

TRADE UNION EDUCATION MANUAL

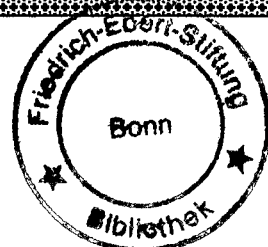
UNIONS NEED DEMOCRACY

JOINT COLLABORATION OF :

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FOREWORD

This booklet is the product of a joint effort undertaken by trade union educators belonging to different unions and labour education centres from India, Pakistan and Bangladesh.

The idea to write collectively a series of basic trade union education manuals was conceived at a workshop on trade union education materials which was organised by the Institute for Miners' and Metalworkers' Education(IMME) and the Friedrich Ebert Foundation in November 1991. This workshop reviewed the existing educational materials, and after identifying the educational needs of trade unions in the coming years, decided to constitute a working group which was given the task to prepare manuals on 3 priority topics, namely; "trade union unity", "trade union democracy" and "workers and new technology".

Representing different organisations and professing varying political ideas, the members of the working group did not **always** agree on all matters. However, through serious and open discussions, it was **possible** to arrive at a better understanding of each other's position and to **evolve** a consensus on all fundamental aspects. Thus, the process of preparation of the manuals was in itself a successful example of trade union cooperation proving that "unity in diversity" must not remain an empty slogan.

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I. THEORETICAL ASPECTS OF TRADE UNION DEMOCRACY

The term democracy is not strange to the people and workers here in the South Asian region. It is, however, a fact that it is mostly used in the form of rhetoric and idle conversation. Therefore, it is necessary to elaborate on the evolution of the concept of democracy itself here.

1. What is Democracy ?

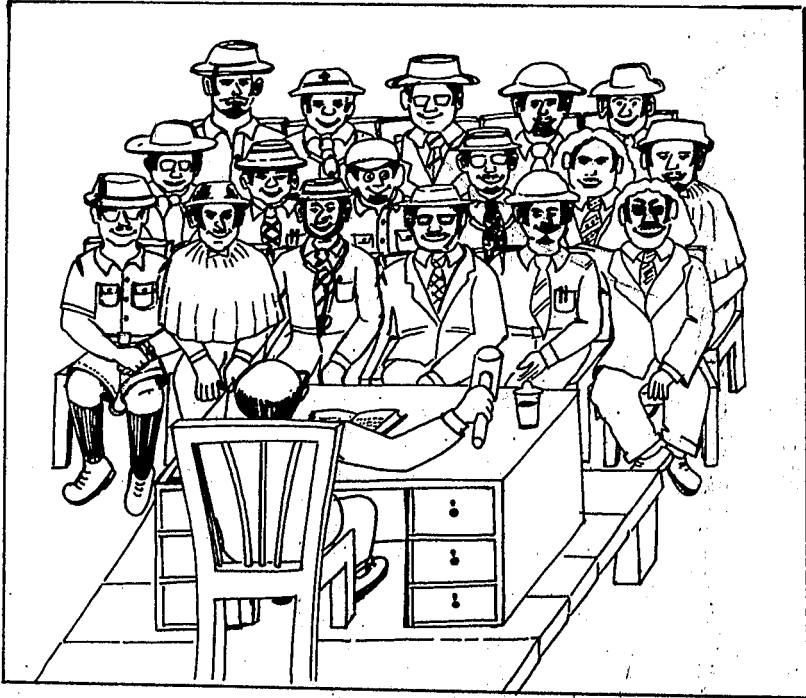
The Origin :

In different periods of history, there have been different definitions of democracy. Literally, democracy means "rule of the people". The origin of the term lies in the Greek words "demos" meaning peoples and "kratis" meaning rule.

Modern democratic conceptualisation was shaped, to a large extent, by ideas and institutions of medieval Europe, notably the concept of divine, natural and customary laws as a restraint on the exercise of powers and the practice by which kings sought approval of their policies. These included the right to levy taxes by consulting the different "estates" or group interests in the kingdom. The gatherings of the representatives of these interests were the origin of modern parliaments and legislative assemblies. Contributing to their emergence were profound intellectual and social developments, notably the emergence of the concepts of natural rights and political equality during the Enlightenment period and the French and the American Revolutions of 1776 and 1789 respectively.

Definition :

The term democracy has several different senses in contemporary usages and practice. It may have one of the several forms of democracy mentioned below :

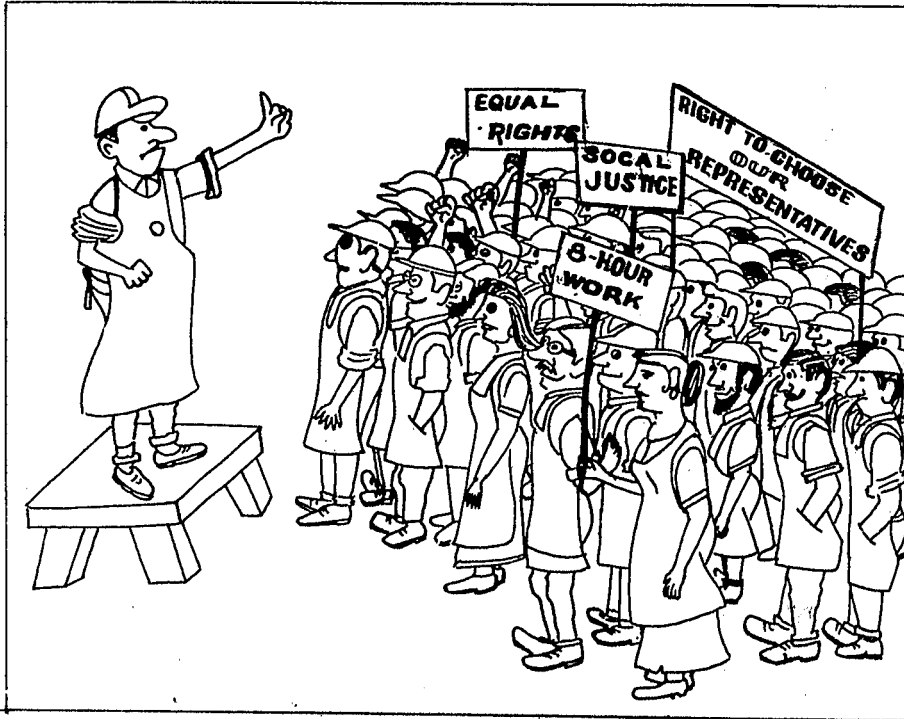


- a. A form of government in which the right to make political decisions is exercised directly by the whole body of citizens acting under the procedure of majority rule, usually known as **direct democracy**.
- b. A form of government in which the citizens exercise the same right not in person but through representatives chosen by and responsible to them, known as **representative democracy**.
- c. A form of government, usually a representative democracy, in which the powers of the majority are exercised within the framework of constitutional provisions designed to guarantee all citizens the enjoyment of certain individual and collective rights, such as freedom of speech and expression, known as **liberal or constitutional democracy**.
- d. Any political or social system that tends to minimise social and economic differences, especially those arising out of unequal distribution of private property, known as **social and economic democracy**.

Another view describes democracy as generally the promotion of political, social and economic emancipation of the people, more particularly of those who depend upon their own exertions by hand or by brain for their means of life.

After the introduction of the democratic process in Britain, in the initial stage, it was meant only for the propertied class, tax payers etc. It was the political movement of the working class in England, known as Chartists, which demanded reform in the existing democratic pattern.

This movement, which was spread over a 20 years period (1828-1848), demanded a right of vote for every adult who had completed 21 years of age and is generally described as **universal suffrage**. It demanded annual parliaments with an intention of frequent participation of the people in elections to parliaments so that the process contributed to a better understanding of democracy by the people. Since one house of the British Parliament was reserved for lords and the other house was practically occupied by business and other privileged groups, the



Chartists demanded equal representation of all social classes.

As it was a movement spread over a long period, it represented more than one petition. The Chartists made the following six demands with a view to broaden the connotation of the term "democracy" :

1. Universal suffrage
2. Annual parliaments
3. Equal representation
4. Payment of members
5. Vote by secret ballot
6. No property qualifications

Practically, democracy means a transfer of power from the particular to the general, from the centre to the primary units and from the leadership to the followers at all levels of the State and the society.

There were several agitations of the workers for democratic rights which led to clashes. In these clashes, many workers lost their lives. Therefore, in the 20th Century, Charters and Covenants were constituted to guarantee certain democratic rights and to avoid any more tragedies. These Charters and Covenants are generally known as the basis of human rights.

Modern Day Concepts :

Today, the rights of the people are defined in different articles of the Universal Declaration of Human Rights (UDHR) as well as in the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The United Nations Charter has also included the theme of these rights in its preamble.

The Charter further says that the purpose of United Nations is to :

“achieve international cooperation in solving international problems of economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for

THE UN CHARTER

The Preamble to the United Nations Charter expresses the ideals and the common aims of all the peoples whose Governments joined together to form the United Nations:

We the peoples of the United Nations determined

TO SAVE succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

TO REAFFIRM faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

TO ESTABLISH conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

TO PROMOTE social progress and better standards of life in larger freedom,

And for these ends

TO PRACTICE tolerance and live together in peace with one another as good neighbours, and

TO UNITE our strength to maintain international peace and security, and

TO ENSURE, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

TO EMPLOY international machinery for the promotion of the economic and social advancement of all peoples,

Have resolved to combine our efforts to accomplish these aims.

The purposes of the United Nations are:

TO MAINTAIN international peace and security;

TO DEVELOP friendly relations among nations;

TO CO-OPERATE internationally in solving international economic, social, cultural and humanitarian problems and in promoting respect for human rights and fundamental freedoms;

TO BE A CENTRE for harmonizing the actions of nations in attaining these common ends.

•••••

fundamental freedoms for all without distinction as to race, sex, language or religion". (Article 1 & 3)

Article 55 (c) undertakes to promote :

"universal respect for, and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion".

The rights of workers are spelt out in UDHR, declaring that :

"everyone without distinction has the right to work, to equal pay for equal work". (This calls for equality for women workers; Article 23:2)

"everyone who work ; has the right to just and favourable remuneration in insuring for himself and his family an existence worthy of human dignity and supplemented, if necessary, by other means of social protection". (Article 23:3)

"Everyone has the right to form and join trade unions for the protection of his interests". (Art. 23:4)

The ICCPR Article 22 states that :

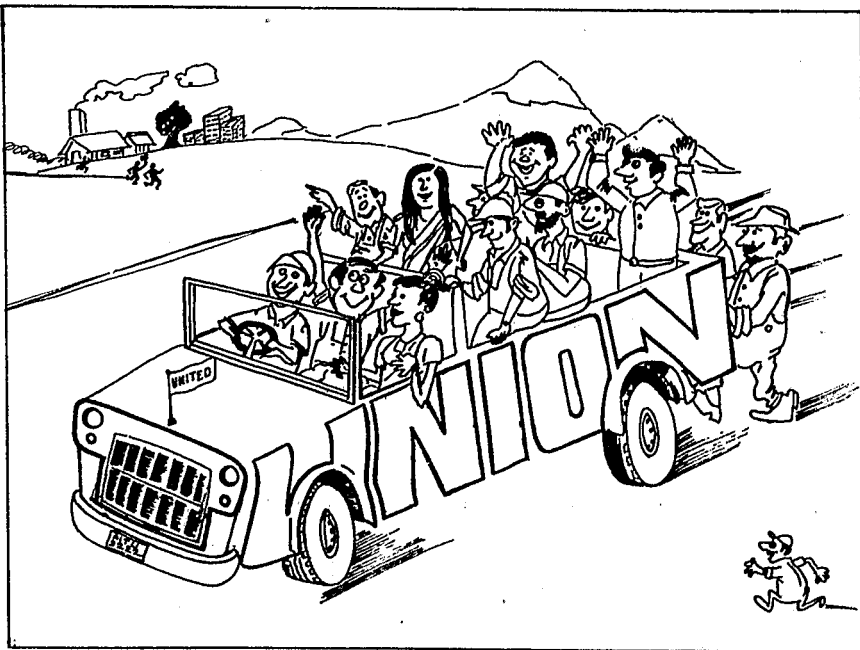
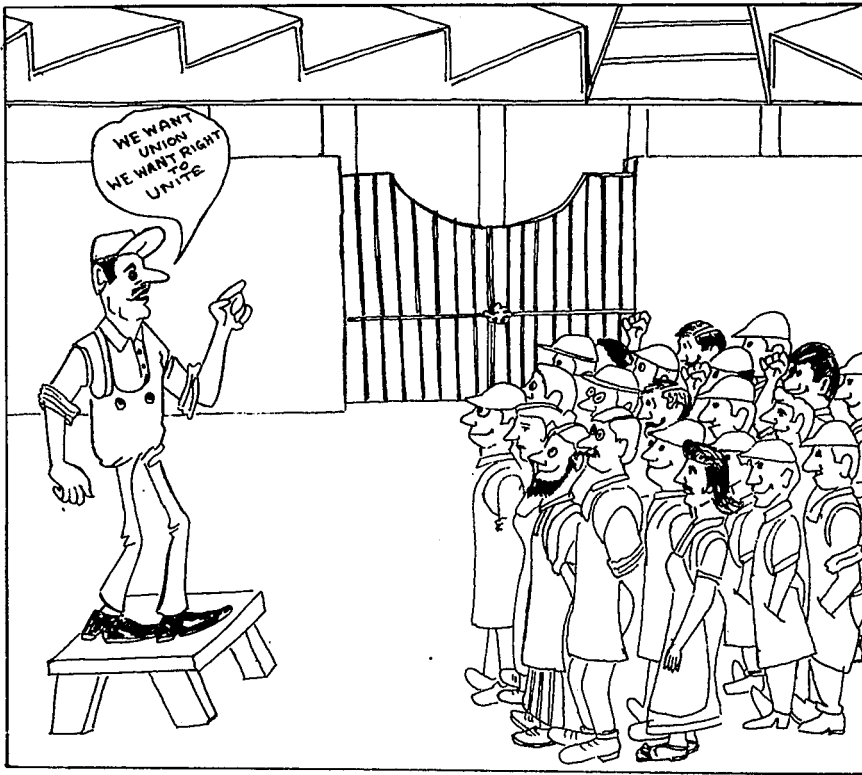
"everyone shall have the right to form and to join trade unions".

Again in ICESCR, the fundamental rights of the workers are specified :

Article (6) right to work

Article (7) right to enjoyment of just and favourable conditions of work, right to equality for women workers.

Article (8) a. right to form or join trade unions.
 b. right to join international trade union organisations.



Among other guaranteed rights of extreme importance for workers under International Declaration and Covenants, are the rights to life, liberty and security of person and to freedom of opinion, expression and peaceful assembly.

In the light of the above, workers have the right to economic justice, the right to form and join trade unions, i.e. the right to organisation.

All these rights in addition to the right to express and form an opinion etc., form a basis of democracy with a workers' perspective. Apart from the liberty to exercise these rights, the workers also have a right to check anybody who tries to misuse his/her own right to obstruct the rights of others. This right requires the worker to demand equilibrium in the exercise of powers in a given organisation.

Thus, in essence, democracy empowers everybody to participate in the exercise of all their rights. However, a precondition to workers exercising their rights is their awareness of these rights.

Democracy grows with the growth of the institutions it founded, like the parliament, assemblies and political parties etc. One crucial institution for the growth of democracy is the trade union.

2. What is a Trade Union ?

A trade union by definition is an organisation of the workers, by the workers and for the workers, which incidentally is the essence of democratic principles.

The trade union of workers is the collective organisation of workers which basically regulates the relations of workers with the government, employers or managements and with other workers with a view to preserving, protecting and promoting the interests of workers.

A trade union, being a democratic institution itself, works in its true spirit when the right to make decisions is exercised by its members directly or through their representatives chosen by and

responsible to them. However, workers can achieve these rights only through organised and sustained struggle. The most important organisation available to them, no doubt, is the trade union. Since the sole basis of the strength of a union lies in the unity of its members, which in turn depends upon the existence of a consensus among them, the unions more than any other social organisation have to function as fully participatory, democratic and independent organisations controlled by and responsible to its membership.

3. Impediments to Democracy

In South Asia, however, there are a lot of impediments to democracy, both at the wider societal level and in the field of trade unions. These are both internal as well as external in nature. The internal ones pertain to the social and cultural spheres, while the external ones relate to the role of the State, attitudes of employers and legislative practices.

Internal (Socio-Cultural) :

The foremost impediments to democracy are the obsolete and worn out traditions which are remnants of the tribal, feudal and colonial systems which consider that the persons at the top are masters and that they have been gifted their position by divine authority and that the internalisation of these by the common people have binding force on them to obey.

The legacy of this concept is also found in the trade unions in the countries of our region. These systems also present an obsolete and worn-out concept of discipline. Under this discipline, the men at the top are meant to be followed blindly. These ideas give a very undesirable definition of leadership and followers, as if the leaders are masters and those who follow are servants.

The common people and the common workers believe in these ideas and the prevailing orders of society due to the lack of knowledge of modern day concerns with rights which consider every individual irrespective of race, caste, sex or religion a complete entity, the human being.

There are two main aspects of the old beliefs :

1. The leaders consider themselves as masters of the fortunes of their followers, which makes them egocentric, intolerant and autocratic; and
2. The followers consider themselves subordinate, submissive and helpless.

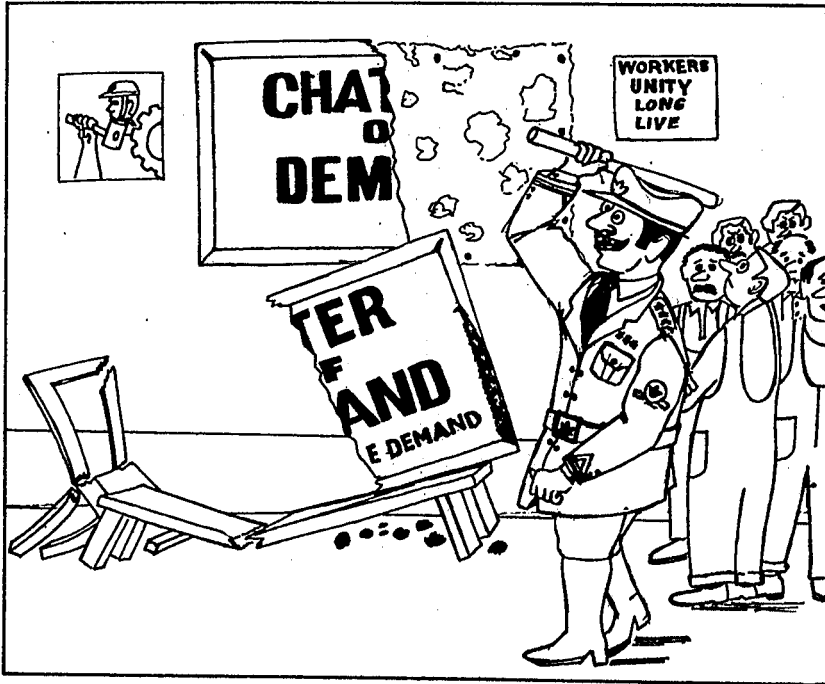
External :

The State as the major party in this process adopts an attitude in the industrial setup which is only conscious of keeping the production going regardless of the human and social costs involved. It fails to realise that conflicts cannot be resolved by suppressing them; rather, they can be resolved through a process of mutual understanding and cooperation which is possible only through democratic and strong institutions of the workers.

International standards prohibit one party in industrial relations to interrupt the activities of the others. The conventions and Recommendations of the International Labour Organisation (ILO) have laid down some guiding principles for uninterrupted growth of trade unions :

“Workers’ and employers’ organisations shall have the right to draw up their constitutions, to elect their representatives in full freedom to organise their administration and activities and to formulate their programs”. (Convention 87 Article 3:1)

“The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof.” (Convention 87 article 3:2)



Role of the State :

However, our States directly interfere in the rights of workers through ordinances, legislations and rules which is contrary to international Conventions. In Pakistan and Bangladesh, labour laws interfere with and restrict the freedom of workers by imposing oppressive clauses regarding the constitutions, elections and administration of trade unions.

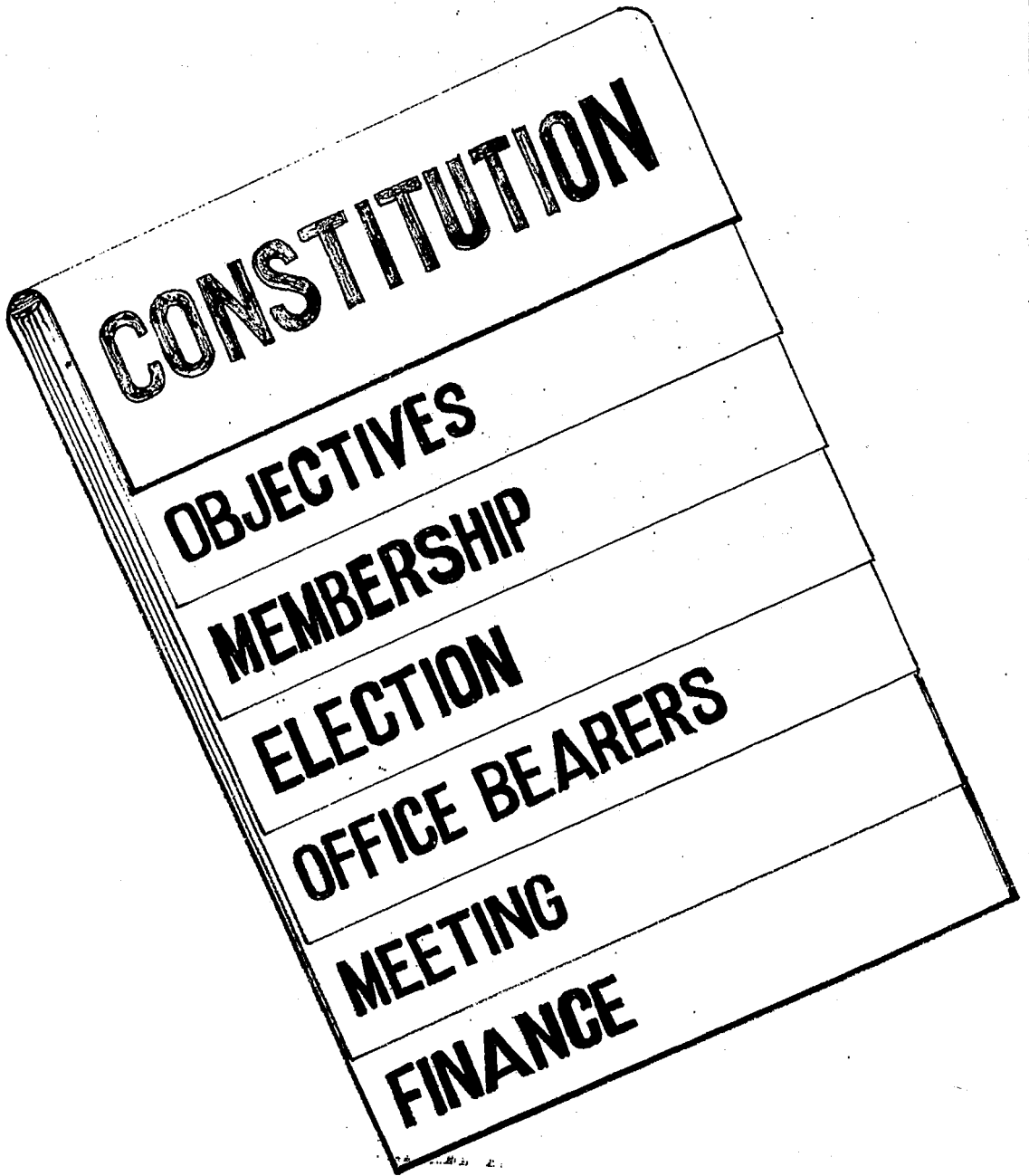
These States use absolute authority in every department of social life. While at the same time they mention freedom of association in their constitutions, but subject it to the laws of the land. Instead of framing the laws according to fundamental rights, the fundamental rights are made subject to already existing oppressive laws.

Role of the Employers :

Employers too interfere in the rights of workers by indulging in unfair labour practices such as creation of pocket unions. The guideline to this effect is laid down in the ILO Convention - 98.

“In particular, acts which are designed to promote the establishment of workers’ organisations under the domination of employers’ organisations, or to support workers’ organisation by financial or other means, with the object of placing such organisations under the control of employers or employers’ organisations, shall be deemed to constitute acts of interference within the meaning of this article”. (Convention 98 Article 2:2)

Although there are many more practices of both the State and the employers which impede democratic norms, here, we are restricting ourselves to measures adopted by them to undermine the democratic institutions of workers. Only through concerted efforts of educating the common workers about their rights and the democratisation of their unions can the present impediments be removed.



4. Why Democracy ?

Democracy in the functioning of the union will provide the union fresh breath and blood. This provision is very essential to make the movement vibrant. If the union members do not activate themselves, they will be deprived totally of the ability to exercise their democratic rights.

One-man rule is not only undemocratic, but also ineffective. No union leader must ever think that he alone is capable of running the union. To run an organisation effectively is a complicated task. No leader, no matter how brilliant and experienced he might be, is capable of performing all the functions attendant to a union.

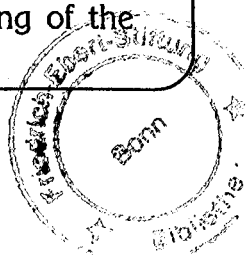
5. How Democracy ?

In order to practise democracy in their organisations, the primary condition for the workers is awareness of their democratic rights as human beings, as citizens, as workers. When they become aware of their rights under international instruments, under their national constitutions and the constitution of their union, only then will they have the insight and the confidence to practise democracy. Once the workers are aware of their rights, they will be better equipped to democratise their unions.

The process of awareness building initially requires study and discussion of the rights and responsibilities of workers in groups. In later stages comes participation in the activities of their unions from the lowest rank, i.e. the shopfloor level.

As described earlier, democracy means decentralisation of power. The foundation of the union is the unity of workers. The resources, both moral and material, of the union must be held in common.

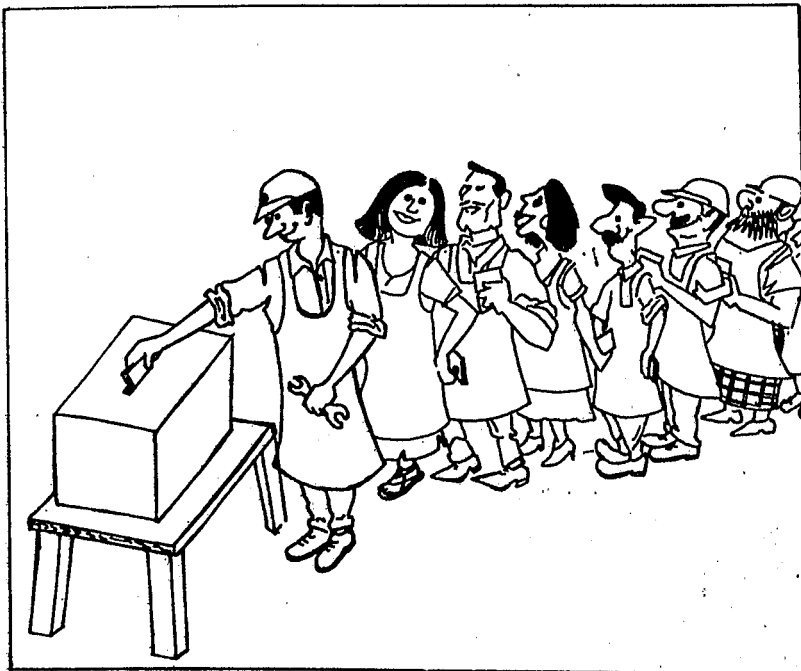
The subscription or affiliation fees paid by the workers to the union is a resource foundation at both the moral and the material level. It indicates the concern of the workers in union affairs. As such, regular payment of subscriptions of the union is the first serious step towards active participation in the functioning of the



union. However, workers must ensure that the funds are appropriated only as per the provisions of the union constitution. Then the shopfloor level is another foundation of the union where the common workers have the primary opportunity to involve themselves in the interests of their fellow workers and to activate the interests of the workers at the primary level.

The first step towards democratisation of the union is to form a primary unit at the shopfloor level. This unit must review the plight of fellow workers through mutual consultation and discussion and seek redressal of the problems of the workers with the representative of the management.

The management may not like decentralisation of its powers and will definitely discourage the resolution of workers' problems at the primary level. Then, as a next step, the matter may be referred to the higher level of the union which can negotiate the problems with the management. Whenever an agreement is reached, it will be the primary unit at the shopfloor level, which will naturally supervise the implementation and will mobilise the workers against any violation or unreasonable delay in implementation.



II. PRACTICAL ASPECTS OF TRADE UNION DEMOCRACY

1. Requisites of a Constitution :

When we talk about any democratic institution, it is based and structured on a constitution. Trade unions are also based and structured on a constitution. Such constitutions must contain provisions for decentralisation of powers, active participation of members in union activities, appropriate usage of funds, accountability of leadership to the members. However, it must be noted that the constitution and the rules framed under it are made known to every member.

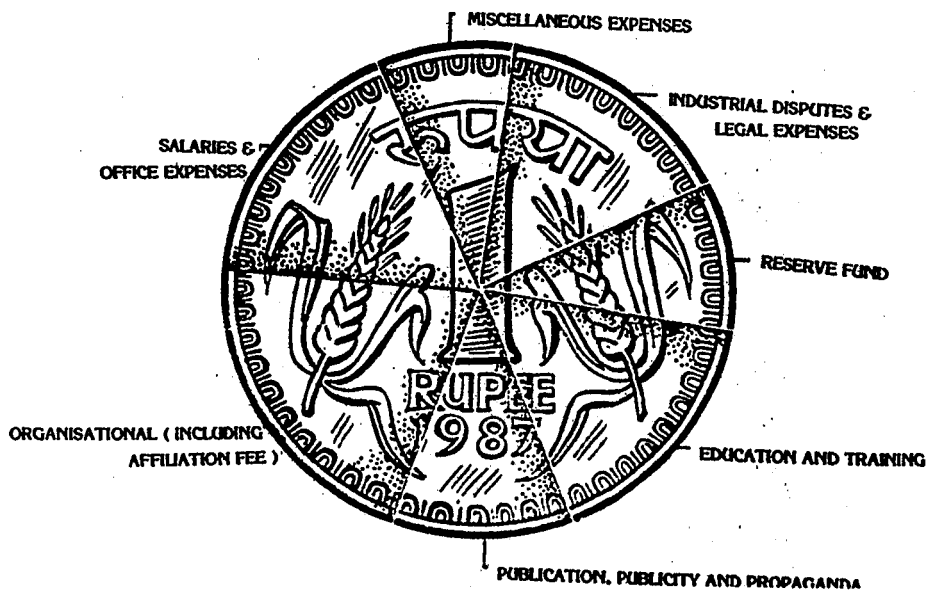
2. Representative Fora :

The general body of the union is the supreme legislative body eligible to exercise all decision-making rights. However, when it is not in session, the right of decision-making is exercised by the representatives chosen by it and also responsible before it. It means that there will be a body of representatives of the members which is elected by them. The most democratic method for elections believed today is the secret ballot. This means that members of the union must elect a body of representatives through secret ballot which will be delegated powers by the members when a general body is not in session. Generally, such a body is named Executive Committee or Council of the union.

The members of the Executive Committee are responsible to its general membership in all affairs of the union. Affairs of the union are related to the policies of the union in regard to finance, administration and welfare of the members.

3. Decentralisation of Powers :

In Part I, we have described that democracy means decentralisation of powers. To facilitate the functions of the Executive Committee, there should, therefore, be committees



at the primary level. Generally this primary level is a shop, a section, a branch or department of an industry or service. This primary unit may exercise the powers of the Executive Committee in its assigned area.

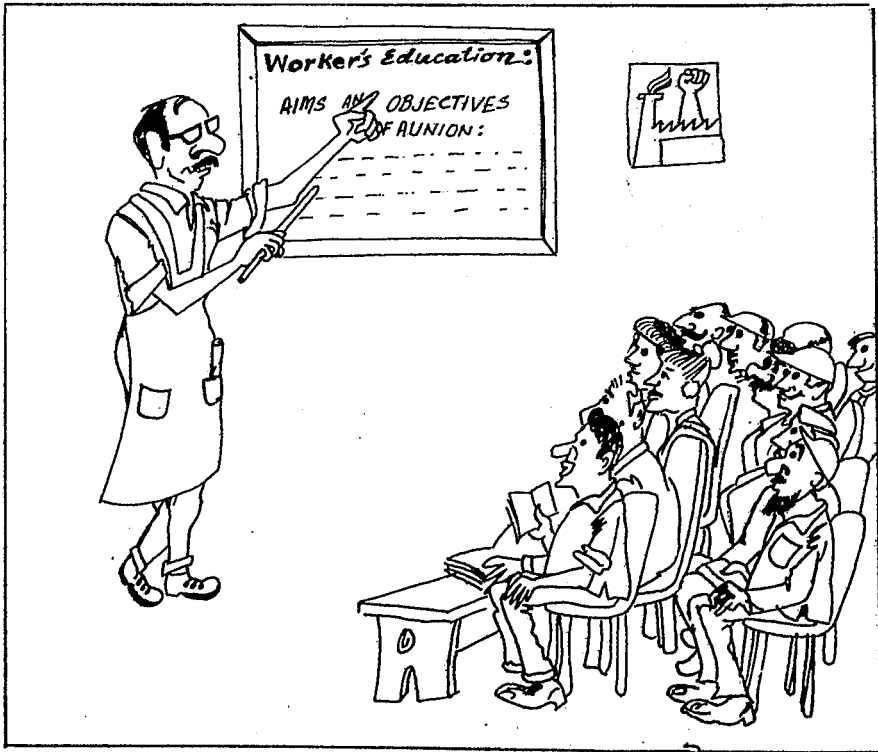
It will deal with finance, administration and welfare. This Committee should also be elected by secret ballot and made responsible to members in a shop, section, branch or department of an industry or service. This Committee should also be vested with the responsibility of handling the local issues including improvement of working conditions and redressal of grievances of all kinds.

A key principle to democracy is the participation of members in decision-making in regard to policy planning and programmes. In this context, another important principle is consultation at the grass root level. Every member should be consulted before making a decision on all matters.

In a democratic setup, everyone has an equal opportunity to improve his/her quality of life as well as to contribute to the development of the enterprise and to socio-economic development in general.

4. Finances :

Finances or funds are a very important factor of every institution: generation of such funds is primarily done through subscription by members. Its safety and improvement should be the concern of every member. There should be a Finance Committee to manage and oversee the financial affairs of the union including budgeting and financial planning. Any decision involving finances should be made with the counsel of the membership.

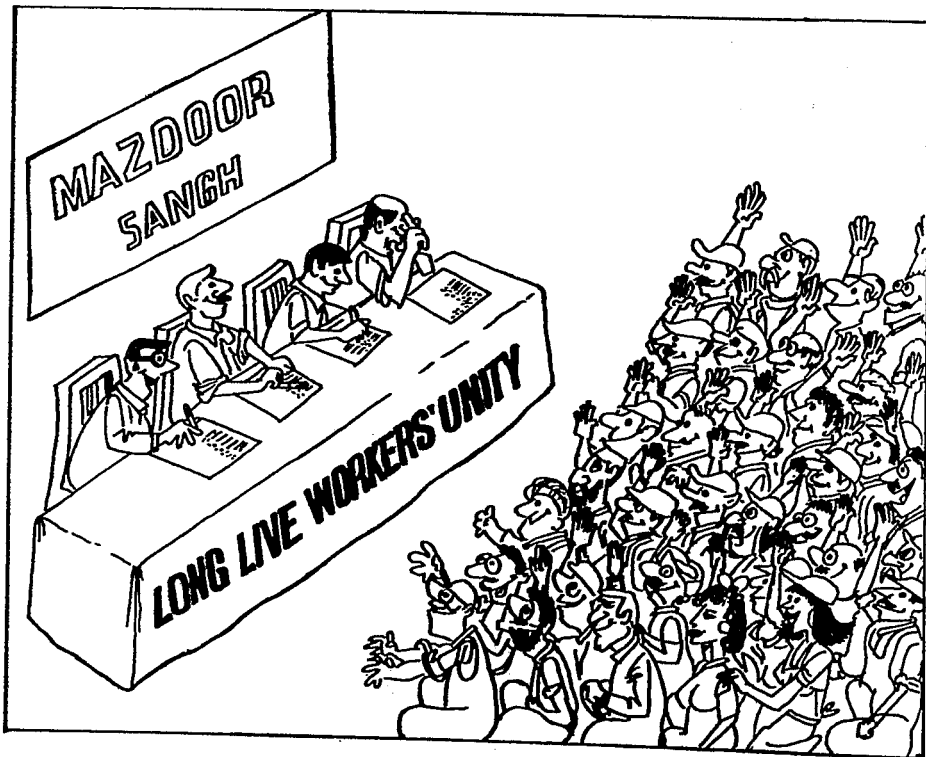


5. Right to Recall :

Another key principle of democratic functioning is the right to recall. If any representative in the Executive Committee of the union is lacking in interest or acts in contravention of the constitution of a union, he/she may be recalled after moving a motion of no-confidence against him/her at a special session of the general body, provided he/she is given all opportunities to explain himself/herself.

6. Education of Members :

The aims and objectives of a union should include education about democratic principles and their functioning for the members. Therefore, unions should have an Education Committee to educate their members about democratic functioning and also provide training for their members. Without such an Education Committee, the task of democratisation of a union remains a distant dream. Adequate funds must be allocated for education and training.



III. CONCLUSIONS : UNIONS NEED DEMOCRACY!

Today, the democratic aspects of trade unions are hardly visible. If we try to examine the causes of this malaise, we find that it is generally a reflection of the conditions prevailing in the societies of the region.

In our region, most of the democratic institutions appear to be manoeuvred and manipulated by individuals. To set this state of affairs right, a change in the mechanism is required. Some institutions need change from above and some from below. The trade union is an institution where change from below is practicable. There are always some prerequisites for change, either from above or from below. Fortunately, we can meet the prerequisites from below in trade unions. What we have to do is to introduce some by-laws in the constitution of a union which could enable the so-called ordinary members at shopfloor level to have a say in running the affairs of the union.

Earlier, we have tried to describe the structure of the union, from elections to policies and decision-making. The foremost condition is to have a participatory, democratic structure. Then comes the most important element of education and training. Such an education programme enables the workers to learn the methods and practice of democratisation. When they become responsible members of the union, the education programme contributes to their becoming responsible members of the society. To ascertain whether their union is a democratic one, workers should examine whether the following provisions are incorporated in the constitution of their trade unions:

- The aims and objectives of the union incorporate the guiding principles of democratic functioning, i.e. consultation and participation of all members, and also provide for education of their universally acclaimed rights and procedures to maintain a democratic order;

- All the decisions of the union with regard to policies and programmes are practically made by the general membership ;
- The elections of the union at all levels are held by secret ballot ;
- Important decisions or actions, i.e. strikes, demonstrations, picketing etc., are taken in the general body meetings by secret ballot ;
- The members are entitled to inspect all the records of the union including its account books ;
- The members have the right to recall any executive member of the union for violation of constitutional provisions and anti-union activities ;
- Decentralisation of decision-making powers is guaranteed to the membership at the lower (shop, section, department, branch) levels ; and
- The members are provided fora to discuss their problems and to consult each other.

Democracy is the life-blood of unions.

Unions need democracy to become authentic organisations of, by and for the workers :

- organisations representative of the workers ;
- created, guided and controlled by the workers themselves ;
- aiming for the economic, social and political upliftment of the worker.

