

Industrial Relations Practice in Nigeria: Issues and Perspectives

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Abstract

This study explored the practice of industrial relations in Nigeria during the military regime era and civilian government era. It drew a comparison between the eras to determine the impact of the power dynamics and relationships between the government and labour unions on Nigeria's industrial relations theory and practice. The study relied on the documentary method and obtained secondary sources data from a review of journals, textbooks, and official publications to examine the impacts of these two eras on industrial relations practice by diagnosing their involvement, intervention, and interference in labour union movements in the country. As the largest employer of labour, the government was more than the employer in the power dynamics of industrial relations practice. The industrial relations system evolved in an environment

of government involvement, intervention, and interference, whether it was the military or civilian government in power. Consequently, the industrial relations practice in Nigeria has not been able to represent the management of institutionalized relationships in the social system to promote harmonious industrial co-existence between principal actors: government and labour unions. The study suggested that the government should serve as regulators in the industrial relations systems to manage institutionalized relationships through policies and evolve self-governing mechanisms devoid of interference for harmonious mutual co-existence with labour unions for stability in the policy and economic posterity in Nigeria.

Keywords: Industrial Relations Practice, the labour union movement, military regime, civilian government

Introduction

Industrial relations practice in Nigeria is a byproduct of British colonialism, urbanization, and industrialization (Bayero, 2016; Adebisi, 2013; Opara, 2013). Nigeria formally came under British colonial rule after Lord Lugard amalgamated the Northern and Southern protectorates in 1914. Britain modelled industrial relations in the country after its volunteerism systems based on the principle of free collective bargaining between employers and trade unions, without government regulation but rapid urbanization, industrialization (Kester, 2021), and socio-political upheavals like the incessant military coups in democratic government (January 15, 1966, July 29, 1966, January 29, 1975, February 13, 1976, December 31, 1983, August 1985 and April 1990), civil war (1967 to 1970) in the country. Militant labour movement activities worldwide and globalization have shaped industrial relations and influenced its practice (Akanji, 2019). The colonial administration instituted reforms, enacted ordinances and reorganized the systems and labour sector. These reforms laid the foundation for industrial relations at

independence with civilian government administration and subsequent democratic governments interspersed with long years of military regimes.

Ugbudian (2017) hinged the evolution of industrial relations in the country on four major factors embedded in the socio-political systems of British colonialism. It militarized the colonial government, subjugated natives through the application of draconian laws, institutionalized pro-British political order, and the self-serving colonial interest of the British crown in Nigeria. Colonialism militarized governance through the enactment of pro-British laws that protected the interest of Britain and the creation of pro-British political dispensation without consultation from the people on preference for self-governance or considerations for their socio-cultural peculiarities. The different interest groups and trade unions that emerged were founded in this socio-political climate with one utmost aim of challenging the colonial government to demand self-government. Industrial relations practices would promote rights, labour welfare, and better lives for workers.

Industrial relations systems intertwined with the country's socio-political struggle against the colonial government. This would become the iconic symbolism of labour unionism after independence and through the checkered political timeline of Nigeria that defined its landscape from civilian government in 1960 to military regime from 1966 to 1979. They handed over power to a civilian government in 1979 that lasted until another military rule removed it in 1983 and stayed in power until 1999, when a democratically elected government resumed a civilian government administration to the present time. Invariably, the industrial relations practice in Nigeria has subsisted under two major political dispensations of the military regime and civilian government after its bequest as a colonial legacy.

In the political landscape in Nigeria, Britain handed over governance to a federal parliamentary republic headed by Prime Minister Tafawa Balewa and President Nnamdi Azikiwe in 1960, and a civilian government has been involved in political administration and governance for 33 years (1960-1966, 1979-1983 and 1999-2022) to date. On the other hand, since independence, the military regime has been in power for 28 years (1966-1979 and 1984-1999). Nigeria shifted from British volunteerism in industrial relations to a prolonged period of government involvement, intervention, and interference during the socio-political evolution from colonial administration to civilian government and military regime.

The contestation in the colonial administration's political environment and power dynamics, and military intervention in governance influenced democratic practices and rendered industrial relations practice in Nigeria ineffective because of the government's incessant interference in the labour movement (Akanji, 2019; Adebisi, 2013). This study will explore the practice of industrial relations in Nigeria under the military regime era and civilian government era and draw a comparison between the two eras to determine the impact of power dynamics and relationships between the government and labour unions on the theory and practice of industrial relations in Nigeria. The study relied on the documentary method and obtained secondary sources data from a review of journals, textbooks, and official publications to examine the impacts of these two eras on industrial relations practice by diagnosing their involvement, intervention, and interference in labour union movements in the country.

Industrial Relations: Some Conceptual Clarifications

A study of this nature requires some clarifications of the conceptual definitions of industrial relations as it relates to systems and practice. The emphasis on the evolutionary trends and comparative review of the two major political eras, directly and indirectly, impact not only the systems of industrial relations but their practice in the country. A single view mirror that looks at the meaning of industrial relations from a systems perspective will be insufficient to interlace the impact and implications of the socio-political environment in shaping the understanding and directions of industrial relations in Nigeria as different from similar economies like Ghana (Adeniji, 2015) or Indonesia (Nurwati, Hakim, Alexandri and Maulina, 2017). The definitions of industrial relations may vary, but the environments give perspectives to the practice among scholars. Akinbode and Ebeloku (2017) realised that the environment shaped the view of industrial relations practice and posited that industrial relations relate to a broad field of academic study and practice covering the interchange among key stakeholders of participants, actors, and parties in a given context.

Industrial relations are labour relations in the industry that emphasize the development of peaceful relations and mutual respect in an industrial organization (Adeniji, 2015). The problem is that the essence is lost in the assumption that the "relations" in labour presuppose that the actors and institutions are inbuilt within the relationships. Adeniji (2015) also sidestepped the interplay of systems (political, economic, and social) in the larger contexts of interrelatedness. A punctilious analysis of Fajana (2000), Adebisi (2013), Anyim, Danesi & Ufodiana (2015), Ugbudian (2017), Akinbode & Ebeloku (2017) and Ojo & Adedayo (2021) corroborated earlier Nigerian scholars such as Sokunbi (1983), Ubeku (1983), Fashoyin (1988), and Imafidon (1996). They theorized and practised industrial relations within the Nigerian environmental contexts, indicating that industrial relations mean managing institutionalized relationships within a social system to promote a harmonious and peaceful network of inter-related systems that benefit these relationships and their operating environment.

Whilst these scholars built on Dunlop (1958), the perspective of this study is that contextualized definition of industrial relations incorporates the systems approach (Dunlop, 1958), conflicts (Flanders, 1975), functionalist, and management theories to underscore the relative significance and role of industrial relations in the evolution of the state. The definition proposed herein is not intended to be universal as there cannot be any. It aims to cover a wide range of issues that circumscribe the theory and practice of industrial relations in contemporary times and peep into the future to propose a strategic direction to practitioners and their environment.

Industrial relations, as the management of institutionalized relationships within a social system to promote a harmonious and peaceful network of inter-related systems that benefit these relationships and their operating environment, requires an unveiling of the parts that make the whole. Firstly, Dunlop (1958), according to Onabanjo and Chidi (2018), perceived industrial relations from a systems approach and said that it is a system that involves certain actors and certain contexts bounded by an ideology and a body of rules to govern the actors in the

workplace or community contexts. Based on Dunlop (1958), industrial relations cannot be said to be a cause-and-effect phenomenon perceived by Adebisi (2013) but a firm foundation and rationale for interactions among the actors and systems. This brings back the debate between volunteerism and government involvement or interference. The latter will favour Adebisi (2013), whilst the former will align with Dunlop (1958) and the definition of industrial relations as the management of formal relationships among actors and interactions among systems to create social harmony in the community.

Akinbode and Ebeloku (2017) cited Onasanya (1999), Animashaun and Shabi (2000), and Fajana (2000), identified three main actors of labour, employers, and the government (Fajana, 2006 in Anigbogu and Uzoh, 2018) as well as 14 stakeholders according to the World Congress of International Industrial Relations Association (WCIIA) in Japan comprising job seekers, employees, union members, unions, consumers, individual employers, employee's organizations, producers, and citizens. Others include executive, legislature, judiciary, employer-employee, and union employers. The intervening systems are political, economic, and social order.

Nigeria: Power Dynamics and Evolution of Industrial Relations Practice

Nigeria is a heterogeneous country with a diversity of a large and constantly evolving multi-ethnic and multi-religious socio-cultural population that predated colonialism. This diversity underscores the plurality and complexity of its relationships and power dynamics as a social entity and the development of industrial relations and labour union movements in the country. Umaru (2008) argued that the mismanagement of Nigerian diversity is responsible for its ability to engender harmonious development. Industrial relations evolved in Nigeria as a community of interests to fight for workers' rights, welfare, higher wages, and improved conditions of employment against a perceived repressive government, whether colonial or military. The civilian government was not devoid of its interference but at a varying degree and intensity.

Wage employment which was a precursor to industrial relations practice in Nigeria, was accidentally started by the employment of two guides (Amadi and Isaac) by Mungo Park in 1795 for his expenditure (Nurwati, Hakim, Alexandri & Maulina, 2017). Kester (2021) and Afigho (1991) and George et al. (2012) in Nurwati, Hakim, Alexandri, & Maulina (2017) attributed this development to the advent of wage employment and the introduction of volunteerism. The practice was hampered by the absence of universal currency and lack of standardization in wage determination and administration. This tilted power dynamics in favour of the demand side of wage employment, which is the employer, rather than the supply side, which is the labour union.

The Royal Niger Company was given absolute power as a multinational company through the Royal Charter of 1886 to trade in and administer the country. The company's operations became synonymous with the colonial administration, which governed the country with legislative, military, and judicial powers (Nurwati, Hakim, Alexandri, and Maulina, 2017). The British Government revoked the Royal Charter of the Royal Niger Company in 1899 and assumed the colonial administration of the Northern and Southern Protectorates of Nigeria before

amalgamation in 1914. This dyad has been the case in Nigeria, where employment is skewed in favour of employers rather than employees.

The Southern Civil Service Union was founded in 1912 but functioned as a social club for senior public officials. Subsequently, the Railway Workers' Union and Nigerian Union of Teachers were formed in 1931, respectively and Marine Daily Paid Workers' Union came into existence in 1936. The British government did not formally recognize these unions but permitted their existence because of its non-involvement and volunteerism disposition towards industrial relations in the home country. This approach to employment relations practice had been developed and promoted in Britain because of the social, political, and economic contexts driving the industrial revolution of 18th and early 19th Britain. The factory system created a new work order, and government involvement in industrial relations increased.

After the First World War (WWI), the unions became a protest movement and began to fight for bonuses for their members. This emboldened the unions to demand the indigenization of administrative posts previously held by colonial officials and the promotion of Nigerians to senior professional roles to fill these administrative positions (Kester, 2021). The country witnessed a series of labour actions immediately after WWI, including the mechanics union strike of 1918, railway workers' strike of 1921, and teachers strike of 1925 in Calabar. These strike actions disrupted work and are the bane of national development in Nigeria (Anyim, Danesi, and Ufodiana, 2015). The strikes also showed where power was resident and its dynamism in the systems to determine the direction of industrial relations practice. Ademolu (2021:1) argued that

The Nigerian industrial relations system has been in a worrisome state since the nation's independence. The relationship between the government and labour has always been turbulent. Certain lingering challenges have not only driven a wedge between the harmonious relationship that should exist between work and government but have also negatively affected productivity and development. .. these challenges have accounted for the ongoing labour disputes ... strikes, lockout, picketing, sit-downs, agitations, and demonstrations in Nigeria's industrial relations system.

The power dynamics in a labour-government relationship as it affects employment relations have always been tilted in favour of the government, and this confirms Ademolu (2021), who surmised that the labour's attempt to balance the power equation is to resort to industrial actions, which undoubtedly impacts on national productivity and human capital development in the country.

Socio-Political Environment of Industrial Relations in Nigeria

Anigbogu and Uzoh (2018) stated that the political environment of any country determines the type of law that will govern its industrial relations systems. Dunlop (1958) conceptualized industrial relations as a system following the works of Talcott Parsons & Nello J.

Smelser (1956), both American sociologists, according to Britannica (2022). The socio-political environment under review in this study spans 1960 to 2020, which came under the civilian government and military regime. Nigeria gained independence from Britain in 1960 and became a republic in 1963. The practice of industrial relations as a system interacted with the country's socio-political system, and both were evolving through different phases, indicating their emergence and maturation. One impacted the other (Yusuf, 2005 in Anigbogu and Uzoh, 2018). Kester (2021) postulated that industrial relations practice in Nigeria has evolved through five stages. These stages spanned the colonial government through the independence to the formation and statehood of the Nigerian nation from 1900 to the present. The first stage is referred to as the Period Before 1938, where the colonial government permitted volunteerism and was laissez-faire about the formation and activities of the labour unions. The second stage is the Second Period from 1938-1967, which started with the Trade Union Ordinance of 1938. The government got involved in and regulated the activities of the trade unions.

Then, the Third Period from 1968 to 1976, introduced compulsory arbitration to government intervention. This third stage was interrupted by the civil and post-civil war reconstruction of the economy and social life. The fourth stage of the evolution of industrial relations practice in Nigeria is the Fourth Period from 1977 to 1999, when labour unions came under the totalitarian control of the state. The fifth stage is the Fifth Period from 1999 to current which is characterized by industrial democracy in the workplace because of the country's return to democracy on May 29, 1999, when President Olusegun Obasanjo was sworn in as the President to lead the Fourth Nigerian Republic after 15 years of the military regime from 1984 to 1999.

There is a need to look at the socio-political environment of industrial relations practice in Nigeria because one of the three main actors, the government, is responsible for driving the political environment and ensuring order, stability, and governance. The government's action (or inaction), which is the state, will undoubtedly influence how the country's industrial relations system is practiced. The state has oscillated between the civilian government and military regime since the evolution of industrial relations in Nigeria. Two systems of government were considered because the colonial administration would be subsumed under the military regime as it was not the government of the people but an administration imposed on the people by the British, and its antecedents were driven by force and compulsory laws like ordinances and decrees (and not constitutions) like the military regime.

Industrial Relations Practice under Military Regime

As a follow-up to the Trade Unions Ordinance of 1938, the military administration enacted decrees to regulate and manage the activities of industrial relations practice in Nigeria. Decree 44 of 1975 and Decrees 4 and 26 of 1996 changed the structure of industrial relations and restructured trade unionism that had existed before the decree enactment (Kester, 2021). The restructuring reduced the diverse trade unions to 70, including 46 labour unions, 15 senior staff associations, and nine employers' associations. Fajana (2005) stated that the military regime established the existing structure of trade unions in Nigeria in 1976-78 by General Murtala

Mohammed and General Olusegun Obasanjo. The four central union organizations, namely the Nigerian Trade Union Congress, the United Labour Congress, the Nigerian Workers' Council and the Labour Unity Front, were disbanded, and the Nigerian Labour Congress (NLC) emerged in their stead. The senior staff associations evolved into a separate central union known as the Trade Union Congress of Nigeria (TUC). Decree No. 22 of 1978 amended the schedule of the Trade Unions Decree of 1973.

The enactment of decrees (Labour [Amended] Decree No. 21 of 1978; Labour Decree of 1974) also influenced membership enrolment and statutory contributions and employers' deductions from union members' wages, known as the 'check-off' system (Kester, 2021). Kester (2021) posited that military administration restructuring created unintended problems such as overlaps in the jurisdiction of unions and improper recognition of job interests. Abu (2013) traced the origin of conflicts among unions in universities in Nigeria, namely the Academic Staff Union of Universities (ASUU), Senior Administrative/Technical Staff (SSANU), and Non-Academic Staff Union of Educational and Associated Institutions (NASU) to the introduction of salary differential among the three categories of staff (ASUU, SSANU and NASU) by the government. However, the industrial relations ecosystem was stabilized with consequences on the polity. The major downside of the military regime for industrial relations practice was the incessant interference in the operations and leadership of trade union movements, culminating in industrial disputes by the unions, government administrators' appointments, and the panel of inquiries that birthed the other restructurings.

Industrial Relations Practice under Civilian Government

A civilian government is a democratic government established and regulated by a constitution and designed to promote liberty, freedom, free will, and egalitarianism in society. The Constitution of the Federal Republic of Nigeria 1999 (as amended) articulated these ideals of freedom, equality, and justice which can be found in the administration of democracy in any society. The colonial government handed over the administration of Nigeria as a nation and governance of the sovereignty of its people at independence to a democratically elected federal parliamentary republic on October 1, 1960. The country has experienced democracy for thirty-three years of its independence with two major military incursions into politics.

In the political landscape in Nigeria, Britain handed over governance to a federal parliamentary republic headed by Prime Minister Tafawa Balewa and President Nnamdi Azikiwe in 1960, and a civilian government has been involved in governance for thirty-three years (1960-1966, 1979-1983, and 1999-2022) to date. On the other hand, the military government have been in power for twenty-eight years (1966-1979 and 1984-1999) since independence. Nigeria shifted from British volunteerism in industrial relations to a long period of government involvement, intervention, and interference during the socio-political evolution from colonial administration to civilian government and military regime.

Democratic industrial relations practice gathered momentum in the Fourth Republic from 1999. The Trade Unions (Amendment) Act 2005 was passed by the national assembly and

assented by the President on March 30, 2005, to provide a framework for the democratization of trade unions, changes in their membership enrolment, and members' statutory contributions models. This Act was a departure from the various Ordinance and Decrees that have regulated the practice of industrial relations systems in Nigeria. It reinforced the future of industrial relations and sought to promote social dialogue as viable alternatives to industrial disputes that have characterized labour union movements since independence (Kester, 2021). Government intervention in industrial relations practice, a heritage from the colonial government through the military regime, continues with policy promulgation to regulate the relationship between parties and promote political stability. As industrial actions remain unabated in civilian government administration, the Third Alteration Act (2010) expanded the jurisdiction of the National Industrial Court (NIC) as the highest court to adjudicate between two disputing parties in industrial conflicts under the Trade Dispute Act (Opute and Mahmoud, 2021).

Comparison of Industrial Relations Practice in Military Regime and Civilian Government

The foundation of the regulations and policies that framed and instituted industrial relations systems and practices in Nigeria was laid during the colonial administration and continued into the military administration. The legal existence, structure, and framework for the corporate governance of labour union movements could be traced to the eras of military administration in the political history of Nigeria. Again, it is obvious from literature that the government, whether the military regime or civilian administration was the most significant determinant of industrial relations policies and the formation and structure of trade union movements in Nigeria (Kester, 2021). Oludeyi (2015) evaluated the government's contribution to industrial relations practice in the country and highlighted eight of ten major policy actions and implementation to the military regime, with the remaining two attributed to the civilian government.

Although the culture of militarism has permeated the country because of the long rule of the military regime, its half-a-century-long colonial tradition and significant impact on industrial relations in Nigeria. Available literature suggests that the civilian administration portends a better climate and considerations for labour unions and interactions among the main actors in the practice of industrial relations relative to the military regime. The civilian government was not altogether free of interference and undemocratic methods of resolving industrial conflicts. This can be attributable to the pervasive culture of militarism in Nigerian society. The civilian governments' interference in the operations of trade union organizations, and molestations, including intimidation and arrest of labour leaders and their followers during strike actions, remain the dark side of their scorecard. Anigbogu and Uzoh (2018) stressed that the civilian government provided a healthier environment for industrial relations than the military regime and attributed their excesses to the young and growing democratic experimentation in the evolving socio-political environment of Nigeria. They added that civilian government induces citizenship participation and positive transformations with its electioneering processes. These two forces enhance the industrial relations practice.

Conclusion

This study concludes that the government is more than the employer in the power dynamics of industrial relations practice, as the largest employer of labour. It is also the political institution invested with the constitutional responsibility as the state to engender social order and stability in the polity. The industrial relations system has evolved in an environment of government involvement, intervention, and interference since colonial administration, whether it is the military regime or civilian government that is in power. This operating environment has influenced the practice of industrial relations and shaped the formulation of policies, organization, and management of labour union movement, the leadership of labour unions, collective bargaining, and industrial actions. Consequently, the industrial relations practice in Nigeria has not been able to represent the management of institutionalized relationships in the social system to promote harmonious industrial co-existence between principal actors, the government and labour unions.

Recommendation

The following are suggested to reinforce the practice of industrial relations to achieve harmonious co-existence between the government and labour unions in Nigeria:

- The government should reconsider its role and scale back its intervention and interference in labour union movements through policy review.
- The government as a state actor should restrict itself to involvement in industrial relations through regulations to promote an industrial relations practice where inter-related key stakeholders manage institutionalized relationships.
- The labour unions should institutionalize internal corporate governance mechanisms to manage their structure and internal affairs for transparency, accountability, and productivity.
- As employers of labour, the government should submit itself to the principles and ethos of collective bargaining and always explore alternative dispute resolution mechanisms in conflicts.
- Key stakeholders should institutionalize self-governing mechanisms devoid of interference for harmonious mutual co-existence, stability in the polity, and economic prosperity in Nigeria.

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