

# The History of Labour Movement in East Africa: The Case of Kenya and Tanzania

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**Abstract:** - This study looked at the history of labour movement in Kenya and Tanzania for the period between 1900s - 1980s. The two countries are the former British colonies and the founders of the East African Community. The study used desk review as a method of collecting necessary information and comparative method to analyse the information and compare the situation of labour movements in the two countries. It has been understood that the first labour movements in both countries appeared as spontaneous strikes carried out by workers in the transport sector (ports and railway), and that organisation into unions came later, and started as associations and friendly clubs. Situations before independence, in both countries, discouraged the development of any labour movement. British colonial regimes used different legal texts to freeze movements, until the beginning of 1940s. At this period, workers unions were weak and underground, but the struggle for independence awakened their strength. The situation after independence worsened, for the governments took complete control over the trade unions' activities, but was little bit better in Kenya than in Tanzania. Trade unions had to wait until the introduction of political liberalization to regain their freedom. The study contributes to existing knowledge base on labour movement in East African, and in Kenya and Tanzania in particular, using comparative approach.

**Key words:** Labour movement, Trade union, Kenya, Tanzania

## I. INTRODUCTION

The East African Community (EAC) is a regional intergovernmental organisation of six (6) Partner States, namely; Burundi, Kenya, Rwanda, South Sudan, Tanzania<sup>1</sup> and Uganda, with its headquarters in Arusha, Tanzania. Like in many regions in Africa, East African labour movements have long term history not only in the development of labour relations and working environment but also in political process that facilitated independence of most of the countries in the region. Kenya and Tanzania are the key founders of the EAC, together with Uganda. Labour is one of the issues that are given upmost importance in the union, particularly in the recent days with the free movement of workers and capital within the region.

It is argued that trade Union movement was introduced in Africa by the Western capitalist nations as a way of ensuring a constant supply of labour for the European plantation

Agriculture and other business ventures. With time, the movement became an important agent for social change in Africa and particularly in Kenya and Tanzania (Mindu, 2002). At the outset, in the 1920s and 1930s, the study of labour history in Africa was closely linked to the study of migration of labour (Lucassen, 2013). These early studies of labour were to a great extent governed by colonial agendas which sought to maintain control over local populations, and in that context an accrued understanding of labour played a role in the paternalist advancement of moderated modernisation. By contrast, since the 1950s and 1960s, scholars who were sympathetic to African anti-colonial, nationalist movements focused on labour unions. Thus, trade unions were identified as the uncontested representatives of the working classes while their role in nation-building was also undeniable (Lucassen, 2013).

Kenya and Tanzania provide an excellent example of African countries with extensive history of labour and trade unionism in the region. Workers and their unions played extraordinary role not only in the struggle for the improvement of labour relations and working environment of workers but also in the fight for the independence of the entire countries. However, lack of documentation of this development and the absence of sufficient studies eclipse the role of these different actors. This renders accessibility of the history of labour movement difficult for many people in the region. More studies of this kind are required to publicise this development.

This article looked at the history of labour movements in East Africa during and after colonialism. The study covers the situation of workers and their movements during the period of 1900s to post colonial period of 1980s, with specific focus on Kenya and Tanzania. More specifically, the study aimed at: understanding the emergence of labour movements and their associated characteristics; the situation of labour movements (political, legal and capacity), both before and after independence; and finally, providing a conclusive comparison of the situation of labour movements between Kenya and Tanzania.

After this introduction the report will continue by exploring the emergence of labour movement in the region, including the first strikes and the formation of associations and unions. Then, the situation of labour movement before and after independence in Kenya and Tanzania will be elaborated before jumping to conclusion which provides the general

<sup>1</sup> The name Tanzania came in to life after the union between Tanganyika and Zanzibar in April 1964. Up until then the country was known as Tanganyika, covering the current Mainland Tanzania and Zanzibar covering the islands of Unguja and Pemba.

comparison of the situation of labour movements between the two countries.

## II. EMERGENCE OF LABOUR MOVEMENT

It is not easy to establish the cut-off date on when exactly the workers' movements emerged in the entire region. Riddell (1962) argues that the development of labour movements in East Africa was slower compared to other parts of Africa. However, it is generally agreeable that the first workers' movement in the region was recorded during colonial era, just before the First World War (Oberst, 1988; Muir & Brown, 1974). They appeared as spontaneous strikes of workers which mostly tended to be violent and disruptive. In Kenya, for example, the first strike was organised in the year 1900 (Shiraz, 2009), while in Tanzania such a strike took place in 1920s (Babeyi, 2011).

Furthermore, Damachi et al (1979) argue that the trade union movement and the attempt to evolve effective industrial relations in Kenya have been intimately associated with the desire for national independence. This is primarily because the employers who were themselves foreigners were also associated with the ruling power, hence the struggle against the employer had to involve the unions in political activities. The distinction between trade union and political movements got more blurred when, as it turned out, the same trade union leaders became the driving force of the nationalist movement. Trade unions have thus paralleled and greatly contributed to nationalism and the realisation of an independent republic under majority rule (Damachi et al, 1979:237).

On the other hand, Bienefeld, (1979), considers Tanzania labour movement/ trade union development having passed in four stages: The first was characterised by total absence of trade union activity and by an equally thorough disinterest of such matters by the government. Until 1947 when a strike in the Dar es Salaam docks developed into a general strike that shocked the entire territory. The second stage is marked by government efforts to establish joint consultative bodies so as to strengthen communication that would prevent strike events and that would help to obstruct the development of trade unionism. It ended up by mid-1950s with the establishment of the Tanganyika Federation of Labour (TFL). Its task was to assist in the organisation of all workers eligible to join trade union. The third phase characterised by an increase of membership and trade union activity. Here trade unions occupy important place in the country, until the after independence when trade union integrated in the structure of the government and political party. The final phase is the decline of trade union importance.

### *i. The First Strikes*

Kenyan workers began struggling for their economic and political rights as soon as foreign capital came to Kenya for its resources and labour. The first mass campaigns against colonialism were organised by peasants and were nationality-

based. Although they scored valuable victories, they were defeated by a better armed colonial force (Shiraz, 2009).

Oberst (1988) noted that dock and railway workers led the general strikes in Dar es Salaam (1943 and 1947), Mombasa (in 1942, 1944 and 1947), Nairobi (in 1942 and 1944) and Zanzibar (in 1948). He holds the opinion that communication links between Dar es Salaam, Mombasa, Tanga, and Zanzibar undoubtedly played a role in the outbreak of strikes in those cities within such a short period. These cities are located on the coast of the Indian Ocean with harbours, commonly used for transportation of goods and passengers. In the same way these cities happened to be the backbone of the colonial economy and government revenue and the centre of administration of the colonial governments in both Kenya and Tanzania.

One of the early activities of the Union was to struggle for an eight hour working day. This was the decision of the Second Annual General Meeting of the Labour Trade Union of Kenya, held from 6-13 September, 1936 (Shiraz, 2009). The strike for an 8-hour day and wage increases finally came to a successful end after 62 days and ended on June 3, 1937. The Union brought out another handbill informing workers about the success of the strike. All Nairobi employers agreed to an 8 hour day, and gave between 15-22% increases in wages and recognised the workers' right to be represented by their Unions. All workers dismissed during the strike were reinstated. The Union announced a demonstration to celebrate the Nairobi workers victory (Zezeza, 1993; Shiraz, 2009).

Another important strike is that of Mombasa Kenya which began on January 13 1947, and which was declared illegal under Defence Regulations, and ended twelve days later on the promise that conditions would be investigated. Over 15,000 workers were involved, with only the most highly paid white collar employees not participating it. Their claims included poor condition of living after the war, including severe overcrowding, food shortages and rising cost of living (Oberst, 1988). The table 1 below shows the statistics of the strikes and number of workers involved for both Kenya and Tanzania.

In Tanzania, the first strikes were conducted by workers in transport sector, mainly ports and railway (Oberst, 1988; Stichter, 1984). For example, in 1937, 250 dockworkers at Tanga Port ceased working in protest against low wages and poor working conditions. In 1939, the casual workers in the dockyard in Dar es Salaam staged a strike for two days protesting against piece rates and demanding higher pay. In 1943 dockworkers at Mwanza and Lindi staged two strikes protesting against poor living conditions and pay. The biggest strike of this period was organized by the dockworkers in Dar es Salaam in 1947, which gained great support from workers of all sectors and the public. Surprisingly, the dockworkers had no trade union but were just protesting spontaneously against bad employment conditions (Oberst, 1988).

Table 1: Strikes in Kenya and Tanzania 1949 – 1972

Years*	Kenya		Tanzania	
	No Of Strike	Workers Involved	No Of Strike	Workers Involved
1949			52	10,837
1950			50	7,444
1951			73	7,851
1952			82	10,547
1953			61	7,131
1954			43	4,621
1955			42	8,877
1956			54	17,695
1957			114	39,786
1958			153	67,430
1959			205	82,878
1960			203	89,495
1961			101	20,159
1962	285	-	152	48,434
1963	282	54,881	85	27,207
1964	231	67,038	24	3,582
1965	186	82,250	13	884
1966	130	42,554	16	2062
1967	129	30,160	25	3,224
1968	93	20,428	13	1,906
1969	110	33,718	4	874
1970	79	18,739	3	357
1971	69	13,553	3	654
1972	94	27,510	0	0
Total	1,688	390,831	1,571	463,935

Source: Muir & Brown, 1974; Dudley 1979;

*\*The average number of strikes for the last seven years in Kenya (1955 -1961) is estimated to be 100 per year (Muir & Brown, 1974). Unfortunately, the data for the rest of the years is not available; however, the existing one is believed to be enough to give a clear picture on the strike trend in Kenya.*

The 1947's general strike expressed the general dissatisfaction of the workers, and demanded shortening the working day, increase of wages, improving working conditions, medical treatment and sick pay. The result of this strike was the organization of workers into recognized associations and trade unions. At the end of 1947, five trade unions had registered themselves with the government authority: These were Stevedores and Dockworkers' Union; African Cooks, Washermen and House Servants Association; the African Tailors Association; the Morogoro Personnel Servants Association; and the Dar es Salaam African Motor Drivers Association. The number of strikes organised and recorded each years from 1949 to 1972 is provided in the table 1 above.

## ii. Formation of Unions/Associations

In Kenya, the working class began to set up their own organisations - trade unions - and used the strike weapon to achieve their goals. The colonial administration tried to divide the working class by preventing the formation of non-racial trade unions. Early trade unions included the East African Indian National Congress, in 1914 (Ramdas, 1970), Workers Federation of British East Africa (for European workers) which was formed in 1919 with Lee Mellor as the President and the Indian Employees Association formed in 1919 (Shiraz, 2009). Here it appears that the first trade unions in Kenya were dominated by foreigners, mainly Europeans and Indians. The formation of trade unions for Kenyan origins came later after having seen the experience of others. Shiraz argues that the first African workers' movements had to take the form of Associations, for example the Kenya African Civil Servants Association, the Railway African Staff Association, and the various local government staff associations - all formed after the First World War (Shiraz, 2009).

Damachi et al (1979) argue that trade unions in public sector in Kenya started as staff associations instead of trade unions, because it was easy to control them and since they had no legal backup and right to strike. The first national trade union in Kenya was formed in 1952 – the Kenya Federation of Registered Trade Unions (KFRTU) - which in 1955 changed to be the Kenya Federation of Labour (KFL).

Likewise, in Tanzania Tordoff (1967; in Babeiya, 2011) argues that the history of trade unions in Tanzania can be traced since 1920s with the formation of welfare societies and social clubs associations, such as The Kilimanjaro Motor Drivers Association (KMDA), The Tanganyika African Government Servants Association and The Union of Shop Assistants. However, these associations did not enjoy freedom because of stringent control from the colonial government (Bienefeld, 1979). He mentions the Trade Union Ordinance No.23 of 1932 as a vivid example of the mechanism of control as it gave too much power to the registrar of trade unions to control trade unions (Bienefeld, 1979; Babeiya, 2011). These early organizations were not, however, involved in many industrial actions, their primary role was to organise mutual help among its members.

In 1930s an attempt to form trade union was made by African Civil Servants by forming the Tanganyika African Government Servants' Association. However by its objectives the association was said to look more like a staff association rather than a trade union. It did not pose any threat to the government, it did not articulate demands aimed at furthering and defending the economic interests of its members at work places (Mindu, 2002).

The first national trade union movement on the Tanzanian mainland was formed in 1956: the Tanganyika Federation of Labour. It was a conglomerate of small industrial and vocational unions which had emerged independently between 1946 and 1955, of which the most noteworthy were: The

Dockworkers' and Stevedores' Union, The Tanganyika Railway Workers' Union, The Tanganyika Agricultural Plantation Workers' Union, The African Motor Drivers' and General Union, The Dar es Salaam Domestic Servants' Association, The Tanganyika Union of Public Employees, and The Tanganyika Mine Workers' Union. After 1953 all were registered under the Trade Union Ordinance. They had been formed independently in each activity, but before registration the Colonial Government had made an effort to guide them as to their organisation and functions in order to prevent them from becoming involved politically (Damachi et al, 1979:243).

### III. THE SITUATION OF LABOUR MOVEMENT

The situation of labour movement is discussed here in terms of relationship between politics/government and workers union, legal environment and capacity of workers and their unions to address their demands, both before and after independence.

#### *i. Before Independence*

The political situation before independence is viewed in two faces: the relation with the colonial governments and that of the local politicians and political parties. These two represented different interpretations to trade unions, particularly with regards to engagement in political affairs.

Throughout the history of struggle for independence in Kenya and Tanzania there has been very close collaboration between workers unions and those involved in national politics (Babeiya, 2011; Bienefeld, 1979; Riddell, 1962; Shiraz, 2009). Many trade union activists and political parties saw that the only way to achieve their aims was to be active in direct political activities. In Kenya, trade unions collaborated with Kenya African Union (KAU) to fight for their independence while in Tanzania they joined hands with Tanzania African National Union (TANU) in exerting political pressure to the colonial administration (Babeiya, 2011). This is well confirmed by the fact that soon after independence the union leaders became occupants of various posts in the government, thing which led to erosion of the quality of leadership in the Trade Union movement (Mindu, 2002). This was particularly the case in Kenya where trade unions almost turned into political party after independence.

On the other side, the relationship between trade unions and the colonial governments was usually problematic. Because of avoiding political pressure, colonial governments in several occasions in both Kenya and Tanzania took measures to stop workers not only from engaging in political activities but also from organizing themselves in trade unions. Governments in both countries used legal ordinances to shutdown workers from striking and union formation. The situation was even worse in the public sector. The colonial administrations believed that when workers are organised would become powerful and consequently jeopardise their interests.

Legal texts were the main tool used by colonial governments to control workers' movements in both Kenya and Tanzania. There is no doubt that legal environment was not conducive for workers to favourably run their movements. All literature around this topic agree that colonial governments used to introduce new laws and regulation whenever they thought that pressure from workers were increasing. They did so not just to deny them an opportunity to address their work related challenges but also to block chances of forming collective groups which could jeopardise their political power.

In Kenya, despite the 1930 directive from the British Office to allow workers to form trade unions, it was not until 1943 that a statute was passed recognizing trade unions in Kenya. All legislation prior to this period was of repressive nature and designed to provide the government with powers to control unionism (Muir & Brown, 1974). Muir & Brown argue that in an attempt to discourage the development of trade unions during early 1950s the Government in Kenya used different measures such as (a) sponsoring the establishment of associations and works' committees to try to eliminate the need for unions at the shop level, (b) established statutory wage determination machinery by forming wages council for various industries and thereby try to eliminate the need for unions, (c) providing close control over the internal activities of the unions through the Registrar of Trade Unions powers to de-register the unions, and (d) extending compulsory arbitration and other restrictions to almost all major industries through liberal application of the Essential Services Ordinance. Thus, although the Government was overtly following a policy of union recognition was also actively discouraging the development of the unions (Muir & Brown, 1974).

In addition to that, the trade union movement was significantly weakened during the 1952-1958 period and its activities were generally restricted to non-political affairs due to the state of emergency declared by the government following the *Mau Mau*<sup>2</sup> movement in 1952 (Muir & Brown, 1974).

In Tanzania, in an attempt to control workers' resistance, the colonial government introduced: the Master and Servant Ordinance of 1923 to maintain discipline of workers and avoid strikes (Lwoga, 1987); the Trade Union Ordinance No.23 of 1932 which conferred much power to the registrar of trade unions to control trade unions (Bienefeld, 1979); and the Trade Unions Ordinance, No. 48 of 1956, requiring trade unions to be duly registered, (Dudley, 1979:9).

Again, in order to curb increasing nationalistic struggle, the registrar of trade unions in exercising his powers as per the Trade Unions Ordinance, No. 23 (1932) cancelled or deregistered several trade unions for derogating from the

<sup>2</sup> The violent, grass-roots resistance movement launched by the Kikuyu and related ethnic groups against the British colonial government in Kenya in the 1950s. It had its origins in the sense of deprivation felt by the Kikuyu, who had lost much of their land to white settlers.

terms of registration. This trend is exemplified by cancellation of the Amalgamated African Motor Drivers' and Commercial Road Transport Workers' (1948) in 1950, the Lake Province Tailors' Association (1949) in 1951, African Cooks, Washermen and Houseboys' Association in the register. Therefore, most of African trade unions were deregistered by 1951 except for the Dar es Salaam Asian Commercial Employees' Association (Lwoga, 1987).

Capacity is one of the important factors for the development of trade unions in the region. However, little has been written about the capacity of trade unions and their movement, both before and after independence. Capacity here has been assessed in terms of financial, organisational, membership and innovativeness in the approach.

Muir & Brown (1974) argue that trade union movement in Kenya benefited considerable external help from organisations such as British Trade Union Congress, American Federation of Labour etc which all took an active interest in problems of the workers in Africa after World War II. This help ranged from financial, educational to training and advice. This made trade union in Kenya to grow stronger after the war period. This argument corresponds with that of Shiraz (2009) who holds the opinion that technical capacity of trade unions in Kenya facilitated their achievement in their struggle. Shiraz translates the capacity of trade unions in Kenya through various communication strategies they developed to facilitate communication with their fellow workers and the community at large. These strategies included the establishment of printing/ publication services, development of the handbills which contained information of relevance to workers about their rights, and also about union matters and activities and which could be produced cheaply and distributed easily without colonial knowledge. The Union was successful in the strike because of good organisation and solidarity which could only be achieved with a good communication system. In terms of membership Trade union was estimated to have a total membership of 172,763 covering 30% of the total paid workforce in 1964 (Muir & Brown, 1974).

In the Tanzanian context Bienefeld, (1979) argues that the powerful labour movement forced the colonial Government to allow the formation of the influential Tanganyika Federation of Labour which then constituted a major threat to the regime during the struggle for independence. However, organizationally, the early trade unions in Tanzania were weak. The workers were too scattered and individualized in their work processes to mount an effective collective action. Ineffective and poor leadership was also a characteristic feature of the trade unions. Leaders' levels of education were said to be considerably low and only few leaders had enough capacities to manage (Riddell, 1962; Lwoga, 1987). Kiswahili was used as a unifying language, shared among all workers from different ethnic groups. This also helped to bring workers together and facilitate communication between them. In terms of membership Trade union was estimated to have a

total membership of 147,710 covering 42% of all employees by 1964 (Dudley, 1979). However, this number increased significantly after the establishment of the National Union of Tanganyika Workers (NUTA) in the same year.

#### *ii. After Independence*

This part explores the situation labour movement after independence in the three areas described above: political, legal and capacity environment. Politically, the situation after independence is a bit paradoxical. While there were strong collaboration between political parties and trade unions during the struggle for independence in Both Kenya and Tanzania, the situation turned to be problematic after attaining independence. This was not the expectation of most trade unionists. In Kenya the relation with the state seems to be a bit better in the sense that the majority of union leaders became higher officials in the government, but then this paralysed their role in the unions and so contributed to weakening the trade union movement. This is because the struggle for independence in Kenya was carried out within trade unions.

The worst condition of trade union in Kenya was demonstrated by several authors including Scott (1967), Muir & Brown (1974), Oberst, (1988), Scott, (1967). In their work which looked at the strike records between the period of 1963 to 1972, Muir & Brown noticed a sharp decline in number of strikes in Kenya since the passage of the Trade Disputes Act in 1965. From 1963 to 1965 there was an average of 233 strikes per year, while the average for the last seven years is 100 per year (Muir & Brown, 1974). The decline of strike is attached to the government effort to ban trade union movement in the country.

On the other hand, authors situate the political situation of trade unions in Kenya within trade unions themselves. Muir & Brown (1974) argue that much of the immediate post-independence labour unrest was attributed to the rivalries which developed between the two federations of labour that existed: the Kenya Federation of Labour (KFL) and the Kenya African Workers Congress (KAWC). In order to restore unity in the labour movement and to negate international unions influence, President Kenyatta (by Presidential decree in 1965) deregistered both the KFL and the KAWC and established a single organization — the Central Organization of Trade Unions (COTU) (Muir & Brown, 1974). However, this arrangement put COTU in obligation of serving the government and not the workers. Additionally, there is also the question of rivalry within the umbrella organisation – COTU – due to tribalism, especially during elections (Muir & Brown, 1974). Tribalism within the union acted as a setback of development not only of the central union (COTU) but also the affiliate unions that is supposed to supervise and support.

In Tanzania, Babeiya (2011) and Bienefeld (1979) describe the situation after independence as not conducive for the development of trade unions and their movements. Bienefeld refers this period as the “dead phase” of trade unions. As the independent government ventured into a multitude of socio-

economic policies, political pressure from any social or political organization was taken by the government as unfavourable to national stability and development. This stance was affirmed by the declaration in 1965 that Tanzania was to be a one party state. As a result, trade unions and other civil society organizations were put under the control of the ruling party up to the time the country reintroduced liberal politics in early 1990s (Babeiya, 2011).

The decline in unions' activities is also evidenced by Dudley (1979), who statistically demonstrated that there had been a serious decline trend of and, in some years, a complete disappearance of strikes during the period after independence to 1977, despite the economic difficulties of workers during the period.

In addition to that, Scott (1967) considers the abolition of the umbrella union (TFL) as making the trade unions as part of the government and ruling party and that leaders of those unions are just like other civil servants who hold no political views against the views of the government or party. This is particularly evident considering the fact that the newly introduced union (NUTA) had stronger linkage with the government. For example, the Minister of Labour was appointed the first General Secretary and given power to appoint deputies who would be responsible for running each industrial section of the new organisation. According to Scott Tanzania represents an extreme case in the process of union subordination to political leadership. He also puts Kenya in the same boat of subordination of trade unions giving example of COTU<sup>3</sup>.

On the other hand, the conflict between the newly independent government and labour movement can be explained by high expectation of workers over the newly independent government and its failure to meet those expectations (Scott, 1967). The government found itself in dilemma of attracting foreign investors to boost the economy in the one hand and improving the condition of workers which could also mean imposing strict conditions to employers on the other hand. As a result of this dilemma the government impeded trade unions development to avoid pressure.

Legal environment for trade unions after independence seems to have not changed too much from the colonial period, in terms of restrictions to unions, particularly in Tanzania where measures to change the situation started earlier than in Kenya. In Kenya the Government, in 1965, passed the Trade Disputes Act to regulate collective bargaining relationships in both private and public sectors. Muir & Brown (1974) argue that this Act did little to change the restrictive legislative framework which existed prior to Independence. Thus it is not

<sup>3</sup> It is based on this trend that Scott (1967) interrogates himself whether trade unions were still necessary during the time after independence in most countries in Africa. He wrote: *"The general picture, then, is that unions in Africa are no longer independent institutions but are increasingly responsive to the policies enunciated by national political leaders. It is this fact which is central to the understanding of developments in the international field"* (page 29).

surprising to find that the Trade Disputes Act served to place a number of restrictions upon the trade unions' collective bargaining activities. This Act was later amended in 1971 to give both the Minister of Labour and the Industrial Court wider powers over the collective bargaining process (Muir & Brown, 1974).

In 1962, following the outbreak of strikes, the Government of Tanganyika enacted several laws to restrict strikes almost totally: the Trade Unions Ordinance (Amendment) Act, No. 51 of 1962; the Trade Disputes (Settlement) Act No. 43 of 1962 to oblige all unions to affiliate with the T.F.L (which becomes the designated Federation), and to subject them to more stringent conditions of registration, including a strict control of the use of funds; the Civil Service (Negotiating Machinery) Act, No. 52 of 1962 to make all civil servants earning over £702 ineligible for union membership, and to establish a Joint Staff Council for the rest. All these together considerably curbed the power of the trade unions during very early period after independence in Tanzania (Bienefeld, 1979; Dudley, 1979).

Following 1964 coup d'état attempt, hundreds of people were arrested (including over 200 trade unionists), the TFL was dissolved by a new act, the National Union of Tanganyika Workers Act, which gave birth to the National Union of Tanzania (NUTA) (Bienefeld, 1979). Scott (1967) considers this act as making the trade unions as part of the government and ruling party and that leaders of those unions are just like other civil servants who hold no political views against the government or ruling party.

Regarding capacity environment, no specific studies could be found on capacity of trade union movement after independence in either of the two countries. However, looking at the various measures taken by the government in both countries to neutralise the union reasonable comments can be made regarding their capacity. It can also be seen within unions themselves in the events of conflicts and outflows of leaders. For example, in Kenya the capacity of trade unions are said to have been weakened due to at least four reasons: government control over the trade unions through the introduction of the Trade Disputes Act and control of COTU; poor operation of the umbrella organisation(s) which had the role of supporting affiliate member organisations; outflow of union leaders – most of them were taken by the new government to fill in important posts; and the eruption of tribalism within trade unions which brought unrest within unions and disintegrate solidarity among members and their administrations.

In the same way, in Tanzania, the capacity of trade unions after independence critically degraded due to similar reasons. However, researchers worked on this topic in the region describe Tanzania as representing an extreme case of trade union subordination (Bienefeld, 1979; Dudley, 1979; Jackson, 1979; Scott, 1967). To demonstrate the condition of trade union during this period Bienefeld (1979) quotes a speech of

the General Secretary addressed to his own Council in 1972. He stated that “failure by leaders to make visits to the members had also contributed much towards the setback of the Union and members have been made to think that the whole organisation was dead<sup>4</sup>” (Bienefeld, 1979:583).

#### IV. CONCLUSION: GENERAL COMPARISON BETWEEN KENYA AND TANZANIA

This part presents an overall discussion in the form of comparison between the two countries. Generally, from the explanation above and the various sources reviewed in this study, we can say that there are more in common between the two countries regarding labour movement. It should be noted that the two countries have more or less experienced the same colonial regime. Just before the independence they were both under British colonial rule (which applied standardised form of administration in the region. Most of directives regarding labour movement came from the British Colonial Office, even if their implementation was not necessary occurring in the same way or even at the same time. Together with the fact that both countries lie at the same geographical area give indication of existence of more similarities than differences. However, this could also mean the possibility of influencing each other in some of the interventions taken to regulate labour movement, both before and after independence.

One of the interesting similarities includes the fact that the trajectory of movements in both countries passed through the associations before getting to the trade union goal during colonial era. This was used as a strategy to mislead colonial regimes (which in both countries were unwilling to let unions thrive in fear of strengthening workers capacity to challenge their regimes), but also a result of legal barriers put in place by colonies. The difference in this point is the ideology of racism which dominated Kenyan associations during its early days. This led Kenyans to form association based on their racial differences and ethnicities (Indians, Africans and Europeans), but in later days the situation was rectified and more general unions established. Shiraz (2009) admits that the Kenya Indian Labour Trade Union (a union composed on only Kenyans of India origin) was transformed in April 1935 to the Labour Trade Union of Kenya to make it non racial. At the mean time he considers this as a significant step to bringing together workers of all races in Kenya.

In terms of political environment before and after independence, the two countries share the same trauma. Colonial administrations used legal ordinances to discourage trade union development. Because of this labour movement during colonial era was seriously compromised. A clear trend that can also be observed from both countries is the behaviour of the governments to restrict trade union activities and transform them into almost government entities after independence. Same path has been adopted by both countries,

<sup>4</sup> The quotation was originally taken by the aforementioned author from the Daily News of 23 December 1972 published in Dar es Salaam, Tanzania.

first started in Tanzania by integrating union leaders into the government, establishing new laws to strict their activities and then transforming and putting the umbrella organisation under government command. Kenya followed the same chain couple of years later, except the inflow of union leaders to the government was higher in Kenya than in Tanzania due to high integration between political activities and trade union movement during the struggle for independence.

In terms of legal environment labour movements in both countries suffered similar problems. They were both been shuttered down using legal texts, before and after independence. Except, here, some writers believe that the situation became worse after independence than before, and worse in Tanzania than in Kenya. This can be quickly evidenced by strike statistics which show complete disappearance of strikes during 1972 – 1976, despite the poor economic condition faced workers. This means that trade unions were almost dead during the early years after independence in Tanzania.

In terms of capacity of union a clear divergence has been remarked in terms of finance, innovation and even general organisation during colonial era and the struggle for their independence. The union in Kenya seems to have higher capacity in terms of organisation, finance and innovation of various techniques such as the development of communication strategy to facilitate circulation of information among members and the public. This capacity is also attributed to the inflow of foreign support. However, this capacity became incredibly weak after independence, in Kenya as well as in Tanzania, mainly because of the government restrictions to union movements. Muir & Brown (1974) admit that trade unions in many countries have either been brought directly under government controls or have been forced to operate within very restrictive legislation.

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