

Strikes in the education sector "Sociological approach"

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Abstract: The education sector frequently witnesses disruptions and protests by its employees, which negatively affect the educational process and have a general negative impact on students and society.

The sociological approach to strikes in the education sector aims to understand this complex social phenomenon and analyze it from a social, cultural, and economic perspective, by studying the reasons that drive employees in this sector to protests and strikes, and analyzing the relationship between unions, employees, and employers and their role in this phenomenon.

In addition, the sociological approach examines the different types of strikes in the education sector, their characteristics, and their impact on the education system and society as a whole.

In summary, the sociological approach to strikes in the education sector is an important tool to understand this complex social phenomenon, analyze it comprehensively, and identify appropriate solutions to reduce these disruptions and improve the quality of life for everyone.

Keywords: Strikes, unions, education sector, sociological approach, Union militancy Keyword

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I- INTRODUCTION:

Strike is a right guaranteed by constitutions and laws in various countries due to its importance in preserving rights and improving working conditions to achieve development and increase the productivity of work. The strike is among the manifestations through which workers express the deterioration of their social, economic, or administrative conditions, as well as the general working conditions, as there are many reasons motivating it and goals sought from it. The education sector is one of the public facilities that has witnessed the growth of this phenomenon, especially the national strikes carried out by teachers in various educational stages.

It should be noted that the arena is witnessing a development at present as the Algerian parliament approved, on Tuesday, March 7, 2023, a draft law on the exercise of union rights. It is worth noting that the social affairs committee only approved four minor amendments out of a total of 56 amendments proposed by the MPs. Labor Minister Youssef Cherifa said during the session that "the draft law will frame union work and enhance the role of union organizations in defending rights and achieving social justice, allowing strong union organizations to emerge in the national arena, supporting union freedom and enabling it to defend the fundamental rights of workers."

The government ignored the demands of 31 independent unions that called for the withdrawal of the draft law. The unions considered that the union rights law, in addition to the draft law on the right to strike, which will be discussed next week, "contain a serious and unprecedented infringement on union rights and freedoms." They warned that they violate the constitution and international agreements, and eliminate union freedom and work, threatening to escalate the situation if they are passed.

Through this article, we will try to answer the following questions: What is the definition of the phenomenon of strikes? What are its types and characteristics? What are the underlying reasons behind it in the education sector in particular?

The historical origin of the word "strike" is traced back to a place located in the French capital Paris called "Place de Grève", which is situated next to the City Hall "Hôtel de Ville". This is where unemployed workers used to gather to seek job opportunities. The name of this place was adopted for the term "strike". Additionally, the phrase "fait grève" was used to refer to taking control of a place while waiting for job opportunities. (Hassan, 2008, p. 5)

1. As terminology:

The strike is defined as "the cessation or refusal of the worker to perform his duties assigned without prior permission from his client or employer, for the purpose of obtaining one of his rights fairly." (Salah Ali Hassan) (Zidan, 1988, p. 56)

J. Daniel Reynaud defines it as a previously agreed-upon work stoppage, supported by a legally defined demand, which is essentially a collective decision. (Adam, 1978, p. 109)

Jean-René Tréanton defines the strike as not involving violence but always involving power, and remains, in its precise meaning, the goal to be reached by the social scientific analysis of conflicts in the workplace. It is a relatively limited and quiet technique for workers to express their objections. (Naville, 1994, pp. 243-244)

Dimitri Weiss emphasizes that "the strike is a collective process, and a strike by an individual alone is meaningless. The strike should be used by a large number of paid workers as agreed upon by the group to make another group, i.e. employers or the state, change their position." (Weiss, 1975, pp. 33-35)

Michel Branciard defined the strike as "the last resort for those who are marginalized, who do not have power and authority, and whose voices can only be heard if they collectively refuse to offer their only wealth, their labor power."

From a sociological perspective, the strike is an act performed by workers attempting to impose their presence and demonstrate their strength. (Belaiwar, 2012., p. 169)

2. The Historical Evolution of Strikes:

Although strikes in their current form emerged with the rise of the Industrial Revolution, history has witnessed multiple movements of strikes in all eras, whether for bargaining and

resolving labor disputes with employers or for political and social reasons. According to historians, the first strike in human history dates back to the era of Ramses III, where workers who were building a Pharaoh's tomb went on strike to demand payment of their wages and to protest their working conditions. This strike would not have occurred if it were not for the noble nature of the task assigned to these workers. The concept of strikes emerged as a result of the industrial revolution that took place in the eighteenth century, and its development was aided by scholars and researchers who studied and analyzed it. There was a diversity of opinions and variations in defining its concept, whether in logic or treatment. (Belaiwar, 2012., p. 168)

According to Essam Anwar Salim, "there is no doubt that the responsibility of the state to ensure that individuals enjoy at least a minimum of economic and social rights did not arise with the beginnings of the state phenomenon, as the state at first was not burdened with this responsibility, except during the nineteenth and twentieth centuries. The role of the state gradually extended to performing all other functions, thanks to the response to calls with a humanitarian tendency, calling for the reform of the capitalist system, through the state's positive intervention to ensure that every individual enjoys a reasonable minimum of economic and social rights." (Ismail, 2000 , p. 24)

Regarding the emergence of strikes in Algeria, the first signs of them date back to the French colonial era. In 1919, there were strikes by railway workers, followed by port workers in Oran, where the first Algerian union appeared, although it had no more than 1,000 members compared to the Europeans who were the numerical minority. During the same year, Algiers saw 53 strikes involving over 7,836 strikers, and in June 1935, demonstrations were held in Oran, Sidi Bel Abbas, and Bejaia, bringing together about 15,000 people in solidarity between urban and rural workers to assert their material and moral rights. The strike movements continued until 1936 by port workers, railway workers, administrative workers, postal workers, and education workers who managed to obtain the right to join and manage the union, thanks to the favorable environment characterized by the rise of the Popular Front to power in France, which had a clear impact on the political life in Algeria, where the law of "indigenous people" was abolished, allowing Algerian militants to assume union responsibilities. There was also the unification of the two trade union centers: the General Confederation of Labor and the General Confederation of Unified Work. This was after abandoning the slogan of national independence in favor of common demands for all workers. Strikes recurred from the summer of 1936 to the autumn of 1939, and the CGT succeeded strongly by announcing between 40,000 to 50,000 members in 1937 in the Algiers region, and 30,000 to 45,000 in the Oran region, and more than 30,000 in the Constantine province, with a total of nearly 100,000 members. The union included Algerians and Europeans alike, representing 40% of union members. Most of the members in 1936 were from the public sector, but in 1937, the private sector was dominated by the joining of construction workers to those unions. Workers' demands varied through these strikes, ranging from material demands related to wages and benefits to demands related to working conditions. Some demands also had political dimensions. (Hussein, 2016)

3. The right to strike in Algeria:

The right to strike in Algeria is guaranteed under the 1996 constitution, which integrated it as part of public rights and freedoms. Article 57 of the constitution stipulates that the right to strike is guaranteed and exercised within the framework of the law, without distinguishing between the public and private sectors in terms of practice, except for some sectors that require the continuity of activities such as defense and security.

The Algerian legislator has ensured the protection of the right to strike (Law.02/90, 06, 07/02/1990, p.234.), as stated in Article 32, which reads: "The law protects the right to strike, which is exercised with respect for the provisions of this law, and does not sever the employment relationship in the strike that was authorized under these conditions." The strike suspends the effects of the employment relationship for the entire duration of the collective work stoppage, except as agreed upon by the disputing parties through agreements and contracts they sign.

Article 33 prohibits the appointment of workers through employment or otherwise for the purpose of replacing striking workers, except in cases of mobilization ordered by the administrative authorities or if the workers refuse to fulfill the obligations resulting from ensuring the minimum

level of service stipulated in Articles 39 and 40 below. Furthermore, no penalty can be imposed on workers for their participation in a legal strike authorized under the conditions stipulated in this law.

The legislator also addressed anyone who attempts to interfere with the exercise of the right to strike in accordance with the provisions of this law by hiring or appointing other workers, as stated in Article 57. This article provides for imprisonment for a period of eight days to two months and a fine ranging from 500.00 DZD to 2000.00 DZD, (Law.02/90, 06, 07/02/1990, p.234.)

or either of these penalties. If interference is accompanied by threats, violence, and/or assault, these penalties are increased to imprisonment for a period of six months to three years and a fine ranging from 2000.00 DZD to 50,000.00 DZD, or either of these penalties.

4. Prohibition of strikes:

It is worth noting that according to Article 43, which focuses on the restrictions on resorting to strikes, the following activities are prohibited from going on strike in fields of the basic activities that may endanger the lives, safety, health of citizens or the national economy, and in this capacity, the following are prohibited from resorting to a strike:

- Judges.
- Officials appointed by decree or officials holding positions abroad.
- Officers of security services.
- Field workers working in civil protection services.
- Officials of the national signaling network reception services in the Ministries of Interior and Foreign Affairs.
- Field workers working in customs services.
- Foreign services workers of the prison management.

With the exception of the education sector to ensure a minimum service.

5. Elements of a Strike:

In order to effectively use the strike mechanism as a means to achieve workers' demands, which is the easiest and shortest way to reach them, certain elements must be present, including: (Akhnoukh, 1977 , pp. 39-40)

The cessation of work must be voluntary, in accordance with the organized procedures and the law of labor.

The expression of the will and desire to strike must come from all workers or the majority of them.

The cessation of work must actually apply to all workers involved in the strike.

It is important to note that the strike does not have to be for a specific duration and can last only a few limited minutes.

There must be specific goals aimed at achieving through the strike.

6. Characteristics of Workers' Strikes:

Workers' strikes are characterized by several features, including (Yacine, December 2018, pp. 206-207)

7.1- Collective Characteristic:

The majority of countries emphasize the collective nature of strikes, and any labor dispute must be initiated by a solidarity unit to be considered.

7.2- Demand Characteristic:

A strike cannot be imagined without a demand that needs to be achieved. Every strike has a cause, and the cause is the reason for the strike. This feature is often related to professional demands.

7.3- Organizational Characteristic:

A strike cannot take place without a minimum level of organization. The workers must stop working at the same time, on the same day, and continue their strike with the same demands. This demonstrates that there was organization before the beginning of the strike.

1.7.4- Common Interest Characteristic:

The strike represents a common interest among the participating workers who want to achieve it.

7. Reasons for Strikes:

These reasons can be summarized as follows (Fadil, 2011/2010, pp. 56-57)

8.1- Declared Reasons:

There are usually declared reasons for every protest movement within a legal framework. These reasons can be legal, political, or economic.

8.2- Hidden (Deep) Reasons:

These reasons are always due to individual suppression of psychological reasons, which then turns into collective suppression. This type of strike is a response to the suppression of individual protests, physiological protests, belonging, participation, and other reasons.

Reasons for strikes in the education sector include:

There are various reasons for strikes in the education sector, including:

Mobility movements.

Income level, as teachers demand salary raises, late payments, and owed dues.

Erosion of workers' rights in the education sector.

Lack of a good school environment.

External factors affecting the situation.

9. Conditions for strikes:

9.1- Exhaustion of friendly settlement procedures:

This involves collective negotiations, which are considered one of the strategies used by trade unions to avoid falling into a state of chaos and conflict with official bodies. However, the negotiation process requires objective elements that enable both parties to reach possible solutions. (Miloud, January 2009, p. 153)

For teachers, the state is the employer, and thus a working relationship exists between them and the workers, which requires the presence of legal rules that regulate the conditions and relations of this work. These rules require the representative of the state to engage in collective negotiations with the workers' representatives, and then the state becomes a party to the collective negotiation... the state, employers, workers, or their representatives, in order to maintain the stability of the relationship between the different parties, and to reach decisions that are appropriate for all and to develop future cooperative plans to achieve development in society. (Chetibi, 2017, p. 74)

9.2- Obstacles to collective negotiations:

It should be noted here that obstacles to collective negotiations include (Qasim, January 2009, p. 153)

- The complete lack of independence of the union from employers, the state, political parties, and pressure groups.
- The managers, including public sector managers, do not enjoy complete independence.
- The lack of legitimacy of the union system, or the limitation of its local or national activities.
- The absence of real partnership relationships at the enterprise level between employers and unions.
- The continued concentration of decision-making in matters related to layoffs, employment, closure of institutions, and social programs.
- The absence of real, legitimate, and competent representatives to engage in social dialogue.

The Algerian legislator has provided many means to resolve disputes between the employer and the employee, among the most important of which are friendly methods of resolving collective labor disputes. Article 5 stipulates that if the parties disagree on all or some of the issues under consideration, the employer and employee representatives initiate the reconciliation procedures stipulated in the agreements or contracts in which both parties are involved. (Law.02/90, 06, 07/02/1990, pp.232-233.)

9.3- The purpose of reconciliation:

The purpose of reconciliation is to bring together the viewpoints of the parties to the dispute in order to reach a settlement that satisfies both parties, thereby shortening the process, saving time,

reducing risks, and maintaining friendly relations between the employer and the employees. . (Suleiman, 2002, p. 301)

The law related to the prevention and settlement of collective labor disputes and the exercise of the right to strike specifies how reconciliation is carried out in the following articles (Law.02/90, 06, 07/02/1990, p.232.)

Article 6: The competent labor inspectorate, to which the dispute in the workplace is referred, is obliged to attempt reconciliation between the employer and the employee representative. For this purpose, the appointed labor inspector summons the parties to the collective dispute in the workplace to an initial reconciliation session within one day for each issue of the disputed issues. The parties are required to attend the reconciliation meeting, as affirmed in Article 7.

Article 8: Upon the completion of the reconciliation procedure, which cannot exceed 15 days from the date of the first session, the labor inspector prepares a report that the parties sign and in which the agreed-upon issues are recorded, as well as any issues that remain unresolved in the collective dispute in the workplace, if any. The issues agreed upon by the parties become enforceable from the day the party that is more urgent to do so submits them to the competent court in writing.

Article 9: If the reconciliation procedure fails for all or some of the collective disputes in the workplace, the labor inspector prepares a report stating that reconciliation was not achieved.

9.4- Mediation:

It is a procedure by which the parties to a collective dispute agree to entrust the task of proposing an amicable settlement of the dispute to a third party called a mediator, whom they jointly appoint.

Article 11: The mediator receives from both parties all useful information to carry out his mission, and he must maintain professional secrecy towards third parties regarding all the information he has been informed of. The mediator, upon his request, may seek the assistance of the competent labor inspectorate within the framework of labor legislation.

Article 12: Within the deadline set by the parties, the mediator presents proposals for settling the dispute in the form of a reasoned recommendation, and sends a copy of the mentioned recommendation to the competent regional labor inspectorate. (Law.02/90, 06, 07/02/1990, p.232.)

9.5- Arbitration:

Arbitration is resorted to after exhausting the previous friendly methods, as it is considered the last stage in settling disputes through friendly methods. The arbitrator alone decides on the dispute submitted to him, which gives arbitration a judicial status. Arbitration may be optional by agreement of the disputing parties, or mandatory by referral by a legal text or a decision of the supervisory authority. The outcome of the arbitration may be binding or non-binding on the parties, and the countries differ in determining the authority that will assume arbitration, although it is often chosen from among judges, and the disputing parties choose the assistants in the arbitration panel. (Bachir, 2006, p. 216)

Article 13 stated that in the event of the parties agreeing to refer their dispute to arbitration, Articles 442 to 454 of the Code of Civil Procedure apply, taking into account the special provisions in this law. The final arbitration decision is issued within thirty days of the appointment of the arbitrators, and this decision is binding on the parties, who are obliged to implement it. (Law.02/90, 06, 07/02/1990, p.232.)

9.6- Approval of the workers' union for the strike:

Collective cessation of work is considered an essential element of strikes, and collective cessation of work means that a number of workers refrain from performing their work intentionally. Therefore, even though the right to strike is an individual right for each worker, it must be exercised collectively. This is because the collective nature of work stoppage leads to the effectiveness of the strike and addresses individual weakness.

9.7- Prior notice of the strike:

Advance notice must be given of the date and duration of the strike. The period of prior notice of the strike is calculated from the date of its deposit with the employer and notifying the regional labor inspectorate. This period is determined through negotiation and must not be less than eight days from the date of its deposit, in accordance with Article 30 of Law No. 02-9.

9.8- Ensuring the safety and security of workplaces and tools:

Article 34 of Law No. 02-90 stipulates that "strikers are prohibited from occupying the employer's professional premises when this occupation aims to obstruct the freedom of work. In this case, a judicial order can be issued to evacuate the premises at the request of the employer."

10. Effects of Strikes:

Although strikes have financial repercussions on companies and their capital and activities, they also have effects on workers, including:

10.1- Psychological Effects:

Failure to address existing problems in the workplace leads to work pressures. Mills argues that pressures are an internal reaction resulting from an individual's inability to meet environmental requirements placed on them. (Al-Mashan, 2001, p. 71)

Lazarus defines pressures as a set of disturbances that occur as a result of compressive influences. (Rogers, 1988, p. 77)

This pressure affects motivation and productivity, and it should be noted that psychological pressures are one of the causes of work accidents. Studies have been conducted in the United States and Sweden on about one million workers, showing that heart disease occurs among workers who experience greater pressures than their colleagues. Therefore, organizations are currently trying to take care of workers' social and psychological conditions in order to invest in human resources and improve economic performance. (Jamal, 2016, p. 61)

10.2- Work Relationship Suspension:

Exercising the right to strike according to the applicable legislation results in the suspension or freezing of the work relationship without terminating it. Therefore, the employer must retain the striking workers' job positions, seniority in work, and not change their ranks, in addition to refraining from appointing other workers to replace them, except in cases of deployment ordered by the administrative authority in the institution, or in cases of ensuring the minimum service. (Bachir, 2006, pp. 221-222)

10.3- Stoppage of Wages during the Strike Period:

The work relationship stops during the strike period, and the effects of this entail the non-implementation of the obligation to pay wages by the employer, based on the reciprocal nature of the obligations in the employment contract. Therefore, the deduction from the wages is based on the number of days of work strike, as well as the loss incurred by the employer if the strike is unjustified, meaning it is in violation of the provisions of the applicable regulations. (Bachir, 2006, p. 223)

11. Forms of Strike:

Abdul Nasser Jabi mentioned two types of strikes (Gabi, 2001, pp. 53-54)

- **Instrumental Strike:** It is characterized by its relative length and clarity of demands. Negotiation is crucial during this type of strike, which makes the possibility of violence likely.
- **Expressive Strike:** This type of strike lacks negotiation and is dominated by an individualistic and protesting character. It has a significant impact on the economic situation due to its association with other expressive forms such as absenteeism, sabotage, and reduced production.

A.Ross identified four strike models (Hussein Z. , 2011/2012, p. 155)

, and this classification draws parallels between strikes and their organization and the geographical distribution of strikers:

- **The North European Model:** It is characterized by short duration and a weak tendency to resort to strikes to resolve disputes.
- **The second model** is also related to the same region, i.e., Europe, but it is characterized by longer duration and less frequent occurrence.
- **The third model**, called the Middle Asian Model, is characterized by frequent strikes and short duration.
- **The North American Model:** It is characterized by longer duration and moderate participation.

There are five types of strikes classified according to their form and duration: (Bachir, 2006, pp. 220-221)

- **Traditional Strike:** It is the most common method, which involves collective work stoppage after the necessary preparatory measures have been taken by the trade union in the establishment or workers' representatives, along with prior notification of the strike to the employer.
- **Rotational Strike:** It refers to partial and consecutive strikes, where a category of workers is struck after another according to their specialization in the work. This type of strike requires precise organization in terms of timing and gradation in various production units or work departments.
- **Short and Repeated Strikes:** It takes the form of a short work stoppage for an hour or two, or a late start to work.
- **Slowdown Strike:** This type of strike involves intentionally and tangibly reducing the pace of production, thus requiring prior planning for the number of pieces that must be produced during the movement of demands.
- **Positive Strike** or Exaggeration of Activity Strike... (Gabi, 2001, p. 368)

11.1- Types of Strikes in the Education Sector:

Strikes in the education sector, like other sectors, take various forms and types, including (Mohammad, 2010, pp. 55-56)

11.1.1- Traditional (regular) strike:

In this type of strike, work in the field of education is completely stopped, and once the strikers' goals are achieved, the strike is called off and work resumes. This type of strike has a significant and clear impact on the educational process.

11.1.2- Rotational Strike:

In this type of strike, there is no collective discontinuation of work, but rather a rotation between directorates and schools, or one school goes on strike and then another in rotation, or teachers of a specific subject, followed by teachers of another subject, and so on. This type is less harmful than the previous strike and its impact is lighter on the educational process.

11.1.3- Short and Repeated Strike:

In this type of strike, the time factor plays a significant role in determining the duration and timing of the strike. For example, the strike can be announced for days of the week, such as one or two days, and so on. It can also be on a specific day of the week, during a certain class period, such as the fifth or last period, or after the break. The strike can take place with teachers present at school or when they leave the school the moment the students leave.

11.1.4 Slowdown Strike:

This type of strike is represented by the presence of teachers inside classrooms and administrative employees inside their workplaces, formally, without practicing any type of teaching or any work for an hour or period, and then everyone returns to work. This type is considered the

beginning of a traditional strike.

11.1-5- Sudden Strike in the Education Sector:

This type of strike occurs without prior notice due to an urgent educational issue, such as the sudden cancellation of a study course or the reduction or cancellation of lessons.

11.1.6 Solidarity Strike:

This type of strike is considered support for a group that suffers from the violation of its rights or is unable to demand its rights. For example, teachers belonging to a particular directorate may go on strike due to the unjust treatment of their colleagues or other staff in the same directorate.

12. Sociological Analysis of Labor Strikes:

Many sociologists argue that strikes or even the threat of strikes are just a fundamental part of the bargaining process, and the economic pressure on the employer to accept workers' demands constitutes a rupture in work relations. This rupture is defined by psychological meanings, and it is the moment when what was hidden becomes uncovered and declared. (Belaiwar, 2012., p. 169)

The strike is considered one form of conflict, and this conflict within the organization is part of a larger struggle in society for the distribution of power, influence, and scarce resources. In this sense, it is a form of social conflict. (Laamour, 2016, p. 56)

Many sociologists have been interested in strikes, and there have been various schools of thought that have addressed it, ranging from sociology of strikes to sociology of collective action. Some have placed it within the framework of new social movements, while others have placed it within the framework of what is known as the sociology of collective behavior. (Hussein Z. , 2011/2012, p. 152)

13. The sociological approach

has dealt with trade unions as a demand-driven professional organization that achieves its objectives through negotiations and uses various pressure tactics. It is an organization that should stay away from politics. Another approach links the concept of trade unions with the concept of class struggle and the process of societal change according to the principle of historical materialism. Labor organizations are just one form of expression and struggle against exploitation. (Bouzghina, 1993, p. 22)

In their studies of industrial organizations, Welton and Leontief classified conflicts into two types: manifest conflicts and latent conflicts. Manifest conflicts are characterized by their rational and organized nature, and their expressions include strikes and sabotage, and they take on an organizational form such as labor unions and associations. On the other hand, latent conflicts are characterized by their personal and unorganized nature, and their expressions include refusal, dissatisfaction, complaint, suspicion, hatred, and resentment. (Loflamme, 1979, pp. 33-34)

Touraine considers that the main subject of sociology is the study of social behavior, especially behavior that is directly linked to history, i.e. the relationships and conflicts between social classes, which we call social movements. Perhaps this particular understanding of the aims of sociology is what led him to focus from the beginning on grounding a sociology of action that emphasizes action, relationships, conflicts, social structures and patterns. Touraine worked on establishing his theory of social movements, specifically the new ones, by using multidimensional approaches that focus on student movements and labor unions. (Attri, Winter 2011, p. 26)

A.Touran added to the concept of movement the idea of intentional movement and coerced movement. In intentional movement, the individual leaves their original social position and intentionally moves towards a goal of improving their situation. Coerced movement, on the other hand, is when the decision to move is the result of external coercion, and therefore it cannot be considered movement unless the will to move upwards is dominant. Touran used two alternatives to the concept of movement: departure (Départ) and displacement (Déplacement) because what may be placed in a movement perspective directs the individual towards changing their situation by moving upwards to improve it. This is what made critics relate social movement to the term "social engine" (Trajectoire), considering Touran's attempt to understand the transformation of social data through the history of individuals' lives. Thus, movement becomes the engine and axis of

individuals because they are the actors of their own movement. (Zerzouni, 2010, p. 43)

The power factor in strikes lies in the fact that it is an experience of proving strength that workers undertake against their employers to highlight their rights and demands. For example, if teachers go on strike and refuse to work, it is not the state as an employer that is affected, but rather the society that is deprived of essential public services. Therefore, the strike of a worker or a public employee is a rebellion against the system and the authority, in addition to paralyzing the interest of one of the public services. It seeks to mobilize public opinion and thus forces the state to respond to public pressure, which it is accountable to. (<http://www.m.ahewar.org/s.asp?aid=101087&r=0>)

The effectiveness of a strike depends on the solidarity of everyone involved, where no one is coerced and no one works to break the strike. Those who usually contribute to reducing the financial and moral pressure on the employer. (Naville, 1994, p. 244)

13.1 Trade Union Theory:

focuses on the functional and ideological aspects of trade unions. It views trade unions as a social phenomenon that reflects the relationship between workers and employers in society. Unionists interact with economic, social, and political factors in society. Unions also seek to improve working conditions, raise wages, and achieve more rights and gains for workers.

13.2 The functional perspective

The functional perspective focuses on the practical aspect of the role of unions, analyzing their functions and identifying their functional objectives and role in the production process. Unions, and all labor organizations in general, are seen as a means to enhance the power of workers and improve working conditions, wages, and the management of work-related conflicts. The main activities of unions in this perspective include collective bargaining, managing collective agreements, protecting workers' rights, expanding membership, providing training and education for members, improving working conditions, and contributing to the development of labor laws and regulations. (Jahā, 2012/2013, p. 97)

Activists in this perspective believe that the role of unions is primarily related to exerting influence within production institutions and influencing management decisions, protecting workers' rights. Thus, unions can help maintain stability in the labor market and improve labor relations. This perspective is based on the fundamental assumption that work can be seen as just a job that individuals do to earn a living, and that workers can improve their conditions through collective work, organization, and negotiation with employers and management. Although this perspective focuses on the practical side of the role of unions, it may ignore some social and political factors that may affect the role of the union.

13.3 The ideological perspective

The ideological perspective focuses on the beliefs and principles adopted by unions, and sees these beliefs as determining the goals, movements, and orientations of the union. From this perspective, the ideological theory is concerned with studying the relationship between ideology and union activity, and analyzing how ideology affects the movements and methods of the union. It also focuses on studying the economic and social system of the societies in which unions operate. (Jahā, 2012/2013, p. 331)

However, it should be noted that ideology is not the only driving force for unions, and there are other factors that affect their activities and movements, such as the economic, social, political, and technological conditions of society, as well as the internal factors of the union, such as its organizational structure and the relationships between its members and leaders. Therefore, unions should be looked at from a range of different theories and approaches, in order to understand their role and importance in society.

14. Trade unions and their role in strikes:

14.1 The trade union movement in the context of party pluralism:

The radical changes in political, economic, and social life that Algerian society has witnessed in recent years have been the result of very difficult circumstances that have affected most sectors.

This has forced the authorities to recognize the exercise of the trade union right under the cover of independence, following the Constitution of February 23, 1989, and Article 53, which recognizes and acknowledges the right to exercise trade union work for all professional categories according to the provisions of Law 90-14 of June 2, 1990, which includes how to exercise and the rules and regulations of trade union work. (Ayouche, 2006, p. 107)

14.2 The Constitution also included the following points:

- Abandonment of the socialist option.
- Separation of powers between the legislative, executive, and judicial branches.
- Recognition of the right to establish political associations.
- Respect for fundamental human rights and freedoms.
- Establishment of a constitutional council to ensure the constitutionality of laws.
- Guarantee of private ownership.

The right to unionize is no longer limited to joining or withdrawing from the sole union, the General Union of Algerian Workers, but has become a complete right, meaning the formation of multiple trade union organizations and the right to join or withdraw from any trade union organization. (Ahmia, 2012, p. 222)

Trade unions are at the forefront due to the number of their members and their influence on government decisions in various fields, especially social ones. (Ghazal, 2015, p. 159)

The emergence of these independent unions, such as the education unions (unpef/cnapest), occurred during this period of security and political crisis, which was not conducive to the development of the new union experience. Therefore, they had to wait for the defeat of terrorism and the return of some political stability and improvement of the country's financial situation (in 2002) before they could resume their demanding activity, which focused on establishing their recognition as a social party and developing the socio-economic situation of their members (especially wages and working conditions). These sectoral unions (more than 12 unions in the education sector and around ten in the health sector, for example) resorted to relatively long strikes. (<http://arabi.assafir.com/Article/3927>.)

Table (01): Adoption of Unions starting from 1990 (Gueroui, 2010, p. 96)

Union Name Date of Establishment

1. National Independent Union of Public Administration Employees
2. National Union of Algerian Judges
3. Independent Union of Petroleum Workers
4. National Union of Television Journalists
5. National Union of Education Workers 1990
6. Independent Union of Tax Employees
7. Confederation of Productive Forces Unions
8. National Union of Textile Workers
9. National Union of Gas Pipe Industry Workers
10. National Union of Public Health Practitioners
11. National Union of Distinguished Professors in Medical Sciences
12. Independent Union of Education Workers

13. National Union of Antiquities
14. National Union of Air Navigation Employees 1991
15. National Union of News Agency Journalists
16. National Union of Algerian Pilots
17. National Council Union of Higher Education Professors 1992
18. National Union of Dental Surgeons 1993
19. National Union of Public Institution Managers 1994
20. National Union of Algerian Transportation 1995
21. National Union of Journalists 1999

14.3 Independent unions and strikes in the education sector:

Since 1990, Algeria has adopted the principle of social dialogue and the General Union of Algerian Workers has achieved several accomplishments. Currently, the union is entering a phase of renewing the economic and social contract through the tripartite summit, which took place on September 29-30, 2011, with representatives from the government, central trade unions, and employers' organizations.

As for the position of independent unions regarding the tripartite summit, the education unions organized a strike on September 29, 2011, to protest their exclusion from the meeting. An agreement was reached to hold a protest rally parallel to the tripartite meeting, expressing strong dissatisfaction with the exclusion of independent unions in the public sector from the tripartite meeting. The demands included a review of the indexing point value, the repeal of Article 87 bis, and an increase in the minimum wage to 35,000 Algerian dinars, along with the introduction of a special allowance that increases as the cost of living index rises, as is customary in other countries. (Soualahia, June 2014, p. 96)

Officially, there are 68 union organizations, including the General Union of Algerian Workers, which is the pro-government trade union organization, according to the Algerian Minister of Labor. The other organizations consider themselves independent of the government. Most of these new independent unions have emerged in the service sector among employees in education and health (about ten unions) and the public administration (more than six unions). Over time, these unions have become major collective actors that drive the Algerian social scene, especially after the improvement of the economic and security situation at the beginning of the new millennium. (Zobiri, 2017, p. 14)

14.3.1 Causes of strikes in the education sector:

Regarding strikes in the education sector, they were due to three fundamental files, which are (Soualahia, June 2014, p. 97)

Reviewing the compensation system for education employees to ensure fairness and consistency with other sectors.

Revising the basic law for education workers to address imbalances in classification, promotion, and integration for some categories.

Managing social service funds in a way that respects two fundamental principles: election and solidarity.

"One of the most important strikes carried out by independent unions in the education sector was the comprehensive national strike that began on November 8, 2009, and lasted for about twenty-four (24) days. Another comprehensive national strike started on February 24, 2010, and lasted for a week, which was renewed for a second week. The ministry issued explicit threats to unions to stop the strike, or otherwise impose penalties on strikers. The unions rushed to stop it without achieving any of their demands." (Moussawi, June 2017, pp. 338-340)

The Ministry also committed not to deduct strike days and canceled all legal and administrative proceedings against all strikers, on the condition that missed lessons be made up for, taking into account the circumstances of each educational institution in each state. (Soualahia, June 2014, p. 98)

After that, the protests stopped for a year, only to return again during the same year on the days of April 25, 27, and 26, by the unions of CNAPEST and UNPEF, and it was suspended due to the agreement signed with the Ministry of Education, as all demands were met in the minutes of the meeting dated April 21, 2011. With the start of the 2012/2011 academic year, independent unions once again threatened to strike with the same initial demands. Therefore, a meeting was held with the Ministry of Education, and among the results reached until 2012 were the following:

- Regarding the compensation file, the system related to all old and new grants and bonuses, including the pedagogical experience grant and the educational performance improvement grant, was applied retroactively based on the new basic salary as of January 1, 2008.
- The qualification grant has been approved and is calculated based on the main salary as practiced in other sectors, retroactively starting from January 1, 2008.
- As for the social services file, a joint committee was appointed by the Ministry of National Education and the education sector unions to study the file. In this regard, ministerial decision No. 98/158 dated August 22, 1994, concerning the management of social services in the national education sector, was cancelled and replaced by another decision issued by the joint committee.

In February 2014, the strike was renewed, and it was renewed again in February 2015 by seven other unions, due to the ministry's failure to fulfill its commitments, which were limited to retroactive effects, automatic promotion until the imbalances are settled, reinstatement of dismissed and soon-to-be-dismissed teachers, and deduction of strike days. This resulted in a conflict between the ministry and the teachers until a meeting was held between the unions and the ministry on March 19, 2015, which succeeded in stopping the strike. (Moussawi, June 2017, pp. 338-340)

The Ministry of Education has issued circulars in order to compensate for the lessons missed due to the strikes that affected some educational institutions in the three levels of education to varying degrees, taking into account the school schedule and the ability of students to cope. The compensation for the missed lessons and the organization of evaluation activities for the end of the second semester will be based on an accurate plan developed by each educational institution that was affected by the strike, within the framework of exceptional educational councils, in close consultation with the educational community members in the institution. The plan should be in line with the requirements of proper implementation of the educational programs, and should take into account the following:

- Counting the number of missed classes in each subject and involving teachers in developing the compensation plan, with the participation of department representatives in the middle and high school stages.
- Building the plan based on a suitable study pace for the students, according to the characteristics of each institution and each department.
- Following a suitable pedagogical methodology for the proper implementation of educational programs, based on avoiding student fatigue, avoiding cramming, and rushing through lessons.
- Utilizing all available time spaces, while taking into account the students' ability to cope and avoiding fatigue. This can be achieved by using Saturday morning and/or Tuesday evening, as well as the first week of the spring break.
- Informing parents of the completed plan and any changes that may occur in the timetable.

- Scheduling the second semester exams according to the situation of each institution, and progressing in compensating for the missed lessons by postponing the exam to the last week of the semester or to the first week of the spring break.
- Holding department councils outside of class hours. In this way, it is possible to avoid the need to postpone official exams or to extend the academic year 2014/2013. All educational institutions should submit their compensation plan and the second semester exam schedule to the Directorate of Education before March 6th, 2014. This plan will be followed up by the inspection committee, which will be requested to provide reports on this matter. (Development, February 26, 2014, pp.5.6)

14.4 Labor Union Experience in Algeria "Education Unions":

Below are the most important labor unions representing a wide range of members of employees in the education sector in Algeria.

14.4.1 The National Independent Union of Public Administration Employees SNAPAP:

The "National Independent Union of Public Administration Employees" known as SNAPAP, is one of the independent unions that was established with the opening of the labor union field in Algeria in the early 1990s. The union was established in March 1990, with registration number 01, making it the first recognized national union in Algeria. It operates in 48 provinces, in various branches (health, municipal, state, district, public works, education, etc.). As we mentioned, the National Union of Public Administration Employees is active in various branches of public employment, whether administrative or technical. According to 2002 statistics, this independent union has 400,000 members. (Chetibi, 2010-2009, p. 111)

14.4.2 The National Independent Council of Secondary and Technical Education Teachers CNAPESTE: (<http://www.cnapeste.dz>)

The National Independent Council of Secondary and Technical Education Teachers (CNAPESTE) is a demanding and national union open to all teaching staff in the national education sector of the three levels:

primary, middle and secondary throughout the country. It is an independent national union not subject to the control of political parties, unions or employers. The National Independent Council of Secondary and Technical Education Teachers (CNAPESTE) was established on 17/04/2003 in a meeting of representatives from 18 provinces, where the temporary national office of the union was elected. On 29/04/2003, the union's file was submitted to the Ministry of Labor and Social Protection, where it was initially rejected. The union was registered with the Ministry of Labor and Social Protection more than four years after submitting its file, on 10/07/2007, when the national coordinator received the union registration receipt.

During the national conference held on November 5th, 4th, and 6th, 2012, a decision was made to expand the union to include teaching staff in primary and secondary education. On February 26th, 2014, the national coordinator received confirmation from the Ministry of Labor, Employment and Social Security, and the union's name became: the National Independent Council for Tripartite Teaching Sector Employees, abbreviated as CNAPESTE.

14.4.3 Union of the National Education Sector Workers (CNAPEST): The objectives of CNAPEST are:

- Defending the professional and social interests of all the teaching staff in national education.
- Improving the pedagogical means and conditions.
- Contributing to improving living and working conditions.
- Promoting trade union training and disseminating legal culture.
- Contributing to building a high-quality public school.
- Disseminating the culture of citizenship in the educational environment.

14.4.4 National Union of Education and Training Workers (UNPEF):

UNPEF is a free accredited trade union organization under No. 18/90, and it is the first accredited trade union organization on October 27, 1990, after the approval of political and trade union pluralism in Algeria. It is a member of the International Education Association (IE) and the International Islamic Federation of Workers. It is present in 48 provinces, with a membership of 158,919 according to the 2009 statistics.

The union aims to:

- Defend the physical and moral interests of education workers and preserve their acquired rights, and work to promote them socially.
- Represent education workers to local and central authorities.
- Disseminate trade union and educational culture among education workers.
- Contribute to building a national school that embodies the constants of the nation, in line with scientific and technological progress, in a framework where social disparities are dissolved, to consolidate the democratic gains of education and its free nature.
- Strive to establish or "join" confederations, both national and international, that do not conflict with the union's objectives and the laws of the republic.
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Main demands:

1. Raise wages to protect the purchasing power of workers in the sector and preserve their dignity and honor.
2. Retirement at 100% to preserve the dignity of the teacher in appreciation for what he/she has contributed to the nation.
3. Establish the practice of the trade union right in the education sector.
4. Reject continuing the policy of excluding independent unions from tripartite meetings, as it is incompatible with the constitutionality of trade union pluralism.
5. Approve occupational health and fully manage all prevalent occupational diseases in the sector.
6. Abolishing the reference salary scale because promotion in Algeria has become a punishment for those who are promoted.
7. Working on promoting local and international labor union relations.

II- Conclusion:

This article discusses the phenomenon of strikes by defining and identifying their types, features, and characteristics. It also delves into the main reasons behind strikes in various sectors, especially in the education sector, which is the focus of this study. It is commonly known that strikes are a tool used by workers to improve their socio-professional conditions. Furthermore, we have learned that strikes are recurrent due to the continuous dynamic of social conditions, and they cannot be resolved by merely addressing the demands that triggered them. In this article, we explored the underlying reasons for strikes in the education sector in Algeria, as strikes represent a pressure tactic used by teachers to demand their rights in the face of the stubbornness of the supervisory administration, the lack of dialogue, and the imbalances in the classification system outlined in the basic law of education workers. Strikes continue to occur in almost every academic season, for reasons we have previously mentioned.

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