Trade Unions and Unionism in Nigeria: A Historical Perspective

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Received: April 4, 2012	Accepted: May 21, 2012	Online Published: September 12, 2012
doi:10.5430/rwe.v3n2p68	URL: http://dx.doi.org/10.5430/rwe.v3n2p68	

Abstract

Trade unions and trade unionism in Nigeria are said to be part of the legacy of colonilisation of Nigeria; as it was introduced by the colonial masters. This paper sets out to dispute this fact. This is because before the coming of the colonialists there was in place some forms of trade unions and trade unionism. This paper relies heavily on historical facts as well as some existing literatures to conclude that there was in place some forms of trade union and trade unionism in the area now named as Nigeria and that for cultural reasons trade unions and trade unionism as introduced by the British colonial masters ended up creating more problems thank it can it solve.

Keywords: Trade union, Unionism, Colonial masters, Federal Republic of Nigeria

1. Introduction

Prior to the coming of the colonial masters, organisations of people engaged in craft or trade have existed in Nigeria; these organisations could be referred to as trade unions because they were organised to regulate trade practices, to offer mutual aid and to fix prices –wages- for their services; such organisations included organisations of hunters, blacksmiths, carvers and weavers (Egboh, 1968; Ananaba, 1970). These organisations consisted of tradesmen and their children or other blood relatives -usually sons-, there were no employment contracts as known today as the children learned the trades and took over from their fathers (Fashoyin, 1980). The functions of these organisations some of which still existed today in the villages, included: settling of disputes, regulation of relationship between tradesmen, fixing of prices and organising the payment of tribute to the Oba – the King- (Lloyd, 1953).

Organised trade unions officially started on Monday 19 August 1912 in Nigeria when workers in the then civil service organised themselves into trade unions as was done in Sierra Leone (Egboh, 1968). One Mr Henry Libert – a Sierra Leonean- summoned a meeting of about thirty-three indigenous workers, and by the fifth meeting on 15 November 1912 after advice was received from Sierra Leone, the aim of the union was decided and this was to promote the welfare and interests of the indigenous workers of the Nigerian Civil Service (Okonkwo, 1993). It was known then as the Civil Service British Workers Union but later changed to the Nigerian Civil Service Union shortly before independent (Yesufu, 1982; Smock, 1969).

It remained an exclusive union of Africans of 1st class workers until the outbreak of the First World War in 1914. This brought about an astronomical rise in cost of living and the union had to seek the support of other workers outside the 1st class to agitate for 30% increase in basic salaries as the war bonus which was granted by the colonial administrators (Ananaba, 1970). The union later discussed other grievances which included: discrimination in salary scale in favour of Europeans against African workers performing same jobs, and abolition of the 'frequent imposition of fines as a measure of discipline' (Yesufu, 1982,: 96).

In 1931, the Railway Workers Union and the Nigeria Union of Teachers were formed; before this time railway workers were under the Nigerian Civil Service Union (Egboh, 1968). The 1930 economic crisis aided the coming out of the then Mechanic Union out of the Nigerian Civil Service Union; although the former claimed to embrace all employees of the railway; the clerical workers chose to remain with the later (Yesufu, 1982). With the passing of the Nigerian Trade Union Ordinance in 1938, the numbers of registered trade unions as well as memberships increased; for example, in 1940 only 14 unions were registered with 4,629 members but by 1944 this had increased to 91 registered unions with over thirty thousand members (Nigeria Department of Labour Annual Reports, 1945).

By 1975, under the military regime of General Murtala Muhamed one thousand trade unions were registered (Fashoyin, 1980). That same year, his government established a Commission of Enquiry to look into the past activities of the unions. Administrators were appointed to manage the unions as the unions were polarised and

ideologically divided therefore creating labour problems for the country (Ibid, 1980). The unions were restructured into 42 along industrial lines and a Labour centre was created (Nigerian Federal Ministry of Labour and Productivity, 1976 vol.21). The Nigerian Labour Congress (NLC) was created in 1978 and the 42 industrial unions became affiliates (Northrup, 1978). This was given a legal backing through the Trade Union Decree. In 1989, the trade union was restructured again with 29 industrial unions affiliated to NLC through the Trade Union (Amendment) Decree 22 of 1978. While the workers were multiplying their unions, a new development came up in 1960; this was the urgent need for a different union for the senior staff; this is discussed below.

2. Development of Senior Staff and Management Associations in Nigeria

Before the attainment of independence in 1960, most senior staffs was Europeans and there were very few Nigerians in this category they were therefore unable to form trade unions (Yesufu, 1982). Their European counterparts had formed a union known as the Association of European Civil Servants as far back as 1919 (Egboh, 1968). Associations of Nigerian Senior Staff came to limelight in the civil service in 1960 and in the private sectors in 1971 (Ananaba, 1970). The development of management unions came as soon as the Europeans left and the Nigerian managers started agitating for salaries and conditions of service as enjoyed by their former European counterpart (Balogun, 1972)

In 1974, the Nigeria Employers' Consultative Association (NECA) discovered what it felt was 'a major concern' by some trade unions in the Banking sector. This 'major concern' was that there were attempts by some people 'to bring together under one body separate unions of management junior staff' and that they – NECA- 'had made representations to the Federal Ministry of Labour on this phenomenon which we consider to be undesirable' (NECA: Report of year ended 31 December, 1974,: 8 & 9). Unfortunately for NECA in the same year 1974, the Federal Commissioner (now known as Minister) for Labour confirmed the award of the Industrial Arbitration Tribunal in the trade dispute between the Bacita Allied Sugar Factory and Industrial Workers' Union and the management of Nigerian Sugar Company Limited.

The award was that 'members of the supervisory staff be debarred from joining the Union of the rank who are supervised by them'. The award went on: 'This does not prejudice their liberty to form a Union of Supervisory Staff to protect their own interest' (NECA: Report of year ended 31 December, 1974,: 8 & 9). With this victory by 1976 there were about twenty-four senior staff associations registered as trade union with a membership of 5,383 (Nigeria Ministry of Labour: *Records of Trade Unions as at January 1976* :21-22). This development clearly carved out a different union or association for Nigerian senior staff. The role of the various Nigerian governments in the development of the new Nigerian employment relations practice will now be discussed.

3. The State and Employment Relations Practice in Nigeria

The intervention of various Nigerian governments (military and civilians), in the employment relations practice was inherited from the colonial government (Fashoyin, 1980; Yesufu, 1982). Before independence the various colonial governments in Africa intervened in employment relations practice in order to implement labour policies already tested in their countries, these interventions were justified as a way of civilising the people of these colonies (Northrup, 1978).

According to Yesufu (1982: 36-38) the British colonial government interventions could be divided into phases: the first was the 1900–1920 era when the main labour problem was about how to create and maintain 'from among the peasantry an adequate fund and supply of free labour to meet the demands of government administration'; the second phase was from the 1921 -1928 era, this was the period of the evolution of trade unions in Nigeria; the third phase, 1929-1938 started with the appointment of Lord Passfield – Sydney Webb- as the Colonial Secretary in the first Labour Government. He (Lord Passfield) initiated moves to compel the colonial government in Nigeria and other former British former colonies 'to initiate, long-term labour and industrial relations policies, legislation and practice, on lines of those prevailing in the United Kingdom'; the last phase was during the Second World War period – 1939-1945- which was marked with the establishment of a Labour Inspectorate and later a Department of Labour and the removal of the restrictive legislation on trade union activities.

By the 1950s the various Regional Governments had started making offers of wage increases so as to attract votes and the Federal Government of Nigeria had started introducing elements of economic/industrial democracy – employers and trade unions started to negotiate- as practised in the United Kingdom, but the Federal Government of Nigeria reserved the right to intervene where wages were 'unreasonably low by reference to the general level of wages' (Department of Labour, Nigeria: *Annual Report 1954/55*, paragraph 20). This situation continued until independent in 1960 and even till the military coup of 1966 which led to the civil war of 1967-1970. The military

regimes either banned trade unionism or imprisoned the trade union leaders and this was easy as the Constitution of the country was usually suspended as soon as they –the military- take over government (Yesufu, 1982). In the meantime, the activities of the employers' association, NECA will be discussed below.

4. Employers' Association in Nigeria

With the promulgation of the Nigerian Trade Union Act of 1938, employers of labour were accorded same rights and privileges of organisation and registration as the organisations of employees, although Nigerian and expatriate employers organise separately (Egboh, 1968). In the 1950s when the various Regional Governments were offering increase in wages partially to alleviate workers' suffering and more importantly to get votes, employers in the private sector were hard hit as their workers were asking for similar increases in salaries as their counterparts in the civil service (Ananaba, 1970). This led to the coming together of all employers; both Nigerians and expatriates, it was therefore no surprise at the inauguration when twenty - eight members companies were represented which included: UAC and Shell-BP (Cohen, 1974).

The Nigeria Employers' Consultative Association (NECA) was only formed in 1957 as there was no urgent need for it as mentioned earlier and coupled with the fact that the British colonial masters did not really encourage manufacturing as this might compete with the home manufacturing concerns (Egboh, 1968). It was formed to provide the forum through which government will consult with the private sector on socioeconomic and labour issues (Kilby, 1967). NECA claimed not to be a trade union but a dynamic and highly respected professional body registered under the Company and Allied Matters Act 1990. The mission of NECA is to contribute to the process of creation of national wealth through enterprise competitiveness, promotion of enabling environment, through industrial harmony (NECA: *An introduction to NECA*: 2).

The primary function of NECA is to protect employers' interest and to enthrone the private sector as a dependable and a reliable engine of socio and economic development. This primary function is achieved by: influencing economic agenda and policies through public advocacy and group representation to government on issues of interest to government; by creating the forum for employers to consult and dialogue amongst themselves on issues of interest to them; providing the opportunity for employers to share information and create linkages that will enhance the growth of their businesses; to defend and promote, at all times and in all places, the legitimate rights of member companies; to provide on-hand assistance to Small and Medium Scale Enterprises (SMEs) and to provide other consultancy services to meet members specific needs (NECA: *Employers Digest* January – March, 2009).

NECA is the voice of Nigerian employers in the following national labour organisations: National Labour Advisory Council, National Pension Commission, Nigeria Social Insurance Trust Fund, Industrial Training Fund, National Planning Commission, National Health Insurance Scheme, National Productivity Council, National Directorate of Employment, Trustfund Pensions Plc and Industrial Arbitration Panel. NECA is also the voice of Nigerian employers in the following international organisations: International Labour Organisation (ILO) International Organisation of Employers (IOE), Pan African Employer Confederation (PEC) and Federation of West African Employers (FOPAO) - (NECA Rules and Constitutions).

It must be said that NECA is professionally organised with experienced people engaged especially in labour related matters; some of the retired ministers and retired directors in the Nigerian Federal Ministry of Labour are involved one way or the other with the organisation; if they are not permanent staffs, they will be consultants. One could not see how the labour union executives interviewed in the process of this study could be a match to these NECA employees. Coupled with the various interventions of military in Nigerian politics, the trade union is usually seen as an opposition which must be silenced at all cost even if it involves banning trade unionism or imprisoning the labour union leaders, but NECA is always going along with the government of the day; military or civilian and always left intact (Ananaba, 1970). The process of coming together of all the institutions –unions, employers' associations and the State agencies involved in employment relations practice is referred to as collective bargaining which marked the beginning of industrial/economic democracy will be discussed below.

5. Collective Bargaining in Nigeria: Historical Perspective

Collective bargaining is at the centre of the British Voluntarist employment relations system and it is also regarded as the only effective means of protecting workers' interest as well as the most effective means of preventing and settling industrial dispute (Webbs, 1902). Unfortunately, it is a very recent phenomenon in Nigeria (Fashoyin, 1980). Before its emergence, the most common technique of bargaining was the company-based bargaining pattern; negotiations between employers and house unions; this was followed recently by the industrial – based bargaining pattern – negotiations between industrial employers' associations and the industrial trade unions (Oribabor, 1984).

Before the promulgation of the two Nigerian Trade Disputes (Emergency Provisions) Decrees, Nos.21 and 53 of 1968 and 1969 respectively, the system of Nigeria's collective bargaining was essentially unregulated by law despite the fact that as far back as 1938 the Trade Union Ordinance of 1938 gave legal recognition to trade unionism (Egboh, 1968). From 1938 to the mid-1960s, the Nigerian system of collective bargaining was clearly characterised by a reliance on the principle of the British Voluntarist employment relations practice (Fashoyin, 1980). The legal recognition granted to trade unionism in 1938 immediately led to the proliferation of trade unions (Egboh, 1968). In 1940 just two years after the enactment of the Ordinance only 14 trade unions were registered with about 4,629 members, but by 1971 the number of trade unions rose to 732 with over 70,000 members (Fashoyin, 1987).

Another major feature of the British Voluntarism employment relations practice introduced to Nigeria was the establishment of a voluntary system for the peaceful adjustment of industrial dispute (Flanders, 1974). As far back as 1941, the Trade Disputes (Arbitration and Inquiry Ordinance of 1941) made provisions for the conciliation and arbitration services, although there were no provisions for compulsion on the parties to adopt any specific procedure in the bargaining relations (Yesufu, 1982). The parties were left to bargain using the available power of persuasion, conciliation and arbitration, strikes, lockouts or other advisory procedures, unfortunately the outcome of such bargaining was not legally binding on the parties (Otobo, 1987).

The employers preferred to resort to individuality and autonomy while bargaining with workers as there was no officially recognised single body of the employers' as the Nigeria Employers' Consultative Association (NECA) was only formed in 1957 (Fashoyin, 1980). As the house unions were weak, uneducated, inexperienced and inefficient, the employers were having their ways and were not compelled to form an association since they – the employers - were able to manipulate the unions to their – employers'- advantage (Beckham and Jega, 1969). To make the British Voluntarist employment relations system workable in Nigeria, special administrative agencies or commissions were established solely to deal with employment relations matters as far back as 1948; one of such was the Whitley Councils and the Joint Industrial Councils as well as the 1955 government official policy on collective bargaining (Yesufu, 1967).

The coming of the military made the intervention of government in Nigerian employment/industrial relations practice more frequent (Fashoyin, 1980). The military was very suspicious of the trade union leaders as the unions can be easily turned into a pressure group to agitate for a return to democratic governance and the politicians too can easily manipulate the trade union leaders as was done during the colonial era (Egboh, 1968). The most vocal and experienced labour leaders were banned for life by the military dictators, with this constant harassment of trade union leaders, the process of collective bargaining was not given much opportunity to thrive (Yesufu, 1982).

Most of the bargaining's were done between the in-house unions and their employers, unfortunately the employees for cultural reasons will not want to fight or oppose their employers as it is against the culture of most ethnic groups in Nigeria to fight or oppose someone who is providing one his/her daily bread (Fashoyin, 1980). The mode of recruitment is another hindrance to the process of collective bargaining; most

Nigerian Personnel Managers (PM's) are likely to recruit from their ethnic groups and when it comes to bargaining these Personnel Managers are expected to negotiate on behalf of their managements with the workers they had recruited; obviously for cultural reasons the workers will not want to oppose their kinsmen (Ubeku, 1984). This amounts to lack of practice of economic/industrial democracy in the workplaces in Nigeria as was and still is the situation in the UK. This could be traced to the larger society where the introduced political democracy has failed which partly led to the various military interventions (Yesufu, 1982). The benefits of industrial democracy will be discussed below.

6. Methodology and Methods

This paper will rely on the secondary sources of data collection as it simply the historical account of how trade union and trade unionism came to Nigeria from the United Kingdom. Secondary data are usually historical and already collected data that does not necessitate access to respondents or subjects (Ember and Levinson, 1991). This source of data collection is becoming very popular in business researches, market survey, facts- findings, model building, and among social scientists generally (Harris, 2001). The major advantage of this source of data collection is in the fact that it is less expensive than the primary source of data collection; since it has already been collected (Zikmund, 1984).

The major disadvantage is in the fact that a lot of care must be taken in using secondary sources because the data were not collected with the present study in mind, so it might not specifically meet the present researcher's needs; care must therefore be taken before making inferences and conclusions or else a lot of errors might be committed

(Cowton, 1998). To avoid over-reliance on the British sources and to also remove bias, sources from the Federal Government of Nigeria will be consulted as much as practicable. This type of research methodology is regarded as one that does not fit into either quantitative or qualitative research method; this is because it utilises elements of both within the same study, and this was reflected often in the research questions (Knox, 1986). However, this method helps in describing natural and man-made phenomena that will be very useful to other researchers and policymakers while prediction is also made easier at least to some extent (Borg and Gall, 1989).

7. Discussions

As discussed earlier there existed some forms of trade unionism in most parts of the territories now known as Nigeria before the colonial masters came to introduce their own form of trade unionism fashioned after their socio-cultural realities. With industrialisation, the British Voluntarists employment relations practice and other related institutions (trade unionism, employers' associations, collective bargaining etc) were fully developed before the 20th century in the United Kingdom (Pollard, 1968). It was not an easy process especially with the economic problems brought about by the two world wars (Mantoux, 2006). Since the institutions – trade unionism for employees and employers' associations for employers- were well developed, the British Voluntarists employment relations practice therefore became institutionalised (Allen, 1956). There had occurred more state interventions especially during economic crisis and there had been a decline in the membership of trade unions, yet the British employment relations practice is still comparatively 'Voluntarist' especially when compared with the situations in other developed countries like some parts of continental Europe which is more legalistic (Burawoy, 1983; Carruth and Disney, 1988).

The introduction of British type of trade union and trade unionism via the transfer of the British Voluntarist employment relations system to Nigeria was problematic because of the differences in culture between Great Britain and Nigeria on one hand and between the various ethnic groups merged together to become one country on the other hand. Economic/industrial democracy and other forms of participation of workers in decision-making process in their various workplaces have been well developed in the UK based on their culture before these were transfer to Nigeria (and other former British colonies); they were therefore expected to be problematic (Iwuyi, 1968).

Although, there was a time when the pre-colonial Nigerian like Paternalistic employment relations practice was in use in Great Britain, this was replaced with the advent of the Industrial Revolution of the 18th and 19th century (Carruth and Disney, 1988). At the initial stage workers unions were not tolerated in the UK, later in 1871, the Trade Union Act allowed Registrar of Friendly Societies to register trade unions and provided a legal basis for the unions' activities (Ewing, 2005). This Act also protected their funds. Employers' associations were also developed and employment relations were now based on the interactions between institutions, including the state (Webbs, 1920).

Allen (1971) argues that the British trade union fitted neatly into the British capitalist system as they have accepted the capitalist norm of peaceful competition this cannot be said of the situation in the territories later named Nigeria. In the UK the employers are now even competing against themselves to the benefit of the employees; the situation in Nigeria is different. In the UK, collective bargaining helps to institutionalise industrial conflict by: encouraging labour to work under certain guidelines without resulting to violence (Webbs, 1920). Employees have been persuaded to accept the ultimate need for a compromise and that a lot of gains can be made within the confines of the present system (Ewing, 2005). Moral pressures and persuasions like appeal to the national interests were also frequently used to reduce industrial conflict; lastly, workers can also be encouraged to accept the justice of the labour system and not disrupt it (Berghahn and Karsten, 1987).

In the UK economic/industrial democracy has gone through many stages from non-recognition of workers representatives, to just tolerating them and to accepting that they should only be carried along which is by informing them and finally to allowing participation on not very strategic decisions (Mantoux, 2006). The stage is now set for worker's representatives to be allowed to participate in more strategic decisions making processes especially the production processes. This is because workers are now seen not just as those who have their labour to sale but as an essential part of the running of the enterprise and failure to allow them to participate in the running of the enterprise will make it difficult if not impossible for the employers to achieve their main objective – profit maximisation (Webbs, 1920). The larger society too will not develop economically because of loss of man-hours due to industrial conflicts and the inability to produce and provide goods and services (Webbs, 1920). Socially, as people will result to crimes and at best rely on benefits as in Britain if they become unemployed this will invariably affect the political development (Eisenberg, and Lazarsfeld, 1938).

The issue of recruitment also make trade union and trade unionism to be ineffective in Nigeria. Most Personnel Managers employ relatives, friends and people from their ethnic group. For example Ubeku (1984) discovered that if the Personnel Manager of an enterprise is a Yoruba, most of the workers will be Yoruba's; same if he were to be an

Igbo. The effect of this will likely be that the workers will be loyal to him/her including the union leaders and to go on strike will mean that one is biting the finger that feeds one; this is culturally an abomination.

8. Conclusions

The introduction of trade union and trade unionism to Nigeria has been problematic mainly because the practice was well established based on socio-cultural realities of the people in the territories later merged together to become Nigeria before the coming of the British colonialists. The fact that organised trade union in Nigeria was initiated by a 'foreigner', Mr. Henry Libert in August 1912, demonstrates that Nigerians would have preferred to cling to their 'ethnic trade unionism.' Secondly, the various ethnic groups merged together by the British colonial masters are from different socio-cultural backgrounds and very suspicious of one another. If Henry Libert had been from one of the Nigerian ethnic groups he might have not succeeded in setting up the trade union as he is not likely to get the cooperation of people from other ethnic groups; but as a 'foreigner' people relayed round him. We can therefore conclude that socio-cultural factors was and still important in trade union and trade unionism in Nigeria.

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