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Trade Unions in Africa: Weak but feared

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Summary

Trade Unions in Africa are weak organisations with many internal problems. Trapped between an ongoing “informalisation” of the African economies on the one hand and the consequences of “neo-liberal globalisation” on the other, they are quite often seen to be a relict of the past.

Historically, African labour unions, at first were an importing driving force of the anti-colonial liberation struggle, before they transformed into transmission belts of ruling parties and governments after independence. In exchange for giving up fundamental freedoms they received a secured status, secure jobs for their members and privileges for their leaders. A rude awakening was caused by the debt crisis in the eighties and the ensuing economic liberalization, which led to massive job losses in the formal economy and a strong decline in union membership. To make matters worse, many governments started to reform their labour laws to the disadvantage of workers. On the other hand, the concomitant political liberalisation created the political space for breaking the close and dependent relationship with government, and provided for the emergence of new, independent trade unions. In a number of countries, trade unions played a decisive role in the removal of autocratic regimes.

Although their power to influence wages and working conditions and to defend workers has suffered enormously and tends to be quite weak nowadays, it would be wrong to write-off African trade union. After a long period which saw virtually no new investment in formal activities taking place in Africa, there are encouraging signs that foreign investment is picking up again, creating new opportunities for trade union organisation. Above all, in many countries unions remain a political force to be reckoned with, as they continue to be one of the very few societal organisations in Africa with a sizeable constituency, country-wide structures and the potential for mobilizing members on social or political matters.

Introduction

Trade or labour unions can be described as organised groupings of wage and salary earners with the purpose of bringing to bear the economic, social and political interests of their members in labour relations and the political system. As a new type of organisation trade unions emerged during industrialisation in Europe in the second half of the 19th century. From trade organisations of highly qualified skilled workers (e.g. printers) they later developed into more comprehensive organisations of the rapidly growing industrial proletariat, mainly in the big industry.

Not so in colonial Africa. Apart from a few exceptions (e.g. Tunisia, South Africa and the British colonies of Sierra Leone and The Gambia), the formation of trade unions of indigenous African workers only started during and especially after the second world war, when the colonial administrations both in British and French Africa put in place the legal prerequisites for the creation of indigenous labour organisations. In the absence of a significant manufacturing sector, African trade unions emerged mainly in the public service and the public transport sector, mostly for teachers, railway and port workers. Trade unions were also formed in the export enclaves of the mining industry (e.g. in Zambia, the then Northern Rhodesia), and, to a lesser extent, in the plantation economy of East Africa.

Only little has changed in this regard over the past sixty years, despite all attempts to initiate a process of state-led industrialisation through import substitution in the first two decades after independence. To date, African labour unions are still dominated by civil servants. They represent population groups which, according to their income levels and as employees in the modern or formal sector, do not automatically belong to the poorest strata in African societies. In relation to the number of employees in the formal economy, unionisation rates are average to high (in Southern Africa more than 40%) by international standards. However, if one takes the economically active population as a reference, union density levels become extremely low (1-5%), with the exception of South Africa. Moreover, unionisation has been on the decline since the end of the 1970s, again apart from South Africa.

This reflects the failure of the industrialisation efforts in most African countries.

African trade unions during the colonial time and after independence

In the founding phase after 1945, the setting-up of African trade unions took place with the blessing and, very often, open support of the colonial administration which saw in it a means of keeping social peace. British and French trade unionists acted as development workers, and introduced their respective models of trade unionism. Following the example of the 'metropole', competing communist, socialist and Christian trade unions with distinct political orientations were formed in the French colonies, clearly dominated by the communist CGT. In contrast, the "British trade union type" was characterised by the splitting into craft, industrial and general trade unions, in-house trade unions and staff associations.

With the emerging resistance against colonial rule, African trade unions rather quickly emancipated from their European centres. As the most important African mass organisations of that time, unions very often had a decisive share in the national liberation struggle. Only very rarely, however, did they represent a real autonomous political factor in this struggle. Their actions usually occurred under the auspices of the national liberation movements, even though in many cases the unions had to be credited for accelerating change via protest actions and political strikes.

Ironically, the achievement of national independence, in general, resulted in a loss of trade union independence. Everywhere, single-party regimes were formed formally or factually, leaving little or no room for free and independent labour unions. Starting in Ghana under Nkrumah, a period of unification and political submission set in, during which they degenerated - voluntarily or through 'persuasion' - to official state labour organisations or transmission belts of the ruling party.

In exchange for the loss or surrender of trade union rights and freedoms (e.g. freedom of association, the right to bargain collectively, the right to strike) governments introduced minimum wages, far-reaching job security and created new jobs by bloating the public sector. The

financial power of trade unions was strengthened by the introduction of the “check-off system” (automatic deduction and transfer of trade union membership dues) while the often politically imposed trade union leadership was granted lucrative posts and opportunities in the party, in government or in parastatals. Finally, in a number of countries, all employees automatically became paid-up union members (whereby yet a formal right to terminate the automatic membership did mostly exist.).

Despite all this, some federations such as ZaCTU in Zambia, GTUC in Ghana or NLC in Nigeria managed to either withstand complete absorption by the respective regime, or to liberate themselves again from the influence of the ruling party and the government. Not everywhere political control also reached beyond the trade union centres and down to the level of sectoral or industrial unions.

The close relationship between state power and organised labour only started to unwind in the eighties. This was triggered by structural adjustment programmes, which, at the time, most African governments were forced to apply in reaction to the debt crisis. These programmes in particular affected the traditional trade union constituency. Expenditure and staff reductions in the public service, the closing or selling off of loss-making state-owned enterprises plus import liberalisation led to massive job losses and – in combination with ongoing high inflation – to the decline of real wages in the formal sector.

As a result, this did not only undermine the legitimacy of the political regimes with their previous beneficiaries in the urban areas. It also led to unrest within the ranks of the unions now shaken by heavy membership losses, as their leaders proved to be unable or unwilling to resist job losses and reduction in standards or to find strategic answers to halt or even reverse this decline. At the same time, this contributed to the loosening of the ties between ruling parties and labour unions.

Trade unions as political actors for democratic change

By the end of the eighties / beginning of the nineties, the rise of an African democracy movement against dictatorship and mismanagement then often led to an open rupture. In countries such as Congo-Brazzaville, Niger or

Mali, trade unions declared their independence from the ruling single-party, and subsequently played an important role in the transition to multi-party democracy. In other places, political liberalisation led to splits within the union movement and the emergence of independent trade unions and competing trade union federations. This happened especially in Francophone Africa, but later also in the lusophone countries of Angola and Mozambique.

In Zambia, the trade unions spearheaded an opposition movement, the “Movement for Multi-Party Democracy” (MMD), whose leader - the former secretary-general of ZaCTU, Frederick Chiluba, succeeded Kenneth Kaunda after having won the presidential elections of autumn 1991. However, Chiluba later could not live up to the expectations that were put in him.

South Africa is often cited as a perfect example for the importance of trade unions in political transformation processes. In fact, COSATU (Congress of South African Trade Unions) which was founded in 1985 – today, with 1,7 million members not only the largest of the three federations in South Africa, but undoubtedly also the strongest and politically most important in the whole of Africa, despite the Nigerian’s NLC claim of a higher membership (3 million) – became a central pillar of the opposition against the Apartheid regime, especially at times of the state of emergency from mid-1986 to mid- 1988.

In the following transition leading to the 1994 elections, COSATU-unions were represented in various negotiation forums as part of an African National Congress (ANC) – led alliance. A considerable portion of the political leadership personnel of the post-apartheid era was later recruited from trade union ranks.

The influence of organised labour on the policies of the new government under Nelson Mandela was initially high. The “Reconstruction and Development Programme” (RDP) for example, with which the Mandela-government in 1994 initiated its struggle against the socio-economic legacy of apartheid, largely drew from the COSATU-concept of a “Reconstruction Accord”. However, from 1996 onwards and after the political rule of the ANC had been consolidated, this influence faded away increasingly and even more so under Mandela’s successor Mbeki.

Today, the relationship is characterised by persistent strong tensions between the alliance

partners. A growing gap exists in relation to important cornerstones of the South African government's economic policy (fiscal conservatism, privatisation, creation of a black *bourgeoisie* through "black economic empowerment"), its HIV/AIDS policy as well as South Africa's foreign policy vis-à-vis the authoritarian regime in Zimbabwe.

Zimbabwe is another case underlining the potential importance of unions in the fight for democracy and freedom. There, the trade unions took the lead of a protest, and later, opposition movement that developed since the second half of the 1990s with the aim to replace the increasingly despotic regime of President Mugabe by democratic means. From within the trade union federation ZICTU and other groups, a new opposition party ("Movement for Democratic Change" - MDC) was founded in early 2000, which managed to win almost half of the seats in the parliamentary elections in June 2000 despite massive irregularities. In the presidential elections of 2002, their candidate, the former secretary-general of ZiCTU, Morgan Tsvangirai, was deprived of a victory by a combination of unlawful and brutal tactics, including intimidation, political violence and outright electoral fraud, among others. However, their struggle for a new democratic start continues. Trade unions currently play a similar political role in the small Southern African kingdom of Swaziland under the absolutist rule of its monarch, King Mswati III.

Nigeria has also been experiencing a previously unknown politization of the trade unions over the last two or three years, mainly in connection with several general strikes against price hikes of state-subsidised petrol, called for by the Nigerian Labour Congress (NLC). This also led to the creation of a trade-union-supported political party ("Labour Party"), which participated for the first time with its own candidates in the local elections in spring 2004. Whether a true political force and serious political contender for power and office can grow from there, is currently seen with some scepticism by most observers.

The government of President Obasanjo has reacted to this with the introduction of a bill that clearly aims at weakening and splitting the labour movement. If adopted, the NLC would lose its status privilege of the only legally recognised trade union federation. It also would limit the right to strike. In the neighbouring country of Ghana the local trade union federation, GTUC, already lost its legal

representation monopoly in a recent labour law reform.

Trade unions and labour relations

Compared to its role in politics, the influence of workers organisations in Africa has remained weak in the traditional fields of labour relations (improvement of wages and working conditions, job security, social policies) with the notable exception of the industrially more developed countries in Africa (South Africa, Mauritius). Collective agreements play a subordinate role in fixing wages and working conditions in most countries. Branch-level or centralised bargaining rarely exist, again with the exception of South Africa. There is only limited 'bargaining autonomy'. Often, collective agreements need the prior approval of the competent minister to take effect or, as in the case of Tanzania, the approval of the Industrial Court, which can reject them on the grounds of being detrimental to the economic well-being of the country. The right to strike generally exists. However it is often limited through complicated rules and protracted procedures that make legal strikes in support of trade union demands virtually impossible in many countries.

Open repression against independent trade unions in Africa is rather the exception and limited to countries where the unions are part of a political power struggle with an authoritarian or dictatorial regime (currently Zimbabwe and Swaziland). Yet, in the wake of the debate around structural adjustment, deregulation and global competition, African unions have found themselves in an increasingly hostile political environment for quite some time now. In order to offer more attractive conditions to foreign investors, many governments have reformed existing labour laws under the banner of "labour market flexibility" by dismantling or weakening certain trade union and worker rights (e.g. protection against dismissals). Another popular ploy is to by-pass existing labour legislation by introducing special economic zones ("Export Processing Zones") in which national labour legislation does not apply fully, or to simply grant exemptions from the law on a case-by-case basis.

At the same time, high unemployment, which makes every formal job appear to be a privilege, is curbing the fighting spirit of workers to an extent that even massive real wage losses, deteriorating working conditions and the decline of

worker rights are tolerated without real resistance over a long period of time. When labour conflicts occasionally occur, the affected employers can generally count on the understanding of the authorities and even their active support, if so required. This may not always go as far as in Uganda where, two years ago, the state president personally ordered the dismissal of 300 striking women workers in a foreign textile plant. Moreover, institutions of social dialogue between government and social partners on labour and social policy issues usually do not have any real weight in such an environment, even if in cases where they are actually functioning and not just exist on paper.

Hence, more still than elsewhere, trade unions in Africa today are fighting an uphill battle. Their already weak economic power position is further eroding through the continued decline in formal employment and the respective loss of members. Moreover, their political possibilities of influencing policy decisions have also been reduced in a labour-unfriendly policy environment, marked by the neo-liberal doctrine of the International Financial Institutions. In addition, African trade unions are often having serious internal problems, e.g. severe financial problems.

Internal situation and external support of trade unions

Many unions, mainly on federation level, are to a high degree and more than in the past, where they could also rely on government support, dependant on international donors. This support is granted by international trade union structures such as the International Confederation of Free Trade Unions (ICFTU), the international umbrella bodies of the industrial or sectoral trade unions ("Global Union Federations"), as well as labour unions and union-related institutions in Europe and in the United States. Although formally donor support is mostly linked to trade union education programmes, in reality, the financing of parts of the small full-time union staff also relies on it in many instances. Internal union structures are often weak and focused more on their own organisational survival rather than on servicing members. Frequently, they are characterised by low levels of inner-union democracy and accountability and, at times, suffer of doubtful legitimacy. Well-intended external support under these circumstances can involuntarily strengthen already prevailing "tendencies of oligarchisation", i.e. the

dissociation of union leaders from their grassroots at the workplace.

Moreover, in many places, the labour movement is further weakened by internal divisions, splits or rivalry between unions organising in the same sector. These negative developments in terms of trade union unity and strength have certainly been favoured by the political liberalisation over the last one and a half decades and partially occur in reaction to the internal deficiencies mentioned above. More often than not though, they also seem to be driven by personal ambitions of (would-be) union leaders. In the past, internationally available support for trade unions tended to encourage these divisions rather than to contribute to trade union unity.

Like everywhere else in the world, women and young workers are still underrepresented in trade union structures and leadership positions. However, for some time now, a generational change is taking place which, so far, has largely remained unnoticed. Its potential implications still remain unclear. Not only in COSATU in South Africa but increasingly also in some other, predominantly Anglophone countries (e.g. Ghana, Nigeria, Zambia, Zimbabwe or Tanzania) a new generation of trade union leaders, who have not had their formative years before independence or under the post-independence single-party system, has moved into leadership positions.

Trade unions and the informal sector

The few hesitant attempts by labour unions, to organise the growing army of workers in the so-called "informal sector" instead of traditional formal sector employees with fixed or stable employment, whose relative and even absolute numbers have been steadily declining, have so far not yielded any significant results. This is not at all surprising, despite all the calls for trade union organisation of the informal sector, especially in Africa, and a few positive examples, for instance in Benin, Ghana or Mozambique.

Firstly, this is due to rather banal technical and financial obstacles. People who are trying to make a living in the informal economy are usually "self-employed" in a "one-man or one-woman business", their family members, and very occasionally salaried workers in informal small businesses (an example for the latter category with some numerical relevance in many African countries would be taxi, minibus or lorry

drivers). One thing they have in common is that, unlike workers in traditional big businesses or administrations, they cannot be reached in large numbers at the same place and the same point in time. Hence, on average, recruitment and servicing of members in an informal environment come at a much higher cost to the union. At the same time these higher membership costs compare with, at best, purely symbolic membership contributions, due to the low and irregular income in informal work. Without external donor support for specific trade union "projects", organising in the informal sector becomes a "loss-making business" for the notoriously underfunded, understaffed African trade unions.

Secondly, calls for a stronger trade union presence in the informal sector often overlook that the traditional trade union toolbox (negotiations on wages and working conditions, stoppage of work to support trade union demands) presupposes an employer-employee-relationship and may not be easily applicable. Whereas in Asia, for example, the informal sector also includes a considerable number of only formally "self-employed" home workers, day-labourers and other casual workers who are producing for established formal enterprises or even international firms through chains of subcontractors, i.e. producers who are in fact working in an - albeit disguised - dependent employment relationship, this is rarely the case in Africa. Here, the sector is dominated by "self-employed" or independent operators, such as street vendors, shebeen owners, repair workshops, artisans, who are doing business directly with local consumers.

Direct support to informal sector workers here mainly means applying the traditional toolkit for SME-development and the promotion of self-help organisations, like advisory services for business start-ups, skills training, microcredit schemes, etc.

Whether trade unions are the most suitable actors for offering such services is, at least, doubtful. Also attempts by trade unions - for example the South African mineworkers union, NUM - to organise retrenched trade union members in workers' co-operatives are not terribly likely to become successful on a sustainable basis, if one looks at the historical track-record of this type of companies elsewhere in the world.

On the other hand, there is room for closer political co-operation between labour unions and in-

formal sector organisations, for instance to lobby government on employment or poverty issues, or to mutually support each other. Informal sector groups may want to make use of trade union organisation and bargaining skills to negotiate support for informal businesses from government or local authorities; labour unions, in turn, may want to align themselves with or even affiliate informal sector associations in order to strengthen their political position as the legitimate "workers' voice". On the part of most of the African trade unions this certainly requires a more pro-active approach in alliance-building than in the past.

The future of trade unionism in Africa

As long as the dynamics of most African economies is predominantly limited to the survival economy of the informal sector and a thorough modernisation is not forthcoming, the prospects of stronger unionism are slim. To conclude, that in the face of the ongoing informalisation and the new imperatives of 'neo-liberal' globalisation African labour unions can therefore be written off as relicts of the past, would be, at least, premature as there are important counter-trends as well.

Current trends in foreign investment in Africa clearly point to new and not yet fully exploited potentials for trade union organisation that exist even in times of globalisation, although the number of jobs created may not yet be very significant, in relation to the unemployment problem or compared to the size of the informal economy. Interestingly, most of this new foreign investment in African economies is neither based on the availability of cheap labour nor do labour costs play a significant role. Targeting the continent's natural resources and mineral wealth, it mainly takes place in the mining and energy sector which currently receives most foreign direct investment. In view of the high capital outlay associated with these investments, social peace must have preference over trade union-free zones and low wages from an investor's point of view. Therefore, it is quite unlikely for unions to encounter huge resistance against trade union representation of the employees at the workplace and regulated (collective) labour relations.

New niches of formal economic activity with good potential for trade union organising also arise from the expansion of South African companies to the rest of the continent. This has been going on for some years now and, aside

from energy and mining, also concerns domestic market-oriented sectors (hotels, banks, retail trade, telecommunications, transport), which are also more labour-intensive. Stiff opposition to trade unionism only occur, where foreign companies are either engaged in labour-intensive production for export markets, originate from countries with poor labour relations and harsh working conditions (such as China, Taiwan, etc.) or where both factors come together - like in the African textile and garment industry, which was set up in the second half of the 1990s mainly by Asian investors with a view to exploit unused African export quotas to the North American market. With the abolition of the quota-system after the expiry of the international textile agreement (Multi-Fibre-Agreement) at the end of 2004 and the threat of relocation of many of the plants, the conditions for the trade unions in this sector are bound to become even more difficult.

Above all, however, in many countries trade unions remain an important political force which has to be taken into account by the political powerholders. Despite their massive membership losses, trade unions continue to be one of the very few societal organisations in Africa with

a sizeable constituency, country-wide structures and the potential for mobilizing members on social or political matters. Moreover, they are in a position to mobilize international solidarity campaigns, whenever massive violations of trade union or human rights occur. It is for these reasons that also in future trade union mobilisation will play an important political role, time and again, in particular in situations of political transition, in the struggle against authoritarian regimes or in campaigns and protests against the deterioration of living conditions of the broad population, for example, in the case of drastic increases of administered prices for basic food stuffs, energy or transport.

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