

TRADE UNION MOVEMENT BEFORE AND AFTER THE “RHODODENDRON REVOLUTION”

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1. INTRODUCTION

Over 50 thousand Nepali people took to the streets daily for 19 days in April 2006. These were the people trapped between royal stratagems and a violent conflict. They wanted the movement to settle all pending issues that brought them to the trap, and free the future generation from the obligation to take to the streets again to fight any form of violence on any pretext. The sea of people in the streets was not a small surprise.

And, it happened as expected. Those in the armed conflict laid down their arms, and those advocating for the so-called constitutional monarchy and traditional form of multiparty democracy were ready to throw the monarchy in the garbage of history. The zeal of youth activists and the wisdom of elderly leaders directed the restored House of Representatives to suspend the monarchy. It was an unprecedented milestone in the political history of our country.

We named this people's movement a Rhododendron Revolution, and the emerging system of governance a *lokatantra*. We wanted *lokatantra* to be a system more inclusive, more encompassing and more representative than democracy. At a time when an old social order was crumbling away and a new one yet to emerge, *lokatantra* was expected to create momentum for structural transformation of Nepali society.

Then began a wave of change! Nepal was declared a secular state. The unitary system of governance changed, in principle, into a federal system and a Constituent Assembly (CA) was elected with representatives of all castes/ethnicities, genders, regions and communities. The CA carried a mandate to declare Nepal a republic at its first sitting, and write a new constitution within two years thereby institutionalising the Federal Democratic Republic of Nepal. The new constitution was also needed to conclude political transition, take the peace process to a logical end address underlying causes and triggers of the armed conflict that raged on Nepal for a decade between 1996 and 2006. To ensure all this happens, the main political parties, particularly the CPN (UML), Nepali Congress and UCPN (Maoist), had agreed to the politics of consensus and collaboration.

These promises by the parties were enough to generate hope for the future among the people at large. But, sadly, with the dissolution of the CA in May 2012, the parties reverted to the old politics of division and deceit. Even the agreements reached at various times were not followed in earnest, and the pledges made before the people remained undelivered. Still worse, the four-year investment in

constitution writing went in vain when the CA was prematurely dissolved by the government led by the UCPN (Maoist).

A year on after the dissolution of the CA, Nepali peoples find themselves at the crossroads of hope and despair, with the colour of hope fading each passing day and despair

2. TRADE UNIONS IN THE RHODODENDRON REVOLUTION

The month of April is the season of Rhododendron. The hills of Nepal, east to west, shine with this priceless flower. In 2006, this month recorded an extra milestone in the annals of Nepal's history. It brought the sea of people in the streets of Nepal for 19 consecutive days to fight once and for all the institution of monarchy which kept the people divided, suppressed and marginalised for centuries, and obstructed the process of institutionalization of democracy. The people in the streets were from all walks of life, from all ages, from all social groups and professions that converged into an unprecedented people's movement – now known both as *Jana Andolan II*¹ and also as the Rhododendron Revolution.

Trade unions were a major constituent of the revolution. They were from both 'formal' and 'informal' sectors of industries, services and agricultural works, and also from civil service-, public-, joint- and private-run enterprises. In terms of union practices, they were of three types: 'one party, one union', 'front union of various parties' and 'non-party professional group'. Some of these unions were just a 'political group of the labour sector,' still in existence as part of traditional practices.

Three national centres of trade unions– the General Federation of Nepalese Trade Unions (GEFONT), the Nepal Trade Union Congress (NTUC) and the Democratic Confederation of Nepalese Trade Unions (DECONT) – were operating under the 1992 Trade Union. Other professionals were mobilised through the network of PAPAD (Professional Alliance for Peace and Democracy) operating under a different legal arrangement. And CONEP (Confederation of Nepalese Professionals) was operating under both categories of legal arrangement. During the Rhododendron Revolution, besides these some unions unified into the 'Front of *Loktantrik* Trade Unions' were the 'political groups of the labour sector.' Then, the All Nepal Federation of Trade Union (ANTUF), borne in course of the Maoist "People's War," had a different identify.

In the run-up to the movement, GEFONT, NTUC, DECONT and CONEP organised a joint meeting with then seven parties at Hotel Radisson in Kathmandu. In the meeting, the union representatives put a collective condition that their participation in the movement would be subject to the parties' readiness to fight

¹ The April 2006 people's movement is also called as *Jana Andolan II* as it is seen in succession to the 1990 people's movement (*Jana Andolan I*) that brought Nepal's absolute monarchy within constitutional limits and reduced many of the monarch's executive powers.

until *lokatantra* (just and inclusive democracy) is established, and commit to a full guarantee of trade union rights in the post-movement political order. The parties accepted the condition. The trade unions joined the movement with a collective voice and force, a movement that catalysed epoch-making transformation.

3. TRADE UNIONS IN THE RUN-UP TO THE CONSTITUENT ASSEMBLY ELECTIONS

On 11 May 2006, the restored House of Representatives adopted a resolution of public importance extending trade union rights to all those in the working class. The scope of the rights covered positions up to the Under-Secretary level in the civil service. With the new wave of change, debates and initiations also began towards the unification of unions. A week later, on 17 May, an interaction was organised to bring new actors in the process of 'one union,' which was already initiated by GEFONT and NTUC. In a Concept Paper entitled "Trade Union Movement in Newly Established *Lokatantra*" the following picture was presented of the existing divisions within the union movement:

The current reality of Nepal's trade union movement is one of division. ... The existing trend of 'one party, one union' has kept the movement to a narrow confine. Some exemplary achievements made by trade unions have been overshadowed by party interests. The call for unity has, in fact, turned to a permanent line of division among workers. The efforts at organising a 'front' of unions have taken no shape as the workers represent narrow party interests and get enmeshed in non-issue conflicts once a discussion begins. In the name of occupational rights and interests, the focus goes more on leadership positions with the help of their mother (parent²) parties than on substantive issues. Trade unions 'active' as political group² have resisted going beyond a 'cosmetic organ' of the parties.

These trends and practices should be seriously reviewed if the trade union movement should be vibrant and effective. A single trade union organisation that is based on universal values and norms of *lokatantra* is the need of the day.

The aim of the would-be *lokatantrik* trade union, argued the Concept Paper, should be to form a single union, which should aggressively work to establish a just, equal, inclusive and productive society, one the entire workforce in the country can accept as its own. The Concept Paper also proposed that the single union would not be

² Unseen at workplace and legally non-recognised but recognised in the name of parent parties and often try to intervene at policy level has been characterised here as political groupings in world of work. Such groups are however remaining as the cosmetic organ of the political parties.

dominated by existing 'big' unions and 'small' organisations would also have a fair say in a decision making process.

To form a single union is to amalgamate all existing trade unions into one. It is a process of 'biological' fusion of unions as has happened in many countries in the world. The American Federation of Labour and Congress of Industrial Organizations (AFL-CIO) and the General Federation of Labourers in the Land of Israel (Histadrut) have been formed through this process. The Japanese Trade Union Confederation (RENGO), which commands special expertise in the fusion of unions, is the amalgamation of some 12 trade unions. It took some 40 years to complete the process of amalgamation.

Nepal's political parties are in an early stage in the development of the culture of cooperation and consensus. This party culture heavily influences the workings of the main trade unions. Unless the parties develop a culture of collaboration, no significant change can be expected in inter-union relationship.

Fusion is an emotional unity. Unless unions are emotionally prepared, no fusion, amalgamation or integration is possible. Since Nepal's trade unions are quite far from such an emotional unity, the Japanese experience of 'biological unity' is not an option for the time being. Hence, the following mechanism was tabled for discussion as the progression towards one union. It was almost the same mechanism as adopted by Nepal's teacher unions.

A central level structure will be formed on the basis of the percentage of votes obtained by trade unions in their national elections. A union having the percentage of votes sufficient to send a representative to the central structure will qualify as a constituent of the single union. Similar process can be applied to constitute regional, district or local committees. Even in sectoral areas, sectoral organizations (industrial or professional federation) can be constituted with proportional representation.

Authentic unions elected at an enterprise level will be enterprise-level constituents of a single union. Other unions that fair second, third, and so on in the elections will be represented in the decision making process through 'labour relations committees' in which the unions will have a representation proportionate to their votes. The 'labour relations committees' will be treated as the 'labour parliament' and authentic union as the 'government' at the workplace level.

The 'new' single union was proposed to be a class-based *lokatantrik* trade union centre that would staunchly advocate for inclusive and participatory democracy.

The single union, "of the workers-by the workers- for the workers", will have its base on social justice and equitable social order. The union

relations with political parties will be defined by the parties' work. The relationship will be one of 'good collaborator' defined by the principle of 'support to quality work, and opposition to faulty one'. It will be different from the existing relationship in which unions are seen as 'sister' or 'patronised' organisations of political parties, and also as the 'permanent opposition' to the parties in government. The new single union will support the good work of parties, oppose and warn the faulty one, and will not favour the party in power and disregard one in opposition. ...Members will however have a sovereign right to choose a party of their liking and cast their votes freely.

The proposal was both practical and relevant. But, except GEFONT, NTUC and then DECONT, other unions did not show any interest. CONEP seemed suspicious of the process as it did not participate in the beginning. ANTUF, which began open unionism only after the Comprehensive Peace Accord, stood opposed to the concept and the process. In fact, ANTUF's policy then was to destroy GEFONT and exploit NTUC.

The slogan of ANTUF's revolutionary polarisation was backed by 'political groups' in the trade union sector of 'non-UML-non-Congress' political parties. Came at a time when some unions were still embracing the policy of negation and self-protection, the campaign of a single union did not get the importance it deserved. Some three years elapsed in the continuum of 'conflict-debate-argument/counterargument-dialogue-discussion'. Still, efforts continued to find options for collaboration and consensus despite differences and shortcomings. Efforts were also made to develop a joint position vis-à-vis issues of common concerns. On a number of occasions, agreements, both written and oral, concluded not to use force against one another. However, these agreements were rarely obeyed.

Efforts Initiated to Form a Single Trade Union	
24-26 September 2006	GEFONT and NTUC signed a Memorandum of Understanding to form a single union
2 December 2006	GEFONT, NTUC, ANTUF and DECONT signed the Lahan Declaration pledging their support to establish peace
7 August 2007	Presidents of GEFONT, NTUC, ANTUF, DECONT, NTUF and ANTUC signed a 22-point labour agenda
30 Nov – 1 Dec 2007	The Joint Trade Union Coordination Centre (JTUCC) was established as an outcome of the Joint Trade Union Workshop held this week
26-27 October 2008	The JTUCC got formal recognition through the First National Trade Union Conference
23 October 2011	The Second National Trade Union Conference adopted a code of conduct and an operation procedure of the JTUCC

4. TRADE UNIONS AFTER CONSTITUENT ASSEMBLY ELECTION

After the Constituent Assembly (CA) elections, a sense of collaboration started to permeate the union movement. GEFONT and NTUC adopted a policy of bringing ANTUF into the mainstream of the union movement. ANTUF also accepted to collaborate with GEFONT and NTUC, containing its aggressive rhetoric and violent attack on competing unionists. The difficult journey of collaboration that started on 2 December 2006 arrived at an important point on 26 October 2008, when ANTUF agreed to be part of the JTUCC, which then became a common forum of over 90 percent of the organised workforce in Nepal.

However, the division and discord among political parties continued to affect the union movement one way or another. Following the fusion of the Unity Centre into the Maoist party, ANTUC fused into ANTUF³. But the infighting that soon began within the Maoist party badly affected the ANTUF. Those affiliated to the erstwhile ANTUF and now supporting the CPN-Maoist⁴ following the split, forced the party leadership to dissolve ANTUF and constitute a Congress Organising Committee. There was an attempt to assassinate the President of Dissolved Committee as well.

Similarly, some old union activists exploited the wave of division within Madhesh-centric parties. Changing party affiliations now and then, they created a number of dormant union structures, which seem active in paper but not in action. Taking advantage of the helpless labour administration, some of them even registered themselves as a federation. Neglected initially by main unions, these newly emerging trade unions made their presence felt by standing against the 24 March 2010 agreement between employers and unions about revision on minimum wage along with agreement to share of pay in contributory social security fund. Some four months later, some of these unions came to join the JTUCC by way of the Third Labour and Employment Conference held on July 9-11, 2012.

Trade Union Federations Registered at the Department of Labour (as per an order of registration)	
General Federation of Nepalese Trade Unions	GEFONT
Nepal Trade Union Congress (Independent)	NTUC-I
Independent Democratic Confederation of Nepalese Trade Unions	INDECONT
National Democratic Confederation of Nepalese Trade Unions	NDECONT
All Nepal Federation of Trade Union	ANTUF
Nepal Inclusive Trade Union Federation	INTUC
Confederation of Nepalese Professionals	CoNEP

³ ANTUF the acronym remained as it is though the full form of their name changed into All Nepal Federation of Trade union from All Nepal Trade Union Federation

⁴ CPN-Maoist was formed in June 2012 following the split in the UCPN (Maoist).

Inclusive Democratic Federation of Nepalese Trade Unions	IDFONT
National Democratic Confederation of Nepalese Trade Union – Independent	NDECONT-I
National Democratic Federation of Nepalese Trade Unions	NDFONT
Union Groups Affiliated to JTUCC but not Registered at the Department of Labour	
Nepal Trade Union Federation	NTUF
Federation of Nepalese Progressive Trade Unions	FENEPT

5. ISSUES AND ACHIEVEMENTS

Conflict and competition aside, the trade union movement of the last six years has effectively succeeded in firming up its issues and demands. In terms of organisation, trade unions expanded unionism in the non-traditional sector. GEFONT expanded its influence among health volunteers⁵, employees of private hospitals and nursing homes, beauticians (those works at beauty-parlour), home-based and domestic workers. ANTUF remained influential among security guards and outsourced workers. In this period, unionism also got a formal recognition in the civil service, and unions reached among teachers and non-teaching employees in private and boarding schools, private banking and financial institutions, airline service, mass communication and publication houses. While the membership of unions was on the decline in the world, it continued to increase in Nepal.

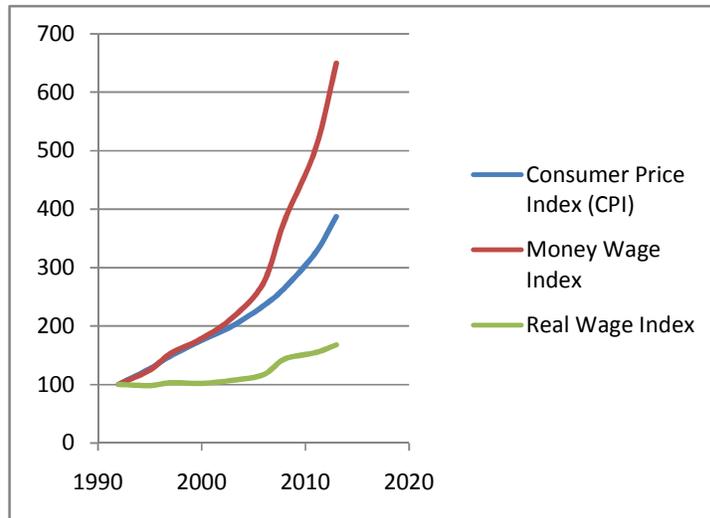
This period also saw the mobilisation of media to ‘glorify labour’ and enhance the social image of unions. GEFONT’s weekly radio and television programme - ‘Labour and Creation’ - is an example of its kind. Another example is the increased coverage of labour related materials by broadsheets, newspapers and radio and television.

In terms of pay hikes, the period saw the review of minimum wages two times. Despite inter-union competition, all unions stood united to ensure that real wages do not fall below a certain base line. The demand of 10 percent service tax, which hotel workers had been raising for the last 25 years, materialised in this period.

The issue of social security system, on discussion right from the start of the parliamentary system, found a logical end during the period. To address the pending ‘what’ and ‘how’ of the system, a contribution-based Social Security Fund has established, and a theoretical agreement reached to operate various schemes under the Fund with 11 per cent contribution from the workers and 20 per cent from the employers. The system began with 1 per cent tax levied on the payment of all salaried workers.

⁵ There are about 52 thousands health volunteers only woman though out the country. Their work station is local bodies of the state. They are identified as *Health Volunteer*. They are at 1 in a ward of every VDC and more than 1 in a ward of MNC. They are different than health sectors employees!

Also a policy agreement was reached to make labour relations more practical. A tri-partite process was initiated to reform, or enact as necessary, labour laws, by-laws and procedures. Efforts were made to reform Labour Act 1992 to ensure the inclusion of



permanent, temporary, contract-based, seasonal, piece-rate and outsourced works in its scope. Labour flexibility was tied compulsorily to the question of the social security system, and the laws contrary to reformed labour laws – such as Kamaiya/child labour, transportation-bonus and foreign employment, to name a few – were nullified.

In another important policy decision of this period, the demands of workers were classified as ‘rights-based’ and ‘interest-based’. The former would be addressed through a strong labour inspection system, and the latter through collective bargaining. In the four-year tenure of the CA, a joint concept was developed to enlist the demands of workers under four categories of ‘rights’, ‘commission’, ‘representation’ and ‘protection’. The Labour and Employment Rights discussed in the conceptual draft prepared by the Thematic Committees of the dissolved CA were an outcome of this process. These are significant achievements although it could not be materialised to reform labour laws, establish a labour commission, develop and implement schemes under the Social Security Fund, and ensure 10 per cent representation of workers in all organs of the state.

6. REVISITING TRADE UNION ACT 1992

GEFONT initiated a debate as to whether the union formation process prescribed in the existing trade union act is appropriate. The Fifth National Congress of GEFONT held in April 2009 made following assessment with regards to the issue:

The trade union act provided a framework for trade union formation and operation. It adopted a bottom-up procedure of union formation as practised in some of the democratic countries in the world. It adopted the policy of negating external engagement in collective bargaining at the local level and entrusted lower committees all necessary powers. To regulate the mushrooming ‘paper’ unions in the fertile environment created by democracy, a “compulsory provision of 25 percent members of the workers in the enterprise” was introduced. There was no ill intention in

these policies and provisions. But their effects came in various colours and reflections.

The rule of the game, on a bottom-up scale, was that 25 per cent members would constitute an enterprise-level union, 50 such unions would form one federation, and 10 federations would form one confederation. The policy aimed to regulate labour relations by enabling the workers to table demands before their managements and engage in collective bargaining with their representatives.

Such unionism was neither industry-based nor unitary. To federalise in general is to give more powers to local units compared to the centre. In legal terms, this created a situation in which those trying to learn about the movement had to take up all responsibilities and the experienced and informed were pushed away from executive roles.

Enterprise union activists had to spend most of their time doing paperwork for the Labour Office. They could not give time to train and educate union activists. Some good leaders became a target of the management, while bad leaders in some enterprises reduced the structure to a 'yellow union'. As a few office bearers had to be engaged in union activities in all enterprises, the relation between union leaders and members became less 'comradely' and more of a 'master and worker.'

As such, GEFONT started to advocate for the replacement of the trade union act with a new one or for its overhaul among its collaborators. In the package of reform of contemporary labour legislations, the issues related to the trade union act was also included.

Then, what is the alternative? This question is under discussion among trade unions. All agree that there should be a common voice. But the existing confederations, federations and local unions are still in confusion as to the scope of their authority. There is no difference that there should be a single platform. But the discussion is not settled as to how much power the umbrella organisation should yield. There is agreement that labour agenda should be common. But confusion prevails as to whether collective bargaining at an enterprise level requires a 'collective bargaining team' or no.

7. ONE MORE PROPOSAL: DESTINATION OF NEPALI TRADE UNION MOVEMENT

Nepal's trade union movement is faced with two challenges. The first is to initiate an industry-based union movement in place of the existing enterprise-based one. The second is to create an integrated voice of the working class unifying the many scattered unions.

The role of the union movement is not just to ensure a pay hike of the workers in one or the other enterprise. The role is to uplift the entire working class, transform the political economy that derogates the working class and create a condition in which the working class stands on par with the middle and high class. It is not possible without class unity, hence the slogan “the workers of the world unite.”

But our experience suggests that enterprise-level unionism does not contribute to the unity of the working class. “All rights to lower units” is pleasant hearing. But in practice, it only contributed to the hated wish of “divide and rule” of the opposing class. The compulsion of the workers to deal with the conflicting situation of “more benefits here, and less benefits there” and the obligation to “protect the benefits available now and prepare for a movement for more” has prevented them from making a call for a national movement to ensure equal rights to all the workers.

How should the trade union movement go about in the future? What approach should it adopt? As one looks at the future of the trade union movement, one has to confront these basic questions. And the answer to these questions is clear and straight. The future is such that the country goes federal, sectoral unions go central, federations of central unions operate on the basis of an ideology, and the federations constitute a common confederation to represent the entire working class. To get to the vision requires the following step-by-step intervention:

- 1. Industry-Based Central Union:** This union should replace the existing federation of unions and should engage only in policy work. It should be an integrated union with access down to enterprise-level processes. Currently, in organised industries, 50 enterprise level registered unions elect a central trade union in the system of ‘organised membership’. The proposed Industry-based Union will distribute individual membership.

The unions will have power to engage in collective bargaining with their own employers and industries they work for. Union members will have an automatic right to form a branch union wherever they work. The central union will have the power to mobilise and consolidate its members and branches.

As in the existing practice, the proposed process will also have more than one union that will be based on ideological/political diversity, party affiliation or non-party values. How to give recognition of authenticity and to whom will be decided on the basis of the number of union members in the concerned enterprise or workplace.

- 2. National-Level Federation:** National-Level Federations will be constituted by central unions based on their ideological affinity. In other words, existing trade union centres, such as GEFONT, ANTUF or NTUC, will be such federations. Since they will operate as per the existing procedure, there will still be a situation

of multi-federations, which will continue representing their own central industrial unions.

3. **Local Unit at the Workplace:** The workplace/enterprise will have a branch of industry-based central union or a local unit. There will also be representative/s (or shop⁶-stewards) of national federations. The local or enterprise level unit will have more than one union as each industry-based central union will have their direct activities at the local level. There can be three alternatives as to which of them should be considered as authentic union for collective bargaining:
 - a. An authentic union elected at enterprise level can be recognised as an enterprise-level constituent of a single union and authorised to engage in collective bargaining. The participation of others – second, third or rest unions – can be ensured in decision-making processes through a ‘labour relations committee’ constituted on the basis of proportional representation of unions.
 - b. Authentic unions can also be identified for collective bargaining following verification of dues paying members of union concerned, through a ‘check-off’ procedure. Such a unit/local branch of union/federation will replace existing enterprise-level unions.
 - c. Authentic unions can be elected at the enterprise level as per existing procedures. However, for collective bargaining, a ‘bargaining panel or negotiating team’ can be formed with proportional representation of all active unions based on their votes in elections.

4. **Only One Confederation at National Level:** Only one confederation will be formed to represent the entire country. It will be a common organisation of all national federations with representations ensured on the basis of the number of dues-paying members of each federation.

The confederation will be a ‘single union’ representing multi-unions. Instead of the common ‘majority-minority’ procedure, its operation will be on the basis of ‘consensuses’ among affiliated federations.

The confederation will be a counterpart of the apex body of employers’ organisation but will represent the interest of the opposite class. The nation will recognize it as the nucleus of trade unions. It will be well-placed to represent Nepali trade unions also in international forums, such as the International Labour Organisation.

5. **Labour Parliament:** A new structures, such as a labour parliament, should also be created to set national labour agendas. Such a parliament should be at all three

⁶ *Shop* is known as the workplace in world of work. This word is common in developed world, whereas even the unionists and scholar in Nepal don't understand this as it is! Traditionally, there were 4 categories of shops; open shop, closed shop, agency shop and union shop.

levels, namely in the centre, zone and district. After the restructuring of the state, the labour parliament should also be restructured. In the centre, representation should be ensured proportional to the total number of workers in all trades and industries. Similar procedure can be followed in the zonal level as well, but the representatives should be from the trade and industry at the same level. In the district level, it would be prudent, from the stand point of democratic representation, to form a large body with presidents of all local units of all federations. In the labour parliament and confederation, the workers can send their representatives through industry-based central unions.

It is through this process and procedure that we can correct the by-product of the 1992 Trade Union Act, and also form a mechanism that brings together 'multi-unions' and creates 'unity based on diversity' of the working class.

8. UNSETTLED ISSUES

The proposal above may still not be final one. Some trade unions in our country still lack the capacity to assess a proposal based on its merit. They rather look at things on the basis of immediate gains or losses and take decisions accordingly. There are some policy issues that need to be settled. In brief, they can be stated as below:

1. What Model of 'Union Movement' and 'How' to Launch Class Struggle?

A world-wide debate is ongoing as to what should be the model of union movement. Those in debate divide the union movement into 'service model' and 'organising model.'

Service model union is like a life insurance company, in which union executives do the daily work through 'expert/officials.' The role of leaders is limited to staff coordination and administration and collection of reporting through committees. Like a regular life insurance premium, members should pay a prescribed due to realise expected services. The service model trade union is not 'of' members, it is 'for' individuals⁷.

In the organising model, union members operate the movement voluntarily. They pay union-dues and also participate in union building processes. Each member feels the ownership of the union, and participates in organising, training and mobilising processes. The organising model builds on the principle that a trade union cannot be 'for' individuals. It should however be 'of' its members and should expand its membership for consolidation of power. Central to the organising model is to maintain a live dialogue among members.

Our union movement is somewhere in between these two models. Apparently, it looks to be of organising model, but the role of some union leaders seems to be one

⁷ I guess there is contrast difference between the word members and individuals. Here the individuals referred are contributing persons to union not dues paying member.

of the executives of the service model, in which the leaders individually rush to ‘negotiation’ or pass days loitering in labour offices.

Whatever the model, the key is to what labour relations to maintain and how. Some people see ‘labour relations’ or ‘industrial relations’ only as ‘production relations’ and not also as the study of ‘employment relation’. These people also mistake the ‘bargaining process’ of labour relations for the technique of ‘class struggle.’ Nepal’s communist movement has a wrong tendency to see trade unions only as the organisation of casual labour or daily-wage workers and ‘labour action’ as ‘class struggle’ to transform production relations has diverted into erroneous conclusion. In this tendency, spontaneous/wild-cat strikes and unruly activities are taken to be the highest standard of revolutionary zeal. It is this tendency that has made Nepal’s union actions more destructively aggressive and violent.

MAJOR THREE TRADE UNION CENTERS: A Brief Comparison			
Sector/Coverage	GEFONT	NTUC	ANTUF
Public Sector	<ul style="list-style-type: none"> Still to reach 	<ul style="list-style-type: none"> Mostly covered 	<ul style="list-style-type: none"> Still to reach
Private Sector	<ul style="list-style-type: none"> Mostly covered with focus on operational level 	<ul style="list-style-type: none"> Covered with focus on clerical and some operational levels 	<ul style="list-style-type: none"> Mostly covered with focus on atypical level
Informal Sector	<ul style="list-style-type: none"> Focused with high importance 	<ul style="list-style-type: none"> Just trying to reach, with a loose focus 	<ul style="list-style-type: none"> Covered but yet to make concrete impact
Organising Priority	<ul style="list-style-type: none"> Set by the National Centre with support from concerned affiliates 	<ul style="list-style-type: none"> Set by affiliate unions in consultation, in some cases, with the National Centre 	<ul style="list-style-type: none"> Set mostly together with party and its state council in consultation with concerned unions
Campaign Planning	<ul style="list-style-type: none"> Done by affiliates with guidance from National Centre’s concerned department GUF policies are also considered 	<ul style="list-style-type: none"> By affiliate unions, in close consultation with GUFs National Centre has no major role to play 	<ul style="list-style-type: none"> With National Centre’s active involvement Does not exist such mechanism yet
Resource Allocation	<ul style="list-style-type: none"> Trained human resources Necessary financial resources 	<ul style="list-style-type: none"> Thinly oriented human resources No allocation of specific budget, but compensated by unions and the centre 	<ul style="list-style-type: none"> Trained and strongly oriented human resources
Materials	<ul style="list-style-type: none"> Materials developed for organisers and campaigners 	<ul style="list-style-type: none"> Not very strong in organizing materials 	<ul style="list-style-type: none"> Focused on manpower and money-power, and not on material power
Model of Organising	<ul style="list-style-type: none"> Strategic organizing 	<ul style="list-style-type: none"> Spontaneous organizing 	<ul style="list-style-type: none"> Mix of party guidance and

			spontaneity
Use of Organizing Techniques	<ul style="list-style-type: none"> ▪ Membership service and activism 	<ul style="list-style-type: none"> ▪ Membership service and links with party structures 	<ul style="list-style-type: none"> ▪ Guided by party's political action and mobilisation (AHA)

2. Bargaining: Why and How?

Social dialogue is an appropriate tool to settle labour disputes. And, collective bargaining is part of such a dialogue. In general, there are four trends in bargaining.

- ***Negation of the opposite relation:*** Employers, in this understanding, are bourgeois capitalists, like a tiger, and the workers are a helpless goat. Without the negation of the former, the latter's emancipation is not possible.
- ***Coexistence relation:*** In this relation, the employers and the workers are seen as two inseparable but opposing poles of magnet. To remain together, each should listen to, understand and negotiate with the other.
- ***Co-determination relation:*** This relation holds that relative cooperation is a must between capital investors and labour investors in any production process. A nail protects flesh, but the nail cannot exist without flesh.
- ***Exploit-the-other relation:*** Under this bargaining process, workers' leaders are exploited to gain personal benefits. Workers are highly charged and mobilised, but the issues and demands of workers are suppressed or denied on employers' instruction by manipulating the leaders.

As analysed by Sociology Professor Chaitanya Mishra, Nepal is now in a stage of adopting an order that neither kills capitalism nor benefits the working class. The need of the day is to change this order to initiate a new process for consumption, investment and redistribution. As Professor Mishra holds, the focus of redistribution should be worker-centric, which should ensure a two-way benefit to the workers: they should get wages from the employer for their work and protection from the state for their votes. This enhances the workers' ownership of the state and transforms them into citizens.

The challenge before Nepal's trade union movement is to reach a common conclusion as to how best to protect the workers, and enable them to participate in the process of production, reinvestment and redistribution, a process which in fact is the class struggle as rightly argued by Professor Mishra.

3. What Kind of Equality?

Nepal's political class has embraced 'equality' in three ways: as 'unequal equality', 'absolute equality' and 'relative equality'.

Equality is an end of unequal relationships vis-à-vis income, property, power and opportunities. In an individual's context, the issue of equality relates to their economic, social and political rights and opportunities on a par with others. In a party's context, equality relates to its policy in relation to distribution and

redistribution of national income. The parties that advocate for a free market economy are the proponents of ‘unequal equality’. In a free market economy, the powerful impose their economic-political hegemony on the weak. In such an economy, the rich got richer and the poor turn poorer.

The advocates of ‘absolute equality’ sell heavenly dreams to the people with the slogan of “all are equal, and all get equally.” This slogan stands opposed to the Marxist concept of “from each according to their ability, to each according their needs,” and introduces a practice of “let’s divide equally what is available now.” It is a practice that ultimately distributes only poverty, not equality.

The advocates of ‘relative equality’ stand opposed to equal distribution of poverty. For them, the issue is not ‘how much rich one can be,’ but ‘how to spend what amount of income and property of the rich for the benefit of the poor.’ In other words, the proponents of ‘relative equality,’ support the policy of enriching the poor and one that aims to elevate the low-class people to a high-class status.

Policy dualism is the root cause of social inequality in Nepal. The State does not command people’s trust as it speaks often of ‘absolute equality’ but resorts to ‘unequal equality’ in practice.

Studies of the National Bank and Central Bureau of Statistics show that, barring the period of 1996, the main beneficiaries of per capita national income have often been the middle-class (50%) and high-class (10%). The statistics of 2011 shows a further decline of the poor in the share of national income from what it was (12.8%) in 1977.

People on the basis of per capita income (in %)			
Year (BS)	Low Class (Poor)	Middle Class (Mid-income Group)	High Clas (Rich)
1977	12.8	28.2	59.2
1996	15.3	49.7	34.9
2004	14.2	48.1	37.7
2011	11.9	48.5	39.5

Source (respectively): NRB, 1977; and CBS, 1996, 2004 and 2011

Ours is a post-peasant society now. It is a society in transition. As Professor Breman⁸ says, our social development does not follow the process of 19th and 20th century Europe.⁹ A huge group of workers has moved away from agriculture, but has not been an industrial labour force yet. Neither has it been able to protect itself in a permanent employment of this or that sector of economy. Professor Mishra finds a huge workforce of industrious youths in Nepal, a workforce of more

⁸ Prof. Prof. **Jan Breman** (born 1936) is an emeritus Professor of the University of Amsterdam. He was awarded an Honorary Doctorate at Institute of Social Studies (ISS) on 29 October, 2009. His Inaugural lecture was entitled The Great Transformation in a Globalized Perspective. He is a Fellow of the International Institute for Asian Studies.

⁹ As discussed author in GEFONT, Oct 2006

educated, expert and movable youths than ever before. It is the workforce that wishes to earn a living on their own through a trade of their free choice.

To effectively address these equality/inequality questions and conundrums, GEFONT has developed the principle of 'Class+3.' The principle stresses the importance of class struggle to end economic exploitation, while arguing that the 'class' element should be aware of and responsive to the three principal components of social oppression in Nepal, which are gender, caste/ethnicity and geography. Social oppression is an issue that should be tackled with the seriousness it deserves, but is **not** one 'equal to' or 'above' class.

The trade union movement of the day cannot operate on the basis of 'revolutionary rhetoric' or an 'understanding with the management.' For the movement to be effective and sustainable, there should be theoretical/policy clarity on what kind of society to be formed and what mechanism it requires to establish the hoped-for society. The trade union movement of the day cannot be directed by a dogmatist call of 'ideological purity.' Nor does this call can protect the unruly behaviour motivated by an 'economic/physical' offer or greed.

An inclusive trade union movement, which is the need of the day, can be created by bringing together the entire workforce in the sector of industries, services, agriculture, construction and other labour sectors of the formal-informal economy. The movement should also coordinate the self-employed and wage workers, whether regular or casual. The inclusive union so formed should be able to influence a political direction of the country.

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