

An Analysis of the History of Public Sector Trade Unionism in Zimbabwe

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Abstract: Before independence, labour policies and laws were oppressive towards the employment of African workers. Industrial relations were based on master- servant relationship. Employment was in a four-tiered structure, whereby Europeans were at the top followed by Asians, Coloureds and Africans at the bottom. Employers determined the working conditions unilaterally. The introduction of the tax system was used to discriminate African workers and to control labour movement. Africans worked in order to pay discriminatory tax such as the poll tax or hut tax. This official discrimination made the problem of African Workers worse. The workers were not only discriminated in working places but also on the basis of race and colour. African workers, therefore, used every opportunity to protest against poor working conditions and official discrimination on racial grounds. The fight against colonial rule cannot be differentiated from the fight for workers' rights. And this could explain why the current labour movement in Zimbabwe is politicized in a way.

Keywords: Public sector, unionism, analysis, history, labour.

INTRODUCTION

The trade union movement in Zimbabwe has in many respects still to receive its rightful place as a special episode in the history of the country. The majority of the Zimbabwean population, including large subdivisions of wage earners, remain uninformed of the contribution made by trade unions to the nation's economic, social and political development. A historical approach is more sensible for one to understand the potency and level of success of trade unionism in Zimbabwe. The three organisations under review provide clear-cut case studies as they all operated both in the post-colonial and pre-independence periods. The issues of labour have been under scrutiny since the 16th century and it has always been the responsibility of unions to stand to their mandate and fight for workers' rights. However, it remains questionable and debatable on how much unions are prepared and dedicated to worker representation and participation.

Earliest forms of Worker Resistance in Zimbabwe

Ranger [1] writing in his book *The African Voice* suggests that the earliest trade union mobilisation can be traced to the Industrial Commercial Workers Union and compound associations. Early forms of workers' organisation were much concerned with

organising resistance to white brutality in compounds, farms and mines. During the period 1920 onwards, issues of race were very much high on the agenda. However, the 1970s period saw questions of race largely subsumed by issues of class, and trade union movement diverted its attention to class struggle which was underpinned by the machinations of the workplace. Giovanni Arrighi's concept of '*proletarianisation*' and Charles van Onselen concept of '*capital accumulation*' explains the basis of cheap labour system and how workers organized themselves to resist severe exploitation [1]. van Onselen [2] says that the mining industry's cost structure and its imperative of cost minimization, and the often appalling consequences of this imperative for workers' wages and living conditions, coupled with the brutality of the compound system on black miners exposed white exploitation, nonetheless blacks fought back. Furthermore, Pheister and Van Onselen [2] argue that inside the mining industry, the state and mining capital co-operated closely in maximizing accumulation through the operation of a compound system remarkable for its pervasiveness and brutality, 'a web of coercive legislation', specifically the Master and Servants Ordinance Act of 1901 and the Natives Pass Act of 1902, were 'designed to regulate the mobility of black

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labour and stabilise employment under contract', and by which large areas of workers struggle were hidden [3].

The earliest forms of worker organisation were organised in the form of Compound, Burial and Dance Societies. For instance, the Herald Burial Society at Shamva Mine and Gazaland Burial Club at Gath Asbestos Mine played a pivotal role in influencing workers organisation and resistance. Workers' resistance took up in two forms – passive and active. The passive methods were designed to camouflage different tactics such as feigned sickness, self-imposed injuries, dodging, vandalism and loafing. Active resistance required direct confrontation, which was unpopular during this period. Thus, workers resorted to passive action. The Societies gradually grew into associations but most of them did not reach their full potential. Nonetheless, it must be highlighted that the activities of these Societies gave a life line to the development of the trade union movement in Zimbabwe. Phimister and Van Onselen claim that the compound associations were indeed the logical precursors of a trade union movement and, in at least one case, offered a base for the Industrial Commercial Union (ICU) of the late 1920s. The late 1950s onwards saw the trade union movement colluding with the nationalist project believed to have been enveloped in trade unionism. Therefore, the colonial government began to invest its resources in trying to split unionism and nationalism [1].

Labour and Law in Colonial Zimbabwe

Historically, governments have always found 'lawful' ways to regulate the power of trade unions. The institutionalisation of the Industrial Conciliation Act propagated in 1934 and successively amended in 1960, and labour legislations that were enacted at independence in 1980 and 1981, and later on amalgamated into the comprehensive Labour Relations Act of 1985, all serve as clear demonstration of such measures.

The earliest steps to establish and regulate a labour market were the founding of Provincial Labour Bureaux in 1895 and the Rhodesia Native Labour Bureau (RNLB) of 1903 [4]. These institutions were labour procurement agencies whose roles were supported by legislations. The Pass Law (1902), controlled the flow of unskilled labour and penalised desertions. The Masters and Servants Act of 1901 pinned workers to a particular owner or employer and guarded against desertions. The Private Locations Ordinance Act of 1910 created autonomy territories for white capitalists and formulated a huge gap between the 'Master' and 'Servant'. Supplementary labour legislations which the state formulated and administered in the name of capital accumulation were the Compulsory Native Labour Act of 1943 and the Industrial Conciliation Act of 1934. Sachikonye [5] says that the objective of these pieces of legislation

were to control the flow of labour, impede unionisation, and political activity amongst labour population. The ideology was that state laws and the related institutions must be understood as responsive measures to the essentials of capital accumulation to broaden its productive capacity and scope to moderate itself.

Arrighi [6] also emphasises the adverse effects of vagrant laws and legislation by saying that the colonial government was determined to see the success of their political economy through the ruthless use of cheap labour accumulated through brutal laws and legislations. Therefore, it is apparent that during the first fifty (50) years of colonial capitalism in Zimbabwe there was an intense pre-occupation with legislation relating to labour. This stemmed from the scarcity of such labour due to the harsh working and living conditions, and abysmal wages. Hence, coercive measures were put into action in order to hustle Africans into wage labour. Clarke [4], states that the hardest and most oppressive legislation to be enacted was the Industrial Conciliation Act of 1934. The concise substances of the Act were to make provision:

- For the prevention and settlement of disputes between employers and workers by conciliation;
- For the registration and regulation of trade unions and employers' organisation; and
- For incidental purposes.

The innate racial connotations of the Act made it exclude the bulk of the working-class including workers in agriculture and domestic service because they were 'natives'. However, the Act represented some improvements for the white workers and unions who were covered by the legislation [54]. Nonetheless, it remains questionable if the Act advanced the interests of any other class except that of the capitalists. The inception of the legislation and its segregatory agenda subscribes to Karl Marx's theory of class struggle and exposed the evils of capitalism in relation to the attractive socialist ideology. Looked at differently, the Industrial Conciliation Act demonstrated the extensive powers of the state in industrial relations to maintain stability and control. The regulation of trade union formation, registration and activities was easily one of the most detailed sections in the Act. It was, for instance, clearly stated that the constitution of every trade union should, among other things, fix the qualifications of membership; the election of representatives on any industrial council or conciliation board; and a periodic audit of the accounts and circulation of members or branches of a certified statement of income and expenditure. The Secretary of the union was mandated to submit:

within two months after receipt by him of a written demand by the Registrar, a statement showing the number of such members' subscriptions in arrears for a period of over

three months (ICA, 1934). Failure to comply or co-operate invited hefty fine or jail sentence.

More unambiguously exploitive clauses outlawed the use of funds and facilities by trade unions for political purposes of any nature. Trade unions were restrained from aligning themselves to any forms of politics. It is important to note that this clause was inserted in the Act in 1950, and this was done to counter the nationalist project which was beginning to mount in the second half of the 20th century. Regardless of the efforts made by the colonial government to dissociate nationalism and unionism, it was however, quite not possible to separate economic struggles from political ones under colonial rule. Sachikonye [5] argues that the colonial government was fully determined to legislate for suppressive laws to divorce trade unionism and nationalism. Thus, as per legislation mandate, unions or their office bearers were barred from accepting assistance from any political organisation. The Registrar's Office had a 'handful' power to monitor the day-to-day running of trade unions. The power of the Registrar was excessive and draconian in nature and was consistent with dictatorial aspects of the legislation [5].

The regulations pertaining to strikes and lock-outs were similarly instructive with regard to the components and ideological pre-occupations of the state. No workers or trade union could participate in a strike if the workers concerned were those precluded by law. In addition, no workers or trade union could go on strike unless "all the relevant provisions of the constitution had been complied with. In reality stricter controls militated against any organised action. Precisely trade unions were denied rights to:

- Affiliate with any political party or political organisation;
- Use of any of its monies or funds for furthering the interests of any political party or political organisation;
- By any provision in its constitution require or permit any member thereof to subscribe to the funds of any political party or organisation;
- Use or permit the use of any of its services, equipment or facilities for the purpose of furthering the interests of any political party or political organisation; and
- Accept any monies or services from any organisation which is permitted by its constitution or otherwise use its monies or funds for furthering the interests of any political party or political organisation [7].

Pioneering Civil Service Unionism in Zimbabwe

The forerunners in the public sector trade unions were Public Services Association (PSA), Zimbabwe Nurses Association (ZINA) then called Rhodesia Nurses Association (RNA) and African Teachers Association (ATA) majorly for Africans now

ZIMTA and National Teachers' Association (NTA) majorly for white people excluding Asians and coloureds [4].

Nonetheless, in respect of ZIMTA, ZINA and PSA there are lot of successes associated with their histories, though they can't be sung without discord. However, it must be highlighted that these organisations suffered setbacks at formation. On the other hand, of late in the post-independence period, the trade union movement has been rendered weak and ineffective. The reasons as to why and how unions have been rendered ineffective find genesis in the pre-independence era, role of the government, the trade unions themselves and the environment (political, economic and social) under which they operated in [5]. In this section of the study one seeks to develop factual evidence that demonstrates the role played by ZIMTA, ZINA and PSA in terms of worker representation and participation.

In Zimbabwe, civil servants are not covered by protections granted in the Labour Act. Their activities are governed by the Public Service Act, which according to Makoni [13] does not recognise the collective bargaining rights of public employees. Private sector employees, by contrast, benefit from national Employment' Councils and sector-specific tripartite negotiating committees that set down wages and benefits through a discussion amongst labour, business and government representatives. This situation grossly undermines the influence and strength of public service unions, workers view them as toothless dogs that are there to milk their funds in the form of subscriptions [8]. Membership to trade unions is voluntary and most workers know that they will benefit from results of negotiations irrespective of whether they are unionised or not. As a result there are very few civil servants who are unionised in Zimbabwe [9]. In the following paragraphs an attempt to give a contextual and historical development of public sector trade unions is made.

It was under these restrictive conditions that organisations such as ZIMTA, ZINA and PSA were formed and survived under. Regardless of the little space afforded to them by the colonial government, the above-mentioned associations thrived to represent their members. It is important to note that since ZINA and PSA were founded as white oriented organisations, hence they were better placed in terms of law application compared to ZIMTA.

History of the Zimbabwe Teachers Association

With reference to ZIMTA, its inception, the association met stiff challenges in becoming a registered organisation. The ultra-purpose of the Industrial Conciliation Act was to regulate and frustrate unionism, thus it became very difficult to meet the demands of the Registrar's Office, forcing the association to operate as an unregistered institution

from 1940 up to 1942 when it was finally recognised as a legal teachers' association (Clarke, 1975). Having become a legal entity, registered as African Teachers' Association (ATA) now (ZIMTA) in 1948 intervened in the Dadaya Mission strike which convinced the colonial government to carry out an inquiry into African Education in 1951. Upon ATA recommendations in the Kerr Commission, the Native Education Department considered improving African education and teachers' condition of service [4]. ATA-Government relationship was strengthened by ATA's contribution in the 1953 Education law in which the association convinced the government to move with pace in constructing more schools for African children. The piece of legislation also regularised and standardised teachers' salaries until the late 1950s. The period between 1954 and 1958 saw African Education fast developing, as well as reasonable improvements in teachers' conditions of service. This was due to the cordial relationship between the Todd government and ATA. However, ATA relationship with the government was not always colourful or affectionate.

At the turn of 1960, the colonial government modified the Industrial Conciliation Act and tightened the grip on trade union movement. The environment was so tense and political in nature, at the same point the nationalist movement project was blown and fully in motion. This gave the colonial government reason to act in a manner that sought to divorce unionism and nationalism. The Smith regime was brutal and racist in nature; relatedly the government put a halt, among other things to African education grants. As a result, the relationship between ATA and government was strained. Responding to those developments, RATA under the stewardship of Cephass Msipa, became militant in its approach to the government, when advancing issues that pertained to teachers' salaries [10]. Since engaging in strike action was restricted by the government, ATA 'threatened' strikes and job actions as a revolutionary way to win success on its part. Nonetheless, even under such difficult circumstances, in 1962 ATA successfully bargained for a Unified African Teaching Service (UATS) and a uniform disciplinary board which became to be known as Unified African Teaching Service Disciplinary Committee (UATSDC). On a more positive note ATA was allocated a seat in the Disciplinary Board and this enhanced the organisation's chances of monitoring disciplinary procedures on African teachers [11].

It is important to note that during the pre-independence period RATA made lot of successes in relation to its mandate to represent African teachers. However, in as much as RATA made lot of successes, a comprehensive assessment of the trade union movement provides a contrasting verdict. Trade unionism in the colonial era failed to unite and confront the government with one voice. It was divided along ranks of profession and autonomy, race and colour. Efforts to amalgamate

unions in colonial Zimbabwe were explored in 1953 and they failed to produce desired results. The agenda was mainly affected by political differences and beliefs. More precisely from the late 1950s onwards the trade union movement became closely aligned to the nationalist movement, with ZAPU and ZANU being the two most dominant parties in African teacher trade unionism [10]. Tarugarira [12] propounds that there was hardly any distinction between a trade union and political movement, as the workers threw weight behind nationalist politicians.

CONCLUSION

The trade union movement in Zimbabwe has in many respects still to receive its rightful place as a special episode in the history of the country. The majority of the Zimbabwean population, including large subdivisions of wage earners, remain uninformed of the contribution made by trade unions to the nation's economic, social and political development. A historical approach is more sensible for one to understand the potency and level of success of trade unionism in Zimbabwe. The three organisations under review provide clear-cut case studies as they all operated both in the post-colonial and pre-independence periods. The issues of labour have been under scrutiny since the 16th century and it has always been the responsibility of unions to stand to their mandate and fight for workers' rights. However, it remains questionable and debatable on how much unions are prepared and dedicated to worker representation and participation.

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