various parts of the UAE, run by Malayali men, play a crucial role in helping women who need help once they run away, even in finding a duplicate passport. Thus, these are spaces that transform into locations of informal networks for employment opportunities and play a crucial role

in the lives of female domestic workers when they move between one legal status and another in the UAE.

Female domestic workers get a sense of agency and freedom in certain public spaces but they also carry the risk of being caught due to their visibility in these spaces. These female domestic workers as transnational migrants bring the debate about women's agency into the foreground. As women coming through varied experiences of migration, their agency and notions of freedom are different for different women.

Agency can be collective or individual. Collective agency is produced through the shared experiences of female migrant domestic workers where they try to make significant changes to the way migration experiences are understood either in terms of political action or through collective movements. Individual agency is often produced through individual needs and desires. In the case of female domestic workers in the UAE, the possibility of any kind of political movement is squashed due to the specificity of the space in which they are located. The UAE is a place where any kind of political movement is banned by the authorities and where trade unions are absent. Female domestic workers are not covered by the labour laws of the state. This makes collective agency, which could possibly lead to any kind of solidarity action, impossible. Hence, their engagement in public spaces becomes largely motivated by individual desires and needs. Even though these individual desires and needs arise in a shared cultural context of a marginal social class, they would not necessarily grow or evolve into any political solidarity or political unrest. But it is important to give acknowledgement to these informal networks.

Runaway domestic workers who enjoy more agency and freedom in the social landscape of the UAE need to be understood in this context where they are pushed into the status of undocumented workers. Runaway domestic workers often take that step due to a multiplicity of reasons. Sometimes it is an escape from the harassments to which they are subjected or sometimes in anticipation of more desirable working conditions.

The female domestic workers who gather at the public park create a different kind of public space. For example, an undocumented worker who visits the park looks out for the possibility of meeting persons who could help her in providing a fresh set of documents. This invisible presence of informal networks is characteristic of public spaces. The park also provides other possibilities of community gathering where women can vent their emotions against abusive employers. Even though they do not carry out any kind of unionized activities in the park, this space provides them with a sense of community feeling and helps them better understand the various inequalities they experience.

CONCLUSION

Through the narratives of female domestic workers and their everyday negotiations in a regulated, controlled, yet informal work environment, this chapter has attempted to capture the strategies of resistance female domestic workers display in their everyday lives.

Critiquing the Habermasian concept of public space, Moors et al. (2012) argue that the public sphere is recognized as an arena where group identities are always at stake, and that there is a need for a more all-encompassing 'politics of presence' that allows for the inclusion of other forms of critical expression and non-verbal modes of communication. The politics of presence for which Moors et al. (2012) argue helps us to look beyond the rational discourse of the Habermasian public sphere, where there is a need for understanding other critical expressions and non-verbal modes of communication. This understanding of the other critical expressions which are often considered as 'trivial' or a 'threat' in the dominant discourse gives us possibilities of understanding migrant domestic work in another perspective.

Thus, the spaces where female domestic workers are more frequently seen and where they get some sort of legitimacy are the so-called informal spaces where they share their problems, not to make any political solidarity but to meet their immediate individual needs and make themselves visible within the available social space in the UAE. Here women do not often resist the status quo, but rather try to engage in small and minute tactics in order to mark their presence as rightful workers, thus resisting a rational legal discourse, which imposes restrictions on their mobility and imposes a legal ban. Thus, female domestic workers try to claim a space as rightful workers. A recognition of this 'politics of presence' is indeed necessary for a marginalized group of migrants who are otherwise considered as illegal and illicit.

ACKNOWLEDGEMENT

NOTES

1. According to the Emigration Act of 1983, the ECR category of Indian passport holders requires obtaining an 'emigration clearance' from the Protector of Emigrants, Ministry of Overseas Indian Affairs, for a few countries. The countries included in

this category are the UAE, the Kingdom of Saudi Arabia, Qatar, Oman, Kuwait, Bahrain, Malaysia, Libya, Jordan, Yemen, Sudan, Brunei, Afghanistan, Indonesia, Syria, Lebanon and Thailand. Emigration is banned for travelling to Iraq.

2. The origins of this term 'Kasargod embassy' are not very clear. I came to first know of it during my interviews with research participants in Dubai. Kasargod is the northernmost district of Kerala, from where most of the lower-wage and mostly 'unskilled' workers originate.

3. Suja. Interview by author. Personal interview. Dubai, 2007.

4. Mariyam. Interview by author. Personal interview. Dubai, 2007.

5. Shameema. Interview by author. Personal interview. Dubai, 2007.

6. Sofia and her husband. Interviews by author. Personal interview. Kuttichira village, 2007.

7. Suja, undocumented domestic worker in an Indian household. Interview by author. Personal interview. Dubai, 2007. As discussed earlier, the higher fee for employing a domestic worker by non-nationals provides a demand in the labour market for undocumented workers who would become cheap labour for non-national households. This is a significant example of how state regulations, particularly different systems of hiring domestic workers, perpetuate a system of informality in the labour market.

8. Ponnamma. Interview by author. Personal interview. Dubai, 2007.

9. My access to Emirati houses was very limited due to various reasons.

10. In 2007, the minimum wage suggested by the Indian state for Indian domestic workers was 600 AED.

11. Thankamma. Interview by author. Personal interview. Dubai, 2007.

12. During the middle of my fieldwork in 2007, the UAE administration declared a general amnesty, which provided undocumented and illegal migrants an exit pass to leave the country without facing any penalties.

13. Janaki. Interview by author. Personal interview. Dubai, 2007.

14. Ramla. Interview by author. Personal interview. Sharjah, 2007.

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Chapter 5

Against All Odds

Tracing the Struggles of Workers to Form a Union Inside a Special Economic Zone in Tamil Nadu, India

Madhumita Dutta

On 2 September 2016, an estimated 180 million workers in India went on a one-day general strike. It was the seventeenth general strike in India since 1991, when the government liberalized India's economy. Like the year before, the 2016 general strike called by the ten central or national trade unions in India was organized to demand a halt in price rise, minimum wages, social security for all workers, generation of employment, halt in divesting from profit-making public-sector companies and implementation of the labour laws. These broad general demands have remained constant in all the general strikes for the past six years with little or no indication from the Indian government that it would meet them.

About 92 per cent of the workers in India – of an estimated total work-force of 472 million – is employed in the unorganized sector or informally employed in the organized sector without any job contracts (ILO 2016). As per the International Labour Organization (ILO), informality in employment and poor quality of work persists in India, with 79 per cent of non-agricultural workers having no written job contracts and only 23.8 per cent of workers eligible for social security benefits (ibid., 3). The bulk of the Indian workforce remains non-unionized. It is in this context – one of corporate-led industrialization and the state's ambitious development plans in which the demands of labour are seen as unreasonable and their collectivization as 'extremism' – that this chapter discusses the formation of an employees' union inside a special economic zone (SEZ) in the southern Indian state of Tamil Nadu (TN).

In India, the responses to labour strikes by the state and the management have either been use of brute force by the police or suspension from work, and in some cases termination of employment. In October 2010, the erstwhile chief of the TN police force, spoke at a conference titled 'Physical and Soft

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Infrastructure Security', organized by the Confederation of Indian Industry, one of the oldest and most powerful corporate lobby groups in India. 'The major threat we face right away', she said, 'is left-wing extremism in any form. Though they have been kept out of our State borders, there is always the threat of them intruding into our society through one of the areas they have targeted, and that is the labour force' (*The Hindu* 2010).

It is not uncommon for the state or its police force to find an easy scapegoat in 'left-wing extremism' to crush the strikes of workers across India as has been witnessed in the rapidly industrializing and urbanizing belts of Gurgaon and Noida near the capital city, Delhi (Sehgal 2005). In 2012, the state police brutalized and incarcerated 147 workers of India's largest car-manufacturing company, Maruti Suzuki, in Manesar in the Gurgaon belt amidst calls by business leaders to 'ruthlessly' act against labour 'extremism' (Annavajhula and Pratap 2012; Teltumbde 2012). In February 2016, over 2,000 striking workers of Honda Motorcycle and Scooter India, who were demanding unionization, were brutally assaulted, jailed and sacked from their jobs in Tapukhara, Rajasthan. This was not the first time that the Honda workers were being repressed by the state. As Teltumbde wrote:

> In the industrial backyard of Delhi – the Honda workers were publicly battered by police seven years ago and the Maruti workers' exemplary struggle since last year – they have been bracketed with those whom Prime Minister Manmohan Singh called '*the greatest internal security threat*' to this country. (Emphasis added) (Teltumbde 2012, 10)

LABOUR COLLECTIVIZATION IN SEZs

The International Trade Union Confederation, in its survey of violations of trade union rights in India, has noted the difficulties of unionizing in SEZs due to restrictive entry into these zones. The report noted 'inaccessibility' to the workers as they get 'bused' in and out of these zones, the majority of workers being young women who are 'too frightened to form unions', and fear of 'victimization by [the] management' being one of the key reasons hampering unionizing efforts in the SEZs (International Trade Union Council 2007).

The ILO report, *Trade Unions and Special Economic Zones in India*, noted:

> States have taken exemptions for SEZs from Section 22 of the Trade Unions Act, restricting the entry of outsiders as office bearers in trade unions. Physical entry itself is restricted and workers' movement is strictly controlled and monitored by the employers. When workers have attempted to organize workers, registration is strategically denied. Any move towards unionization leads

to dismissal from service. . . . There is a clear nexus between the state and the employers, and workers' protests are being looked at as a law-and-order problem rather than as an issue of tripartite negotiation. (ILO 2012, 47)

Under the Indian Special Economic Zones Act 2005, individual states cannot alter labour regulations, especially with respect to 'matters relating to trade unions, industrial and labour disputes . . . in any Special Economic Zones' (Singh 2009, 7). However, if one looks closely at the SEZ policies and Acts legislated by individual states, it is clear that modifications have been made in labour regulations to attract SEZ investments, especially in the 1926 Trade Unions Act and the 1947 Industrial Disputes Act (IDA) (ILO 2012, 22). For instance, the TN SEZ policy promised to notify all industrial units in the SEZs as 'public utility service' under the IDA. This essentially meant, as per section 22 of the IDA, prior notice of a strike has to be given and no strikes can be conducted during the conciliatory process in a 'public utility service'. Prior notice of a strike almost immediately starts a conciliation process mediated by the Labour Department that continues over a long period of time. And if a strike is conducted during a conciliation process, the state has the power to declare it as 'illegal' and both state and management often take harsh actions against the striking workers.[1]

When, in 2011, the permanent employees (workers) of a Nokia factory located in Sriperumbadur, Kancheepuram district, TN, formed an independent employees' union – 'Nokia India Thozhilalar Sangam' (NITS) – it was a significant achievement given that the factory was located inside an SEZ. In TN, restricted entry and activities of trade union activists in factories is not new and has been prevalent even before SEZs were established, especially in the textile industry (ILO 2012, 36).

Prior to this, in 2010, workers in the factory struck work for three days. The impact of the strike in the words of a senior Nokia manager: 'In 2010 we had *external influences* [strikes] that really hit us. We are a global supply chain, if something stops somewhere, things starts piling up, supplies gets affected. We need predictability' (emphasis added). [2]

The action of the Nokia workers showed how, even though production and work get fragmented through multiple sites of operation of global supply chains, workers at each of these sites are able to resist poor work conditions and demand better wages by stopping work at one site. Various scholars have interpreted labour strikes differently. For instance, for anthropologist Jamie Cross, the labour strike in a diamond polishing factory located inside Vizag SEZ in Andhra Pradesh was an attempt by the workers to gain recognition as 'economically productive subject(s)'. He argues that 'factory labour inside the zone is tied to forms of visibility and recognition that constitute the individual as an economically productive working subject and which become

the basis for particular kinds of political claims for rights and entitlements'
(Cross 2010, 68).

It is therefore against this backdrop of an overall shrinking space for work-
ers' organizations that an employees' union like NITS (employees' union)
stands out as an exception, given that it was probably the only 'recognized'
employees' union in an SEZ in the country. Like other labour scholars,
I foreground labour's dynamism and its ability to 'unfix' capital's strategies
of accumulation in different locations across time and geographical locations
under certain conditions (see Silver 2014; Zhang 2015; Nowak 2016). In this
chapter, I trace the process of the formation of a shop floor employees' union
in the Nokia factory, locating it within the social and political contexts of TN
and the aspirations of the young Tamil workers that shaped their everyday
politics and strategies.

TRACING THE PROCESS OF UNION FORMATION

In 2005, Nokia set up its largest mobile phone assembly factory globally, with
a capacity to produce 650,000 devices per day, in TN. It was located inside
the Nokia SEZ Telecom Park that also housed its components suppliers. The
passage of the Indian SEZ Law in 2005 was the key driver for Nokia's deci-
sion to set up this factory in India. The SEZ law offers separate sets of regu-
latory and administrative regimes in the zones, tax exemptions and access
to subsidised resources such as land, water and electricity (see Dutta 2009,
2016; Jenkins, Kennedy and Mukhopadhayay 2014). The key incentives that
the zone policy promises are single-window clearances, fast-track processing,
self-certification and reduced bureaucracy. In other words, it was a process
that captured the 'speeding up of the global economy' (Harvey 1990, 240) to
meet the demands of global businesses for 'temporal efficiency'.

TN was one of the first states to enthusiastically establish SEZs, first
through formulating a SEZ policy in 2003 and then through a state legislation
in 2005. The vision of industrialization through the establishment of zones is
in line with TN's already established image as an industrialized state. Stag-
nation of the agricultural sector, a high rate of landlessness (asset inequity),
diversification of the rural economy and, importantly, the early sociopolitical
shifts brought about by the anti-upper caste Dravidian movement have sig-
nificantly shaped the modernizing ethos and industrialization patterns in the
state (Vijayabaskar 2010). The aspiration for social and political changes has
built up over many decades in TN.

It is under these contexts of aspirations of the state and the people that
SEZs came to be established in TN and led to the Finnish-owned Nokia
Corporation to set up the Nokia Telecom SEZ in Sriperumbadur. Within five

years, the workers in the Nokia factory had produced 500 million mobile phones and this was promoted as the 'success story' of the SEZ policy boosting exports and providing jobs, till the factory dramatically shut down in 2014 due to massive tax evasion cases that were filed against it by the Indian federal tax department and the TN government.[3]

NITS was registered as an employees' union with approximately 4,000 permanent operators (workers) in June 2011.[4] It took employees almost six years until an independent employees' union could be formed in the factory. 'The time between 2005 and 2010 was full of struggle . . . daily fights, even a slight tension and we would stop the line', said Suresh, ex-treasurer of NITS,[5] indicating the antagonistic relation between the management and workers.

Starting initially as members of a 'Works Committee' (WC),[6] workers, mostly young men even though the workforce was predominantly women, gradually became union leaders over a course of time. They used various strategies – networking, the media, Internet – besides the traditional trade union tactics of strikes to build unity among the workers which eventually led to the formation of a shop floor employees' union. Hensman (2011, 115–16) has called employees' unions an 'important experiment in union democracy', which over the years have become 'an expanding area of unionism', especially in a situation in which there has been a drop in the membership of political party–affiliated unions. The earliest unions of organized labour in India were 'not organization *of* workers, but organizations *for* workers run by political leaders and social workers' (emphasis in original) (Ramaswamy 1973, 914). This, critics have argued, has prevented the emergence of 'a unified labour movement' in India (ibid., 914).

Employees' unions are not free of inherent flaws, such as being too focused on their shop floors or factories. But it is argued that they have internal knowledge and greater capabilities to resolve shop floor issues, and a greater degree of control over the 'decision-making of their members' than external unions or leaderships (Hensman 2011, 140). In several instances, these unions also maintain linkages with central unions by appointing an advisor or honorary president from a central or political party–affiliated union, but the decision-making power is usually retained by the leadership and members of the employees' union, as it is the case with respect to NITS. In some sense, NITS was an interesting experiment which combined the characteristics of an employees' union with its intimate link to the shop floor, a relatively 'democratic' process of decision-making and close ties with the members of political party–affiliated external unions.

There also remained some fundamental issues within NITS that were problematic and remained unchanged, despite its ability to form a relatively democratic and independent union that was recognized by the management in a SEZ. First, there was no representation of women workers in the leadership

position of NITS, despite the fact that female workers formed over 60 per cent of the workforce and participated equally in the strikes. Earlier studies in TN have shown that even where unions have managed to break the caste barrier to include *Dalit* members in the leadership, women have remained absent from such positions (ibid., 217; also see Fernandes, 1997). This phenomenon is not peculiar to India alone. A 2010 research in twelve countries found that key leadership positions within the (formal sector) unions were occupied by male members, and women were 'mainly absent from the bargaining table, with the result that their main demands tended to be traded off or fell off the bargaining agenda' (GLU 2010, 15). The other issue was the non-representation of the interests of contract and trainee workers whom the company regularly hired. At any given time, there were over 2,000 contract workers in the factory. Contract workers were left out of the NITS membership and the union did not demand to improve the conditions of their employment or wages. These workers were paid much less wages for doing similar work as the permanent workers and often not paid on time. Some of them, even after working as contract workers in the company for over three to four years, were not made permanent workers. The contract workers were also laid off first without any notice or compensation when the company started closing down in 2014. NITS did not raise any objection to the unfair manner of dismissals of contract workers.

Lies and Discontent – 'Promise of a good life'

In 2005, when Nokia's Chennai plant was being constructed, the company started recruiting young women and men, aged eighteen to twenty years, mostly from rural and semi-urban areas across TN. The workers were straight out of school or had just started college education when they quit their studies to start working in the factory. They had clearly no experience of factory work or production lines. They came with their individual aspirations for a 'better life' that over a period of time collectivized into common demands for 'better' wages and 'secured' jobs. As Tikkaram, vice president of NITS, said:

> When we joined the company we did not have any thoughts of forming a union. We felt we all had a good job and we had got settled in life. . . . We were told that after six months everybody would be confirmed and moved to a five-digit salary. That is why we even discontinued our studies. They also told us that we would have to discontinue our studies and join.[7]

Rajesh, a young union office-bearer of NITS, was studying commerce in a local college in Kancheepuram when he saw an advertisement in the college

notice board about the recruitments in Nokia. Like others, he saw the 'prom-
ise of a good life', he said:

> I joined in January 2006, I was the seventh batch. The company had started in
> December 2005. The company told us, you work for three months while con-
> tinuing with your studies, and after three months, if you like it, you continue
> to work and leave your studies. What they did was, in our second month itself
> they gave us a Rs 7,500 ($110) increase. So suddenly in the second month after
> joining we got Rs 11,500 ($168). We were very happy, we thought this is good.
> We went to our friends and told them that this is great company and encouraged
> them to join.[8]

But soon Rajesh realized that the company had other plans. The 'promise'
of good wages and a permanent job did not last beyond the first two months.
After the sudden wage hike in the second month, their monthly salary was
reversed back to Rs 4,000 ($58) in the following months. The workers felt
'tricked' and 'cheated' into believing that the company was 'great'. After one
year, when neither were their jobs confirmed nor their wages hiked, workers
went to the Human Resource (HR) manager of the company. 'He took a pen
out of his pocket and told us, "If I can buy a pen for Rs 5, why should I spend
Rs 10 for it?"', Rajesh said. The workers realized that they had been tricked
and could be thrown out of the job.

Like Rajesh, Ezhilarasan was part of an early batch of workers who joined
the company. He was 'proud' of being one of the workers who started the
production in the factory. He was a skilled worker, among those whom the
company sent to train in a newly built factory in Romania in 2008. Ezhila-
rasan said:

> I entered the company in December 2005. I was in the second batch. When
> I went there, there was nothing there. There were only one or two lines. There
> was no production. We began the production at this company with our own
> hands. This is something I'm very proud about. Slowly, it became the famous
> Nokia SEZ known everywhere in India. This growth is because we first entered
> and brought the company to this level.[9]

This achievement enabled Nokia to enhance their profits globally but did
not translate into material benefits for Ezhilarasan and others in the India
plant. Ezhilarasan had said:

> But even in those five years, we were only getting Rs. 4,000 ($58) per month as
> salary. Then they gave us an increment of Rs. 400 ($5).They confirmed our jobs
> after fifteen months. In 2009, when they again said the increment is only Rs. 500
> ($7), that day we workers became very upset and sat down inside the company.
> We did a sit-in protest inside the factory, on the shop floor.

Over a period of time, insecure jobs, low wages and high production pressure were raising frustrations among the workers. The factory ran three shifts each day where workers stood for eight hours assembling phones with one half-hour lunch break and a fifteen-minute tea break. Each assembly line had production targets per shift that varied according to phone models.

After the first batch of workers had worked for fifteen months, they were made permanent and given a paltry wage hike of Rs 500 ($7) per month. The workers in the Chennai factory were producing 16 million phones a month during that time. The dream of 'a better life' was getting 'fractured' and the workers were faced with 'prospects of future marginality' – this had an important implication for the everyday politics of labour (Cross 2009, 315). The sit-in protest in 2009 was a 'visible manifestation' (Zhang 2015, 141) of the growing discontent. The sit-in strike of 2009 was not the first one; there was another strike before this in 2006 over wages and permancy.

Beginning of Collective Organization

In the meanwhile, the management formed a WC, which is a requirement under the IDA for factories employing a hundred or more workers. This body typically has equal numbers of worker representatives and management officials. It has no legal power as such and the management/employers have no legal obligation to implement its recommendations. It is an institutional mechanism to diffuse frictions in the workplace. This committee also framed the company's standing orders,[10] a process guided by the HR managers. The members of the WC were not allowed to speak on matters relating to wages or employment security. The management was not keen to address the issues relating to wage rise that workers were raising since 2006. After three such WCs were formed by the management, some of the worker representatives were 'disappointed' by the limited mandate of the committee and the way the workers were 'chosen' by the management to represent the 'interests' of the workers and decided to have an elected committee.

The first elected WC, with twelve members, was formed in 2008. The first task that the members decided to take on was to meet the Managing Director of the Nokia factory to discuss wages. The new committee members felt confident by being elected by the workers and not being selected by the management. But the management's response to this collective demand was cold. The Managing Director 'wouldn't even properly answer the questions we asked. There was no relationship at all', said Sarvanan Kumar, president of NITS.[11] Just two years into the work, the workers were quickly learning the politics of the workplace. 'We started feeling this would have to be taken up in a different way . . . we started talking to people (outside the factory) . . . .

We decided to ask people who had experience with unionization', Suresh, treasurer of NITS, said.

The WC members decided to hold a meeting for all the workers. Secretively, without the management's knowledge, they made meeting plans, a common tactic adopted by the workers in the Sriperumbadur area facing intense opposition from factory managements and state government alike towards any workers' collectivization initiatives.[12] Since the factory operated 24/7 in different shifts, the workers chose an 'inventory day' for the meeting when there would be no production. A marriage hall located about twenty kilometres away from the factory in Poonamalle at the outskirts of Chennai was booked for the meeting. But the management came to know of the 'secret' meeting and started 'brain washing us . . . they even threatened us – "You cancel the meeting, you shouldn't hold such meetings", they said, but we were very determined', Sarvanan Kumar said.

Faced with unyielding workers, the management changed its tactic by 'offering' the factory premises as a venue for the meeting and also decided to 'help' in organizing it. It tried its best to control and manipulate the meeting. It went to the extent of putting up a notice announcing the meeting and listing out the names of all the senior employees who could attend the meeting. Despite all these management 'manipulations', the workers managed to change the situation in their favour. 'Our employees had no factory or union experience . . . so we used that meeting well. We presented the details we knew . . . how much the company was producing, the profits it was making, why we are being paid low salaries. . . . There was a *force* amongst the employees . . . that we should get better salaries', Sarvanan Kumar said.

Despite the Nokia management's best attempts to hijack the process, the workers managed not to get 'fixed' and used the opportunity to inform and build common demands among the workers. They even gathered information about company's rising profits to challenge the management, demanding for higher wages.

Political Party–Affiliated Trade Unions and the State

The failure of talks with the management led the workers (WC members) to meet different trade unions in Chennai, including the Labour Progressive Federation (LPF) affiliated to the then ruling party in the state, Dravida Munnetra Kazhagham (DMK). The leader of the LPF union late C. Kuppusamy was the DMK's Member of Parliament in the national government. Workers went to the LPF union 'because we felt that since it was the ruling party union, the union would be immediately recognized [by the management]', Sarvanan Kumar reasoned.

In its efforts to thwart the workers from forming a union, the manage-ment held 'communication meetings' with workers in different shifts and announced a 'surprise' monthly wage hike of Rs 900 ($13), instead of the usual Rs 400–500 hike. 'This was an attempt to split up the workers', said Sarvanan Kumar. But instead of dividing the workers, the management's action triggered an *in-situ* strike, with workers sitting down on the shop floor. The strike led to a tripartite conciliation process under the IDA involving the Labour Department, the LPF union leader representing the workers and the Nokia management. The conciliation ended with a one-year wage settlement that the workers accepted as an interim measure.

Third-party mediation by the state has been a common practice in India post-independence in matters relating to labour-management disputes where industrial relations get 'firmly entrusted to the care of the state' (Ramaswamy 1985, 523). This form of mediation has been contested historically; it is said to 'have failed substantially' by its critics, and that 'the settlements that are claimed to result from conciliation are increasingly the result of political interventions' (ibid., 524). Critics maintain that this process came out of fear of 'erosion of governmental authority' by the bureaucracy (ministries concerned) and even trade unions are said to be 'afraid to face the employers without the crutch of government support' (ibid., 523).

Forging an alliance with LPF and a state-mediated 'conciliation' process was the beginning of Nokia workers' long entanglement with the state's institutional mechanisms and their brush with political parties. We present evidence of it in the sections that follow.

Unionization and Strikes

Nokia India Employees' Progressive Union

In 2009, the Nokia India Employees' Progressive Union (NIEPU), affiliated to LPF, was formed by the Nokia workers at Sriperumbadur, with 2,500 members. The general secretary of the LPF union became the President of NIEPU. Unlike other employees' unions, where the factory-level leadership retained the right to negotiate with the management, in this case the LPF leader took on the role of negotiator on behalf of the workers. The initial 'success' of the conciliation process negotiated by the LPF leader leading to a wage hike engendered some amount of trust among the workers towards the LPF leader. However, trouble started as the time approached for the long-term (three-year) wage settlement in April 2010. The management avoided communicating directly with the office-bearers of NIEPU and insisted on being approached by the LPF leader.

In January 2010, Suresh, a vocal office-bearer of NIEPU, was arbitrarily asked to change his work shift. When Suresh refused to move, the management 'brought the security guards in', forcefully removed Suresh from the factory premises and suspended him. When the other office-bearers of NIEPU questioned the HR manager for this arbitrary action, the manager refused to give any explanation. The union then contacted the LPF leader, who simply asked them to go back to work. The office-bearers of the employees' union sensed a 'closeness' between the LPF leader and the Nokia management. 'We started an in-situ strike . . . we stopped work and sat inside the factory', Sarvanan Kumar said. About 4,000 women and men went on strike, first on the shop floor and then at the gate of the factory for two days. The management responded by suspending the sixty-three most active union members. The suspension of these workers was to arm-twist them into accepting a three-year wage settlement drawn up by the management without the consent of the workers.

According to Sarvanan Kumar,

> We continued the strike for two days but there was no response from the Labour Department and the LPF. . . . Since the majority of the workers were 'girls', I couldn't make them continue the strike . . . so we abandoned the strike for then and went to the Labour Department. The 'consultation' kept continuing from one sitting to another.

Despite their 'discomfort', NIEPU had to seek LPF's support in speaking with the Labour Department since the union was affiliated with LPF. The workers were getting restive as the time to reach an agreement on the three-year settlement was approaching. During this time, the LPF leader, using his power as the President of NIEPU, suddenly declared that the union was 'divided' and expelled three active union office-bearers charging them with 'working against the union'. This further antagonized the workers.

When the workers challenged the wage settlement, the management asked them to choose between accepting the wage settlement and revoking the suspension of the sixty-three workers. But workers were in no mood for such compromise. Another strike was called to challenge the new wage settlement. Workers refused to accept a wage settlement to which they had not consented. Within a very short span of time, there were repeated strikes in the factory. This time, the workers' ire was not just against the management but also against the leadership of the employees' union led by LPF.

'When the strike continued for two days, the Labour Department asked us to come . . . we all went there . . . there the Labour Minister, Labour Commissioner all told us that we have to sign the settlement that was put up on the notice board without changing anything', Suresh said.

But the workers remained adamant and refused to relent. This infuriated the Labour Minister who threatened the 'expelled' union office-bearers of severe action against all the workers if they did not agree to the settlement including asking the management 'to dismiss 300 workers'. The meeting took place in the Labour Commissioner's office in Chennai, while 4,000 workers sat on strike outside the factory gate in Sriperumbadur. Sarvanan Kumar recounted the meeting:

> The Labour Commissioner, Labour Minister, LPF leader, all of them were there. . . . It was as if we were locked inside the room . . . they kind of said we could leave the room only after signing . . . or else we will put up a notice announcing dismissal of 300 workers . . . at that time we did not consult the workers . . . after a lot of hesitation we signed.

The document that was signed by the 'expelled' union leaders that evening was a declaration that the strike was being called off implying that the workers were agreeing to the wage settlement. 'We all were crying . . . but we signed', said Sarvanan Kumar.

> We signed and came back to the factory. It was around 11 pm. Employees were all sitting in strike. We told them what had happened. They said, 'Why are you getting so emotional; at least all of you have come back . . . we can deal with the rest later.' . . . so at that time we abandoned the strike and went back to work.

After the workers came back to the line, the active union members were all moved from their workplaces and put in different shifts by the management to split up the group. But the active union members turned this management tactic into an opportunity to reach out to the workers in different shifts and departments to build 'unity' among them.[13]

During this time (2010), the workers also toyed with the idea of aligning with Anna Thozhirsanga Peravai (ATP), the trade union wing of the All India Anna Dravida Munnetra Kazhagam (AIADMK). They felt that aligning with the opposition and powerful Dravidian party would put pressure on the DMK-affiliated LPF union. The 'expelled' NIEPU office-bearers even organized a general body meeting of the workers which was attended by ATP leaders including a Member of Parliament of the AIADMK.

Nokia India Thozhilalar Sangam

Two things happened during this time that stopped the workers from aligning with the ATP. A female operator was fatally injured and killed at work. Second, there was a change of the top management officials including the managing director of the factory and the HR manager.

During the negotiations for compensation for the dead worker, the union realized that the leaders of LPF and ATP were 'close' and the tone of the ATP leader whom they had been speaking to had changed. They felt they could not trust either of them. Meanwhile, the new HR manager approached the expelled union office-bearers for a 'dialogue'. This was a completely new experience for the workers who had thus far only confronted the management. The workers sensed a new 'openness' in the management's approach and felt they could directly negotiate their demands from thereon without the support of an external union.

The expelled office-bearers called for a meeting of all workers in January 2011 where, the recorded minutes suggest, it was decided to form an independent employees' union and leave the LPF union. It is interesting to note here the shift in the relations between workers-management and also management-state. From an antagonistic relation between the management and workers, the shift was towards dialogue between the two. And management no longer needed the state or the political establishment to mediate/coerce labour. This shift occurred due to labour's persistent resistance against the arbitrary practices of both management and state.

On 7 June 2011, NITS was registered with all the previous office-bearers including the ones who had supported the LPF leadership. In a general body meeting of the workers in December 2011, it was decided to hold an election to elect the office-bearers of NITS. During this time the workers also met with an experienced worker and a trade unionist from another company who guided them extensively on conducting the elections. Union elections were held in January 2012. NITS became the single largest elected management-recognized union in an SEZ, with 4,800 members. In the context of TN, where there is no legal statute that mandates the management to recognize a labour union, this 'recognition' of NITS by the management was seen as a significant achievement, not just for the Nokia workers but also for workers in the surrounding factories.[14] NITS also chose the state president of Centre of Indian Trade Unions as its honorary president.

In March 2013, NITS signed its first long-term three-year settlement with the Nokia management. The settlement was hailed as a success of sorts given the dismal state of unionizing and collective bargaining in Sriperumbadur. The new settlement included a wage increase of Rs 10,500 ($157) in a phased manner over the period 2013–2016. However, it must be pointed out that there were many issues that NITS did not address formally, especially representing the interests of the contract workers who were not included in the union.

To conclude this section on the journey of the Nokia workers in the formation of the employees' union, I want to underline that even though the struggle of the Nokia workers can be seen as 'localized', that it did not necessarily

create a broad-based mass labour mobilization or political organization that went beyond the shop floor, perhaps an overall lacunae in the structure and operation of employees' unions, it did create possibilities and hope for workers in other electronics factories in the area to organize collectively and demand higher wages and the right to form unions, as happened in strikes at Foxconn, BYD, Sanmina and Nokia Siemens in 2010–2011.

The other key conclusion to be drawn is around the notion of 'exceptionalism' (Ong 2006) of the zones aimed at creating spaces of political and economic 'exception' to their surrounding territory. I state that through shop floor struggles and conflicts, workers actually turn the whole notion of 'exceptionality' on its head by dragging in the labour department, the state, the judiciary and the political parties inside the zones. Instead of seeing their citizenship as being 'mutated' and 'fragmented' inside these zones (ibid., 84), I would argue, following Cross (2010), that the workers actually demanded recognition as 'political' and 'economic' citizens in these zones from the state by collectivizing and forming an employees' union. They held the state accountable to protect their rights as they struggled against the corporation demanding fair wages and right to form a union.

CONCLUSION

In this chapter, I have explained the process of formation of an employees' union in a factory under an aggressive economic-political climate in which the rights and demands of workers are increasingly seen as 'unreasonable'. While the management seeks to hire a 'docile' and cheap workforce, the state mediates industrial relations through conciliations, coercion and force. Mainstream trade unions affiliated to political parties play a key role in this mediation process, which at times can be problematic given the proximity of the unions to the incumbent governments. This can impact the interests of the workers negatively as the unions try to broker compromise between the management and the workers who often under pressure from the political parties ruling the state.

In the present context of unionization in India, the formation of NITS can be seen as an 'exceptional' achievement – a tale of workers' struggle and determination to create a bargaining space for themselves. Workers create their own space through their everyday shop floor struggles, shaped by their relation to the capital and the state (Bergene and Endresen, 2010). The emergence of NITS showed how workers developed their actions and responses over a period of time with the changing nature of relation and arrangements between the state-capital and the political regime.

However it should also be noted that NITS reflected a 'narrow' politics of protecting the interests of one section of the workers and an unequal gender representation in the leadership, thereby reproducing inherent social and structural flaws similar to traditional unions, despite maintaining a relatively independent shop floor union.

NOTES

1. On 1 May 2015, Indian newspapers announced that it would become difficult for workers to form unions under the proposed labour reforms by the central government led by the National Democratic Alliance government. The labour reforms will also make it difficult for workers to conduct strikes due to an application of similar rules of notice periods like in 'public utilities'. Therefore the so-called exceptionalism of SEZs will become 'normalized' as it will get applied to other non-SEZs facilities. See Jha (2015a, 2015b).

2. Director, Mobile Phones Procurement and Inbound Logistics, Nokia. Interview by author. Personal Interview. Chennai, 7 November 2009.

3. A series of events took place in the factory from the beginning of January 2013 that eventually led to the final closure of the factory in November 2014. It started with an income tax raid in the factory in 2013, followed by charges of tax evasion against Nokia by both the central and state governments, and the eventual sale of Nokia's Devices Division to the US-based Microsoft Corp. Due to the continued legal battle between Nokia and the Indian government over taxes, in its final deal, Microsoft left out the Chennai factory from the takeover plan and which finally led to the closure of the plant. However, this was the official version of the closure that was publicized by Nokia in the media; the real reasons for its closure still remain unclear. See Dutta (2015).

4. An employees' union is a shop floor- or workplace-based union registered under the Trade Unions Act 1926. They can be independent unions or affiliated to a national-, regional- or state-level trade union. An employees' union can directly bargain with the management at the workplace.

5. Suresh and Ezhilarasan, ex-office-bearers of NITS, and Udaya Kumar, advisor to NITS. Interview by author. Personal Interviews. Sriperumbadur, 25 May 2014.

6. Under section 3 (1) of IDA, a 'Works Committee' is a mandated body for 'any industrial establishment in which one hundred or more workmen are employed'. The law requires the employers to form the 'Works Committee' with 'representatives of employers and workmen engaged in the establishment'.

7. Tikkaram, NITS vice president. Interview by author. Personal Interview. Chennai, 14 August 2013.

8. Rajesh, NITS office-bearer. Interview by author. Personal Interview. Sriperumbadur, 9 April 2014.

9. Ezhilarasan, NITS office-bearer. Interview by author. Personal Interview. Chennai, 25 May 2014.

10. Standing orders are what Ramaswamy (1985) called 'norms by executive fiat' that lays down conditions to enable employers to take disciplinary actions against 'errant' employees. This is also part of the institutional mechanism to 'regulate' industrial relations and is legislated under the Industrial Employment Standing Order Act, 1946.

11. Sarvanan Kumar, NITS president, and Suresh, NITS ex-office-bearer. Interview by author. Personal Interviews. Chennai, 18 October 2013.

12. Organizing secret meetings to start discussing unionizing has often been the only option left to the workers in the area due to repressive tactics of the managements and targeting of workers active in forming unions. Similar meetings were organized by workers of other SEZs – Foxconn, Sanmina SCI, Nokia Siemens, Caparo and so forth. The workers also invited some external trade unionists to address the workers and to help them plan strategies for union formation.

13. During this time, the WC members also wrote two letters to the CEO of the Nokia Corporation in Finland, trying to draw his attention to the 'situation here'. The workers did not get any response and were not sure if the letter ever reached him. Interview with NITS office-bearers dated 14 August 2013.

14. Article 19(1)(c) of the Constitution of India enshrines workers' rights to form an association or union. The Trade Unions Act of 1926 gives rights to workers to form and register unions. However, except for a handful of states such as Andhra Pradesh, Gujarat, Madhya Pradesh, Maharashtra and West Bengal, no other states have formulated legal statutes that make it mandatory for company managements to recognize a union in their factory. It is a highly contentious issue and most of the labour strikes in the factories around Sriperumbadur have been around demands for union recognition.

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Chapter 6

Mass Strikes in the Brazilian Construction Sector, 2011–2014

Jörg Nowak

In recent years, the Brazilian construction sector has witnessed a wave of mass strikes that erupted in 2011 and extended into 2014. The high number of strikers in the sector was accompanied by other remarkable features: in the majority of cases the strikes were not organized by trade unions but erupted from the rank and file and were, in many cases, accompanied by large-scale rioting and destruction of property.[1]

In this chapter, I will first provide the historical context of the recent strike wave. A second section introduces the economic and political framework of the Brazilian construction industry. The third section is devoted to the recent strike wave since 2011 and presents two case studies of the strikes in Pecém. The fourth section concludes and summarizes the results of the research. The research on the case studies is based on a three-month-long field trip undertaken in the summer of 2014, during which I conducted seventy detailed interviews with workers, trade union officials, social movement activists, lawyers, state officials and managers.

SITUATING THE STRIKE WAVE

The strike wave in the construction industry since 2011 is the largest since the strikes in the São Paulo area between 1978 and 1980 in the metal industry, above all the automobile sector, represented by big companies such as General Motors and Volkswagen. These strikes contributed decisively to the end of the military dictatorship and the foundation of the Workers Party, Partido dos Trabalhadores (PT) and the trade union federation Central Única dos Trabalhadores (CUT).

The strikes in the construction industry since 2011 gained considerable visibility in the media, due to the sheer numbers involved, and the significance of the industrial projects in which they occurred. The numbers of strikers were high: 540,000 in 2011; 467,000 in 2012 and 420,000 in 2013.[2] The number of hours not worked were comparably low before the strike wave started – 1,044,000 in 2010 – and then rose steeply: 3,537,000 in 2011; 4,649,000 in 2012 and 5,077,000 in 2013. These numbers hint at longer strikes and repeated conflicts by the same workforce. Often the same workforce goes on strike several times due to the difficulties in enforcing gains that have been won in earlier strikes, since employers do not adhere to agreements made in situations of pressure and upheaval.

We also have to look at the general scenario of labour struggles in those years in Brazil: 2013 was the year with the largest number of strikes (2,050) between 1978 and 2013 (Linhares 2015, 1). Rodrigo Linhares shows in his analysis of this major cycle of strikes that the number of hours not worked across all sectors started to grow significantly in 2010, and then saw steep rises every year until 2013 (Linhares 2015, 2). There also was a shift from the public to the private sectors: whereas in 2011, 59 per cent of all strikes were conducted by workers in the public sector, in 2013, 54 per cent of strikers worked in the private sector. During 2012, much of the increase in strikes in the private sector was due to actions by metal workers, but the period 2012–2013 saw an increase of construction workers' actions, jumping from 66 to 128 strikes. Thus, the strikes of construction workers are part of a larger strike wave that was encompassing all economic sectors, and they contributed to the historic surge of strike numbers in 2013, and presumably the two following years. Nonetheless, the construction sector displays some special features, on which I will elaborate.

THE DEVELOPMENT OF THE BRAZILIAN CONSTRUCTION INDUSTRY IN THE POST-WAR PERIOD

At the end of the nineteenth century, the Brazilian construction industry was dominated by foreign capital. Brazilian companies slowly took over after the 1930s: during the regime of Getúlio Vargas, most of the heavy construction was organized by the state that contracted Brazilian private companies (Campos 2012, 63). This new pattern consolidated during the second half of the 1950s during the government of Juscelino Kubitschek (ibid.). The construction industry grew during that period due to an increase in industrial activity and the construction of the new capital, Brasilia (ibid., 65).

The Brazilian construction industry is currently dominated by the 'big five' companies: Odebrecht, Camargo Corrêa, Andrade Gutierrez, OAS and

Queiroz Galvão. The structure and periods of ascension of these companies shed light on their position in Brazilian capitalism: (1) a first period of growth occurred during the Kubitschek years, which these companies consolidated during the period of military rule, primarily in the 1970s; (2) there is a big dependence on public investment, and thus a close relationship with the state: three economic sectors dominated by state-run companies have been essential for the growth of the 'big five': energy companies, the building of traffic infrastructure (roads, railways, airports, metro systems) and the state energy and petrochemical giant Petrobras; (3) many of these companies started to internationalize their activities, reaching out predominantly to Latin America and Africa; (4) most diversified their activities and expanded into other sectors, both industrial and non-industrial, ranging from mining and textile production to steel, refineries, agribusiness and banking. Thus, public investment helped create huge multinational and multisectoral companies between the 1950s and 1980s. During the 1990s, some of these companies could extend their activities again, as a wave of privatizations offered new incentives for investment. This established another pattern of how state activities were crucial for the growth of huge private companies (see Campos 2012).

The working conditions and patterns of workers' protests in the construction industry established during the dictatorship have already been the subject of a number of studies (Sousa 1978; Coutinho 1980; Klausmeyer 1988; Rocca 1991; Sousa 1994; Campos 2014). These same patterns can be found in the current protests and their root causes.

A number of revolts took place in the construction sector during the late 1970s, motivated by the poor quality of food that was provided by companies, inadequate housing facilities, miserable conditions of hygiene and bullying by security forces (Campos 2014, 69). One of the major causes for strikes and revolts had been the high number of workplace accidents. Brazil had the highest number of workplace accidents worldwide in the 1970s and many accidents happened in the construction sector. Going by official numbers, 4,824 workers died in accidents in 1980 (Klausmeyer 1988; Campos 2014, 72), but the International Labour Organization counted 8,892 deaths in workplace accidents that year (Rocca 1991).

The biggest uprising in this period occurred at the construction site of the hydroelectric plant in Tucuruí in the northern state of Pará in April 1980. The company Camargo Correa was operating the second-biggest construction site in the country at that time: as many as 25,000 workers were employed in this remote area. After a fight with security personnel, the workers burnt two canteens, looted the supermarket and burnt down the security centre. After nine workers had been taken prisoner and one worker had been shot in the belly by military police, the workers demanded a 100 per cent wage increase and improvements in the conditions of housing, transport and food (Campos 2014, 78f).

STRIKES IN THE CONSTRUCTION SECTOR
BETWEEN 2011 AND 2014

I will now turn to the political and economic background of the strike wave that began in 2011. The social programmes of Brazilian governments since 2003, led by President Lula Inacio da Silva, met with unprecedented success: absolute poverty decreased from 36 to 16 per cent between 2003 and 2012. The median income, minimum wage and the number of formalized jobs increased significantly, and unemployment dropped (Krein and Baltar 2013).

After 2003, CUT, the largest trade union federation, became a junior partner of the national government but did not completely defer from combative campaigns if the basic rights of workers were under attack (Ladosky et al. 2014). The late 2000s were characterized by a proliferation of new trade union confederations, some of which were splits from CUT (such as Conlutas, founded in 2004 and CTB, founded in 2007) or regroupings of formerly existing unions such as UGT and the Nova Central Sindical, founded in 2007 and 2005, respectively (Galvão 2014). The lack of any real change in the work environment, especially regarding working conditions (Oliveira 2007), motivated some workers to turn away from the two more established federations – CUT and Força Sindical – that organize together half of all unionized workers (Ladosky et al. 2014, 66).

Programa de Aceleração do Crescimento and the Growth of the Construction Sector

One of the central governmental promises and projects after 2003 was the industrialization of the poorer states in the north and the north-east of the country. The basis for this plan is the programme for accelerated growth, Programa de Aceleração do Crescimento (PAC). PAC was established in 2007, and its successor, PAC 2, in 2010. PAC 1 saw an investment of 150 billion euros between 2007 and 2010, of which about half went into energy supply. The spending on PAC 2 was more than tripled, to 500 billion euros. The bulk of the PAC programmes are funded by state enterprises such as Petrobras and the Brazilian development bank Banco Nacional de Desenvolvimento Economico e Social. The programmes provide the infrastructure for further industrialization such as highways and railway connections and hydroelectric plants and contribute immediately to industrialization with the erection of refineries, steel plants and petrochemical plants in the coastal areas.

Due to the PAC programmes, the Brazilian construction sector grew steadily. The growth of employment between 2002 and 2009 was much higher as compared to other sectors (Maia 2012, 228ff). The bulk of job creation happened between 2005 and 2009, which suggests the impact of the

first PAC programme (Do Monte et al. 2012, 339). By 2011, the construction sector had 7.8 million workers, 8.4 per cent of the total working population of Brazil (DIEESE 2013, 7).[3] The growth of numbers employed in 2010, 11.6 per cent, was the largest since 1986. This growth slowed down to 3.6 per cent in 2011, and 1.4 per cent in 2012 (table 6.1), but even this was still higher than the national average (DIEESE 2013, 7). Thus, it was not accidental that labour unrest exploded in early 2011 in the construction sector after much workforce was added in 2010.

Regarding the composition of the labour force in construction only 32 per cent had regular employment; 42 per cent were self-employed workers and another 22 per cent without social security (table 6.2). Hence as much as 64 per cent comprised precarious workers (DIEESE 2013, 11f). The category of regular employed workers saw the biggest increase from 2009 to 2011 at 24.7 per cent, and the number of self-employed workers grew by 17.9 per cent in that period (ibid.). Three-fourths of the workers earned below R$ 800 in a month in 2012, and the average wage of all construction workers was about R$ 761 (DIEESE 2013, 26).[4] In comparison, the average monthly wage of regular employed construction workers was almost double, at R$ 1,484 (ibid., 16).

Most construction workers have no more than a basic education. The participation of black workers is higher than their average share in the regional states, and the job turnover is much higher than in other sectors (DIEESE 2012, 5 and 10). Of the 7.8 million workers in construction in 2011, only 204,491 were women (DIEESE 2013, 7).

The bulk of the bigger strike movements in 2011 took place in the construction sites associated with the PAC programme. Of the total workforce in construction, this subsector of heavy construction accounts for about a third of the workers, nearly half work in urban areas, and the remaining 20 per

Table 6.1.   Growth of Employment (%) in Brazilian Construction Sector (DIEESE 2013)

2010	11.6
2011	3.6
2012	1.4

Source: (DIEESE 2013, 7).

Table 6.2.   Types of Employment (%) in the Brazilian Construction Sector (2011) (DIEESE 2013)

Regular employed workers	32
Self-employed workers	42
Irregular workers	22

Source: (DIEESE 2013, 7).

cent work in specialized services in construction. In the subsector of heavy construction, the monthly wages of regular employed workers are about 58 per cent higher than in urban construction: R$ 1,943 as opposed to R$ 1,228 (DIEESE 2013, 34f). It is also the subsector with the highest share of regular employed workers (DIEESE 2012, 9). But the average monthly wage of R$ 1,943 tends to obscure large wage differentials: while in the state of Ceará in the northeast, the average wage had been R$ 1,484 in 2011, it was R$ 2,313 in the northern state of Pará that year (DIEESE 2013, 34f).

The Strike Movements

The strike wave in 2011 started at smaller construction sites in the northeastern state of Bahia. In February that year, 80,000 workers went on strike. It was in mid-March that the strike wave extended to the PAC construction sites, first to Pecém, close to Fortaleza in Ceará.

The energy companies EDP and MPX, contracted the consortium MABE for the construction of a thermoelectric plant. It employed 6,000 workers, many of them from the state of Bahia. The strike was organized without support of the trade union. Workers burnt down their own housing facilities, usually containers provided by the company, protesting against the low-quality housing. Within two days, the strike wave extended to the construction site of a hydroelectric plant in Jirau in the remote state of Rondonia, 3,800 kilometres from Pecém. The riots of the 20,000 workers in Jirau became a symbol for the labour conflicts in construction due to the vast destruction of housing and transport facilities. It was here that the Brazilian government used the National Guard (Força Nacional)[5] for the first time in order to suppress a strike. Two days later, 35,000 workers in two neighbouring construction sites in Suape, close to Recife on the Atlantic coast, joined the strike, engaged in widespread rioting and were oppressed by the National Guard as well (see Véras 2013, 2014).

All in all, in the two months of February and March 2011, as many as 180,000 construction workers were on strike. The average number of participants in a strike in construction in 2011 was 11,380, which is suggestive of the size and weight of the big construction sites. Over 70 per cent of the strikes in 2011 lasted up to ten days; two extended beyond a month (ibid., 29).

The quick expansion of the strike wave to the entire country without any central organization can be explained by two reinforcing aspects: most of the construction workers are migrant workers who only work for the duration of one project (at the maximum); after that, they often change both their employer and the local environment. It is normal to migrate between regional

states in Brazil if one is a construction worker. Thus, many workers have contacts all over Brazil. The second aspect was the use of mobile phones for communication – text messages and since 2012, increasingly Facebook and other social media networks played a key role in distributing news about the strikes among workers.[6]

The problems and demands on the big construction sites were quite similar: problems with food were at the top of the list; low quality of food that often was accompanied by food poisoning or sickness among the workers (DIEESE 2013, 30), adverse housing and transport conditions, low wages, lack of medical assistance and a low frequency of holiday leave (usually every three months). The general lack of infrastructure had more significance in remote places in the Amazon areas, but also the semi-urban areas close to the Atlantic coast often did not provide adequate basic services, starting with medical assistance, and ranging from a lack of restaurants to the non-availability of ATMs. The official trade unions on the construction sites used the strikes as a basis for negotiations. Most of the negotiations led to wage hikes above the inflation rate. On most of the construction sites, PAC workers are represented by the right-wing trade union Força Sindical, while the radical-left wing trade union Conlutas organizes urban construction workers in light construction in many cities such as Fortaleza, Belém, and many others.[7]

Thus, a preliminary conclusion is that the sector that saw the most spectacular mass strikes in recent years is one with a high percentage of precarious labour, a workforce with low remuneration and a basic education. Having said that, the strikes took place primarily in the subsector of heavy construction, with a higher rate of regular contracts and relatively higher wages. At the same time, this subsector is characterized by huge agglomerations of workers ranging between 5,000 and 35,000 workers in one project. The usual pattern of organization for these big projects is that the infrastructure (health clinics, banks, restaurants) is constructed after the workers arrive at the construction sites. The problems with the lack of proper infrastructure were tantamount and workers gained a certain power due to their sheer numbers and also the demand by employers for a continual supply of thousands of workers.

The strike movements in construction were a national movement from below, but the strikes also had important regional characteristics. In order to provide for the interplay of national and regional tendencies, I present two case studies from my fieldwork in more detail, the strikes at two construction sites in Pecém close to Fortaleza – the strike at a thermoelectric plant in March 2011 and a strike at the construction site of a steel plant of the Korean multinational POSCO in July 2014.

Strikes in Pecém in the State of Ceará in 2011 and 2014

The region of the north-east of Brazil saw the greatest growth in the construction industry. While the number of employed in that sector doubled in most Brazilian states in the period from 2000 to 2009, it was two times that in the north-east (Do Monte et al. 2012, 334). This growth of the construction industry occurred in the context of a general industrial development of this region but was higher than the average here. The growth of employment in construction in the north-east was around 21 per cent between 2005 and 2009 (ibid. 2012, 337).

The strikes in the construction industry in Pecém – a village one hour away from the metropolitan area of Fortaleza, a city of 3 million inhabitants – were among the earliest and the latest in the current strike wave: the strike at the thermoelectric plant was the first strike in a PAC construction site during the wave of labour unrest in the spring of 2011, while the second took place in summer 2014, lasting more than a month.

The state of Ceará has 8 million inhabitants of which almost half live in the area of the capital city, Fortaleza. Ceará does not have any significant industrial activity apart from textile and shoe factories. Its average income is one of the lowest in Brazil, ranging in various years in either the lowest or second-lowest position among all Brazilian regional states. The overall growth in the state of Ceará has been more pronounced than the national average in the late 2000s, with a growth of its gross domestic product at 8.5 per cent in 2008, 3.1 per cent in 2009 and 7.9 per cent in 2010 (Aparicio, Pietro and de Quieroz 2012, 161 and 168f).

For the year 2011, the average monthly wage in the metropolitan area of Fortaleza was R$ 946, and R$ 857 for the construction sector (DIEESE 2012, 13). The number of workers in the construction sector in Ceará more than doubled between 2000 and 2009 (Do Monte et al. 2012, 339). The creation of a new industrial area in the region of the village of Pecém was realized during the 1990s and 2000s when an industrial port in the area was planned and built. The port is perceived as the first cornerstone for a development of the entire region, also due to its relative proximity to North America.

The first industrial development, other than the creation of traffic infrastructure, started with the construction of the thermoelectric plant by a consortium comprising the Italian company Maire Tecnimont and Portuguese company Efacec in 2009, which was concluded in 2013. The companies that contracted the consortium were EDP, a Portuguese energy company (whose biggest shareholder, with a 21 per cent shareholding, is the China Three Gorges Corporation), and MPX. MPX is the biggest private energy company in Brazil, created by Brazilian billionaire Eike Batista (in prison since early 2017), in which the German energy company E.ON holds the largest share of

36 per cent. The thermoelectric plant, abbreviated as UTE (Usina Termoelétrica do Pecém), turned the state of Ceará from an importer of electricity into an exporter. The plant is run by coal imported from Colombia, Venezuela, South Africa and Mozambique via the port in Pecém.

Two smaller strikes had already taken place at the construction site in late 2010, but it was the third strike, which started on 13 March 2011, that initiated the series of strikes in public works of PAC that spread across Brazil in the following months and years. The strike started from the grassroots, by the workers, and lasted for twelve days.[8] During the first days of the strike, workers burnt housing facilities and buses in the area of Sao Gonçalo de Amarante, the village closest to the construction site. The employer offered a wage hike of 6.5 per cent, which was rejected by the workers.

One of the strike leaders, fifty-two-year-old Antonio Manoel Lopes, was arrested on 20 March, an incident that drew a lot of publicity. He was charged with initiating the destruction of housing facilities. Lopes quickly became known by his nickname Lulinha, a reference to former union leader Lula. A solidarity committee that was organized by the Associacão 64/68 Anistia, a group of former political prisoners under the military dictatorship, paid a visit to the imprisoned worker on 3 April. The committee consisted of thirteen persons, partly from the Associacão, and also leaders and deputies of left-wing parties including PT, a representative of the organization of rural workers, Movimento dos Trabalhadores Rurais Sem Terra and other social movement activists.[9]

Like any major strike in the construction sector, this strike in Pecém was accompanied by the dismissal of several hundred workers, many of whom were regarded as strike leaders. Dismissals during a strike are usually not a part of collective negotiations in the sector and only a minority of workers resort to juridical redress against dismissals due to the fear of being blacklisted by employers and slow procedures in court.[10]

A strike of this size was a completely new phenomenon for the state of Ceará with its lack of big industry. Union representatives emphasized that workers from other states with previous experience with strikes started the movement, since workers from Ceará were inexperienced. They estimated that of the 6,000 workers employed at the UTE construction site at the time,[11] half came from other regional states, with about 30 per cent from Bahia, 15 per cent from Rio Grande do Norte and 5 per cent from Rio de Janeiro.[12]

The local trade union, Sindicato dos Trabalhadores nas Industrias da Construção de Estradas, Pavimentação e Obras de Terraplanagem em Geral no Estado do Ceará (Sintepav-CE), affiliated to Força Sindical, the second-biggest union federation in Brazil, finally negotiated a wage hike of 9.5 per cent, which translated into an increase in real wages of 3 per cent. The intervention of the Minister of Labour, Carlos Lupi, also helped secure the

collective agreement and the release of Antonio Manoel Lopes. Lupi joined the signing of the collective contract on 8 April 2011.

The strike in March 2011 was not the last strike, however; the construction site of the UTE thermoelectric plant saw thirteen strikes in the four-year period between 2009 and 2013, but it was certainly the most decisive one. It was unusual that the national strike wave in the PAC construction sites started in a region in which major industrial strikes had been unknown until that time – but this event was also characteristic of the whole strike wave that brought investment and industrial unrest to a number of places: in this respect, industrialization of the north and the north-east also went along with the introduction of new types of social conflict.

The Strike at POSCO's CSP Plant

After the completion of the construction of the UTE thermoelectric plant in 2013, the Korean steel giant POSCO started the construction of a steel plant known as CSP (Companhia Siderurgica de Pecém) in the same area. Many workers who had worked and gone on strike in the former construction site of UTE now started work at the new site.[13] POSCO had formed its own construction company and operated with both Brazilian and Korean companies, the major ones being Daeah, Kumyang, Samjin, S.P., Makro, Cortez and Braco, but with none of the big Brazilian construction companies. In July 2014, 8,000 workers were involved in the construction of CSP, and half of them had already worked in the construction of the UTE.[14] The total number of workers is expected to rise to 17,000 over the course of the construction.

The first big strike at CSP took place on 15 January 2014 and lasted thirty days. The trade union successfully negotiated a yearly wage hike of 13 per cent, a 7 per cent increase of the real wage. In this case, the strike was organized by the trade union Sintepav-CE, affiliated to the national federation Força Sindical.[15] Interestingly, assemblies of the construction workers of CSP are organized regularly – usually once a month, but more regularly during strikes – close to the construction site, and all major decisions like the demands of the trade union and the acceptance of offers of the employers are decided by all workers in these assemblies that are attended by at least 4,000 workers.[16]

Many of the regulations negotiated in the strike in early 2014 were not implemented by most of the companies involved in building CSP, and the workers added a new demand: additional payment for the time that they needed to get to the workplace. A new strike was called from 5 June 2014 by Sintepav-CE. It lasted thirty-five days. One background reason for the strike was the lack of transport facilities for all workers, thus resulting in a long commute, but the general work relations at CSP also contributed. The

workers I interviewed perceived these conditions as worse than in the previous UTE construction site.[17]

Another factor that differentiated CSP from UTE was the employment of Korean workers in the construction. Around 660 Korean workers worked at the site officially. However, since a much higher number of visas for Koreans – 2,600 – had been approved at the airport in Fortaleza in 2013–2014, one can infer that many more Korean workers had been illegally employed at CSP. Most would have entered Brazil on a tourist visa.[18]

Some of these Korean workers tried to enter the premises on 26 June – during the strike call – which led to scuffles with striking workers, who burnt two cars of the company.[19] At this point, the military police intervened, and the striking workers burnt a vehicle of the military police and damaged ten more. The firefighters were attacked with stones by workers when they tried to extinguish the fire. In the middle of the confusion, two buses with workers left the area, and the military police detained all of these sixty-eight workers in the buses, who were sacked a few days later.[20] The trade union's version of the events was that the rioters were from outside and did not belong to the workforce.[21] Two days before, on 24 June, workers had blocked the access road to the construction site with a barricade of burning tires, which was subsequently removed by the military police.

The strike went on for more than a month since POSCO simply refused to negotiate. It was only after the Ministry of Labour and the Ministry of Public Affairs intervened that POSCO agreed to enter into negotiations.[22] The negotiations were concluded in early October 2014, with a fulfilment of the main demand: the company would pay each worker one hour per day for the transport time to work, and this would be paid as overtime. The company also had to agree to make full payment to all workers for those days that they were on strike in June and July.

CONCLUSION

The strikes of the construction workers are and have been a more or less permanent mobilization over the course of several years since 2011, at least until 2014. They belong to the groups of the working class whose wages did not rise significantly and whose conditions of work remained very demanding – not only in terms of spatial isolation, holiday leave and the general lack of infrastructure in the areas of work but also in terms of detrimental effects on their health, both through accidents and mid- and long-term effects. Since state institutions have largely financed the public works of PAC, the workers perceived the conflicts that they were involved in at least partly as a conflict with the state and the government.[23]

The results of the strikes have been wage hikes above inflation levels, and considerable improvements in food, housing and transport facilities, to some extent to the general infrastructure. But the heavy conditions of work and many irregularities in the area of work safety remain issues of grave concern.[24]

Regarding workers' organizations, it is significant that despite a high level of strike organization by workers on the ground, almost no new initiatives of workers, independent committees or new trade unions have emerged. There are several reasons why workers did not succeed in establishing new organizations on a permanent basis. Many of the workers who were part of the organized core of the strike movements were dismissed in the course of the strikes, and since there is no strong tradition in Brazilian unionism to fight for the reinstatement of workers, they simply left. Since most of the construction sites are not located in already established industrial areas, workers had to resettle in most of the cases after being dismissed. Other factors include the high turnover of workers, short-term contracts and the normality of migration for the workers. Plus, there is no strong tradition of a political unionism in the construction industry, but rather a coexistence of a corporatist and top-down unionism with sporadic violent revolts from the rank and file. The new phenomenon in the recent wave of strikes in Brazilian construction was the fact that the revolts were no longer sporadic. And, they occurred in a context in which numbers participating in strikes increased in general.

The mass strikes of construction workers since 2011 have had a big impact on the general public and also on the mainstream media since they took place in showcase projects that were part of the industrialization drive in some of the poorest regional states in Brazil. There is an obvious relationship between the high amount of investment in construction in 2010 and the surge of the strike wave in 2011. The high demand of workers in the construction sector encouraged workers to go on strike since they could easily move to another site if they were fired due to striking. Some of the bigger works like the Belo Monte dam had trouble finding enough workers for some periods.

The strike movements marked a rupture because they signified a mass uprising (and the violent repression that followed) against a government perceived as centre-left which is deeply rooted in a tradition of militant unionism. It was also striking that the public responses of the trade union federation CUT to the strikes in construction and their suppression by state security forces were rather minimal. One of the main responses was a compromise on minimal standards between employers, trade unions and the government under the name Mesa Nacional de Construção.[25] But it seems that it has a more decorative function since there is no standardized implementation process. The minimal standards and common committees of workers agreed

upon in the Mesa were not implemented in Pecém.[26] The crackdown on workers by police forces stands in stark contrast to the violations of labour law by employers that were rarely persecuted. It was obvious that the government placed its main emphasis on completing some of the works since this was the measure of success used in the media and by political parties of the opposition. Visits of some of the major PAC sites that saw labour unrest during the election campaign in 2014 by then president Dilma Rousseff were important media events, but not at all in order to relate to the strikes, rather to demonstrate 'progress' and efficiency in completing the works.

Thus, the way the government dealt with the strikes became a symbol of the shallow compromise that the Lula and Dilma Rousseff governments seemed to represent. After the largely successful struggle against extreme poverty, workers expected more, at least better working conditions and an enlarged participation in material wealth. It was this specific constellation that enabled the strikes in construction to symbolize the limits of the developmental project of governments with the participation of PT.

A second aspect that shows continuity between the social relations of the military dictatorship and the present era is the role of the state in the construction business. Like in the period from the 1960s to the 1980s, the Brazilian state and various state companies, particularly the oil giant Petrobras, play an important role in funding huge construction projects. This nexus is strengthened by the varied and intersecting shareholding patterns between companies like Petrobras and the major construction companies, many of which invested in the petrochemical business themselves. The contracted private construction companies are not sufficiently controlled in terms of labour law; the Brazilian state agencies are not taking care of adequate infrastructure and do not force the private construction companies to comply with a minimum standard of accommodation and nutrition. The construction site in Pecém has been a major showcase in election campaigns and has a high symbolic value for the regional government, but the working and living conditions of construction workers have little priority. In reality, the construction companies are imposing their conditions of profitability on the Brazilian government but receive public funding for the construction.

A third aspect is the interplay between corporatist trade unions and the violent revolts of workers. While the violent outbursts signal the workers' frustration and establish a variant of 'bargaining by riot' (Piven and Cloward 1977), they can also be regarded as a symptom of the subalternity of these rank-and-file strike movements. As could be seen, these workers did not establish their own organizations on a permanent basis – unlike the automobile workers in the São Paulo region between 1978 and 1980 – which can be explained to some extent by the migrant nature of construction work and the diverse locations that are different from urban industrial clusters.

But the continuity between the period of military dictatorship and the present should not be overstated. Unlike the case of the metal workers' strikes that were stopped with violent repression in 1980 after two years of mobilization, this did not happen in the case of construction workers. On the other hand, the government came under pressure from both sides, with the strike wave in 2011 and more so after the street protests in 2013, and the right-wing mobilizations since the autumn of 2014. Since the pressure from the conservative right-wing forces started to mix up with left-wing protests in 2013, and gained the upper hand with the street protests against corruption in March 2015, the situation of the working classes has become more difficult. The right-wing government of Michel Temer that was inaugurated in May 2016 is planning more large-scale industrial and energy projects, and confrontations between workers and the state will be much harsher in the years to come.

NOTES

1. I avoid the usage of the term 'wildcat strike' here since it implies a notion of spontaneous organization and tends to romanticize and dilute the crucial issues at stake. The strikes that I analyse in this section were 'wildcat strikes' in the formal sense of the term but they were well organized and prepared.

2. All numbers are from the databank of DIEESE, and numbers for 2014 are not yet available.

3. I rely here on numbers provided by the trade union think tank DIEESE, since they also include construction workers who work without formal employment, or as self-employed workers. The numbers given by Maia (2012) and Do Monte et al. (2012) differ considerably from each other and are both considerably lower than the ones suggested by DIEESE (2013a).

4. The minimum wage in Brazil was at R$ 620 in 2012.

5. The Força Nacional was created in 2004 by President Lula. It operates under the direction of the Ministry of Justice. It was also used to contain protests against the Confederations Cup in Belo Horizonte in June 2013.

6. Reginaldo de Aguiar Silva, economist at DIEESE Ceará. Interview by author. Personal interview. Fortaleza, 21 July 2014; Luiz Alberto Junquiera de Carvalho, journalist at CUT. Interview by author. Personal interview, São Paulo, 27 August 2014; Atnagoras Lopes, National Secretariat of Conlutas. Interview by author. Personal interview. São Paulo, 6 September 2014.

7. In Brazil, trade unions represent all the workers in one sector, independent of formal membership of workers in these trade unions. In each sector, as it is defined by labour law (e.g. in heavy construction), elections among the workers of the sector are held regularly in order to establish the trade union that represents all the workers. Once a trade union has been established by elections, all workers in the sector are obliged to pay fees to the trade union (and to the employers' organization). This

corporatist framework that had been established during the Vargas era in the 1940s allows trade unions to operate independently from any formal membership of workers once they are established in the election procedure.

8. Raimundo Nonato Gomes, president of Sintepav-CE. Interview by author. Personal interview. Fortaleza, 23 July 2014.

9. Document: Relatório da Visita ao Preso Político Antonio Manoel Lopes; Mario Albuquerque, Associação 64/68 Anistia. Interview by author. Personal interview. Fortaleza, 8 October 2014.

10. Reginaldo de Aguiar Silva; worker 13 in Pecém. Interviews by author. Personal interview. Pecém, 30 July 2014.

11. The size of the workforce would eventually double, to 12,000.

12. Bruna Frazão, DIEESE, Subseção Sintepav-CE. Interview by author. Personal interview. Fortaleza, 22 July 2014; worker 1. Interview by author. Personal interview. Pecém, 23 July 2014.

13. Out of the twenty-two workers interviewed who were working in the construction of CSP, eight had been already working in the construction of UTE.

14. Raimundo Nonato Gomes, president of Sintepav-CE. Interview by author. Personal interview. Fortaleza, 23 July 2014.

15. Força Sindical gained half of its membership during the past four years, due to the various construction projects. Interview with Raimundo Nonato Gomes, 23 July 2014.

16. Almost all the assemblies are documented in full length by the trade union itself on YouTube, which is an unusual example of transparency; the author of this chapter participated in two assemblies on 6 and 8 October 2014.

17. Worker 1 and Worker 4. Interviews by author. Personal interviews. Pecém, 25 July 2014.

18. Francisco Gérson Marques de Lima, Procurador Ministerio Público de Trabalho. Interview by author. Personal interview. Fortaleza, 10 October 2014.

19. By a coincidence, striking construction workers in nearby Fortaleza who were building a huge shopping mall were attacked by police with teargas grenades on the same day (26 June). This strike was organized by another trade union, STICCMF, and there was no immediate connection between the two events. Laercio Cleiton. Interview by author. Personal interview. 1 October 2014. Also see the following video, https://www.youtube.com/watch?v=TtjPqjkPxck.

20. Worker 18. Interview by author. Personal interview. Caucaia, 29, September 2014; Sessenta e sete pessoas sao presas em manifestacao no Pecém, no CE, 26 June 2014. http://g1.globo.com/ceara/noticia/2014/06/sessenta-e-sete-pessoas-sao-presas-em-manifestacao-no-pecem-no-ce.html.

21. Raimundo Nonato Gomes. Interview by author. Personal interview. Fortaleza, 23 July 2014.

22. Worker 2, official at Sintepav-CE. Interview by author. Personal interview. Fortaleza, 25 July 2014.

23. Workers 1 and 2 at CCBM. Interviews by author. Personal interviews. Altamira, 11 September 2014; Worker 18. Interview by author. Personal interview. Caucaia, 29 September 2014.

24. Unsafe work conditions are documented by officials but are difficult to ameliorate due to slow court procedures. Luis Alves. Ministerio de Trabalho. Interview by author. Personal interview. Fortaleza 7 October 2014; Francisco Lima. Interview by author. Personal interview. Fortaleza, 10 October 2014.

25. Crystiane Leandro Peres, CUT. Interview by author. Personal Interview. São Paulo, 27 August 2014.

26. Raimundo Nonato Gomes, Interview by author. Personal interview. Fortaleza, 23 July 2014.

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Chapter 7

Conflicts around Subcontracted Workers in Chile's Copper Mining Sector

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This chapter intends to reveal the characteristics of strike processes in Chile from the decade of the 1990s onwards. It does so via a detailed analysis of the dynamics of labour conflicts of subcontracted workers in the large-scale copper mining industry (LCM). We will focus on the situation of workers in the private sector, but not ignore the relevance of similar investigations of workers in the public sector. Researchers concur that such an analysis requires one to consider different processes, including the characteristics of the 'transition to democracy', the political and labour institutions inherited from the dictatorship of the Pinochet years, the restructuring of the productive sector, the weakness or absence of action by the state in the field of collective labour relations, the internal tensions in trade unionism and the cultural changes in Chilean society. Although this study is not intended to deepen our understanding of each of these dimensions, they ought to be considered as they contribute to a more complete view of the phenomena studied.

At the same time, they allow us to correctly understand the main issues and processes this chapter focuses on. After presenting the background of the transition from the Labour Plan of 1979, the section that follows presents a general view of the evolution of strike processes. In the third section, we present the main dynamics that characterize what happens in an emblematic area of national unionism: subcontracted workers of the large-scale copper mining industry.

TRANSITING FROM THE LABOUR PLAN OF 1979

The political transition in Chile had particular features. It is noteworthy that the model of development imposed by the dictatorship continued. Aspects of

continuity and change in the Chilean model have been the subject of various debates. However, the institutional ties (called *enclaves autoritarios*) have represented a heavy burden (Garretón 2013). Economic liberalization, labour flexibility and the expansion of outsourcing – in short, neo-liberal restructuring – established restrictions on the collective action of workers. Contrary to the hopes of trade union officials, the 1990s saw unions progressively lose bonds with the state and the political parties, or experience a change in the nature of their relationships, thus impairing their strength as a sociopolitical actor and resulting in them being weakened. This is reflected in various statistics on the rate of unionization, collective bargaining and strikes (Salineros 2006; López 2009; Labour Office of Chile 2014). At the same time, the corporate sector increasingly got to define the guidelines for national development. By the end of the 1990s, the situation of Chilean unionism was complex in different aspects.

In legal terms, it is important to highlight the importance of the Labour Plan of 1979 and its implications for working class action. It replaced the Labour Code of 1931 and established more flexible and insecure conditions of work (Narbona 2015). According to Armstrong and Águila (2006), the changes observed in collective bargaining and strikes were very significant. For instance, procedures and due dates for the submission of collective agreements were established. Collective bargaining was restricted to the sphere of the company (thereby banning branch negotiation), and the possibility of mediation during the negotiation process was established (including the strike period or lockout). Workers could demand that the conditions of the collective contract in force at the beginning of the collective bargaining process be maintained. The decision to declare a strike ought to be taken, it was deemed, by an absolute majority and by secret vote, in the presence of a certifying officer and within the last five days of validity of the collective contract. If the strike involved more than half the workers of the company, the employer could hire external workers or declare the closure of the factory. Likewise, once a strike began, workers could meet at any moment to accept the latest offer made by the employer and, more than thirty days after the beginning of the strike, workers could resume their work activities. This phenomenon is known as *descuelgue* (opting out) of workers on strike. In short, these actions strongly limited the trade union movement's scope for collective action and the development of labour disputes.

After the 1990s, some of these provisions were changed. However, there was no reversal of the structural inequality of workers against employers (Aravena and Nuñez 2009). In addition, neo-liberal positions acquired hegemony among the political class, which influenced these debates (Feres 2009). The recent discussion in Chile about, and attempts at, labour reform have again brought to the fore the problems in improving collective bargaining.

According to those who have promoted this initiative, the reform is aimed at overcoming the obstacles imposed by the Labour Plan in exercising trade union rights. Among other things, the reform project includes establishing 'union prominence' (*titularidad sindical*), which gives the union the power of collective negotiation. This way, the purpose is to try to remove the figure of 'bargaining units' existing in Chilean legislation, which also has the capacity for labour representation in the context of negotiations.

The reform project was subject to great criticism. However, notwithstanding the criticism, it is worth noting that even though the project was approved by the Chamber of Deputies and the Senate, it was finally rejected by the Constitutional Court. This led to a reformulation of the original proposal.

Eventually, the scenario that workers had to face was not very conducive for the development of their organizations and, consequently, for their forms of redressal or struggle. However, in the mid-2000s, some highly visible conflicts emerged in sectors that are central to the Chilean economic model such as mining, forestry and salmon farming (Aravena and Nuñez 2009). Later, struggles linked to agro-exports, commerce and other services also took place. The labour conflicts in these sectors showed a new position of the workers, more favourable to organizing and fighting collectively. In those years, discourses critical of the neo-liberal economic model gained greater prominence in political and social debates. There was a qualitative change. However, this change has not always had the results expected by trade union organizations. But all in all, this is a period of important relevance to study and for our concerns. Our reflections turn around some key questions: What has been the evolution of the strike processes in the private sector in Chile from 1990? What are the forms of this evolution? What happens with subcontracted workers in the mining sector specifically? How do they organize and fight against current productive conditions? It is to these questions that we now turn to.

THE EVOLUTION OF STRIKE PROCESSES, 1990–2014

In Chile, the legal strike is an instrument that unions can use in regulated collective bargaining following the procedures established in the Labour Code. In other cases, when a non-regulated negotiation takes place, the situation is different. In that case, the bargaining process is started by an agreement between unions and employers without fixed procedures or deadlines but, at the same time, without the right to immunity or strike. Chilean law also allows semi-regulated collective bargaining, which is carried out by workers who are grouped only for collective bargaining purposes. As in the case of non-regulated bargaining, semi-regulated bargaining does not include the

right to strike and ends with the signing of a collective arrangement instead of a collective agreement as in the case of regulated bargaining. Thus, the legal strike can be used only by workers who negotiate their working conditions within the framework of collective bargaining, with the objective of signing a collective agreement.

In Chile, the number of workers who meet this condition has been low since the beginning of the 1990s with variations during this period, though. According to official figures, the number of workers involved in collective instruments (agreements and arrangements) signed by unions and bargaining units has varied from 255,266 in 1993 to 161,834 in 1999; 137,985 in 2003; 232,667 in 2007 and 327,412 in 2014 (Labour Office of Chile 2014).

As can be seen from table 7.1, the use of collective arrangements is not exclusive to bargaining units; trade unions also make use of collective arrangements. Ultimately, unions have to compete with this other institution – bargaining units – which can negotiate and sign collective arrangements but have to exclude basic rights, including the right to strike. This situation is very favourable to employers because they can adjust the moments of negotiation according to their realities or requirements. As mentioned earlier, the recent labour reform process in Chile is aimed at removing the figure of bargaining units (thereby strengthening the institution of the union), but it was considered unconstitutional, which meant reworking the proposal. This process is still in progress at the time of writing.

Given these conditions, a reduced number of workers make use of the strike (see table 7.2). Also, the strike process is often approved but it does not take place, either due to an autonomous decision of workers or due to union cooptation, due to methods of mediation that are legally established and run through the so-called *buenos oficios* – good offices – which promote alternative endings, due to internal procedures of companies for conflict mitigation, or due to anti-union practices hindering disruptive actions and so forth.

Table 7.1.   Number of Workers Involved in Collective Instruments, 1990–2014

	Unions				Bargaining units			
Year	Agreement Contracts	Arrange- ments	Resolution	Subtotal	Agreement contracts	Arrange- ments	Subtotal	Total
1990	119,529	19,035	173	138,737	18,113	27,706	45,819	184,556
1995	132,463	28,739	0	161,202	13,495	35,392	48,887	210,089
2000	100,240	22,948	487	123,675	19,148	39,969	59,117	182,792
2005	105,998	31,452	0	137,450	16,387	24,388	40,775	178,225
2010	170,017	64,012	0	234,029	9,347	23,697	33,044	267,073
2014	202,877	94,566	0	297,443	6,982	22,987	29,969	327,412

Source: Labour Office of Chile (2014).

Table 7.2.   Number of Strikes Approved, Requests for Good Offices Act and Strikes Carried Out, 1997–2014

	Strikes approved		Requests for Good Offices Act after **Art. 374 bis**		Strikes carried out	
Year	No. of strikes	Workers involved	No. of applications	Workers involved	No. of strikes	Workers involved
1997	401	39,351	–	–	179	19,483
1998	239	26,308	–	–	121	12,608
1999	280	28,236	–	–	108	10,667
2000	300	31,645	–	–	125	13,227
2001	251	26,463	–	–	86	11,591
2002	361	38,708	171	19,968	117	14,662
2003	379	32,722	218	16,893	92	10,443
2004	398	36,352	234	22,529	125	13,013
2005	444	38,093	292	24,250	101	11,209
2006	538	55,017	380	40,863	134	15,602
2007	625	77,659	470	62,217	146	17,294
2008	611	61,721	495	52,186	159	17,473
2009	626	81,125	516	60,778	171	21,915
2010	672	81,940	551	71,235	174	31,799
2011	735	88,617	613	76,405	183	22,698
2012	772	101,137	673	94,395	161	30,035
2013	832	110,929	710	90,930	201	30,638
2014	824	129,334	740	119,570	214	41,939

Source: Labour Office of Chile (2014).

It is necessary to add other data to the earlier-mentioned facts to gain a wider understanding of what has happened in recent years. In general, the level of unionization in Chile is low and below the standards of Organisation for Economic Co-operation and Development countries. Considering the workforce employed, the rates of unionization reached the following figures: 13.4 per cent in 1990, 12.3 per cent in 1995, 11.1 per cent in 2001, 11.5 per cent in 2005, 11.7 per cent in 2010 and 11.9 per cent in 2013. If we include the waged part of the labour force (excluding wage earners of the public sector) and the service personnel, the figures for the same years are as follows: 19.2, 16.7, 14.8, 15.1, 15.8 and 16.4 per cent (Labour Office of Chile 2014). Information about strikes approved and carried out is presented below to account for the trends just described.

The analysis could conceivably include other dimensions. If we look at the development of strikes by economic activity, we can see that mining and industry are prominent. What happens in the services sector is also important, during some years even surpassing mining and industry in the number of strikes or workers involved. For instance, this happened in 2009 when there

were forty-eight effective strikes with 6,787 workers involved in the service sector, followed by the industrial sector with forty-three strikes and 3,984 workers involved. The commerce sector also demanded attention that year with twenty-four strikes and 4,380 workers involved. Mining, in the mean-time, has gone through different moments, always with a strong economic, political and symbolic impact. The numbers show that the average number of days of strikes during the period 1990–2014 is between nine and fifteen days, which is explained mainly by existing legal restrictions (replacement of workers on strike, among others).

Illegal Strikes

Another relevant trend in recent years is the increase in the number of illegal strikes. This phenomenon was revealed by Alberto Armstrong and Rafael Águila (2006). The authors noted the shift from legal strikes to illegal strikes, which puts into question the collective bargaining as established in the Labour Code. At the same time, their study allows us to identify more general trends about labour disputes in the private and public sectors. That is to say, 'Armstrong and Águila point out that unlike the first period studied (1961–1973), in the second period (1989–2002), conflicts have a great pres-ence in public and municipal sectors, increasing the number of workers on strike and man days lost while decreasing the proportion of number of strikes. Also, they recorded greater involvement of public associations like ANEF[1] instead of CUT[2] which had a more central role in the first period' (Aravena and Núñez 2009, 33).

Some authors have continued this type of analysis, highlighting the devel-opment of the illegal strike, trying to expand and problematize views about labour disputes (Perez, Medel and Velazquez 2015). They examine different studies on unionism and the conflicts between 1990 and 2009, coming to the conclusion that allows us to strengthen some ideas relating to the evolution of the legal and illegal strike in Chile. For instance, it is argued that the ille-gal strike has become more important than the legal strike, especially if we consider the number of workers involved. Also, it is more prevalent outside the metropolitan region and occurs more in the tertiary industry although it is a cross-cutting phenomenon.

There are several topics examined by the authors in their study – union fragmentation, depoliticization, stages of the conflicts and so forth – but given the objectives of the present study, we would like to highlight the high levels and intensity of conflict observed in the mining sector (along with public workers). Miners are usually referred as being 'top in the national union movement'. According to the authors, the union action in the mining sector, especially among subcontracted workers, created new options for

workers, but these trends have not necessarily consolidated. That is to say, 'the unionism of subcontracted workers opened the possibilities [of] a new phase or cycle in the union fight, particularly by installing a unionism of subcontracted workers in other investors-exporters sectors, the axis of the economic model of the *Concertación* political coalition, giving more substance to illegal strikes and opening a path to a unionism that is more disconnected with labour institutions. However, this was not installed until 2009 and has not affected the general framework of national unionism' (Perez, Medel and Velázquez 2015, 24).

The experience of subcontracted workers in mining has drawn the attention of politicians and scholars. This sector was an essential part of the cycle of struggles that took place in Chile during 2006–2007, which also involved forestry and salmon-farming workers. In this cycle, workers regained prominence, achieved social legitimacy, showed planning capacity, displayed internal and external coordination, made use of legal mechanisms, of different physical spaces and so forth. They also showed concern about problems not immediately linked to labour issues. For instance, the renationalization of the copper industry was an important demand made by subcontracted workers in the mining sector. Some potential has been observed in this movement as a social movement, developing new leaders capable of creatively incorporating different resources in their political and union strategies. For these reasons, we will examine the dynamics of the conflict of the subcontracted workers in the mining industry.

CONFLICTS OF SUBCONTRACTED WORKERS IN THE LARGE-SCALE COPPER MINING INDUSTRY

Subcontracting is a business strategy of decentralization of production, decreased risk and externalization of costs that links a principal company with a contractor company and its workers. The principal company delegates a portion of the production process to the contractor company. The workers of the contractor company carry out the work required under their own account and risk. Another form of subcontracting is the one relating to the so-called temporary services companies (TSCs), which supply the workforce by placing their workers at the service of another company for a price determined between the 'principal' or 'user' and the TSC.

In Chile, after the implementation of Decree Law 2759 in 1979 – which repealed Law 16757 that limited the presence of contractors in companies to auxiliary tasks – 'principal' companies can subcontract staff for any area of their production process, including those areas relating to their main economic activity.

The mining industry is one of the most important productive sectors in the country. The configuration of this sector, which mixes international capital with state administration of mines and a heterogeneous way of hiring, has segmented the job market of the sector. It thereby generates common jobs (in-house workers; workers hired directly by the companies) and uncommon and/or precarious jobs (subcontracted workers hired by principal companies through multiple contractors).

CODELCO, a state-owned company and the biggest producer of copper worldwide, had an average of 2.5 workers subcontracted for each directly contracted worker in 2013. The trend is similar in private mining with an average of 2.4 subcontracted workers for each in-house employee. Over the past several years, subcontracting got consolidated as the dominant form of employment in the large-scale copper mining industry (LCM).

The Confederation of Copper Workers (Confederación del Trabajadores del Cobre, or CTC) is the main organization that groups federations and unions of workers subcontracted by LCM. This organization, currently with more than 50,000 members, is present in private and state-owned mining. Its formation in 2007 was a response to a complex process of awareness. It is possible to find early records of this process back in the 1980s when workers wondered about the deep causes of the precariousness of their working conditions. They understood back then that their precariousness had nothing to do with working for one or another contractor company but was related to their way of joining the mining supply chain, through a subcontract.

Based on research carried out by Muñoz (2017) on workers subcontracted by the LCM, it is possible to identify two types of conflicts in the LCM: one of an individual or subjective nature, and the other of a collective type.

The Individual or Subjective Conflict

This first kind of conflict is linked to personal suffering and grievance, going back to current or past working conditions. It should be noted that a working career in this sector has been historically linked to informal jobs and contractor companies related or not related to the mining sector. Workers are dissatisfied with the living conditions that generate what is called a 'hand-to-mouth existence', that is, deprived of social welfare or rights and with a high degree of instability, insecurity and risk. Second, there is a feeling of grievance when faced with the employees in 'superior' positions or with workers from the 'principal' companies and contractors with whom they occasionally share the workplace. These interactions are usually marked by different types of discrimination.

Subcontracted workers are seen and defined as a 'second-class' category of workers. This is especially in those cases where both in-house workers and

subcontracted workers have the same task but with unequal working conditions and salaries, in which the conditions of subcontracted workers compare very unfavourably with those of in-house employees. What can be perceived is that this 'structural discrimination' is also expressed in the social relations of production, in the productive process where these workers are involved.

Due to these structural conditions, it is possible to identify, on the one hand, a *first-order discrimination* exercised by in-house employees against subcontracted workers and, on the other hand, a *second-order discrimination* between subcontracted workers of different contractor companies. Thus, subcontracting reveals itself as a political device as it has the capacity to move the capital/worker conflict inherent to capitalism to the binomial worker/worker conflict, trying to distort or hamper possibilities of solidarity that could be generated among workers involved in the same activity.

Collective Conflict

This kind of conflict is based on the previously described individual or subjective conflicts but its specificity is that it is a product of a process of awareness of workers, leading to organization, resistance and struggle. In this process, on some occasions, subcontracted workers have been influenced or supported by existing trade unions; their resistance has always been in the form of stoppages of work, strikes or demonstrations.

Subcontracted workers of the LCM, whether unionized or not, with greater or lesser workers' or class 'awareness' value the strike positively as a *legitimate, appropriate and effective mechanism* for obtaining rights and improvements in working and social conditions and, sometimes, as the only way to achieve them. On the other hand, it is important to stress that subcontracted workers of the LCM do not necessarily develop the conflicts in the *facilities of the contractor companies*. Instead, they target the mining facilities where they work.

This tactic has been used by union workers of the contractor company CIMM. During a legal strike in April 2014 in the city of Rancagua, they prevented the normal operation of the bus terminals of the contractor company LINK, which transports in-house and subcontracted workers from and to the El Teniente mine. That is to say, these mobilized workers had the capacity to impact the production of the principal company, in this case CODELCO, and consequently achieved a better negotiation outcome with the contract company CIMM. Identifying the 'strategic position' of the contractor LINK in the production chain was important for subcontracted workers of CIMM as they did not have to move to the principal company's facilities or to the roads leading to it. They were able to put pressure and avoided wasting resources in carrying out and sustaining their struggle.

Another remarkable feature of the strike processes led by both CTC and various unions that make up this confederation is the determination of a certain common *temporality* they share, defined by the different stages of conflict. Thus, it is possible to identify the following phases, based on certain regularities of some strikes in which subcontracted workers of the LCM organized in unions have participated.

Planning

In this phase, the plan or project for the implementation of the actions to be taken is defined. Three moments are articulated. They are usually conducted in parallel as they are interrelated.

a. *Field leader activism*: The leaders of the unions interested in carrying out a strike process generate, in the first place, information and build on the motivation and awareness of workers. Second, field leader activism involves making connections with different unions of other contractor companies involved in the production chain of the principal company. In the third place, together with the assembly of workers of field-based employees, the leaders draft a list of claims.
b. *Analysis of the objective conditions*: At this stage, leaders of the union of subcontracted workers planning the strike engage and interact with the leaders of the federation of the CTC or, when the scale of the conflict requires it, with the national leaders of the confederation and their legal advisers.

The key issues of this analysis are knowledge of the level of commitment of workers involved; the economic situation of the company; its position within the productive chain of the principal company; organizations that are potential 'allies' (at the mining site or outside it); the material, economic and infrastructural situations of the organization going on strike and the weather conditions forecasted for the day scheduled to start the actions of the movement. And finally, what type of actions are more appropriate to develop: blocking roads, occupying the mine site, occupying other companies in the productive chain of the principal company and so forth. The list of claims is also sharpened at this stage, and the day and time to deliver it.

c. *Establishing a political, legal and communications strategy*: At this stage, leaders of the subcontracted workers' union planning the strike coordinate with the leaders of the CTC at the local or federal level or, if necessary, with national leaders of the CTC and its legal advisers. In addition, a communications adviser is appointed to define the plan to follow in these

matters. The final list of claims is drafted. With this list of claims, the movement will pressure the managers of the contractor companies and especially the managers of the principal company for the signature and compliance of the list of claims. This document will become more radical or it will be adjusted according to the strength of the workers on strike.

One example of the evolution of a list of legal claims can be seen in the strike of 2007. It was the first strike of subcontracted workers of the LCM after the formation of CTC, and lasted thirty-seven days. The demands of the workers, which were initially related to the payment of a productivity bonus, the compliance of the 'Protocol of Agreement' signed in 2006 and the implementation of the law on subcontracting, finally ended with the demand to put an end to the subcontracting system and the renationalization of copper production.

Labour Stoppage

The stoppage is the moment when the strike breaks out, the discontent becomes visible and the demands are expressed that explain the strike. The form of this stoppage will depend on the prior planning stage, that is to say, whether the action to be taken is to block roads, occupy sites or facilities of the principal company or other companies in the productive chain of the principal company. Whatever the action to be taken, the beginning is a surprise for most of the unionized workers. For reasons of safety and to guarantee the success of the beginning of the stoppage, the assembly of the rank-and-file employees is informed only about general coordinates concerning the beginning of the stoppage. Basically, they are asked to be 'on alert' and 'prepared' for the moment at which leaders inform them about the starting of actions: blocking roads, stopping work, interrupting the production and so forth.

As the stoppage of work usually starts early in the morning before the daytime shift, depending on the action to be carried out, leaders gather with an advanced group of workers the night or the day before to fine-tune the final details. If the conflict involves more than one union of subcontracted workers – which is common – the meeting is attended by the leaders of the CTC besides the leaders of the unions involved. Depending on the magnitude of the conflict, national leaders of the CTC attend the meeting with their advisers. At this stage, just prior to the stoppage, logistical issues are revised such as transportation, food, banners and placards to be displayed with the claims of the movement, the resources to be used to fight the police force and materials needed to lift barricades.

The arrival of the actors at the place identified for the beginning of the conflict depends on the modality of the stoppage. For instance, if the decision is

to block access to the mine – as was the case in the stoppages carried out by CTC at the national level during 2007, 2008 and 2015 in different divisions of CODELCO. The leaders of the unions, the advanced groups and one or two national leaders of CTC arrive at the place identified early in the morning to install barricades to block the normal circulation of traffic on the road. Once the picket line is set, the placards with the claims are displayed, the buses that transport workers are stopped and workers are asked to get off. Usually, workers enrolled in the unions mobilized who are on their way to or from the workplace have been informed about the stoppage. They do not know when or where, they only know that their bus will be stopped at some point and they must get off the bus to join the advanced group in charge of starting the strike. On the other hand, if the stoppage is to be carried out in the mine site, the leaders of the unions and the advanced group go to the workplace and start the shift in the site, perform their regular duties or take the place of other workers who were supposed to be there. Once they are on site, other workers of the participating unions are informed and the stoppage begins. The stoppage could be non-violent or violent, although it is usually violent.

The Strike

The moment of the strike for subcontracted workers of the LCM has been a process that combines different tactics depending, on the one hand, on the development of the negotiation with subcontractor companies, especially with principal companies, and on the other hand, on the radicalization of the actors involved.

After workers arrive at the chosen place and carry out their actions, a series of confrontations take place that mark the day. These conflicts take place with the following actors: workers who are not part of the movement, subcontracted workers or in-house workers who are against the demonstration; the company's security personnel and special forces of the police sent to restore order at the place occupied. These clashes are mostly radical and violent. In a different sphere, there are ideological battles with other actors such as the executives of the companies involved, business associations, political groups and, in some cases, the media including publication outfits.

The strike, according to different experiences reviewed, will usually develop in a positive way for the organization and the workers involved. That is they will win most of the demands presented in the claims document delivered to the companies, provided:

a. The mobilized workers are able to display coordination, strength and resistance against their counterparts. Also, they must be skilful at combining actions *within the legal framework* (negotiations with contractor

companies or negotiations with political authorities at the regional or local level) with other actions *not permitted by the legal framework* (blocking roads, occupying the facilities of mining companies or even negotiating on working conditions with principal companies).

b. Parallel to the earlier mentioned tactics, union leaders conduct informed negotiations, for example, knowing the financial situation and balance sheets of the companies involved as well as the working conditions of their employees. Also, they have to display intransigence or flexibility depending on the development of the conflict.

c. Progress and setbacks, and negotiating possibilities are communicated first to the union base, then to workers not involved in the strike, third, to the community through the media to which they have access as an organization and, finally, to potential allies.

d. The organization manages to generate alliances with political actors like political parties, social movements, families of workers participating in the movement and actors validated by society in general, as in the case of the CTC and the Catholic Church in 2007.

e. The length of the strike is relatively short: Experience suggests that if a strike action lasts longer than five days, its intensity decreases due to emotional stress. The companies take advantage of this to call upon 'strike breaker' groups (replacement of workers, parallel agreements, etc.) to put an end to the stoppage. However, if the organization can overcome this and sustain the movement for over fifteen days, it is highly possible that the movement regains the levels of intensity it had at the beginning of the conflict and, in some cases, it may even intensify further and radicalize. Capitalizing on this radicalization will depend on the negotiating skills of the leaders, the strength of its links with 'allies', the bases and the pressure that they exercise.

Both the stoppage (phase 2) and the strike (phase 3) are two moments that require a high level of coordination inside the organization. To ensure such coordination, the actors involved, and mainly the leaders, besides holding face-to-face meetings, keep up constant communication through their mobile phones, particularly via the Internet and WhatsApp. Combining telephone conversations and chats, the leaders keep up real-time communication with other leaders and the bases of the movement, depending on the development of the actions.

The Results

Depending on the foregoing, the results of the conflict will be more favourable, or less favourable, for the trade union organization and its members.

There have been some 'pyrrhic victories' in which trade unions of subcontracted workers of LCM have achieved a successful negotiation, improving working conditions for its members. Yet, because of that, the costs for the contractor company rose, making the business less attractive for investors and, in the short term, the contract with the principal company at which the workers were serving was terminated. Massive dismissals can take place to get rid of the 'extra personnel', prioritizing the lay-off of those workers considered 'difficult', that is to say, the workers who are union members and who have actively participated in strikes and demonstrations.

There have also been strikes that have ended in defeat for trade union organizations, as in the case of the national movement carried out by CTC in 2008 to press for the implementation of the Master Agreement signed in 2007 by CODELCO, the contractor companies and the confederation. The conflict ended with no claim gained. Workers and leaders were laid off and enlisted in what are called 'black lists', limiting their options of future jobs with companies in the sector. The trade union organization was quantitatively weakened, but gained experience and high levels of political awareness, which later, in the reactivation started in 2009, resulted in a strengthening of the entity, successful actions and some recognition of corporate counterparts.

The conflicts of subcontracted workers of the LCM can be defined as *not only a socialization instance that allows the dialogue with and recognition by the other party*, as correctly stated by Simmel (2010), but also a kind of crucible that is the basis of the symbolic material that makes up the individual and collective identity of the subjects immersed in these process, promoting processes of association and solidarity, fulfilling common senses and orienting everyday practices and collective actions of the actors (Collins 2009). Being part of these processes leaves a deep mark on the individuals involved, impacting, and in many cases, transforming their senses and, at the same time, significantly setting up the collective identity of participating groups, in this case subcontracted workers of the LCM who, by being part of those processes, have generated a workers and/or class 'awareness'.

TRAJECTORIES OF CONFLICT IN THE CHILEAN COPPER SECTOR

One of the main advances that resulted from the actions of the CTC was the signing of the Master Agreement that governs the employment relations between the state-run company CODELCO, the contracting companies and the subcontracted workers. From 2007 on, resulting from the first strike by subcontracted workers as CTC, this agreement has been revised biannually (in 2009, 2011 and 2013), permanently improving the agreement and

broadening its scope. It is therefore an instrument that has served as a base for the negotiation and establishment of the first Master Agreement implemented in private-sector mining in Chile, signed on 11 April 2014. It was struck between the subcontracted workers' union of Anglo American company[3] in conjunction with CTC and the transnational Anglo American company with its various mining contractors. This agreement, like the CODELCO one of 2007, set a precedent for subcontracted workers' unions in private-sector mining.

The Master Agreement has become a mechanism that not only allows subcontracted workers to improve their working conditions. But it has also given more value to their work as an indispensable part of the production of wealth, as well as to the role of unions and collective action in improving labour conditions. In this context, on Monday, 6 July 2015, the CTC handed CODELCO the Master Agreement petition for that year. A week later, and as generally occurs in these negotiation processes (2007, 2009, 2011 and 2013), CODELCO refused to be part of this agreement, passing the responsibility of negotiation to the contracting companies in its production chain. The unionized workers opposed this and mobilized.

On Tuesday, 21 July 2015, the workers blocked the access roads and were harshly suppressed by the Special Forces division of the police. Today, we know that at midnight on 24 July, police forces fired thirty shots, aiming to control protesters in this division, and killed the worker Nelson Quichillao, employed by Geovita, part of the SalfaCorp group; Quichillao worked in the El Salvador division of CODELCO.

After twenty-two days of strike, in which work stopped in all divisions of CODELCO, and in a context of polarization and radicalization of the subcontracted workers' position, the company agreed to CTC's initial demands and signed an agreement protocol that established the creation of a negotiation table that would revise, broaden and improve the Master Agreement. The signing of this agreement implied that negotiations, under the constant vigilance and pressure of the mobilized workers, would conclude positively. However, the company refused to recognize the advances made in the negotiations between both parties. After three months of intense negotiations, marked by workers' mobilization and disconcerting repressive actions on the part of the mining company, the company agreed to bipartite negotiations, and then refused to recognize the agreements reached in these meetings. In other words, alluding to the economic problems CODELCO was facing, the company was actively seeking to reduce the benefits guaranteed by the Master Agreement, which made it impossible to end the negotiations on good terms.

Two years later, in June 2017, relations between CODELCO and CTC are still fraught. First, the company maintains that it has no legal obligation

to negotiate with the CTC, as the unions the CTC is composed of ought to negotiate directly with the contractors, ignoring the Master Agreement. In a similar vein, the authorities have avoided intervening, maintaining that it is a private conflict, and justifying this with the restrictions in the Chilean Labour Code that limit negotiations to the employer. That means, in this case, that the only negotiations allowed are between the unions and the contractors, and not between CTC and CODELCO. Second, the CTC has lost clout as a political-unionist actor, as it has been unable to represent subcontracted workers' interests before CODELCO. This is based on the fact that relations with the company have deteriorated, and the Master Agreement negotiations have stalled. For the first time since 2007, the agreement has not been reno-vated, so while it is still valid, albeit in a manner that is somewhat impaired, it has been neither improved nor broadened.

Unlike the situation with CODELCO, the CTC signed a Master Agreement with the transnational company Mantos Copper in 2014, which was renewed on 19 June 2017. This transnational company has controlled operations in Mantos Blancos and Mantoverde since 2015, which were previously owned by Anglo American. Based on a general proposal produced by the CTC, discussed and approved in local assemblies, an agreement was signed with the company that will be valid until 2020. It is important to note that Mantos Copper was always open to dialogue and negotiation.

Based on this, various benefits for workers were established and strength-ened – both labour and social benefits that applied not just to the workers but also to their families: children, spouses or partners, independent of sexual orientation. Among the most important advances were the establishment of a minimum salary of US$530 for contracted mining workers, unemployment insurance for subcontracted workers, a commitment to establishing a policy of gender equality and inclusion in the company, incentives for hiring people from the communities around the mines and general improvements in work-ing and economic conditions.

Given the former situation with CODELCO, it seems that CTC's capacity to generate successful negotiations is somewhat limited, due to what we have called a 'collective conflict'. Work stoppages, strikes and mobilizations, at least in the context of the renovation negotiations of the Master Agreement with CODELCO, did not achieve the desired objective. This damaged both the organization and its relations with its corporate counterpart. However, in this same context, the establishment of dialogue with the transnational Manto Copper was facilitated by cooperation on both sides. The support of the workers' unions of the different subcontractors that form part of the production chain of this company enabled, without open conflict, the negotia-tion, improvement and broadening of a Master Agreement in private mining, through a 'negotiation team' comprising the CTC leadership. This shift in the

action repertoire of the organization suggests a qualitative change in the manner in which the CTC acts and negotiates, which complements their previous tendencies. This was undoubtedly facilitated by the predisposition of CTC's private counterpart, allowing certain stabilization and revalidation before the organizational bases, after the decline produced by CODELCO's attack.

NOTES

1. ANEF stands for *Agrupación Nacional de Empleados Fiscales*, which is the representation of employees in the public administration.

2. CUT stands for *Central Unitaria de Trabajadores*; this is the main trade union federation in Chile.

3. Anglo American is one of the biggest transnational mining companies in the world. The company has operated in Chile since 1980 through five operations: Mantos Blancos, Mantoverde, El Soldado, Chagres and Los Bronces. It also owns 44 per cent of the Doña Inés de Collahuasi Mining Company. In 2013, across all its operations, the company employed a total of 4,527 directly contracted workers and 10,142 subcontracted ones.

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Chapter 8

The United States

Worker Agency and Innovation in the Midst of Crisis

Dave Kamper

The US labour movement is in – depending on how one counts – its third, fourth, fifth or sixth consecutive decade of decline. At labour's height in the 1950s, one-third of workers were represented by a union, strikes were an accepted and powerful part of the labour-capital dynamic, and both US political parties regularly sought the blessing of union leaders. The election of Donald Trump and a hard-right Congress in 2016, by contrast, have placed the US labour movement in its most precarious position since the 1920s. The fragile gains made in workers' legal rights in recent years (Richman 2016) are certain to be erased. There is a very real chance that the coming years will cause so much harm to the US labour movement that it ceases to play any effective role in safeguarding workers' rights.

It would be hasty, however, to argue that the story is only one of failure. The desperation of the present has given rise to a host of new modalities (or new variants on older modalities) for worker resistance. In a country where nothing that organized labour tries seems to succeed, there is incentive to try something different. This crisis of US unions has spurred innovative methods to build worker power and resist the encroachments of global capital. Those modalities which embrace worker agency and institution-building as core components are those that hold the most prospect for success, especially when worker institutions look outside the workplace to address issues of racism, misogyny and inequality in society.

THE US LABOUR MOVEMENT IN THE PAST TWENTY YEARS: TWO ESSENTIAL TENSIONS

In 1995, the presidency of the American Federation of Labor – Congress of Industrial Organizations (AFL-CIO) was won by John Sweeney of the

Service Employees International Union (SEIU), supporting an intensive programme of new organizing (Lichtenstein 2002). Since then the official, rhetorical position of US unions has been one of building worker power and organizing the unorganized (Fletcher and Gapasin 2008). Given that union density declined precipitously between 1995 and 2015, it is tempting to regard that position as sound and fury, signifying nothing.

Legal and political support for unions has deteriorated. While most private sector workers have collective bargaining rights under the National Labor Relations Act (NLRA), individual states have passed the so-called Right to Work laws that weaken labour's ability to raise funds. Two of the states that just implemented Right to Work laws – Wisconsin and Michigan – went for Donald Trump in the 2016 election, a not-remotely-coincidental result (Campbell 2016). Public-sector workers have collective bargaining rights granted by the individual states. These laws vary. Basic worker protections – from the minimum wage to laws preventing discrimination – differ from state to state or are dependent on the willingness of governments to enforce them.

The economic situation is in many ways worse than it was twenty years ago. The Great Recession was especially devastating for African American and Latino workers (Mishel et al. 2012). Worker pensions are disappearing, part of an overall 'great risk shift' that has reduced collective economic security in the name of individual enterprise (Hacker 2008). The share of the nation's wealth going to the top 1 per cent of the population was 34.5 per cent in 2010, a number that has only gotten higher as union power has weakened (Mishel 2012).

Under these conditions, even an ideal labour movement would struggle. However, irrespective of the underlying political and economic conditions, the workers' movement in the United States faces two essential tensions: *voluntarism* and *scarcity*. These tensions are not unique to the United States but they shape and constrain the ways US unions have acted over the past twenty years.

Voluntarism

The radical, pacifist labour leader A. J. Muste wrote in 1928 that a union is equal parts army and town meeting. That is, an inherent union characteristic is that they lack the coercive capacity to force workers to act but, when it can be achieved, the results are remarkable. Corporations can fire employees who disobey orders. Governments can imprison their opponents or use state-sanctioned violence as a tool to enforce their will. Unions, though, rely for their success on the voluntary consent of workers.

Most in the labour movement find this not a weakness but a strength. Nevertheless, voluntarism poses significant limits on unions' abilities to make

strategic choices. Voluntarism is present at all levels. Most of the key decisions made in unions – what posture to take in collective bargaining, whether to strike, which groups of unorganized workers to organize – are made at a local or state, as opposed to national, level. Many union funds are collected and held by local and state bodies. The AFL-CIO of which John Sweeney became the president in 1995 had little more than a bully pulpit available to it in its drive to convince unions to change.

It is not surprising, therefore, that institutional change has been one of the hallmarks of union innovation in the United States over the past twenty years. This was the genesis of the 2005 split in the AFL-CIO where a group of unions led by SEIU formed a new federation known as Change to Win (CTW). While the AFL-CIO split was as much about personalities and political squabbling as anything else, at its core was the idea that the labour movement needed to be centralized (Fletcher and Gapasin 2008).

Stephen Lerner (2003) articulated the most coherent vision of this concept. He proposed reducing the number of national unions from sixty-six to ten to fifteen and dividing them up strictly along industrial lines to reduce jurisdictional infighting. Lerner advocated more of a top-down approach to decision-making, so that the resources and might of unions could become more like Muste's army and less his town meeting.

CTW's record on this has been mixed, to say the least. While there were some notable successes in creating unions for home-based healthcare workers in many parts of the country, for example, CTW has not achieved the breakthrough it plainly hoped for in 2005. Several of CTW's component unions have since returned to the AFL-CIO.

A vicious internecine struggle in California in 2008 and 2009, which pitted one of SEIU's largest locals against SEIU's then-president, Andy Stern, resulted in the expenditure of tens of millions of dollars and sent ripples throughout the labour movement. SEIU managed to maintain control of the union and retained most of its members, but it cost significant goodwill among union activists, who saw it as a power grab intended to deprive workers of a democratic voice in the running of their own union (Winslow 2010).

This was, arguably, a logical consequence of Lerner's argument. He wrote that if 'we are truly committed to meaningful democracy we need to talk more broadly about how unions are strong enough locally and nationally to win economic justice and democracy for workers . . . If unions are weak, there is no democracy at the work site' (25). This point of view has been strongly opposed by many union leaders and theorists, who argue that a democratic labour movement is not only stronger than a top-down approach, but it is more in keeping with labour's values.

Labour's essential dilemma of voluntarism is far from resolved. As workers' organizations try to innovate in the face of crisis, it is important to ask

whether that organization views workers primarily as tools to implement strategic tasks set by more 'enlightened' union leaders, or whether workers themselves are the primary agents of change.

Scarcity

Farber's and Western's (2002) point about the relative impact of unions' spending on new organizing has often been overlooked:

> The sharp decline [in union organizing activity during the 1980s] . . . did not have a substantial effect on the fraction of private-sector workers who were unionized. . . . [O]nly about 20 per cent of the decline in the union membership rate between 1981 and 1998 . . . can be accounted for by the drop in the new-organization rate. In fact, *if there had been no union organizing through NLRB elections at all since 1972, the union membership rate would have fallen only by an additional 1.7 percentage points. . . . [O]nly a massive increase in the rate of recruitment of new union members, much larger than anything contemplated to date (say, by a factor of 10 or 20), could have a significant effect on the size of the union sector*. (399) (Emphasis added)[1]

This is a bold assertion: for the US labour movement to grow significantly would require additional organizing on a logarithmic scale. The essential fact is that US unions have severely constricted resources – both in money and in human capacity. The range of strategic choices available to them is inherently limited by the money and person-power available.

The scarcity of union resources is compounded by two structural factors. First, many resources are not expended to expand worker power but to maintain existing unions: negotiating contracts, handling worker grievances and so forth. Thus, the resources available to unions to organize are limited internally by other needs (Delaney, Jarley and Fiorito 1996; Martin 2007). Second, the geographical spread of unionism in the United States tends to be self-reinforcing. There are parts of the country where union density is relatively high, but this means that the places where worker power is weakest are also where fewer union resources are available.

Constrained resources also limit the tactical and strategic repertoires available to unions. Bronfenbrenner and Hickey (2004) demonstrate that the ideal ratio of professional organizers to workers is 1:100. Bronfenbrenner and Juravich (2001) recommend a multipronged comprehensive strategic campaign approach that confronts employers along multiple axes including political and media strategies, all of which require considerable investment. Few unions have adopted these best practices, in part because unions do not have the resources to implement them.

Innovation and Worker Agency

The twin challenges of scarcity and voluntarism are (however unconsciously) the drivers of innovation in the US labour movement today. The rest of this chapter will examine four efforts by unions to respond to the present crisis. Each offers a different answer to the dilemmas of scarcity and voluntarism. Two critical junction points revolving around the question of worker agency deserve special emphasis.

This first is the relationship between institutional unionism and the economic, racial and gender inequalities that occur outside a specific employer-employee dynamic. One conclusion that could be drawn from labour's current woes is unions do not have the capacity to engage on so many fronts. Moreover, Martin (2007) and Kremer and Olken (2009) suggest that when decision-making power is located more closely to the shop floor, unions are more likely to turn inward, focusing primarily on their own workplaces, pay and benefits. Certainly there are examples of this. The surprisingly high number of union members who voted for the anti-worker, misogynist and racist Donald Trump shows that titular membership in the working class does not guarantee solidarity.

However, often workers choose to tackle racism, sexism and inequality in venues outside their own workplace, even when doing so may jeopardize their own working conditions. This does not happen by accident. It is the consequence of political action within unions, where leaders and activists choose to engage their colleagues, deliberately creating 'organizing moments' where workers are empowered to see themselves as agents of social change outside the workplace (Kamper 2002).[2]

The second junction point is the importance of institution-building. Unions have long served as foci of working-class communities (Cohen 1990). Many innovators in the labour movement today seek to sidestep institution-building in favour of looser, advocacy organizations or inchoate social movements. The argument is that better resources be expended in pursuit of immediate, concrete goals for workers instead of constructing institutions.

Concrete gains can be fleeting. Such victories, when won, do little to enhance the power of workers. Giving appropriate priority to the building of institutions of working-class power can create virtuous cycles that generate more power over time, creating a return on investment that results in a stronger labour movement.

Because each of the four examples of innovative effort we examine here is a work in progress, our observations can only be tentative. 'Innovative' does not necessarily mean successful; it only attempts to break the status quo of labour decline. Each of them has encountered the dilemmas of scarcity and

voluntarism, and each has in turn developed a different strategy to address those dilemmas.

CHICAGO TEACHERS UNION: BARGAINING FOR THE WHOLE COMMUNITY

Few recent achievements in US labour are more celebrated than the remarkable reinvigoration of the Chicago Teachers Union (CTU). The CTU has developed into a powerful progressive force that stands up alongside disenfranchised African American and Latino communities. Together, the CTU and their allies have built a powerful political and economic force that is showing real success against the neo-liberal policies of Chicago's powerful mayor, Rahm Emmanuel.

The story of the CTU has been well told in other places (Bradbury et al. 2014; Uetricht 2014). Briefly, an internal reform caucus known as CORE (Congress of Rank-and-file Educators) was formed in response to the CTU's lacklustre handling of the City of Chicago's education 'reforms'. Those reforms primarily consisted of removing education resources from the city's poorest neighbourhoods. The city closed neighbourhood schools – public schools funded by government funds and accessible to all students who lived in the area – and allowed the creation of semi-public charter schools. While these charter schools also received government funds, their management was often outsourced to private firms who ran the schools at a profit. Moreover, these charter schools were non-union, cut off from the same collective bargaining provisions that applied to public schools and held to different standards on matters of student testing and teaching credentialing. Charter schools were often sited in wealthy and more Caucasian neighbourhoods and received a disproportionate share of government resources. Lay-offs of CTU staff accelerated as public schools were shuttered.

For many years, the leadership of the CTU did little to challenge these steps, focusing instead on negotiating steady pay increases. A group of union members dissatisfied with their leaders formed CORE first as a reading group and then, eventually, as a full-fledged opposition group within CTU. In 2010, they toppled the established leadership, assuming formal political control of the CTU.

CORE did not confine its activities to within the union. It partnered with community and neighbourhood groups in Chicago, specifically those looking out for the interests of African Americans and Latinos. CTU advocated not just for teachers, but for quality public schools for all. A landmark was the 2011 publication of *The Schools Chicago's Students Deserve*, a manifesto addressing topics from healthy meals for schoolchildren to the importance of arts education.

For our purposes, two parts of the CTU story are most important. The first is *how* CTU tried to achieve its goals. While CTU certainly took part in classic mobilizing strategies like mass rallies and political lobbying, they also used the most powerful tool available to unions in the United States: collective bargaining. It cannot be stressed enough how much of a departure this is from the norm. Going back to the United Auto Workers' (UAW) so-called Treaty of Detroit with General Motors in 1950 (Lichtenstein 2002, 123), unions have largely accepted that the proper issues for collective bargaining are wages, hours and terms and conditions of employment. Issues of 'managerial rights' were left off the table, as well as social justice issues beyond the contract's scope.

The CTU has, in its last two rounds of contract bargaining, pushed the envelope of the Treaty of Detroit in remarkable ways. In their 2012 contract, for example, CTU won contract language requiring students to have textbooks at the start of the school year. This may seem like a minor issue, but for a union to use its bargaining power over an issue like schoolbooks for children is practically unheard of in the United States. Their 2016 contract was settled only after Mayor Emmanuel agreed to move $175 million into the schools' budget from a veritable slush fund set up by diverting tax monies originally destined for schools. Normally, unions are unable to force public employers to decide *how* to allocate resources, so this also was a significant and celebrated departure from the norm (Winslow 2016).

The second part of this story that is important is the use of militancy. Long out of fashion, considered too difficult in today's constrained legal environment, the strike as a tool of unions has come back into vogue (Burns 2011). The CTU 2012 contract was settled only after an eight-day strike, and the 2016 contract required a one-day strike and the credible threat of an open-ended strike before it could be settled.

CTU was successful in its militancy in part because it had advantages that other US unions did not have. It is a practical and logistical impossibility to replace 30,000 striking teachers. Nor is it currently possible to remove schools and send them to a different state where unions are weaker. Most importantly, because CTU had devoted so much attention to building broader relationships with the community, it had overwhelming public support for its strike, something that could not be ignored by Mayor Emmanuel.

The story of the CTU is far more complicated than what can be told here. But the core of that story could, we contend, be boiled down to this: Chicago teachers went on strike so their students could have better schools. This innovative kind of contract bargaining has been described as 'bargaining for the common good' (McCartin 2016). It has been noted, in the wake of the 2016 election, that blue-collar workers often have more disdain for white-collar professional workers (whose economic circumstances are often little better

than their own) than for the genuinely wealthy (Williams 2016). It would be easy enough, in a city like Chicago with a majority of non-Caucasian population and a teachers' union that was predominantly Caucasian, to imagine that the union and the community would grow apart over time.

Instead, the opposite happened. This was not the inevitable consequence of the neo-liberal policies pursued by Emmanuel. The CTU that went on strike in 2012 was made up of largely the same people who had accepted the deterioration of Chicago's public schools in the years prior. There was no guarantee that they wanted to engage in bargaining for the common good. Instead, the leaders of CORE (who became the leaders of CTU) made concerted efforts and expended considerable resources to engage their own members on the challenges facing poor communities (Kamper 2015). They sought to strengthen the institution of the CTU and make it a bastion not just for their own members but for all. This was a conscious political choice by CORE. It could not be imposed on the CTU membership; they had to actively consent. CTU's reform leadership asked its members to use the union as a force for social good, and, given the choice, the members enthusiastically responded.

FIGHT FOR $15: ADVOCACY FOR THE 99 PER CENT

Few recent campaigns have attracted more attention in the United States than the Fight for $15. Its morally righteous message gives the Fight for $15 a clarity that is sorely needed in labour struggles. While it is easy enough to point out that the movement's goal – a $15 minimum hourly wage for workers everywhere – is perhaps *too* simple, given the regional complexities of the US economy, that is precisely the point. As a rallying cry, it has few equals.

The key strategy of the Fight for $15 is high-profile, short-lived militancy, often taking the form of media-friendly one-day strikes of fast-food and other low-wage workers. Their goal is not to cause economic harm to employers but to raise awareness and attract attention. In this, the Fight for $15 has had some tremendous successes. California, New York and many other US cities have now enacted minimum-wage laws that will (over time) make $15 the floor wage for millions of jobs. The impact of these wage increases on the daily lives of workers cannot be overstated.

Yet, for all its (very real) success, the Fight for $15 has powerful limitations. The most notable of these is the only occasionally included second part of the slogan: 'Fight for $15 and a union'. The Fight for $15 has won fights for $15, but it has not won unions for workers nor has it built genuine worker power (Luce 2016). Instead, Fight for $15 is best thought of not as an organizing project, but as advocacy.

Jenkins (2002) best describes the difference between organizing and advocacy:

> Organizing campaigns are frequently initiated without regard to whether a given group of people, if organized, would have the power to force changes from the institutions they are confronting. The failure to face this critical power dynamic leads us to overemphasize the importance of both the consciousness-raising aspect of our work and the power dynamics between professional staff and the people being organized. The result is that in many cases we are transforming the appearance *but not the substance* of what are, in effect, traditional advocacy campaigns. . . 'member power' is increasingly relegated to the ideal realm of symbolism and rhetoric. . . . While many of these campaigns are leading to concrete improvements in the lives of the people involved, they are not . . . building the capacity of poor and working-class people to achieve structural change. (57–58; emphasis in original)

Jenkins's description is very apt. First, although Fight for $15 may revolve around fast-food workers, it is not led by them. It is primarily funded and organized by SEIU. In the past five years, SEIU has spent well more than $30 million to support Fight for $15 (Greenhouse 2015). Organizers involved in the effort say that from the very beginning SEIU determined the strategy, tactics and direction of resources (Gupta 2013). As the years have progressed, there is still no sign that Fight for $15 is seeking to have fast-food workers take control of the movement. Resources are still controlled by SEIU, and there are few, if any, institutional democratic processes in place to let workers run the campaign on their own.

Jenkins also recognized that campaigns like Fight for $15 are more about public perception than real power. The one-day strikes have been used (successfully, remember) to create a moral urgency. Organizers in the early years of the campaign were worried about 'whether Fight for 15 is fundamentally a worker organizing campaign or a "march on the media"' (Gupta 2013) and that question remains open. Rather than the Fight for $15 helping workers themselves make changes in their working conditions, the campaign has given progressive political groups a potent symbol. After all, the changes won in California and New York were not the result of employers and workers negotiating a deal, but legislatures passing laws.

Finally, movements that do not result in a real change in power dynamics cannot achieve lasting results. Fight for $15 has yet to create a single union for fast-food workers. SEIU's apparent strategy as related by Greenhouse has been to put pressure on employers like McDonald's until they decide negotiating with unions is the course of least resistance. This strategy looks far less tenable under President Trump. And as Lange (2014) notes, in the absence of

institutional power, victories can be easily taken away when political winds shift. This is especially true, he notes, because when wage increases are won in legislatures rather than in collective bargaining, 'the workers who end up receiving higher wages often have no clue as to how these raises occurred'.

Fight for $15 has resulted in massive, significant improvements for working people across the country, a 'huge victory for progressive forces' (Dreier 2016). Yet the effect of the Fight for $15 may be fleeting. Even in the progressive locales that have enacted $15 minimum wages, the increases take effect over time. In California, the $15 wage will not be in place until 2022, by which time it will be worth less than $15 now. What structures, what organized forms of power, will be present to fight for a new increase then? If those forces exist, they will not have come from Fight for $15.

THE UAW IN TENNESSEE: MISSED OPPORTUNITIES

In the late 1940s, the CIO launched 'Operation Dixie', a massive effort to unionize the southern United States. Hundreds of thousands of dollars and several hundred organizers were sent to Mississippi, Alabama and the rest of Dixieland. They were largely unsuccessful. Among other things, the intense racial divisions of the region made building solidarity along class lines nearly impossible. The South remained unfriendly territory for unions and is still that way today (Griffith 1988). As foreign automakers, for political and economic reasons, began locating more facilities within the United States in the 1970s and 1980s, the South was their destination of choice. The UAW, which in its heyday had a virtual monopoly on auto-manufacturing employees in the country, was having no success in organizing them. The UAW's membership has dropped from 1.7 million to 400,000 (Aschoff 2014).

Things changed when the German automaker Volkswagen opened its plant in Chattanooga, Tennessee, in 2011. Volkswagen, following German law, has union members on its Board. The UAW saw an opportunity and sought what is known as a neutrality agreement.

Winning representation elections in the private sector has grown increasingly difficult for US unions. Employers face minimal legal penalties for fighting union drives. Union elections, supposedly democratic, have become anything but (Lafer 2007). As such, many unions now preface organizing drives with attempts to securing an employer's neutrality, that is an agreement that the employer will not interfere in the organizing drive.

The UAW reached out to German unions and the Volkswagen Global Works Council, which consists of employee representatives from most other Volkswagen plants around the world. With their help Volkswagen signed a neutrality agreement. Then the problems started. The political and business

interests in the state of Tennessee began a nearly unprecedented campaign against the union. Hundreds of thousands of dollars were raised and spent on advertising. Politicians used the news media to threaten the suspension of state tax incentives if the plant unionized, calling the prospect of a union 'un-American' (Brooks 2016).

The anti-union campaign was successful in keeping Volkswagen itself on the sidelines, keeping mum during the election and confirming workers' fears that the company did not believe in the neutrality agreement. A secret ballot election was held in the winter of 2014. The UAW lost, 712–626. The UAW's response to this loss was to blame the anti-union campaign, and claimed the deck was so badly stacked against the union that defeat was inevitable. However, Brooks's analysis highlights two other important factors at play.

First, the UAW's neutrality agreement with Volkswagen was more than a deal to allow an interference-free union drive. The twenty-two-page deal also committed the UAW to help in maintaining full productivity at the plant, which could easily be interpreted by workers as an agreement to limit collective bargaining demands. This agreement was never explained to the workers at the plant.

Second, the UAW made no attempt to build real power among the workers at Volkswagen. UAW was trying to build an institution, but not one founded on worker agency. Most workers had only one encounter with the UAW – when they were asked to sign an authorization card. They played no role in the back and forth between UAW and Volkswagen. There was little worker-to-worker contact between the Chattanooga workers and Volkswagen's unionized employees around the world, perhaps because the UAW has historically supported 'Buy American' policies that portrayed foreign autoworkers as opponents of US workers, but also possibly because UAW was overly optimistic and did not feel such a move was necessary. The public rows between UAW and Tennessee politicians, as Brooks puts it, 'might as well be those between Greek gods, for how connected they [were] to the everyday material conditions of VW workers' (410). There *were* workplace concerns at the plant – a 'lean production' model that pushed workers to their breaking points, a two-tiered employment structure that divided workers internally, and serious safety concerns – but UAW made no effort to capitalize on them.

In the years since the election, the UAW has maintained a presence at the plant, chartering UAW Local 42 and working with management to establish a US equivalent to a German-style works council. However, Brooks convincingly shows that this involvement 'has largely existed as a public relations stunt' (411). The neutrality agreement was once considered to be akin to a silver bullet, a way to overcome employer opposition. In the case of Chattanooga, however, the pursuit of employer neutrality led the union to avoid deep engagement with workers. That is not a trade-off that is likely to be successful over time.

CENTRO DE TRABAJADORES UNIDOS EN LUCHA AND SEIU LOCAL 26: A MODEL COLLABORATION

The success of the Chicago Teachers Union (CTU) rested in no small part on the significant resources available to them. It does not diminish CTU's accomplishments that they had deeper pockets than most workers' organizations, but it does contextualize them. It also makes more remarkable the accomplishments of the Centro de Trabajadores Unidos en Lucha (CTUL) and SEIU Local 26 in bringing a union to 600 janitorial employees at retail stores in the Minneapolis-St Paul, Minnesota, area, becoming 'the first major metropolitan area in the country where the retail janitorial industry will be union' (Kucera 2016).

US retail stores employ 5 million workers, at an average wage of less than $11/hour (Bureau of Labour Statistics 2016). Few of those workers (outside of grocery stores) belong to a union nor do workers in the ancillary jobs associated with retail establishments. A primary example is cleaning services. Many retailers hire private contractors to handle janitorial services in their stores. These contractors are notorious for paying low wages, committing wage theft and violating basic labour protections like overtime laws. The cleaning companies that are contracted by retail stores are in fierce competition and do all they can to resist unionization.

CTUL is not a union. It began in 2009 as a workers' centre, an advocate for poor, often immigrant, workers. As the name suggests, its primary focus has been Latino/Latina workers, but it has always been an advocate for all workers in Minneapolis/St Paul (the 'Twin Cities'). CTUL advised workers of their rights, helped them exercise legal options if they were mistreated and created an institutional voice for workers. It was also important to get 'in people's guts about what they want to be in the world', said CTUL Co-Director Veronica Mendez Moore in a 10 December 2016 interview.

Not long after CTUL was founded, it became clear to the organization's board of low-wage workers that advocacy alone would not solve the problems their members faced, and that union-building was necessary. Retail cleaning was the first target chosen. It helped that CTUL was a known quantity to workers; they felt safe trusting it with the effort. CTUL turned to SEIU Local 26, which represents building service workers in the Twin Cities, for organizational expertise. CTUL and Local 26 partnered together on the campaign.

The importance of this collaboration cannot be understated. For a union and a workers' centre to collaborate was a risk to both. While Local 26 has contributed money to CTUL, it exercises no formal control over the organization, and Mendez Moore is proud of CTUL's independence. Unions often have a distrust of independent community organizations and vice versa. 'We were looking for a path to a voice', says Mendez Moore.

On the surface, the campaign to organize retail cleaning workers looked a lot like the Fight for $15 – media-friendly actions and strikes to put pressure on employers. However, CTUL and Local 26 kept ratcheting up their demands as they won victories. They won raises and workplace safety committees, but they kept raising the stakes. In the summer of 2016, the janitors of many of the biggest retail stores won union representation. Chains like Target and Best Buy (both headquartered in Minneapolis) will have unionized janitors in their stores around the Twin Cities.

In an atmosphere of pervasive union-busting (i.e. in the United States of the twenty-first century), this collaboration between an independent workers' centre and a union is an innovation worth exploring. CTUL exists independent of specific employers or specific workplace situations. It could have gone down the road of a traditional advocacy organization, doing things *for* workers without being run *by* workers. CTUL has transformed itself into an independent institution, with a substantial part of its funds coming from the workers themselves. It has an institutional life that can and will continue irrespective of labour law changes or the whims of national unions.

At the same time, CTUL could not do what it wanted to do on its own. To take the next step in its mission and unionize retail cleaners, it needed to partner with a union. Workers' centres like CTUL are voluntary associations that lack the expertise or resources to engage in the painstaking work of person-by-person organizing throughout a wide geographical area. Local 26, on the other hand, benefited from CTUL's credibility with workers and their network of contacts.

Lizabeth Cohen writes in *Making a New Deal* about how the CIO in the 1930s benefited from the clubs, bars and newspapers that ethnic groups like Poles and Italians created to help them navigate life in the United States. To a great degree, CTUL is an inheritor of that tradition. In a day and age when so many mediating civic institutions are distrusted or disregarded, CTUL meets the needs of those on the political and economic margins of society, creating a space where they can connect and grow in power. The CTUL/Local 26 collaboration is a reminder that union-building is easiest when it builds on existing worker institutions, rather than trying to create something where there was nothing.

CONCLUSION

The US labour movement has yet to come up with a formula for success to replace the long-outdated strategies of the mid-twentieth century. It is, however, showing strong signs of innovation. The stakes are high. Sixty years ago, all major political parties in the United States vied for the support of

organized labour. Now an anti-union political party controls the White House and Congress, and the other is at best an uncertain ally.

The margin for error is small. It is tempting for unions to settle for half a loaf today instead of hoping for a whole loaf tomorrow. Nevertheless, the examples in this chapter suggest that such efforts are unlikely to be successful over the long term if they do not both allow for genuine worker control and address the heart of the inequalities of modern US society.

The two strongest success stories in this chapter, the CTU and the CTUL/ SEIU Local 26 collaboration, sacrificed speed for depth in their organizing. In both cases, it took several years to move from a position of relative powerlessness to winning significant victories. It took the application of considerable resources, the support of skilled organizers and a willingness to find other social justice partners.

However, it would be wrong to describe that as some kind of magic formula to win. More important than what they did was *how* they did it – by embracing worker agency and an expansive vision of what their organization could do. CTU let its members' concerns about the quality of their students' education drive its agenda, instead of stifling those voices to concentrate on traditional bread-and-butter issues. CTUL took its sense of mission to the logical conclusion of realizing that it alone could not do all that was needed to be done for workers and brought in Local 26 to help it. It is this broadness of vision and unselfishness of leadership that helped make those movements succeed.

NOTES

1. The pace at which unionized worksites close and new, non-union ones open far outstrips unions' efforts to organize new workplaces, and this is the primary cause of membership decline.

2. The David Kamper who is the author of the 2002 piece is not the present author.

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Chapter 9

Strike Movements and Popular Class Struggles in Burkina Faso

Bettina Engels

Organized labour has long been an important social force in almost all African states. Trade unions often intervene in national politics beyond labour-related issues: they were active in the struggles against colonialism and apartheid; in the democratization movements of the late 1980s and early 1990s; in protests against neo-liberal 'structural adjustment' policies imposed by the international financial institutions and in overthrowing political regimes, presidencies and governments. However, in Africa, as elsewhere, trade unions do not act in a political, social and cultural vacuum; they are embedded in political and social structures at different scales (local, national, transnational). They raise their claims in alliances or in competition with other oppositional, state or non-state actors. This holds particularly true for African trade unions, whose involvement in national politics typically goes far beyond labour-related issues since formal labour has relatively little relevance in most African states (Beckmann and Sachikonye 2010, 3–5; Kester 2007, 11–16). Therefore, strikes are definitely not the only means of social struggle. Rather, they play an important role in the context of 'popular movements'.

This chapter analyses how strike movements are part of and formed by popular class struggles, by exploring the case of Burkina Faso. It is based on interviews with activists, conducted between 2011 and 2015. It outlines what claims are raised by the trade unions and their allies, and how these claims are framed and enforced in strikes and other forms of protest by the popular classes. The case study focuses on four historical phases, from the late 1980s to present day:

1. From the late 1980s to the late 1990s, trade unions and students were jointly engaged in the struggle for democratization and – after the first structural adjustment programme (called *Programme de facilité*

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d'ajustement structurel renforcé) was signed in 1991 – protested against economic liberalization, privatization of state-owned firms and so forth.

2. From the late 1990s to the mid-2000s, trade unions and their allies focused on demands for human and civil rights. Notwithstanding this, socio-economic topics, in particular those related to structural adjustment and its impacts, never disappeared from the agenda.

3. In the second half of the 2000s, responding to the global food and fuel price crisis, material issues (high cost of living, wage-price gap) were again in the forefront of the struggles in Burkina Faso as in many other African states.

4. From 2011 onwards, claims related to civil rights and democratization were linked to each other. The alliance of oppositional actors was enlarged, and the conflict accelerated rapidly and finally resulted in the dismissal of Blaise Compaoré as president on 31 October 2014. However, trade unions, students and youth groups at the same time continued their activities on topics such as the high cost of living, deficits in the education sector and the like.

The evidence for this case study derives from three periods of field research (October to December 2011, August to September 2012 and March 2015). Forty semi-standardized interviews were conducted by the author with activists from trade unions and other organizations (the human rights movement, student unions, women's groups and professional organizations) and representatives from government institutions.[1] They took place at four locations in Burkina Faso that have long since been hotspots of popular struggles (Ouagadougou, Bobo-Dioulasso, Banfora and Koudougou). Documents from international organizations and non-governmental organizations (NGOs), leaflets and journals from trade unions and other organizations and press reports from the period 2008 to 2015 provided a further basis for analysis.

The chapter is structured as follows: it starts by introducing the concept of popular classes (Seddon and Zeilig 2005). Next, the historical development of organized labour in Burkina Faso is briefly outlined. This leads into an analysis of strike movements in the four depicted phases, setting them in relation to the respective historical context. The chapter concludes by reflecting on how far the Burkinabè case can be seen as typical of trade unionism.

POPULAR PROTEST AND CLASS STRUGGLES

Most studies on social movements avoid the concepts of class and class struggles (see Alexander and Pfaffe 2013, 3; Barker 2013; Hetland and Goodwin 2013). At the same time, neo-Marxist analyses of political-economic developments in Africa, mostly building upon dependency and world system theory,

often omit to engage in empirical detail with concrete struggles between social forces and actors. Class-based analysis of social struggles in Africa should include those selling their labour power in the formal or informal sector, and poor people conducting unpaid reproductive work, criminalized activities, living from family transfers and the like (Seddon and Zeilig 2005; for a detailed discussion of the concepts of the poor, see Alexander and Pfaffe 2013). As E. P. Thompson (1991) has demonstrated, rather than a fixed economic category, class is a social relation and is as such historically specific and context-dependent (von Freyhold 1987, 27; Thompson 1991; Seddon 2002). For the purpose of empirically analysing strike movements in Africa, it is neither helpful to construe working and popular classes as opposed to one another nor helpful to simply give up the concept of class in favour of other, allegedly immaterial categories such as ethnicity and nationality. This is not to say that these categories were not central to the construction of collective identity, and to social relations of power and authority. However, focusing on cultural categories when analysing social conflicts and struggles may risk losing sight of material inequalities and the political-economic structures they are rooted in.

A micro-level analysis investigates who protests, how and for which aims. Protagonists of popular protests in Africa are not limited to organized labourers but include what Seddon and Zeilig (2005) call the 'popular classes': students, employees, small-scale farmers, those self-employed in the informal sector, petty traders and the like. Struggles by African workers, at every point in history, relied on moral, material and political support from these groups. And, as Seddon and Zeilig (Seddon 2002; Seddon and Zeilig 2005) have argued, popular protests draw their effective power exactly from the fact that organized workers and other segments of the popular classes go hand in hand with each other in their struggles.

The relationship between trade unions and those parts of the popular classes that are typically sparsely organized in formal terms is an ambivalent one: on the one hand, both are characterized by different forms of formal and informal organizing, different means of protest and, at least partly and on a short run, different aims. On the other hand, it is misleading to assume that workers and other segments of the popular classes are distinct and detached from one another. Rather, they are linked to one another in various ways.

STRIKE MOVEMENTS AND TRADE UNIONS IN BURKINA FASO

In Burkina Faso, trade unions have a long tradition as – mainly oppositional – political forces, reaching back to colonial times (the first trade unions were founded in the 1930s; Kabeya Muase 1989). The first two decades in the

history of Upper Volta following its independence in 1960 were character-
ized by the repeated alternation of strikes, military coups and constitutional
referenda (Englebert 1996). The first president of Upper Volta, Maurice
Yaméogo, was overthrown in 1966 following mass demonstrations by the
trade unions against the suppression of workers' rights, particularly a ban
on strikes in 1964. A general strike in January 1966 was followed by a
military putsch, and then Lieutenant Colonel Sangoulé Lamizana took over
the office of president. A constitutional referendum in 1970 established the
Second Republic. A further wave of strikes began in November 1975 right
after Lamizana announced the creation of a single party, Mouvement pour
le Renouveau National. Other segments of the popular classes joined the
strikes, and in January 1976, the mass protests led to the government's dis-
solution by Lamizana and to a further referendum. A new government was
formed in February 1976. The Third Republic existed for only two years: in
1980, teachers throughout the country went on strike against the conditions
of the education sector. This was followed by a military coup, the suspension
of the Constitution and the formation of a military junta under Saye Zerbo.
Zerbo was replaced by Jean-Baptiste Ouédraogo following a further coup in
November 1982. Ouédraogo appointed Captain Thomas Sankara as prime
minister. When Sankara was arrested a few months after taking office – due
in part to his critique of Ouédraogo's regime – strikes by students and trade
unions forced his release (Hagberg 2002, 228–29). In the following year
Sankara himself led a coup; he was supported by Blaise Compaoré, among
others, who was also an army captain. Thomas Sankara was killed in another
military putsch in October 1987. A glamorous and charismatic figure, he rap-
idly became an icon comparable to Che Guevara – not only in Burkina Faso
but throughout Africa, in Europe and in the Americas (Harsch 2013). Fol-
lowing the putsch, Blaise Compaoré became president and was only forced
to give up his presidency in late October 2014 – again after massive popular
protests in which the trade unions played an important role.

   The federation of trade unions, Confédération générale des travailleurs du
Burkina (CGT-B), originated from the French Confédération Générale du
Travail. It was founded in 1988. It is the biggest trade union federation in
Burkina Faso, encompassing twelve national unions and seventy company
unions from education, health and other public services, bakery, agricul-
ture, tourism, mining and other sectors. Apart from CGT-B, five other trade
union federations exist: the Confédération Nationale des Travailleurs du
Burkina (CNTB), the Confédération Syndicale Burkinabé (CSB), the Force
Ouvrière – Union Nationale des syndicats libres (FO-UNSL), the Organisa-
tion Nationale des Syndicats Libres (ONSL) and the Union Syndicale des
Travailleurs du Burkina Faso (USTB). The six federations together with six-
teen independent single trade unions formed an alliance, the Unité d'Action
Syndiale (UAS), in 2014.

The trade unions in Burkina Faso are organized along ideological lines. The CGT-B is oriented towards a Marxist-Leninist ideology and understands itself as 'revolutionary', whereas the other federations are, all in all, oriented towards more reformist and/or social democratic ideas (see CGT-B, 2013; Kabeya Muase 1989). The CNTB, CSB, ONSL and USTB are affiliated to the International Trade Union Council.

In Burkina Faso, as in many other countries, university and secondary school students' organizations understand themselves also as 'trade unions'. Overlaps in personnel among the civil society associations are commonplace; virtually all functionaries of the CGT-B and its member organizations were previously involved in the student movement, notably in the Union Générale des Etudiants Burkinabè (UGEB) and Association Nationale des Etudiants Burkinabè, which are ideologically close to the CGT-B (Bianchini and Korbéogo 2008; Sory 2012).

As in most other African states, civil servants form the largest group among trade union members in Burkina Faso; the trade unions in the fields of education and health are by far the largest and most influential. Due to the weak state of industrial development, large industrial trade unions are less common than in Europe. Since trade unions are embedded above all in the urban, well-educated 'middle-classes', alliances and joint protests among trade unions and students occur frequently. This also explains why political protests take place primarily in the cities. There are enormous differences between the urban elite, on the one hand, who form the basis of the trade unions, and the rural population, on the other (Hagberg 2002, 227). This holds particularly true for countries where, as in Burkina Faso, most people in the countryside are subsistence farmers or pastoralists. Where export-oriented plantation economies are more widespread, trade unions tend to be based in rural areas too (like the General Agriculture Workers Union of Ghana).

Moreover, even in the cities, the vast majority of people do not work under formal contracts. Organizing the informal sectors is a central challenge that trade unions must confront (Phelan 2011, 472; cf. Beckmann and Sachikonye 2010, 7). In Burkina Faso, ONSL focuses on organizing informal workers in urban *and* rural areas (Phelan, 2011, 471). Nonetheless, Burkinabè trade unions have little support from peasants and herders who form the bulk of rural populations (Maccatory et al. 2010, 359). Trade unions confront this problem by entering into alliances with other organizations.[2] Thereby, they frequently succeed to mobilize informal sector workers for the strike movements, too, at least for big general strikes.

STRIKE MOVEMENTS, 1980S TO 2014

Strike movements in the 'Blaise Compaoré era' (i.e. from the killing of Thomas Sankara in 1987 to Compaoré's forced resignation in late 2014) can

be divided into four historical phases, each related to specific claims by the trade unions that clearly go beyond labour-related issues: democratization, civil rights, the high cost of living and regime change. In all phases, trade unions also continued to pursue their core tasks of negotiating wages, working conditions and the like.

Struggles for Democratization (late 1980s to early 1990s)

In the late 1980s and early 1990s, mass strikes and other protests – particularly by students and civil servants – urged formal political liberalization in Burkina Faso (and many other African states) (Bratton and Walle 1992, 423). The multiparty system was introduced in 1990, and a constitutional referendum in the following year led to the founding of the Fourth Republic. In the first multiparty elections, which were boycotted by the opposition, Compaoré was confirmed in office. The first 'structural adjustment' programme immediately followed and was accompanied again by strikes and trade union protests against the neo-liberal economic policies (Federici and Caffentzis 2000; Harsch 1998). Comprehensive cuts in public spending and the privatization of state-owned firms resulted in increased unemployment and decreased wage levels (EI 2009) – which, for the trade unions, meant shrinking membership figures and fees. In January 1994, under pressure from the IMF, the West African CFA franc was devalued. This weakened purchasing power further and significantly enlarged the gap between prices and wages, even for privileged workers with regular employment.

From the late 1980s to the early 1990s, the activities and claims of Burkinabè trade unions and social movements were shaped more than ever by processes at the transnational and global scale. In the first half of the 1990s, the politics of international financial institutions led to demonstrations in many countries of the Global South (Walton and Ragin 1990; Walton and Seddon 1994). In Burkina Faso, the trade unions and the student movement joined together as the main players in both waves of protests. Pressure from the protests led to the introduction of multiparty elections and the establishment of the Fourth Republic – a first step towards political liberalization that paved the way for further waves of contentious collective action.

Focus on Human/Civil Rights (late 1990s to mid-2000s)

From the late 1990s onwards, social struggles in Burkina Faso were led by student and human rights organizations and trade unions and were shaped by demands for civil rights. The prominence it was given was catalysed by the murder of journalist Norbert Zongo on 13 December 1998. Zongo, the founder and editor of the independent newspaper *L'Indépendant*, had

conducted research on the death of David Ouédraogo, a driver for Blaise Compaoré's brother, François. Zongo was found shot dead in his burned-out car. The government declared his death an accident. The next day thousands took to the streets and demanded an investigation into the circumstances surrounding Norbert Zongo's death and an end to impunity (Harsch 1999; Frère 2010). Trade unions, human rights organizations, students and political opposition parties joined forces in the Collectif d'organisations démocratiques de masse et de partis politiques (Collective of the Democratic Mass Organizations and Political Parties, or 'Collectif') in order to bundle their protests.[3]

The Collectif was led by the Mouvement burkinabè des droits de l'homme et des peuples (MBDHP), one of the most active human rights organizations in West Africa. Between political parties and civil society organizations, tensions quickly emerged; civil society representatives complained that party politicians would use civil society action for individual power purposes. As a consequence, political parties were excluded from the alliance established in the protests against the high cost of living over the course of the global food and fuel price crisis from 2008 onwards.[4] Notwithstanding, this alliance built heavily on the network established through the Collectif.

Protests Related to the Global Food and Fuel Price Crises (the late 2000s)

Since the early 1990s, Burkinabè trade unions mobilized against the disparity between increasing prices and stagnating incomes (Englebert 1996; Federici and Caffentzis 2000; EI 2009). These protests peaked in response to the global food and fuel price crises that led to price increases in Burkina Faso by 30 per cent for meat, 44 per cent for corn and 50 per cent for cooking oil from January to February 2008 (Mission Conjointe Gouvernement et al. 2008, 5). That these crises struck Burkina Faso and other African states so hard was rooted in the long-term structural causes, in particular a focus on commercial agricultural production for the world market instead of emphasizing local food security. With a history going back to colonial agricultural policies, this tendency deepened from the 1970s onwards in the context of the debt crisis, structural adjustment and world trade liberalization (Amin 1973; McMichael 2009).

In 2007–2008, protests against the high cost of living took place in more than twenty cities worldwide, most of them in Africa (Harsch 2008; Schneider 2008; Janin 2009; Maccatory et al. 2010; Amin 2012). The protests were particularly intense and continuous in Burkina Faso.

They started in late February 2008 with shopkeepers at the local markets of Bobo-Dioulasso and Ouahigouya marching against the implementation of a communal development tax (*taxe de développement communal*). Within a

few days, food riots occurred in several cities throughout the country. Public buildings, shops and petrol stations were damaged. Road blockades were erected and set on fire. Numerous people were injured and hundreds arrested.[5]

The trade unions immediately called for other civil society groups to assemble, and on 12 March 2008 all major trade union federations and single unions, consumer and professional associations, human rights organizations and the student and youth movements set up a new alliance: the Coalition nationale de lutte Contre la Vie Chère, la corruption, la fraude, l'impunité et pour les libertés (Coalition against the High Cost of Living, Corruption, Fraud, Impunity and for Freedoms, or CCVC; CCVC 2008a). The alliance initiated a first central demonstration in Ouagadougou on 15 March 2008 and countrywide general strikes on 8–9 April and again on 13–15 April 2008. Several more mass rallies in Ouagadougou would follow over the next four years. Led by the CGT-B, the CCVC was (and still remains today) the main force in mobilizing against the high cost of living in Burkina Faso. The CGT-B, due to its 'revolutionary' agenda, puts particular emphasis on political struggles that go beyond labour-related issues, and on collaborations with organizations beyond the workers' movement, notably from the student and human rights movements. Nevertheless, both in the Collectif and in the CCVC, all major trade union federations and single unions are represented.

From 2008 onwards, the Burkinabè government adopted various measures such as temporary price-fixing, the suspension of import duties and value added taxes (VATs) on staple goods and the establishment of shops for subsidized foodstuffs (called *boutiques témoin*; Africa Research Bulletin 2008; AN 2008; Zahonogo et al. 2011; Chouli 2012b). In 2011, the government suspended the communal development tax and reduced wage taxes while increasing salaries in the public sector.[6]

Notwithstanding the centrality of the CCVC, it must be noted that the protests started with spontaneous riots in late February 2008; the protagonists of those riots were people hardly represented in trade unions: the marginalized, urban subclasses, mostly youth without regular, gainful employment. Those involved also included artisans and petty traders, and once the riots broke out, numerous students and workers joined them. But the most important group of activists were related to the informal sector. Mobilization for the riots proceeded in informal networks within the urban neighbourhoods by passing information from person to person or via text messages without any formal organizational structures.

In contrast, activists in the trade unions are wage-dependent employees (or university and high school students, in the case of the students unions). Due to structural adjustment policies, many trade union members and activists (primarily public-sector employees) have become impoverished. Although most activists of the CCVC member organizations could be considered part

of the urban middle classes, most of them are only equipped with middle-class expectations and formal education rather than material wealth. The CCVC's demands reflect the dominant role of trade unions within the alliance, which count public service employees as their largest mass base by far. For instance, the first demand in the CCVC's central declaration is 'a rise in the salaries and pensions of state employees and workers in the private sector' (CCVC 2008b). Consequently, one of the central achievements of the CCVC's protest was that the government reduced wage taxes and increased salaries in the public sector.[7]

It is no coincidence that protests relating to the global food and fuel price crisis were so intense and continuous in Burkina Faso. The crisis was opening a window of opportunity for the trade unions and their allies to mobilize (Engels 2015). They were able to take up the price increase issue promptly in February 2008 on the grounds of their previous struggles. The trade unions' protests relating to the price increase from 2008 onwards put further pressure on the president and government, and it took only three years until the next mass protests began.

Struggles for Regime Change and the Removal of Blaise Compaoré (2011–2014)

Since the 1990s, the political regime in Burkina Faso has persistently come under pressure from trade unions and other civil society organizations (Federici et al. 2000; Harsch 2009; Hilgers and Mazzocchetti, 2010; Loada 2010; Chouli 2012b; Hilgers and Loada 2013). The protests reached a peak in 2011, when massive demonstrations took place after a young man, Justin Zongo, died in the town of Koudougou on 20 February after being detained several times by the police. These protests triggered one of the most severe political crises in the country since Blaise Compaoré seized power in 1987 (CNP 2011; Chouli 2012b; Hilgers and Loada 2013). It also revitalized protests against the high cost of living. One of the largest demonstrations against the high cost of living and against impunity was organized on 8 April 2011 (Chouli 2012a). A year later, when petrol prices increased by 50 per cent and caused local transportation fares to rise by 25–35 per cent, thousands of people again marched in Ouagadougou, on 26 May 2012.

In 2013 and 2014, tens of thousands of people took to the streets on numerous occasions, protesting Compoaré's attempt to revise Article 37 of the Burkinabè Constitution, which would enable him to run for a fifth term (Loada and Romaniuk 2014). At the same time, trade unions continued to mobilize: the CCVC organized a mass demonstration on 20 July 2013 against the high cost of living and 'bad governance' and another one on 29 October 2014 against the disastrous conditions in the education system.[8] Trade

unions were part of, but did not play a decisive role in the protests against the constitutional referendum. This is partly due to differences among trade unionists regarding the vision on what should come after Blaise Compaoré: whereas reformist parts of the labour movement put hope on regime change and elections for a new president, others, particularly within the CGT-B, were sceptical and aimed at a more far-reaching change of the political system. Despite these different ideological positions, the trade union alliance UAS announced a twenty-four-hour strike for 11 November 2014, and if the government did not agree to its substantial demands, another forty-eight-hour strike on 25–26 November (UAS 2014). However, both strikes were suspended after Blaise Compaoré was removed from the presidency on 31 October.[9]

The National Assembly's passage of the proposal to revise the Constitution was announced on 21 October 2014. The protests escalated on 28 October with massive opposition-led demonstrations around the country. On 30 October, when the constitutional amendment was scheduled to be voted on in parliament, protests finally turned into a popular insurrection (Chouli 2015; Frère and Englebert 2015). State security forces used tear gas, truncheons and guns against the demonstrators. At least thirty people were killed in the confrontations. Protestors broke through the police lines to occupy the parliamentary building and, shortly afterward, the national television station in Ouagadougou. President Compaoré was forced to dissolve the government and, that same evening, withdrew his proposal to revise the Constitution. At first, however, he did not intend to resign from office; the military forced him to do so the following day. For two weeks a senior military officer, Lieutenant Colonel Yacouba Isaac Zida, assumed the role of the head of state. On the basis of a transitional charter signed by representatives of the military, political parties, traditional authorities and civil society, the former diplomat Michel Kafando was appointed transitional president on 17 November 2014. He immediately appointed Zida as prime minister.

The 'revolutionary' segments of the social movements were left somehow frustrated. They felt that the military had exploited the demonstrations. 'CGT-B activists agree that, on the one hand, the removal of Blaise Compaoré from [the] presidency, presents a "partial victory of the Burkinabè people"'.[10] On the other hand, many state that 'nothing has actually changed', regarding the most urgent problems such as unemployment, healthcare and high food and fuel prices.[11]

It is, however, important to note that neither the labour movement nor the popular classes in general form a homogenous bloc. Without doubt, activists from the CGT-B and their allies (notably the MBDHP and UGEB) were very engaged in the 2013–2014 protests that led to the end of Blaise Compaoré's presidency. However, the base of these protests was significantly

broader compared to previous waves of protest (those led by the Collectif and the CCVC, for instance). This is also due to the fact that the claims of the 2013–2014 protests, all in all, were focused on stopping the constitutional referendum and hindering Compaoré from running for a fifth term. Other than the struggles against neo-liberal structural adjustment and against the high cost of living, where the trade unions were at the forefront, the recent protests against the constitutional referendum were driven by more moderate actors, notably political (opposition) parties and a civil society group that came into existence in July 2013, the *Balai Citoyen* (literally 'citizens' broom'; Chouli 2015; Frère and Englebert 2015, 301–3). The founders and frontmen of *Balai Citoyen* are the reggae musician Sams'K le Jah and the rapper Serge Bambara aka 'Smockey'.[12] They used their popularity as musicians to mobilize large numbers of people for the protests against Compaoré. Rhetorically, at least, they place themselves in the tradition of Thomas Sankara: the broom is a symbol for the wish to 'sweep out' Compaoré and his ruling élite, Sams'K le Jah declared to the press.[13]

CONCLUSION

This chapter has depicted twenty-five years of recent social struggles in Burkina Faso. From the late 1980s until recently, four phases have been identified: struggles for democratization and against 'structural adjustment' in the late 1980s and early 1990s; demands for human and civil rights from the late 1990s to the mid-2000s; protests against the high cost of living related to the global food and fuel price crisis in the late 2000s and struggles for regime change and the removal of Blaise Compoaré from presidency from 2011 to 2014.

From the late 1980s onwards, the mobilization of workers, students and other activists paved the way for the civil rights struggles of the late 1990s and protests related to the 2008 food price increase, which then reinforced pressure on the president and government. When civil society protests occurred again following the death of Justin Zongo in 2011, they facilitated a revitalization of the CCVC's activities.

The global food and fuel price crisis of 2007–2008 triggered protests because it opened a window of opportunity for the trade unions and other civil society organizations. Organized labour has relatively limited material resources at its disposal – not only in global comparison but also against the backdrop that structural adjustment policies left many trade union members and activists impoverished. Nevertheless, the trade unions compensated for this deficit by mobilizing their organizational power and their well-established networks, both among trade union federations,

despite their different ideological orientations, and between trade unions and other civil society organizations. Their immediate collaboration was possible only thanks to their past experience and networks from long-standing previous struggles.

The historical developments traced in this chapter demonstrate that the case of Burkina Faso is, in some aspects, typical of social struggles of workers and other members of the popular classes in postcolonial sub-Saharan Africa and specific in others. The macro-economic context of Burkina Faso is shaped by a low degree of industrialization and large segments of the population whose livelihoods rely on subsistence farming and herding. A specific feature of trade unionism in the Burkinabè case is that trade unions are organized along ideological lines, that their potential for mobilization is remarkably high and that they have always kept a distance from or been in opposition to the single party and government. Many examples can be found in Africa where relationships between authorities and organized labour are different (trade unions being close to single parties, participating in government coalitions, and the like). Nevertheless, struggles for democratization and against structural adjustment and neo-liberalization are typical experiences shaping trade union activism in Africa in the past decades, 'extending their concerns and mandate beyond workplace issues and labour-related matters' (Beckmann and Sachikonye 2010, 5–6). The massive cuts in public spending imposed by the international financial institutions were a bitter experience to almost all African trade unions; at the time, the public sector represented up to three-quarters of the formal economy in many countries and thus formed the base of trade union membership and fees (Kester 2007, 9–11). Today, the vast majority – 80 per cent and more – of African workers are not equipped with formal employment contracts. Similar to their European counterparts, when they restrict their activities more or less to defending their members' interests in employment and income, the trade unions lose legitimacy as contentious political actors engaged in supporting the popular classes. 'Trade unions are now the representatives of their *members* in the first place, and much less the representatives of the *working masses*' (ibid., 16). In consequence, extending their base to the unorganized informal sectors in rural and urban areas, as well as to subsistence farmers and herders, currently presents the most important task for African trade unions.

Strikes are generally regarded as a typical means of workers' struggles, as a worldwide, well-established repertoire of contention in capital-labour conflicts. However, in many contexts – historically and contemporary, in the Global North and South – organized labour is not necessarily the main force at the forefront of social struggles and popular resistance. This holds particularly true for settings that are characterized by a relatively low degree of industrialization and where the majority of the workforce is not employed

in the formal sectors but are petty traders, day labourers, self-employed in the informal sectors or work in subsistence farming or pastoralism. These groups are significantly less organized in formal collectives such as trade unions, associations, NGOs and the like. Such settings are typical for many poor and 'least developed' countries in the Global South, actually in particular in sub-Saharan Africa. However, strikes are daily fare all over the African continent, and regularly go hand in hand with other forms of popular unrest such as mass marches, student protests or riots (Manji 2012; de Waal and Ibreck 2013). This gets plausible when labourers and (other) poor people are not understood as distinct classes opposed to one another but rather subsumed under the category of the 'popular classes'.

NOTES

1. Interview partners were guaranteed anonymity; all reference to and quotations from interviews were thus made anonymous.

2. Interview with a trade union leader. Interview by author. Personal interview. Ouagadougou, 2 September 2012.

3. The Collectif still exists today, and in December 2014, to mark the anniversary of Zongo's death, it mobilized thousands of people for a central demonstration in Ouagadougou as it has done regularly since his murder.

4. Interviews, Ouagadougou, 16 November 2011, and Koudougou, 8 December 2011. Interviews by author. Personal interview.

5. *Ouestaf News*, 28 February 2008.

6. *L'Observateur Paalga*, 28 April 2012.

7. *L'Observateur Paalga*, 28 April 2012; also, interviews with representatives of CCVC member organizations, Banfora, 24 November 2011, Ouagadougou, 3 December 2011 and 2 September 2012.

8. *Jeune Afrique*, 20 July 2013; *Sidwaya*, 29 October 2014.

9. *Le Pays*, 9 November 2014.

10. *Le Travail N*o. 62, December 2014.

11. Personal communication, 8 March 2015.

12. *Radio France Internationale,* 20 July 2014.

13. *BBC News*, 30 April 2014.

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Chapter 10

Mass Strikes in Nigeria, 2000–2015

Struggling against Neo-Liberal Hegemony

Femi Aborisade and Drew Povey

The Nigerian economy is the largest in sub-Saharan Africa. It grew at around 6 per cent a year in the decade up to 2015, when its gross domestic product (GDP) was about $600 billion, compared to only $350 billion for South Africa. However, as Nigeria's population is over three times that of South Africa – with around 180 million inhabitants or one in five black Africans – its per capita GDP is less than half that of South Africa, at around $5,000 a year (World Bank 2015).

The Nigerian economy is dominated by the oil industry. Oil has been the main source of government revenue since the 1970s. Until recently, oil accounted for close to 90 per cent of its exports and roughly 75 per cent of the country's consolidated budgetary revenues (Buhari 2015a). Nigeria is the largest oil exporter in Africa and also has the largest natural gas reserves in the continent. Oil's significance has declined with the fall in the global price of crude oil since June 2014. The most recent figures suggest that less than half of the federal government's revenues are now coming from the oil sector (Buhari 2015a).

Inequality in Nigeria may be less than that of South Africa, but the contrasts are still huge. The richest person in Africa, Aliko Dangote, is Nigerian, but the World Bank estimates that over 60 per cent of the population live on $1.25 or less a day (World Bank 2015). Poverty is higher in the rural areas and in the northern part of the country (which fuels the basic support for Boko Haram, the militant Islamic group that has been fighting the government since 2009). While the metropolis of Lagos is a magnet for people from the whole of West Africa, youth unemployment is still estimated as being as high as 50 per cent. The monthly minimum wage in the public sector is only US$180 (in purchasing power parity terms) and many workers in the private sector are paid less than this. Inequality is made worse by the huge levels of

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corruption. These are two sides of the same coin; inequality breeds corruption as the rich are able to buy so many of the poor. In turn, corruption enables the rich to grow richer and the poor are denied basic social services. As a result, the rich elite have grabbed most of the oil revenues for themselves. Social spending and the statistics for health and education outcomes are worse than the averages for sub-Saharan Africa. Nigeria is a rich country, but its people are mainly very poor.

The International Labour Organization estimates that just over 20 per cent of the population of sub-Saharan Africa is in waged or salaried employment, which would be about 35 million Nigerians. As affiliates of the Nigeria Labour Congress (NLC) organize around 4.5 million workers and the Trade Union Congress (TUC) (for more senior staff) has some 2 million members (Aye 2013), it might be suggested that nearly 20 per cent of the Nigerian workforce holds a membership card in one of those trade unions. However, estimates by the National Bureau of Statistics suggest that the number of people in formal employment may be as low as 4 million (National Bureau of Statistics 2014). This indicates a very high level of unionization and could be explained by unions over-reporting their membership.

In mid-2015, Muhammadu Buhari, a former military dictator, took office – the first time an opposition party had taken power through democratic elections since independence in 1960. Buhari was elected for his promise to tackle corruption and use the money to significantly increase social spending. He promised a significant increase in health budgets and to devote 20 per cent of his budget for education. He specifically promised to provide one meal a day for all primary school pupils. He also promised to provide a social wage of at least $25 a month to the 25 million poorest Nigerians (Buhari 2015b).

All these promises have raised great expectations in the new government, and the trade unions generally support its policies, albeit under the condition that a long-scheduled increase in the minimum wage will finally take place. Time will tell whether such and other expectations are met or whether they only feed the anger and frustrations of the mass of poor Nigerians.

THE 1990S: TRADE UNIONS, STRIKES AND DICTATORSHIP

Since the 1990s, Nigeria has been one of the African countries with the most militant trade union activism. Trade unions stood up for workers and other ordinary Nigerians, especially during the tenures of various repressive military regimes. Much as government tried to suppress them by arresting their leaders and replacing them with government appointees and by issuing threats of proscription, labour stood its ground and this eventually helped contribute

to the transition to democracy (Adefolaju 2012). In the 1990s, Nigeria saw an 'explosive growth in [work] stoppages' (Perry and Wilson 2004). In addition to the fight for democracy, the fight against poverty was on the top of the agenda. In the early 1990s, huge pay increases were reached but, on the baseline of real wages, that had been much lower than in the 1980s. In the first years of the 1990s, 'Nigerian workers typically took home 20 per cent of their 1983 wages in real terms' (Zeilig 2002).

In June 1993, the military government of General Ibrahim Babangida annulled the first elections for a decade (Isaac 1995). These were expected to have transferred power to an elected, civilian government. M. K. O. Abiola of the Social Democratic Party was assumed to have won the elections and later died in prison. By August 1993, Babangida had been swept away by protests and strikes led by the working class, but they did not go far enough (Zeilig 2002). He was replaced by an interim government. The NLC reacted by issuing a seventy-two-hour ultimatum (*The Guardian* 1993). They thereafter commenced a general strike in November 1993 that could perhaps be best described as a two-edged sword; for while it led to the collapse of that government, it ushered in the most dictatorial and corrupt military regimes in the history of Nigeria. Two days into the general strike, General Sani Abacha, promising an eventual return to democracy, seized power from the previous military administration. The general strike was called off after the proposed increases in the price of fuel were reduced from 700 to 400 per cent (Zeilig 2002). The subsequent Abacha regime was the seventh military administration since the country's independence from Britain in 1960 (Nwoko 2009).

In early July of the following year, the Nigerian Union of Petroleum and Natural Gas Workers (NUPENG) and Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) 'began one of the most bitter and economically painful strikes in Nigerian history' (Zeilig 2002, 87) to protest the annulled presidential elections. One month later, in August 1994, the NLC called a general strike in solidarity with the oil workers. Two weeks later, the crackdown finally began: the Abacha government responded to the workers' strike by sacking the executive council of NUPENG, PENGASSAN and NLC and appointed military administrators to run the unions.[1] The military seized the unions' offices, bank accounts and dues-collection facilities. In early September 1994, the oil workers eventually called off their strike.

Primarily as a result of these strikes, 1994 saw by far the highest number of strike days for any year since 1970 see Table 10.1. However, since the end of military rule in 1999, there has been the highest sustained strike wave in the past forty-five years with an average of well over 5 million strike days and the lowest annual figure of 2.7 million (Central Bank of Nigeria 2007; Federal Ministry of Labour & Productivity 2008–2013; Ingwe et al. 2013).

Table 10.1.   Average Number of Strike Days (Annual)

Period	Strike days (in thousands)
1970–1974	106
1975–1979	700
1980–1984	3,000
1985–1989	300
1990–1994	48,000
1995–1999	1,200
2000–2004	4,700
2005–2007	6,000
2008–2010	4,854
2011–2013	6,707

MASS STRIKES SINCE 1999

Like many countries in Africa, especially South Africa, there has been a mass strike wave in Nigeria for the past decade or so (Aye 2012). There are perhaps 7 million trade union members in Nigeria out of a total population of around 180 million,[2] but when they take action, the majority of poor Nigerians actively support them (see interview with Sam Ajufoh). Unions played an active role in the campaign for the return of democracy, which was eventually achieved in 1999. Despite the trade union role in the fight against military governments and the fact that section 40 of the 1999 Constitution of Nigeria guarantees associational rights, recent civilian governments have not been sympathetic to the trade union movement. The Trade Union Amendment Act (2005)[3] provides workers with the 'freedom' to join (or not to join) any trade union, but denies them the right to strike over socio-economic and political policies. In addition, strikes can be banned in 'essential services' and the law requires a secret ballot to be held by trade union representatives before a strike may take place legally (Abu 2007). As such, this law attempts to emasculate the trade unions in the same way that Thatcher managed in Britain in the 1980s. However, the militancy and the vibrancy of the trade union movement in Nigeria have meant that these reforms have not been successful in Nigeria. The trade unions have led an active struggle against governments, with eight general strikes since 2000:

- June 2000: A five-day general strike reduces 50 per cent fuel price increase to 10 per cent.
- January 2002: Labour leaders end a two-day general strike after they were arrested.

- July 2003: An eight-day general strike, the longest since 1964 against an increase in fuel prices, called off just before the US president visits the country.
- June 2004: A three-day general strike against rising oil prices.
- October 2004: A four-day 'warning strike' over fuel price increases.
- June 2007: A four-day strike wins most of its demands. It stops a 15 per cent fuel price increase and a doubling of the value added tax rate to 10 per cent. It stops, as well, the privatization of two oil refineries and wins a 15 per cent pay increase for civil servants.[4]
- November 2010: A one-day strike to increase the minimum wage from N7,500 to the current N18,000 a month.
- January 2012: An eight-day general strike over a threat to increase the fuel price by nearly 120 per cent, resulting in fuel price increase of less than 50 per cent.

As can be seen, apart from the demand for an increased minimum wage, these general strikes were mainly directed against attempts by the government to reduce or eliminate the fuel price subsidy, one of the few benefits that the common people enjoy from Nigeria's oil reserves. However, the oil price was still increased each year in the decade from 1992, by between 10 and 91 per cent. In 2012, the price of fuel was more than four times higher than it had been at the beginning of the century.[5]

The Insurrection of January 2012

The January 2012 insurrection was the high point of recent working-class struggles. Over the course of eight days, the general strike developed into the largest social movement in Nigeria's history (Aye 2012). Millions (employed and self-employed) stopped work and mass protests were held in every major urban centre, from Lagos in the south to Kano in the north. Banners reading 'Occupy Nigeria' identified the struggle as part of an international movement in opposition to economic deprivation and social inequality. The following interview (Box 10.1) with one of the leaders of the January 2012 protests in Benin City provides some background to the protests in one of the six major industrial centres of the country.

In reality, the January 2012 nationwide strike was commenced by social movements, without any linkages with the organized labour. Organized labour merely tailed the independent social movements. Indeed, a warning protest by a small group of activists led by the wife of the late Chief Gani Fawehinmi, Mrs Ganiat Fawehinmi, using the strong social base of support of her late husband, had taken place late December 2011. Other groups, including student youths, 'Occupy Nigeria' and so on also organized protests in different parts of the country before organized labour, the NLC and the TUC, formally called a nationwide strike.

BOX 10.1 STRIKE AND INSURRECTION IN BENIN CITY, JANUARY 2012

Interview with Sam Ajufoh (SA)[6] by Drew Povey (DP), 15 September 2014, Benin City.

DP: *Who were the people who actively supported the demonstrations?*
SA: There were thousands of people every day. People who came out on the protests were trade union members, the youth, market women.[7] There were also civil society actors and activists, members of the Traders' Association of New Benin and Okada, and the motorbike taxi riders, who came out in their hundreds.
DP: *But most people stayed at home?*
SA: Not really, there were times when some joined briefly. So, for instance when we were marching along a particular road, people on that road would tend to come out and join, then the numbers would be countless, covering the whole road. But by the time we moved out of their neighbourhood, they tended to go back. There were days when the crowd was indeed massive. One day, the entire Ring Road was filled up, perhaps close to ten thousand people. But that was just one of those very rare moments. Don't forget that there is a very huge informal sector. There are people who must try to sell something every day in order to feed themselves and their families. So those people, protest or no protest, if they do not find a way to sell something they will almost starve to death. So these people always came out, either very early in the morning or late in the evening after the protests to try to sell something.
DP: *What about the Left? Were they able to intervene successfully?*
SA: The Left was part of the Coalition to Save Nigeria. Our work was to see that things went peacefully. We were also to ensure that labour and the NLC/TUC played its leadership role as the vanguard of the movement. Left groups also tried to share leaflets here [in Benin City], but there was no conscious or deliberate effort to use the opportunity to identify and raise new cadres. That did not happen until towards the end of the protests when we tried to make efforts to do that. It was only when we were entering the second week, that we started thinking of the need to have some permanent gains. For the Left in Nigeria, in Edo State, our primary focus was labour. So we tried to have interactions with labour and to hold lectures. But for the first three or four days, there were no such efforts to the best of my knowledge.
DP: *So what happened, what went wrong with the protests?*

SA: What happened that led to the end of the strike was that, unfortu-
       nately, labour leaders, the NLC/TUC, called off the strike abruptly,
       without due recourse to the coalition and without seeking the views
       of other members of the coalition at the national level. They just
       called off the strike.

DP: *And that was accepted?*

SA: When that announcement was made by the NLC, the majority of
       Nigerians felt betrayed. There were a few overzealous young people
       who wanted to continue the protests, but they could not, because that
       betrayal simply took the steam out of the engine. People did not feel
       that they could do any more.

DP: *So what do you think are the lessons from these protests for the next
       time that they are organized?*

SA: Initially the President said he was not going to go back, it was final.
       He threatened that nothing would make him reverse the price. Then
       eventually he reversed it to 97 naira a litre. If the protests had held on
       for another day or two, he would have reversed it much further. That
       is one of the major lessons learnt – the people still have power. It is
       just that coordinating and organizing them is not easy. That is why it
       is important for there to be regular interactions between civil society
       and labour.

   Another lesson is that we should not allow the labour leadership to
decide again on behalf of the people involved in the protests. We have
to find a way to ensure that it is the true representatives of the protes-
tors who decide on their behalf. Without the support of the masses,
the NLC and TUC will not have the formidable resistance that makes
government listen to them. So we hope that, in the future, alternative
structures and processes will be there and will be credible and formi-
dable enough to negotiate directly on behalf of the people. Once that is
created, greater victories will be won.

   The strike was then abruptly called off by the joint leadership of the NLC
and the TUC. This happened after the trade union leaders met with the Presi-
dent Jonathan-led federal government. The government threatened to use the
military to attack protesters. According to those who attended this meeting,
President Jonathan stated that the options available to him were either to fold
his arms and allow the military to overthrow his regime under the pretext of
the popular protests or to call out soldiers to stop the protests by all means
and at all costs.

What the 2012 strikes showed was the relevance of organized labour in determining the course of history and/or moderating the excesses of the ruling class. The pockets of protests by independent social movements, pro-democracy organizations and human rights activists were too weak to disturb the regime. Similarly, after the joint leaderships of the NLC and the TUC called off the strike, independent social movements such as 'Occupy Nigeria' and labour and civil society coalitions could not, on their own, maintain the strike. It showed very clearly that while organized labour is strong enough to threaten the collapse of political regimes, it lacks the political structure and programme to provide an alternative political power, leading to the creation of a political vacuum, which may be open to other forces, including undemocratic forces like the military to occupy.

PUBLIC-SECTOR STRIKES

One major problem workers in the public sector face is that governments regularly do not honour the agreements they make with trade unions to end strikes. As a result, workers have to go on strike again and again for the same set of demands to be implemented. This is particularly the case in the health and education sectors.

For example, lecturers in public universities held a five-month strike in mid-2013 as the government had only implemented two of the nine issues agreed with the union since 2009. According to the National President of the Academic Staff Union of Universities (ASUU), Nasir Issa-Fagee, an earlier strike had been suspended in early February 2012, 'on the understanding that the Memorandum . . . that we signed with the government would be fully implemented within the shortest possible time' (*Channels Television* 2013. ASUU raised the alarm over the federal government's failure to release the promised funds meant for the revitalization of the nation's universities.

The 2013 strike was called off in mid-December after ASUU received proof that the government had deposited a significant amount of the promised $800 million into a fund at the Central Bank. But the Chair of the University of Ibadan chapter of the union, Professor Segun Ajiboye, said in March 2015 that only the first tranche of N200 billion was released in 2013 before the last national strike was suspended. After that, 'no money was released in 2014 while a quarter of 2015 has passed with nothing from the government'. He added that the lack of integrity on the part of the government and its officials led to the nineteen strikes which the union had embarked upon between 1992 and 2013 (*Punch* 2015).

Altogether, strikes in public services have become an important feature of the Nigerian landscape of social conflicts during the past two decades. There

was, for example, a major national teachers' strike in July 2008 that secured promises of a nearly 30 per cent pay increase for all teachers in public schools (*Socialist Workers Bulletin* 2008). Three years later, the teachers were again on strike for six weeks over the failure of the government to implement the new salary scale. The demands for the implementation of this agreement, and the national minimum wage of N18,000, have rumbled on across the different states since May 2010 and formed part of the background to the five-day general strike in Benue State in August 2014. Additionally, there were strikes in universities, polytechnics and colleges of education during most of 2013. In 2014, many universities attempted to significantly increase their fees, but the students fought back, with a resounding victory at Lagos State University where the state government abandoned the astronomical increase in school fees that had been imposed in the preceding three or four years (*Socialist Worker* 2014).

In recent years, there have also been several strikes in the health sector, both locally and nationally, with a two-month strike by public-sector doctors in mid-2014 (see interview in Box 10.2) and a three-month strike by health workers ending in early 2015 (*Socialist Worker* 2014, 2015). Unfortunately, disunity between the doctors and other health workers means that these strikes were not necessarily successful and public health funding remains abysmally low in Nigeria by international standards.

BOX 10.2 STRIKES OF HEALTH WORKERS, SUMMER 2014

Interview with Dr Osahon Enabulele (OE), former president of the Nigerian Medical Association, undertaken by Drew Povey (DP), 18 August 2014, Benin City.

DP: *All the doctors in the public sector of Nigeria have been on all-out indefinite strike since 1 July 2014, a total of eight weeks. Could you please give some background to the strike?*

OE: Way back in January there were some agreements that should have taken effect. Six months down the line the doctors were saying, 'Hey, you have not implemented these agreements, so why do we have to trust you?' So the doctors are asking the government to make more commitment. Once that is done, they will not think twice about going back to work.

DP: *What are the main reasons for the strike and the doctors' key demands?*

OE: Our key demands centre on two areas – justice in terms of our salaries, and clinical governance. For some time, the doctors had a

problem with their pay and compensation mechanism. For every pro-motion the doctor gained, their overall income actually dropped. That was strange to them. For years, the doctors were fighting to correct this anomaly. I, as President of the Nigerian Medical Association, moved to try and get the government to correct this injustice. We told them that if they were able to do that, as promised, we were ready to forgo the arrears amounting to many billions of naira. Up to now, the government has not implemented this agreement. There are also core clinical governance issues which border on the relationship between the doctors, the other health workers and the patients. That has to do with the issue of whether or not the clinical directors in hospitals should be medical doctors or not.

DP: *It seems to me that around two weeks ago the government was close to agreeing to the doctors' demands. And then suddenly they issued a notice to sack 16,000 resident doctors, more than half the doctors working in Nigeria.*

OE: This shows that our leaders do not learn from history. These strong-arm tactics have been used before. In 1985, the military regime tried by sacking doctors and removing them from their accommodation and proscribing the Nigerian Medical Association and the National Association of Resident Doctors. But it never worked; if anything it had a negative effect on the healthcare system. Today we have not recovered from the loss of skilled medical staff to other countries. Even today, the government chose to rush to extreme positions and strong-arm tactics. But I do not see any way that the doctors will buckle. In 2012, the Governor of Lagos State sacked 774 medical doctors from the health service. Of course, we got him to reverse his position. The current [2014] federal President, Goodluck Jonathan, was one of those who had shown solidarity with us. He said that it was wrong for a government to have done that, recognizing the dearth of medical staff in the country and in Lagos State in particular. So I was surprised that the same person, within two years, was now adopting the same agenda.

DP: *The doctors have been on strike for eight weeks now. In this situa-tion, is it not possible to get support from other health workers or the wider trade union movement?*

OE: With respect to solidarity within the healthcare sector, that is one sad sore point. In 2013, there was the first ever national summit of all healthcare workers. We began to re-build the confidence amongst health sector workers. But after the summit some of them went back to their trenches and it has been very difficult to bridge the gap and re-stabilize the relationships.

DP: *There are 70,000 doctors registered in Nigeria and less than 30,000*
      are actually working in the country. If the doctors do not win your
      strike then more doctors will leave Nigeria.

OE: Absolutely and in fact, they are already leaving.

DP: *The World Health Organization says that public health services*
      require at least €35 per person, but in Nigeria the annual health
      budget is less than €8.50 per person. In Lagos, there was one original
      case of Ebola that was contracted by ten other people. Doesn't this
      suggest that this patient was not well managed?

OE: For me this is a very sad tale in terms of public health system man-
      agement. Here was a condition that announced itself in other West
      African countries. For me as a medical practitioner, I have been talk-
      ing about Ebola since last year, trying to raise public awareness. But
      we had no similar efforts by the government. It only started to take
      action when the first case entered the country. And it was a coinci-
      dence that the first case was discovered. It shows how disorganized
      and dislocated our public services are.

Unfortunately, soon after this interview was held, the doctors called off
their strike without clearly winning their demands. From December 2014,
the joint health worker trade unions held a two-month strike that ended with
the government agreeing to implement the May 2012 collective agreement.
There had previously been two strikes in 2013 over the same issue.

While health and education are the two most important sectors of strike
activity, other public-sector workers have recently started to take part in the
strike movement as well. For example, workers from the judicial system in
each of the thirty-six states were on strike in July 2014 and again from the
beginning of January 2015. Like in the case of the medical staff, this struggle
has political implications. The overarching demand for the strike was to make
the judiciary independent by implementing the 1999 Constitution, requiring
the judiciary to receive its funding directly from the Federation Account
(where all the oil money should be collected) (Wynne 2015).

Although the Constitution of Nigeria provides for an independent judi-
ciary, the judicial branch is susceptible to executive pressure, particularly at
the state and local levels. There have been numerous calls for a more inde-
pendent judiciary over the years, both from the judiciary and from outside. In
2009, some prominent Supreme Court judges called for a more independent
judiciary (Abdullahi 2014). In January 2014, the federal High Court ordered
the Accountant General of the Federation to deduct monies intended for the
judiciary from the federation account and to pay such sums to the National
Judicial Council for onward transmission to the Chief Judge in each state.

Since then, judiciary workers at the federal and state levels have been struggling for this judgement to be implemented.

The judiciary workers and their union, JUSUN, finally lost patience and recommenced their strike from the beginning of 2015. The federal government has since then agreed with JUSUN, as have around a third of the thirty-six states. However, the strike continued in the other states that declined to adopt the constitutional good governance demanded. In Edo State, for example, workers held a protest in mid-March 2015 and marched through the centre of Benin City to demonstrate their determination to continue their strike. However, the state governors held out and the workers eventually went back to work in all the states, although the dispute has reignited in some states.

STRIKES AGAINST NON-PAYMENT OF WAGES AND SALARIES

A major source of workers' resistance activities at the present time, particularly since 2014, is the general non-payment of wages and salaries across the states of the federation. The major excuse given by governments is the collapse in the price of crude oil. The sharp drop in its price has meant economic uncertainty, and governments tend to shift the burden of the economic crisis on the working class.

In May 2015, just before the new government took power, the NLC announced strikes in eighteen of the thirty-six states over non-payment of salaries (*Daily Independent* 2015). Most of these disputes were settled within a couple of months as the federal government provided additional funds and arranged to back loans to the states concerned to enable them to pay the arrears of their workers' salaries. But issues of arrears of unpaid pensions and salaries remain in several states despite the bailout provided by the federal government. For example, lecturers in the Oyo state-owned Polytechnic, Ibadan, resumed strike action in late July 2015 over this (Ponmile 2015).

Another feature of recent industrial disputes is the question of payment during labour disputes. Like many other workers across sub-Saharan Africa, Nigerian workers are still paid when they go on strike. The workers are not usually paid when they are actually *on* strike (e.g. as was the case with the recent judiciary workers' strike). However, the return to work agreement usually includes a clause against any victimization, which is generally interpreted to mean that the workers will be paid for the duration of the strike. However, there are general moves to overturn this position. So, the position of the current judiciary workers' strike in Edo State is being watched with great interest as they have yet to be paid for their strike in July 2014 (Wynne

2015). This is particularly significant as the former leader of the NLC, Oshiomhole, is the current governor of the state.

In March 2015, doctors in public hospitals in Lagos went on strike as a result of not receiving their salaries for the period of the strike that they held previous year. Their Chair, Dr Biyi Kufo, said that 'so many other groups have gone on strike. The Academic Staff Union of Universities has gone on strike for seven months and they were paid; polytechnics went on strike for four months; the magistrates went for more than one month; the judicial workers went at least for two months. And they were all paid' (Oyebade 2015). The strike was suspended after ten days following the support of the local parliament.[8] Doctors at the main teaching hospital in Lagos were on strike again in early July 2015.

RESISTANCE TO CASUAL EMPLOYMENT

Mass unemployment is still endemic in Nigeria. Since 2012, the Federal Public Works and Women/Youth Employment Initiatives have provided jobs for around 120,000 young people. But these are temporary jobs and not paid as well as official civil service posts. For example, graduates receive N30,000 a month, rather than the more than N40,000 they should receive as civil servants. Similarly, in Edo State, as in many other states, there was a Youth Employment Scheme. Up to 6,000 people had been employed on temporary contracts for six years, but the scheme was suddenly scrapped in early 2015 (Chizindu 2014). In addition, as casual workers, these workers are not allowed to join the main civil service trade unions. As a result, workers have organized a series of meetings and protests (Chizindu 2014). This has won some significant gains for some groups of workers. For example, a regularization of workers in the Board of Internal Revenue has taken place.[9]

DISUNITY IN THE TRADE UNION MOVEMENT

These casual employment schemes also increase the problem of disunity between unions, at least in the public sector, where there are already two unions, one for 'senior' officials and another for other workers. It is a trend reflected by the main two union centres, the NLC and the TUC, for senior staff. Furthermore, disunity is clear at the national leadership level of the NLC; it appeared they were heading for a formal split during 2015. Ayuba Wabba, the national president of the Medical and Health Workers Union of Nigeria, was elected national president of NLC in elections that were held in mid-March 2015 after the earlier Congress dissolved in uproar (Oyesola

2015). However, his opponent, Joe Ajearo, was elected president of factional NLC in further elections in Lagos the following week. The factional NLC led by Joe Ajaero has now metamorphosed into an independent labour centre called United Labour Congress (ULC). The ULC is seeking registration with the government. In Nigeria, unions and labour centres are required by law (the Trade Unions Act) to be registered before they can operate as trade unions. The division in the central labour organization can only be in the interest of government.

More recently, there have been moves by both the executive and the federal legislature to decentralize the national minimum wage. This would allow state governments to pay whatever rate they could enforce. This was in reaction to several of the state governors who have claimed they cannot afford to pay the existing minimum wage.

CONCLUSION

Despite the weaknesses of the trade union leadership, organized labour in Nigeria has not suffered any major defeats. Rather, it has maintained a significant rearguard action against the reductions in the fuel subsidy and defeated a general move to the principle of 'no-work, no-pay'. As a result, in most cases, Nigerian workers are still paid for the period of strike actions. The strike wave of the past fifteen years continues and the trade unions remain a major force to be reckoned with.

In March 2015, Muhammadu Buhari was elected on a social democratic programme of anti-corruption and using the funds saved for greater spending on education, health and a social wage for the 25 million poorest Nigerians. However, he does not appear to be delivering on his promises. His first budget indicated a reduction in spending on education and an 8 per cent reduction in the government's personnel budget (when civil servants have not had a pay increase for five years) (Povey 2015). In addition, the fuel subsidy regime has been abolished.

This has led to increases in the prices of petrol and particularly kerosene, used in cooking by many poor households, increased by two-thirds. The federal government has not responded to the argument from several state governors that far from increasing the minimum wage (due from 2015), they cannot even afford the current rate. In addition, there have been a series of sackings in several states, especially in Imo State where at least 3,000 job losses were announced in January 2016 (Ahiuma-Young 2016), although this threat was later overturned by prompt mass action led by the leaders of the NLC.

President Buhari has also ordered action 'to halt frequent strikes in vital sectors of the Nigerian economy' and to end 'the recurring strikes in the health, education, transport, oil and gas, power and other critical sectors of

the national economy' (*Our Reporter* 2015). Beyond the violence of the army in the fight against Boko Haram in the north-east of Nigeria, soldiers also killed several hundred members of a Shiite group in Zaria in December 2015 (Human Rights Watch 2015) and security forces killed at least a dozen supporters of the breakaway Biafra movement in two events in Onitsha in the south of the country (Nkwopara et al. 2015).

With a population of around 180 million, socialism does not appear as a realistic immediate alternative for most of the people of Nigeria. As a result, especially in the southern half of the country, churches, both traditional and revivalist, have a huge following, providing hope for many in the next life, if not for this. Similarly, in the north, Islam remains very strong and Boko Haram insurgents claim their goal is to Islamize Nigeria. Boko Haram showed that it could defeat the national army and, indeed, it controlled several medium-sized towns and local government areas for several months in late 2014 and early 2015. Especially across the middle belt of Nigeria, the widespread poverty means that significant numbers of people are turning to ethnicity and other disputes. Christians may be pitted against Muslims; pastoralists against cultivators or the so-called indigenes against newcomers. All this shows the alternative forms of the barbarism of capitalism and the fate of the mass of miserably poor people when socialists are not able to provide a credible alternative leadership. However, in the few cases where socialists have been able to organize properly, with regular meetings and the production of regular publications, they have shown that it is possible to attract a significant following.

The global dominance of neo-liberal ideas, including the arguments around the need for austerity, continues to echo around Nigeria. The electoral success of socialist parties, including Syriza in Greece and Podemos in Spain, the election of Jeremy Corbyn as the leader of the Labour Party in Britain and the relative success of Bernie Sanders in the US Democratic primaries may change the global hostility to socialist ideas. With patience and dedication, an organized socialist left can be rebuilt in Nigeria. This, together with the success of the Economic Freedom Fighters and the possible formation of a socialist party by the largest trade union in South Africa, NUMSA, could see the significant growth of organized anti-capitalist and socialist organizations across the continent.

NOTES

1. This is not unusual in recent Nigerian history; General Babangida did the same in 1988, then resigned five years later under the heat of a NLC-led general strike.

2. Websites of the NLC and the TUC – http://www.nlcng.org/membership.php; http://www.tucng.org/about-us.

3. Trade Unions Act, CAP T14, *Laws of the Federation of Nigeria*, 2010.

4. For more details, see http://www.pambazuka.net/en/category/comment/42507.

5. Adapted from http://www.nairaland.com/845722/history-fuel-price-increases-nigeria.

6. Sam Ajufoh is a local socialist and was one of the leaders of the protests in Benin City in January 2012.

7. Market women are the large number of women who work on small market stalls selling mainly fresh food products.

8. In May 2012, the Lagos state government sacked 788 doctors for taking part in a three-day warning strike in the previous month. They were reinstated the following month (Chizindu 2014).

9. There have also been moves against casualization in the private sector. The NLC and other trade unions have organized picketing of some organizations involved in such activities.

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Chapter 11

Strikes, Bread Riots and Blockades

Mozambican Workers and Communities in Resistance

Judith Marshall

Mozambique is not a country noted for militant trade unionism and strong protest movements. New forms of popular resistance have emerged, however, in the twenty-first century. Historically, Portugal offered little democratic space to its citizens in Europe, and even less in its African colonies. Portugal established colonial control at the end of the nineteenth century, with a 'civilizing mission' to bring black Mozambicans from 'idleness' to forced labour for the colonial state and contract labour to South Africa. In the colonies, only Portuguese workers and 'assimilated' blacks were permitted to form labour organizations. Railway, dock and metal workers unions were established. Black workers were relegated to cultural associations with grievances channelled through music, dance and theatre. Worker resistance was muted. Strikes did occur, among port and railway workers or rural cane cutters. They were focussed on immediate workplace issues rather than protesting colonial control (Penvenne 1995).

As other European powers negotiated independence for their African colonies, Portugal remained intransigent. By the mid-1960s, armed national liberation movements were fighting in Mozambique, Angola and Guinea-Bissau/Cape Verde, closely allied with the movements fighting to end white minority rule in Rhodesia, Namibia and South Africa. The Mozambique National Liberation Front, FRELIMO, launched its armed struggle from rear bases in Tanzania and Zambia. It established significant liberated territories in northern Mozambique, a laboratory for new forms of production and participatory democracy.

After the Portuguese left-wing military coup in 1974, FRELIMO became part of a transitional government. Full independence was celebrated in 1975. With rumours rampant of an impending racial blood bath, 90 per cent of the 200,000 settlers left. The abrupt departure of managers and technicians, with

industrial sabotage as a parting shot, left the economy in a state of paralysis. FRELIMO's project of nation-building began, then, in an extremely volatile climate (Saul 1985; Hanlon 1996).

Post-independence discourse focused on victory over Portuguese colonialism and building the new socialist Mozambique. There was silence about the depth of Mozambique's economic subordination to South Africa. Yet Portugal, in its efforts to ward off decolonization and provide a buffer for neighbouring white minority regimes, had opened Mozambique significantly to foreign investors. By 1973, South Africa had replaced Portugal as the main exporter to Mozambique, supplying machinery, spare parts, fertilizers, iron and steel, wheat, potatoes and coal (Munslow 1983,48). Just prior to independence, South Africa was providing 50 to 60 per cent of Mozambique's foreign exchange earnings. South Africa quickly seized on migrant labour quotas as a key tool for economic destabilization, with numbers plummeting from a peak of 115,000 in 1975 to less than 40,000 in 1983 (Mittelman and Pasha 1997).

FROM COLONIALISM TO SOCIALIST CONSTRUCTION

FRELIMO launched multiple initiatives to create 'people's power'. Dynamizing groups were established in workplaces, communities, schools and universities as a vehicle for popular participation. Energies and euphoria unleashed by independence were channelled into everything from maintaining abandoned workplaces to literacy, community clean-ups to solidarity and cultural events. Worker participation and control was promoted through Production Councils and later, sectoral unions. There were also consumer cooperatives and massive expansion of basic education, health, housing and sanitation services.

Workers who had endured humiliation from colonial managers were valued as the protagonists of the new socialist society. Veteran workers in urban industries were offered accelerated basic education and given responsibilities for maintaining production in abandoned workplaces. Rentable property was nationalized allowing many workers a chance to move from shacks in shantytown to solid urban housing. Wages remained low but workers with secure jobs enjoyed workplace benefits, from special food rations to company transport, schooling on company time to workers' holiday camps.[1]

By the early 1980s, South Africa had mounted a low-intensity war against Mozambique. The war included economic destabilization, disinformation campaigns, occasional incursions by South African military forces and increasing support for a surrogate force, RENAMO, wreaking terror in the rural areas and attacking the gains of independence like health posts and transport infrastructure.

The socialist moment began to unravel as dramatically as it had begun with the increasing scope of the low-intensity war, national bankruptcy, famine and the seemingly endemic centralism of the FRELIMO government. The propensity for rigid hierarchical control ran counter to all the initiatives to build robust, participatory democratic spaces. Legislative, executive and judicial powers were all concentrated in the Permanent Political Committee of nine senior FRELIMO leaders. Even the elections for office holders in the unions and the organizations of youth and women were all based on candidates previously vetted by the FRELIMO Party (Mosca 1999, 78).

FROM SOCIALIST CONSTRUCTION TO NEO-LIBERAL ACCOMMODATION

By 1983, Mozambique was facing a multiple crisis with a collapsed economy and a serious drought, within the larger context of both the low-intensity regional war and the ongoing cold war pressures. On 30 January 1984, Mozambique declared bankruptcy and defaulted on its loans. Creditors refused to renegotiate unless Mozambique joined the International Monetary Fund (IMF). Mozambique did so and followed the classic IMF/World Bank structural adjustment programme consisting of devaluation, privatization, deregulation and cuts in social sector spending. An estimated 100,000 workers lost their jobs during the decade of structural adjustment (Marshall 1992; Mosca 1994).

In 1989, the Fifth Congress of FRELIMO dropped all references to Marxism-Leninism. There were further pressures from the IMF and the World Bank to introduce a pluralist democracy. These resulted in a new law on trade union freedom in 1991 and measures to introduce political pluralism. Three of the affiliates of the existing central (union), Mozambican Workers Organization (OTM), did break away to form a second central – Confederation of Free and Independent Trade Unions (CONSILMO). Despite expectations that CONSILMO would be more independent or even anti-FRELIMO, both centrals have maintained close links with government that characterized past eras.

Mozambican sociologist Joao Carlos Colaco argues that while the unions under colonialism and after independence might have had very different objectives, they actually had much in common.

> Neither was formed through demands from the workers acting to protect their interests. Both were the fruits of public policies of regimes which, although different . . . sought total control over workers' actions. . . . Both the so-called fascist unions and the so-called socialist unions felt the weight of the state on top of

them with rigid control mechanisms and lack of worker autonomy that impeded any flowering of real trade unionism in the classic sense. (Colaco 2001, 105)

The first multiparty elections were held in 1994, with the original FRELIMO leaders holding on to power. They had furthered their own business interests through the privatization process and were now strong proponents of neo-liberalism (Pitcher 2002).

SIGNS OF POPULAR RESISTANCE

The beginning of the 1990s brought the first signs of popular resistance with a wave of strikes,[2] involving steel workers, bus drivers, health personnel, municipal workers, glass, tire and textile workers, construction workers, coal miners and teachers (Marshall 1992, 52). Many newly privatized businesses were already floundering, with production halts and salary arrears. The government intervened rapidly with a general 16 per cent wage increase for all workers – and stronger regulations about what constituted a 'legal' strike.

The 100 per cent fare increase for the overcrowded minivans that served as public transport for the poor triggered a 'fuel riot' in November 1993. The spontaneous response from below brought 10,000 people onto the streets in the greater Maputo area. Text messages provided rough coordination from one part of the city to another. Blockades were improvised at major intersections.

The demonstrators were not workers earning poverty wages nor did the unions support the protests. The protesters were those relegated to precarious work, eking out an existence on the margins, discarded. Their anger was now fuelled by the spectre of a small group of government, military and business leaders becoming ostentatiously rich amidst the gruelling poverty of the majority.

TWENTY-FIRST-CENTURY MOTORS OF GROWTH

Industrialization was adopted as the engine of national development in the imaginaries of newly independent African states in the twentieth century, inextricably linked to proletarianization, urbanization and modernization. Under the neo-liberal world order, however, mining, oil and agro-industry have come to predominate. As David Harvey argues so cogently, 'accumulation by dispossession' is not a concept limited to a 'primitive' stage of capitalist development. These predatory practices have been continuous through the historical development of capitalism and have intensified since the

onslaught of neo-liberalism in the mid-1970s. Resource grabs have brought assets previously held under collective ownership, either by the state or in common, onto the market. Powerful state and private actors, newly bonded in promiscuous relationships, have used both legal and illegal practices to carry this out (Harvey 2004).

The trend of investments in mining, oil and agro-industry was evident in twenty-first-century Mozambique. BHP-Billiton's aluminium smelter was the first extractive sector megaproject, quickly followed by more investors including SASOL, Anadarki and Eni (natural gas), Kenmare (mineral sands), Riversdale/Rio Tinto, Vale/Odebrecht and Jindal (coal) and ProSavana (agro-industry).

These megaprojects meant free trade zones, mines, smelters, railways, pipelines and port complexes. Some companies were based in old imperial centres like Australia's Riversdale and Rio Tinto and Ireland's Kenmare. Others were based in the BRICS like Brazil's Vale, India's Jindal and, of course, the corporations of post-apartheid South Africa expanding north (Marshall 2014).

The arrival of these foreign investors was heralded with promises of economic growth, employment, national development and modernity. There was a huge gap, however, between the job promises and actual employment of Mozambican labour, between the expectations of local suppliers and the self-sufficient enclave nature of today's global corporations. Far from catalysing national development, their tendency is to weaken national economic spaces (Ferguson 2006, 13).

TWENTY-FIRST-CENTURY FORMS OF PROTEST

The twenty-first century has seen Mozambicans resisting in multitude of forms. Citizen resentment has grown as government has ended any pretence of balancing demands from multiple social actors and catered only to foreign investors and a national business elite allied with them. Peasant farmers find themselves without government support in the face of land grabs. Workers' needs for a living wage are jettisoned as government equates the interests of the mining and oil companies with the national interest. National union structures endorse the government/corporate embrace, playing their assigned role of ensuring worker submission to low-wage strategies. Prominent Mozambican economist Carlos Nuno Castel-Branco captured the situation succinctly.

> The dominant political economy of Mozambique is focused on three fundamental and interlinked processes, namely the maximization of inflows of foreign capital – FDI or commercial loans – without political conditionality;

the development of linkages between these capital inflows and the domestic
process of accumulation and the formation of national capitalist classes; and
the reproduction of a labour system in which the workforce is remunerated at
below its social cost of subsistence and families have to bear the responsibility
for maintaining (especially feeding) the wage-earning workers by complement-
ing their wages. (Castel-Branco 2014, S27)

The $1.34 billion Mozal aluminium smelter opened in 2000. The positioning
of the various social actors, national and foreign, effectively set the pattern,
making Mozal the prototype for future megaprojects. A Mozambique Devel-
opment Corridor was established as part of a regional industrial develop-
ment project with South Africa. The aluminium smelter was its centrepiece.
Shares were held by BHP-Billiton (47 per cent), Mitsubishi (25 per cent),
South Africa's Investment Development Corporation (24 per cent) and the
Mozambique government (4 per cent). The smelter was opened triumphantly
by Mozambican president Joaquim Chissano with South African president
Thabo Mbeki at his side, heralding Mozal as the 'African Renaissance'.

Behind the high-flown political rhetoric was a hard-nosed business deal
highly favourable to a powerful transnational. The Corridor's designation
as an export processing zone meant relaxation of regulatory procedures
and import/export tariffs. Mozal got a fifteen-year corporate tax exemption.
Proximity to the Maputo port reduced shipping costs. Mozambique's least
developed country status meant that BHP's exports to European Economic
Community from Mozal got a 6 per cent tariff reduction unavailable to alu-
minium from its smelters in South Africa (Pretorius 2000).

Construction was marked by strong labour conflicts. BHP brought South
African subcontractors with their own workers. Assuming Mozambican
backwardness, the subcontractors allocated skilled jobs only to South Afri-
cans. Mozambican Construction, Wood and Miners Union (SINTICIM)
advised its members to accept the jobs without protest, prove themselves in
practice and hope for a higher category in phase 2 (Marshall 2001). Even so,
there was labour unrest.

Once the smelter became operational, stronger labour protests emerged.
The new generation of workers employed by Mozal had impressive levels of
training and technical skills. Some had supervisory experience. All had high
expectations about employment by a transnational corporation. They were
shocked to learn that trade union leaders from the Mozambican Metalworkers
Union (SINTIME) had been wined and dined by BHP in South Africa before
any hiring had taken place. SINTIME had come back with a signed collective
agreement going beyond general principles to detailed job classifications with
huge salary differentials. Mozambicans were all in the lowest classification.
The agreement gave away the right to strike, claiming continuous aluminium

production as 'essential'. Furthermore, there was a clause stating that this agreement took precedence over other existing labour agreements in Mozambique. English was established as the language in the workplace and foreign workers were paid in dollars, while Mozambicans were paid in the rapidly devaluing local currency (Pretorius 2000).

The first worker representatives elected at Mozal faced a 'David and Goliath' contest. Their first hurdle was to persuade BHP to recognize Mozambican labour law. The second was to reopen the job classifications and salary scale. National Union of Metalworkers of South Africa (NUMSA) and its shop stewards at BHP's smelters in South Africa established a telephone hotline with offers of support.

Despite efforts by government mediators and later, by a team of 'independent' arbitrators including lawyers from Mozal and SINTIME, there was an impasse. In February 2001, 200 Mozal workers carried out a one-day work stoppage to protest expatriate pay levels. In September 2001, the union posted a formal strike notice. Workers accepted Mozal's request for a meeting the day before the deadline, still hoping to avert a strike. The meeting continued until 7:00 p.m. Union members left, assuming resumption the next morning. Workers arriving for the 9:00 p.m. shift found themselves barred from entering the smelter by 200 armed riot police and police dogs. Ex-BHP workers from South Africa had been hired on as strikebreakers so that production continued (Pretorius 2000).

BHP took advantage of the situation to undermine the new union with home visits, e-mails and newspaper advertisements to persuade workers to return to work under the existing conditions. Common sentiment was that Mozal workers already earned more than most and had been foolish to take on a powerful company like BHP.

OTM issued an initial statement characterizing the workers' demands as 'fair and legitimate' and BHP's position as 'intransigent and inflexible'. Nine days into the three-week strike/lockout, however, Mozambique government – itself a Mozal shareholder – weighed in firmly behind BHP and urged the broader labour movement to reject worker demands. During a government-organized reception for OTM's eighteenth anniversary, President Chissano strongly criticized the Mozal workers, claiming that attracting BHP served as bait to attract other transnationals, thereby guaranteeing Mozambique's development and poverty alleviation.

With government strongly allied with BHP, union support weakening and almost half their members back at work, the local union leaders dropped their demands. Despite earlier promises of no disciplinary action, BHP refused to take back forty workers whom they labelled as strike leaders, including four of the six elected office holders.

Meanwhile BHP workers in South Africa continued their militant solidarity. Stewards at BHP's Bayside and Hillside smelters interrupted company

meetings with motions to put Mozal on the agenda. Shifts reporting for work refused to pick up tools until BHP stopped using strikebreakers. Senior leaders from NUMSA met with BHP and the Industrial Development Corporation in Johannesburg and felt they had the makings of a deal. Their proposal, however, for a joint BHP, IDC, NUMSA mission to Maputo under the aegis of the International Metalworkers Federation was never implemented (Motau 2003).

NUMSA was one of the initiators of an exchange in Maputo in November 2001[3] to organize an international campaign for reinstatement of the forty Mozal workers. The SINTIME Secretary General commented on the strike, saying 'what was won or lost in the first major project would have big implications for what workers would be able to achieve in other major investment projects'. Yet shortly thereafter, he officially informed NUMSA that it was no longer welcome in Mozambique and that NUMSA's direct contact with Mozal workers was tantamount to foreign interference in Mozambique's internal affairs (Motau 2003).

The Mozal events at the beginning of the millennium set the pattern for future labour struggles. The best educated and technically trained workers in Mozambique had tried to use the existing trade union structures to defend themselves. When they pushed the company for a better contract, they found themselves pitted against not just Mozal but also against their own government, now intimately linked to Mozal. Their union officials quickly sided with government and even the opinion of the general public was against them. The elected worker leaders got no protection from company reprisals and international union solidarity initiatives were characterized as foreign agitation.

OLD AND NEW FORMS OF PROTEST

Chill effect from the Mozal strike notwithstanding, the first decades of the twenty-first century have seen a growing number of popular protest actions at workplace and community levels, both urban and rural. Work stoppages and wildcat strikes involving small numbers of workers have been frequent, neither organized nor supported by the unions.

Ordinary citizens also began to protest. Major bread riots again put thousands on the streets of Maputo, and smaller regional centres in 2008 and 2010. Only massive police presence and blocked cell phone communication averted another major street protest in 2012 (de Brito et al. 2014). These street demonstrations were triggered by government decisions to increase the costs of basic foods, fuel and transport. The street demonstrations in 2008 were sparked by a government decision to raise the prices of diesel

and gasoline, signalling higher transport costs. The government responded rapidly, condemning the demonstrations and sending in army and police to restore order. It also made concessions, withdrawing the new tariffs and promising compensation to *Chapa 100* (local transport vans) owners in return for their cooperation in regularizing licenses.

In September 2010, messages began to circulate about another street protest, triggered by price increases for basic products. Government responded quickly, finding ways to channel subsidies to bakery owners and transporters. Early in 2011, government even announced a basic food basket because of rising grain and fuel prices. The bill was publicly criticized as inconsistent and unsustainable, with no means to determine eligibility. It would benefit urban protesters but leave rural poverty untouched. The measure was ultimately dropped (de Brito et al. 2014, 32). On 15 and 16 November 2012, increases in transport fares were announced causing immediate tension and a flurry of texting about street action. This time government took pre-emptive measures, mobilizing phone companies to restrict texting communications and ordering a massive police presence (de Brito et al. 2014, 20). Only a few barricades were mounted and the protest ended quickly.

Unionized workers were largely absent from the street demonstrations. Neither the union centrals nor their national affiliates had effective articulation with members at workplace level. Union membership had declined dramatically from 300,000 members in the early 1980s to only 90,000 in 2003 (Webster et al. 2006, 262). As Webster points out, 'A more serious, but insidious problem to that of union decline in numerical terms is "residual" or "hollow" unionism; where for historical-institutional reasons, a union retains a presence, but is no more than a passenger in an enterprise driven by autocratic managerialism' (Webster et al. 2006, 258). The weak and deformed Mozambican unions at the beginning of the twenty-first century were inadequate instruments for workers and communities contending with the powerful transnational investors.

WORKER AND COMMUNITY PROTESTS AT
THE NEW MINES

When workers at the Moma Titanium Minerals mine, which opened in 2007, and the coal mines in Tete, which opened a few years later, tried to defend themselves through union instruments, they encountered all the problems of 'hollow' and 'residual' unionism.

A quick look at the Moma mine in Nampula is revealing. Moma also had wildcat strikes during construction with subcontractors bringing in foreign workers. The workers at the remote mine site formed a surprisingly strong

union and were able to bargain significant improvements for their members through two rounds of bargaining. When the Kenmare workers recognized that their monthly dues were going to the national and provincial offices of SINTICIM, a union that gave them no support against arbitrary disciplinary actions and firings by the management, they gathered signatures for decertification. In response, the national union made false allegations against two of the worker leaders and persuaded the company to fire them. More compliant workers designated by the national union replaced the elected leaders.

A more detailed look at the experiences at the Vale coal mine in Tete points clearly to the complex array of forces against which workers and communities were contending. Brazilian construction and mining giants Odebrecht and Vale became major players in the coal boom. Riversdale Mining, an Australian company, had already established a foothold. Even after mining giant Rio Tinto purchased Riversdale, it was Vale that emerged as the face of the Mozambique mining boom.

During his state visit to Mozambique in 2003 as president of Brazil, labour leader Lula Ignacio da Silva met with President Joaquim Chissano and raised the possibility of a Vale investment.[4] Vale won the competition to carry out feasibility studies in 2004, got an operating license in 2007 and in 2011 officially started production.

As with Mozal, the construction phase was marked by labour conflicts. There were two work stoppages in less than two months in 2009, the second involving 1,200 workers. Main issues were low salaries, working conditions, hours of work, loss of weekend off and management arrogance. Mozambican labour law established the norm of eight-hour workday and forty-two-hour weeks but employers could introduce alternative schedules. The construction consortium of Odebrecht, Vale and subcontractors quickly took full advantage of the flexibility, intent on rapid construction of the new mine. Locally based construction workers, contracted project by project, had enormous difficulties interpreting their rights in the midst of the rapidly shifting context.

Vale negotiated a quota of 15 per cent foreign workers. Mozambicans assumed this to mean skilled specialists with a training mandate. Yet during construction, a Vale subcontractor, Kentz, employed several hundred Filipino construction workers on short-term contract, housing them in a barbed-wire encampment. Complaints about the wage differences between the Mozambican and foreign technicians were a constant irritant. Local perception was that Tete residents were left out while jobs went to foreigners, illegal immigrants from Zimbabwe and Zambia and the sons and nephews of the elite in Maputo.

One of Vale's first actions in Tete was to offer a vehicle to the provincial head of SINTICIM, the Construction, Wood and Mine Workers union. The SINTICIM leader responded to the criticisms by saying the truck would allow visits to remote mine sites. Vale workers from Brazil and Canada who visited

Tete to participate in a health and safety workshop in 2010, however, were given a very different interpretation. When they met with the Moatize District Administrator,[5] he complained about mining companies buying off local government, labour and community leaders. He cited the Vale truck given to the SINTICIM union leader as an example.

The same SINTICIM official who accepted the Vale truck also manipulated the election of the first Union Committee. He convened a workers' assembly and instructed each department to meet and elect its representative for a Union Committee at workplace level. When the official list circulated, two elected candidates had been dropped. They were replaced by two workers chosen by the SINTICIM official who then designated them as president and treasurer. The non-elected leaders quickly turned the air-conditioned union office into their personal lunch room and the union bank account into their personal social fund (Sekame 2013).

The technical department elected a well-qualified civil engineering technician. To everybody's surprise, he took the task seriously. He was asked to represent the workers in a meeting with Labour Inspectorate, the company and the union. The Vale Human Resources director accosted him on the way, praised his work, promised future contracts and then suggested he keep silent during the meeting.

When union input was requested, the SINTICIM official said nothing, despite simmering discontent about salaries, overtime pay and arbitrary disciplinary measures and dismissals. The technician tabled a long list of worker concerns. His intervention was met with hostility on all sides. This included the government Labour Inspectors, many of whom supplemented their inadequate government salaries by waiving fines. In return, they received favours from the companies. Union leaders actually tabling labour issues at official meetings cut off under-the-table deals.

Soon after, Odebrecht demoted the technician and accused him of fomenting strikes. The company later dismissed him on trumped up charges related to a heated verbal exchange in the union office when he challenged the pilfering of union funds. Despite complete exoneration both from the provincial court and from a petition process through the National Assembly, Odebrecht refused reinstatement of the technicians and shunted the case to a regional court.

In 2015, Vale signalled the need for massive lay-offs in Moatize, citing low prices on global markets. Union Committee irrelevance quickly became evident. Tete's Governor Paulo Auade met with Vale and agreed to a 25 per cent salary reduction for the workers, despite their signed collective agreement valid until 2017. The governor claimed Vale workers were earning 'astronomic salaries' (*DW* 2015). The workers showed little reaction, apart from claiming dubious grounds for the reduction. Eight months later, Vale cut

a profit-sharing bonus throughout its global operations. This time, more than 1,400 Vale workers carried out a work stoppage (Club of Mozambique 2016).

Brazilian government's support for its corporations in Africa was powerful, presented as South-South solidarity but operating within classic exploitative practices. In 2012, Lula, by then ex-president of Brazil, travelled to Mozambique with Vale's President Murilo Ferreira. While there, Lula gave a public lecture on 'The Struggle against Inequality' and urged Brazilian investors to contribute to poverty alleviation in Mozambique. He also joined the Vale president, however, in lobbying the Minister of Labour to allow higher quotas of foreign workers for Vale's future projects (Verdade 2012).

Clearly Mozambican workers attempting to defend their members through use of labour law and existing union and government structures found themselves up against not just the power of the transnational companies but also the weight of government – and union – indifference and corruption.[6]

COMMUNITY STRUGGLES AGAINST VALE

Much of the protest action against Vale has come from the affected communities rather than the workers. The land grabs linked to the new mining projects have created situations of desperation for peasant producers. The recurrent protest actions from the 1,360 families resettled by Vale in 2009/2010 have been well documented (Mosca and Selemane 2011; HRW 2013; JA 2013). Almost two years after resettlement, the Cateme residents were still without arable land or water, in houses developing cracks after the first rainy season, and without full compensation. Vale regularly took both Mozambican and foreign visitors to Cateme, showing off a well-landscaped clinic and school, a model farm, a green oasis, thanks to daily tending by Vale agronomists and tubed irrigation. Meanwhile, life for the resettled residents in their rows of matchbox houses and treeless streets was desperate. They had lost not only land and livelihoods but also their independence.

In 2011, after getting no response from Vale to their pending demands, the community members took direct action by blockading the road and railway lines, effectively stopping transport of coal to the port in Beira. Government reaction was swift and excessive. An armed police rapid response unit was deployed, imprisoning fourteen community members, including people with disabilities. A few of the imprisoned people were brutally beaten. Vale acknowledged that there were problems and promised solutions within six months. A hostile climate prevailed, with strong police and security presence. Ironically, the most tangible Vale response was forcing the resettled families into tents while their houses were repaired. Three months after the railway

blockade, Vale offered a vehicle to the Moatize District Administrator and Police Commander (JA 2013, 12).

Since 2012, there have been strong protests and repeated blockades despite the passage of legislation on resettlements on 8 August 2012. The new law states that those directly affected by economic projects have the right to be re-established at a level of income and in living conditions (house, physical space and social infrastructure) equal or superior to their former situation (Bila 2015).

Many of those resettled had lived for generations making building bricks from local clay. In 2009, Vale had paid compensation of 60,000 MT (US\$1,000) for each functioning kiln and given access to the Vale concession to remove previously produced bricks. The brick makers had understood this as an initial payment, however, and continued to demand more. Neither Vale nor government was sympathetic. One government official had cynically queried why bother with inferior local bricks when Moatize now boasted a 'Builder's Warehouse' with high-quality South African building supplies.

In 11 May 2013, the brick makers met Vale again, armed with new proposals based on calculations of lifetime earnings from their businesses. Vale dismissed the new demands as illusory and said the matter was definitively closed. The response of the brick makers came two days later when they blockaded the railway line again (O Pais 2013).

Vale had carried out a 'divide and rule' strategy (Selemane 2010). Using only crude knowledge of household incomes, Vale placed those with livelihoods based on agriculture in Cateme, a rural resettlement. Those with jobs were rehoused in a peri-urban resettlement on the outskirts of Moatize, the district capital. In reality, even households including a formal sector employee depended on agriculture to supplement low wages. At the end of 2013, families in these peri-urban resettlement took action. Since neither Vale nor government had responded to their repeated communications demanding compensation for land losses, the town dwellers used tree branches to set up blockades on major access roads to the mine, effectively paralysing production. Until today, none of the issues around resettlement has been definitively settled.

CONCLUSION: MERE SURVIVAL STRATEGIES OR A NEW CITIZEN PROTAGONISM?

The twenty-first century has seen a growing resistance in Mozambique. A new generation of workers employed by transnationals like BHP, Kenmare and Vale has tried to make use of the existing unions, despite their inept residual structures and close government ties. As the case studies of Mozal and

Vale illustrate, neither SINTIME, an OTM affiliate, nor SINTICIM, a CON-SILMO affiliate, was prepared to back a new generation of workers trying to use existing union structures to defend their rights. Both aligned themselves with the now neo-liberal government to defend multinational investors.

Recently, the Minister of Labour recognized a new union central in the extractive sector, SINTEL. While its statement of principles includes more power in the hands of the Union Committees at workplace level and stronger links with other social movements, it faces formidable foes. The troika of transnational corporations, Mozambican state and 'residual' unions will act quickly to intimidate workers from opting for a union offering genuine defence of workers.

In smaller workplaces throughout the country, there are frequent wildcat strikes where workers, fed up with poverty wages or salary delays, decide spontaneously to withhold their labour. These prove to be effective, forcing management to make enough concessions to get them back to work.

Communities of peasant producers throughout rural Mozambique whose lands and livelihoods and independence have been robbed in order to make way for megaprojects in mining and agribusiness are also inventing practical ways to say 'enough is enough'. They stop the trains carrying coal to the port for export. They block roads and rails and entrances, forcing production to a halt in the mines and plantations.

The urban poor also make their voices heard with the ability to put thousands on the streets on short notice through cell phone communications at news of price increases for fuel or food items. While the official media in Mozambique pays little heed to the regularity and scope of these actions, the protesters are able to communicate both internally and externally. They internationalize their situation through social media and global civil society events and counter-events.

An important aspect of these contemporary forms of resistance in Mozambique is that they are not neatly understandable within what may be referred to as a 'vertical topography of power'. The twentieth-century view of resistance tended to pit 'local' unions and communities with 'authentic' leaders organizing at the 'grassroots' against a repressive state encompassing both imperial capitalism and local dominant classes. Resistance was played out within national boundaries (Ferguson 2006, 106). This image of resistance from below and repression from above, however, misses the horizontality of the contemporary world. Transnational corporations today exercise their global power through horizontal flows, rather than the more vertical concepts of nation states. The enclaves of the extractive sector, far from promoting national development, tend to disorganize national economic spaces as they create more horizontal global ones with their supply chains and their

self-sufficient operational networks linking various continents and supranational trade and banking institutions.

Civil society organizations have also begun to work these horizontal spaces, thereby creating new instruments of governmentality. Vale workers and affected communities in Mozambique are part of the International Articulation of People Affected by Vale. They participate in global exchanges and international meetings with other unions, social movements, non-governmental organizations and affected communities in Brazil itself and in other countries where Vale operates. Mozambican organizations now have connections, whether operating alone, or in networks, or as part of civil society organizations with a global presence. These range from Friends of the Earth to Via Campesina to Amnesty International to UN civil society platforms. These new structures of horizontal governmentality tackle the supranational institutions that today buttress neo-liberal capitalism, from transnational corporations themselves and free trade and investment agreements to the transnational apparatus of banks, international agencies and market institutions.

The nation-state is not replaced; instead it now co-exists and interacts with this new apparatus of global civil society which, for its part, invents new forms of struggle. Organizations and movements with global images and links to networks create mechanisms of governmentality that operate outside and/or parallel to the national state. While the new apparatus may represent grassroots concerns, the power it holds is exercised not just locally. Through claims related to such issues as stewardship of the planet or protection of universal human rights, it operates from a global spatial and moral purview rather than just that of a national state. Mozambican workers and communities are more and more locating their struggles for rights and social justice within this new apparatus of global civil society.

NOTES

1. For a detailed ethnographic study of workplace literacy as a key instrument for building worker participation and 'people's power', see Literacy Power and Democracy (Marshall 1993).

2. The word 'strike' is used indiscriminately in Mozambique to describe work stoppages, wildcat strikes and legal strikes. Street protests are also often referred to as strikes.

3. Participants in the exchange include Numsa, Steelworkers Humanity Fund, ILRIG, FES, SINTICIM (national) and SINTIME (national, provincial and plant levels). Minutes were taken by Judith Marshall.

4. Chissano is mentioned frequently as one of the unidentified shareholders in the Vale project. http://www.pambazuka.net/pt/category.php/development/55527/print

5. In 2010, groups in Brazil took the initiative to organize an International Articulation of People Affected by Vale. Vale had acquired nickel mines in Canada whose workers were affiliated with the USW (United Steelworkers). The steelworkers became active participants in the network in their own right and also supported active participation by union and community groups from Mozambique, New Caledonia and Indonesia. In the ongoing hands-on collaboration of USW with SINTICIM, the training team was expanded to include trade unionists from Vale operations in Canada and Brazil and a South Africa health and safety activist.

6. For a fuller account, see Marshall (2014).

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Chapter 12

The Strike Wave of 2015 in Germany

Peter Birke

Disparities within German class society are seldom visible in the transnational public discourse. Most analyses of the German 'second economic miracle' ignore the fact that the polarization of incomes that had taken place during the late 1990s led to a growing impoverishment of approximately one-third of the working classes, putting pressure on the wages and conditions of the remaining two-thirds with relatively stable conditions. It is unsurprising therefore that workers, from both the private and the public sectors, in interviews about the social consequences of the financial crisis in 2009–2010, typically replied that there was nothing new about it. There was this 'crisis before the crisis' – precarization rapidly increased in the mid-1990s, with a massive growth of low-waged, temporary and part-time work. The notorious 2002–2005 labour market reforms that were introduced by the red-green government as workfare programmes added to those tendencies.

The relatively modest consequences of the financial crisis for many workers have much to do with this prehistory. In a way, the response of the state and the capitalists to the crisis was 'more of the same'. Precarious workers were made redundant (only to be re-employed during the export boom after 2011), the remunerations of the already low-wage sections of the working class were further reduced and the privatization of public services and cuts in services and welfare schemes continued. The resurgence of the German economy after 2010, to the gain of those who are still in regular employment, is partly due to low wages within the suppliers and the logistical apparatus of the big export industries. Consequently, class conflict obviously is fragmented, but not suspended.

In 2015, sociologist Wolfgang Streeck wrote in *The Guardian* that 'German strikes once seemed like German jokes: a contradiction in terms' (Streeck 2015). This picture changed in the same year, as train drivers, care

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workers and postal workers, among others, went on month-long official strikes. The new conflicts led to a media outcry about what was called a 'Streikrepublik Deutschland' that only ebbed after the 'summer of migration' began to dominate the headlines in autumn. Left-wing social scientists analysed the strikes of 2015 in terms of both a resurgence and a recomposition of labour unrest in Germany (Dribbusch 2016a; Dörre et al. 2016; Artus et al. 2017). In the following sections, I will give a brief account of the events and analyse the strikes in accordance with the named disparities within the class structure: while being directed against an imbalance of profits and wages, they regularly problematized the widening gap in the working conditions and wages between *different groups* of workers as well. Most interestingly, they often took place within the public sector and privatized social services, thereby directly – but by way of 'official and legalized' strikes – confronting the results of austerity politics.

PRIVATIZATION, POLARIZATION, PRECARIZATION

In Germany, the crisis after 2009 lasted for only a short time compared to other European countries. A relatively large growth in gross domestic product (GDP) was registered by 2010. This (albeit modest) upswing was roughly based on three factors: one, German export industries gained stability due to their dominant position in the European market. Literally, the German economy 'exported' its problems to South and East European countries. Two, the dominant orientation of German politics, not only 'abroad' but also 'at home', was towards debt reduction, which lead to the decline of infrastructure and a worsening and even at some places the absence of important social services. Three, as part of the de-composition and recomposition of the working classes, the resurgence was very partial: precarious workers did not benefit from the upswing. And at least a part of the new migration may further boost some industries with low wages and harsh working conditions (Birke 2016; Birke, Bluhm and Mayer-Ahuja 2017). There is no doubt that one consequence of the crisis is a further differentiation of the class structure, including a polarization of conditions within the working class. My hypothesis is that the strike wave of 2015 can be seen as a protest against these tendencies, although it was and still is fragmented and often rather localized.

The background and longer history of the polarized class structure in Germany lie in the years following German reunification. Somewhat later than in England and the United States, the German economy ran into trouble around the mid-1990s. Unemployment rose sharply from 1995 onwards, reaching around 5 million in 2005. Under the rule of the notorious 'Hartz IV' labour market reforms, thousands of the former 'unemployed' were redefined as

mini-jobbers or forced into other forms of precarious employment. In the second half of the 2000s, mass unemployment was converted into mass precarization (Bispick and Schulten 2014). Under the workfare regime, the share of wages as a percentage of GDP has fallen continuously. Consequently, a 'massive redistribution in favour of profits and capital income' has taken place (Lehndorff 2012, 82).

The share of wages fell most drastically *before* the global financial and debt crisis, namely between 2003 and 2007, rose again slightly for two or three years, to return to the secular trend of a continuous fall after 2013 (Bispinck and Schulten 2014, 14). When examining the situation in different sectors of the economy, it must be noted that the core workforce in export industries with its relatively dense trade union membership and high collective bargaining coverage has suffered less wage restraints compared to other sectors in the 2000s. Due to this comparatively high stability of wages, it was easier to legitimize poor bargaining outcomes in these sectors during the crisis of 2009/2010. But the relevance of sectors with a continuous problem of low wages and bad conditions is rising. This is particularly valid within some of the service sectors (including those outsourced by manufacturing companies), where there is a relatively new (young, migrant, female) workforce. Because it is harder to establish a collective organization in a new company, wages in these sectors are much lower and tend to increase at a much slower pace. In addition, although collective bargaining coverage is comparatively high, public-sector workers have been unable to keep up with pay rises in the private export sector. Privatization and liberalization of former public services have added to this tendency by, for example, the outsourcing of 'non-essential' services in hospitals. As a result, wage and income inequality *within the proletariat* grew sharply. Between 1998 and 2012, the number of low-waged workers increased by 48 per cent to 8.4 million, with an over-representation of young workers, migrants, women and workers without vocational training (Bispinck and Schulten 2014, 12).

As a rule, sectors with no collective bargaining had much smaller wage hikes than those with collective agreements. Additionally, the coverage of collective bargaining fell to approximately 50 per cent of the employees since the early 2000s, and the performance is even worse in Eastern Germany (Ellguth and Kohaut 2016). Firm-based derogations from contracts were established in many sectors of the economy, leading to cuts in monthly and yearly payments and the extension of working hours (Haipeter 2009). All in all, workers within industries like food processing, catering, cleaning, retail and the growing privatized services sector, as well as temporary workers, were most severely affected by income losses and the deterioration of working conditions. The relative position of these groups in collective bargaining did not improve even during the economic upsurge in 2010 and 2011, given that

three-quarters of the GDP growth was produced by the growth of the export industries. Additionally, the economic upswing since 2011 produced not only a polarization of the internal labour market but also a massive transnational migration into the low-wage service sectors of the German economy, further intensified by the mass migration from the war-ridden countries of the Global South. Overall, crisis politics in this period aimed at strengthening the export sector and laying off precarious workers in those sectors, combined with an increasingly narrow austerity politics. It deepened and operated with, and not against, the polarization and fragmentation of class society.

In addition, we have to note that the uneven development of the crisis had a spatial as well as a temporal dimension. Of course, there is a striking difference between North and South European states when it comes to austerity politics. The divide between clusters including for example Greece, Spain and Italy, on the one hand, and Germany and the Scandinavian countries on the other, is a widely discussed issue – even almost a decade after the beginning of the crisis. Having said that, we have to notice the divides *within* these clusters as well. In Germany, tax policies of the late 1990s and early 2000s meant a deterioration of the financial manoeuvring space of municipalities. Mass unemployment meant that they had to spend a growing share of their budget on social services and benefits. As a result, the gross debt of all municipalities skyrocketed (Keller 2014a, 391). The situation was most severe in regions with a tradition of heavy industries in the west like the Saarland and parts of the Ruhr district, and, of course large parts of the former German Democratic Republic, where the deindustrialization of the 1990s intensified the problems faced by local governments to ensure basic social services. Under the so-called debt brake (*Schuldenbremse*), such municipalities have by now totally lost their economic independence and are being *de facto* administered by the federal state. They are not only unable to invest in local infrastructure, schools and kindergartens, but they are also under severe pressure to cut wages as well.

In short, a relative stabilization of the living conditions of sections of the working class, but increased precarization of other sections, produced a fragmented landscape of class struggle. At the same time, austerity politics shaped the spatial dimensions of inequality as well. The strike movements of 2015 had to deal with these two aspects of the crisis politics as they essentially took place in the logistics sector and social services.

RECOMPOSITION OF STRIKE MOVEMENTS SINCE THE LATE 1990S

The explosion of strike movements that occurred in several regions of the world after the beginning of the global financial crisis in 2008 never took

place in Germany. Therefore, measures taken by the federal state, employers and the trade unions to moderate the effects of the crisis are perceived as a model for a revival of social partnership. Compared to other countries, strikes in Germany are in general not very frequent; this is a trend that was particularly exemplified in 2009, 2010 and 2011. In these years, both the number of workers on strike and the number of strike days fell drastically compared to the previous and the following years.

The level of strikes in Germany is low. For instance, days lost due to industrial action between 2005 and 2014 were ten times higher in France and almost seven times higher in Denmark (Dribbusch and Birke 2016, 94). The reasons for this phenomenon traditionally rest on restrictive strike laws, tripartite consultations and relatively better conditions for the core workforce. These elements regained importance after 2009 and it seems right to conclude that they still play a role in the containment of labour unrest as most of the 'big' bargaining rounds in almost all important sectors normally end up in a compromise with moderate wage increases after a few days of warning strikes.

However, statistics, and especially those issued by the German Federal Statistical Office (*Statistisches Bundesamt, Destatis*) are not very useful when one wants to trace the changing composition of strike movements; they are biased in that they give priority to 'days lost'. But a prominent feature of the recomposition of strike movements is the growing share of small strikes and strike movements in the service sector in the total number of strikes. However, small strikes leave only minor traces in official strike statistics, because they are either not counted at all or do not produce a relevant number of strikers and/or days lost (Dribbusch 2016a; 2017). Thus, the decentralization of the bargaining system in the public sector and the outsourcing and fragmentation of companies, which are obviously very important in discussions about the changing composition of strikes, are almost non-existent as far as official statistics are concerned.

The decentralization of bargaining in the public sector cannot be understood without considering the liberalization and privatization of (former) civic and welfare services. Up until the 1990s, there was generally a single major bargaining round in which wages and working conditions were laid down. But the collective bargaining landscape has been transformed with the privatization of postal services, railways, local public transport, municipal water and energy supply and, finally, public health services. Nowadays, there are bargaining rounds for different groups of employees, and for different employers (central, state and municipalities, on the one hand, federal states, on the other). On top of this, privatized companies in the service sector (such as private hospitals or cleaning companies) constantly withdraw from collective agreements or do not even sign a collective agreement in the first place. To the extent that companies and public employers have demanded cuts in

hard-won collective agreement provisions in recent years, trade unions have gained much less at the negotiating table than previously (Dribbusch and Birke 2016). Overall, local conflicts have become more and more frequent since the mid-2000s, and they are especially frequent in the public and privatized service sectors, a tendency that is not in keeping with the overall low participation in strikes.

An increase in the frequency of strikes is particularly evident in relation to the service sector trade union *Vereinte Dienstleistungsgewerkschaft* (United Service Union) or ver.di. In 2004, the ver.di executive approved industrial action for thirty-six industrial disputes; by 2008, that had quadrupled. In 2012, ver.di was involved in more than 200 industrial disputes, although not all of them led to strikes (Dribbusch 2016b, 357).

Ranked second was the trade union NGG (in the food processing and catering industry), with between twenty-five and thirty-five strikes a year. As mentioned earlier, most of the strikes in the fragmented service sector tend to be minor in terms of the number of strikers and the length of strikes. But even if they are not as statistically visible in the same way as large strikes during bargaining rounds, the shift in strike action from industry to services is very clear when we include more comprehensive statistical evidence (such as the data collected by Dribbusch). Between 2005 and 2013, the service sectors, both public and private, accounted for between two-thirds and 90 per cent of all strike days in Germany (Bewernitz and Dribbusch 2014, 80).[1]

These changes were among others highlighted by long-lasting national strikes by train drivers in 2007–2008. After 2009, employees of day nurseries and industrial cleaning workers went on strike several times, at both local and national levels, thereby clearing the path for other professional groups previously not known to be strike-prone (Bewernitz and Dribbusch 2014). Significant in this connection are industrial disputes involving occupational groups, initiated by smaller professional trade unions that previously tended not to strike in Germany, such as train drivers, pilots and hospital doctors. In 2015, Germany saw around 2 million working days lost due to strikes, compared to less than 300,000 in 2014 (Dribbusch 2016a). Of the days lost, not less than 1.5 million were due to two conflicts – at the postal services and in the kindergartens. In this context, strike movements against low wages and precarious forms of work got a lot of media coverage; apart from those mentioned earlier, this was the case in the train drivers' strikes in the second half of 2014 and the first half of 2015. This does of course not mean that former strike-prone sectors are being completely pacified. The 'big' bargaining rounds are still important for the living conditions of millions, *but*, although they occasionally produce smaller waves of warning strikes, they currently do *not set the pace* for collective actions in other sectors as they did before 1990.[2]

STRIKES AT AIRPORTS AND RAILWAYS

An important feature of the recomposition (and fragmentation) of strike movements is the new role of some strategically well-positioned professional groups that use their primary power to force employers to improve working conditions. Most prominent are actions by well-paid groups like pilots and doctors. However, the use of primary power applies not only to these groups but also to poorly paid groups with traditionally bad working conditions. One example was a strike by those employed in security services at German airports. This strike occurred in the context of the bargaining round of the entire security services sector in 2013. After industrial action had taken place at regional airports, and produced chaos in baggage handling, employers accepted pay rises of around 10 per cent for the lowest grade of the workers in general and almost 20 per cent for staff involved in airport passenger control. The contracts covered a two-year period and marked the 'highest settlement[s of all bargaining rounds] in 2013' (Bispinck 2013, 3).[3]

A trade union affiliated with the DGB organized the strike in the security services sector, while the majority of train drivers are organized by the non-DGB trade union *Gewerkschaft Deutscher Lokomotivführer* (German Engine Drivers' Union or GDL). The background to the train drivers' strike of 2007 was privatization and liberalization within the German railway system. This led to a fragmentation of the workforce and put pressure on working conditions in not just privatized companies but also within the state-owned Deutsche Bahn, where the share of civil servants (with good employment conditions but no right to strike) and the total number of employees decreased sharply between 1990 and 2014. The DGB-affiliated rail workers' union, Eisenbahn- und Verkehrsgewerkschaft (Railway and Transport Workers' Union), or EVG, took part in concession bargaining to enable the company to work profitably – with the main aim of stabilizing the conditions of the core workforce. Not just EVG but also all other unions in the sector tried to bargain to mitigate the worst consequences of the economic changes for their members rather than opposing privatization in general.

Like in many other sectors, the result of this strategy was in fact a deterioration of working conditions. Train drivers without the status of civil servants earn a lot less compared to their colleagues. Even after fifteen years of service, they did not earn more than €1,700 a month after taxes and social security dues in 2015. Given that a rented flat with three rooms in a big city can easily cost more than €1,000 a month, there are cases where a hard job with big responsibilities is not enough to make a living. Other on-board staff within a train (with even more arduous jobs) earn even less, some of them being just above the poverty line even after decades of service. At the same

time, overtime work and the flexibilization of working hours are on a steep rise in the companies that form a part of Deutsche Bahn.

The rise of the trade union GDL was connected to those processes: GDL was the main organizer of a first nationwide strike in 2007–2008, which went on for several months and resulted in pay rises for train drivers, but not the rest of the staff. Later, strikes with similar aims took place at privatized railway companies (Kalass 2012).

In the bargaining round of 2014, GDL aimed at a wage rise of 5 per cent and a reduction of the working week by two hours with full-wage compensation. The reasons for these moderate demands was that the GDL focused on the right to get a contract among the whole on-board staff, or in other words the right to negotiate, to sign a contract – and also to strike – for all GDL members and not only train drivers. However, given the continued existence of mass unemployment and underemployment, the aim to reduce working hours was potentially linked to issues relevant to millions of workers. At the same time, strikes by the pilots of Europe's largest airline, Lufthansa, affected thousands of flights. The pilots, like the train drivers organized by a non-DGB professional union, resisted the aims of the company to outsource parts of their services, and opposed plans to worsen the conditions of a pension scheme that guarantees early retirement for pilots. The strikes at the railways and at the airports lasted for a very long time before the main issues of the struggle were resolved. In the case of the pilots and the staff at aircrafts, there were sixteen strike waves between 2014 and 2016 (fifteen in 2014–2015 alone). Also in the case of the train drivers, the strike movement lasted for an extraordinary long period. During ten months, the railway workers struck work, nine times altogether, 420 hours in total, which was by far the most prolonged conflict in post-war German railway history.

The media coverage of those actions was strong, but ambivalent. They *could* have been discussed in the context of (1) deteriorating working conditions and (2) thereby at least potentially increased problems with traffic security. While such topics were – apart from interviews and articles by a few left-wing activists and academics – almost completely neglected, the strike was denounced as 'irresponsible' and 'crazy' in most of the media, from tabloids like the *Bild-Zeitung* to left-liberal newspapers like the *Süddeutsche Zeitung*. GDL took part in this discussion in a somewhat unfortunate manner by stressing its aim to organize the entire on-board staff instead of stressing the need to do away with the precarious social situation of the workers. The biased public relation work and the top-down steering of the strike made it easy to describe the struggle as the work of an 'egoistic elite' within the working class. Notably, the union EVG attacked the strike as being a severe threat to the German export industry and its 'just in time' policy (FAZ 2014). It is therefore even more noteworthy that the media campaign against the strike

did not result in a broad rejection of the train drivers' strike by the public. Polls showed that almost half the persons asked found the strike by the train drivers understandable, and only a minority openly condemned the strikers.

When the GDL called for a four-day all-out strike in the beginning of November 2014, the grand coalition government of the Conservatives and the Social Democrats gave substance to plans to limit the right to strike for smaller trade unions. Most of the trade unions affiliated to the DGB, including the EVG and IG Metall, had welcomed those measures – only ver.di withdrew its support after the plans turned out to endanger its position within several companies (Nowak 2014).[4]

Only a few days before parliament passed the law in summer 2015, the parties agreed to send the railway conflict to arbitration. On 1 July 2015, GDL could present the outcome as a success. Among other gains, Deutsche Bahn had to accept the right of GDL to sign contracts for all on-board staff. Furthermore, the railway company agreed that anti-strike laws in practice would not be implemented in the company until 2020 – a severe defeat not only for the employers but also for those DGB-trade unions that were in favour of the law. As for the other demands made by GDL, wages would rise – insufficiently and at just about the anticipated rate of inflation – over the next two years, but overtime work and the weekly hours were regulated and will hopefully be limited.

During the last weeks of the train drivers' strike, postal workers began to fight against the consequences of the establishment of forty-nine newly formed regional DHL delivery companies. Those companies were explicitly founded to reduce wages and increase the 'flexibility' (i.e. the precarization) of the workforce (Siebler 2015; Dörre et al. 2016). Ver.di demanded that workers who already were transferred to the newly founded companies should be reintegrated into the core workforce. Employers argued that even the lower wages in the delivery companies were higher than in the many newly founded private postal operators such as DPD or UPS.

In contrast to the train drivers' strike, the postal workers' strike was more or less completely defeated. In spite of months of local strikes and four weeks of nationwide industrial action, ver.di accepted outsourcing in principle. Employers conceded that trainees at the main firm, Deutsche Post, which signed their contract before the strike, could receive permanent full-time contracts. Furthermore, 7,650 parcel delivery workers at Deutsche Post could remain as employees. However, parcel delivery workers currently employed by DHL Delivery have no job security, and those will outnumber the core workforce by far in the very near future. In fact, the trade union has signed a division of the workforce, in the spirit of the precarization and fragmentation of working conditions. Other demands, such as pay increases and reduction of work time, similar to the one proposed by the GDL, were almost completely

abandoned. While rank-and-file workers expressed their anger, a strike ballot did not take place (Dörre et al. 2016).

CARE WORKERS ON STRIKE

In December 2014, shortly before Christmas, around 4,000 childcare workers, parents and children demonstrated in Hamburg against the adverse and detrimental childcare workers-to-children ratio in regional kindergartens. This demonstration, which highlighted both worsening working conditions and problems with the quality of public services, was a symbolic starting point of a strike movement that took place during the first half of 2015 as part of a major bargaining round in childcare and social work (Artus et al. 2017). Other than in the case of the train drivers, the Hamburg manifestation was obviously based on a *common sense*. Given the public support for the demand to improve the situation in childcare, all mainstream political parties proposed to raise money in local and possibly federal budgets as well to improve the childcare workers-to-children ratio.

The situation of people working in the kindergartens is ambiguous. On the one hand, employment has risen in recent years – against the trend of a shrinking public workforce in times of austerity (*Statistisches Bundesamt* 2013; Keller 2014b). This tendency was reinforced by the so-called Pisa-shock in the beginning of the past decade, when an evaluation showed a comparative low standard of knowledge of German schoolchildren. Since the 1990s, childcare institutions increasingly were seen as crucial to the production of 'human capital', and the necessity of an 'activation' of children, parents and professionals working with preschool children won a lot of public support. At the same time, under the conditions of a prevailing politics of austerity, which is even more severe in local politics, demands to increase the quality of the educational work and the cooperation with parents led to more and more stressful working conditions within childcare facilities (Kerber-Clasen 2014, 18). The exceptional scarcity of qualified childcare workers meant that they gained bargaining power. As in other sectors of care work – notably in the hospitals – organizational power (Silver 2003) grew in this context as well.

The two DGB trade unions responsible for the sector – the teachers' union GEW and ver.di – discovered childcare workers as a most apt group to buck falling membership. Strike movements helped make the former 'invisible' workers of the care sector at least temporarily visible. In the first half of 2009, weeks of strike action accompanied a bargaining dispute in the public social service sector involving tens of thousands of employees working in kindergartens, day-care centres for children, the youth welfare service and social agencies (Kerber-Clasen 2014). The strike was organized around demands

for better working conditions, especially a better occupational health situation combined with a greater say for workers on this issue. Furthermore, the actions focused on the demand for an upgrading of childcare work when compared to the conditions of other workers within the public sector.

The movement of 2009 resulted in a public discussion of the working conditions in childcare, and polls showed that an overwhelming majority of the people agreed that something had to be done in this respect. By confronting for a certain time the notion of 'invisible work' in the production of social services, the struggle was also a struggle against the patriarchal division of labour. First, it aimed to establish a new discourse regarding the relevance and acknowledgement of female employment, as it was directed against the gender gap in wages and living conditions, and thus implicitly against the historical male breadwinner model as well. Second, it claimed the moral value of care work under the conditions of what some authors call a reproduction crisis (Aulenbacher 2009) – stressing the crucial importance of basic social services such as childcare, work with the elderly and hospital work. In the same year, overwhelmingly female and most often migrant workers in the industrial cleaning sector fought for better wages and working conditions, albeit with limited success.

The importance of care work and the quest for gender equality are since then to be found in other strike movements of care workers as well. Examples are the struggle for a better worker-to-patient ratio at the Charité hospital in Berlin which started in 2014, or the strike at the privatized Helios hospital in Osnabrück, Lower Saxony, in 2015 (Artus et al. 2017). However, while it was an important link in the chain of a 'feminization' of strikes (Bewernitz and Dribbusch 2014), the 2009 strike in the childcare sector did not result in fundamental changes in the scarcity of resources in the childcare sector, nor did it significantly improve the wage and working conditions in the sector in a profound way. This means that there still existed no living wage for a large part of the people working in childcare (like in other care work as well): employees were 95 per cent female, nearly half of them worked part time and earned around €1,000 a month after tax and social insurance (Kerber-Clasen 2014, 14).

In 2015, ver.di and GEW announced a demand to increase wages for all categories of workers, which altogether averaged out to a 10 per cent wage hike for the more than 240,000 care workers employed by the municipalities. After some warning strikes, an indefinite strike at kindergartens and social services run by the local states was declared in May 2015. In contrast to the railway workers, the mass media found the strike 'understandable' when it started, but after around two weeks into the strike, the headlines turned into an in-depth description of how parents were suffering because of the sudden lack of day-care services for their children. On these grounds, some parent

organizations, especially in larger cities, began to demand an immediate end
to the strike, and even – symbolically, but with wide media coverage – occu-
pied town halls in cities like Hamburg and Cologne in protest. At the same
time, parent solidarity existed, but was weakly represented and badly coordi-
nated (Birke 2015). After four weeks of the strike, ver.di's federal executive
board decided to accept arbitration – completely ignoring the basic rules of
the democratic processes within the trade union that had been established
under the movement of 2009.

The arbitration process resulted in a proposal of a 0 to 4.5 per cent wage
hike, unevenly distributed between different categories of social workers. The
delegates of the social workers unanimously rejected the proposal, and the
ballot was lost by the trade union. However, the strike did not continue but
resulted in a slightly better pay agreement in the fall of 2015.

CONCLUSION

The trend of a recomposition of strikes is obvious: in 1984, the last large mass
strikes occurred in two sectors with a high trade union density and a long tra-
dition of militant actions at the workplace: the metal and printing industries.
In 2015, the strike wave was composed of a wide range of actions, besides
the three big ones, among other places, at hospitals. The strikers were much
more often women. While a large share of migrant workers took part in both
1984 and 2015, precarious working conditions (outsourcing, temporary work,
wages that do not prevent poverty) were in one way or another at the centre
of most of the conflicts. When looking at the differing results – including a
most severe defeat of the postal workers' strike and widespread disappoint-
ment with the results of the strikes in the nurseries – the strike wave raises
many unanswered questions.

First, the named strikes were actually the most visible protests immediately
targeting the effects of local austerity politics on working conditions in recent
years. However, this did not automatically lead to a new kind of social move-
ment unionism. Especially when they were fought out at the federal level,
the executive boards of the trade unions *de facto* initiated most of them, and
a broad mobilization of workers was – like in the case of the childcare and
social workers' strike – a short-lived and ephemeral phenomenon.

Second, and as especially the development of the conflict in the kinder-
gartens shows, strikes within the public services *must* find ways of coop-
eration with the users of these services. Users are able to exert pressure to
stop strikes, while at the same time, the economic power of these strikes is
limited – in fact, most cities save money by not offering services during a
strike. To stabilize both the social basis of the strikers and the concrete, local
cooperation between them and social movements in a broader sense is a big

issue to everyone interested in the continuation of some of the aims visible in the strike wave of 2015.

Third, even apart from such problems of cooperation, most of the named strikes were minority movements within the given sectors. For example, around two-thirds of the kindergartens are currently not run by local governments, and thus only a small part of those workers are legally eligible to take part in the strike movements. The situation is similar in important sectors such as retail, cleaning or even transport, and the constellation at the Deutsche Bahn, where the small minority of train drivers have the power to put pressure not only on their own employer but also on others, is actually a rare exception. The meagre results of most of the analysed strikes illustrate this fact.

Fourth, as precarization has become a universal phenomenon, the fragmentation of working conditions does not solely apply to certain sectors, but rather appears to be the crucial challenge for the constitution of the working classes and the representation of their interests. Based on a significant erosion of the legitimacy of capitalism in some sectors of the working class, this fact might open the door for completely new perspectives in class struggle, but it might as well lead to a fragmentation and enforce the ephemeral character of the strike movements. Unfortunately, this tendency is more likely to become dominant as long as the transnational dimension of the strikes (and solidarity with, for example, the social movements in Southern Europe) remains underdeveloped.

Anyway, it is still important to underline the relevance of some struggles that address the problem of fragmentation and precarization of work in a new way, thereby focusing not only on the situation of the workers but also on the quality and societal relevance of the outcomes. Both aspects are, at least in my opinion, deeply affecting the changing forms of strikes in Germany, thereby as well potentially reformulating the relations between the workers' and other social movements.[5] They also break with the relative isolation of factory-based struggles. In this sense, social movement unionism (Waterman 2001) is not to be understood as a *concept* but as a *trace* left by new forms of class struggle – not least to be found in strikes of female, precarious and migrant workers. The diffusion of such traces is important when we want to ask ourselves how alternatives to the mainstream austerity politics could be constituted.

NOTES

1. Having said this, it must be noted as well that there had been some spectacular 'small' strikes – based on similar reasons like in the service sector – in industrial firms: for example, the nine-month-long strike of the Neupack workers (a packaging

enterprise with subsidiaries in Hamburg and Rotenburg-Wümme) from November 2012 to August 2013 (Soli-Kreis 2014). In addition, statistical evidence on the composition of strikes may be biased by the different counting methods and publications of trade unions, on which the analysis of Bewernitz and Dribbusch is based.

2. This could change in the spring of 2018 though – because there might be developing a large-scale conflict around the reduction of the weekly working time in the metal and automobile industry.

3. Early 2017, the trade union ver.di announced a new round of strikes in all of the bigger airports, this time within the handling of baggage to the aircraft. The strike made visible how management works with a recomposition of the workforce (partly combined with the engagement of 'new' subcontractors who hire newcomers at lower wages). No doubt, employers are trying to pit 'older' and 'newer' colleagues against each other, albeit without much success.

4. The German Parliament passed the law on 22 May 2015. It imposes a 'one workplace, one collective contract' rule, meaning that only the biggest union in any workplace can negotiate and sign a contract within one company. As the right to strike in Germany is only legally unquestioned in cases of official collective bargaining negotiations, it means that smaller trade unions may lose their ability to strike. Consequently, their right to organize collectively, which is provided by the German Constitution, would be hollowed out. The Federal Constitutional Court decided on the law in 2017; while the widespread opinion was that the law is in conflict with the German Constitution, the court decided to accept the law, albeit with a few amendments.

5. Although the number of participants in strikes was much lower in 2016 and the first half of 2017, the tendency that (social) services were strongly affected continued, notably the conflicts about the worker-to-patient ratio at the hospitals diffused (Artus et al. 2017). Also, the transport sector remained a focal point, with the named strikes at airports and, for example, regional bus companies (e.g. a two-week-long strike in Hessen in the winter of 2016–2017).

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Chapter 13

The Politics of Striking: On the Shifting Dynamics of Workers' Struggles in Britain

Alexander Gallas

INTRODUCTION

The claim that unions go on strikes to 'hold the country to ransom' belongs to the mythology of British politics. It helped Margaret Thatcher win the 1979 general election, which took place soon after the Winter of Discontent, a huge public-sector strike wave. The Thatcher government used the trope of the destructiveness of strikes to justify an all-out attack on organized labour, which was aimed at stripping workers of the capacity to act collectively (Gallas 2015). It did so, for example, through the policing of strikes, the implementation of a repressive type of trade union law and the privatization and downsizing of the nationalized industries. The organized working class was weakened considerably, which is reflected in the fact that union density and the working days lost due to strikes have decreased enormously since the 1980s.

Recently, right-wing politicians in Britain have revived the myth of unions as forces of destruction. Strikes have become the object of political debate again, and the alleged damage caused by striking workers has served as a justification for the 2016 Trade Union Act, which further restricts the right to strike. This has happened despite the fact that there is no empirical evidence of an increase in strike activity. Working days lost due to strikes are far from approaching the numbers of the 1980s. Likewise, union density has been decreasing for more than thirty years now, and there is no evidence of a reversal of this trend. The only figure that can be interpreted as strikes becoming more forceful again is the number of participants in strikes: there are numerous strikes with mass participation in the past years, even if they usually only last for a very short period of time (see figures 13.1 and 13.2).

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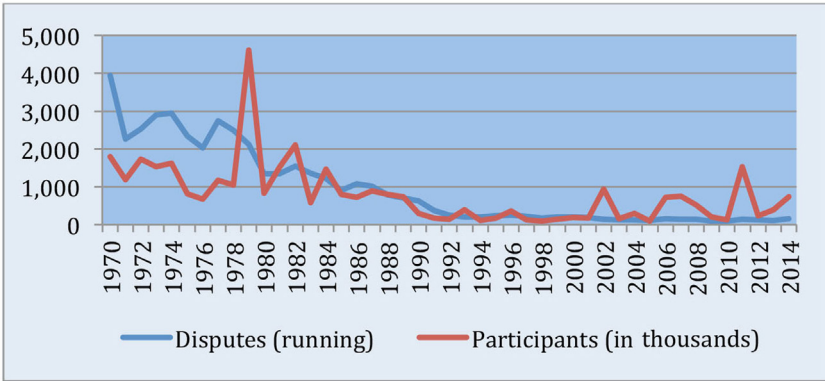
Figure 13.1.   Strikes in Britain

Source: ONS [http://visual.ons.gov.uk/the-history-of-strikes-in-britain/], own calculation and visualization.
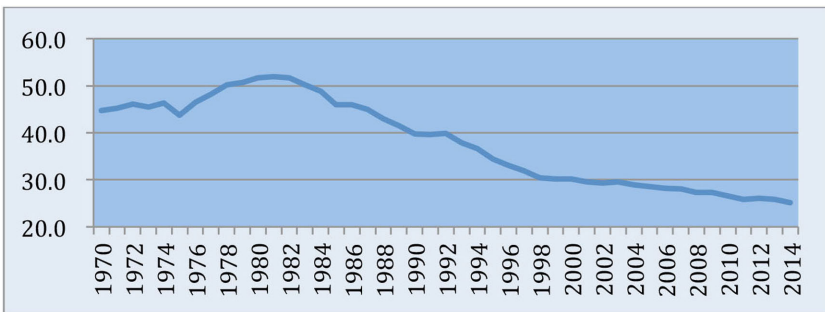
Figure 13.2.   Trade Union Density (in Percentage)

Source: OECD.Stat [https://stats.oecd.org/Index.aspx?DataSetCode=UN_DEN], own visualization.

Instead of looking at mere numbers, however, it is also possible to assess the quality of strikes and, in particular, their political impact. It needs to be asked why strikes have moved to the forefront of political debates once more – despite the fact that there is no evidence of an increase in strike incidence. Accordingly, I will assess in this chapter how the political dimension of strikes in Britain has developed over time. I will compare the 'New Labour' era with the conjuncture of the Great Crisis from 2007 onwards. My end point is the election of Jeremy Corbyn to leader of the Labour Party in September 2015, which amounts to a rupture in the relationship between unions and the party and thus has shifted the politics of trade unionism in the country. I cover strikes that have been covered in no less than five articles published in three media outlets with diverging political orientations, namely, *The Guardian*, *The Telegraph* and the website of BBC News. The empirical material I have examined is coverage of these disputes in the news media, academic literature and four semi-structured interviews that I have conducted with British trade unionists who have been active in some of the unions involved in the disputes.

ANALYSING THE POLITICS OF STRIKES

Reflections on the politics of industrial action tend to start off from the distinction between economic and political strikes. This distinction is usually understood in a legalistic manner, that is, by assessing the aims and target groups of strikes. In line with British trade union law, it is often said that economic strikes are aimed at furthering a trade dispute; that is, they address employers and concern the conditions of work plus remuneration. In contrast, political strikes are assumed to pursue political goals and address political institutions such as parliaments or governments (cf. Hain 1986, 20).

A closer look reveals that there are limits to this interpretation of strike types. In fact, even strikes that are initially driven by economic motives are politically charged in many cases. First of all, there are strikes without political goals that trigger interventions by political decision makers because of their disruptive effects. Second, there are strikes that affect the political scene despite having economic goals, for example, if governments prove incapable of containing their effects. Third, there are strikes whose aims shift over time. Last but not least, it is worth distinguishing between official and unofficial goals of strikes.

Against this backdrop, I propose capturing the political dimensions of strikes in a different way. At a fundamental level, it is possible to describe politics as a practice of conflict, more specifically as a 'collectively led

dispute over the organisation of society' (Lindner 2006, 585, translation). It follows that the political character of strikes is defined by how they are intervening in such disputes or becoming part of such disputes through interventions of third parties. I propose to differentiate between two scenarios characterizing the politics of striking.

The first scenario concerns stoppages that trigger reactions by political decision makers or commentators. This happens in particular if a strike has reached a certain size and scope (Hyman 1989, 177; cf. Hain 1986, 9). It is irrelevant in this case whether the reactions occur before, during or after the strike and whether the aims of the strikers are political or not. Importantly, reactions can consist in ideational or material interventions (or a mixture of both). Ideational interventions address the legitimacy of strikes. Examples are declarations of solidarity or public statements attacking strikes. In contrast, material interventions target the institutional conditions and the practical preconditions of stoppages. These include, for example, changes to trade union law or practical support for strikers or strikebreakers by politicians. In both cases, strikes are charged politically through the activities of external actors, which is why I speak of a process of *external politicization*.

The second scenario emerges when the protagonists of strikes have political goals, or when they shift their political attitudes or adopt political goals during a stoppage without interventions from third parties. In other words, the striking workers themselves are charging their action politically. Consequently, I propose to speak of a process of *internal politicization*.

STRIKES BEFORE THE CRISIS

If the Thatcherite era had been characterized by a boom-and-bust economy and direct attacks on unions, the 'New Labour' era was marked by a long economic boom and less open confrontation. Consultations between the government and the unions took place regularly, and there were certain improvements to individual rights of workers, for example concerning parental leave and work hours (cf. Gallas 2015, 281). However, 'New Labour' was not prepared to touch the repressive trade union law enacted by the Thatcher and Major governments.

After 'New Labour' had consolidated its hold over the political scene – Blair was re-elected with a landslide in 2001 – some of the unions became more confrontational (Pyper 2003, 495; Dinan et al. 2006, 311). However, organized labour did not manage to shift the course of the government significantly. At various points, there were conflicts between leading representatives of 'New Labour' and the more militant trade unions over the legitimacy of strikes.

2002 to 2004: Firefighters

The firefighters' dispute, a wave of short strikes that occurred between 2002 and 2004, is sometimes portrayed as the 'big' industrial dispute of the 'New Labour' era (Dinan et al. 2006, 308; Lyddon 2009, 321; Seifert and Sibley 2011, s332). It was triggered by a conflict over remuneration and thus started out as a classic economic dispute. The Fire Brigades Union (FBU) protested against the relatively low wage increases for firefighters in the 1980s and 1990s, the intensification of work and increasingly stricter requirements concerning the skills level of job entrants, which were justified with the need for technical know-how. The union demanded a wage rise of approximately 40 per cent for firefighters and 50 per cent for people working in the headquarters of the fire brigade. The government reacted by putting under pressure employers (the local fire authorities) and was successful insofar as the latter decided to take a hard line. In reaction, the union organized a strike ballot (cf. Gilchrist 2002; Pyper 2003, 490f; Burchill 2004, 404, 408ff; Seifert and Sibley 2005, 14, 68, 72, 92; Seifert and Sibley 2011, 336ff, 340).

At this point, the government intervened directly into the dispute and asked George Bain, a well-known academic, to conduct an 'independent' enquiry scrutinizing labour relations in the fire service. Bain published an interim report in November 2002, in which he proposed a staged wage increase of 4 and then 7 per cent, which he linked to the 'modernisation' of working conditions. The FBU rejected this proposal and decided to walk out: first for forty-eight hours and then for an entire week. This paved the way for an agreement, which consisted in a wage increase of 16 per cent plus 'modernisation' measures. However, the deal triggered a second government intervention. John Prescott, the deputy prime minister, announced that he refused to accept it. As a result, the union resumed strike action in the form of termed walkouts.

In December 2002, the Advisory Conciliation and Arbitration Service (ACAS) started to get involved in the dispute; around the same time, Bain published his final report, which did not bring any fundamental changes to the interim report. The union still rejected it and continued to stage strikes of limited duration. At the same time, negotiations at ACAS continued. After a last stoppage in February 2003, the FBU suspended industrial action for the time being. What followed were long-winded negotiations that were flanked by strike threats. It took until June of the same year for a deal to be struck. The agreement included a pay increase of 16 per cent over two and a half years plus a commitment to 'modernising' working conditions. Arguments over its implementation led to new confrontations, which included wildcat strikes (*The Guardian* 2003; Pyper 2003, 490f.; Burchill 2004, 411ff; Seifert and Sibley 2011, 339ff.).

The firefighters' dispute was an economic strike in the traditional sense over wages and working conditions, but it became politicized once the government decided to step in. It appears that the confrontational stance of the government was motivated by the fear that successful industrial action would set a precedent for the entire public sector, which could have led to other costly agreements. As a result, the dispute turned into a tug of war over the direction of British social democracy. In June 2004, the FBU decided at its annual conference to disaffiliate from the Labour Party. This decision was taken against the backdrop of the expulsion of National Union of Rail, Maritime and Transport Workers (RMT) from the party, which had taken place in February of the same year.

All in all, the firefighters' dispute is a good example for a process of external politicization: Initially, it was driven by economic motives on the side of the workers, but thanks to government intervention, it was transformed into a dispute over society (cf. Maguire 2004; Gilchrist 2005; Seifert and Sibley 2005, 14).

2003 and 2007: Royal Mail

There were two large Royal Mail strikes in 2003 and 2007, which formed part of two different disputes and diverged in their dynamics and outcomes. However, they had in common that they were both caused by relatively low wages in the postal sector plus a wave of 'rationalisation' drives that had started in the Thatcherite era and continued under 'New Labour' (Beale 2003; Cohen 2006, 141). Hence, it is justified to discuss both strikes together.

The first dispute was a wildcat strike with 20,000–25,000 participants that took place in late October and early November 2003 – in particular in London, Oxford and the South East, but also in Coventry and Wolverhampton in the Midlands and in Warrington in the North West. The Communication Workers' Union (CWU) had conducted a strike ballot, but a majority of members had voted against walking out (Choules 2003). After workers in Oxford and London had decided to down the tools anyway, management announced local restructuring measures that amounted to a punishment for workers in militant areas. In response, the stoppages were expanded; there were various wildcat strikes, over the course of which 16 million letters a day remained undelivered and 10,000 post boxes in London were sealed off. Management reacted to the strike activities with a U-turn and decided to back down (Cohen 2006, 141).

In principle, this was also an economic strike – it was defensive and aimed at management attempts to change working conditions. And yet, the fact that public-sector workers decided to go on strike and did so by breaking the law and operating outside the official union bureaucracy points to a process of

external politicization. The government intervened and demanded that ACAS be called upon to resolve the dispute; opposition politicians even advocated compulsory arbitration (Doward 2003).

In contrast, the 2007 dispute represented an official CWU strike. It also occurred against the backdrop of attempts by management to 'modernize' work processes and increase productivity. On 29 June and 12 July, two nationwide strikes took place; subsequently, there were rolling strikes that affected different regions one after another. Eventually, negotiations started, which, however, were terminated after five weeks. In early October, more stoppages took place (Lyddon 2009, 325), which were followed by wildcat strikes in a number of cities. In response, Gordon Brown, the new prime minister, openly took sides. He called into question the legitimacy of the strikes and insisted that CWU ensure their termination. Furthermore, he demanded that the union accept an existing offer (Hodgson 2007). After a court injunction issued on behalf of Royal Mail had declared the next planned stoppage illegal on the grounds of a formal defect concerning strike notification (Milner 2007), CWU and Royal Mail struck an agreement that traded slightly improved wages for flexibilization, the exclusion of new employees from the Royal Mail pension scheme and an increase of the pension age (Weaver 2007).

In my view, Brown's intervention was in line with 'New Labour's' policy of obstructing industrial action. His preparedness to demonize a legal strike demonstrates that the 2007 dispute also underwent a process of external politicization.

2005: Gate Gourmet

In 1997, Gate Gourmet, a subsidiary of Swiss Air, bought the catering arm of British Airways. As a result, the pressure on workers to change work practices increased significantly. Around the millennium, the catering industry as a whole was facing a crisis, which had been caused by budget airlines, the oil price and 9/11. From 2000, Gate Gourmet was no longer making profits. In 2002, it was taken over by the private equity firm Texas Pacific Group. Soon, it started negotiations with the Transport and General Workers' Union (TGWU) over the restructuring of work (Arrowsmith 2005; Azad 2005; Pimlot and Housley 2005; Pearson et al. 2010, 419ff).

The actual Gate Gourmet dispute took place in August 2005 at Heathrow Airport. The management of Gate Gourmet had proposed a 'rescue package' that was based on the reduction of overtime pay supplements, flexibilization and an increase of productivity. The workers, mostly middle-aged women with a South Asian background, rejected this 'package'. For 12 August, an arbitration meeting was scheduled; on 10 August, the company deployed fifty

temporary workers, whom the core workforce first encountered when the morning shift returned from their tea break on the same day. The permanent workers reacted with walking out; management responded with an ultimatum demanding that they return to work. After the ultimatum had ended, with the help of a megaphone they notified the striking workers that they were fired. The ground personnel and the baggage handlers at Heathrow reacted to the sacking by starting an illegal solidarity strike, which was organized through family and community networks. This stoppage shut down the entire airport for twenty-four hours. More than 100,000 passengers were affected; the damage for British Airways was approximately £30–40 million. Eventually, the TGWU and Gate Gourmet came to an agreement, which was brokered by the TUC. It amounted to a victory for the company: of the 813 workers fired, only 272 were reinstated. In 130 cases, the dismissal was confirmed, and 411 took 'voluntary' redundancy and got compensation. Furthermore, the remaining workers accepted worsening working conditions (Arrowsmith 2005; Azad 2005, 4412; Pimlot and Housley 2005; Hendy and Gall 2006, 2; Pearson et al. 2010, 424f.).

In line with the two other cases, the Gate Gourmet dispute also displays the pattern of external politicization. However, it was not politicized through government interventions. Instead, well-known leaders and supporters of the British union movement, among them Tony Woodley, the leader of the TGWU (Morgan 2005), and Roy Hattersley (2005), the former deputy leader of the Labour Party, used the strike to demand the repeal of the ban on solidarity action enacted under Thatcher. Alan Johnson, the secretary of Trade and Industry at the time, reacted quickly by emphasizing that the government would not change course.

2006: Local Government Workers

The dispute in local government ensued when the government announced that it would both increase pensions contributions and scrap a rule that allowed workers to retire at the age of sixty without a reduction of their pensions if their age plus their years of service equalled eighty-five. This announcement was seen as an act of discrimination by local government workers because other public-sector workers were not affected by the changes (*BBC News* 2006a, 2006b; *The Guardian* 2006; Newell 2006).

Several unions, among them the TGWU, Amicus, Unison and GMB, called for a one-day strike, which took place on 28 March 2006. Participation was high: the Local Government Association said 400,000 workers took part; the unions put the number at more than 1 million, claiming that it may have been the strike with the biggest number of participants since the 1926 general strike (*BBC News* 2006a; *The Guardian* 2006). A range of different public

sector workers took part, among others, 'leisure centre workers, school staff including caretakers, cooks, cleaners and office workers, refuse collectors, housing officers, nursery nurses, youth and community staff and tourism officials' (*BBC News* 2006a).

The strike seems to have had an (albeit limited) effect. The government announced in November 2006 that it would implement a new pension scheme for local government workers. This included increased contributions, but it contained a concession insofar as it allowed beneficiaries of the existing pensions scheme to still retire under the existing rules. Considering the strike was a confrontation between public-sector workers and the government, it was rather apolitical. There was discontent with the government, but it was not articulated clearly, as had been the case in the firefighters' dispute. Consequently, this was a strike that did not exhibit a clear pattern of politicization.

External Politicization

Three out of the four notable strikes in the 'New Labour' era discussed were characterized by processes of external politicization. They initially addressed wages and working conditions but were charged politically through outside intervention. This indicates that unions on the whole still accepted the classical assumption that whereas they were responsible for 'industrial' issues, the Labour Party was taking care of politics. At the same time, there were limits to the loyalty to 'New Labour', as is evidenced by the tensions that built up in the disputes. These tensions reveal that some trade unions took on a more independent political role, which caused hostile reactions from the party leadership.

STRIKES AFTER THE ONSET OF THE CRISIS

In September 2007, it became evident to the general public that the British economy was in a weak state: there was a run on the mortgage bank Northern Rock. Soon, a full-blown banking crisis ensued, to which the Brown government responded with the nationalization of about half of the retail banking sector in Britain. This affected not only Northern Rock but also other big institutions such as Lloyds and the Royal Bank of Scotland. The country entered a deep and lengthy recession – and the 'recovery' appears to have been even slower than the 'recovery' after the depression of the interwar period (Howe 2014). During the final months of Brown's premiership, the government responded to the increase in public debt that had been caused by bailing out the banks with the announcement that it would cut public expenditure. However, it failed to implement its plan because Labour lost the general elections in May 2010.

The new government, a coalition between Conservatives and Liberal Democrats under the leadership of David Cameron, embarked on an agenda of even deeper cuts. The ratio of public spending to gross domestic product decreased between 2010–2011 and 2014–2015 from 44.8 to 40.7 per cent (IFS 2015), which also meant that 600,000 public-sector jobs were lost (Laverty 2015, s1). To a degree, this has been compensated for through the creation of new private sector jobs; however, there are considerable regional divergences in their quantity (Laverty 2015). Furthermore, the country is witnessing decreasing real wages (Machin 2015) and an increase in precarious jobs.

The formation of the coalition government amounted to a return to the Thatcherite era in the sense that consultation between unions and government representatives was minimized. The Labour Party – now led by Ed Miliband – wavered over the cuts agenda. As a result, extraparliamentary forces started occupying the political vacuum thus created. Among them was the British union movement.

2009: Oil Refineries

The news media paid a lot of attention to a wave of wildcat strikes of engineering construction workers in January and February 2009, which started at a refinery on the eastern coast of England called Lindsey Oil. The workers protested against an Italian firm, which was commissioned to build a desulphurization plant. This firm planned to deploy permanently employed workers from Italy and Portugal to carry out the task. Local workers voiced their concern that the agreement with the Italian firm would undermine the sectoral bargaining agreement. The background was that in Britain, the European Union Posted Workers Directive was transposed into national law without ensuring that existing collective agreements were binding for posted workers (Gall 2012, 417; Ince et al. 2015, 147). The strike lasted about a week and was accompanied by numerous solidarity strikes of thousands of workers, which, under British law, are seen as being illegal. After negotiations under the auspices of ACAS, an agreement was struck that reserved half of the jobs to be created for local workers (Chopra 2009; Hall 2010). The first wave of wildcat strikes was followed by two additional waves, which forced employers to make similar concessions (Gall 2012, 416).

Media attention for the strike was caused by the fact that the striking workers used a nationalist slogan – 'British Jobs for British Workers' – which was coined in the 1970s by the National Front, a neofascist party. Gordon Brown took up the slogan in 2007, which means that the stoppage can be seen as a critical comment on the government's management of the crisis. Anthony Ince et al. (2015, 149) have examined debates in an Internet forum used by

striking workers. They describe their attitudes thus: 'Some strikers argued that they were simply throwing the phrase back at Gordon Brown, forcing him to "eat his words". Some called for Brown to "honour his promise", and "to defend the fundamental right to access employment in their own country"'.

Notably, there were nationalist overtones to the debate around the strike. Some of the strikers brought Union Flags to assemblies, and the slogan 'Put British Workers First!' was used. Tony Woodley, one of the two general secretaries of Unite, reported that members of the neofascist British National Party (BNP) were actively participating in the action. However, it is important to note that many of the strikers were hostile to the BNP agenda; they had simply walked out to scandalize the downward pressure on their wages and their exclusion from the allocation of jobs. The strike committee, for example, refrained from using nationalist slogans and voiced an alternative demand, which was 'fair access for local labour'. Nevertheless, the activists proved unable or unwilling to completely stamp out nationalist demands and slogans from the start (cf. Guthrie 2009).

The dispute displays the pattern of internal politicization. From its inception, the demands voiced reflected both economic and political concerns. The strikers did not just direct their ire at employers but also against the Brown government and its unwillingness to re-regulate labour relations. Of course, this assessment should not be read as a defence of the framing of the strike aims. The nationalist overtones prevented, from the outset, an alignment with the protests against the political management of the crisis that were already taking place in other European countries at the time.

2009: Royal Mail

The political dimension of the industrial action at Royal Mail in 2009 is less obvious than in the case of the oil refineries. The official line was that this strike was about the goals and conditions of the 'modernization' of British Mail, as it had been envisaged in the 2007 agreement. In the summer of 2009, there were various local stoppages. After postal workers had agreed to industrial action with a clear majority in a ballot whose result was announced in October 2009, the CWU carried out four national twenty-four-hour strikes involving different groups of postal workers. Following long-winded negotiations, an agreement was struck in the spring of 2010, which brought wage increases plus job security for 75 per cent of the employees, but also the introduction of new technologies that posed a threat to existing jobs (Hall 2009).

Importantly, however, the political context of the strike created a degree of polarization which revealed that the striking workers were, to a significant degree, motivated by political aims. In October 2008, Peter Mandelson, the

Business Secretary, had announced that he would react to economic weaknesses of the postal service by partly privatizing it. This caused considerable resistance – both from the CWU and from numerous Labour members of parliament, who were prepared to take a stand against their own government. The protests were successful. In July 2009, Mandelson decided to drop his plans.

Against this backdrop, it becomes clear that the dispute in the autumn of 2009 was not just about 'modernization' but also about preventing the restructuring of a state-owned enterprise and a new push for privatization. This is also confirmed through interviews with striking workers broadcast by BBC News (*BBC News* 2009). In this sense, there was a process of internal politicization that guided industrial action. In the end, however, the CWU was not able to stop denationalization, which took place in autumn 2013.

2010, 2014 and 2015: London Underground

In the conjuncture of crisis, the transport union RMT – an organization known for its 'radical political unionism' (Connolly and Darlington 2012) – embarked on a number of strikes. In June 2009, there was a forty-eight-hour strike at London Underground, which was about wages and working conditions (Prosser 2009) and brought a small pay increase. With the formation of the coalition government in May 2010, the RMT started to play a political role that extended beyond the trade union spectrum because it resoundingly rejected public-sector cuts (Connolly and Darlington 2012, 5f.; Darlington 2012, 522). Between September and November 2010, four twenty-four-hour strikes took place at London Underground, in protest against the closure of ticket offices and the corresponding job losses (Hall 2010), which, however, could not be halted in the end. Significantly, the RMT emphasized in this context that the employers were reporting to the then Mayor of London, Boris Johnson, already a leading Conservative politician. In so doing, they created a link between cuts at London Underground and the austerity agenda of the coalition government.

The 2014 strikes were also about the announced closure of ticket offices at London Underground. In February and April of the same year, there were two forty-eight-hour stoppages, which significantly disrupted the public transport system in the British capital. In July and August 2015, there were two more two-day strikes, which again concerned ticket offices, but also the planned night-time travel on London Underground. Once more, the RMT emphasized that there was a connection between the politics of austerity and the situation of tube workers (Khomami et al. 2015). Again, the anti-austerity framing of the strikes can be read as a sign of internal politicization.

2011, 2012 and 2014: Public Sector

In March 2011, the TUC organized a big demonstration against the politics of austerity pursued by the Cameron government, which was attended by 250,000–400,000 people. In June of the same year, the government announced that there would be significant changes to pension system in the public sector. It planned to increase both the pension age and pension contributions and to restrict pension entitlements (cf. Curtis 2011). This announcement meant that the unions had the opportunity to strike legally against the cuts agenda in the entire public sector.

The pension dispute led to three one-day strikes, which took place on 30 June 2011, 30 November 2011 and 10 May 2012. The number of participants ranged from hundreds of thousands to millions; the highest number was recorded in November. Despite the high turnout, the strikes did not thwart the restructuring of pensions, to which most of the unions agreed in the end. Significantly, however, all three strikes were political from the start: the participants were consistently talking about cuts and government attacks on the public sector (Gallas/Nowak 2012, 80–86).

The first wave of mass strikes was followed by a second one in 2014, which was based on ballots that had taken place, in part, in 2012. This new round of industrial action was mostly about the decision of the government to freeze public-sector wages. The strikes took place on 10 July and in October 2014, and participation was roughly the same as in 2011–2012. The protests culminated in a big demonstration in London that was attended, according to union officials, by approximately 90,000 people (Campbell and Johnson 2014; Johnston 2014). Again, the striking workers were not able to force the government to make any significant concessions, but, again, they were attacking its agenda in an openly political manner. In the light of this, there is no doubt as regards the political orientation of the strikes over pensions and pay: they amounted to protests of public-sector workers against the governments' agenda. As such, they constituted the focal point of workers' protests against austerity during the crisis.

THE POLITICS OF STRIKING IN THE CRISIS

In the conjuncture of crisis, the political context of strikes has changed considerably, and the same can be said about their political dimension. There is a shift towards internal politicization, which is a reflection of the dominant patterns of political crisis management. In other words, the strikes display a greater degree of political independence than in the 'New Labour' era – a

development that was foreshadowed in those sectors where strikes caused tensions between unions and the Blair and Brown governments.

During the first phase of the crisis, the 'New Labour' narrative of uninterrupted growth and social inclusion no longer had much traction. This is visible in the Lindsey Oil dispute. The nationalist framing of the strike was a sign of discontent with the state of labour relations in Britain and the failure of the Brown government to make interventions in favour of workers. In other words, the dispute can be seen as a protest against 'New Labour'.

The shift of 'New Labour' towards a politics of austerity marked the beginning of the second phase of the crisis. It obtained a clear direction with the formation of the coalition government, which committed itself to significantly shrinking the public sector. In this situation, the unions started to use the strike weapon as an instrument of political protest. At the same time, the defensive and symbolic nature of the strikes (in most cases, they were short-term strikes that did not take longer than forty-eight hours) reveals that organized labour was weak. At no point it looked as if the austerity agenda of the government was likely to be thwarted. However, the more independent approach to politics adopted by the unions can be seen as an attempt to establish new modes of working-class political representation.

CONCLUSION

In Britain, a shift has occurred in the patterns of politicization affecting labour struggles. With successive governments attacking the public sector, external politicization has made way for internal politicization. The austerity agenda that emerged under Brown has made it impossible for public-sector workers to defend their jobs, wages and working conditions without taking a political stand. As a result, they have been using the strike weapon in order to signal their dissent with the political management of the crisis. The examples of the engineering construction workers and of Unite as a union with a strong base in British industry demonstrate that this political turn can also be detected, at least to some extent, in the private sector. However, it does not translate into strike action to the same degree. This reflects the fact that austerity affects private sector workers in a different way: it does not pose a direct threat to pay and conditions; workers experience it when they are faced with a crumbling social infrastructure and the competitive pressures induced by anaemic economic growth.

The changed politics of striking explains why leading circles in the Conservative Party have been stoking public debates on the allegedly disruptive nature of strikes, and why these debates have been resonating with certain parts of the general public – despite the fact that strike incidence and intensity

have not changed much. The government continues to impose swinging cuts and does so without making significant concessions. Unions in the public sector react with strikes, which cause significant disruption in certain areas of everyday life. In response, government officials deflect the blame for the poor state of public services by playing off users and providers against each other. They condemn unions trying to defend the public sector through strike for acting 'irresponsibly' and neglecting the needs of those depending on public services. In this context, the Cameron government enacted a Trade Union Bill in May 2016, which further restricted the right to strike. The turmoil produced by the Brexit vote and the formation of the May government have not significantly changed the hostile attitude of leading circles in the Conservative party towards trade unionism.

At the same time, the election of Jeremy Corbyn to leader of the Labour Party amounts to a rupture with the neo-liberal course of New Labour. Corbyn is clearly opposed to the cuts. He was supported by the two biggest British unions, UNISON and Unite, as well as by the CWU. His victory in the leadership election plus his survival of the leadership challenge after the Brexit vote can be seen as a success for organized labour in Britain, in particular for those unions that were actively involved in fighting the cuts. At the same time, Corbyn's election could lead to the newly found political voices of unions becoming quieter again. After all, there is a possibility that unions allow the party to dominate working-class politics once more. In the light of the government's continued attacks on unions, this could soon prove to be detrimental to organized labour. It is unlikely that attacks can be stopped without unions embracing an independent political role and using the strike weapon to underscore their demands.

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Austerity and Labour Resistance

The Shifting Shape of Strikes in Spain

Nikolai Huke and Olaf Tietje[1]

The economic crisis that began in 2007–2008 has during the past few years significantly altered industrial relations in Spain. Up until the crisis, relations between capital and labour were generally characterized by institutionalized cooperation between trade unions, employers and state apparatuses in combination with strong elements of rather ritualized symbolic confrontation (e.g. a relatively high number of workdays lost due to strikes) (Huke and Tietje 2014b). The crisis fundamentally changed these 'rules of the game' (Gago 2013). Austerity policies not only cutback public employment and restructured public services along neo-liberal lines, but also made dismissals easier, decentralized collective bargaining to the company level and widened the scope for unilateral actions by employers. In combination with rising unemployment and an increasing rate of precarious employment, these changes shifted relations of force between capital and labour in favour of capital (Haas and Huke 2015). Employers' willingness for concessions declined, whereupon the system of industrial relations moved towards one of fragmentation and symbolic cooperation (Huke and Tietje 2014b). In mid-2011, a strong cycle of protest following the *indignados* of 15M[2] shook the passiveness of the Spanish people and politicized the socially devastating effects of crisis and austerity (Huke 2016).

The chapter argues that this triple movement – the weakening of labour, the decline and fragmentation of cooperative mechanisms and the crisis of hegemony enforced by the new cycle of protest – made strategic reorientations by trade unions necessary, which shifted the shapes of strikes. Rather than in the number of strikes, we argue, this change becomes visible in tendencies towards different *forms* of strikes and their linkages between each other.[3]

The development of strikes during the crisis was characterized by general strikes, a decentralization of strikes to the company level, the

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replacement of demonstrative strikes by 'fighting strikes', strike movements organized by groups of workers instead of trade unions as well as the motivation to take strikes to the public arena and embed them into social communities beyond the affected workers. As the crisis continued, however, a normalization of austerity and a decrease in industrial conflict could be observed.

COOPERATIVE CONFRONTATION AND
THE CONTEXT FOR ITS DEMISE

Before the current crisis, the system of industrial relations in Spain after the Franco period can sketchily be described as following a path of *cooperative confrontation*: strikes were frequent, but generally short term and demonstrative. Cooperation between employers and trade unions was well established at the company level, as well as at the sectoral, regional and national levels. Social dialogue and consultation included not only the social partners but also state apparatuses. Large parts of the workforce were covered by collective agreements, due to their automatic extension (*erga omnes*-clause). The major trade unions pursued moderate wage increases.

The labour market was characterized by a dual structure: relatively secure long-term contracts with strong protections against dismissals, on the one hand, and increasing precarious employment since the 1980s and an elevated level of structural unemployment, on the other (Köhler and Calleja Jiménez 2014, 373). Union membership and support remained limited in groups that tended to work in more precarious conditions, for example young people, women and migrants (Köhler and Calleja Jiménez 2013, 4; Huke and Tietje 2014b, 372). Despite selective organizing efforts targeting these groups in the economic boom since the mid-1990s, trade unions sought 'every time more refuge in workers [that were] a bit more stable [because] they mobilized themselves more'.[4] The protection of workers during industrial conflict was (and still is) still rather weak. Few Spanish trade unions maintain sufficient strike funds. Social protection in Spain is weakly developed, leading to a strong dependency on employment. Social security, unemployment benefits or pensions are often below the level of the minimum wages (López and Rodríguez 2011, 19; Haas and Huke 2015).

The system of cooperative confrontation, however, ended with the crisis. Following a breakdown of the real estate–led mode of capitalist accumulation in 2007–2008, Spanish governments – be they social-democrat or right wing – unilaterally implemented harsh austerity measures. Insolvencies and increased economic fragility of enterprises weakened the position of the trade

unions (Huke and Tietje 2014b, 379–80). Confronted with the crisis, many workers

> adopt a very corporate position. . .: I try to solve my problem. I do know it is a general problem, but I isolate myself and try to talk to my employer to protect me. It is difficult for them to understand, that they cannot maintain autarkic islands, closed, isolated, eh? . . . And in exchange I allow that my own employer creates around me margins of precarious employment . . . that co-exists with my high level of protection. . . . The trade union tries to avoid it, but sometimes it cannot avoid it. Let's be honest. . . . It's like that. . . . And in the end . . . they dismiss them or close them down. Because they are not competitive.[5]

The unemployment rate rose from 7.9 per cent in June 2007 to 24.5 per cent in June 2014. The unemployment rate of people under the age of twenty-five reached a staggering 56.5 per cent in November 2013. In addition, 9.2 per cent of the employees (57.4 per cent of the part-time employees) were underemployed (working fewer hours than they wanted) and precarious employment rapidly substituted formerly secure contracts. At the same time, the trade unions were unable to overcome their organizational weaknesses in informal, precarious and restructured fields of work, whose relevance increased further during the crisis (Köhler and Calleja Jiménez 2013, 4–6).

In 2013, in 1.9 million Spanish households, all members were unemployed and 3 million people were living with less than €307 a month. Over 30 per cent of the unemployed did not receive unemployment benefits because their two years of coverage had expired. At the end of 2012, 638,300 households were without any income (TAIFA 2010; Köhler and Calleja Jiménez 2014, 370). The need for support by the organization Caritas increased during the crisis by about 170 per cent. About 2.4 million people relied on support from the Red Cross and 1.3 million people on food banks. The membership and rate of unionization declined as unemployment often meant the end of trade union membership (Köhler and Calleja Jiménez 2013, 4). Unemployment, poverty and evictions increased the risk of depression, anxiety disorder and other psychological illnesses (Gili et al. 2013). Yet absenteeism decreased heavily – an indicator of rising pressure to work despite being sick (Adecco 2013, 1–2). The social crisis increased the power of employers to impose concessions on their workers (Köhler and Calleja Jiménez 2014, 374). Social dialogue broke down, due to an increasing unwillingness of first employer's organizations and later state departments to make even minor concessions to the trade unions. While the central government of the Partido Socialista Obrero Espanol (PSOE) focused on social dialogue to pursue austerity – combined with the threat of emergency response tools – the Partido Popular (PP) was focusing on immediate confrontational politics. Their style was

characterized by even brusquely ignoring agreements of the social dialogue partners (Haas and Huke 2015). Confronted with this change, 'trade union structure and strategy [became] more about mobilization and confrontation and not . . . negotiation, because of the refusal of employers and government to cooperate'.[6] Nonetheless, the major trade unions remained oriented towards cooperative strategies. Concessions by the trade unions in social pacts on pensions (2011) and on collective bargaining (2012) decreased the legitimacy of these unions in Spanish society (Huke and Tietje 2014a, 534). The pacts were motivated by the hope of the trade unions to prevent more far-reaching cuts, but they also reflected a feeling that 'there was no social mobilization on the street strong enough to say: "We don't pact, let's go to the street"'.[7] Because of this, 'struggles are way more defensive'.[8]

LABOUR REFORMS AND THE ASSAULT ON TRADE UNIONS

The trade unions were weakened further by wide-ranging reforms in industrial relations implemented by the PSOE government (e.g. Real Decreto Ley, emergency decree [RDL] 10/2010; Ley 35/2010), an attack on labour that was intensified by the PP under Mariano Rajoy (RDL 3/2012; Ley 3/2012). Protection against individual and collective dismissals was significantly reduced, while the possibilities for employers of making flexible use of contracts were increased. The system of collective bargaining was also changed fundamentally. Collective bargaining at company level was given priority. The validity of collective agreements that hitherto had remained in effect until a new agreement was reached was limited to one year after their period of validity has expired. Furthermore, the scope for employers to suspend collective agreements was expanded. Politically, the unions were weakened by the constitutionalization of austerity policies with the insertion of a so-called debt brake into the Spanish Constitution in 2011 and its application to all levels of democratic decision-making by law in 2012 and 2013 (Haas and Huke 2015).

A clear picture of the future emerged for the trade unions: 'It is obvious that the patrons – the bosses – want to directly attack collective bargaining. They want to destroy the basis of the trade unions'.[9] The public sector –for example, sectors such as education and health – underwent significant neoliberal restructuring, with selective privatizations and reductions in employment. Under the PP government, laws were proposed that aimed at restricting and criminalizing activities of social movements and trade unions, accompanied by media campaigns to delegitimize trade unions (Köhler and Calleja Jiménez 2014, 376): 'We . . . are the retaining wall in defence of social and

working [people's] rights, no? And because the governments and the markets know that . . . they are trying to break down the wall. . . . If you read the papers, there are daily attempts to discredit [us]'.[10]

The speed with which the crisis unfolded and austerity measures were implemented posed a serious challenge to the trade unions, as the following quotes show exemplarily:

> If you enter the loop of the crisis . . . it absorbs you. . . . Since May 2010, we have not stopped. I am going to a minimum of two demonstrations a week.
> Since the crisis started, it goes non-stop. . . . There is not a single moment of calm. . . . You hardly gather material because it is always going forward.[11]

Overall, the changes during the crisis were successful in their effort to 'eliminate the system that we had consolidated in matters of labour relations in this country'.[12] The power of trade unions to influence policy formation or decisions at the company level decreased significantly.

REINVENTING RESISTANCE: THE SHIFTING NATURE OF STRIKES DURING THE CRISIS

The fundamental change in industrial relations in Spain did not leave strikes unaffected. The number of workdays lost due to strikes dropped at the beginning of the crisis (see figure 14.1). In 2012, it temporarily rose only to steadily decline again thereafter. However, the official statistics of the labour ministry do not include the general strikes in 2010 (29 September) and 2012 (29 March and 14 November), 'given that it does not have information available from all the Autonomous Communities' (Begega and Balbona 2014, 88). Based on the CIS barometer, Begega and Balbona (2014) have developed a corrected estimation of workdays lost by strike including the general strikes.

Beyond the varying number of workdays lost to strikes, the *form* of strikes during the crisis differed significantly from the pre-crisis period. The political exclusion of the trade unions led to three national general strikes, while the austerity policies triggered a decentralization of strikes to the company level. Symbolic strikes began to get replaced by fighting strikes as the unwillingness of employers to grant concessions to the trade unions increased due to the shift in relations of force between capital and labour. Drawing on Nowak's and Gallas's Luxembourgian typology, the difference between these two forms of strike can be described as follows: 'Demonstrative strikes voice the opinion of workers and are limited to one or two days, while fighting strikes are about striking until the goal of the stoppage or a compromise has been reached, or until the workers decide to give in' (Nowak and Gallas 2014, 312).
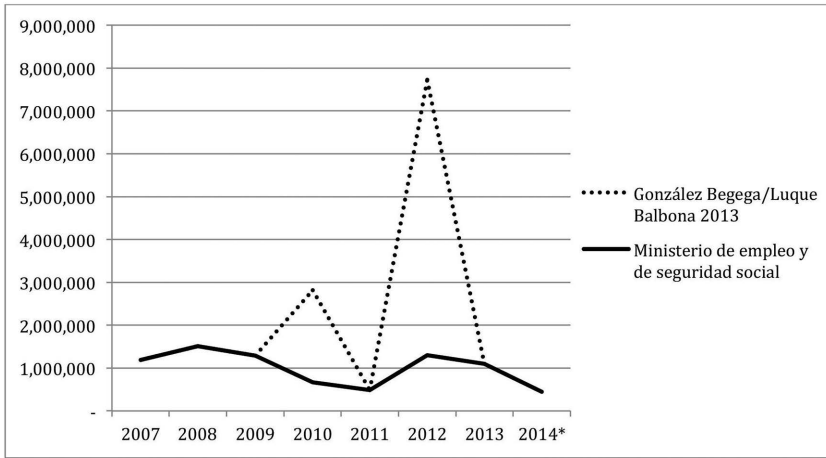
Figure 14.1. Workdays Lost by Strike

Source: Ministerio de empleo y de seguridad social; Begega and Balbona (2014).

Movements such as 15M successfully injected a spirit of rebellion into the rather permissive and passive civil society in Spain. In consequence, and in reaction to cuts, workers' strikes and protest movements *from below* evolved. At the same time, the weakness of trade unions at the company level made *efforts to embed strikes into public protests and aim to include social movements and local communities into strikes* necessary.

GENERAL STRIKES

Being deprived of their former institutional channels of influencing policies and industrial relations (e.g. social dialogue), while being exposed to blatant attacks on workers and trade union rights, forced the trade unions to take a more confrontational stance vis-à-vis the PSOE and later the PP government. Perhaps the most visible effect of this development was the three general strikes, in September 2010, March 2012 and November 2012. The pressure they exerted was largely symbolic, as they were limited to one day, for which a minimum service to be upheld was agreed with the government. Until 2010, both CCOO and UGT had enjoyed a rather harmonious relationship with the PSOE government. When the PSOE performed a U-turn in 2010 from a moderately Keynesian crisis management to an austerity-focused agenda, these unions were ill-prepared:

We had not prepared or maintained the mobilization of the workers or the level of critical consciousness. . . . It was thought that these adjustments would not come from the side of a social [democratic] government. As they suddenly lashed down on us, they caught us wrong-footed . . . because the government had not given us motives. . ., there was no scenario of confrontation.[13]

The announcement by the PSOE to raise the retirement age in February 2010 (from sixty-five to sixty-seven years) was met with rhetorically fierce critique by the trade unions. Mobilization, however, remained limited to sporadic action days with limited participation. Even after the PSOE introduced further austerity measures in May 2010 – including a 5 per cent cut in salary for all public-sector workers – the trade unions publicly deemed a general strike an inadequate response. Instead, they organized a strike of public-sector workers on 8 June. Just after the PSOE unilaterally imposed a flexibilization of the labour market in June 2010 – which included significant reductions in protection against dismissal – CCOO and UGT decided to call a strike on 29 September. However, the direction of the strike was rather limited: both trade unions explicitly stressed that the strike was not meant to be against the Zapatero government, but as a wake-up call for the PSOE to change its course. CCOO and UGT found it 'very difficult to get the strike going': 'We got used to a period of prosperity and there was not the organization and the whole of the workers did not have the view . . . or attitude that we were passing from a period of prosperity to a period of cuts and that it was necessary to mobilize against them'.[14]

After the general strike in September 2010, it took the CCOO and UGT more than one year to organize the next general strike. As CCOO official Nuria Montoya argues, underlying this was the analysis by the trade unions that they did not have the power to organize continuous strikes as were occurring in Greece. In consequence, they opted for slowly building up a strike potential (Montoya 2012, 157). As the PP, who had taken over government in November 2011 – despite various action days of the unions – had proven unwilling to take back its labour market reform (RDL 3/2012) decreed in February 2012, they called for a general strike on 29 March. After two years of ongoing cuts, the scenario was very different from the one in 2010.

THE EMERGENCE OF 15M

In May 2011, the 15M movement (*indignados*) had erupted; people occupied squares in many Spanish cities and organized neighbourhood assemblies that served as nodal points for ongoing protests. The movement created a rupture

with the passiveness that had characterized large parts of the Spanish society in the first years of the crisis (Huke 2016). While focusing on a critique of representative democracy ('They don't represent us'), 15M also challenged the legitimacy of the (major) trade unions that were – not least due to their acceptance of the social pact on retirement and their hesitant reorientation towards confrontation – regarded as part of the problem rather than part of the solution. Therefore, CCOO and UGT were initially reluctant towards the new movements:

> 15M . . . claimed 'I also represent the citizens and the workers. I am also a legitimate social interlocutor'. . . . It is like the chair game, where you have four persons and three chairs; no one wants that someone else, another organization, another association, another collective occupies the space that you already represent.[15]

As austerity politics continued, however, both 15M and the major trade unions gradually overcame their mutual distrust. The general strikes in 2012 were the first in a long time in which trade unions, social movements and neighbourhood organizations built up a stable and continuous cooperation that culminated in general strikes (Montoya 2012, 156). Another key factor for the increasingly confrontational attitudes of CCOO and UGT were radical, minoritarian trade unions, especially from the Basque countries, that performed several regional general strikes and pushed for national strike movements (del Bado 2012). The second strike in 2012, on 14 November, was embedded into a European day of action organized by the European Trade Union Confederation (ETUC) See Table 14.1.[16]

Table 14.1. Motives and Participation in the General Strikes

Date	Motive	Participants (in thousands)	Employees (in thousands)	Strike participation rate (percentage of total employees)
29.09.2010	Labour market reform of the socialist government	2,148.5	15,346.8	14.0
29.03.2012	Labour market reform of the popular government	3,357.3	14,347.2	23.4
14.11.2012	Austerity policies and cuts in social welfare	3,070.3	14,347.2	21.0

Source: Begega and Balbona (2014, 95).

THE DECENTRALIZATION OF STRIKES AND THE INCREASED NECESSITY FOR FIGHTING STRIKES

As legislation – due to the labour market reforms – no longer promoted collective agreements but an 'imposition by the employers, and all mechanisms of control and equilibrium that existed . . . were significantly reduced',[17] the willingness of employers to negotiate agreements with trade unions declined. While trade unions were – at least in some regions such as Andalusia and Catalonia – able to prevent the expiration of sectoral collective agreements, they found it increasingly difficult to enforce their application at the company level:

> It is now very difficult to even reach a thousand euros [a month]. Because you have a continuous battle [over collective bargaining and the fulfilment of collective agreements] in the companies and what they offer you are part-time contracts, contracts . . . where you must work more hours than you are really paid for and with salaries very inferior to the agreement.[18]

In consequence, 'it is now [at] the company level where the conflicts are'.[19] The shift to the company level is accompanied by a shift in the forms of strike at the company level. While the pre-crisis period had broadly been characterized by (short) 'demonstrative strikes' that were embedded in rather cooperative union-employer relations, the crisis witnessed the return of unlimited *fighting strikes*.

The fiercest fighting strikes occurred in plants where the management unilaterally pursued plant closures and decreed collective dismissals (e.g. in the cases of Panrico or Coca-Cola), with the strike at the emblematic Spanish donut producer Panrico being the longest since the transition to democracy in the 1970s, lasting eight months. Yet concessions by employers and successes of fighting strikes remained limited, not least due to the massive shift in the relations between capital and labour during the crisis referred to earlier:

> You are in your company used to have a more fluid social dialogue, but in a certain moment it is subdued to a company director or a multinational group or adopts a different attitude in its own labour relations saying: 'Why would I negotiate with you if now I can do this, I can do that. The government has given me the legal possibility'. . . . This then produces . . . a rupture of social dialogue in the company and the union resists.[20]

The fighting strikes of the technical workers at Telefonica, one of the biggest communication companies in Europe, for example brought some distinctive differences between the rank and file and the leadership of the

majoritarian trade unions to light. Initially mobilized by minoritarian trade unions like Alternativa Sindical de Trabajadores, Confederación General de Trabajadores and Comisiones de Base, the workers began striking on 28 March 2015 in Madrid, while CCOO and UGT only joined the struggles because of the pressure of CCOO's rank and file. The established trade unions merely joined with sporadic mobilizations. On 5 May, the majoritarian trade unions were offered negotiations instead of the striking ones. The terms of the negotiated pact were far removed from the changes that had been demanded. For this reason, the nearly 30,000 workers continued the strike despite the negotiated pact until 22 June (Bailey, Clua-Losada and Huke 2017).

GRASSROOTS STRIKE MOVEMENTS

In the public sector, cuts and neo-liberal restructuring spawned massive strike and protest movements in education (*marea verde*: green wave) and health-care (*marea blanca*: white wave). A key feature of these movements was their grassroots democracy-oriented organizational structure that was at least in part inspired by the 15M movement (Huke and Tietje 2014a, 354; Huke 2016). As a trade unionist from UGT said, the 'whole 15M movement has diluted and is already very mixed up with everything. There are for example in the case of civil servants/public sector workers [*funcionarios*] very strong [interjection by another interviewee: "spontaneous"] mobilizations at the margins of the trade unions'.[21]

The *marea verde* developed in 2011 at Madrid and was 'obviously a bit the heir of 15M, right? Emanated a bit that wind of popular sovereignty, right? That came out of 15M, right?' Before, 'the teachers had lived . . . at the union level a very frustrating process, in which the teachers mobilized themselves very little and there was little class consciousness within the teaching staff, strikes were followed very little'.[22]

The name *marea verde* derives from the movements' green shirts, which became a symbol of the protest. Its key demand is public schools for everyone. The movement was catalysed by an increase in the number of teaching hours and the dismissal of nearly 3,000 substitute teachers by the regional government of Madrid (Huke and Tietje 2014a, 536). In the subsequent years, the movement spread to other regions in Spain, where a significant restructuring of the education system was taking place. This included an increase in the number of pupils in each class and in teaching hours, cutbacks in internal democracy within the schools and an inten-sification of competition between different education centres, mainly connected to the Ley Orgánica 8/2013 para la mejora de la calidad educa-tive that was introduced in December 2013. Subsidies for public school

transport, schoolbooks and meals were reduced (Huke and Tietje 2014a, 536). Consequently, 'there were a lot of kids that left the school canteen because the families were unable to pay due to the situation of crisis'.[23] Cuts in public spending had uneven effects on public and private schools: schools organized as public-private partnerships and private schools were largely excluded from reductions in public spending. The consequence is an intensification of the tendency towards a backdoor privatization of the education system, which increases effects of social exclusion (Huke and Tietje 2014a, 536).

Teachers in Madrid organized several assemblies in reaction to the cuts in the summer of 2011. Influenced by the 15M movement and partly initiated by trade unions in the education sector, the assemblies rapidly evolved into a movement of their own that went beyond institutionalized representation of workers within and by the trade unions. The assemblies soon took place on a regular basis in many schools and had an active participation of education sector employees – especially the teaching staff and a notable, although less intense, participation of pupils and parents. As a trade union official of the left education union Sindicatos de Trabajadores de la Enseñanza (STES) recalls:

> They started to mobilize in a totally horizontal [manner]. That is, in every institute, every high school, and every school there was a support group for the mobilization. They gathered in zones and neighbourhoods and, well, they organized very important demonstrations, they did strikes that were supported by the parents.[24]

The grassroots structure of the assemblies and horizontal mobilizations soon led to a certain unease in the relations with the major trade unions. In some cases, the trade unions slowed down campaigns and action plans by the assemblies that in Madrid included an unlimited strike action for three days a week. CCOO, UGT and Sindicato de Trabajadores de la Enseñanza de Madrid significantly watered down this proposal to a limited number of strike days combined with action days keeping operative unity with the more conservative trade unions Asociación de los Profesionales de la Enseñanza and Central Sindical Independiente y de Funcionarios (Huke and Tietje 2014a, 537). These conflicts show that the new structures questioned traditional forms of trade union organization that accepted assemblies only as organs that make proposals, while 'all decisions are taken within the trade union'.[25] Already at the end of 2011, protests in Madrid and participation in assemblies started to die away.

However, the *marea verde* spilled over to other regions of Spain as well, following more cutbacks in education by national and regional governments

in 2012 and 2013. On 22 May 2012, there was a nationwide strike in the education sector that for the first time counted on the support not only of all relevant unions but also of student's and parents' associations (Huke 2016, 77–8). The crucial factor in the strong mobilization was the high number of students participating. At the beginning of the school year 2013–2014, the teachers in the Balearic Islands went on strike for three weeks. They protested against cutbacks and a decree of 'integrated treatment of languages' (Tratamiento Integral de Lenguas or TIL). The TIL order decreed that lessons should be taught equally in Catalan, Spanish and English, whereas earlier lessons were mainly (80 per cent) taught in Catalan. As had occurred in Madrid, grassroots assemblies and the use of horizontal networking, including social media and mailing lists, played a key part in the mobilizations (Serra 2014, 831). Even the strike itself was led by the assemblea de docents that coordinated the different assemblies and was only supported by the trade unions (Vizuete 2013). On the Balearic Islands, the personnel in various schools refused to implement the TIL decree, which successfully slowed down its implementation. The government reacted by taking several persons responsible for the boycott to court, sparking a new wave of protest (Huke and Tietje 2014a, 538).

Developments in the healthcare sector mirrored those in education. The Spanish healthcare system was hit hard and deeply restructured by the politics of austerity. The RDL 16/2012 connected access to healthcare – formerly a universal right – to contributions to social security. Thereby, 'illegal' migrants and people over the age of twenty-six who were unemployed and thus could not pay for social insurance lost access to health services or had to resort to expensive private insurance. Compulsory co-payments for medication were increased (Gallo and Gené-Badia 2013). The state closed healthcare centres, reduced their opening hours and cutback medical staff. Treatments were delayed; for instance, in Catalonia, the number of people waiting for treatment increased by 43 per cent between 2010 and 2011 (Legido-Quigley et al. 2013, 2). Simultaneously, the rates of those suffering from depression and committing suicide grew, mainly connected to unemployment and mortgage debt (Gili et al. 2013). Regional governments privatized or partly privatized sections of the Spanish healthcare system. One of the most ambitious plans in that sense was presented by the regional government of Madrid that proposed to privatize many hospitals and healthcare centres.

Once the plans became public, employees enclosed themselves into the hospitals (*encierros*) and organized assemblies with a massive participation of the workforce – the *marea blanca* was born (Gago 2013, 1097–98).[26] They initiated regular assemblies in each of the affected hospitals that quickly

expanded to also include users of health services. As an activist of the *marea blanca* recalls,

> We as health sector workers have always been very quiet, we did not protest anything. . . . This privatization decree that woke us up . . . has caught many people immobile. And then they surprised themselves and surprised the others: 'And you? What are you doing in the street protesting if you have never been there for anything, right?' . . . Seeing that you are talking to a caretaker and you are the head of service and you are at the same demonstration because you are for the same things, well, that gave you goose bumps [and you felt] 'My god, this is really important'.[27]

The political pressure built up by the numerous protests of the *marea blanca* contributed to the failure of the privatization programme in Madrid. It was finally stopped by a court verdict due to irregularities in the privatization process, which led the PP government of the Madrid region to abandon the project (Huke and Tietje 2014a, 541–42). While grassroots structures played a key role for mobilization, their capacities to carry out strikes without the support of the major trade unions remained limited. Participation in strike days called for by the assemblies that were supported by the trade unions was relatively low (Huke and Tietje 2014a, 541).

SOCIALLY EMBEDDED STRIKES IN THE PUBLIC ARENA

Another key feature of strikes during the crisis was their active use of the public arena. Workers threatened by closures (shipyards, mining) or massive reductions in employment (in the financial sector) participated actively in public protests (Köhler and Calleja Jiménez 2014, 374). Apart from education and healthcare workers, the most vivid case of this tendency was the protest of the coal miners in 2012 against cuts in state subsidies that threatened their employment (Huke and Tietje 2014b, 382). Furthermore, trade unions and workers increased efforts to embed their struggles where possible into social communities. Coordination platforms in the context of the protests of the *marea verde* and *marea blanca* included not only trade unions but also neighbourhood coalitions and social movements (Huke and Tietje 2014a, 539–42).

In many cases – above all in the protest of *marea verde* and *marea blanca* – a reframing of workers' interests as common interests of the population could be observed. Part of the effectiveness of the *marea blanca* stemmed from its successful framing of healthcare as a public good which allowed its assemblies to reach a wide political spectrum and increase their social base beyond

affected workers: 'Users of public services . . . converged with the workers themselves. . . . A "let's say absolutely" natural convergence was produced'.[28] The movement was based on a strong acceptance of public healthcare within the population (Pastor Verdú 2013, 234–35).

Even strikes that – due to their immediate negative effects on the population – generally tend to generate limited support could create strong public legitimacy, for example the strike in the public cleaning services in Madrid. Some struggles in private enterprises were also able to achieve public recognition and support. For example, workers striking against collective dismissals and plant closures by Coca-Cola called for a boycott ('If Madrid doesn't produce, Madrid doesn't consume') of its products that received widespread attention and supposedly successfully diminished sales of Coca-Cola – in favour of its competitor Pepsi. Similarly, in the case of Panrico, CCOO aimed at creating 'a social compromise with the strike. For example – neighbourhood assemblies, social movements, convergence in demonstrations'.[29] However,

> if you have a conflict in the health system, it is a lot easier for you to take it to the neighbourhood so that it defends . . . this health centre against being shut down, right? But the experiences are above all in the industrial sector. To try to find . . . solidarity movements, this is very important for us to be effective and to maintain the capacity of confederal intervention. As a whole.[30]

Success in organizing support in society did at the same time not necessarily translate into perceptible results at the company level. The collective dismissal at Coca-Cola was declared illegal by the Spanish courts and the workers were reinstated; the Panrico strike was – despite its militancy – unable to stop dismissals (Bailey, Clua-Losada and Huke 2017).

CONCLUSION

A fragile and dependent mode of capitalist accumulation, well-established forms of social dialogue and a high coverage of collective agreements have historically contributed to the development of industrial relations in Spain as a system of cooperative confrontation. Strikes were frequent, but generally short term and demonstrative. The ongoing crisis destabilized this model towards a system of fragmented and symbolic cooperation. The weakened position of trade unions made them choose less confrontational strategies and the unilateral austerity policies shifted the balance of forces between capital and labour to the disadvantage of the latter, who were already adversely affected by rising unemployment and by the limits the crisis imposed on wage demands.

Workers and trade unions responded to this development by trying to reinvent resistance: they countered their political exclusion with general strikes and took the struggles to the company level due to the decentralization of collective bargaining enforced by the labour market reforms. Demonstrative strikes were partly replaced by way of more fighting strikes – not so much by choice as by necessity. Strike movements from below supplemented traditional forms of trade union organization, while efforts to socially embed strike movements and make them publicly visible were increased.

The new forms were in many cases closely linked to a change in social climate during the crisis that was catalysed by the cycle of protests following the *indignados* of 15M. The long-term continuation of the crisis, however, saw a certain normalization of austerity and an exhaustion of protests, which led to decreasing strike rates. The wave of protests that disrupted the passiveness and permissiveness of the Spanish population and the politicization of the socially devastating effects of crisis and austerity that has characterized the past years of the crisis seems to ebb away slowly. Despite certain openings during the crisis pointing towards a revitalization of labour, the quest for how to develop an effective response to crisis and austerity remains unsolved.

NOTES

1. We thank David Bailey, Mònica Clua-Losada, David Luque Balbona and Hans-Christian Jannsen for their valuable comments. The chapter was finalized in January 2015; more recent empirical developments could therefore not be included.

2. 15M refers to the fact that the movement began on 15 May 2011. It spread to several towns in Spain.

3. In focusing on the *forms* of strike, our analysis builds on the work of David Luque Balbona (Balbona 2013) but develops a more qualitative approach.

4. Comisiones Obreras (CCOO). Interview by the authors. Personal interview. Madrid, 17 July 2012. All interviews have been translated from Spanish.

5. CCOO. Interview by the authors. Personal interview. Barcelona, 6 March 2014.

6. Union General de Trabajadores (UGT). Interview by the authors. Personal interview. Barcelona, 6 March 2014.

7. CCOO. Interview by the authors. Personal interview. Madrid, 17 July 2012.

8. Sindicato Andaluz de Trabajadores (SAT). Interview by the authors. Personal interview. Sevilla, 25 August 2012.

9. Ibid.

10. CCOO. Interview by the authors. Personal interview. Sevilla, 11 November 2013.

11. UGT. Interviews by the authors. Personal interviews. Barcelona, 6 March 2014; Madrid, 19 July 2012.

12. CCOO. Interview by the authors. Personal interview. Sevilla, 11 November 2013.

13. CCOO. Interview by the authors. Personal interview. Madrid, 17 July 2012.

14. Ibid.

15. Ibid.

16. The regional following of ETUC's call was very uneven, in many countries being limited to small and symbolic actions.

17. UGT. Interview by the authors. Personal interview. Barcelona, 6 March 2014.

18. CCOO. Interview by the authors. Personal interview. Sevilla, 11 November 2013.

19. UGT. Interview by the authors. Personal interview. Barcelona, 6 March 2014.

20. CCOO. Interview by the authors. Personal interview. Barcelona, 6 March 2014.

21. UGT. Interview by the authors. Personal interview. Madrid, 19 July 2012.

22. Unión de Sindicatos de Trabajadoras y Trabajadores en Andalucía. Interview by the authors. Personal interview. Sevilla, 13 November 2013.

23. STES. Interview by the authors. Personal interview. Madrid, 18 March 2014.

24. Ibid.

25. Ibid.

26. Like it happened in the context of the *marea verde*, the trade unions were nearly forced to join a strategy of confrontation (together with the *marea blanca*) by the PP government.

27. Plataforma Asamblearia de Trabajadores y Usuaries por la sanidad pública de la Comunidad de Madrid y en contra de la privatización. Interview by the authors. Personal interview. Madrid, 20 March 2014.

28. CCOO. Interview by the authors. Personal interview. Barcelona, 6 March 2014.

29. Ibid.

30. Ibid.

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Chapter 15

Gender and Precarity in Crisis-Ridden Greece

Anna Koumandaraki and Athanasios Tsakiris

This chapter aims to highlight the gender dimension of working people's struggles in Greece during the past twenty years. Moreover, it attempts to clarify to what extent gender enforces a militant spirit or – on the contrary – inhibits further trade union activism. The main hypothesis is that although women are under-represented in leading positions of the trade union movement in Greece, they have, over the years, gained a significant role in the rank and file.

The sectors we shall examine are education, cleaning services and telecommunications. Our analysis is partially based on our own research but also examines research done by other scholars. More specifically, the analysis of the trade union movement in the education and telecommunications sectors is based on our own research material. We analyse the case of the acid attack on Constantina Kuneva based on the work of other scholars, and we use journal articles from the e-journal *TVXS* (*Television without Borders*) to analyse the case of the dismissed cleaning ladies of the Ministry of Finance.

The chapter begins with a theoretical part that focuses on the significance of patriarchy for women's employment and participation in the Greek trade union movement. It also examines the attempt by Greek feminists to intervene in the trade union movement. The second part of the chapter starts with an analysis of the significance of precarity in Greek labour. This section focuses on the trade union movement in the three sectors mentioned earlier – education, cleaning services and telecommunications – in which gender is highly important for the formulation of trade union processes. In the end, our attempt is to draw viable conclusions on the impetus of gender on Greek trade union politics.

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FEMALE POLITICAL IDENTITY, PATRIARCHY AND TRADE UNION PARTICIPATION OF WOMEN

It is necessary to clarify here our views about the labour movement and its role in working people's lives in Greece. In Greek labour historiography, the term that is often used for labour organizations is *syndikalismos* which identifies organized labour with trade unions. As George Mavrogordatos (1988, 135) has pointed out, it is debatable whether what is presented as 'labour movement' actually represents the interests of people with a working-class identity.[1] In our point of view, what Mavrogordatos implies is that class antagonism as analysed in Marx's work is not plausible in the formation of Greek organized labour. In parallel with this argument Nicos Mouzelis has argued that the uneven way that capitalist development occurred in Greece caused the participation of Greek people in politics in a vertical (clientelistic) and not horizontal (class-determined) way (Mouzelis 1986, 73–4).

These accounts do not consider the possibility of the formation of the Greek trade union movement based on the solidarity of working people and the existence of a strong sense of collective identity among them.

Mancur Olson Jr's (1991) analysis of free riders who avoid to become themselves involved in collective action while benefitting from the gains of their colleagues may be brought forward to make these arguments more plausible. More recent studies however, such as Tsakiris (2006), tend to connect working people's personal interests to collective goals in a way more conducive to trade union organization. This study is informed by theories of social movements that argue that the trade union movement in Greece is not simply a rigid clientelistic bureaucracy conforming to Robert Michels's iron law of oligarchy but is a social movement composed of people who work and live together. As our fieldwork indicates, bonds of friendship and the joy of sharing common experiences of struggle have been a significant motivator for setting up labour organizations (Tsakiris 2006, 27–31). The emotional ties parallel those in other social movements. Certainly, as Tsakiris (2006) has pointed out, there often is a distance between the rank and file's militancy and the trade union leadership, in the latter's hesitation to back it up. This fact however does not abolish the processes and the struggles of creating new spaces of power in collective bargaining institutions.

There are two main difficulties in trying to decipher women's engagement in the labour movement in Greece: first, as one can infer from the previous inference, trade unions have been thought to be simulacra and not genuine labour organizations. As George Koukoules (1984) argued, Greek trade unions have been controlled financially by the state, while their affiliation with political parties made them distant from the working people's interests.[2]

The second difficulty is that the trade union leadership was not essentially involved in female workers' problems and at the same time hesitated to incorporate women in the union bureaucracy.

One should pay attention to the patriarchal political culture that is quite influential in the Greek society. According to the historian Antonis Liakos, all social classes have been imbued with a patriarchal ideology that rendered them hostile to women's participation in employment (Liakos 1993, 433). Liakos referred particularly to female tobacco workers whose massive entry in that industry's workforce during the 1920s he saw as responsible for the decrease of male employment and therefore for the fading of the once exceptionally strong – by Greek standards – labour movement among tobacco workers.

It could be argued that the work experience of female workers in Greece has certain similarities with the experience of women in the United States. As Ruth Milkman has pointed out, the hostility towards women's work by both the employers and the state has taken on an institutional form in the United States and marred women's potential of being hired on equal terms with men in American industry (Milkman 2016). This hostility is based on an ideology that advocates women's primary role as housewives and mothers. This ideology acts against the forces of the market that imposes the presence of women in salaried employment. Hence women's employment causes a profound contradiction within capitalism between an ideology that favours female domesticity and a labour market that makes women's public participation possible.

Feminist Politics and the Greek State

It is worth mentioning that while feminist groups emerged in Greece over a 100 years ago, at the beginning of the twentieth century, and female participation in major political events such as the Greek people's resistance against German occupation is unquestionable, Greek women obtained the right to vote only as late as 1954 (Andriotis and Michopoulou 2011). Since the 1960s, there has been a massive surge of the number of young women in universities. However, the majority of the female students opted for courses such as teaching and nurses' training, considered more conducive for female employment. The military junta dissolved women's groups in 1967 and destroyed their archives but after the fall of the junta in 1974, the feminist movement flourished and joined forces with the student and labour movements. In fact, the return to democracy marked the beginning of an era called *metapolitefsi* (regime change) when women started claiming rights affecting their lives in both the private and public spheres: the reform of family law, the legalization of abortion and the recognition of women's right to equal pay may be considered the results of the feminist movement's persistent endeavours

(ibid.). At the same time, the pro-European image that the Greek governments attempted to build for the country contributed to the enforcement of measures favouring women's position in employment relations, albeit with a paternalist stance.[3] They offered for instance to female workers and employees of both the private and public sectors the right to claim a pension after fifteen years' work, provided they had children under eighteen. They also gave pregnant women working in the public sector the opportunity to take nine months' maternity leave after the child was born. The philosophy underlying these measures was that women would opt for motherhood, dumping their opportunity for a career, and women saw themselves as wage earners whose work was supplementary to their spouses or partners. The Greek state did not help women to have a job on a permanent basis while fulfilling their role as mothers and wives. For instance, the number of state-owned nursery schools is quite small even though as per the educational reform of 2006 all children have to be registered in preschool institutions. Similarly, there are limited state-supported after-school care programmes for school-going children with both parents working. These inadequacies adversely impact women's ability to hold permanent jobs as they try to strike a balance between their domestic labour and wage labour.

During the years of economic crisis (2009 onwards), Greek governments recognized, but did not enforce, the summaries of European legislation aiming to promote gender equality at the workplace. In fact, they did not enforce European legislation aiming to protect women workers from the detrimental effects of austerity measures they had taken in agreement with the European Union and the International Monetary Fund. Greek governments completely overlooked issues relating to gender equality, arguing that in moments of crisis, when many permanent jobs were being in danger, the concern for women's protection had to be conceived as an issue of limited importance (Varhalama et al. 2015, 28–33).

Trade Unions and Women

In the beginning of the 1990s, women's participation in the trade union movement was rather limited, though in the years that followed, women obtained a more constant place in trade union politics. The stereotypical image of a trade unionist since *metapolitefsi* was of a middle-aged man working in the public sector on a permanent basis and with a satisfyingly high income. This profile was not representative of not only female employees but also the majority of people working in the private sector (Kapsalis 2012, 7).

Trade unions treated women with suspicion, a symptom of which is the fact that it was only in 2015 that the General Confederation of Greek Labour (GSEE) made an effort to gather statistics for female participation

in organized labour (INE/GSEE 2015, 1–13). In fact, during the same year (2015) the Labour Institute of GSEE (INE/GSEE) published a study which provided the first official record for women's participation in trade union organizations affiliated to GSEE (Varhalama et al. 2015). This research was funded by the European Union and it was an attempt to cover the deficit on the recording of women's participation in trade unions (ibid., 22).[4] Up to the moment of publication of this study, there existed no extensive or accurate data for the participation of women in trade unions in Greece. There were statistics for female participation in unions in certain sectors where women make up a significant section of the labour force, such as in banking. There were also some general statistics pertaining to the past decade. We know for instance that during the years 1999–2004, overall female participation in the unions (federations and confederations) was 20 per cent (European Social Forum 2004, 3).

During the years 2002–2005, there was an increasing concern about gender issues in many Greek universities sponsored by the European Union. Among the main themes that these gender studies programmes put forward was the impact of flexibility of work on women.[5] The studies also focused on the under-representation of women in leading positions of trade unions. For instance, Despoina Spanou argued that while the participation of women in Greek trade unions had reached 25 per cent of the total trade union cadres in the beginning of the 1980s, by 2002 this had fallen to merely 5–10 per cent (Spanou 2002, 1–2). The main reason for this under-representation was the limited time that women as workers and mothers could spend in trade unionism. The second reason was the reluctance that trade union leaders showed to put women's issues on the union agenda. As the university courses on gender explicitly indicated, a vast majority of women were working under flexible conditions of employment. This situation did not favour trade unionism. Moreover, the unions hesitated to represent precarious workers – mostly women, in spite of the fact that in GSEE there was a group of committed female feminists such as Fotini Sianou and Katerina Arvanitaki. These cadres offered the first systematic studies on women's participation in the unions.

PRECARIOUS WORKERS AND THEIR ORGANIZATIONS: THREE CASE STUDIES

During the past two decades, we have witnessed the rapid expansion of the phenomenon of precarious work (ESOPE 2004). Precarious work involves employment characterized by instability, lack of labour protection, insecurity and social and/or economic vulnerability (Rodgers 1989, 1–16). Moreover, gender has a bearing on precarity in situations of temporary, part-time work

and self-employment as well as limited social benefits, low wages and poor working conditions (Fudge and Owen 2006, 3–27; Neilson and Rossiter 2008, 51–72; Peuter 2011, 417–25).

The social status of being precariously employed hampers the development of trade unions. Trade union organizing is made more difficult by the fact that precarious workers often cannot appreciate the importance of solidarity since they are not socialized politically in suitable environments and cannot create a unified and coherent narrative that will enable the creation of a stable and lasting union structure (Standing 2011). Nevertheless, there are many efforts to create new forms of unions to accommodate the precariat.

Job security is quite low in Greece, where stable jobs are few due to the lack of well-organized labour legislation and efficient collective bargaining.[6] The challenge for unions is to extend action on issues that concern the newer labour strata, especially those of the ever-increasing workforce employed in small and medium enterprises in the tertiary sector. The consequences of this challenge affect trade union density. The transfer of operations and services to the grey area of contractor firms (outsourcing) and the movement of plants to third-world countries with lower wages and minimal labour rights have led to a large reduction in trade union density. The services sector did not compensate for the decline of union density in spite of increased employment growth in this sector (Bronfenbrenner 2003).

In Greece precariously employed people are mainly found in the following service industries: hotels and catering (restaurants, bars, etc.); education, health and welfare, banking and entertainment.

Moreover, precarious jobs have always existed in the agricultural sector (agricultural workers for seasonal employment), in crafts industries (typical of the economies of Southern and Mediterranean Europe), in building and cleaning sectors, in finance (debt collection companies, brokerage firms, etc.) and generally in industries that display strong fluctuations in their development. This development is accentuated by the new information, digital and communication technologies (Internet, social media, tablet and mobile phones), which work to the advantage of the employer. Precariousness starts to spread beyond the areas of services, from teachers of every level of education to cleaning staff, actors, cooks and so on. These salaried employees or 'freelancers' or agency workers are not covered by official union representation.

Women's Participation in Trade Union Struggles: The Case of Female Teachers

Women had an active role in moments of crisis in sectors such as education, in which a large number of women worked. Such a moment of crisis occurred

in June 1998 when the Minister of Education issued a new bill abolishing permanence in service of teachers in state-owned schools. The system of hiring had earlier been based on a professional register for the graduates of the literature, mathematics and physics departments of Greek universities (Koumandaraki 2011, 179–90; Koumandaraki 2014, 332–35). The new method of recruitment entailed examination in key subjects irrespective of the candidate's age and position in the register line. The new system favoured young graduates at the expense of their senior colleagues, many of whom had been patiently waiting in the register line for almost ten years.

The rivalry between the two groups of candidates had a distinctive gender dimension. First of all, mature teachers who had registered with the old system were mostly men around their forties with a strong trade union profile ever since they had been students. At the same time, however, some of their female colleagues had strongly supported them on issues and participated actively in meetings, school occupations and other forms of union activity.

It is remarkable that a leading persona in the teachers' movement was not only a woman but also a woman who was at the time of the struggle pregnant. However, the bias against female trade unionists was persistent. A single woman who would participate actively in the movement might be confronted with the stereotype of being labelled a 'sexually unattractive' woman. According to this, a woman involved in trade unionism was losing her femininity (Koumandaraki 2011, 188–189). This attack was surmountable for some women who considered their political involvement much more significant than keeping up with their so-called stereotypical 'feminine' identity. Still, it was easier for female teachers who were married with colleagues participating in the struggle to become accepted. Women who were not married or had partners outside the movement might be confronted with challenges or questions pertaining to their supposed 'conflict of role' and identity.

When the women were not supported by their husbands and partners, they often relied on female friends. Single women were often dependent on female friends for emotional support. The female emotional bondage of that type was considerably strong and helped to ease the solitude of female activists. Women had their own independent voice and to a certain extent challenged the trade unionists' stereotype and dealt quite successfully with frequent opposition and disagreement within their own families about their involvement in the teachers' movement. In fact, there were female teachers who believed that it was thanks to their own initiative and to their female friends that the teachers' movement was organized. The movement owed its strength to the solidarity and spirit of sharing among its participants. On the other hand, the experience of these participants' contact with the trade union leaders was combined with feelings of disappointment, for in decisive moments – such as when the police invaded occupied schools[7] – they had

been left alone with their comrades without trade union protection. This was even as their male comrades often pointed out the women's commitment to the struggle and their persistence in spite of the difficulties they faced.

Silent Presence: The Case of the Cleaning Ladies

In December 2008, Constantina Kuneva, a cleaning lady, trade unionist and Bulgarian migrant in Greece, was attacked by unknown agents with sulphuric acid. Although the police presumed that the motive of the attacker had to do with the victim's personal life, the most probable cause of the crime was Constantina's trade union involvement.

Constantina's was an extraordinary case that challenged the stereotypes prevailing in Greece about cleaning ladies and domestics (Avdela 2009, 13–17). These women were perceived to be docile and politically *passive*, uneducated poor women who could easily be exploited and in certain cases maltreated by their bosses. Constantina was not only politically active and militant but also well educated – she had a university degree in history – and was young and attractive. The assault against her had all the characteristics of a crime committed by the mafia (Psarra 2009, 33–7) and was seen by feminist academics as a punishment aimed at stigmatizing both the body and the soul of the victim, and dissuading cleaning ladies from trade union activism (Athanasiou 2009, 7–11). Kuneva survived the attack, albeit with very serious injuries. The fact that she was provided medical care and accommodation offered by solidarity networks and is now a Syriza Member of the European Parliament not only proves the sincere public concern and sensitization about her plight, but also indicates that women like Kuneva made an impact on the Greek society.[8]

The majority of janitors were foreigners and worked as temporary agency workers – Constantina was one of them – a crucial factor determining the poor quality of their working conditions.[9] In contrast, before this tragic assault on Konstantina, GSEE had ignored women who worked as domestics or as cleaning ladies in public institutions. However, for almost a decade before the incident there had been a union at the primary level fighting for the rights of janitors, called PECOP (All Attican Union for Janitors and Home Service Personnel). PECOP had 1,600 members at the time of the incident. When Kuneva was attacked, PECOP tried to persuade office-bearers of GSEE to organize demonstrations in solidarity with her but GSEE did not respond favourably either in Kuneva's case, in particular, or to janitors, in general (Tsakiris et al. 2009). However, after the incident, a whole network of trade unionists, political activists, feminists and students was organized that tried to push GSEE and the then right-wing government to take drastic measures against the precarious working conditions of janitors (Tsakiris et al. 2009).

Another issue with the janitors' labour movement occurred during the years of the economic crisis that had hit Greece since 2009. On 18 September 2013, the Antonis Samaras government put in redundancy 595 cleaning ladies working in the Ministry of Finance. The cleaning ladies were largely over the age of fifty, were heads of single-parent families and were working with contracts of temporary employment for more than ten years. In May 2014, the cleaning ladies were finally dismissed and virtually dumped without gaining the right to claim unemployment or retirement benefits.[10]

The reaction of the cleaning ladies and acts of resistance against the Ministry of Finance's decision were varied, militant and well targeted. The fact that their organization was a grassroots union not directly tied to official trade unions at a superior level offered them freedom of action and autonomy. The official trade unionists who got involved in the cleaning ladies' militant actions did so as individuals and did not seek to control the struggle. The cleaning ladies occupied the pavement in front of the Ministry of Finance headquarters near Constitution Square in Athens demanding to negotiate face to face with the minister himself. On 12 June 2014, they were confronted with the violence of riot police troops and six of them were injured and sent to the hospital. In a short film produced by the left-wing journal *Unfollow* they declared their militant spirit and decision not to be frightened by police violence ('Truth and Lies' 2014). In an article in the British newspaper *The Telegraph* it was written:

> 'They came after cleaners with very small salaries and families, forgetting we are women, we are mothers, and if you mess with us we can become like the harpies in the ancient Greek legends', she said, standing on a picket line outside the Finance ministry with her daughter Maria. 'I never thought that a rubber cleaning glove could become such a symbol of struggle but it has'. (Waterfield and Tzafalias 2014)

On 15 May 2014, the one-judge bench declared their redundancy unlawful and ordered the ministry to rehire them. The ministry appealed to the Supreme Court of Greece asking it to reconsider the decision of the Court of First Instance. On 4 December 2014, the ministry publicized on the Internet its decision to rehire only thirty-eight of the dismissed women (Janitors of the Ministry of Finance 2014).

Their struggle gained international solidarity and a music concert was organized on their behalf. Syriza offered support for their struggle. Zoe Konstantopoulou, then the party deputy, and a lawyer, offered them legal advice. The international campaign of solidarity made an appeal translated into nine languages and had the support of the British Trade Union Council and Spanish, Belgian and Irish labour organizations. On 20 September 2014,

a demonstration supporting the cleaning ladies' case took place in London in front of the Hellenic Centre. In Northern Ireland, the Consortium for Workers' Education, a trade union representing working people in the transport sector, also sent messages backing the women. The trade union UNITE, which is active in Britain, Ireland, the United States and the Caribbean, and which has more than 3 million members, issued a proclamation of solidarity. A demonstration was organized in Lille in France on 20 September (British Trade Unions 2014). In Greece, when it became clear on 4 December that the Samaras government had made a final decision about the women's fate, the Pan-Hellenic Federation of Employees in Public Financial Services and the Federation of Employees in tax-collecting services made an appeal to the minister of Finance to submit the whole issue to the courts. Simultaneously the Federation put pressure on GSEE and ADEDY (Greek Civil Servants' Confederation) to act (Janitors of the Ministry of Finance 2014). Syriza supported the cleaning ladies and criticized Samaras's decision about the case and promised that once they were elected they would rehire the ladies. (Soon after Syriza came to power in January 2015, they reinstated the cleaning ladies as well as all the working people that the previous government had made redundant.)

What gave the cleaning ladies' struggle its strength was their autonomy and ingenuity to invent means to make this struggle appealing not only to Greek but also to international public opinion. Moreover, the fact that they did not have close ties with Greek organized labour official leaders proved, in their case, to be an advantage. The fact also is that the public in general found these women quite likeable in comparison to male trade union leaders in public utilities who were often accused of being corrupt and responsible for populist governance at the shop floor.

Precarious Workers' Mobilizations: The Case of Telecommunication Workers

In December 2008, a fifteen-year-old high school student, Alexis Grigoropoulos, was murdered by a member of the Special Police Force. Immediately, a rebellion broke out against the increasing aggressiveness of the repressive apparatus of the state. High school pupils, university students and young precariously working people played a leading role in the mass civil disobedience that followed, through demonstrations, the occupation of schools and public buildings and rioting. During the rebellion, hundreds of members of new and older 'precarious employment' trade unions, such as courier services and call centre workers, called for civil disobedience not only against the government's policies but also against the trade union bureaucracy that, in their view, due to its commitment to social dialogue had integrated the labour movement into the political and economic systems not representing the working class anymore (Tsakiris 2009; Tsakiris 2010).

It is against this background that there occurred a flowering of new unions covering precarious employment, part-time and temporary workers in the telecommunications industry, which is a peak industry in Greece. These unions were created after the refusal by established union officials in Hellenic Telecommunications Organization (OTE S.A.) to recruit precarious workers. The formation of new unions accelerated after the uprising of December 2008 that breathed the spirit of self-organization. Moreover, there is the issue of digital democracy and trade unionism, concerning particularly unions in the field of precarious employment. These unions are considered 'new' due to their network modes of horizontal organizing and their use of civil disobedience tactics in mobilizing, compared to those of older and established unions that were characterized by bureaucratic structures and conventional modes of action (collective bargaining and strikes). One of the very few studies on the issue presents the cases of four such unions from the banking and telecommunications sector and from the wide fields of publishing and translating (Tsakiris and Eleftheriou 2014, 40–55).

The Union of Workers in Call Centres of OTE[11] 'Constantina Kuneva' was founded on 19 December 2008 after a brief drive for collecting signatures. The union was met with strong acceptance by the workers and was formally approved by the Court of First Instance. The demands that the union promoted had to do with the observance of basic human rights in the workplace, the lack of tolerance for increasing cases of violence, psychological and physical, against part-timers and newly hired workers. There was also a demand for granting exam leave to student-workers on the sole precondition of their presenting a certificate of studies; hitherto, the actual granting of leave depended on the superintendent's whims. Apart from the employer's unresponsiveness, the union was met with hostility from the trade union bureaucrats. This culminated in the new union's representatives being denied their right to address the nationwide Conference of the OME – OTE (OTE Workers' Federation). In terms of gender, the majority of the union's members were male in contrast to the older operators' union which consisted of women only because the job was considered feminine.

The Panhellenic Workers' Union of Tim Hellas-WIND (PASETIM) was founded in 2005 and since then has been the major and most dynamic union in the mobile phone industry in Greece. It is active among the community of precariously employed people as a whole. On 14 July 2009, the union organized the first nationwide work stoppage demanding the signing of a satisfactory collective labour agreement. That stoppage was the outcome of the breakdown of the bargaining negotiations with the employer and of the failure of a mass protest at the headquarters of the company in May. The employers responded by persecuting members of the administrative board of the union for trivial incidents. Finally, the contract was signed after intense pressures and protests that included the collection of signatures, frequent

general assemblies, protest mobilizations and work stoppages. During the uprising of December 2008 following the killing of Alexis Grigoropoulos, many members participated in demonstrations and took part in the occupation of the offices of GSEE. During 2009, the bosses hardened their position, whereas the PASETIM participated in general and sectoral strikes.

Changes taking place in the workforce are beginning to show in the composition of trade union leaders. Since the union's elections in 2014, the administrative board is composed of seven women and four men. Moreover, the positions of the president and general secretary are held by women. In the same way, albeit at a slower pace, female unionists in a competitive firm (Vodafone) hold seats in the administrative board of the National Union of Workers Vodafone – Panafon Greece. The post of the president is held by a woman. This evidence proves the significant role played by women in the new unions of precarious workers in telecommunications.

CONCLUSION

There is no doubt that the participation of women in the trade union movement in Greece did not affect satisfactorily the latter's position towards them. The sensitization on women issues by the official trade union leadership remained limited, while women remain under-represented in official trade union institutions. The concern of the GSEE towards gender issues in the labour market managed to be formulated quite recently in spite of the fact that other institutions such as the European Social Forum and Gender Studies programmes in Greek universities provided data and support to female activists in the Greek organized labour movement. The specific conditions of work of the majority of women in the country were highlighted, thanks to the efforts of these institutions. The attack on Constantina Kuneva offered the 'opportunity' to Greek academics to study the particular conditions of work of women cleaners and to give voice to this movement, which had no political support so far. In the same month (December 2008), the killing of Alexis Grigoropoulos catalysed a revolt of young people who had realized that precarious work was their possible future. For these people, with many women among them, the official leadership of GSEE did not offer trade union protection, a fact that in certain cases was realized in the most negative way. At the same time, these workers managed to create collectivities at the shop floor and to use Facebook and email as a means of facilitating communication among them. It is not easy to predict the future of these new unions. It could be argued, however, that they created a fascinating social dynamic that cannot be underestimated.

NOTES

1. As Koumandaraki (1995, 17–18) points out, 'For Mavrogordatos, the character of Greek trade unions is a consequence of the type of industrial relations that Schmitter has classified as a sub-type of state corporatism. In other words, the unions constitute a state-controlled bureaucratic entity, whilst at the same time monopolizing the right to represent the interests of working people. Mavrogordatos puts special emphasis on a paradoxical phenomenon. Because of the petty-bourgeois character of the Greek social formation, the so-called workers' organizations do not represent a social group that can be truly identified with the industrial proletariat. They represent social categories which, whilst they claim to be linked to labour, are actually very far from what has traditionally been identified as the working class, namely workers in the manufacturing industry'.

2. Although Koukoules wrote explicitly about the influence of 'intense class struggles' on the Greek trade union movement, he does not connect these struggles with concrete historical events. Neither does he mention the trade unions which participated in these struggles. From the outset, Koukoules stresses the role of state-controlled organizations in the movement's development and he concludes that real or effective trade unionism has never existed in Greece: 'A trade union movement organized confederationally, in both vertical and horizontal terms, has never existed in Greece at all, whatever the protestations to the contrary. What did exist and functioned after a fashion were simply a few labour organizations and occasionally some groupings' (Koukoules 1984, 11–12).

3. Papageorgiou (2004) has argued that when the state pushes policies favouring gender equality, it acts in reality against the feminist movement. Cited in Stogiannis (2012, 32).

4. It was specifically written: 'A real self-criticism about the unions' deficit to cover the recording of women's participation, especially in the representative and administrative organs of trade unions was presented in the 34th Congress of the Confederation on March 2010. There a commitment was made to cover the deficit in the representation of women in the trade unions affiliated to GSSE and to strengthen their "voice" in the representative organs of trade unions' (Varhalama et al., 2015, 22).

5. See, for instance, the official website of the Centre for Gender Studies of Panteion University, http://www.genderstudies-panteion.gr/.

6. In 1999, a summary of legislation concerning temporary employees in the public sector was enforced by the European Union. It was the summary 1999/70/EK, ordering that temporary employees who were covering permanent and long-term necessities in state bureaucracy should be recruited with permanent employment contracts. Despite the pressures put on the Greek government by left-wing Member of Parliament Alekos Alavanos and trade union activists, the government did not enforce the summary, thereby reinforcing precarity in the public sector.

7. On the evening before the day the examinations had been scheduled, teachers who were against the new system of teachers' nomination in education occupied a small number of schools in Athens and the provinces. The aim of these occupations was the cancellation of the examinations.

8. For a detailed analysis on the networks of solidarity with Kuneva, see also Tsakiris et al. (2009).

9. The issue of most cleaning ladies being temporary agency workers was first published in a leftist newspaper (*PRIN*), affiliated to a political party of the extra-parliamentary left (new left current: NAR).

10. See the website of Struggling Janitors of the Ministry of Finance (Αγωνιζόμενες Καθαρίστριες του Υπουργείου Οικονομικών) https://595katharistries.wordpress.com/.

11. OTE is one of Greece's largest telecommunications companies.

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Chapter 16

The Strike Movement and Labour Protests in Russia

Elena Gerasimova and Petr Bizyukov

A BRIEF HISTORY OF STRIKES IN RUSSIA

As in many other countries, the right to strike was recognized in Russia only after many years of declaring strikes illegal, imposing fines on participants and arresting them. Strike movements have taken place in Russia ever since the end of the nineteenth century. In 1905, strikes on economic grounds were legalized (Shelymagin, 1952, 171f), but striking was prohibited at all state companies. However, strikes were actively carried out during the revolutionary events in 1917 and continued to take place until 1921, although by that time they were used less and less frequently.

Subsequently, even the idea of a strike was thoroughly suppressed.[1] Officially there were no strikes in the Union of Soviet Socialist Republics because there could be no basis for them. According to Soviet communist doctrine, the interests of workers could not in principle diverge from those of the enterprises employing them. Nevertheless, some strikes did take place in the 1960s, although no public information about them was available. Formally strikes were not regarded as criminal activity, but in reality, participants in, and organizers of, strikes were strictly punished. The most well-known strike of the Soviet period occurred in Novocherkassk in 1962 when armed troops fired upon striking workers who had participated.[2] In May 1962, food prices were increased by one-third, while wages at the Novocherkassk locomotive factory were simultaneously reduced by 30 per cent. This aroused the indignation of the workers, who gathered in the town square. The whole city supported the strikers, but the authorities refused to engage in any dialogue with them. Troops were sent into the city where they began shooting the workers. About seventy people were killed immediately, and the most prominent

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strikers were sentenced to long terms in prison; seven leaders were sentenced to death.

During the 1980s, there were no broadly publicized strikes or protests by workers in the Soviet Union. Strikes happened, but they were local, spontaneous and infrequent. Only small groups of workers, such as employees working in brigades or shops, organized strikes. Workers were afraid of repression, but that was not the only reason that the strike movement was so weak. A three-tiered system of control over workers at all enterprises was in place. This included the Communist Party organization (which required unconditional subordination of the workers who were members), the Komsomol (which controlled the workers who were members of the youth organization) and trade unions (which controlled any other workers). The Communist Party and Komsomol allowed their members to develop professional careers with guarantees of comparatively high levels of compensation. Membership in trade unions was mandatory, but connected with the distribution of social welfare payments and benefits by trade unions. Along with more or less equal conditions of work, this system produced an environment in which labour conflicts were rare and were contained without any publicity as soon as they surfaced.

The Beginnings of a Regenerated Workers' Movement

When the socialist economy entered its crisis, these measures could no longer keep workers under control. In the late 1980s, the number of strikes increased sharply. They cropped up spontaneously, first in the transportation and industrial sectors. In 1985 and 1986, information appeared about strikes in about twenty worker collectives,[3] but during the first seven months of 1989, it became known that strikes had taken place in at least 500 worker collectives. The number of striking workers during this period increased from a few thousands to hundreds of thousands. The lack of ordinary goods – food, cigarettes, household items – was often the reason for these strikes. For example, in the late 1980s, coal miners in the Kuzbass (Western Siberia) conducted 'sausage' and 'tobacco' strikes. The lack of soap in shower stalls for workers was a trigger for an avalanche of labour protests. And in July 1989, some 600,000 miners all over the country from Sakhalin in the Far East to the Ukrainian Donbass not only stopped working but also took their protest into the streets and workers' committees[4] created by the striking miners even took control of power in some cities (Lopatin 1980).

Metallurgists, railroad workers and workers in chemical companies, among others, expressed their willingness to join a general strike, but the miners asked them not to join their strike and 'worsen the situation'. The strike demonstrated how deep the crisis of the regime was. Soviet trade unions did not

support the miners; in fact, during negotiations between the government and the miners' working committees, the chairman of the Soviet Central Council of Trade Unions represented the side of the government.

An initial outcome of the strike was increased independence of coal enterprises from the Ministry of Coal Industry and the ability to retain a portion of earned income within the enterprise, rather than turning all of it over to the state budget. This increased autonomy enabled these enterprises to buy new equipment and raise wages. A second outcome was the allocation of additional state budget funds in the construction of roads, hospitals and communications infrastructure in the cities and regions where mining was a major activity.

The miners' strike marked the beginning of 'a new, regenerated workers' movement' (Milovidov and Krestyaninova 1995, 51). New labour unions arose that used industrial action as the main weapon in their struggle. These 'alternative' unions were created by miners, dock workers, railroad workers, teachers, air traffic controllers and pilots, among others. Many still exist and constitute the active faction within the Confederation of Labour of Russia. At the same time, former Soviet trade unions have remained and functioned mainly as a part of the Federation of Independent Labour Unions of Russia. They inherited the organization, membership base and property from the corresponding Soviet-era trade unions, as well as their structure, bureaucracy and conservative strategies. Today they still support the idea of close cooperation between trade unions and employers and reject strike actions. This schism between different trade unions and federations continues to exert its influence over workplaces and the labour movement.[5]

In 1989, the legislators decided that strikes were impossible to deny or prohibit and ought to be regulated. On the one hand, collective labour disputes and strikes became a legal means for protecting the rights and interests of workers (USSR Law No. 580–1 1989). On the other hand, new legislation imposed rules regulating long and complicated mediation, conciliation and arbitration procedures. It prohibited the right to strike for a large number of employees. This ambivalence about strikes continued in the years to follow: the Constitution of the Russian Federation of 1993 established the right to individual and collective labour disputes, including the right to strike (Part 4, Art. 37). In 1995, the Federal Law of the Russian Federation 'On the Resolution of Collective Labour Disputes' was adopted, and it generally followed the concept of labour conflict that originated with the Soviet law of 1989. In 1996, the Trade Union Act declared (Art. 14) that unions have the right to participate in the resolution of collective labour disputes, the right to organize and conduct strikes, meetings, demonstrations, pickets and other collective actions in accordance with federal law.

Regulation by law did not lead to a decrease in the number of strikes (Bizyukov 1996). Wage arrears became the most common issue that led to labour disputes during the 1990s. Conflicts brought on by unpaid wages had at least three causes: (1) a total imbalance of the economy, including a shortage of cash and consequently, payment in kind and barter; (2) a weakened state, which could not force employers to obey the law; and (3) tolerance of informal methods for arranging labour relations. Delays in wage payments could be prolonged for many months and sometimes exceeded a year or more. In 1998, on the verge of the Russian financial crisis, coal miners initiated a mass strike because of unpaid wages. They blocked and cut off some major railway lines from May to August 1998 and hence was later called the 'Rail War' (Solovenko 2010). Unfortunately, these strikes were mostly ineffective. Sometimes they could force employers to pay wage arrears, but after a time the non-payment of wages would resume.

During the first few years after the adoption of the strike legislation in 1989, almost all the strikes catalysed by non-payment of wages were deemed illegal by the courts. However, since the mid-1990s, judges have arrived at the opinion that such strikes do not aim at resolving collective labour disputes. Judges considered, as a consequence, that law on the resolution of collective labour disputes is not applicable and therefore such strikes cannot be found illegal. This interpretation by the courts at least provided a little moral satisfaction to the workers who had gone on strike due to non-payment of wages (Gerasimova 2002).

A new Labour Code of the Russian Federation was adopted in 2001. Following this, trade unions have lost the right to initiate disputes and organize strikes and are now dependent upon voting by all employees, irrespective of whether they are union members or not (Art. 3). The provisions concerning collective labour disputes and strikes have been amended a number of times, but the most important changes were made in 2006 (Federal Law No. 90-FZ 2006) and 2011 (Federal Law No. 334-FZ 2011). In both cases, the revision was made in response to recommendations of the International Labour Organization (ILO), following complaints made by Russian trade unions. But only a few of those recommendations were accepted.

After the adoption of the Labour Code in 2001, the number of strikes recorded in official statistics markedly decreased. This fact is often explained as a result of the improvement in socio-economic conditions during the early 2000s, but we doubt that it is an adequate explanation for the extreme reduction in strikes portrayed by official statistics. The reduction may instead be explained by changes in the way strikes are defined and counted. Only those work stoppages aimed at resolving officially formulated collective labour disputes now count as strikes, and only employers themselves may report them to the Federal State Statistics Service (Rosstat). Numerous cases of work stoppages therefore are not reflected in the official figures, given in table 16.1.

Table 16.1. Number of Organizations in Which Strikes Took Place (as Registered by Rosstat), 1991–2014

Year	No. of organizations
1991	1,755
1992	6,273
1993	264
1994	514
1995	8,856
1996	8,278
1997	17,007
1998	11,162
1999	7,285
2000	817
2001	291
2002	80
2003	67
2004	5,933
2005	2,575
2006	8
2007	7
2008	4
2009	1
2010	0
2011	2
2012	6
2013	3
2014	2

Sources: Federal State Statistics Service (Rosstat). http://www.gks.ru/bgd/ regl/b11_36/IssWWW.exe/Stg/d1/05-12.htm; http://www.gks.ru/bgd/regl/ b12_13/IssWWW.exe/Stg/d1/05-29.htm; http://www.gks.ru/bgd/regl/b12_01/ IssWWW.exe/Stg/d12/3-2.htm (accessed 1 December 2014).

DEVELOPMENT OF LABOUR PROTESTS IN RUSSIA 2008–2014

Monitoring of Labour-Related Protests

In 2007, the Moscow-based Centre for Social and Labour Rights (CSLR) began monitoring labour protests in Russia. For the purposes of CSLR's monitoring, a protest is defined as a public form of labour conflict in which workers show their disagreement with their employer and undertake actions to improve their social and working situation by exerting pressure on the employer. CSLR has developed a method for ascertaining that a labour protest has occurred and for describing it on the basis of information available in the mass media, including the Internet, using data-mining procedures. Based on this, brief reports are prepared on a monthly and semi-annual basis, and

annual analytical reports are prepared to summarize the numbers. During the eighty-four months from January 2008 to December 2014, we used this method to gather information on 1,689 incidents qualifying as labour protests (table 16.2).

The actual number of strikes and collective labour disputes revealed by our work and featured in reports by the mass media vastly exceeds the figures put out by Rosstat. It is reasonable to conclude that the official sources of information do not reflect the true picture.

The table contains data on all kinds of protest activities by workers in Russia. Their numerous forms of protest have been elaborated in table 16.4 and vary from raising claims to work stoppages, hunger strikes and occupations. Protests may be pursued through various kinds of disruptions of an enterprise's operations. To clarify the role of strikes within the spectrum of protests, it is pertinent and interesting to demarcate protests that lead to a complete or partial cessation of activity or in restricted performance by workers. But even work stoppages do not always take the form of strikes; they would include even lawful refusal to work occasioned by wage arrears of more than two weeks' salary, as well as spontaneous cessation or limitation of work by one or more workers. Since 2013, diverse forms of work stoppage, such as the 'Italian' or work-to-rule strike and other forms of work disruption, have been included in CSLR's monitoring.

Using the monitoring data, one can determine and show the *prevalence of labour protests* by their average number per month and the *intensity of labour protests* by the proportion of work stoppages among protest activities.

Table 16.2.   Total and Average Number of Labour Protests in Russia, 2008–2014

Year	Total no. of labour protests	Prevalence of protests (average monthly no. of actions)	Total no. of work stoppages	Intensity of protests (proportion of protests that led to work stoppages) (%)
2008	93	7.75	60	64.5
2009	272	22.7	106	38.9
2010	205	17.1	88	42.9
2011	263	21.8	91	34.7
2012	285	23.8	95	33.6
2013	278	23.1	102	36.8
2014	293	24.4	97	33.2
Total (2008–2014)	**1,689**	**20.1**	**639**	**37.9**

Sources: Centre for Social and Labour Rights (CSLR), monthly reports. http://trudprava.ru/expert/analytics/protestanalyt/1357 (accessed 1 April 2017).

The data from CSLR's monitoring would indicate, contrary to official data, that numerous conflicts occur and have sometimes resulted in protest actions. During the eighty-four months of monitoring, the average number of labour protests was around twenty a month. This number may seem low in comparison to the number of enterprises in Russia (millions) or the number of employees (tens of millions). But we should bear in mind that each small internal labour conflict can easily escalate into a large-scale protest in just a few days or even hours. For instance, no one foresaw the huge miners' strike in 1989. No one foresaw the rapid and vigorous development of social and labour protest in the small town of Pikalevo in 2009, when workers of a large metallurgical plant blocked the federal highway. Nobody anticipated the clash between workers and police after an accident at the mine in Mezhdurechensk (Kemerovo region) in 2010 (Bizyukov 2011). Study of the most recent Russian labour protests shows that they may coalesce around other social conflicts existing in a particular place.

In Pikalevo, a small town near Saint Petersburg, workers at a large metallurgical plant protested after the heating station of the town's principal factory stopped supplying the city with the hot water in May 2009. The inhabitants of Pikalevo, who were either employees of the factory or connected with it in some other way, suffered from lack of adequate heating in their radiators. The protest against their difficult living conditions merged with protests against lay-offs and plant closure in 2009, and this turned into a much larger protest by both workers and the other inhabitants of Pikalevo acting in concert. They blocked the federal highway – something no one foresaw – bringing a major section of Russia's transport system to a halt. Nor did anyone anticipate that the protest would be so serious that Vladimir Putin, prime minister at the time, would be forced to intervene in person.

Thus, we can conclude that any labour conflict has the potential to become a protest, and a labour protest, if accompanied by other social conflict, may seriously challenge the power structure in entire regions.

A change in the regional distribution of labour protests in Russia also occurred, in 2014. During the previous years (2008–2013), protests were more prevalent in the Central Federal District (eighteen regions and Moscow) and the Northwest District (eleven regions and Saint Petersburg). Those two regions were the scene of a third to a half of all labour protests in Russia. Most of those protests took place in Moscow and Saint Petersburg. Additionally, workers from enterprises in various regions would travel to Moscow to stage their protests, because the headquarters of firms that controlled enterprises in Siberia and the Urals are located in the capital.

This changed in 2014. The Volga District (with fourteen regions) witnessed 18 per cent of all protests, while Siberia (with twelve regions) witnessed 21 per cent. This shift indicates that workers have begun to address

their demands to local authorities rather than central ones and to local managers rather than to distant corporate owners. In addition, the protests have involved workers from different economic sectors. Through 2012, most labour protests broke out at industrial production facilities (from 43 per cent to 53 per cent). However, the number of actions taken against transport enterprises, especially municipal public transport, rose from 18 per cent in 2009, the year of the economic crisis, to 26 per cent in 2014. In the same period, the proportion of protests in workplaces funded by the governmental budget (in education, healthcare and culture) rose from 4 per cent to 23 per cent. It is this shift in the economic sectors targeted that brought about the change in the geographical location of the protests.

Why Do Workers Protest in Russia?

The most significant triggers for workers' protests over the past few years have been non-payment of wages, low wages, dismissals and employers' unfair policies (see table 16.3). Varied issues around wages still account for 68 per cent of the causes, but within these varied factors listed, the trends have been changing.

Between 2011 and 2013, the share of wage arrears as a cause for protests had fallen, and the share of other reasons, especially 'management policies' and related issues, has grown. The downward trend from 2008 to 2013 in protests attributable to wage arrears was a consequence of the normalization of labour relations and of the strengthening of trade unions' influence. The recent increase in wage arrears and the protests they engendered in 2014 may be regarded as the beginning of a return to labour relations in which the employees do not receive remuneration for their work, but instead work for

Table 16.3.   Causes of Labour Protests, 2008–2014 (Percentage of Total)

Cause	2008	2009	2010	2011	2012	2013	2014
Non-payment of wages	57	56	52	34	34	29	38
Low wages	19	8	18	26	27	23	25
System of payment changing	7	11	6	9	8	4	5
Dismissals, reductions	5	21	7	14	20	18	21
Changes in working time	1	4	3	7	6	8	6
Changing job conditions	9	7	10	11	8	11	7
Refusal of administration to negotiate	2	4	9	13	14	19	13
Employer's policies	13	18	22	35	36	42	28
Price increases	-	1	2	3	1	3	5

Sources: Centre for Social and Labour Rights (CSLR), monthly reports. http://www.trudprava.ru/index.php?id=2228 (accessed 1 April 2017).

Note: More than a single reason may pertain to a single protest, so the total may be more than 100 per cent.

food or under coercion. The increase in protests caused by wage arrears augmented the other causes connected with wages. Wage arrears, protests related to low wages (25 per cent) and modifications to wage payments (5 per cent) are part of a consolidated picture of discontent with wages.

Dismissals and lay-offs were the cause of about one in every five protests in 2014; this proportion has remained relatively stable over time, compared to wage issues. Importantly, although the main reason for a protest is usually not bad working conditions, dismissals or problems with working hours, protests do not always have a single cause; they are typically a response to a long-neglected state of affairs that workers can no longer tolerate. During protests, workers and their representatives often point to a multiplicity of reasons that have forced them to organize protest activities.

When the proportion of protests due to non-payment declined in 2010–2013, the proportion of spontaneous protests also decreased. In 2008, spontaneous protests constituted 62 per cent of the total, but that share had gradually decreased to 35 per cent by 2013. However, in 2014, the proportion of spontaneous protests rose again to 44 per cent, while the proportion of institutionalized protests that were organized by trade unions or with their participation decreased similarly. This confirms the trend towards disorder in the labour market that was evident also in the 2014 surge in protests resulting from wage arrears.

Forms of Protest

CSLR's monitoring shows that workers use at least nine different ways to protest. Most of these are outside the few that are protected by law, namely collective labour disputes and/or stoppage of work after a delay in salary

Table 16.4. Forms of Labour Protests, 2008–2014 (Percentage of Total)

Form of protest	2008	2009	2010	2011	2012	2013	2014
Raising claims	21	13	54	52	41	36	46
Meetings, pickets and marches	29	39	35	36	35	35	41
Partial or complete stoppage of work	44	20	25	28	24	31	27
Stoppage after non-payment of wages	3	7	3	4	3	3	2
Official collective dispute	8	4	6	4	3	1	3
Hunger strikes	15	10	12	3	7	4	6
Occupations and blockades	2	8	5	2	2	3	4
Solidarity meetings	0	4	2	1	6	6	3
Appeals to authorities	3	19	21	20	20	6	7

Sources: Centre for Social and Labour Rights (CSLR), monthly reports. http://trudprava.ru/expert/analytics/protestanalyt/1357 (accessed 1 March 2017).

Note: Multiple forms of protest may occur within one action, thus the columns may exceed 100 per cent.

payment of over two weeks. Throughout the monitoring period, the number of protests taking place in these two legally recognized forms declined steadily, from 11 per cent in 2008 to 5 per cent in 2014.

The initiators of a protest are workers (either organized within a trade union or not) who undertake protest activities, including those in which they may join forces with other groups and organizations. The three most frequent forms of protests are: publicly 'raising claims' (46 per cent in 2014); meetings and pickets (41 per cent) and complete or partial stoppage of work (27 per cent). Workers often use appeals to authority as a means to resolve a dispute. Publicly raising claims is the most minimal form of protest, often used by trade unions, but also by non-unionized workers, who are afraid to worsen relations with the employer. Meetings, pickets and marches are used by groups of workers who are not averse to worsening relations with their employer. By using meetings and pickets, workers inform public authorities and journalists about a breakdown in dialogue with an employer. Finally, when the problem is really serious – for example, non-payment of wages for several months – and a large number of workers are affected and 'have nothing to lose', the workers go on strike or stop working. All in all, labour law is not used by employees to settle conflicts. Furthermore, when it comes to an officially recognized strike, government officials often intervene to end it. CSLR's monitoring leads to the conclusion that workers protest against serious violations of the law by using actions that are not sanctioned by law. An impressive number of conflicts have taken place in the recent years. In most of the recent conflicts, workers defended their interests without resorting to trade unions, and they rarely invoke the law because they regard it as an obstacle rather than a way to solve their problems.

LEGAL REGULATION OF COLLECTIVE LABOUR DISPUTES

Collective Labour Disputes

The data presented in the earlier tables clearly demonstrate that employees do not always consider a strike the most effective way to settle disputes. The reasons for this are complex, although restrictive legislative norms may be a contributing factor. In Russia, individual and collective labour disputes are regulated by law. Individual labour disputes are usually *legal* disputes, concerning the implementation of norms; collective disputes are mainly (though not solely) *economic* disputes and *disputes of interest*, concerning the creation of norms. Individual labour disputes can be resolved by commissions created at a local level, in court and through the process of mediation. To

settle a collective labour dispute, procedures including mediation, conciliation and arbitration can be used. The right to strike can be resorted to only in the case of collective disputes and if the conciliation processes have failed.

According to the law, collective labour disputes are unresolved disagreements between employees (or their representatives) and employers (or their representatives) concerning the establishment of and/or changes to working conditions, including salary. At the local level, collective labour disputes may be initiated by the employees of an organization or of any part of an organization, such as its representation or branch office, or a separate structural division of the company. Structural divisions are considered 'separate' by the courts only if stoppage of work in them cannot influence the functioning of the rest of the company. This constricts the capacity of large groups of workers to undertake collective labour disputes.

A trade union or trade union federation (or confederation) may represent employees if they wish to start a collective labour dispute only at levels higher than the local. This restriction is a serious hindrance for resolving collective labour disputes, as it bars trade unions from participating in local disputes. Furthermore, employees who may have separate interests because of specific conditions of work –members of a particular profession – for example, air engineers, working at the air company, even though affiliated to a specific trade union, cannot initiate a collective labour dispute (Lyutov and Gerasimova 2014, 183–201).

Russian employees are not entitled to use their right to strike in a number of situations in which this right is recognized by the ILO (ILO 2006). The ILO has notified the Russian government about this and reaffirmed that 'workers and their organizations should be able to call for a strike aimed at recognizing a trade union, as well as in order to criticize a government's economic and social policies and should be able to join a sympathy strike, provided the initial strike they are supporting is itself lawful' (ILO 2004). Nevertheless, no changes have been made to the legislation, and it is still unlawful to go on strike in these cases.

For many years there has been a debate about the reasons for the ineffectiveness of the procedures for resolving collective labour disputes in Russia. One argument is that the procedures are too lengthy, and the period from the beginning of the dispute to the permitted inception of a strike is unreasonably protracted. In response, time frames for all procedures in the Labour Code of 2011 were shortened. Decisions made during the process of labour arbitration are binding. If these decisions are not adhered to, an administrative fine can be imposed on either or both parties. However, this fine is negligible – between 2,000 and 4,000 roubles (around €30–€60) – and is not imposed in practice. One important additional consequence is that employees have the right to strike if their employer ignores the arbitrator's decision (Labour Code, Art. 408).

The Right to Strike

Organizing a strike is a complicated procedure in Russia. The omission of even a single formal requirement or an error in any one of them may provide grounds to declare a strike illegal. At the local level, the decision to strike should be taken by employees themselves taking into account advice from the employees' representative body (Labour Code, Part 5, Art. 409). Therefore, two decisions (that of the representatives' body and of the employees') need to be made before going on strike. If the collective labour dispute is held at a higher level, the decision on whether to strike should first be taken by the trade union (or trade union federation) and then the employees of each employer should vote on the strike. In both cases, the employees' decision should be made in a general meeting or conference of employees. An employees' general meeting is valid if over 50 per cent of employees participate; a conference is valid if over two-thirds of the delegates participate. To go on strike requires that a majority of the participants vote for it. If it is impossible to organize a general meeting or conference, the employees' representative body can organize a vote by collecting the signatures of over 50 per cent of all employees.

   The Labour Code also determines certain obligatory requirements regarding the content of the written decision to strike (Labour Code, Part 9, Art. 410). Any violations of the content may be considered a reason to find the strike illegal. Employees are required to give the employer a notice in writing before going on strike. This notice should be at least five work days in advance at the local level, and seven work days in advance at other levels. During the strike, certain minimum safety services must continue to be provided. The inclusion of a particular type of industry in the minimum safety service list should be based upon whether disruption of that industry constitutes a danger to the health or lives of the population. Non-compliance with provision of minimum safety services is sufficient reason for the court to suspend the strike until such a list is provided. In practice, many lists of minimum services are excessively broad and include not only operations necessary to preserve health and safety, but also to serve the economic interests of employers.

   Under the Labour Code (Part 1, Art. 413) and in accordance with Art. 55 of the Russian Constitution, strikes are prohibited and therefore illegal in a wide range of cases: (1) during periods of martial law, during a state of emergency or other exceptional cases when special measures are in place in accordance with the legislation governing states of emergency; in organizations of the military services and other military organizations responsible for the defence of the country and the security of the state; by employees in the professional emergency and rescue services, in fire prevention services or in services

operating for the prevention or in the aftermath of natural disasters or states of emergency; in law enforcement bodies; in organizations directly supplying particularly dangerous products or equipment and at ambulance or first-aid stations and (2) in organizations that directly impact the well-being of the population (energy supply, heating and heat supply, water supply, gas supply, air and railroad transportation, communications). Courts consider strikes in these sectors to be dangerous *per se* and do not seriously analyse the extent to which they may or may not actually be dangerous. Furthermore, federal laws may define other cases in which strikes are prohibited. Strikes are prohibited by special federal laws pertaining to air traffic controllers, railroad employees, military forces, employees of the Federal State Communication Services, heads of state and municipal unitary organizations, state employees and civil municipal servants and others. The ILO criticized some laws imposing such restrictions concerning civil servants, municipal employees and railroad workers, but no changes have been made.

According to statistics of the Judicial Department of the Supreme Court, the number of court cases finding strikes illegal is notably high and greatly exceeds the number of officially registered collective labour disputes and strikes. Over two-thirds of strikes, in some years – all strikes, are found illegal in court,[6] and the reasons for this are very often based on formalities connected with various violations of the procedures and terms required by the Labour Code. Analyses of court practice show that in most instances a strike will be judged in biased way once the employer appeals to a court. Analyses of particular court decisions suggest that judges on the whole in Russia hold anti-strike views and make use of insignificant violations of procedure in order to find strikes illegal.

Court cases may be initiated by employers or prosecutors when the decision to strike has already been taken but the strike itself has not yet taken place. In practice, appeals to a court are used most often to obtain a decision that the strike is illegal so that the employees are told in effect that their planned strike will be prohibited. This use of the courts vividly illustrates the anti-strike and anti-worker trend in social and labour relations in Russia. The main legal consequence of anti-strike court decisions is that workers must be informed immediately of the decision to strike by whichever organization is leading the effort. Employees must go back to work the day after the leading body is informed of the court's decision that the strike is illegal. If this rule is violated, employees can be dismissed. Participation in an illegal strike deprives employees of their guarantees (Labour Code, Part 1, Art. 417). Furthermore, the representative body heading the strike may be responsible for damages incurred due to the illegal strike. These practices make workers extremely dismissive of both the law in general and the need to comply with it. Workers see that they are obliged to invest considerable time and effort

following complicated formal procedures in order to initiate a collective labour dispute and attempt to resolve it via conciliation procedures. When that fails and they decide to go on strike, the court will then typically find their strike illegal because of insignificant technicalities, and all the efforts by workers to resolve the problem are rendered useless.

CONCLUSION

Since the adoption of legislation regarding collective labour disputes and strikes, and above all since the adoption of the Russian Labour Code, trade unions and researchers have been questioning the effectiveness of the established norms and procedures. We can see that the existing legislative procedures for the resolution of collective labour disputes do not in practice satisfy the needs of the workers. It is becoming more and more obvious that the law is not implemented in a way that facilitates the resolution of labour conflicts. Official procedures for the initiation of collective labour disputes, their resolution and declaring and conducting a strike are so complicated and bureaucratic that it is almost impossible to carry them out flawlessly. As a result, workers often disregard or violate the legal requirements.

This tendency must be understood in the historical context of labour unrest and strike movements in Russia, especially after 1989. One main feature of the transformation process since the end of the Soviet era was the resurgence of an 'alternative' labour movement. In response, the state reasserted its control over the legality of strikes with the result that legal strikes became more and more rare. Today, workers prefer to take actions not intended to resolve collective labour disputes through an orderly process. The number of disruptive forms of protests, such as hunger strikes, plant takeovers and road blockages, is particularly high. Spontaneous work stoppages are also used, and they are often organized by workers on their own without granting a leading role to any trade union. Future studies of strike movements should include both analysis and critique of the development of legal restrictions on the right to strike and the consequences of these restrictions. The scope of the right to strike and the reactions to the exercise of that right are of central importance from a transnational perspective.

NOTES

1. There was almost no research on strikes in the Soviet era. Information can usually be found only in police and KGB archives, but it is incomplete and access to some of it is still restricted. Therefore, authors often have recorded the memories of strike participants and eyewitnesses in different periods of Soviet history. Among

these accounts are those recorded by I. N. Kamardin on strikes in the Volga region from 1919 to 1920; S. A. Pavluchenkov on communist wartime practices; V. I. Nosach's and N. D. Zvereva's discussion of the Stalinist terror as it applied to trade unions; A. I. Pricshepa's chronicle of strikes in the Urals during the war and afterward and L. M. Alekseeva on strikes after the Stalin era.

2. The most famous description of this strike is in Aleksandr Solzhenitsyn's *The Gulag Archipelago*.

3. The concept of workers' collectives was introduced into Soviet law by adoption of the Law of USSR 'On workers' collectives' and increasing their role in management of organizations and enterprises on 17 June 1983. This term was used to name all employees of organizations. They were granted a wide number of rights, including in management of enterprises and organizations. The law was in force until 2006, but *de facto* was not used after adoption of the Labour Code of Russia in 2001.

4. Workers committees are informal groups of active workers, who took initiative to organize strikes and other massive actions and represent workers when formal existing trade unions were not active and did not act to represent workers' interest and settle increasing problems.

5. There are many studies of the transformation of the labour movement in Russia. In the bibliography, see Gordon and Klopov (2000); Bizyukov 2002; Burawoy, et al. (1993); and Ashwin and Clarke (2002).

6. Russian judicial system consists of three levels of state courts of general jurisdiction – local (at territories), regional (in subjects of Russian Federation) and Supreme Court of Russia. All labour cases are considered in the first instance by courts of general jurisdiction (all other labour disputes are considered by first-level cases at territories). Cases on strikes are considered by courts of second instance (courts of subjects of Russian Federation), and decisions on these cases may be appealed to the Supreme Court of Russia.

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