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Classical Social Movements



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The Evolution of Trade Unionism and the Prospects for Alternatives to the Labour Question

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Introduction

The labour movement in Cameroon has a very rich and telling history. Pre- and post-independence Cameroon was characterised by a plurality of free and autonomous trade unions, particularly in the plantations (CDCWU) in West Cameroon and the union led by Ngom and Ruben Um Nyobe in East Cameroon, which was to become a political party known as the Union des Populations du Cameroun (UPC).

The immediate post-independence state of Cameroon, faced with the eagerness of these groups to occupy political space, thereby exceeding their original claims and objectives, adopted an attitude of repression through the emasculation of individual and group rights. This drive was prompted by the project of national unity and integration, which, according to post-colonial African leaders, was possible only under a one-party or authoritarian regime. The result was the kind of undemocratic and dictatorial regime which became fashionable all over the continent during the Cold War. Repression became the order of the day and all organisations, particularly labour movements, which had become critical of the state in its quest for development, were proscribed. This explains the genesis of the central labour movement known as the National Union of Cameroon Workers (NUCW), styled after the single party, the Cameroon National Union (CNU) and, later, the Cameroon Trade Union Congress (CTUC) under the Cameroon People's Democratic Movement (CPDM). Today, thanks to the re-emergence of multipartyism, the plurality of trade unions has returned (see also Founou-Tchuigoua and Kasanda 2002).

The purpose of this chapter is to examine the history of the labour movement in Cameroon and its impact on development. It is argued that the centralisation of the union movement and its eventual marriage with the one-party state did not augur well for its adherents in the quest for decent working conditions. I further argue that, instead of strengthening the state and reinforcing its capacity to be responsive to social interests, the link between state and labour movements rendered the political and social structures rather fragile and vulnerable, preparing the way for the collapse of the one-party state and the emergence of political pluralism as well as the resurgence of a new labour movement.

Furthermore, these groups, particularly vibrant in the early 1990s, witnessed a dramatic growth in number. Social unrest mounted with widespread protest against the state. The impetus behind the protest movements came from popular resistance to the Structural Adjustment Programme (SAP) to which Cameroon had subscribed and which affected all classes of workers as a result of the restructuring of state-owned companies. For example, the banking sector was hard hit and the privatisation of giant income-generating structures had a direct negative impact on the workers with the unions unable to protect them. The labour movement remained a lame dog. It lacked the necessary means to live up to the expectations of the workers in the face of a repressive government backed by capitalists for whose benefit SAPs were instituted.

Finally, although within a liberalised space, the trade union movement in Cameroon in the post- one party era is dwindling in importance and, given the growing unemployment rate, people are reverting to other forms of social organisation. These associations often maintain direct links to foreign capital to finance their objectives. The legal and institutional framework of social movements is marked by diversity and so one protest group under one denomination can easily be found under the umbrella of another.

The above notwithstanding, the trade union movement in Cameroon, as in other less democratic countries, is under government scrutiny. The present legal framework gives government the latitude to constrain all unions or associations which are not under its control, and even to outlaw some of them in case of alleged misdoing (Law No. 92/007: 1992, Decree No. 93/574: 1993, Decree No. 93/576: 1993, L. Kaptue 1994:64, Temngah 1995).

In this hostile legal environment, trade unions must still survive and protect their membership, and if necessary confront the state in the broader context of a globalised capitalism with the prevailing inequality where powerful economic and political giants are dominant (Temngah 2001, Kahn-Freund 1972).

The question to be answered is whether the trade union movement can play its role in the post-one party era. A question which is a corollary of the first is: under what legal conditions can trade unions function? If trade unions are failing to respond to the aspirations of their membership, what can be done in order to

strengthen them in Cameroon so as to enable them to meet the challenges of sustainable development within a context of globalisation?

The purpose of this chapter therefore is to explore the nature and potential of trade unions in Cameroon. Specifically, the research explores the role of the trade union movement in democratic transformation and alternative development strategies. In addition, we shall evaluate the scope, objectives and functioning as well as the attempt at democratic participation and genuine autonomous development. Another specific objective is to discover the forces that have sustained trade union movements and enabled them to foster links with other groups in the search for alternative forms of participation.

The adoption by the United Nations Organisation of the Universal Declaration of Human Rights in 1948 gave a boost to trade union movements by advocating freedom of association. The International Labour Organisation for its part followed up very closely by adopting two fundamental conventions in 1948 and 1949 on trade unionism, namely Convention No. 87 concerning the freedom of association and the protection of the right to organise trade unions, and Convention No. 98 dealing with the application of the principles of the right to organise and to bargain collectively.

These principles were recognised in Cameroon before and after independence and reunification. The preambles to each of the successive constitutions (Federal Republic, United Republic and finally that of the Republic of Cameroon) allude to these ideals. We will trace the history of the trade union movement in Cameroon as a background to the present situation. This history is closely tied to the political history of the country.

The Emasculation of Trade Unions in the Immediate Post-Independence Era

After independence, many African leaders set out to re-model trade unions to serve the dominant party, the regime and the all-powerful state structures along the lines of the Soviet model of state organisation. Thus, a new model of trade unionism – state-controlled unionism – was intended to replace the autonomous unions. The post-independence period was characterised by instability and internal wrangling within the unions in Francophone Cameroon. Although the unions heeded to the call to set up a single union at the service of the state, problems of diversity of ideologies and goals rendered any genuine attempt at unification very difficult. Some of the unions were radical and pro-Marxist. For example, the Conseil National des Syndicats du Cameroun was affiliated to the Czechoslovakia-based World Federation of Trade Unions (WFTU) which appeared to some as a spring-board for the spread of Marxism-Leninism doctrine in Cameroon (Temngah 1995:251). This reasoning led to a split within the ‘Conseil’. The Union Camerounaise (UC) took advantage of the conflict to intervene in its activities and launch an appeal for national trade union unity.

At the 1962 UC congress in Ebolowa the party appealed to all trade unions to fuse into one organisation. This appeal of the ruling party in East Cameroon affected trade union matters nationwide. The following year the FSC headed by Joseph Amougou and Jacques Ngom as Secretary General was created and expressed the desire to cooperate with the party and the government. This call was preceded by an earlier one to all parties to come together under a single political party.

As the internal squabbles continued unabated, the CDCWU remained autonomous, free and responsible. At the same time, the Southern Cameroons preserved the colonial trade union model inherited from the British. In the political blueprint of the ruling party in West Cameroon, the Kamerun National Democratic Party (KNDP), it was clear that it intended to subject unions to the partisan interests of the ruling party. Notwithstanding the position of the party on trade union unity, the party did not take any practical steps either to transform the unions into development partners, nor enter into any form of alliance with the various unions. The government had inherited the trade union model introduced during the trusteeship period that guaranteed trade union autonomy. However, there was always pressure from the government on the union leadership to join the party. The unions accepted collaboration with the party on condition that government would not interfere in trade union freedom or infringe on union autonomy. G. B. Fogam, the Secretary General of both the CDCWU and the West Cameroon Trade Union Congress, who had occupied a number of leading international functions both in the ILO and the ICFTU, had strong beliefs in the ideals of both institutions, making him an advocate of 'free but responsible trade unionism' and an opponent of state control over unions in Cameroon.

The KNDP government in West Cameroon stayed clear of any intervention in trade union matters and only supported moves to set up a Central Labour Organisation for West Cameroon. This move gave birth to the West Cameroon Trade Union Congress (WCTUC), independent of government. It never sought any alliance since its major preoccupation was the preservation of an autonomous trade union in West Cameroon.

While West Cameroon attempted to preserve trade union autonomy, the Cameroons under French Trusteeship was ready and willing to submit to state control, thereby sacrificing autonomy with the creation of an essentially state-controlled central trade union. This was achieved within a decade in the whole of Cameroon after independence.

The Movement towards the One-Party State and its Impact on the Development of Trade Unionism

President Ahidjo's 1962 appeal was repeated in Garoua in 1969 during the first congress of the Cameroon National Union (CNU) which he had set up in 1966, as a merger of the existing political parties from both federated states of West

and East Cameroon. At the time the CNU was established, a bill (Law no. 67/LF/6 of 12 June 1967) for the 1967 draft Labour Code was already before the Federal National Assembly for adoption. At this time, one can conveniently state that the Federal authorities used the 1967 Labour Code to control labour relations in the Federation. To further tighten the grip of the Federal authorities over the unions, the party appointed union leaders to top party positions while the President of the Confederal Bureau was a member of the Central Committee of the CNU. With this arrangement, the programmes of the unions were defined by the ruling party. In the Garoua first ordinary congress of the CNU Ahidjo spelt out the role of trade unions in the new dispensation and the relationship with the single party. He proceeded to invite trade unionists to settle their differences.

The Emergence of the National Union of Cameroon Workers (NUCW) as a State Controlled Entity

During the Garoua Congress, three central organisations (the FSC and USCC in East Cameroon and the WCTUC in West Cameroon) were more committed to the establishment of trade union unity than integrating trade unions into the party. Moreover, the USCC was against trade union unity since the Ebolowa appeal. The Secretary General of the WCTUC, who was invited, refused to sign a document accepting the appeal for unity on behalf of his union. He supported trade union unity; but wished to see an autonomous union which was free of government interference. The resistance notwithstanding, the WCTUC was to yield to the appeal, especially after numerous pressures from the government and party through the Labour Department. By 1971, all the unions had dissolved giving rise to the NUCW (National Union of Cameroon Workers) whose leadership was immediately co-opted into the ruling party. Its first President, Moïse Défith Satouglé, became a Central Committee member of the CNU.

The new Labour Code proceeded to declare all strikes illegal. This notwithstanding, illegal strikes took place, and it appeared to government that the Confederal Bureau of the NUCW was not adhering to the partnership. As a result, in August 1975 it was dissolved. However, the leadership of the NUCW – particularly its President Moïse Défith Satouglé – continued to defend the workers and not the government during strikes (Taa Ngwa 1975:4).

Impact on Development of Worker Interests

During the late-1970s the NUCW was forced to evolve into an arm of the one-party structure. This relationship stripped the union of any independent action. It could not undertake strike action. Under this arrangement, Cameroonian workers suffered injustice from both the government and their respective employers. Although S.3 of the Labour Code prohibited political activities by the unions, in 1990 union leaders could be seen marching alongside party men and women to warn against the dangers of a precipitated multi-partyism. This cohabitation led

to the loss of the right to work. All workers were automatically members of the NUCW and the party.

The relationship of the CTUC with the party made it difficult for the former to carry out any independent action in favour of its members. For example, when workers were laid off in major parastatal corporations in the name of structural adjustment, the relevant union failed to protest. Louis Sombès (in his 1990 May Day address) would be remembered in Cameroon for launching an indefinite nationwide strike on 28 November 1993. However, this strike was called off on 10 May 1994 following a Protocol Agreement signed between the state and the various trade unions by which the state promised to review its position vis-à-vis the grievances of the union. Since then, nothing has been done in advancing the interests of workers. The salary cuts of 1993 have not been reversed as requested by the striking workers. This inaction further led to a split within the union and the rise of independent trade union organisations and an assertion of trade union independence by the CCTU.

The dissolution of independent trade unions did a great disservice to the Cameroonian worker. First of all, the leadership of the union was appointed by the party (CNU and later CPDM) until very recently, when Salome Ntsogo launched the Confederation des Syndicats Libres du Cameroun (CSLC) during the first quarter of 1995. Once appointed, the leader became a member of the Central Committee of the ruling party with the result that the party's doctrine was passed down to the workers irrespective of their political preferences. By this arrangement, the workers had no possibility of questioning or controlling the manner in which their union was run, since they did not take part in electing their leader.

Secondly, the concept of tripartism, which is so dear to the ILO and central in all labour matters, was completely eroded through the cooptation of the union by the ruling party. Thirdly, the state ignored the role unions could play in nation building. Fourthly, the union's programmes, as well as its operation strategies, were regulated by the state. Lastly, although the unions were free to make their own rules, the latter had to be approved by the Ministry of Labour and Social Insurance. The single workers' union in the light of the developments above failed to carry out its duty of defending workers' rights after its subordination to and incorporation in the former one-party-state structure.

The Post-One-Party Era

The most important development during the period of political liberalisation was the emergence of several autonomous trade unions in the civil and public services, especially the educational sector (Konings 2003:465). This period was marked by state repression against these new unions which stood out against existing ones for their inaction in the defence of workers' interests. For example in 1994, Louis Sombès, one-time Secretary General of the CCTU, was forcibly removed from office and jailed. Within the educational sector, the pioneer President

of SYNES, Jongwane Dipoko, was attacked by unidentified armed men at his residence and had his fingers cut off. As if that was not enough, he and the Secretary General Isidore Noumba were tried by the Disciplinary Council of the University of Yaoundé and heavy sanctions were meted out to them, namely two years without pay (FUC 1997:34). Some organisations such as the Teachers' Association of Cameroon (TAC), which had met initial successes when its request for a General Certificate of Education (GCE) Board was finally granted, have since sunk into oblivion. In an open letter to the President of the Republic of Cameroon, the confederation of Anglophone Parents petitioned the Head of State on the GCE Crisis on 19 September 1993 calling on him to use his wide powers to stop this cultural genocide.

A chronology of some of the crises that rocked the CCTU during this period may be helpful in appraising trade unionism at this time. On 1 December 1997, Bakot Ndjock Emmanuel and Essiga Benoit emerged after the second ordinary congress of the CCTU held from 28 November to 1 December as President and Secretary General respectively. From the same congress emerged another bureau with Mbappe Ndoumbe Jacques and Louis Sombès as President and Secretary General. At this point a media battle between the two factions ensued. Two days after, both factions appeared at the headquarters in a bid to install their various bureaus. The first group attempted to break in and take control of the offices, the second were accompanied by a bailiff to assess the level of damage done by the first group.

This atmosphere within the leadership of the CCTU could not be helpful to its members. It instead weakened the union as each faction used all the measures to forestall the actions of the other. They then became entangled in a protracted legal and administrative battle for the control of the confederation. It must be mentioned straight away that the crisis was a fall-out of the 1995 elections led by Etame Ndedi and Louis Sombès. In the face of these happenings, both factions agreed to bury the hatchet by convening an extraordinary congress between 7 to 9 April 1999 which was later boycotted by the Sombès-led faction. After its boycott, the Sombès faction refused to recognise the election won by Benoit Essiga. The presence of representatives of the Kenya-based Pan African Trade Union Movement during the elections could not dissuade Sombès from dropping his claims to the leadership of the organisation. This is the picture of the post-one-party union movement in Cameroon. Another meeting was planned for 25-26 August 2000 at the conference centre in Yaoundé, but did not settle the leadership question. The absence of Louis Sombès on a union assignment in Kenya did not dissuade his following from laying claim to the leadership of the CCTU. On May Day 2000 Zambou Amougou, the leader of the CCTU, attributed the present imbroglio that exists between the trade unions to the 1993 salary cuts and then called for the restoration of workers' purchasing power to the level of the

salary index of 1992 for workers in the public sector and the level of 1988 for workers in the private sector.

In the educational sector there has been a protracted dispute between the Cameroon Teachers' Trade Union (CATTU) led by Simon Nkwenti Aziah and the authorities of the private lay educational sector. The dispute is linked to the economic situation in which teachers had to endure salary cuts followed by the immediate devaluation of the CFA in 1994 and the consequent loss of workers' rights.

The law now authorises independent trade unions, but some of these unions have very little means to pursue their objectives in a significant way. In this present context, the unions can be classified into two broad categories: those that are pro-government and those that are vocal and anti-government. Leadership also affiliates these unions with international trade unions only for the purpose of their personal gains and not for any lobbying or advocacy for its group interests. Though there has been a rise in the number of trade unions thanks to the 1990 'liberty laws', there has been a decline of working class militancy as workers are searching for alternative survival strategies. During this period the labour movement has been marked by schism rather than by unity. As these unions operate, already enfeebled by repression and the constant internal wrangling, they do so under the watchful eyes of state security. Notwithstanding the problems, the trade union movement has the organisational continuity, the experience, and the vocational capacity to express a consistent agenda (Adesina 2000:497).

Fragmentation of Trade Unions, Proliferation of Professional Associations and Decline of Trade Union Vitality

Following the return to multiparty democracy in 1990, two union leaders, C.P.N. Vewessee and Emmanuel Etame Ndedi, launched an appeal for the return to independent and free trade unions in Cameroon (Temngah 1995:281). The emergence of several independent trade unions in 1993 may herald a labour movement that is free and independent. The post-one-party period has been marked by the promulgation of laws on various freedoms and liberties in all domains of social life (associations, unions, private press, multiparty democracy, NGOs, etc.). Nevertheless, the autonomy and freedom of trade unions are far from assured. The powers-that-be fear the role that trade unions can play in an emerging democracy.

The spirit of the 1990s regarding trade union freedom has been enshrined in various legal instruments. These instruments have painted a very liberal picture of trade union activity in Cameroon. But it appears in the post-one-party era that the reality is that the state still aspires to control union activity. Convention no. 87 requires unions be set up freely without the need for any external pressure being placed on them. But in Cameroon, there is a de facto tutelage of the state over union activities. Despite the emergence of independent unions such as the Syndicate of Teachers of Higher Education (SYNES), the Syndicat National Autonome de

l'Enseignement Secondaire (SNAES), the Teachers' Association of Cameroon (TAC), the Cameroon Public Service Union (CAPSU) and l'Association Nationale Autonome des Chauffeurs d'Autobus, des Taxis et des Cars du Cameroun etc., there is a downward trend in union activities. Civil servants and the opposition parties have failed to assert themselves against government. The Anglophone community, through the Teachers' Association of Cameroon, the Confederation of Anglophone Parent-Teachers Associations (CAPTAC) and the churches, fought very hard to have an independent general certificate of education examinations Board granted to them in 1993, but have done little to consolidate this victory. Since 1990, journalists of the private press have been victims of the selective application of a repressive press law; yet they have been unable to organise themselves into a strong union capable of defending and promoting their interests. What today passes for a Union of Cameroonian Journalists is unrecognised by many journalists (including an impressive number of veterans). It lost credibility when its president Amadou Vamoulke became a member of the ruling CPDM party central committee and recently was later appointed as General Manager of the state audio-visual media corporation, CRTV. Teachers, tutors and university lecturers are similarly disorganised, preferring to go in for sinecures rather than fight for professional interests. In general, attempts to empower civil society have yielded little fruit. This is true regardless of which aspect of society we look at (Nyamnjoh 1999:104).

Although there are signs that the 1990 Law on Associations and the 1992 Labour Code paved the way for the revitalisation of union activities, there has been a decline in union growth in the country as a whole. The Cotonou Agreement of the ACP-EU has placed emphasis on the role trade unions can play in national development. The employment programme of the ILO recommends employment as socially beneficial in terms of the production of goods and services which, in turn, generate income. It calls for the establishment of specific programmes in the interest of workers. The attitude of the state in the post-one-party era reflects a colonial mentality which was once expressed by Tom Mboya, the prominent Kenyan unionist turned minister, as follows: private wars between labour and management cannot be permitted in poor developing countries. According to this logic, the cost of strikes may be bearable to labour and management but the social costs are unbearable. Following this logic all governments have placed restrictions on trade union freedom. The post-1990 laws seem to have been concerned more with protecting the old regime than with the furtherance of democracy and the strengthening of worker freedoms and rights.

The Role of the Administration

Trade unions are not allowed to operate if they have not obtained their certificate of registration from the Registrar of trade unions. In terms of article 6(1) of the 1992 Labour Code, anyone who violates this provision runs the risk of criminal

sanctions. Under article 11(1) of the same Code, the Registrar of trade unions has a period of one month to issue this certificate of registration, failing which state acquiescence in the existence of the union is assumed. This apparently liberal provision does not apply in practice since the administration will usually not issue an acknowledgement receipt of the application. In addition, applications for trade union registration have to take cognisance of a range of other laws. Why not put all the laws in one code or piece of legislation so as to avoid confusion and misinterpretation? It would seem here that the administration retains the monopoly of interpreting the laws, which it often does in its favour.

A Weak and Dependent Judiciary

Judicial review of administrative acts usually follows the letter and not the spirit of the law. The result is the supremacy of the legislature as the judiciary fails to assert an independent stance in interpreting the law. The judiciary is highly dependent on the executive which restricts its latitude to act.

Conclusion

Trade unionism during the post-one-party era has dwindled and the unemployment crisis and structural adjustment programmes have weakened the unions. The existence of independent trade unions on paper is a only a token sign that associational life is flourishing in Cameroon since the 1990s. Unfortunately, the practice regarding trade union matters is far from being liberal. The laws on freedom of association and on trade unions still contain clauses that undermine real trade union autonomy. In trade union matters, much has to be done and only proper consultation between the various stakeholders with a view to producing truly and genuinely acceptable liberal laws on the matter seems a viable solution. Under the colonial governments, restrictions were not placed on trade unions, but today, ambiguous laws and the personal ambitions of union leaders seeking lucrative appointments override general interests, leading to continuing trade union weakness.

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