

The Role of Trade Unions in Community Development in Kenya

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INTRODUCTION

Community development is the broad term used to refer to the practices and academic disciplines of civic leaders, citizens, activists and professionals involved in efforts to improve various aspects of life of the local community (Ledwith, 2011). The major aim of community development is to empower individuals and groups of people by providing them with the skills that they need to effect change in their own community. Community development can therefore be defined as a set of values and practices geared towards overcoming poverty to the disadvantaged group, knitting society together at the grassroots as well as deepening democracy (Ledwith, 2011).

A trade union on the other hand refers to an organization of workers, who come together to achieve common goals such as protecting the integrity of trade, achieving higher pay, better working conditions among other welfare requirements. A trade union is also part of the wider civil society movement, which is separate from governmental institutions.

Scholars such as (Rogers 1975; Moemeka 1987; Pye 1963; Alila and Omosa 1997), have argued that if a country is to achieve sustainable development, every person or groups of persons must play their respective roles in community development. Further, there is the argument that because a nation is made up of local societies, any development gains made at this level depend on the roles played by society, or participation in development.

All governments always have a reason to try to restrict the activities of trade unions through various means they deem fit. But it is notable that the degree of restriction as well as the manner or form it takes varies widely from one nation to another. One of the major factors that determine the kind of restriction that is placed on trade unions by a nation is the level of economic development the country has attained. This confirms that there is a misperception by individuals and governments that strong trade union movements will but only retard the economic growth of developing countries and therefore severe controls should be placed upon wages, freedom to organize, the right to strike and the use of collective bargaining if a nation is to develop. Proponents of such arguments forget that there are positive effects and a lot of benefits that accrue to the society if trade unions are allowed to operate and carry out their activities without interference from any quarter (Kipchumba et al, 2010). This is because, trade unions may assist in the formation of a stable and effective labour force that will not only result in businesses being stable but also leads to economic growth of a nation thereby alleviating poverty in the society. However, it is also notable that even the proponents of this point of view do not propagate the total absence of restriction on trade unions. Therefore, the degree and form of restriction that should be placed upon unions in developing countries like Kenya still remains unresolved.

Given that trade unions are an important part of civil society; their role in ensuring that local communities are not left behind in terms of development is inimical. This chapter therefore explores the challenges that Kenyan communities have been facing ranging from poverty, gender in-equity, youth unemployment, poor working conditions and environmental hazards and suggests that organizing society through trade

unions may assist in addressing the ills in society and also address other community development issues. The roles that trade unions can play in HIV/AIDS awareness, creation of democratic space, reduction of unemployment through change of perception on self-employment, new ventures and infrastructure development, are discussed at length in this chapter and a summary of how these can contribute to the development of a nation provided.

THE HISTORY OF TRADE UNIONS IN KENYA

The trade union movement in Kenya, which has become a significant feature of our country's politics and development space, was born out of social, political and economic striving. Ever since, trade unions have evolved through turbulent situations that were created mainly by the colonial government. This was a deliberate move by the colonialist government to defuse a strongly organized trade union of the workers. The colonial government not only felt insecure but also believed that if trade unions were allowed to thrive; the economy and growth would be retarded. However, in 1937, Britain change her labour policies in relation to her colonies, resulting in the enactment of the 1937 trade unions' ordinance that stipulated the conditions under which Africans could organize themselves into trade unions. As a result of the publication of the above ordinance, the registrar of trade unions in Kenya registered three unions: Labour Trade Union of East Africa; East African Standard Union; and, East African Standard Staff Union. In 1940, the trade union movement in Kenya recorded major progress as a result of an amendment to the 1937 ordinance, allowing for registration of three more trade unions.

After the Second World War, the political tempo began to rise in Kenya, indeed, one consequence of post war dissatisfaction with urban working conditions and wages was the rapid rise of African trade unions (Savage 1967). In January 1947, Chege Kibachia successfully organized a Dockers strike in Mombasa, he went on to form an African workers federation which soon extended operations in Nairobi and other highland towns and encouraged workers to take militant action. An attempt by the federation to organize a general strike in Nairobi failed possibly because it lacked the support of African politicians.

As the situation continued to grow tense, Makhan Singh seized the opportunity and organized an Asian Railway Trade Union and openly associated openly with Africans despite the existence of cooler bar and racial discrimination. Kibachia's federation was replaced by the east African Trades Union Congress founded by Fred Kubai and Makhan Singh. The union was denied registration and in retaliation declared a general strike which was only partially successful in Nairobi, for a week. Singh and Kubai were arrested and Makhan deported. By 1952, several unions and their leaders had become closely involved in the activities of the Kenya African Union which strongly agitated for the return of African land, better wages and conditions and terms of service in industry. This is not surprising and points to the link that exists in a nation seeking independence as a result of social/economic conditions in the towns. it was also a sign that trade unions in Africa had come of age and could not be divided along the racial and ethnic lines. The trade unions formed included Nairobi Taxmen Union and General Maskini (Poor People's) Union.

Prior to the formation of the Central Organisation of Trade Unions COTU (K) in 1965, there was a major disagreement among the labour movement members. A splinter group unsuccessfully tried to form the Kenya Trade Union Congress .This split continued until late after independence when the government was forced to intervene by appointing a Presidential Ministerial Committee to look into the matter with a view of resolving the dispute. This meant that COTU became the umbrella body for trade unions in Kenya, a role it maintains to date.

DIFFERENT FORMS OF UNIONISM

It is imperative that before an analysis of the role of trade unions in development is carried out that we interrogate the nature of trade unions and how this influences the role they play in society be made. This

is because; understanding the natures of trade unions will go a long way in explaining succinctly, the role that these organizations play in the society.

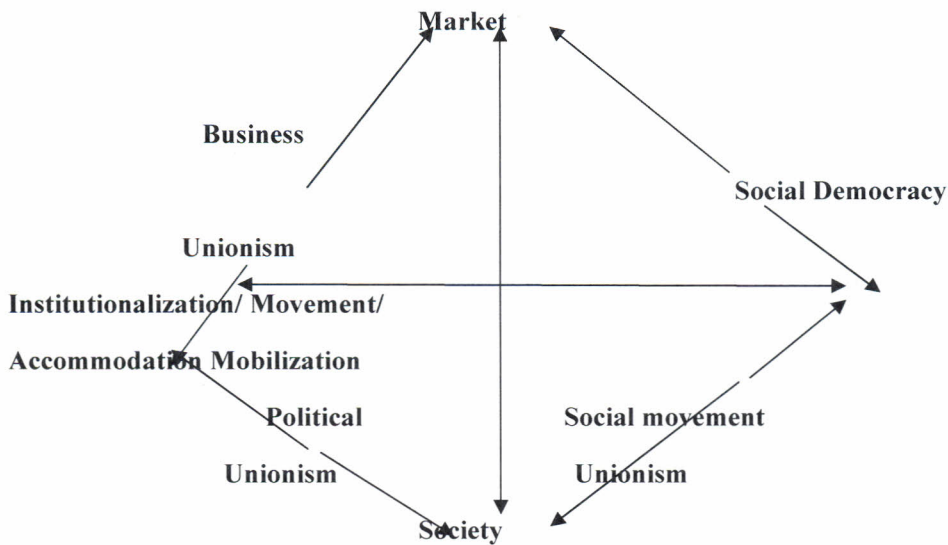
It is notable that trade unions are not homogenous or static organizations. Hyman (2001) argues that there are different models of trade unions. He classifies trade unions into three models based on ideological orientation and formation. These models are business unionism (market focus), radical unionism (class focus) and social movements (society focus). According to Hyman, these three models form part of what he refers to as ‘the geometry of trade unionism’. He further explains that these three models of unionism are not isolated and absolute, but tend to coexist with each other. That is to say that most unions have characteristics of two of the three models, with one being more predominant than the others.

Webster (2007) on the other hand, belongs to the school of thought that argues that there exist different dimensions of trade unions. This view is based on the notion that trade unions are a particular form of social movement that ‘contains progressive and accommodating dimensions’. This view therefore posits that there exist four dimensions of trade unions: market, society, institutionalization, and movement/mobilization. This school of thought explains that trade unions are social movements rooted in the realities of the interface between market and society, and the variants thereof. This is pegged on the idea that the formation of most trade unions springs from the pioneers mobilizing members who are part of the society, hence all unions start as social movements.

Within this matrix, tension is always present between the market and society and between mobilization and institutionalization. Within these four dimensions, one can discern three different forms of trade unions: business unionism (market focus), radical unionism (class focus) and social movements (society focus). In the case of Kenya, before independence in 1963, trade unions adopted the social movements dimension given that they were embedded in society and involved in mobilization. It is only much later, after independence, that trade unions in Kenya were institutionalized.

Fig 1 summarizes the different forms of trade unionism. One can conclude from the figure that trade unions are actually social movements that became institutionalized; their role is to mobilize groups in the society against the market or the economic sphere.

Fig 1. The forms of trade unionism



In the section following, we discuss the role played by trade unions in developing society and enhancing the standards of living.

DECENT WORK PROGRAMME(DWP)

The overall goal of trade unions world wide is to promote decent work for women and men in their work stations. This means a better pay, good working conditions. With this view in mind, the International Labor Organization (ILO), in collaboration with trade unions in Kenya developed the decent work programme. This programme has four basic elements that dovetail into the pledges in the Millennium Declaration

The DWP is hinged on the following pillars: Employment is the principle route out of poverty, it can be achieved through productive work and income; Rights – without rights, citizens cannot be empowered to escape from poverty; Protection – social protection safeguards income and underpins health; Dialogue – the participation of employers’ and workers’ organizations in shaping government policy for poverty reduction ensures that it is appropriate and sustainable.

The interventions that the DWP is meant to make have been aligned with the National Poverty Reduction Strategy Paper (PRSP); the Economic Recovery Strategy for Wealth and Employment Creation, and the Kenya Vision 2030. These documents outline how Kenya can develop into a globally competitive and prosperous nation with a high quality of life for a majority of the citizens. Vision 2030 has been anchored on three pillars: Economic – sustainable economic growth of 10 per cent per year; Social – a just and cohesive society; Political – an issue based, people-oriented, result-oriented democratic political system.

Table 1: Summary of the Kenya Decent Work Programme (DWP)

Serial	DWK Priorities	Expected outcomes
1.	Youth empowerment, youth employment and elimination of child labor, particularly in its worst form	<ol style="list-style-type: none"> 1. Creation of employment opportunities for the youth. 2. Development of integrated HRD strategy. 3. Elimination of the WFCL. 4. Improved security and elimination of the use of drugs and harmful substances. 5. Young women’s and men’s entrepreneurial skills for self employment and SME activities enhanced/increased

2.	Fight against HIV/AIDS at the work place and expansion of social protection	<ol style="list-style-type: none"> 1. Increased access to social protection for the workers, including those in the informal economy. 2. Decreased HIV/AIDS prevalence at the work place. 3. Sector policies and legislation that address HIV/AIDS at the work place in accordance with ILO
3.	Expanding and strengthening of the principle of inclusion for enhanced influence of tripartite partners in the national and international framework	<ol style="list-style-type: none"> 1 Enhanced capacity of social partners to participate in the national and international policy forums 2. Enhanced labor relations & industrial peace

Table I summarizes the DWP Programme. From the table, one notes that youth employment is a crucial element for economic stability and growth, indeed, nearly half of Kenya's population is below the age of 15. This means that the nation will have a very large youth population in the next ten years. Currently the youth constitute about 60 per cent of the total Kenyan labour force. Kenya's economic growth however has not been strong and robust enough to absorb the youth, this is made complex by the fact that about 500,000 new entrants are registered annually in the labour market. Therefore, the core problem facing the youth is unemployment, underemployment and vulnerability, including a lack of voice in decision making bodies.

The Central Organisation of Trade Unions (COTU) (K) in collaboration with the International Labor Organization (ILO), United Nations and the World Bank, organized a Youth Employment Network (YEN) summit in 2006. This summit addressed unemployment, especially among the youth, and suggested solutions to youth unemployment through: capacity building, entrepreneurial culture, building trade capacities, attracting foreign direct investment (FDI) as well as eco-entrepreneurship. Trade unions in Kenya also played a major role in the establishment of the Ministry of Youth Affairs, as the institution that would reach out to the youth at community level in order to empower them in various ways. Through this ministry, trade unions have leveraged funds for women and youth.

Trade unions have also played a role in the development of a National Youth Policy as well as the National Employment Policy and Strategy to promote access to decent, productive and sustainable work for the youth. The policies aim at mainstreaming and integrating youth issues in development. The policy places emphasis on a number of strategies including inculcating a new attitude among youths towards self-employment, providing employment counseling and career guidance, establishing labour market systems that strengthen the collection and dissemination of labour market information relevant for youth to access skills, jobs, resources and markets, and to strengthen district employment offices.

In order to implement the youth related policies mentioned above, COTU and its affiliates, in collaboration with the Federation of Kenyan Employer (FKE) and the government, carries out workshops and trainings to enlighten the youth on the opportunities available for them as well as empowering them with the skills necessary for self employment. This has been made possible by the assistance given to the local trade unions by ILO through technical advice and capacity building. ILO through local trade unions supports employment and labour market research that focuses on the linkages between youth

employment, child labour, HIV/aids and poverty reduction and support the dissemination and awareness of research results.

At community levels, trade unions in collaboration with ILO are implementing a number of programmes that will increase access of the youth to credits, savings and credit. Promotion of environmental education in workplaces, schools and communities; Economic empowerment through workers saving and credit cooperative societies; and, Strengthening of occupational safety and hygiene in work places.

HIV/AIDS

Even though HIV/AIDS was declared a national disaster in 1999 by the Kenyan government, its spread continues unabated. (National Disaster Strategy,1999).The pandemic has had immense social and economic impacts, and may have had a potential effect on political stability, a trend that has been unabated and must be addressed by leaders and institutions at all levels. The rapid spread of HIV/AIDS has posed great health problems and consequently had damaging macro-economic consequences in terms of falling labour productivity, loss of experienced workers and reduced savings.

This impact has also been felt at the micro-economic level where the reduced productivity of the labour force of firms has led to reduced profitability of the firm and thereby lowered the living standards of the employees as a result of reduction of their wages. The implication here is that reduced economic growth consequently lowers the living standards of the Kenya citizens. HIV/AIDS also has a hand in reduced life expectancy. This therefore becomes a threat to Kenya's economic recovery programme.

In spite of the above challenges, trade unions in Kenya played a major role in the formulation of the National Strategic Plan on HIV/AIDS. This plan, strives to reduce prevalence levels of the pandemic disease through prevention and advocacy, managing work place programmes amongst others as well as mitigating the social and economic impact. In the same breath, the trade unions in Kenya played a role in convincing the government to ratify the ILO core Convention No. 111 (on discrimination) and Convention no 100 (on equal remuneration), and thus has added impetus to the initiatives of the unions in mitigating the impact of the disease at the work place. It is clear that trade unions can play a major role in government policy formulation particularly on issues that affect the day to day life of the average citizen.

Trade unions have used the strategy of the work place, which is a community of adults and often a social base, as the ideal setting for a range of prevention efforts including information on HIV transmission, education for behavior change and practical measures such as condom distribution. Trade unions have concentrated their efforts on education and training members through workshops and the provision of relevant materials. The cohort that is trained is then expected to relay and share the information with their colleagues at their work stations and the organization at large. COTU has up scaled its advocacy on respect for the fundamental rights and principles of workers infected and affected by HIV/AIDS. ILO, in collaboration with COTU (K), provides capacity building to public and private sector institutions/bodies in developing programmes to combat HIV/AIDS at the work-place based on the ILO Code of Practice.

HEALTH AND SAFETY

The work place is one setting that affects the mental, physical, economic and social well-being of workers and in turn the health of their families, communities and society at large. The work place is the ideal setting and infrastructure for supporting the promotion of the health and safety of a large audience. Although the health of a worker can be affected by non-work-related factors, it is important that the workers knowledge and skills concerning the work environment are improved. This is because, improving their knowledge and skills to manage health and safety standards, and by establishing an environment that

is conducive to health within and outside the respective work place, the workers, their families, and community benefit. Promoting health and safety in the work place can also bring about positive changes and attitudes in workers to support the overall success of the organization; indeed, there is a correlation between success in an increasingly globalised market place and a healthy, qualified and motivated work force. A health-promoting work place can also ensure a flexible and dynamic balance between customer expectations and organizational targets on the other hand, and employee skills and health needs on the other, which is an essential and desirable combination for work organizations if they are to compete successfully in a modern world.

For a nation, the development of health promoting work place is a prerequisite for sustainable social and economic development. Trade unions in Kenya have played a major role in fighting for the improvement of the working environment of the workers and ensuring health and safety standards. They have achieved this by pushing for training of workers on occupational health and safety. Trade unions have also ensured that employers provide health kits for the workers who may be working in risky environments such as construction sites. Such gestures ensure that employers do not compromise on workers health and safety.

INCREASE OF DEMOCRATIC SPACE

Democracy has been viewed by both scholars and politicians as one of the ingredients for development. This is because it allows for inclusion and participation of all the members of a society in the formulation of policy and implementation. This means that with more democratic space, all the members of the society have a chance to make their contribution to the issues of development that in one way or the other affect their lives. Trade unions and civil societies in Kenya have been at the forefront in championing for increased democratic space and the participation of workers in the formulation and implementation of development policies. Trade unions in Kenya substantially participated in the constitution making process that led to the promulgation of the new constitution in 2010.

Trade unions, through COTU (K), have also been very vocal in the fight against corruption. They continue to organize workshops and rallies to educate Kenyans on corruption in their quest to get rid of corrupt elements in government and in industry. They have also continued to urge Kenyans to exercise their civic rights by electing the leaders who are development conscious, in order that the living standards of the common man are improved.

INFRASTRUCTURE DEVELOPMENT

Kenya Vision 2030 places emphasis on infrastructure development, for accelerating economic growth. Building schools, health centers and other social amenities is viewed as critical to development in Kenya and in uplifting the living standards of local communities. This is because children and the youth will be able to go to schools and increase their chances of prospering in life. Provision of health services will go along way in contributing towards a healthy labour force thereby increasing a society's productivity. Kenya National Union of Teachers has been in the forefront advocating for increase in the number of primary and secondary schools. KNUT has partnered with both the government and non-governmental organization in building new schools. It has also had a hand in influencing the leadership at constituency level in building of school through constituency development fund.

Trade unions have a major role to play in sustainable development and participatory democracy. Trade unions as a large organized group in civil society can bring a unique contribution to the development community. They are directly involved with economic systems of production and distribution. This means that they can influence the course and content of employment and social and economic policies; they are representative and accountable; they have extensive experience in organizing the more vulnerable

sections of society; and they have the experience and standing required to access national legal systems and public facilities. They can therefore contribute through their long-standing relationships with such development institutions as: consumer co-operatives, housing societies, health funds and social security organizations.

CHALLENGES THAT INHIBIT TRADE UNIONS FROM ADDRESSING REAL TIME ISSUES

Trade unions were and are established to protect the working life of workers so that they may in turn benefit the people around them. Currently trade unions are facing varied challenges that may weaken the unions. Some of the problems being faced by trade unions in Kenya include:

Challenges of globalization - over the last two decades, there has been a growing interest in trade unionism. The growth in democracy witnessed in Kenya after the repeal of section 2a in 1990, has been the water shed in the growth and acceptance of the trade union movement. In other words, liberalization in the government and economic sector has in turn triggered the growth of both actors and workers in the sector to tap into the fortunes of a growing movement. The result of the growth in the number of trade unions and trade union activity has shifted concern from one of freedom to organize and democracy to, one of a responsible and professional worker. The growth and to some extent freedom of the trade union movement is not in doubt, it behooves the focus to shift to issues of quality of life and responsible workmanship.

Revolution in production technologies and new management styles- the liberalization of the markets in much of the third world triggered a revolution in production technologies and new management styles. Implied in the move was increase in retrenchment, replacement of workers with new machinery, and reduction in worker force sizes. The new management style emphasized white collar perks and blue collar minimum wages, skills and attitudes. Obviously this has been viewed as a throwback to slave labor of the kind that built western industrialized nations, and the brutality that provided the infrastructure for development. The trade unionist faces divided loyalties in the task of advocacy for the workers while trying to balance his midshipman role of a watch dog, the obligation to remain vigilant against corruption and abuse of power even if it is practiced by the worker, becomes a dilemma.

Splintering- liberalization of the markets also triggered the growth of activism, by unions. It would seem that growing number of workers and the freedom to associate trigger the growth in the number of unions. One of the outcomes of the growth of trade unions is splintering. Examples of such splintering includes KNUT and KUPPET, or UASU, UNTESU and Kudheihia in public universities, all claiming to legitimately safeguard the interests of workers, and which would seem to be a major challenge inhibiting unions from playing an immediate role of the mutual interests of workers.

Changing mentality- trade unionism is rife with a belief in philanthropic and benevolent help from outside the union. This is historical, given that at one time the trade union movement in Kenya received help from the western block especially during the cold war. But there is always a price to pay for nothing is given free. People in the third world, owing to misguided propaganda and wrong perceptions believe that massive assistance will come from the advanced nations. Trade unions are not spared the mentality which often is a charade by politicians trying to fulfill their selfish agendas under the canopy of providing unions with aid in return for votes. There is need to change the mentality and end the ensuing divided loyalty to the west, which more often than not is the owner of capital.

Mismanagement of funds-this is always a major challenge, it is always assumed that given the large numbers of workers and the subscription demanded of each worker, the fines levied, and the leveraging of funds from donors, and even government, that the trade union movement has a lot of money at its

disposal. But the case is that the leaders seem to have exploited the workers by using the funds to enrich themselves and live well. There would seem to be mismanagement of funds that could actually be used to train workers, provide retirement benefits and other benefits to workers. Without funds, the trade union movement cannot urgently fulfill the task of being a watchdog and actually raising the levels of quality of the lives of workers.,

Lack of innovation and visionary leadership- the trade union movement seems to be managed by a few leaders who at the basic level are not innovative and entrepreneurial on behalf of the workers. There is need for the trade union movement to select better visionary leaders and think tanks, other than merely agitators and politicians who want to use the union as a stepping stone to national office. Developing countries need unions that are industrious enough to look beyond the promises made by the market, curious enough to find local sources of expertise, and brave enough to present home grown solutions to the pressing development problems of workers. Implied here is that what the trade union movement requires is not just telling the truth but rather a movement that attempts to propel the society forward in the three important dimensions of development: economic, social and political.

Most unions are grappling with the democratization of social and political arena besides government interference.

CONCLUSION

Trade unions are associations of employees and their main objective is to represent the employees' interests to the employers. A well functioning and respected trade union movement is often a good indicator of democracy and standards of human rights in a society. Besides playing a role in the fight for better working conditions, trade unions have had (and continue to have) a key role in the building of social movements and developing social change through alleviating poverty as well as improve the living standards in the society in general. The role of trade unions has been varied, in some countries, where fascist and communist regimes were in place, trade unions were overtaken or created by state authorities and the political elite and turned into a tool for their oppressive regimes. As a result of this historical reality, many people are skeptical of the role that trade unions can play, and only lately have the workers from these countries started to recognize the positive role of trade unions in the fight to protect their rights. Other differences exist across Europe, especially regarding the role and organization of trade unions.

In Kenya, trade unions have not only been in the fore front fighting for better pay, good working conditions, reasonable working hours and good social protection programmes but have also been fighting for increased democratic participation by the citizens in the management of government institutions and the policy making processes. They are also credited for their relentless fight against corruption and corrupt individuals. They have also played a major role in pushing the government of Kenya to develop infrastructure such as schools, roads hospitals and government institutions among others.

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