PRIVATIZATION AND TRADE UNION IN NIGERIA - "A CAT AND MOUSE GAME"

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Abstract
The trade union organization in Nigeria traditionally belong to two contending camps of ideological orientation, the first inclination was towards Eastern Europe with the former Soviet Union spearheading the helm of affairs. The other inclination was to Western Europe and America. The clamour for growth and development in Nigeria is dictated by the IMF and the World Bank. The strategy for development of this present regime is geared towards the privatization of the public sector. Trade unions in Nigeria under the auspices of the Nigerian Labour Congress (NLC) have over the years resisted the government policy on privatization and have consistently regarded this policy as anti-people and declared that "Nigeria is not for sale". This slogan justified the mood of Nigerians when General Babangida's administration sampled the mood of Nigerians as to which ideological orientation Nigerians should adopt. The general mood was towards a socialist system. Ever since the policy of deregulation and privatization of the public sector especially by the present Obasanjo's regime have been resisted by the labour unions. The paper attempts to explore the history and philosophy behind Nigeria's deregulation drive, as well as the role International Monetary Fund (IMF). To emphasis the irrelevance of the privatization drives by highlighting the socio-economic effects of such policies on the lives of average Nigerians.

Introduction

The concept "deregulation" in relation to the management of the Nigerian economy was introduced by the present administration. The concept however is not new in the economic and political history of Nigeria. Such

concept as free capitalism, deregulation, laissez-faire economics, liberalization, market force economic philosophy (free market economy), privatization, individualism, mean one and the same thing. The essence of state enterprise is to cater for the social needs of the people, but under pressure from the World Bank and International Monetary Fund, Successful Nigerian government have made attempts to hand over these state owned enterprises to private interests. The genesis of this idea came about with the propagation of western economic model of development which is spearheaded by the World Bank and IMF. These Bretton Wood institutions encouraged the development of a monolithic economy based on the principle of commercialization and privatization. The manifestation of this doctrine established a land mark for the development of capitalism into the global economy and the economies of the developing countries particularly Nigeria.

The trend of privatization is a response of the state to the challenges and dynamics of the emerging socio-economic world order. According to (El-Rufai 2003) State owed enterprises do not function well. They don not turn out returns on investment, for which they are created. In Nigeria for instance government owned enterprises are characterized by inefficiency, ineffectiveness, corruption, nepotism and mismanagement of public fund. Recognizing the danger of selling Nigeria's public sector enterprises to local and foreign bidders, trade union organization such as the Nigerian Labour Congress (NLC), Academic Staff Union of Universities (ASUU) Civil Liberty Organization (CLO), and other pressure groups have waged series of campaigns against the privatization programmed of government. Trade Union Organizations have always insisted that Nigeria is not for sale.

In a solidarity message from democratic socialist movement goodwill message to the 9th relegate conference of the Nigerian Labour Congress (NLC) (2007), it was noted that for the past eight years of civil role Nigerian has witnessed a radical shift from the way and manner by which the ruling capitalist class used to run the economy up to the 1980s, all the different layers of the ruling class, under pressure from workers and the poor, officially subscribed to what could be called a "welfarist" view. This meant that in capitalist economy the state played a major role particularly in the provision of key infrastructures and social services like houses, education, health care, (etc) due to the inherent parochial nature of capitalist relations, the masses had never fully derived the full benefit of governments investment in this direction. As a result vast layers of working masses still enjoyed certain relief in forms of states' role in education and health care of their children. However, today's trend is towards liberalization and privatization era, the reigning neo-liberal philosophy says that it is individuals themselves, and not the society collectively, that should be responsible for the overall economic growth of the society as well as the basic

needs of the people for descent housing, feeding, education and health care system, transportation and communication jobs, and so on. Towards this end president Olusegun Obasanjo made it a point of duty to convert what they believe is the exclusive properties of a few capitalist elements in the name of privatization.

Conceptual Definition of "Trade Union" and "Worker"

A trade union is defined as 'any combination of workers or employees whether temporary or permanent, the purpose of which is to regulate the terms and conditions of employment of workers, whether the combination in question would or could not be an unlawful combination' (The Trade Union Act 1993: Page.1, Section 1). Decree No. 1 of 1999 includes employers associations and semi-skill association as trade unions, the main character of which is the goal of regulating the terms of employment.

A union is a collection of individuals joined together for mutual benefit. Here we shall view them as employees joined coincide with those of their employers unions seem to exist for two primary reasons: for and most important, union exist because employers have failed to provide need satisfiers of some type for their employees, second, if a large union makes a particular organization its target, if it commits enough resources and is willing to wait, it can unionize virtually any organization, because unions exist, employers must learn to live with them, or learn how to prevent their own organization from being unionized. Employees must learn to live with them as well as members or non members

A worker is defined as:

any employee, that is to say, any member of the public service of the federation or of a state or any individual (other than a member of any such public service) who has entered into or works under a contract with an employer, whether the contract is for manual labour, clerical work, or otherwise, expressed or implied, oral or in writing, and whether it is a contract personally to execute any work or labour or an contract of apprenticeship (The Trade Union Act 1973: Section 52).

The same act maintains that "a combination of workers or employers has purpose of power other than the purpose of regulating the terms and condition of employment workers shall not prevent it from being registered under this Act". Another concept of the trade union is the political conception which fundamentally lies in the role of trade unions in Nigeria. In the political line of thought trade unions are not just organizations in which workers

improve their economic and working conditions. Trade unions are political schools for workers; every struggle for the right of workers to health, education and pensions is at once a struggle against the state. He maintained that it is a political action challenging the economic and political role in the society. Through these struggles, workers too become increasingly aware that the source of their suffering is the state, when workers protest are met with police and army force, as a result of their peculiar common predicament to come to realize that their obstacle is state force and not just their employer (Fashina 2006).

Historical Overview of the Role of Trade Unions in Nigeria and the Nigerian Government

Recent years have not been kind to trade union organization in Nigeria. They have lost ground on most fronts, in receptivity to their objectives by the society at large in financial and political strength. They have lost most of the powers they had during the colonial and post colonial period. The past military dictatorship of Abachas and his cronies in power did a lot to destroy the tradition of trade unionism in Nigeria. Presently most public and private sectors are being privatized, and with this act it is seen as a deliberate attempt by Government to erode the traditional role of workers solidarity. Some observers have suggested that most countries are entering a period of "beyond unions " They are of the opinion that a growing web of laws and court ruling have done much and will continue to do much in controlling the interest of the employers, thus making unions less necessary than they once where. Even the employer's right to fire at will is now becoming a contentious issue (Thomas 1985).

Union are now in competition with government to provide need satisfiers but the power of unions continue to dwindle. Nonetheless many workers are increasingly becoming unionized, and the various unions under the auspices of the Nigerian Labour Congress (NLC) are making increasing efforts to gain more affiliates. The roles trade union organizations are supposed to play have been a contentious issue; this development is not unconnected with reactions of protagonist and antagonist of various socialist doctrines and schools of thought, State attempts to regulate the conduct of workers and the affairs of unions during the post-colonial period, this indicates that uncertainty and lack of confidence about the administration of a new state, followed by increasing tension, conflict and contradiction in an intensified struggle by elite for state control. In this regard attendant labour control strategies where part and parcel of the struggle. A major shift in union legislation or labour law was enacted during the 1960s which herald an explicit preference by political/economic and bureaucratic elites for more extensive

legal compulsion and regulation in such matters (Otobo 1988).

Although competition might initially divide the interest of workers, the maintenance of a reasonable level of wages could ultimately unite workers in common thought of resistance and hence to combine to form organizations such as trade unions. Such organizations might at first act as a means of defending wages, in the end; it would develop its own identity and dynamics. The ensuing conflict, would serve to generate among workers a consciousness of class unity transforming than from a class "it itself a class for itself" (Marx 1897: 150). In this sense, the struggle would inevitably become national and political with wage earners forming a political party despite divisive tendencies from amongst workers themselves.

The federal government of Nigeria is geared towards the protection of capital investment, and as a result the effective role trade unions in Nigeria are suppose to play was hampered by poor financial base, internal struggles, ideological divisions and discrepancies between form and realities in activities to be adopted. It was for these reasons during the sitting of the Public Service Review Commission, union members realize that if they are to make any major impact on the issue of (Udoji) Commission (Eleazu 1988), the unions have to redefine their roles and embark upon major restructuring. The Government did not recognize the (NLC) and went further to abolish four central labour organizations. A decree No 4 of 1976 known as Trade Union Central Organization Decree appointed an administrator of the Trade Union to carry on the responsibilities which a central labour organization would normally carry. It was an arduous task. For instance, he was required to prune down hundreds of unions, to evolve a central body and to conduct the elections of the first officers of the body. After this exercise, a new labour policy was formulated with the following as the principal objectives.

The 'Cat and Mouse' Game between Trade Unions and Government

Since Nigeria was incorporated into the capitalist world economy, the economy was designed to be a capitalist economy, the character of the economy was shaped by the historical circumstances of colonialism under which it arose and developed. According to Iyayi (2005), this historical antecedent defined the role of the Nigerian economy within the global system of capitalist division of labour. The role of the economy was seen as one of providing raw materials for the production activities at the centre and serving as a limited market for the finished products from the centre. This definition of the role of the colony created two consequences for the colony. The first was anchored on the dependence of the colony upon the colonizing power as a

necessary and fundamental requirement for conducting, sustaining and developing the relationship between the parties. The second was that it required the creation of an alienable class of indigenous wage labourers without the corollary of a class of indigenous owners of the means of production.

The second fulfillment of this second requirement in the Nigeria colony created, at least, two major problems. The first problem is the proletarianization of the emergent indigenous ruling class, this development created a disjuncture between the political and economic instances for Nigeria's indigenous ruling class that had political power without the economic bases necessary for materializing itself as a ruling class in the true sense of the word. This disjuncture not only crated a dependence of Nigeria's emergent ruling class upon that of the colonizing power but also meant a further consolidation of the dependent status of the Nigerian economy. This dependence enables members of the old and new colonizing powers to shape the economic, political and social orientations, attitudes and beliefs of members of Nigeria's indigenous ruling class in a manner the preserved the servant status of the indigenous Nigerian ruling class and the Nigerian economy as a whole The indigenous ruling class in defiance of the dictates of international capital since independence in 1960 - 1980 attempted several methods of self-reliance and independence. These methods includes Nigerianization, indigenization and the creation of special financial institutions that would serve as sources of financial capital for the members of the class, till date, the adopted methods expanded to include commercialization and privations of state established and funded enterprises, and corruption remain the major method for addressing the problem (Iyayi 1983). The adoption of corruption as a way of resolving the proletarian problem had turned Nigeria that was ranked by the UNDP as the 9th potentially richest country in the world into a debtor nation with an estimated external debt of US$30.00billion. Also, according to the Human Development Report (2000), Nigeria is ranked as the 13th poorest nation on earth. The debtor poverty status of the Nigerian economy provides international capital with further opportunities got exercising greater control of the Nigerian economy. As a result of the structure of the Nigerian economy, rather than being transferred into an independent, development state, Nigeria has become a neo-colonial, underdeveloped, dependent and backward country, for that reason most trade unions in Nigeria under the auspices of the NLC and Academic Staff Union of Universities (ASUU) observed in 1984, that the mainstay of the Nigerian economy. The petrochemicals sector is under the exclusive control of foreign transnational capital. Two decades later, the observation of the NLC has not only been vindicated.

The influence of global capital has continued to increase, the activities

of giant global transnational companies, global capital is further represented by such agencies as World Bank, the International Monetary Fund (IMF) and the World Trade Organization in the Nigerian Economic Sector. It goes without saying that the major economic and political policies of government are dictated and superintended by the Bank and IMF, for example World Bank during General Babangida's military regime dictated the Structural Adjustment Programmed (SAP) which formed the bedrock of government economic and political philosophy for development from 1987 till date.

Structural Adjustment Programme (SAP) has always been with us in content. The current economic liberalization policy of the Nigerian government in the form of National Economic Empower and Development Strategy (NEEDS) which is no different from SAP is also dictated by the World Bank. Even budgetary processes of the Nigerian government are also under the direct supervisor of the World Bank and IMF.

The second important consequence which emanates from the first is that the neo-colonial status of the country that continued to involve the Nigerian economy in two forms of capital accumulation. The accumulation of capital for the metropolitan economy, the primitive accumulation of capital for indigenous class of Nigerian capitalist created the necessary condition for union activities The combination of these two processes of capital accumulation as observed by Iyayi, means that the rate of labour exploitation by capital is correspondingly high to a level where improvements in the condition of labour can only come through the process of heightened labour agitation and struggle. These are regarded by the state and international capital as activities that undermine the development process and the stability of social order. The Nigerian Government always have a course to curtail trade union agitations by applying a policy of active intervention in trade union movement, and this intervention takes several forms: economic reforms, the enactment of legislation hat is design to weaken labour; (like the recent bill passed by the national assembly to amend the trade union act). Labour organization in Nigeria has condemned the trade union amendment bill as unconstitutional, it violates I.L.O convention No. 87, the bill violates the workers' right to works and is self defeating. The trade union amendment bill is superfluous in certain respects. The Nigerian Government over times has covertly or overtly encouraged divisions and splits within trade union.

The position of Trade Union Organization on the Policy of Privatizations is total position to any attempt to sell Nigeria's public institutions to foreign bidders. In one of the Academic Staff Union of University (ASUU) publications (The State of the Nation 2002), the collective view of ASUU is that, the Nigerian government has made it known that it intends to reverse to

victory of the Nigerian people and has a frenzied process of selling Nigeria lock, and barrel to foreign private interest in collaboration with some Nigerians.

Already, the government without ascertaining the clear wishes and welfare interest of he majority of the Nigerian people, has sold off several strategic state owned enterprises, NITEL has been sold at a give away price. The NNPC, NICON, NEPA, are all sold out and such action reinforces the assertion that Nigeria is already under the firm control of IMF and World Bank. It is evident that World Bank and IMF officials have taken over the process of the preparing and supervising budget preparation and approval in Nigeria. Public enterprises are deliberately made inefficient in order to sell them. Today, the privatization programme is another form of re-colonization.

In its attempt to check the "excesses" of labour unions in Nigeria, the Federal Government recently sent a bill to the national assembly to kill or weaken the NLC as vindictive measure against the workers body for calling for a national strike to protest the conditions and arbitrary increase in prices of petroleum products. Weakening the trade union organizations and breaking their ranks by government is in consonance with dictate of foreign collaborators who sought conducive and peaceful atmosphere to carry on with their activities of exploitations. It is widely acknowledged that imperialism through IMF and the World Bank supported dictatorships in Africa in the post colonial era because they provide the enabling ground for re-colonial exploitation. Consequently, when dictatorship had to go holidays, it was because such breathing spaces were necessary for imperialism to refashion its strategies. This explains why Obasanjo had to hand over to Shagari in 1997. The reappearance of Obasanjo surrounded by generals and civilian millionaires who have been tutored by IMF and the World Bank is in-structure three months into the "fourth republic". The IMF functionaries were everywhere coaching state governors, legislators, ministers, chief executives of Parastatals, etc. The present Head of State said on CNN that there is no opposition to IMF in Nigeria. None of the parties has contracted him.

The IMF in Nigeria and its agents are deepening the confusion for Nigerians by drumming up the charge of corruption against the ruling class and shedding crocodile tears through the promotion of 'Poverty Alleviation Schemes' but the fundamental source of the stupendous private corporate wealth all over our country is the public treasuring. This stupendous corporate and private wealth is also largely responsible for mass poverty. This is the heritage of conspiracy between imperial and it local agents in the neo-colonies Brazil, Congo, South Korea, etc (National Freedom 1 (2): 5).

The achievement of this present administration is the fortification of control of Nigeria by the International Finance Capital represented by World

Bank and the IMF. Multinational; Corporations such as Shell, Societé Generale, First Bank, Julius Berger, Dumez Pfizer, etc and the government serving the ruling class in Britain, France, Germany, Italy, Netherlands, in Europe, the United State of America, Japan etc. The process of progressive domination of Nigeria's economy, politics, education and cultural expression through the supervision and ruthless enforcement of NEEDS is the process of re-colonization is the massive economic empowerment of Nigeria's ruling class (military and civilian) through a variety of means such as direct appropriation of public funds through fraud and official/unofficial theft, pillage of public treasury through contractual plunder conspiracies with foreign interest to loot Nigeria's wealth with stupendous private accumulation through official and bureaucratic privileges, auctioning of public property etc (The State of the Nation 2002).

The victims of these policies are the ones in their organized groups. Such as the NLC, ASUU, NMA, NBA, NANS, WIN, NUJ peasant Groups, struggled consistently and courageously to defend the Nigeria people and their sovereignty. In effect, Nigeria ruling class unleashed its hostility mainly on workers, student's patriotic professional associations (ASSU, NMA, NBA, Journalist etc). This hostility manifested is manifested in the form of rationalization of jobs, threats; attempt to the break rank of unions constitute an outright police brutality. This is because the trade union organizations and other pressure groups periodically articulate views on the economy and proffer critical and objective assessment on how the economy is being mismanaged.

In January 1984, the NLC circulated a powerful and patriotic pamphlet "Nigerian Workers" socio-political view point in the situation of military take-over of the government of the federation. It again in August 1986, circulated "Toward a viable and genuine democratic political future: the Nigerian working class position" and a prophetic pamphlet "Nigeria is not for sale".

The Social Effect of Privatization and the Way Forward

The IMF and World Bank have systematically taken a firm control of Nigeria's economy on behalf of the economy. The political powers' multinational corporation and the class that they serve in Europe, the United State, and some countries in Asia, e.g. Japan. The people of Nigeria are suffering from poverty, diseases, illiteracy (with government paying lips service to education), homeless, premature death, chronic unemployment-caused by the hijack of the struggle of the workers and other segment of the underprivileged class, instead of steady march towards a people-oriented democracy economic and political power has been usurped by an alliance of

international finance institutions, multinational corporation and a group of rulers in Nigeria-apostles of global capitalism (State of the Nation 2002).

It is pertinent to note the various forms of violent clashes in various parts of Nigeria which is mostly centred on ethno-religions guise between September and October, 2001 at least four major Fracas in two categories occurred in close semblance in Plateau State (Jos and its environs) Nasarawa State, Kano State, Kano City, Benue State (Zaki Biam), Delta State, (Warri). These conflicts arose with the backdrop of the development and entrenchment of urban-based armed (militant) ethnic militia led by marginalized and deprived youth. This organization claim to socio-cultural organizations dedicated to the protection of their ethnic nationality an at times espousing definite separatist (secessionist) agenda. Some of this clashes occur in rural settings were farmlands and other factors could be attributed as sources of these conflicts. There are urban disturbances and violence that are not as visible or as organizationally articulate those identified. There is a definite social class component in the development of militant urban youth military and 'violence' today. The phenomena are signifying a product of social and economic crisis. Nigeria is experiencing a gradual decay of her educational system primary school enrolment which was its peak in 1975-80 has suffered a major setback with a decline the quality and quantity of primary school teaching staff and a collapse of infrastructure, with withheld salaries of teaching staff, with programmed collapse of public primary schools. The stage was for the promotion of private schools. Instead of addressing the overall educational problem, the federal government is busy negotiating the IMF/World Bank fund. The so-called Nigerian University System Innovation Project (NUSIP) which ASUU vehemently rejects.

With government policy of privatization, our health care system have suffered greatly, (health care delivery, water, power supply and urban sanitation) have been emasculated. That generates acute poverty, malnourishment and death amongst Nigerians. Health care delivery has suffered acute neglect. Super-imposed on this is the policy of privatization and commercialization of welfare facilities as a result Nigerians have to pay for medical "attention through their nose". This unfortunate situation led to the massive proliferation of private clinics swamped with quack doctors.

Nigerian transport, postal and telecommunication services are in a state of decay. The transport system have collapse or is made to collapse to give raise to private investors, in addition part of the transportation policy of the present government is that of privatization of major roads in the country which will be an additional tax for road users. Government abandonment and neglect of the postal services, has paved way for private courier services which operates at

prohibitive cost to users.

Telephone service has been dysfunctional for years. Despite cosmetic reshaping of this posture by succeeding regimes by lowering the cost of NITEL services. Telephone remains largely unavailable and expensive and Nigerian were unapologetically reminded that "telephone is not for the poor". The government paved the way for the influx of GSM private investment that is tapping and siphoning millions of dollars Nigerians and out of Nigeria. In conclusion, Dipo Fashina gave us leeway in his paper. History and development of trade unionism in Nigeria, he is of the view that, political conception sees trade unions in a capitalist society as organizations that bring together a certain social class in the society, the working class, or the proletariat. They constitute that, large group of workers who do not own factories, machines, land or the instrument of production and who have to sell their labour to another social class in order to survive. The class which owns the means of producing wealth, i.e. factories, machines, land, tools, etc and which hires labourers to produce is the class of capitalist. The capitalist are mainly interested in making profits, through the products of the labour of workers. On the other hand, the workers want to win as much as much as they can for wages which entail the reduction of the profits of capitalist thus the goals of the two classes are said to be antagonistic. He further reiterated the point that according to the connection, the power, which the capitalist have over worker, is not only in the work place or factories, but essentially also in the political organization of society. Capitalist protect their interest maximizing the exploitation of workers by controlling the political system. The laws, it said ultimately to protect the property of the capitalist while making concession. If trade unions are meant to defend and advance the welfare of their member, first 'welfare' must be to mean not only improvement on the job, but very importantly a buoyant national economy, without commitment to advancing workers' interest through the wider struggle. Trade unions will not be able to advance workers interest in a far-reaching and lasting way. The interest of the working class is best safe-guarded when workers themselves determine the conditions of employments wage. The use of their labour and of what they produce. But this is why the purpose of trade unionism is also essentially political.

Trade unions are said to be the political schools for workers, where they struggle not only for better wages and conditions of service. In trade unions, workers learn and get political knowledge to transform society in trade unions. They learn that freedom is their struggle; they learn that without political power worker will ever remain exploited the economic struggle must be given a political character; workers must be able to understand the connection between their dissatisfaction with their conditions and the character of the political system.

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