

## NIGERIAN TRADE UNION: AN EXAMINATION OF THE IDEOLOGICAL DICHOTOMY AND WORKERS' RIGHTS



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### Abstract

Nigeria, the most populous black country in the world, gained her independence on 1<sup>st</sup> October, 1960. Interestingly enough too, the first central labour organization, the trade union congress, was formed in 1943, 17 years before Nigeria's independence. Unfortunately, the Nigerian trade unions began with a debilitating history that was political, hence, its alliance with nationalist platforms. It can be understood that trade union emerged just to address the numerous challenges encountered at work, such as; job insecurity, injustice, dependence and the inhuman conditions under which workers carried out their work. Thus, the study examines the state of the Nigerian trade unions, its ideological dichotomy, workers' rights, labour standards and the unity of the Nigerian trade union movement and the extent to which workers' rights are complied with and enforced as well as to suggest what can be done to bridging the disunity among different labour unions.

Keywords: *Union, Organization, Socialist, Capitalist, Ideological- dichotomy.*

### Background to the Study

Unquestionably, the greatest and most influential name in the history of labour movement was Karl Marx. He and his celebrated companion Friedrich Engels were the acknowledged heads of the scientific and revolutionary school of socialism, and to them is the credit for the formulation of a coherent body of socialist doctrine and the formation of the International Socialist movement which has continued to grow and spread throughout the world. They categorically condemned the capitalistic society and enunciated the philosophy of socialism for a working man's movement in 1848.

From heart of hearts, however, Karl Marx who was very critical about the exploitation of workers by the capitalist, had advised the workers world over thus, “Workers of the world unite, you have nothing to loose but your chains” The call was based on the enormity of the task before workers in the struggle between labour and capital. In the word of Mbah (2006: 34), this call of Karl Marx and celebrated Comrade, Friedrich Engels was made at the end of communist manifesto in 1848. Marx argues that as the masses became poorer and more numerous, the capitalists became fewer and controlled greater concentrations of the means of production, whose full productiveness they throttled back for their own gain. Adewunmi (2010: 1), opines that the call for a united labour front remains valid today as it was at the beginning of workers' struggle against the onslaught of capitalist because of numerous of factors both internal and external to the trade union movement.

According to Cohen (1978: 67), the idea that labour is the most important factor of production and the labourer is always paid less, has been derived from the English economists of the eighteenth century. According to Ikeanyi (2011: 427), the conflict between capital and labour has been a very ancient one. The relationship between slave and master of the ancient world, the serf and the baron of the European feudal societies, the master and the workman of the industrial revolution era and the employee – employer relationship of the present day have all been aspects of this same problem. This is the problem of some people (the owners of capital and land) using other people (suppliers of labour) to create wealth for themselves at the near exclusion of those whose labour is the source of the wealth.

The name trade union itself implies sectionalism. It is about the inward looking unity of people who practice a common craft or possess common skill. As such, it would take an identifiable motive force beyond the mere fact of membership of the working class to broaden organization beyond the narrow limits of a specific occupational group. Therefore, the atomization of trade unions in the era before the restructuring exercise, according to Adewunmi (2010: 7), can be explained in the light of two tendencies such as; the low level of development of the Nigerian economy and the fact that most union organizers survived on the number of unions organized by them and were interested in carving out exclusive territories of sphere of influence. Even though the restructuring exercise resulted in significantly fewer numbers of unions, from over 42 to 1,000, the divisive tendencies remain within the trade union movement.

Therefore, the Trade Union Movement in Nigeria according to APRM (2008: 246), has a long and distinguished history. The first union, the Mechanics Mutual Aid Product and Mutual Improvement Association, was formed in July 1883. The first major strike action followed only 14 years later, on August, 9 – 11 1897 when workers of the Public Works Department (PWD) walked off the job in a general strike that earned swift condemnation from the colonial administration. Currently, the main unions in Nigeria include the Nigeria Labour Congress (NLC), the Congress of Free Trade Union (CFTU), the Trade Union Congress (TUC), Petroleum and National Gas Senior Staff Association of Nigeria (PENGASSAN) and the National Union of Petroleum and Natural Gas Workers (NUPENG).

Adewunmi (2010: 10), posits that the Trade Union Congress (TUC) emerged in July 1943 as the first major trade union federation in Nigeria. The TUC successfully prosecuted the 1945 general strike, forcing government to make major concessions. Of course the government was not happy with this and sought ways of getting even with the federation. Its next move was to decline the TUC and some less radical unions became ready tools in this regard.

From all indications however, the Nigeria Labour Congress (NLC) was formally constituted as the only national federation of unions in the country in 1987. But before then, four Labour Centres existed. The emergence of the NLC ended decades of rivalry and rancor involving the four centres and unions affiliated to them. The unions, numbering over 1,000 were also restructured industrial unions ([www.nicng.org](http://www.nicng.org)). Nonetheless, in the course of time, the unions have attempted to stand up for workers and ordinary Nigerians, especially during turbulent periods such as the seizure of power by General Sani Abacha in November, 1993 following the annulment of election results by Abacha's military predecessor, General Ibrahim Babangida. The government had attempted to suppress the union movement by arresting labour leaders, and replacing them with government appointees. Nevertheless, although initially unsuccessful, union opposition to the seizure of power eventually helped to contribute to the transition to democracy and the free elections of 1998.

However, Aturu (2010: 19), asserts that there is unfortunately, a tendency to reduce discourse about the Nigeria labour movement and its struggles to the organized trade unions. As he observed, the larger labour movement is made up of all those who live on non-exploitative income but who may not live on wage employment, including those who operate in the informal sector, as well as those who share their hopes and aspirations. Thus, the trade unions are but a subset of the wider labour movement. The labour movement is a broad category comprising the radical wings of the Nationalist Movement under colonialism, such as the Zikists, and now of the trade unions and the civil society. By radical, it means all those who reject the present oppressive economic and political system and who work for social change.

Conceptual Issues: Nigeria Trade Union, Ideological dichotomy and workers' Rights. Nigeria became an independent country on October 1, 1960 but the first central labour organization, the Trade Union Congress (TUC) was formed in 1943. However, the new independent government pretended to be interested in the unity of the trade union movement. It was in this light that efforts at reconciling the two factions (the Nationalist movement and the trade union and the civil society), were once again initiated.

According to Oladipo (2009: 40), the intervention of TUC in political anti – colonial agitation occurred when, in 1944, the TUC became an affiliate of the NCNC (the National Council of Nigeria and Cameroon). The TUC's struggles have been described as being co-operative but uncompromising in respect of the interests of workers. It was successful in organization of workers' education, schools and it influenced legislation. In 1945, there was a general strike, and this was a landmark in working class struggle for a better

standard of living. The strike was over the workers' demands for a minimum wage of 2s 6d and a 50% increase in the cost of Living Allowance. Although the leadership was split over strategy, the strike took place from June 22 to August 4. Negotiations following the strike led to concessions won by the working class.

However, Oladipo (2009: 40), deposits that the strike strengthened the belief of workers in their own power to defend their interests. But the colonial government used the regressive method of banning newspapers that supported the strike. The TUC had to split, as a result of leadership conflicts, political differences, allegation of weakness of the leadership, and introduction of negative use of ethnic differences. The introduction of "tribalism" was a set-back for working class struggle.

Adewunmi (2010:18), unquestionably, opines that the problem created by political and ideological differences would appear to lend credence to such views as expressed by Allan Flauders that the unity of workers "must always be imperiled when they import political faction fights". Although this may be true but is highly inconceivable that labour can survive by being apolitical. The critical issue is how the political involvement is managed in the overall interest of union members and not just to serve the interest of leaders who may not be more than political jobbers.

Aturu (2010: 26), asserts that political struggles can only be successfully waged and conducted when there is a Vanguard Political Party to direct it. The party must be based on the ideology of the working class and its aim should be to abolish all the structures which make domination of the working people possible. The question of vanguard party and ideology revives the old debate as to the possibility of members of the labour movement entering and joining bourgeois political parties in order to effect social change. In other words can entreeism lead to a new constitutional order where the working people became the dominant class in a new state?

Be that as it may, the firsts thing trade unions leadership across the board in Nigeria should realize is that we are in the era of globalization which is founded on a capitalist ideological variant of neo-liberalism and which employs the strategies of privatization and deregulation, in particular, all over industrial economies to encourage cheap labour, contract staffing, casualisation and interference in unions affairs etc.

Neo – liberalism has to do with every issue trade unions in contemporary time need to contend with, whether on purely trade union economic demands or on the larger societal issues, as in the last protest against the cruel hike in the price of petrol. The Nigerian labour cannot avoid being ideological in the face of ruling governments at federal, state and local levels that are anchored on the ideology and values of neo-liberalism because of the implications for job losses, attacks on workers' rights, non-implementation of collective agreements lack of commitment by governments to social welfare of the working populations, etc (January March 2012, Nigeria Labour Factsheet, page 2,3).

However, understanding what labour policy means according to Ikeanyibe (2011: 428), presupposes an understanding of what a public policy is because the concept of policy is a generic class to which all kinds of policies belong. A public policy is a tool of governance. It is an instrument through which the society is ordered, steered and directed towards desired ends. In fact, the development of labour policy in the past independent Nigeria Ikeanyibe (2011: 433), opines, was significantly affected by long military rule that made a debut in 1966 and took the stage for close to 30 years. Thus, the ideological stand clarity and consistency since 1977 by Congress of South Africa Trade Unions (COSATU), Factsheet suggests, is a worthy example the Nigerian Unions can draw inspiration from, apart from learning from the fighting experiences of labour from the 1940s to late 80s. despite COATU being a major stakeholder in the alliance of the African National Congress (ANC) ruling government in South Africa, it remains the most vibrant social movement winning victories for its members and the South African working people in general.

#### Workers Rights in Nigeria:

The history of modern Nigerian labour law is bound up with the history of the law in the England (Bowers and Honeyball 1990: 1-11). The reason is obvious. Nigeria was a colony of Britain from the 1860s when the ideology of laissez-faire held sway until 1960 when it became politically independent as a sovereign nation. Throughout that period legislative power in respect of the country lay in the British Monarchy. This power was exercised through its delegated officials who wielded administrative authority over the territory later known as Nigeria. It follows therefore that the general direction of the law regulating labour or industrial relations came from England (Allen, 1972: 130).

According to Aturu (2005:1), also at independence, for a variety reasons, not the least of which was the fact of acculturation with British norms and laws, those who took the reins of power from the colonialists did not consider it wise to depart from the spirit and letters of English Labour Law. As a matter of fact, the new leadership enacted a law that prescribed that all the statutes of general application in force in England as at 1<sup>st</sup> January, 1900 should still continue to apply. The earliest labour legislation enacted specifically for the territory known as Nigeria by the colonial masters was the Master and Servant Ordinance No. 16 of 1917. It had limited application. Only certain categories of workers were covered by the law (Uvieaghara, 2001:101). Concerning regulation of combinations such as trade unions Aturu (2005: 2), posits that Nigeria did not have its indigenous law until 1938. This was perhaps to be expected given the fact that the trade unions were in their infancy. When the Trade Union Ordinance was enacted in that year it was clear that the colonial government was interested more in maintaining effective control on the emergent unions than in codifying a set of common law rights and privileges for the unions. The mechanism for this was the requirement of compulsory registration of trade unions that has since become an enduring feature of Nigerian trade unions legislations.

In the present state of affairs in Nigeria, Oladipo (2009: 4), posits that, among the most significant factors that shape popular and workers' consciousness, is the politics of human rights. Beginning from the premise that there are rights that all human beings

have irrespective of their social class, nationality or gender, political struggles based on rights call upon the working class to see as crucial for their lives the protection and advancement of rights, especially what is called “human rights” – the right to life, to free association, property, to conscience, movement etc. However, Adewunmi and Adenugba (2010: 1), assert that against the background of the excessive exploitation of workers, laws for the social protection of employees were developed in the second half of the 19<sup>th</sup> century. Essentially, they were meant to ensure that people work in dignity and are not unduly exploited in the course of work. International control bodies were established to ensure compliance with the new laws. The International Labour Organization (ILO) with its unique tripartite composition stands out of all these bodies. It is the only United Nations body that brings together, on a permanent and on – going basis, representatives of workers, employers and government to discuss and reach agreements on issues of common concern. National and International and international instruments have been devised to give effect to this concern and are codified in national laws and international labour conventions and recommendations of the ILO which confer certain rights on workers as citizens. The rights are to ensure safe, healthy and fair conditions at work. But many employers violate these basic rights because they value their profits more than their workers.

Odom (Daily Sun article, May 5, 2008), opines that the NLC and other trade unions have in recent times attempted to defend workers rights and alleviate their pitiable working conditions. The list of issues according to Siedlecki (2005: 6 – 7), include:

- i. The lack of contracts and the resulting casualisation of labour, which while contrary to labour laws is a widespread phenomenon.
- ii. Exploitative contract employment and outsourcing of jobs that could be filled by Nigerians.
- iii. The refusal to allow employees the right to join trade unions.
- iv. The payment of starvation wages rather than living wages to many Nigeria workers. Worse, these wages are often paid irregularly.
- v. The fact that the largest employer in the country, the Federal Government, does not pay the average civil servant working in Abuja a salary that can cover living costs – which encourages corruption.

Interestingly enough, Section 40 of the 1999 constitution of the Federal Republic of Nigeria, guarantees the right of every person to form or belong to any *Trade Union* or any other *Association* for the protection of his interest. Section 45 however permits derogation from this all – important right in the interest of defence, public safety, public order, public morality or public health or for the purpose of protection of the right and freedom of other persons. Presumably, the Trade Disputes (Essential Services) Act and the Trade Unions Act itself were made pursuant to Section 45 (Osawe V. Registrar of Trade Unions (1985) 1 NWLR (Pt. 4) P. 763).

In chapter 11 of the Constitution (Fundamental Objectives and Directive Principles of State Policy) Section 17(3) deals with labour matters:

It provides – The state shall direct its policy towards ensuring

- i. Opportunity for securing adequate means of livelihood.
- ii. Just and humane conditions of work.
- iii. Health, safety and welfare of all persons in employment.
- iv. Equal pay for equal work without discrimination on any ground whatsoever.
- v. Prohibition of child and aged labour.

Regrettably, Aturu (2005: 6, 7) laments that, the provisions of Section 17 are not enforceable in court. This is because Section 6 (6)(c) of the Constitution makes them non-justiciable. The Section stipulates that the judicial power vested in the court shall not extend to any issue or question as to whether any act or omission by any authority or person or as to whether any law or any judicial decisions is in conformity with the Fundamental Objectives and Directive Principles of State Policy set out in chapter 11. Thus it follows that no action can lie to enforce the provisions of sections 16, 17 and 20 of the constitution. In other words, the provisions are paper tigers. They are completely worthless for protecting Nigerians. The unfortunate implication of the ouster of court's jurisdiction in respect of chapter 11 is that every government and person can violate the so-called fundamental objectives without any adverse legal consequence. This, therefore, offers no remedy to the people.

#### Challenges for the Trade Union

In the light of the above background, the major challenge is for Nigerian workers to eschew the divisive tendencies that have held them sway. According to Adewunmi (2010: 25), the first challenges, therefore, is to address the political side of trade union struggles. To be sure, there is not way trade unions can be apolitical as this would be a negative of not only the essence of trade unionism but the very circumstance of their emergence. He asserts that unions arose as countervailing power to contest work place relations with the employers, and this in itself is political. It is to this extent that it is correct to describe trade unions as political organizations operating in the economic terrain of industry.

In the words of Oladipo (2009: 55, 56), in Nigeria, there is the popular conception that democracy is just a matter of electing officials. Workers must tie *democracy* to the attainment of *jobs, health care*, etc., democracy must also involve self-determination. The tenets of participatory socialist democracy or workers democracy must be understood. The preamble of the manifesto of the working People's Party clearly articulates the need for workers' political power:

*“From the withdrawal of colonial masters in 1960 up till now, political power has been in the hands of rulers who have used the power to frustrate and deprived working people... We the working people have, therefore, chosen to form our own political party because we need to put*

*an end to suffering, exploitation and oppression of the working people...”*  
*“We want to win political power for the people...”*

Strengthening internal democracy, Iyayi (2010: 28), posits, that the union must review their constitutions to provide for more membership participation, women empowerment and transparent as well as accountable leadership.

Yet in another development, it is regrettable that the provisions of Section 17 of the Federal Government of Nigeria and Labour rights are not enforceable in court.

According to Adewunmi and Adenugba (2010: 17), the provisions of conventions 87 and 98, the high number of ratifications and the fact of the fundamental declaration have nevertheless not stopped the denial of the right of workers to associate freely, organize and bargain collectively worldwide. The point to note here is that worldwide it is very difficult to ensure the observance of workers' rights, a fact that is not helped by the nature and dictates of capitalist employment relations.

In some countries notably South Africa where it is felt that government does not have the capacity to guarantee immediately certain rights such as the right to housing, Aturu (2005: 7), posits that they insert a provision mandating the executive to submit periodic report to the parliament on efforts by government to give effect to the provision. This is what is known as the “progressive realization” clause. In Nigeria, there is no such clause or provision.

However, Aturu (2010: 8), laments that the bill of rights codified in written constitutions or given expression of judicial decisions in countries with unwritten constitutions reflects the social relations of production in a given state. A look at chapter 4 of the existing Nigerian state constitution, we shall see that the only rights guaranteed are the civil and political rights to move freely and freedom of speech and right to liberty etc (chapter 4 of the constitution of Nigeria, 1999). Socio-economic rights like right to work, rights to housing and right to health etc., are not enforceable. Also not enforceable are labour rights to adequate opportunity for security means of livelihood, just and humane conditions of work, safeguard of health, safety and welfare of persons in employment, adequate medical and health facilities for all persons, equal pay for equal work without discrimination, protection of children, young persons and the aged against discrimination. All these are banished to chapter 2 of the Constitution on Fundamental Objectives and Directive Principles of State Policy that are not justiciable or enforceable by virtue of section 6(6)(c) of the Constitution.

Another major challenge, yet naughty issue, Issa (2010: 5), opines, is the concept of workers' education. According to him, considerable amount of workers' education had been done in the country. Paradoxically, there is a considerable paucity of studies on theories and praxis of workers' education compared to available studies on labour market issues like collective bargaining, workers compensation, productivity, pension and social security, trade union history or trade union organization in general.



Abubakar (2010: 27), stated that another challenge, is related issue to the weakening of the bargaining power of labour is the reduction in welfare packages. As the job-market reduces due to mergers and acquisitions, labour is plentiful or surplus, and firms won't reduce wages and other benefits hitherto paid to labour. The forces of demand and supply come to bear in this regard. When demand for labour is high, labour commands high value, but when the supply of labour far out-strips demand, labour loses some of its values. Therefore, the post-merger situation, which resulted in the number of firms in the market being reduced, forced the value of labour to also reduce. Thus, some challenges such as; how to forge an alliance between the trade union movement and the large labour movement, the need to overcome self-centeredness, egotism and petty rivalry on the part of labour leaders and above all, the need to tackle the impact of globalization on the culture, politics and economy of Nigeria, should be a *sine-qua-none*, for the progress of trade union movement in Nigeria.

#### The Relevance of Nigerian Trade Union

A trade union is a legal association of workers registered for the purpose of protecting the interests, rights and privileges of the workers, which fights for social justice, freedom and peace and which uses the means of workers education, industrial harmony through the processes of collective bargaining, trade disputes and as last resort, employs the methods of strikes, economic, industrial and political strikes to seek redress, social justice and for the workers (Nigeria Labour Fact sheet: January – March 2012).

Trade union must be appreciated for its importance of unity to the very survival of trade unions as well as the attainment of their primary objective of protecting the interests of their members. Conceived as vehicles for the articulation and protection of the collective interests of workers in wage employment, Adewunmi (2010: 3), asserts that the trade union has developed as a major institution in industrial relations. It can be said that trade unions arose to address the enormous problems faced at work, which include job security, injustice, dependence and the inhuman conditions under which work is carried out. These are in addition to the fact that at national and international levels, workers live in a society dominated by foreign capital and under regimes where injustice oppression and poverty prevail.

Adewunmi and Adenugba (2010: 65), on the other hand, posit that the collective strength of workers has always been helpful in their struggles with finance capital. This is where the trade union advantage comes in. The collective platform offered by the union presents a good avenue for workers to press for, and demand for other rights. This is largely because the trade unions are officially recognized as the representatives of their members. Of course the unions are operating in a very environment dominated by powerful trans-national co-operations whose examples indigenous employers emulate. A case in point is the oil section, for quite sometime now, employers in Nigeria's oil and gas sector have not been particularly well disposed towards unionism. This is reflected in refusal to recognize unions, victimization and dismissal of active workers and the use of threats, bribery and the infiltration unions, for which Ihonvberre, J, a research scholar, has described as “definitely aimed at controlling workers”.

In such a situation, Adewunmi (2010: 4), argues that trade unionism would appear to follow the logic that irrespective of their placing within the work hierarchy, lack of ownership of the means of production puts all employers at a disadvantaged within the employment relationship. Since workers' constitute the largest single force in industry, it is when they come together that they can conveniently challenge the dominance of capital. Through such a challenge, workers would be promoting their own interests, which are basically economic. However, issues such as wages, overtime rates, hours of works, holiday and sundry conditions of work attract the attention of unions. In popular parlance such expression as: "unity is strength" and "united we stand, divided we fall", underscore the essence of unity in any human endeavour. Thus, "workers of the world unite, you have nothing to loose but your chains".

**The future of the Nigerian Trade Union & Suggestions:**

From the foregoing, the neo-colonial economy since 1960 has forced the working class to struggle for economic gains in the main. The indigenous ruling class and the foreign capitalist powers allied with it in exploiting Nigerian workers have retained state power. Consistently, the Nigeria ruling class, whether the government is held by the military or civilian, has effectively shut out the working class from political power. By holding on to political power, it has used the law to reduce the fighting capacity of the working class. Attempts by the working class to get a political backing have historically been unsuccessful (Oladipa, 2009: 54).

However, it can be said that the prospects for trade union unity have always been there and would ever remain. Adewunmi (2010: 21), posits that, all that is required is the willingness of union members to realize the full potentialities of the working class not just as a class in itself but, more importantly, as a class for itself. The need for unity within the trade union movement especially in dependencies like Nigeria has been made more compelling by unfolding developments within the world economy.

For Iyayi (2010: 28), a critical condition for trade union success in the new world is the recognition that managing trade union organizations now requires professionalism on the part of union leaders at all levels, furthermore, that the new professionalism that is required is different from the old orientations and attitudes. Managing trade unions today requires trade union leaders who, in the very first instance, have a deep understanding of the essence of globalization.

According to Nigeria Labour Factsheet (2012: 3), the future of the Nigerian trade union lies in how prepare the current leadership is to break from the circle of unrewarding engagements with a government that has no regard for collective bargaining principles as evidenced in the distortion and default in the implementation of the minimum wage and also all other collective agreements with unions in the public sector. With the World Bank (WB) and International Monetary Fund (IMF) and their local consultants such as Ngozi Okonjo-Iweala, Sanusi Lamido Sanusi, etc., being major players in the Nigeria economy and responsible for all the economic traps that has further undermined every sector of the economy – agriculture, education, health, housing, transport, communication, electricity, manufacturing, oil and gas, aviation, and make Nigeria

totally dependent on their dictates, it is needless for the trade unions to keep issuing statement on socio-economic and political transformation of Nigeria or defending past glory, it is not prepared to tow a clear line of anti-capitalism, anti-privatization, anti-deregulation and anti-all neo-liberal poisons.

However, the working class cannot liberate itself and Nigeria unless it successfully wins state power. The working class must shelve any idea that workers will become free under the neo-colonial economy run by IMF, World Bank and their agents in Nigeria. The ideology of globalization, Oladipo (2009: 54), opines must be seen for what it really is: a programme of economic, political and cultural subjugation of the people of the former colonies. As suggested by Adewunmi (2010: 27), a common programme or platform of action could also be used as a rallying point for the multiple labour centres, which are not necessarily a threat to unity within the trade union movement, but rather, it will serve as a protection of unions itself. This is because once a desperate government hijacks a sole labour centre as it happened in the second half of the Babangida dictatorship as well as in the Abacha years; the entire movement becomes easily de-mobilized. On the issue of workers' rights, Adewunmi and Adenugba (2010: 64), comment that the flagrant disregard of employers for the right of workers to form or join unions of their choice is a good case in point. However, one other crucial general point that needs to be made about Nigerian labour laws, according to Aturu (2005: 2), is their rather static nature. Quite embarrassing is the fact that most of the laws or statutes that have since gone into oblivion in England from where they were borrowed are, as it were, still ruling us from their English graves. Unfortunately, the provisions of Section 17 of the Constitution are not enforceable in court. This is because Section 6 (6)(c) of the constitution makes them non-justiciable. Thus, this underscores the essence of solidarity as the foundation on which to build trade union unity. In all this, there is the need for a massive programme of workers education with particular focus on the rank-and-file members.

### Conclusion

The history and development of the trade union movement in Nigeria has been greatly affected by a small number of significant factors. These factors, Iyayi pointed out are – the nature and character of the Nigerian State, the nature and level of development of the Nigerian economy, the level of development of the Nigerian working class movement as a whole, and trends and developments in the international economy and politics. Thus, the struggle for progress and justice sometimes seems never-ending, and can lead to great frustrations. But to look into the struggles and the accomplishments of the past does give one hope that progress is achieved through agitation and education. As Friedrich Ebert, the first democratically elected president of Germany once stated: “There is no democracy without democrats” and democratic values, awareness of ones own rights need to be spread. Whoever wants to challenge injustice needs to be up to date on current discussions and understand the deeper roots of his or her struggle. Trade union movement in Nigeria, seeks to achieve the aim, and sees it as a tool for education, as well as for self-reflection and self-criticism of the Nigerian Labour Movement.

## References

- Adewunmi, F. (2010), "Prospects and challenges of Trade Union Unity in Nigeria." Lagos: FES.
- Aturu, B. (2010), "Nigeria Labour Movement and the making of an authentic Constitutional framework for the development of Nigeria." Lagos, FES.
- Allen, B. (1972), "A history of Nigeria." London, George Allen and Unwin Ltd.
- Aturu, B. (2005), "Nigerian Labour Laws." Lagos, FES.
- Adewunmi, F. & Adenugba, A. (2010), "The State of Workers' Rights in Nigeria: An Examination of the Banking, Oil and Gas and Telecommunication Sectors." Abuja, FES.
- Abubakar, M. (2010), "Mergers and Acquisition in Industry: Implications and Challenges for the Trade Unions." Lagos: FES.
- APRM, (2008), "African Peer Review Mechanism." Report No. 8, Federal Republic of Nigeria.
- Bowers, & Honeyball, (1990), "Labour Law." London: Blackstone Press Ltd.
- Cohen, G. A. (1978), "Karl Marx's Theory of History." Oxford Clarendon Press.
- Ikeanyibe, O. M. (2011), "Nigerian Labour Policies and Practices: A Historical Perspective in key issues in Local Government and Development: A Nigerian Perspective." Tony Onyishi (ed.), Enugu, Praise House Publishers.
- Ihonvbere, J. (1984), "Labour, Transnational Corporations and the State in Nigeria's Oil Industry." Canada, University of Toronto Press.
- Iyayi, F. (2010), "Globalization and its Implications for the Trade Union Movements in Nigeria." Lagos: FES.
- Issa, M. (2010), "Defining the context of Workers' Education and capacity building for Trade Unions in Nigeria." Lagos: Friedrich Ebert Stiftung.
- Mbah, M. C. C. (2006), "Political Theory and Methodology." Onitsha: Rex Charles and Patrick Ltd.
- "Nigerian Labour Factsheet." vol. 16, No. 1, January – March 2012, Lagos: Friedrich Ebert Stiftung.

Odom, C. (2008), "Ending Nigerian Workers' Nightmare", Daily Sun Article, May 5.

Osawe V. (1985), "The Registrar of Trade Union", INWLR (Pt. 4) P. 763.

Oladipo, F. (2009), "Labour and Politics: The Challenges of Social Transformation of Nigeria." Lagos, FES.

Siedlecki, S. (2005), "In support of Democratization: Free Trade Unions and the Destabilization of the Autocratic Regimes." Craiova, Universitataria Craiova.