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The ending of southern Africa’s tripartite dream: the cases of South Africa, Namibia and Mozambique

Pauline Dibben*a, Gilton Klerckb and Geoffrey Woodc

*aSchool of Management, University of Sheffield, Sheffield, UK; bDepartment of Sociology, Rhodes University, Grahamstown, South Africa; cUniversity of Warwick, Warwick Business School, Coventry, UK

This article examines the rise and decline of tripartite experiments in southern Africa, focusing on South Africa, Mozambique and Namibia, where tripartism emerged as part of the broader processes of democratisation and embedding democratic institutions. Why did these experiments largely fail to achieve the gains for labour that might have been anticipated? In each case, the lack of success can be ascribed to the ecosystemic dominance of neo-liberalism, returning growth fuelled by higher commodities prices, the changing structure of elites, dominant partyism, and structural weaknesses in both organised business and the labour movement.

Keywords: Southern Africa; tripartism

Introduction

This article evaluates tripartite experiments in three neighbouring southern African countries, South Africa, Namibia and Mozambique, focusing on the years 1994–2013, but taking into account key features of broader socio-economic history. In covering the historical trajectory underlying the tripartite experiments, it explores why tripartism was instituted and what it consisted of, the indicators of its decline, and why this occurred. This analysis helps to address the important question of why these experiments largely failed to achieve the gains for labour that might have been anticipated. The findings of this article have broader import, given ongoing concerns within Africa in relation to job insecurity, inequality, social stability, and distributive matters.

Literature review: origins and challenges of tripartism

Important distinctions can be drawn between tripartism and neo-corporatism.1 Neo-corporatism seeks to reconcile the interests of competing class interest groupings in society, implying compromise and deal making between capital and labour, with the state adding the resources and regulations necessary to make deals viable and durable, in order to provide the basis for sustainable growth.2 Tripartism can be defined as a somewhat ambitious manifestation of neo-corporatism, in that the partners are drawn together in setting macro-economic policy, aiming to encourage consensus, fairness and equity, and consequently overcome potentially ruinous class conflicts, and foster social and economic progress.3 In embedding participation by broadly based interest groupings, tripartism can

*Corresponding author. Email: p.dibben@sheffield.ac.uk

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potentially preclude a drift toward authoritarianism and underpin a broadly legitimate social order. These features are especially pertinent to each of South Africa, Namibia and Mozambique, since they were marked by long liberation struggles, and in the case of Mozambique, subsequent civil war: tripartism could potentially help to overcome the bitter social divisions of the past.

However, as Olson has noted, tripartite deals only work if partners are broadly encompassing and are capable of reining in their rank and file. In other words, tripartism is only likely when the ‘intermediary organisations’ of capital and labour retain a broad base. When Olson wrote this around 30 years ago, organised labour represented a significant majority of the employed within many developed societies. However, although in South Africa at the close of apartheid the labour movement encompassed the majority of formal sector workers outside of agriculture and small business employees, the social base of the Mozambican and Namibian labour movement was always narrower. In countries with large informal sectors and high unemployment, the main threat to tripartism may not be separations within the traditional working class, but the ‘precariat’, whose interests are unlikely to be taken into account in neo-corporatist deal-making. At the same time, the rural-urban divide is often much more pronounced than in developed societies in terms of prosperity and political importance, albeit with links between urban and rural workers through informal extended networks of support. Unions in countries such as South Africa arguably constitute a present day aristocracy of labour, yet it is overly simplistic to assume that they ignore the needs of marginalised workers, given the strength and tenacity of such networks in the absence of comprehensive welfare coverage. Hence, accommodations between state, business and the urban working class may provide an important basis for stability, even if they do not formally encompass those on the periphery.

A more serious threat to tripartism might be limitations in the representativeness of organised business. Here, challenges include reconciling the interests of smaller employers and their larger (often unionised) counterparts; the interests of the former may be discounted in deal making, undermining the legitimacy of, and support for deals. If anticipated gains are not achieved, either through not addressing the interests of all members, or through a lack of negotiating capacities, this might result in disenchantment from members. Furthermore, the complexity and dynamics of an internationally open economy may limit the possibilities for coordination through corporatist negotiations and structures.

As noted above, neo-corporatist deal making also depends on active state support. However, governments have become increasingly reluctant to support such deal-making, reflecting the dominance of a neo-liberal ideology at the national and international level amongst global policy elites. Whilst the influence of supra-national institutions such as the International Monetary Fund (IMF), the World Bank and large financial institutions remains uneven, such players have often put severe constraints on national governments in the developing world, preventing them from pursuing alternatives to neo-liberalism, and powerful businesses have been emboldened to pursue short-term strategies that limit the involvement of organisations representing labour. This influence cannot, of course, wholly explain why elites within government have become increasingly responsive to the interests of specific categories of short-termist investors rather than society as a whole. However, one explanation is that contemporary political elites worldwide are invariably composed of militarists, merchants/capitalists and intellectuals. Whilst intellectuals are most likely to pursue class compromises, hegemony by either of the former groups can lead to a narrow pursuit of sectional interests in government policy formulation. In southern
Africa, liberation movements enjoyed a strong intellectual base, but in recent years, prominent politicians have become increasingly concerned with their own business interests. Moreover, where politicians have been reluctant or unwilling to deal with structural social problems, and have merely sought to campaign on small-scale policy changes and sound-bites, they have become reliant on technocrats. In turn, these technocrats have in many cases been co-opted by financial elites. All this, as Streeck suggests, has made for a growing failure by the political classes to rein in or mediate unrestrained market forces. Finally, as Pagano and Volpin note, class compromises have tended to occur where there have been proportional electoral systems, since national governments have had to engage in coalition building that includes various sectional interests. All three countries under review have proportional systems. However, in each case, these systems are characterised by dominant partyism. In such instances, coalition building is likely to be subsumed within the ruling party, and therefore supporters of a (in this case internal) coalition partner are less able to punish it for perceived failures via the normal electoral process. In turn, this may result in poor quality politics which are personality centred and lack depth.

In summary, in southern Africa, given the post-conflict context, it might be expected that tripartite deal making has been largely impelled by a desire to shore up political transitions and broaden the basis of social consensus, while economic growth was an important but secondary concern. It might also be assumed that employer support for tripartism might help in negotiating legitimate departures from the increasingly pressing neo-liberal orthodoxy of International Financial Institutions and potential investors. However, as outlined in the following sections, the situation has been more complicated than this within the three countries under study.

South Africa’s corporatist moment and how it passed

The South African labour movement has arguably been the largest and best-resourced in Africa. It also played a central role in the struggle for democratisation, imparting it with political legitimacy. Yet, although some tripartite institutional features persist, South Africa’s neo-corporatist moment has passed, reflecting structural changes in the South African political economy and long term shifts in the global ecosystem.

There is an extensive literature on the South African union movement. However, it is worth reiterating some of the key features and trends. The first is that up until the early 1970s, attempts to organise African workers relied too heavily on a small number of activists, while white dominated unions, after spectacular outbreaks of militancy were gradually co-opted. Secondly, an initial focus was on grassroots accountability rather than political engagement. However, the post 1976 Soweto uprising and wave of repression proved highly damaging, and a more overtly political strand of unionism emerged. These two strands were united with the launch of the COSATU federation in 1985, which represented the overwhelming majority of union members. By the end of the 1990s, union density among non-agricultural workers had reached almost 40%. Although this figure is relatively high compared to other countries it should be noted that 60% of workers remained unorganised, and most worked for smaller employers. This limited the social foundations and legitimacy of any deals.

In an attempt to politically incorporate the unions, the apartheid government adopted the Wiehahn Commission-recommended reforms over the years 1979–1981, thus including black workers in industry wide collective bargaining and establishing an industrial court to adjudicate labour disputes. Yet, independent unions remained
militant, reflecting the apartheid state’s inability to politically incorporate the unions; black workers faced the daily indignities of apartheid both at the workplace and in the community. The responses of employers to the rise of the unions were mixed. Some employers chose to recognise unions and engage with them, finding workable compromises, but other more conservative employers resisted the changes. The apartheid government was confronted with a mass insurrection from 1983 onwards, at the same time that the strike rate within firms soared. In response, the government looked to roll back the reforms with the 1987 Labour Relations Act amendments, which sought to curtail basic worker rights. Mining and public sector unions subsequently engaged in industrial action, with mixed results. Further state repression under successive States of Emergency from the mid-1980s onwards re-imposed social order but failed to resolve workplace tensions. Apartheid had enriched Afrikaans-owned business. However, businesses struggled with the fall of the gold price in the 1980s, forcing a reduction in protectionism and active industrial policies, and waves of shopfloor resistance. In February 1990, then President F.W. De Klerk lifted a wide range of apartheid measures and commenced negotiations leading to democratic elections in 1994, which the principal black opposition movement, the African National Congress (ANC), by now an alliance partner of COSATU, won.

In South Africa, various factors therefore contributed toward the move toward tripartism. Labour, business and state all had a strong interest in a tripartite settlement by the close of the 1980s. The unions were in favour of tripartism due firstly to concerns with increasing job losses and radical grassroots pressures, and the need to consolidate their national role. Under high apartheid, active industrial policies had nurtured labour intensive, inefficient manufacturing firms; these included protective tariffs, and subsidies and tax concessions for firms setting up within or adjacent to the bantustans, the latter in an attempt to lure black workers away from the cities. By the late 1980s, it was clear that tariff liberalisation was inevitable, placing many jobs at risk. In addition, employers had moved toward leaner staffing; wholesale job losses had led to significant membership declines in key affiliates, such as the National Union of Metalworkers of South Africa. Secondly, mainstream unions faced the threat of radical breakaways. Whilst centralised agreements on complex issues of national economic policy might further have undermined the ties between leadership and grassroots, it was hoped that the gains might make splinter unionism unattractive. Meanwhile, businesses were concerned by the growing ungovernability of workplaces and the unworkability of the 1987 Labour Relations Act amendments. Many major employers, such as Daimler-Benz, faced the challenge of operating plants where large areas of the shop floor had been rendered no-go areas for managers. More broadly speaking, there was a desire by employers to distance themselves from past complicity or support for the failed apartheid order, and legitimise their role and status in the post-apartheid era. More far sighted employers set a strong premium on the need for political stability, even if it meant compromising their interests. From the government perspective, there was commitment to negotiated outcomes, and a recognised need to reconcile the interests of diverse stakeholders in order to achieve competitiveness, but above all, to bring about social stability, and secure broad backing for the new institutional arrangements.

In practical terms, tripartism involved various measures. In 1994 the National Economic Development and Labour Council (NEDLAC) was established by legislation, and formally launched in 1995. This was a tripartite forum with the brief of promoting sustainable growth, stakeholder participation, and fairness and equity at the workplace. The body brought together COSATU, two smaller federations, Business Unity South
Africa, representatives of government, and a selection of community organisations. It provided the forum for the agreement of the South African 1995 Labour Relations Act, which helped to strengthen conciliation and mediation structures. The initiative represented an important attempt to facilitate and secure the transition. Talks involving key political actors, unions and employers paralleled the national negotiations, and the resultant understandings paved the way for formal negotiations at NEDLAC. This served to make the negotiation process around the transition more broad based, and resolve key concerns of unions and employers. The unions, above all, desired the repeal of the 1987 amendments to the Labour Relations Act that significantly rolled back worker rights. Meanwhile, key employer concerns centred on the need for stability within the workplace and beyond.

However, NEDLAC never succeeded in becoming a full neo-corporatist body; agreements were episodic, and with the exception of the 1995 Act, very narrow ranging. In June 2000, the International Labour Organization’s (ILO) representative in South Africa, Charles Nupen (who had earlier played a key role in developing structures for mediation in South Africa) founded the Millennium Labour Council. This body brought together business and labour, which, it was hoped, would reach agreements that could be presented to NEDLAC as a fait accompli. Critics have charged that the Council led to a depoliticising of controversial issues, removing pressure from government.44

The success, but also the failure of tripartism, can at least partly be attributed to dominant partyism from 1994 onwards. On the one hand, dominant partyism led to political stability, which was essential for tripartism. However, this strength also limited the role of the union federation. As an Alliance partner with the ANC, COSATU had some impact on government policy, but was primarily reactive, working to constrain neo-liberal reforms, rather than forcing new policy initiatives. Despite this, COSATU’s rank and file retained strong loyalty to the ANC, reflecting both historical sentiment and real progress in basic service delivery.45 The emergence of alternative unions in recent years can be seen as a reaction to COSATU’s orientation toward the ANC, whose members have been accused of corruption and ignoring poverty.46 Yet, although the loyalty became more conditional, it did not lead to rupture, nor to abandoning the alliance.47

Why has tripartism not been more effective in South Africa? Firstly, neither employers nor unions were ever broadly encompassing organisations.48 A large proportion of the South African workforce remained unorganised, and although there were strong ties between the precariat and existing COSATU members via informal networks of support, in the light of persistently high unemployment these networks came under increasing strain. Secondly, some COSATU unions were in a weaker position vis-à-vis key employers than others; this resulted in diversity in priorities and organisational clout.49 Thirdly, and in common with other countries, employers have been divided, and smaller employers have been suspicious of the motives of both unions and larger employers.50 Fourth, and more specific to South Africa, the resurgence in minerals prices, a general return to growth across the economy, and political stability,51 may have removed the underlying sense of urgency from the process. Fifth, in South Africa’s dominant party system, internal coalition building has been subsumed into the ruling party rather than being played out through genuine class coalition building.52 Years of exile and the challenges of armed struggle led to the ANC developing a strong culture of internal discipline and unity, which enabled it to survive and ride out a wide range of internal and external challenges. Although this unity has become somewhat frayed in recent years, it has remained highly effective in isolating and marginalising dissenters, enabling it to shore up its dominance in the South Africa political order. Sixth, there have been structural
changes in the composition of the political elite. Intellectuals were prominent in South Africa’s first democratic government, which was characterised by a strong emphasis on altruism and idealism, providing solid ground for class compromises.\(^{53}\) In subsequent years, political entrepreneurs became more prominent,\(^{54}\) motivated by the pursuit of wealth. Policies aimed at promoting black economic empowerment (BEE) have primarily benefitted politically connected individuals, rather than contributing to broader upliftment.\(^{55}\) Technocratic elites within government became fragmented, and some became aligned with the agenda of global financial interests.\(^{56}\) Finally, the union leadership also underwent changes. Some union leaders transformed themselves into business magnates,\(^{57}\) while shop stewards moved into management. Although this trend may seem common to other countries, this process was quite rapid in South Africa: from the early to mid 1980s to the early to mid 1990s many employers went from strict anti-union policies to actively seeking to bring shop stewards on board, in an attempt both to drain workplace militancy and be seen to be actively advancing Africans as a remedy for past injustice.\(^{58}\) There was also evidence of a rupture between leadership and rank and file, most notably in the mining industry; miners benefitted little from high minerals prices, but union leaders, in some cases, became very close to management.\(^{59}\) In summary, the origins of tripartism in South Africa were somewhat unique given the apartheid past, and the causes of its failure were complex, but include dominant partyism, divided business interests, political elites, and lack of union representation.

**Namibia’s tripartism: reluctant partners?**

Tripartism in Namibia largely stemmed from events in the late 1980s and early 1990s. However, these developments were linked to the country’s past. South Africa’s colonial rule in Namibia revolved fundamentally around the consolidation of its economic dominance and the expansion of its political philosophy of racial segregation.\(^ {60}\) A system of contract migrant labour was established through stringent influx control measures, which restricted access to the ‘white’ urban areas to black people who were born there or had lived or worked continuously in the area for 10 or more years. Migrant workers were treated as casual labourers and had to return to the bantustans at the end of their term of service. Two-thirds of the labour force in Namibia was composed of migrants in the 1970s – a higher proportion than almost anywhere else in the world, including South Africa itself.\(^ {61}\) Wages of migrant workers were unilaterally fixed by labour recruitment agencies at a uniformly low level for all economic sectors. The migrant labour system was both a vital component of South Africa’s occupation of Namibia and a source of deep resentment among black workers.

As the struggle for national liberation gathered momentum, a range of draconian security laws passed by the South African government after 1948 were extended to Namibia. The banning of persons and publications; the harassment, detention and torture of political activists; the prohibition on public meetings; and the general suppression of oppositional activity authorised by these laws had deleterious consequences for the normal activities associated with trade unionism. While trade unions organised by and for African workers were not unlawful, they were assigned to ‘an institutional vacuum’.\(^ {62}\) In summary, the pre-independence system of labour regulation consisted of three components: formal and statutory law for the private sector; informal and mainly non-statutory regulations for the agricultural and domestic service sectors, informal sector and unregistered trade unions and employers’ organisations; and the limitation of collective employment relations to isolated instances of consultation within the public sector.\(^ {63}\)
From the late 1970s, it became clear that the apartheid labour market had impeded mobility and generated extensive opposition from semi- and unskilled black workers. The need for deracialisation influenced the policies of the interim Transitional Government of National Unity and the resurgent activism of the National Union of Namibian Workers (NUNW). However, most employers generally clung to established workplace structures and practices. After independence in 1990, Namibia’s socio-economic structure was marked by: an underdeveloped rural sector, especially in the populous north; a small industrial sector dominated by the production and export of a few primary products with minimal processing; a capital-intensive production structure; a severe shortage of skilled labour and high rates of illiteracy among the black population; a small domestic market; negative growth rates of real Gross National Income; and a high degree of dependence on the South African economy. This latter feature was deliberately put into place by the South African regime before independence.

Under these conditions, as a World Bank report concluded, ‘the intriguing question is not why is the Namibian manufacturing sector so small, but why does it exist at all’.

In terms of the labour movement, enduring trade unions began to emerge in the mid-1980s. Namibia’s largest and most influential trade union federation, the NUNW, which was formerly established in 1989, prioritised the struggle for national liberation over the improvement of employment conditions under the colonial system, and essentially operated as the labour wing of South West African People’s Organization (SWAPO) in exile. These deep, historical links are evidenced by the NUNW’s direct affiliation to SWAPO, a relationship that inhibited NUNW’s independence, articulation of its own policy positions, and criticism of the government.

The SWAPO government was compelled to establish tripartite structures in an effort to: (1) incorporate the labour movement which had contributed toward the struggle for independence and had become increasingly militant during the late 1980s; and (2) assure organised business of protected interests and involvement in the post-independence economy. Although aware of structural unemployment and low growth rates and inequalities, SWAPO was not able to restructure the labour market or break economic neo-colonial ties, and instead moved toward the creation of a favourable economic climate for foreign direct investment. The Namibian Employers’ Federation’s (NEF) position was largely pragmatic: it sought to influence the programmes of the SWAPO-dominated government, safeguard the economic privileges of the prevailing elite, and gain access to a national platform to promote socio-economic reforms that might lead to productivity and competitiveness.

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In practice, the first tripartite structure was the Commission of Enquiry into Labour Matters in 1987. The NUNW also participated in the drafting of the Constitution of the Republic of Namibia. After independence, and influenced by the ILO, the SWAPO government more fully committed itself to the principles of tripartism, with tripartite principles and discussions being applied to all ratified Conventions and related legislation. Given the close structural links between the NUNW and SWAPO as well as the key roles played by union leaders in the party, there was a widespread expectation that the interests of workers would figure prominently in SWAPO’s policies. SWAPO relied on union support during Namibia’s first democratic elections, and moves to tripartism in the post-independence era represented a vital reciprocal gesture. Tripartism would facilitate in deepening dialogue between employers and unions, reducing the chance of destabilising industrial disputes in the post-independence era. In other words, the post-independence tripartite initiative may have helped to smooth and secure the transition. Indeed, the 1992 Labour Act represented a significant advance over the labour relations system in colonial Namibia, setting up institutions that were designed to promote and consolidate tripartism.
in employment relations. Principal among these institutions was the Labour Advisory Council (LAC) which was comprised of representatives from government, registered employers’ organisations and registered trade unions, tasked with advising the Minister of Labour on ‘any labour-related matters’, and aimed to promote tripartism in order to create employment relations conducive to economic growth, stability and productivity. The LAC set up committees to investigate issues such as the formulation and implementation of national policy, the promotion of collective bargaining, and the collecting and publishing of labour-related statistics. Most of the committees did not meet regularly, but recommended amendments to the Labour Act and social security legislation. The LAC thus appears to have played an important role, although one that was quite circumscribed.

The Labour Act also established a range of tripartite institutions: the Wages Commission which set minimum wages in designated sectors of the economy; a tripartite Social Security Commission; the Labour Court and district Labour Courts, whose assessors could be appointed in equal numbers from representatives of trade unions and employers’ organisations; and the Presidential Economic Advisory Council, National Planning Commission and Employment Equity Commission. Finally, the office of the Labour Commissioner was established to facilitate ‘healthy’ employment relations between the social partners. However, while the government consulted with labour and capital on a range of labour relations and socio-economic issues, it reserved the right to make the final decision if no consensus was reached, acting as a ‘neutral referee’ and creator of an enabling environment for collective employment relations.

From the outset, there were a number of tensions and problems associated with tripartism in Namibia, which contributed toward its limited role. First, tripartism only accommodated members of registered trade unions, thus excluding the majority of workers in Namibia, including those in communal agriculture, the informal sector, and unorganised workers in the formal sector. Second, while tripartism presupposed government interaction with two distinct ‘social partners’, the government was the largest employer in the formal sector, and the NUNW federation was affiliated to the ruling party in government. From independence to 2009, SWAPO effectively attained one-party rule, with around 75% of the vote. Third, the NUNW-affiliated unions lacked influence, particularly since the government increasingly embraced neo-liberal ideas, and sought to encourage foreign investors at the cost of the unions. This can be illustrated by the controversial Export Processing Act of 1995. In its original form, the government took the decision to make export processing zones (EPZs) ‘trade union free zones’ by declaring the Labour Act (1992) non-applicable. This meant that trade unions would not be able to exercise their basic right of collective bargaining with employers. It was only after the NUNW threatened to take the government to court, claiming that the EPZ Bill was a violation of the Labour Act, the Constitution and several ratified ILO Conventions, that the government (and SWAPO) entered into discussions with the NUNW. Following these discussions, a relatively minor compromise was reached: the Labour Act would apply, but with strikes and lockouts outlawed, and all disputes being subject to compulsory arbitration – a major set of labour rights denials. Fourth, the tripartite structures were largely advisory in nature, and composed of a majority of non-union representatives. At its second National Congress, the NUNW adopted a resolution that denounced the government’s neo-liberal stance that the latter had taken in order to please the World Bank, IMF and foreign investors, and that criticised the federation’s lack of involvement in policy formulation. Fifth, the power of trade unions was compromised by high levels of unemployment, deep social divisions, a demobilised civil society, and a preponderance of decentralised collective bargaining. Decentralised bargaining resulted in the unions spending the bulk of their time and meagre
resources on a multitude of separate negotiations with predominantly small companies. Added to this were a lack of resources and negotiating ability, with trade union leaders being drawn into senior positions in the public and private sectors, leading to the appointment of new leaders with little knowledge of workplace issues and socioeconomic policies. There was also declining accountability within the unions, with a reduction in report-backs to members before major decisions were taken.

Sixth, the role of the employer federations was limited. With the exception of the Chamber of Mines and the Master Builders’ Association, employers lacked a central, organised presence in the regulation of labour market issues, perhaps since labour lacked influence which reduced the need to engage. The lack of employer engagement weakened tripartism, ruled out centralised collective bargaining and contributed towards the increasing variation in terms and conditions of employment within and between different economic sectors. Moreover, employers in Namibia were historically opposed to negotiating with union representatives, preferring to consult with committees of their own creation. Although the NEF represented employers in the LAC and in the various tripartite committees established by the LAC, and repeatedly stressed its commitment to tripartism as a principle of democracy, it also repeatedly expressed reservations about the efficacy and purpose of the LAC. In addition, the NEF accepted LAC decisions even if they did not agree with them. For example, amendments to the Labour Act in 2007 (such as extended leave provisions for employees, the banning of temporary employment agencies, and a clause that prohibited representation at arbitration meetings and compelled employers to attend them personally) were made despite the lack of consensus among the social partners. In the words of the NEF’s president: ‘We put our concerns to the nation’s policymakers, but it is a pity that the concept of tripartism ... was completely jettisoned in the promulgation of this Act.’

Seventh, there were challenges related to the polity. There was increased marginalisation of dissenting views and the intolerance of criticism, in Namibia as elsewhere in the region, with origins in the liberation struggle. As Saunders commented, ‘The centrality of the armed struggle in the years of exile meant that SWAPO became dominated by a military culture, strongly hierarchical, authoritarian and closed.’ And as previously noted, militarised elites are unlikely to have much interest in forging cross class compromises. Finally, given its history of institutionalised oppression and discrimination, employment relations in Namibia were characterised by a fundamental lack of trust and willingness to compromise. In practice, according to union leaders, ‘the principles of tripartism are currently not being sustained or enforced by the Namibian Government.’

The choice confronting the government, business and labour in Namibia in the future is arguably a low-wage, low-skill, deregulated and fragmented framework that emphasises the need to attract foreign investment and reduce social spending, versus a high-wage, high-skill, centralised and co-determinist framework in which employee participation and training are seen as vital for increasing the productivity of the economy. The former route is likely to be adversarial in nature and divisive in its consequences, while the latter is likely to encourage investment in human resources and expand the terrain for tripartite decision-making. The low-wage route would place additional strains on the coalition between SWAPO and the NUNW and halt, if not reverse, the efforts to expand democracy and reduce social inequalities.

Mozambique: a partnership of equals?

As with South Africa and Namibia, the effectiveness of tripartism in Mozambique cannot be divorced from the country’s past. From 1498 until 1975, Portuguese colonialists in Mozambique concentrated on the extraction of raw materials and forced labour. In this
respect, Mozambique was similar to a number of other colonised countries. By the nineteenth century, efforts had turned toward building infrastructure and encouraging enterprise, but the regime still engaged in forced labour (particularly in relation to cotton), racism and state neglect of the large peasant population. A war of independence ended in 1975, with a vast exodus of Portuguese settlers, leaving important skills gaps in the economy. Driven by the need to coordinate economic reconstruction, and sponsored by the Soviet Union, the new revolutionary government, Frelimo, embraced single party socialism. However, the country was soon plunged into a bloody civil war, with the peasant based rebel movement, Renamo, drawing support from those hostile to the abolishment of chiefly authority and heavy handed agrarian policies, and enjoying backing from first the Rhodesian government and subsequently apartheid South Africa. The war ended in 1992 (the end of apartheid paving the way for a negotiated settlement), and democratic elections were first held in 1994. The ruling party Frelimo formed the government, with Renamo in opposition. From the late 1980s onwards, Frelimo distanced itself from socialism due to the withdrawal of Soviet aid, and turned to the IMF and World Bank, which, in turn, gave aid on condition that the government reduced spending, liberalised the economy, and privatised state owned enterprises. These strategies contributed toward massive job losses. Employment legislation was developed by the Portuguese, then revised through the Labour Laws of 1998 and 2007; the government adopted all of the International Core Labour Standards. However, the enforcement of legislation was problematic, resulting in calls for changes in pay, health and safety and representation of the informal sector. Moreover, only 20% of workers have generally been covered by collective agreements.

Unions existed before independence in 1975, but workers had to be earning over a certain wage before they could qualify to be members, which disqualified most black workers. During the early socialist period, the state set up production councils which consisted of both workers and Frelimo activists; dynamising groups were set up by the government to promote the party and maintain production, or emerged spontaneously, and later these groups were formed into party cells. In 1983, production councils were merged into the union federation, Organização dos Trabalhadores de Moçambique (‘OTM’, the Organisation of Mozambican Workers), and union membership was made compulsory for workers in industry and services, following the Soviet transmission belt model. By 1985, the OTM had begun to create national unions to represent different sectors, and by 1993 there were 15 unions. Following Frelimo’s gradual abandonment of state socialism, new statutes were passed at the OTM conference in 1990 making the union officially independent of any political party. Moreover, as confirmed by the trade union freedom act in 1991, union membership was made voluntary and available to anyone earning a salary or wage. By the beginning of the 1990s, the more independent OTM had begun to criticise government policy on structural adjustment, and wildcat strikes took place in 1990, protesting against structural adjustment and low wages. However, the federation was still generally regarded as too close to the ruling party, and in 1998 three trade unions left the OTM and instead formed the Confederation of Free and Independent Trade Unions of Mozambique (CONSILMO).

Why did Mozambique embark on tripartism when it did? Tripartism in Mozambique was instigated by the government post 1994, but built on the legacy of previous forms of corporatism, including those drawn from the colonial power: in Portugal, authoritarian corporatist rule under the Estado Novo emphasised unity between state and society, drawing on Portuguese legal tradition and patriarchal elements of Portuguese culture; in 1960s Mozambique, facets of Portuguese authoritarian corporatism had led to the encompassing of both larger employer interests and white dominated trade unions. Another reason might have been Frelimo’s wish to exclude Renamo from
decision-making, so that it could claim full credit for the peace dividend. Hence, the type of tripartism that emerged in Mozambique was one that cemented the hegemony of the ruling party. A further explanation related to the government’s desire to secure support from both unions and employers. The main site of opposition to the Frelimo government was the rural periphery, where union penetration was slight; in contrast, through the 1990s, it retained strong support amongst the urban working class. Promoting deals with increasingly independently minded unions could help to draw them back into the fold. In other words, from Frelimo’s point of view, tripartite initiatives may have made democratisation less risky. It represented an important concession to unions that could help promote support among their constituents, who, in turn, represented a vital pool of voters for the ruling party. Again, giving employers a say in macro policy decision-making would reduce the possibilities of them seeking to reach accommodations with their own independent unions, and enhance their ties with government. For employers, given the country’s troubled history, tripartism offered the potential for economic and social stability.

A key structure within Mozambique’s tripartite arrangements was the Consultative Labour Commission (CCT), which was established in 1994, and consisted of the government, the employer’s organisation the CTA (Confederação das Associações Económicas de Moçambique) and both the OTM and CONSILMO union federations. The CCT’s aim was to ‘promote discussion and consultation on issues related to the country’s governance, labour market and social and economic policies as they relate to employment.’ Items for discussion in the CCT included the setting of the minimum wage, review of the labour law, and vocational training. However, according to the ILO, limiting the CCT’s effectiveness were weaknesses in the tripartite partners’ negotiating abilities and research capacity, and a lack of dialogue between national and provincial levels.

In terms of the labour movement’s level of influence within the tripartite system, it has been suggested on the one hand that, ‘labor unions do exert pressure on the government to maintain some extremely pro-worker provisions in labor legislation,’ including influence in relation to the recruitment and dismissal of Mozambicans, severance payments and other benefits. Although the government tried to reduce severance pay, under pressure from the World Bank and IMF, the OTM managed to persuade the CTA that previous rights should be kept, otherwise it would cause industrial conflict. On the other hand, the federation has not achieved freedom of association for public sector workers, a significant rise in the minimum wage, or reductions in unemployment and inequality. Its effectiveness has been limited by its lack of independence from the government. Since it was set up by the ruling party, the federation has struggled to bargain and negotiate with government, a weakness that has been echoed in other post-colonial states. More generally, their role has been affected by an inability to represent workers at the workplace: it has failed to establish collective bargaining at industry level, and employers have not complied with collective agreements. In common with other countries, there has also been evidence of victimisation of union members and restrictions placed on union activity, while organising has been prevented due to the lack of funds, problems in reaching workers in rural areas, and difficulties in organising workers in small firms. Although there have been some signs of mobilisation, including strikes in state run enterprises and large foreign firms, representation of informal sector workers has been limited to the OTM helping Associação dos Operadores e Trabalhadores do Sector Informal (ASSOTSII), the organisation representing informal sector workers, to voice its concerns to government.
The role of employers within the tripartite arrangement has also been complex. The main employer’s federation, the CTA, was set up in 1996 and by 2012 consisted of 64 members. Although referring to itself as non-partisan, it was set up by the donor agency USAID which encouraged it to take a more neo-liberal views (freer trade and greater competition) than many of its (particularly domestic) members desired. In addition to engaging in tripartism, the CTA has also engaged with the state in a range of forums outside the CCT, including the Extensive Consultative Council (CAC Conselho Alargado de Consulta) – a forum which excludes trade union bodies – where items for discussion have included: reductions in taxes and tariffs, funds to support industry, and perhaps surprisingly, the need to enforce labour legislation to protect miners, domestic and rural workers. The government has also independently consulted the CTA on trade agreements, skills training and licensing requirements, and worked closely with large foreign investors. The OTM appears to have had far less opportunity to meet with the government independently of employers, although as a member of the National Insurance Commission it has been consulted on issues such as the privatisation process.

Constraints on the effectiveness of tripartism also relate to the nature of the state, which in Mozambique has been party dominated. Frelimo’s proportion of the vote increased since 1994 from 44% of the vote to over 70% of the vote in 2008. After a tenuous hold on power, Frelimo has re-secured its position as the dominant party in Mozambican politics. As with SWAPO in Namibia, Frelimo’s militaristic internal culture and a strong prioritisation of internal unity may have helped paper over internal differences, helping to secure its status as the party of government.

At the same time, Renamo became increasingly fragmented, with weak local structures, and very limited resources, although retaining support from voters in the central provinces. The gradual decline in opposition support can be ascribed to Renamo’s in-fighting, while state and party lines have remained blurred, allowing for the co-optation of some opposition figures. In late 2013, Renamo abandoned the political system altogether and returned to war; underlying this decision appears to be a desire to gain a stake in the rents flowing from the country’s hydrocarbons boom. Despite Renamo’s ability to disrupt transport and communications in its central rural heartland, Frelimo remains firmly ensconced across most of the country.

In Mozambique, political elites have undeniably had a difficult role in balancing the different interests of donors, civil servants, civil society organisations, the technical elite and emerging economic elite. In addition, the persistent disparagement of the worth of government by donors, the loss of ideological purpose, and the opportunities for enrichment opened up by privatisation have led to high levels of corruption by sections of the ruling elite. Moreover, World Bank and IMF conditions have undermined tripartism due to reductions in the size of the state and the power of labour through mechanisms such as privatisation, and the reduced coherence of national business through liberalisation.

Mozambique has enjoyed a return to growth from the late 1990s onwards, reflecting rising primary commodity prices, and the reconstruction of its transport sector; the country’s locale and good natural harbours makes it a major outlet for minerals and other primary exports from across southern Africa. In common with other countries, it may also have benefited from the diaspora funding capital investment. Yet, Mozambique has similar constraints on tripartism to South Africa and Namibia, due to dominant partyism, a lack of representativeness of labour and capital, under-resourced trade unions, and political elites, and coupled with this has been the legacy of both its colonial and post-socialist history.
Conclusion

At the time of writing, tripartism in southern Africa has not lived up to its ideal, which is arguably not surprising, given the global trend in the decline of trade union membership and influence. At the same time, it can be noted that the tripartite arrangements engaged in by the three case study countries have led to some success in terms of advancing worker rights. The origins of tripartism were somewhat different in each case. In South Africa, the strong labour movement, employers, and government were keen to embrace tripartism after the ending of apartheid. In Namibia, tripartite structures were implemented by government, but influenced by the ILO. In Mozambique, the post-socialist government sought to engage key urban-based social partners in discussions around specific social and economic policy areas, whilst facilitating the marginalisation of the often opposition-supporting rural periphery. Can the modes used be described as neo-corporatist tripartism? At the minimum, neo-corporatist tripartism assumes reconciling the interests of competing classes, and compromises between capital and labour, underpinned by state support. There is little doubt that, in all three countries, the principal unions and employers came to a working modus operandi, and this helped underpin political and economic stability, recent disturbances in the South African mines and in central Mozambique notwithstanding. Yet, persistent inequality and limitations in broad based economic growth in all three countries suggests that it has not achieved the desired outcomes.

The weaknesses in tripartism reflect four underlying issues. The first is the global hegemony of neo-liberalism, making it very difficult to reach a broad based national consensus around alternatives, apart from in times of grave crisis. In practice, tripartite deal making focused on a limited range of areas concerned with the regulation of work and employment; in other words, the scope for more ambitious deal-making was circumscribed. Another reason for the exclusion of contentious and potentially divisive matters such as economic, monetary and industrial policies from tripartite negotiations has been due to the voluntarist labour relations systems of South Africa and Namibia. Here, the withdrawal of employers’ organisations from tripartite structures is a real and continuous challenge to labour and the government. Yet, some forms of consensus have been reached: in Mozambique, the neo-liberal agenda has been alleviated by post-socialist tendencies among both of the social partners, leading to some removal of worker rights (in respect of redundancy), but also advances in other (admittedly individualised) areas such as maternity leave.

The second, related, issue is that all three countries have enjoyed good economic performance in recent years, supported by minerals and other primary commodities. Although there has been only limited ‘trickle down’ in terms of benefits to the poor, the prospect for upward social mobility and extensive clientist networks may have relieved mass pressures towards meaningful economic alternatives – although recent strikes, particularly within the mining and manufacturing sectors in South Africa, and protests about food prices in Mozambique show the potential for civil unrest. Thirdly, the tripartite partners have not represented the majority of either workers or businesses, since the large informal sector workforce (not to mention the large cohort of unemployed) and small and micro enterprises have remained largely outside of negotiations. This has made it very difficult for deals between large firms, and the unions representing their workers to gain broader acceptance and legitimacy. Although in Mozambique, ASSOTSI, representing informal sector workers, is an affiliate of the OTM federation, it has not been an equal partner in negotiations; moreover, tripartite deals have shut out representation from opposition strongholds on the rural periphery. Fourthly, each country has had a dominant party system during recent years. Within these ruling parties, politicians have used their
political connections to leverage state concessions and/or gain stakes in privatised state enterprises on preferential terms. This trend arguably reflects the passing of the idealistic liberation generation and the rich opportunities opened for enrichment by privatisation and indigenisation policies.

Yet, the importance of tripartite initiatives should not be forgotten. Most importantly, they may have eased political transitions in all three countries where, at the time of democratisation, political institutions were fluid and the future uncertain. This led to interest groupings being strongly concerned to secure their positions through compromises. Indeed, it can be argued that moves to tripartism helped to smooth and secure democratic transitions in South Africa and Namibia, ensuring not only that unions made real gains from the transition, but also that employers were assured of stability. In the case of Mozambique, it may have helped Frelimo bolster up its urban working class support, making democratisation less risky for the ruling party. However, as the new political institutions became embedded, key players seem to have been less likely to countenance compromise.

Some elements of tripartism remain in all three countries, promising some degree of political and social stability. For labour, inclusion within policy debates may result in some influence on social and economic growth. Moreover, businesses rely on concessions and incentives that might be assisted by their close relationship to political elites, and at the same time, pressure on employers from unions and the state can help to ensure that the agenda of more responsible and committed employers gains the upper hand. In the countries under study, there remain deep cleavages, such as income inequality, rural/urban divides and racial divisions that can only be resolved through historic accommodations.

This article raises two broader questions. The first is whether successful examples of tripartism represented the product of unique historical circumstances that are not easily replicable. The tripartism that emerged and persisted through much of Western Europe during the cold war may have been the product of a very specific set of conditions, reflecting both the sustained nature of the long boom – making for a reliably expanding pool of resources to share – and also underlying capitalist-elite concerns, that if the working class did not share in some of the benefits they would defect to communism. This does not necessarily mean that the experience of Western Europe was an historical anomaly, and hence, that tripartism arrangements cannot be replicated in different circumstances. Rather, as Djelic notes, institutional arrangements represent past historical circumstances, choices of actors, and the extent to which differing institutional spheres overlap, coexist and are compatible. Hence, institutional arrangements arise from heterogeneous activities, involving different actors with very different concerns and agendas. The possibility of different combinations may not mean that tripartism cannot be replicated, but instead implies that different forms of tripartism might emerge. The types of tripartite arrangements that emerged in South Africa were very different to those that were historically encountered in Western Europe. For example, none of the key players – dominant political parties, unions and employer associations – were genuinely encompassing. Moreover, the nature of the industrial relations systems in the three developing countries has influenced the effectiveness of tripartism. The adversarial bargaining practices and fragmented bargaining structures in the three countries – Namibia and Mozambique are predominantly decentralised, while South Africa is mixed – has influenced the form and functions of tripartism. Unlike Western Europe, tripartism in these southern African countries was never premised on a sustained articulation between organisational and institutional forces at the national, regional and local levels. Under these circumstances, centralised tripartite structures operated largely in the absence of clear, binding mandates.
Indeed, the existing literature on tripartism in the developing world suggests that tripartism in such contexts is rather different to that encountered in the developed world. It can be argued that in the developing world, a major achievement of tripartite experiments has not so much been to underpin far reaching social compromises, but to mitigate the worst effects of neo-liberalism.\(^{147}\) Hence, even though the social conditions encountered in post-WW2 Europe may have been relatively unique, and a Fordist Keynesian deal was never on the agenda, even incomplete and partial tripartite experiments have yielded worthwhile gains in the developing world. In all three countries – but particularly South Africa and Namibia – this is certainly true; the negotiated labour dispensations represented real gains for workers, and served to alleviate pressures to greater labour market deregulation. Having said this, in the context of a developing country, tripartite arrangements contain extensive limits on the degree of transformation possible: radical change is constantly undermined by the international mobility of capital and its unwillingness to engage in hostile or inimical policymaking forums. Moreover, there are many other players – SMEs and their employees, the informal sector, workers belonging to new breakaway unions and illegal immigrants (in the case of South Africa) and other casual and precarious workers, and the large number of unemployed – who would need to have some stake in any deal for it to be sustainable and broadly beneficial. This suggests that the negotiations behind any social accord would be more challenging; at the same time, there are many who would have a genuine interest in a compromise, given their present marginalisation, whilst more established interest groupings would benefit from enhanced prospects of longer term sustainable growth. In southern Africa, much of the growth has been on the back of buoyant commodity markets, making for greater economic volatility. On the one hand, this has meant that in recent years, growth has come despite internal economic choices, reducing pressures on governments to promote more inclusive economic policies or promote diversification. On the other hand, endemic volatility in commodity prices makes it difficult to plan for the future; the recent (2014) crisis of emerging market currencies highlights the urgency of reaching broader based accommodations that involve not only political, but also economic compromise.

The second broader question is whether tripartism is really possible within dominant party systems. Within them, the ruling party may be very selective in the type of compromise it seeks to promote, with the exclusion of key interest groupings such as informal sector workers and the urban poor, leading to the active promotion of non-encompassing tripartism, which, in turn, brings its own contradictions. In other words, it can safely disregard a significant component of the electorate, given the ruling party’s capacity to dominate the media, the state and security forces, and/or through the ability of it and key financial backers to buy off or at least sit out serious challengers. In all three countries, the basis for dominant partyism was laid in long armed liberation struggles; not only did the latter impart a strong sense of historical legitimacy onto the main liberation movement, but also an embedded (and at times militaristic or quasi-militaristic) culture of internal politics made it easier to secure primacy and marginalise dissenters following liberation. Dominant partyism is not a phenomenon unique to southern Africa, and may be encountered in many other countries that underwent protracted liberation struggles. However, as Solinger notes, dominant party arrangements are never totally durable, which may provide some incentive for political elites to extend some concessions from a position of relative strength.\(^{148}\) The remaining question is whether the labour movement can grasp these opportunities.
Disclosure statement

No potential conflict of interest was reported by the authors.

Notes

1. Although, for the purpose of this article, the authors highlight key distinctions between tripartism and neo-corporatism, they acknowledge previous debates regarding how to define these and other related terms such as concertation, social partnership, social dialogue and social pacts. See, for example, Regini, “Tripartite Concertation,” 253–254; Schmitter, “Still the Century of Corporatism?” 1974.
3. International Labour Organisation, Workers and Employers’ Organizations.
5. Olson, The Rise and Decline.
7. See Standing, Precariat.
8. Myrdal, Asian Drama; Smith, Understanding Third World Politics.
10. Seeings and Natrrass, Class Race and Inequality.
12. Standing, Precariat.
15. Priestland, Merchant, Soldier, Sage.
17. Engelen et al., After the Great Complacence.
18. Engelen et al., After the Great Complacence, 190.
23. See, for example, Friedman, Building Tomorrow Today; Baskin, Striking Back; Bramble and Barchiesi, Rethinking the Labour Movement; Buhlungu et al., Trade Unions and Democracy; Maree, “Overview.”
24. In 1922, radical white miners seized Johannesburg, a rebellion that was crushed through the usage of heavy artillery and aerial bombing.
28. Wiehahn Commission, Department of Labour and Mines.
29. Thompson, De Kock’s Industrial Laws.
30. Webster, “Introduction to Labour Section”; and Lewis, “Registration Debate”.
31. Thompson, De Kock’s Industrial Laws.
33. The Labour Relations Amendment Act, which amended the Labour Relations Act 1956, came into force in 1988.
36. O’Meara, Forty Lost Years; Wilson, Labour.
37. Gelb, South Africa’s Economic Crisis.
38. Eight bantustans were set up in 1959 in order to keep racial groups separate from each other. No racial group had rights beyond their own territories.
39. Buhlungu et al., Trade Unions and Democracy, 439–440
42. Sparks, *Tomorrow is Another Country*; Harris, Birth.
45. Wood and Dibben, “Deprivation, Delivery.”
46. Molele, “Agang Launch.”
47. Buhlungu et al., *Trade Unions and Democracy*; Buhlungu and Tshoaedi, *COSATU’s Contested Legacy*.
48. Olson, *The Rise and Decline*.
51. Morris and Hindson, *South Africa*.
52. Southall, “The ANC.”
54. Southall, “The ANC.”
56. c.f. Engelen et al., *After the Great Complacency*, 190.
60. First, *South West Africa*; Segal and First, *South West Africa*; Vigne, *A Dwelling Place*; Green, Kiljunen, and Kiljunen, *Namibia: The Last Colony*; SWAPO, *To be Born a Nation*.
64. Klerck, Murray, and Sycholt, *Continuity and Change*.
69. Bauer, “Tripartism.”
75. Fenwick, *Labour Law Reform*; Klerck et al., *Continuity and Change*.
77. Jauch, *Trade Unions*.
78. Bauer, “Tripartism.”
80. Secretary General of the NEF, cited in Namibian, “Employers’ Federation.”
81. Namibian, “Not Too Late.”
82. Good, “Democratization.”
90. Munslow, “State Intervention.”
91. Chimanimire, *South Africa’s Strategy*.
92. Plank, “Aid, Debt.”
94. US Department of State, *Investment Climate Statement*. 
96. ILO, *Mozambique*.
98. Pitcher, “Forgetting from Above.”
99. Webster et al., “International Homogenization.”
105. Aguiar “Fim das Ilusões.”
108. Webster, Wood, Mtyingizana, and Brookes, “Residual Unionism.”
110. CTA, *Newsletter*.
111. Dibben, “Union Change.”
113. Dibben, “Union Change.”
114. Dibben, “Union Change.”
115. Pitcher, “Forgetting from Above.”
117. Dibben, “Union Change.”
118. Artur, *Trade Unions*.
120. Dibben and Williams, “Varieties of Capitalism.”
121. Pitcher, “Forgetting from Above.”
122. Dibben and Nadin, “Community Unionism.”
123. US Department of State, *Investment Climate Statement*.
125. CTA, *Prioridades*.
126. Pitcher, “Forgetting from Above.”
127. Pitcher, “Forgetting from Above.”
128. Dibben, “Union Change”
133. The Courier. “Grappling with Governance,” 20–22
134. AllAfrica.com, *Mozambique*.
137. Wood and Dibben, “Ports and Shipping,” 1–19.
141. ILO, *Workers’ and Employers’ Organizations*.
143. Dibben and Nadin, “Community Unionism.”
145. Djelic, “Institutional Perspectives.”
Notes on contributors

Pauline Dibben is Professor of Employment Relations at the University of Sheffield, UK, and Adjunct Professor at Griffith University, Australia. She has published widely on employment relations in Southern Africa.

Gilton Klerck is Associate Professor of Sociology at Rhodes University, South Africa, and a leading scholar of industrial relations in Southern Africa.

Geoffrey Wood is Professor of International Business at Warwick Business School, the University of Warwick, Honorary Professor of the University of the Witwatersrand, Visiting Professor at Nelson Mandela University, South Africa, and Adjunct Professor at Griffith University, Australia.

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