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Unite or Fall: Labor Protests in Ukraine in the Face of the Crises

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Abstract

Ukraine is facing changes of a significant scale. Caused by external and internal factors and processes, these changes will influence the socio-economic and political reality of the majority of Ukrainians. The character and degree of the changes are yet to be defined in the political struggle inside the country. Do workers, as the biggest social class, have the potential to press for their interests in the face of a spiraling crisis? In this article we tried to answer this question by analyzing labor protests in the country. Our research of empirical material of the Ukrainian Protest and Coercion database shows that labor actors have significant bargaining power on local issues but lack coordinated and relatively large-scale mobilization, hence, can hardly influence state-level politics. Being scattered and defensive, lacking solidarity among themselves and without support from allies, workers have few chances to succeed in promoting their agenda. Some possible logical and empirically supported solutions to increase labor bargaining power in this context are also suggested in the article.

Keywords: Labor studies, Protest, Trade union, Mobilization.

Together we stand, divided we fall.

Pink Floyd. 'Hey You'.

Introduction. Out of the crisis in the interest of the majority?

The majority of Ukrainians work for wages. No matter their class position, this means that their lives are significantly, directly, and objectively influenced by labor legislation and practical organization of labor relations within the society.

Ukrainians have been living in the context of a political and economic crisis¹ which has been unfolding in Ukraine since the end of 2013. Protests against the government's decision to postpone further integration with the EU started in November 2013 in Kyiv and spread all over the country, becoming more one for civil liberties and against the government. Escalating violence ended with more than one hundred people killed (protesters and state forces) in three months and a change of government. The events continued with mobilization against the new government in the South and East of the country, the annexation of the Crimean peninsula by Russia, so-called 'anti-terrorist operation' of the new government against increasingly militarized protests and self-proclaimed separatist authorities in the Donetsk and Luhansk Regions, culminating in a de facto war, in which several thousands have already been killed. All these events have been inevitably causing a deep economic recession, as well as economic and political instability.

In the context of this recession and instability, in the prospect of radical neoliberal reform, presented as inevitable by the government, the question of the bargaining power of labor becomes literally of vital importance for wage workers of the country. Their (in)ability to counterbalance the pressure of capital and elites will be of remarkable importance to shape the state reforms, policies, and their impact on the society in the nearest future.

Proceeding with ratification of the Association Agreement with the EU was among the demands of the biggest protest mobilization in Ukrainian history and which was signed² in the aftermath of the Euromaidan protests, can also change labor legislation in Ukraine in the near future. And those changes will mostly not be favorable to labor's interests. For example (Kravchuk, 2014), according to some documents signed with the Agreement, it is recommended for the Ukrainian government to allow collective dismissal, to decrease maternity leave, and to increase working hours to 48 per week. According to Ukrainian legislation, normal duration of work cannot exceed 40 hours per week. According to EU legislation, duration of working week cannot exceed 48 hours, including overtime. Even after adding 120

¹ Referring to political crisis we mean political instability (expressed by, for example, separatist tendencies) and polarization of society, leading to de facto exclusion of oppositional positions from parliamentary politics. Referring to economic crisis we mean economic recession, which can be expressed in many metrics, but let us name one: GDP declined from approx. 180 billion US dollars in 2013 to approx. 130 billion in 2014;

² The political part of the Agreement was signed on 21st of March 2014, the economic part on 27th of June.

overtime hours per year (allowed by law) to the Ukrainian norm, EU norms allow longer working weeks³.

On the other hand, there is also conditionality, pressed for by the International Monetary Fund, seemingly unavoidable because of the unprecedented budget gap, caused by a decrease of the economy, war expenditure, loss of territories, minimum welfare to be provided for internally displaced people⁴, and so on. The government had already increased utility costs radically – since the 1st of April 2015 people should pay 72 per cent more for central heating, tariffs for electricity will become 3.5 times higher by 2017. Planned privatization, cuts in budget spending and other conditions to get the credit, had already encouraged some observers to label the government's reforms as 'shock therapy'.

Presented as unavoidable and even desirable by the government and their supporters, all these reforms can cause great damage to the social conditions of ordinary people, leaving those of the big owners untouched or even improved. At the same time some experts and politicians point that there are other ways out of the crisis, which would distribute its costs more evenly. Among those could be a writing off or default on state debt, taking money out of the off-shores, progressive taxation, etc. (Nechyporenko, 2015). It is obvious that these suggestions are against the political mainstream inside the country and at the international level. They are, no doubt, also directly against the interests of the oligarchs in power. To have any chance to go against such a significant opposition inside and outside the country, a strong actor or alliance of actors is needed to proceed with these or any other reforms of a sort.

Can workers become such an actor? Or can they take a significant part in any coalition of actors, pressing for reforms in their interests? These questions can be answered with a closer examination of labor protests in recent years to understand their current and possible potential to become an independent actor or form a coalition which can voice their demands. The protest event analysis approach to existing empirical material, used in this paper, allows us to study labor protest dynamics, issues, tactics, actors, etc., in order to answer these research questions.

We will now discuss several theoretical issues further and present major empirical information to answer these questions. First of all, we write about problems with labor studies in Ukrainian academia to understand why labor issues, including those of labor protests, have been significantly under-researched in the country. Besides simple understanding, such information can help to try to overcome the discussed problems and move researchers closer to answering the research questions. A summary of the available studies is presented in this part of the paper, and the promising new source of empirical information on labor protest is introduced. Second, we specify what we understand as labor protest while working with and

³ Additionally, according to Ukrainian legislation, duration of weakly continuous rest should be no less than 42 hours. According to EU legislation – only 24 hours. Also in Ukraine all workers have the right to have breaks during their working day, if their work is compatible with it. In the EU, workers who work less than 6 hours do not have such a right.

⁴ According to UNHCR information on 21st of May 2015, there are almost 1 300 000 internally displaced people in Ukraine, who left their homes because of the annexation of Crimea and de facto war. In fact, this number refers to registered people; the real number is most probably higher.

making an analysis of the empirical data. Third, we proceed with an analysis of the empirical data, trying to fill some major and significant gaps in knowledge about labor protests in Ukraine in order to answer the research questions. We present and interpret different aspects of labor protests, including who, how, and with what issues tries to defend labor rights – in order to understand the potential of labor protests in the country. Finally, we draw conclusions on this potential of labor actors to defend labor interests and point to several possibilities to strengthen their bargaining power in the current context of their struggle.

Studies of labor problems and problems with labor studies in Ukrainian academia

To answer questions on the potential of labor mobilization, one should study labor protests in Ukraine. However, a thorough review of relevant sources shows that labor protests have not attracted sufficient attention from Ukrainian scholars for many years, and some of the best pieces have been produced by foreign researchers. Below we try to understand the reasons for this situation in Ukrainian research and suggest ways to mitigate it.

There are three main problems with study of labor protest in Ukraine. The first one is a general lack of attention to workers, their structural position, dynamics, and different aspects of their life and struggle. The second problem refers to attitudes to workers, their potential to struggle, potential of this struggle to influence society and an evaluation of this influence. The third problem is the lack of systematic reliable sources about labor protests in Ukraine. Let us discuss these three problems.

A general lack of attention to workers, their structural position, dynamics, different aspects of their life and struggle cannot be grounded in the absence of the object of studying, because workers, according to different definitions and approaches, constitute the vast majority or close to the majority in Ukraine (Simonchuk, 2005: 9-12). Subjective approach of self-identification suggests their proportion to be near 49 per cent. Statistics on owning the means of production versus working for wages point to as much as 87.6 per cent of waged labor.

One also cannot speak of absence of struggle – in the years following the collapse of the Soviet Union the country saw labor mobilization⁵ of, at least, branch level (Pan'kova and Ivashchenko, 2006), because of the past system breakdown, instability of the present, and uncertainty of the future.

Historical changes influenced workers directly and sufficiently, decreasing their number dramatically. As studies suggest, 13 million workers left the labor market (Simonchuk, 2005: 18) from 1985 till 2003. Almost 60 per cent of them were manual workers and more than 25 per cent – industrial workers. In other words, every second

⁵ In June 1993 strikes in the Eastern part of the country – the most industrialized region with leading mining industry – involved miners, industrial and state workers, with several hundreds of thousands participants. Worth mentioning, is that autonomy of the region was among the demands of the protesters. In February 1996 miners' strikes in both the Eastern and Western parts of the country mobilized even more workers.

waged worker left the official labor market. This can obviously be considered as one of the major structural transformations of the society.

Hence, one cannot say there was no material to study workers or that material was not important. One can say quite the opposite – it is hard to understand those transformations and their outcomes without studying workers. But lack of academic interest, moreover – the dramatic decrease of academic interest in labor is obvious. Elena Simonchuk sums up this situation⁶:

‘Till the beginning of 1990ies workers’ class was the major object of interest for soviet sociologists. On the one hand, this was ideological paradigm, but on the other hand – workers’ class really was a social power – being the biggest professional group in the name of which the party spoke and the state governed. However, by now – only 15 years later – this notion practically disappeared from the eyesight of mass media, politicians and sociologists.’ (Simonchuk, 2005: 5)

Why had this dramatic decrease in native scholars’ interest in labor studies happened since independence of the country? Mihai Varga (Varga, 2011a) examines major sociological journals of Ukraine and Romania to discover that there were almost no articles on labor rights, conditions, protests, workers life and structural position. He explains this by stating that scholars probably are closer to elites of the country and feel averse about studying workers and different aspects of their life. Here the author probably speaks not of objective structural position, but of subjective attitudes and discourses. Fashion, political and research conjuncture can be another name for those reasons. They can be better understood if placed in more general national or even international context. Anastasia Riabchuk formulated her argument as following:

‘Working communities are represented both in Western and post-Soviet mass media as ‘ghettos of unemployed’ [...], grey depressive districts, and workers – as anonymous mass, as ‘sovok’ or ‘anachronism of communism’ [...]. Hence, one can speak not only about economic marginalization (misdistribution), but also about discriminative stereotyping (misrecognition) of workers.’ (Riabchuk, 2007: 109)

Of course, scholars live within this discourse and are influenced by it; hence, their work is also influenced. And here we directly approaches the second problem of labor studies in Ukraine, which refers to attitudes of workers, their potential to struggle, the potential of this struggle to influence society and evaluation of this influence in academic research.

Writing about Ukrainian workers, scholars often conclude that they no more are a significant political actor and can only adapt in the current society (Simonchuk, 2006: 40). At the same time they point to a lack of such an adaptation potential (Riabchuk, 2007: 13), refer to worker identity as that of the previous century

⁶ Here and further translations from Russian and Ukrainian were done by the author.

(Pan'kova and Ivashchenko, 2006: 247), asking whether there is a future for labor struggle in Ukraine and concluding that 'the sun has set on labor's political power' (Kubicek, 1999: 83) and even making thesis that there is a serious 'problem unions may pose for democratic politicians interested in free market reforms' (Kubicek, 2002: 606).

Such an attitude of different degree is predominant among Ukrainian scholars (Varga, 2011a; Simonchuk, 2005: 6). Of course, there are exceptions of more balanced perception of labor position within the society, mostly being represented by foreign scholars (e.g. Mandel, 2004), but Ukrainians are also making progress in turning their attention to workers. Collective of *Commons: Journal of Social Critique* can be named as an outstanding example. First developing their research activities around *Commons* web-page⁷, they continued with paper journal, now consisting of nine thematically composed issues, the fourth one is on class exploitation and class struggle.

And the last, but not least significant, is the problem of lack of reliable data on labor protests in Ukraine. It is no coincidence that most of the studies of labor protests in Ukraine can be classified as socio-anthropological researches (Mandel, 2004) or case-studies (Varga, 2011b; Popovych, 2012; Atanasov and Riabchuk, 2012). The majority of scholars operate with statistics of one or another kind to support their arguments, mostly referring to official statistics on socio-economic parameters of the country or on international organizations' data, such as International Labor Organization or World Bank. To evaluate labor bargaining power they also use national data on trade union participation density and strike days (e.g., Crowley, 2004).

International organizations mostly do not gather or estimate specific data on protest mobilization, tactics, actors, etc. Ukrainian official statistics are simply unreliable. First of all, data of the Ministry of Interior on protests in the country is based on such an unsystematic and awkward methodology that it shows nothing on the real situation (Ishchenko, 2010). Their definition of assembly is unclear and inconsistent; collecting of information raises more questions than gives answers and is simply unreliable. On the other hand, one could consider National Statistic Agency as a major source, taking into account the purpose of the Agency work and how often its information is used to study other socio-economic parameters. Moreover, they provide specific data - statistics on labor strikes. They take this data from official information on official strikes. However, this data shows nothing except the fact that it is almost impossible to organize an official strike in Ukraine. In some years when the Agency saw zero strikes, there actually were several dozens of them all over the country, the majority being labor strikes (Dutchak, 2013). Another problem is that workers obviously can and do defend their rights in other kinds of protests, such as demonstrations, pickets, rallies, and so on.

Hence, because of these three main problems of labor studies key questions remain mostly unanswered. What are the dynamics of labor movement in Ukraine? What actors take part in the collective struggle of labor? What issues do they argue for

⁷ Commons: Journal of Social Critique <http://commons.com.ua/> (Accessed: 18-09-2015.)

or against? And turning to our major research question - what is their potential to defend labor rights and to promote labor-friendly policies in the context of war and austerity discourse?

Analysis of the Ukrainian Protest and Coercion Database (UPCD) which contains results of systematic monitoring of protests, repressions and concessions in Ukraine since 2010, provides rich material to answer many questions. Based on the methodology of protest event analysis, gathering information from daily monitoring of news published by more than 190 regional, national and activists' webpages, this database captures a broad scope of characteristics and dynamics to proceed with well-grounded analysis of labor protest in Ukraine.

Conceptualization of labor protest for empirical analysis

UPCD Project uses special monitoring programming which gathers relevant news information from more than 190 national, regional, and activist web-media. Then coders proceed and input information into the system which creates the database. The database includes all actual protest events - no matter the issues and number of participants - which happen in the territory of Ukraine (CSLR, 2013). It also includes negative reactions against protests, positive responses on them, and other repressions, targeting oppositional or critical activities other than protests. The database contains multiple parameters and characteristics of these events, including their form, participants, targets, and demands. The final version of the database is uploaded on the web-page of the Project yearly (CSLR, 2010-2013).

What do we speak of while speaking of labor protests in UPCD? To proceed with analysis we are going to shift attention from the issue of labor class to the issue of labor rights and labor actor. This trick can help to put aside those complicated debates whose protest we are going to call labor protest - protest of waged labor, protest of industrial workers, protest of physical labor or self-identified as workers. We speak of protests with combined definition - with demands for labor rights and protests of organized labor. To separate these protests from the general pool a three-level algorithm was used.

1) Separation by issues. Here we automatically considered as labor protests those protests during which participants demanded immanent labor issues, which can be raised only by labor or labor-lobbying group. One was 'labor rights' - demands for labor rights and demands against violation of labor rights (trade union rights, safety of work environment, illegal dismiss, etc.). Other two issues were 'wage arrears' and demands for 'wage increase'.

2) Separation by issue and actor. Here we used a two-step separation. First, we chose protest events by labor significant issues which can be demanded by other organized protest groups (stockholders, consumers, neighborhood, etc.). They included 'company closure', 'insufficient financing', 'privatization', 'nationalization', 'raiders', and 'unemployment'. Second, among them we chose those, in which labor actors participated. Labor actors included 'teachers', 'journalists', 'workers' and so on. Hence, we considered as labor protests those protest events where labor significant issues coincided with labor actors.

3) Actor-based case-by-case revision. Among those protest events which fail to be considered as labor protests by now, we chose protest events with labor actors participating and revised them case-by-case to consider which of them could have relation to labor interest.

Negative reaction and positive responses to these protests were considered as related to labor protests.

Two important remarks should be made in this conceptualization. First, speaking about actors of protests events, according to methodology (CSLR 2013), we speak of groups, defined by observer or self-defined. This observer can be a journalist or a coder – either actor was referred to as ‘teachers’ in the media, or media translated actor’s self-identification as ‘teachers’, or a coder identified him as ‘teachers’ through non-printed sources (video, photo materials). In any case, here labor actor is closer to self-identification and social identification than to any other type of defining labor actor.

Another important remark should be added on limitation of the data. We understand that several years of data are obviously not enough for a far-reaching generalization and final conclusions. However, these years provide material for cross-sectional data-grounded observations on key questions about labor protests in Ukraine. With this remark in mind, we proceed to answering those questions.

General characteristics of labor mobilization in Ukraine

To understand the potential of labor mobilization in the current situation, one should, first of all, look at labor protests general dynamics. In the period 2011-2013⁸ labor protests as protests’ for labor rights and protests of organized labor constituted a significant part of protest events in Ukraine, ranging from 7 per cent in 2012 to 10 per cent in 2011. Hence, the number of labor protests in Ukraine had been steadily growing from 2011 and up until the Euromaidan events. Even in 2013, the year of the Euromaidan, 8 per cent of protests were classified as labor protests.

Moreover, according to the data of the UPCD project, the period of January-October 2013 (before the Euromaidan mobilization) corresponded to an absolute and relative record of labor protests since 2011. During this period labor rights were defended on at least 331 protest events which constituted 11 per cent of all protests events. In other words, in the period from January to October 2013 the issues of labor rights were broached in one of ten protest events. This number is bigger than during any whole year of protest monitoring. In 2012, according to the monitoring data, there were 255 labor protests (7 per cent of all protests) and in 2011 there were 231 labor protests (10 per cent of all protests).

⁸ Though the UPCD Project started in 2010, methodology of the project was significantly changed in the following year. Among other things, changes were related to coding of actors and issues. These changes allow us to make an analysis of the whole period of monitoring only with some restrictions. And because of them, continuous analysis of labor protests since 2010 does not make much sense – because labor protests are selected on the basis of actors and issues.

One can emphasize that increasing mobilization for labor rights in 2011-October 2013 was part of the more general tendency in socio-economic protests. During this period socio-economic protests constituted relative majority of all the protest events. In 2011 60 per cent of all the protest events had at least one socio-economic demand. In 2012-2013 this proportion decreased to 43 per cent. But from January till the 21st of November 2013, socio-economic issues actually constituted 56 per cent of mobilization, winning back the absolute majority. However, during the Euromaidan events this dominance was predictably changed, bringing ideological (62 per cent), political (58 per cent) and civic liberties (52 per cent) issues to the front stage from the 21st of November 2013 and until the end of the year. In this period only 10 per cent of mobilization was related to socio-economic issues.

Hence, being a stable and significant part of protests in Ukraine from at least 2011, since the beginning of the Euromaidan in November 2013 labor and other socioeconomic protests declined sharply, giving way to ideological and political issues. Fragmented data from 2014⁹ suggested the recovery of labor protests only at the end of 2014.

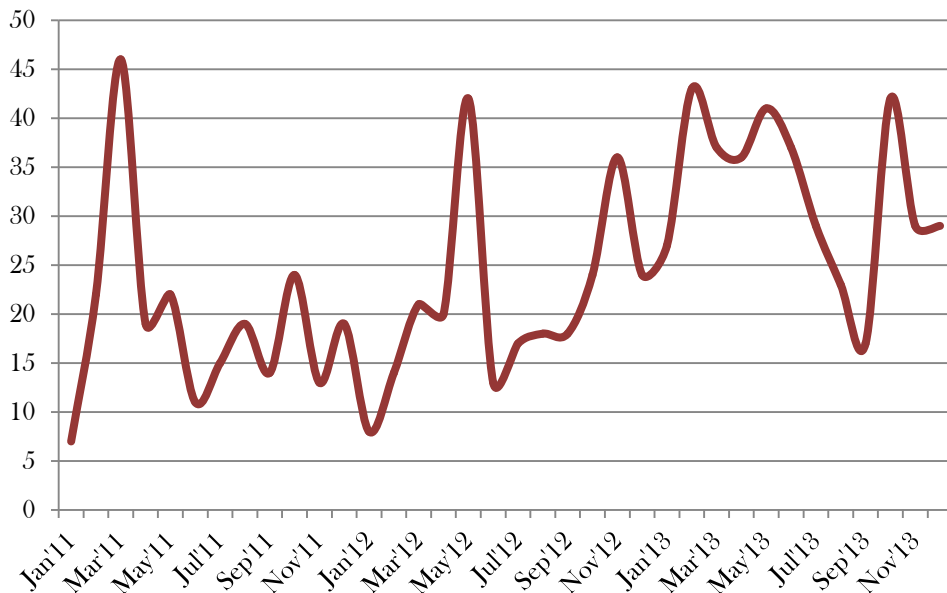


Figure 1: Labor protests dynamics in Ukraine (2011-2013). Source: Ukrainian Protest and Coercion Database Project

A closer look at the general dynamics of labor protests during the monitoring period, as shown in Figure 1, suggests some predictable decreases of mobilization in winter

⁹ Because of unprecedented mobilization in November 2013 - February 2014, when there were three times more monthly protests than ever before, and because the mobilization wave did not decrease to its pre-Euromaidan scope for months, data from 2014 was still incomplete when this analysis was made.

and summer time. Specific peaks are related to specific protest campaigns and rare branch mobilizations.

The biggest peak in March 2011 was the result of a coincidence of teachers' protests for wage increase¹⁰ and the oppositional 'Automaidan'¹¹ campaign, participants of which criticized basically all large-scale initiatives of the government, including the Labor Code Project.

In 2012 there were two peaks of labor protests – in May and in the end of the year. The May mobilization was the result of both 1st May activities mostly of parliamentary leftists (the Communist Party of Ukraine) and other groups and organizations of leftists and of a mobilization of the latter together with liberal allies for the freedom of assembly and against the Labor Code Project. The end of the year mobilization was mostly related to protests of workers of communal enterprises about wage arrears because of insufficient financing of regional budgets from the central government. That was the year of the football championship Euro 2012, taking place in Ukraine and Poland, and that was the year of parliamentary elections. Both could contribute to a money shortage in the central budget.

The end of the year mobilization fluently continued into 2013, contributing to the record mobilization of the pre-Euromaidan months.

Region	Labor protests, 2011	Labor protests, 2012	Labor protests, 2013	All protests, 2011	All protests, 2012	All protests, 2013
Central ¹²	33%	25%	41%	39%	35%	36%
Eastern	37%	25%	21%	25%	19%	19%
Southern	18%	23%	20%	17%	22%	20%
Western	12%	27%	18%	19%	24%	25%
Total	100%	100%	100%	100%	100%	100%
N	231	255	389	2274	3630	4823

Table 1: Geographical distribution of labor protests in Ukraine (2011-2013). Source: Ukrainian Protest and Coercion Database Project

Another aspect, which can contribute to understanding the labor mobilization potential, is the regional distribution of labor protests. It can point to possible structural economic peculiarities, expressed in the geographical unevenness of the

¹⁰ The teachers' campaign was organized by their trade union all over the country with a demand for a 20 per cent wage rise. The government acceded to this demand.

¹¹ The 'Automaidan' campaign refers to an oppositional campaign against the government and its initiatives. It took its name from widely used protest tactics of motorcades. This tactic was also widely used in 2013-2014 during the Euromaidan protests, turning into a more or less established and coordinated initiative and later – into an officially registered organization, or rather several regional organizations.

¹² The Central macro region includes Kyiv, few protests from region Ukraine (all-Ukrainian protests or protests where location cannot be identified at all) and protests in Web (hackers' attacks).

mobilization distribution, which can influence the current mobilization potential in combination with processes and structural changes in the Ukrainian economy in crisis. Looking at the regional distribution of labor protests in Ukraine in Table 1, one can notice two things. First, there is no significant stable difference between the Eastern region and the rest of the country, as one could expect, taking into account the concentration of industries in the East of the country. Though in 2011 there were significantly more (37 per cent) protests in the Eastern region, the majority of them were not explicitly related to industrial conflict and this difference disappeared in the following years. Regional variations in the long run are most probably related not to industrialization of any of the regions, but to peculiarities of the biggest protest campaigns.

Second, in 2013 one can observe a significant concentration of labor mobilization in the Central region - 41 per cent. This can be explained both by geographical peculiarities of local labor campaigns and by increasing appeals to the central government, for example, in protests of communal workers against insufficient financing by the central government. The latter, however, is just a hypothesis and needs further research.

Number of protesters	Labor protests, 2011	Labor protests, 2012	Labor protests, 2013	All protests, 2011	All protests, 2012	All protests, 2013
<10	7%	4%	9%	10%	13%	11%
<100	34%	40%	48%	35%	32%	41%
<1000	25%	22%	19%	18%	13%	17%
>1000	7%	3%	3%	3%	3%	5%
Unknown	27%	31%	21%	34%	40%	26%
Total	100%	100%	100%	100%	100%	100%
N	231	255	389	2274	3630	4823

Table 2: Number of participants in labor protests in Ukraine (2011-2013). Source: Ukrainian Protest and Coercion Database Project

Analysis of the number of participants contributes to the general picture of labor protests and their bargaining power. Table 2 shows that, excluding the biggest protest events (with more than 1000 participants), labor protests mobilize slightly more participants than protests in general, providing fewer protests in the category 'up to 10 participants' and outperforming in categories '10-100 participants' and '100-1000' participants. This is probably caused by the fact that labor protests are often protests by the whole personnel of enterprises, which are usually tens or hundreds of people.

Tactics	Labor protests, 2011	Labor protests, 2012	Labor protests, 2013	All protests, 2011	All protests, 2012	All protests, 2013
Conventional	80%	76%	71%	82%	72%	75%
Confrontational	19%	22%	28%	14%	18%	18%
Violent	1%	2%	1%	4%	10%	7%
Total	100%	100%	100%	100%	100%	100%
N	231	255	389	2274	3630	4823

Table 3: Tactics of labor protests in Ukraine (2011-2013). Source: Ukrainian Protest and Coercion Database Project

Protest tactics used by labor actors, should also be interesting for the general image of labor bargaining power. Analysis of labor protests' tactics in Table 3 shows two definite peculiarities. First, actors of labor protests are less frequently violent; they are less likely to attack property or people than protesters in general. Second, actors of labor protests use confrontational tactics significantly more often. This fact is not hard to explain, taking into account that confrontational tactics are those that apply direct pressure on protest targets, but do not apply direct violence (CSLR, 2013). Confrontational tactics include blockades, confrontation, sabotage, civil disobedience and, among others – classical workers' strike tactics.

Protests	Positive responses (per 100 protests)	Negative reactions (per 100 protests)	Protests	Positive responses (per 100 protests)	Negative reactions (per 100 protests)
Labor protests, 2011	12	12	All protests, 2011	6	19
Labor protests, 2012	13	9	All protests, 2012	5	18
Labor protests, 2013	11	7	All protests, 2013	5	20

Table 4. Results of labor protests in Ukraine (2011-2013). Source: Ukrainian Protest and Coercion Database Project

Now, let us turn to the direct and visible outcomes of labor protest dynamics, mobilization and tactics combined in their bargaining power. Table 4 clearly shows that during the whole period of monitoring labor protests were less often repressed and reached their aims more often than protests in general. Moreover, there was a slow but stable tendency of decreasing numbers of negative reactions per 100 labor protests, while the number of negative reactions per 100 protests in general obviously increased during the Euromaidan campaign year, being almost three times higher than that of labor protests. The number of positive responses per 100 protests, on the contrary, was significantly higher for labor protests than for protests in general – at least twice as high as in every single year of monitoring.

These peculiarities of targets' reactions on labor protests, however, are good news for waged workers only at first sight, because there are complex reasons why labor protests are less often repressed and are more often successful. Among these

one can name the focus of labor protests on local short-term demands, the absence of large-scale, complex, radical claims, and no real threat to the interests of their targets or country's authorities of different levels. In other words - no political power, as perceived by those in power. Labor bargaining power, relatively greater at first sight, can point to their actual weakness in real political impact.

Issues, tactics and participants of labor protests in Ukraine

To understand labor protests mobilization potential in the current situation, one should also analyze the issues which mobilize workers in the country. Looking at what they are fighting for, one can reach the conclusion that labor protests in Ukraine are mostly defensive. Every year since 2011, the leading single issue was wage arrears. Payment of wages was among the demands of 35 to 47 per cent of labor protests.

Block of issues	Issues	2011	2012	2013
Socio-economic	Wage arrears	35%	47%	45%
	Labor rights	34%	28%	30%
	Company closure	15%	13%	19%
	Raiders	7%	7%	11%
	Unemployment	N.a.	N.a.	9%
	Pro- or anti-boss	N.a.	7%	9%
	Education	13%	2%	5%
	Public health	3%	2%	4%
	Insufficient financing	5%	10%	4%
	Wage increase	16%	6%	4%
	Other	32%	18%	24%
Political	Against government, local authorities or their representatives	9%	4%	11%
	Other	0%	2%	1%
Civic liberties		7%	5%	11%
Ideological		7%	2%	8%
N		231	255	389

Table 5. Issues of labor protests in Ukraine (2011-2013). Source: Ukrainian Protest and Coercion Database Project

Table 5 demonstrates that, as in all the previous years of monitoring, in 2013 wage arrears were the most common issue for labor protests in Ukraine. It was among the issues in 45 per cent of instances of labor mobilization.

30 per cent of labor protests in 2013 were related to the general issue of labor rights. On these, protests actors demanded improving labor conditions, social payments, protested against illegal dismissals, or unofficial payment for their labor. From the beginning of 2013, one can observe a considerable increase in protests against company closure – the percentage of these protests increased from 13 per cent in 2012 to 19 per cent. Protests against raider seizure of enterprises and unemployment get fourth and fifth place respectively. All this data can point to an absence of improvement in the economic situation of waged labor before the Euromaidan protests, despite loud but absolutely unrealistic declarations from the highest officials on, for example, immediate liquidation of wage arrears.¹³

Hence, the majority of labor mobilization, with some bright and quite successful exceptions, consists of local, scattered, mostly defensive struggles for local issues. One can conclude that such a majority is a bad sign for the mobilization potential, which should go beyond local and scattered protests if labor were to claim any significant impact on state-level policies.

Offensive demands for wage increases constituted a significant part of labor protests only in one year of the monitoring period – in 2011 – reaching 16 per cent of labor protests. Most of those 16 per cent consisted of the above mentioned successful large-scale Ukraine-wide mobilization of teachers with demands to increase their wages. This was a rare example of a coordinated mobilization of labor actors across the country with the help of trade union mobilization potential.

Another example of non-scattered and non-local labor protest was oppositional mobilization in 2011 during the ‘Automaidan’ protest campaign, when issues of labor rights were among the demands of the multiple actors, participating in protests against governmental policies. Trade unions, oppositional parties, different NGOs and initiative groups formed the more general agenda which included labor rights. More specifically – they criticized the Labor Code Project proposed by the party in power and criticized by trade unions and labor activists for attacking labor rights in the country. Though it is hard to measure the outright success of such mobilization¹⁴, we call it successful because labor issues were put on the agenda of a large-scale and broad oppositional protest campaign.

It is obvious that what distinguishes these successful large-scale protest campaigns is the involvement of organized allies – trade unions in the case of the teachers’ mobilization and oppositional parties, organizations and groups in the case of the ‘Automaidan’ protests.

¹³ On 12th of November 2013 President Yanukovich made a point-blank demand to liquidate wage arrears by the end of the year (<http://uapress.info/uk/news/show/10615> Accessed: 18-09-2015.).

¹⁴ The Labor Code Project, heavily criticized by some trade unions, labor activists and politicians was not passed in the Parliament that year and has not been passed yet. But this fact is not directly due to the 2011 ‘Automaidan’ campaign. It is more likely caused by more or less regular (though by far not as large-scale as the 2011 ‘Automaidan’ mobilization) mobilization of labor, leftist and trade union activists for years.

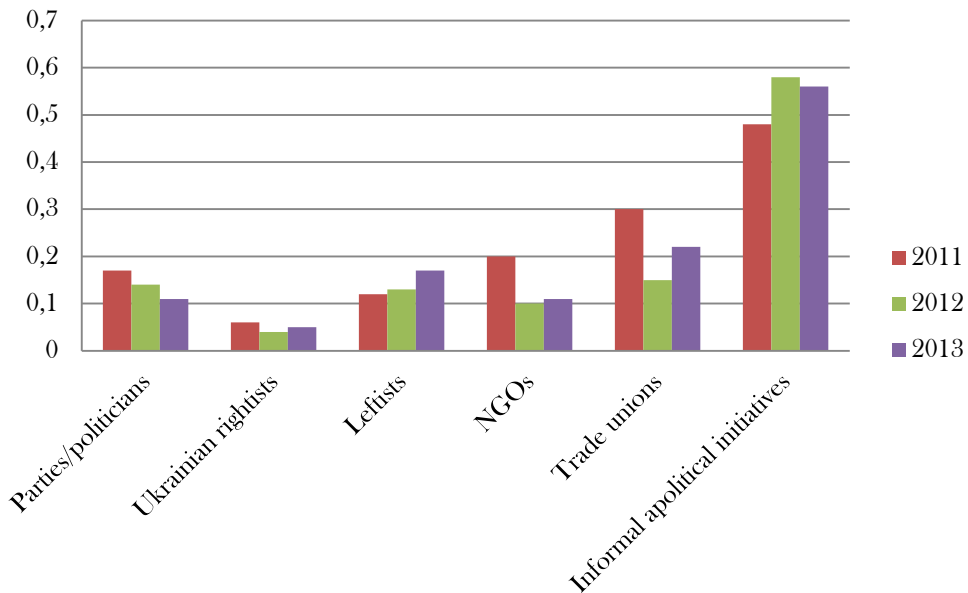


Figure 2: Participants of labor protests in Ukraine (2011-2013). Source: Ukrainian Protest and Coercion Database Project

However, as Figure 2 demonstrates, generally mainstream protest actors have low interest in labor protests. Since 2011 political parties participated in maximum 17 per cent of labor protests while their participation in protests in general varied from 30 to 36 per cent. Those 17 per cent correspond to the 2011 oppositional ‘Automaidan’ campaign, mentioned above. More leveled participation can be observed on the side of non-governmental organizations (NGOs). Their support of labor protests peaked at 20 per cent, while their general protest involvement varied from 17 to 29 per cent in the observed period. That 20 per cent maximum also corresponds to 2011 ‘Automaidan’. Only trade unions were involved in labor protests more than in protests in general. In 2011, they participated in 30 per cent of labor mobilization, while generally they were involved in 2 to 7 per cent of events. Their maximum involvement corresponds to the 2011 teachers’ mobilization, organized by trade unions all over the country. The ideological aspect of labor allies is quite telling, showing two to three times more involvement in labor mobilization from radical leftists than that from radical rightists.

However, in the absolute majority of cases workers defended their rights on their own. Fragmented information from 2014 suggests a dramatic decrease even of existing organized support of labor protests. In the situation of the defensive, mostly scattered labor struggle, lack or even loss of support from the political mainstream and other potential allies, workers critically need bargaining power to represent their interests and to fight for them at state or branch levels in the face of the upcoming neoliberal transformation. One option is to organize themselves quickly and well enough to react to a rapidly changing and labor hostile environment. This is not very likely to happen, taking into account the hard and controversial history of unionism in Ukraine (Mandel, 2004; Atanasov and Riabchuk, 2012). However, existing organized

labor actors can do their best in uniting existing organizations, creating one, more powerful actor out of several smaller ones. They can also use the experience of voicing their interests and demands in broad oppositional protest campaigns.

Concluding remarks. Unite or fall?

Basically, this research is an attempt to close the gap of knowledge on labor protest in Ukraine and to understand whether ordinary people in Ukraine have significant bargaining power in the form of collective labor actor to press their interest in the face of spiraling crisis.

In the period of 2011-2013 labor protests constituted a significant part of protest mobilization in Ukraine. However, the annexation of the Crimean Peninsula by the Russian Federation, a frozen conflict war in the East of the country, concomitant with ideological patriotic or separatist mobilization, and suppressed socio-economic protests, including protests demanding labor rights. And, as fragmented data from 2014 suggests, signs of possible increase in mobilization for socio-economic issues arrives only in the end of 2014.

Analysis of labor protests in Ukraine in recent years suggests that there is no big potential for labor protests to mobilize allies. Parties and NGOs do not put labor issues high in their protest priorities. There is no mainstream or potentially mainstream political party which addresses workers and their interests. The previous opposition, which supported labor issues in the 2011 'Automaidan' protest campaign, got to power after Euromaidan and it looks as if they have nothing to say in support of labor now.

The neoliberal agenda of the new government and supporters of their economic policies, including media, liberal intellectuals, and international agents contribute to the general labor hostile discourse, in which workers are related to 'anachronisms of communism'. War in the East of the country, besides patriotic mobilization, brings fear of separatism, spies, agents of the FSB, a fear which is already being used by the government to label oppositional mobilization.

Hostility to explicitly leftist rhetoric, reinforced by support of the previous government by the Communist Party of Ukraine and related to (as yet unsuccessful) attempts of some actors to proscribe communist parties and successful attempts to proscribe communist symbolism¹⁵ in the country, have put other obstacles in the way of potential labor friendly discourses and alliances.

However, there are two chances that labor interests may exploit. One can be represented by new actors, who can emerge in the situation of instability, caused by war, political struggle between newly empowered elites and the inevitable mobilization to follow austerity policies. However, there is no guarantee that new actors or alliances of actors will be progressive.

¹⁵ In April 2015 the Parliament passed the law 'on condemnation of communist and national-socialist (Nazi) totalitarian regimes and prohibition of propaganda of their symbols'.

Another chance was demonstrated in the teachers' trade union mobilization of 2011. Trade unions have some potential and should not be put aside completely. Moreover, in the end of 2014 and the beginning of 2015 one can observe repetitive mobilization of miners in Western and Eastern Ukraine, organized by trade unions – blocking of roads, strikes, rallies with protest against wage arrears and demands to solve systematic problems of the coal industry in the country. One should remember that it was precisely the miners and their unions who were in the vanguard of labor mobilization after the collapse of the Soviet Union. It is yet to be seen whether they have the potential left to mobilize other branches or independent unions to press for a common interest.

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