

Gilton Klerck

Trade Union Responses to the 'Flexible' Workforce in Namibia: Incorporation or Marginalisation?

Abstract

It is now widely recognised that a key feature of current restructuring is an increasing polarisation in employment conditions and a growing differentiation of the workforce. The changing social composition of the workforce associated with employment 'flexibility' poses serious challenges to the modes of organisation that have long served the labour movement. Available evidence suggests considerable variation in the nature and efficacy of trade union responses to the casualisation of work. This heterogeneity highlights the extent to which choices are structurally determined and underscores the tensions that can arise between different union strategies. A meaningful explanation of this diversity must therefore be rooted in the existence of different 'types' of trade unions. Prevailing typologies of trade unionism, however, cannot adequately account for the variety of union responses to 'flexible' employment. By linking the various responses to specific trade union 'identities' and by highlighting the limiting factors which serve to constrain choice, the approach adopted here represents an advance over alternative accounts. It allows us to proceed beyond mere taxonomies of trade unionism and to explore their conditions of possibility, reproduction, and propensity for transformation.

Introduction

When the first democratically-elected government of Namibia entered the global marketplace in 1990, the calls for increasing the 'flexibility' of labour markets and intensifying the processes of deregulation had become increasingly shrill. In addition to these international pressures, attempts to eradicate the vestiges of institutionalised racism in post-independence Namibia are severely hampered by vast social inequalities and extensive economic dependence on its old colonial master. The pre-independence expectations among black people of significantly improved earnings and standards of living remain largely unfulfilled as the Namibian economy fails to sustain adequate levels of growth. Namibia's hard-won freedoms of political emancipation and national liberation are bound to be illusory for the bulk of the poor in the absence of a

radical transformation of the inherited structures of economic ownership and control. The struggle to overcome inequality, poverty and unemployment while ensuring that the economy is diversified and becomes internationally competitive has generated distinct sets of winners and losers. The first decade of independence was characterised by both a strengthening of the legal and social safety net covering full-time, organised employees and a proliferation of 'flexible' labour at the margins of this regulatory framework*.

Internationally, the current conjuncture is one in which the labour movements of many countries are under attack, trade unionism is on the decline in its traditional strongholds, and management has seized the initiative in both the restructuring of production and the transformation of industrial relations. An increasingly prominent aspect of managements' drive to become globally competitive is the *casualisation* of employment – understood not only in the narrow sense of an expansion in the proportion of persons classified as casual workers, but also in the broader sense of a spread of casual conditions of employment within the labour market. The rise of a so-called 'flexible' workforce – i.e. temporary, part-time and a variety of self-employed workers – marks the movement from a dominant pattern in which internal labour markets shielded workers from market forces, to a new employment relationship where pressures from product and labour markets are used to mediate the labour-management relationship.

It is now widely recognised that a key feature of current restructuring has been a growing differentiation in employment conditions and an increasing polarisation of the workforce (see Córdova 1986; Dickens 1988; Lane 1989; Fevre 1991; Felstead and Jewson 1999). As Hakim notes in her extensive review of workforce restructuring, strategies varied from one country to the next and followed different paths depending on local factors, but 'all pointed in the same general direction of increasing ... segmentation of the labour market and exploring new forms of differentiating wage/labour relations' (1990:167). As just-in-time organisation of inventory and production has spread, so too has just-in-time human resource management. These initiatives add up to an emergent industrial strategy that places low-waged, poorly-regulated labour at the forefront of attempts to improve the competitiveness of certain firms and sectors. The track-record of these policies reveals that relatively little is achieved in terms of the alleviation of poverty, skill shortages or structural unemployment. The shift from in-house jobs to outside contractors, for example, amounts to 'a shift in the lines that divide labour, rather than straight-forward growth in employment' (Allen and Henry 1996:65).

The multiplication of divisions among workers poses a grave challenge to the unions. As fault lines develop amongst workers, union capacities for effective action are severely tested as 'established foundations for solidaristic social and political action are eroded' (Yates 1998:120). Despite a few notable exceptions, union policies to combat the increasing differentiation in terms and

conditions of employment have met with very little success. These divisions become especially portentous where, as in Namibia, employers' primary target for outsourcing is those rungs of the occupational hierarchy that have historically been fruitful union recruiting grounds. If the trade unions in Namibia are to expand their influence and consolidate their gains, an effective strategy to confront the casualisation of work must be found. Such a strategy should address the causes and not merely the symptoms of casualisation. A successful response to the casualisation of work is therefore premised as much on the strategic resources of the labour movement as it is on an adequate conception of the labour market processes that generate the supply of and demand for 'flexible' labour.

Labour Market 'Flexibility' in Namibia

Unravelling the connections between changes in the employment relationship and the wider socio-economic context must start with the structures of the labour market. A prominent characteristic of most developing countries is the division between a relatively small, advanced sector and a large underdeveloped and impoverished sector. This social polarisation is reflected in the dichotomous structure of the Namibian labour market.¹ First, there is a high-wage urban sector (public and private) in which labour is organised by trade unions. Existing comparisons of Namibia's labour costs with its neighbours show that the wages of semi-skilled employees are more than four times as high as those in Zimbabwe (Hansohm *et al* 1998:5). Relatively high wages combined with low levels of labour productivity act as a major brake on competitiveness. Second, the rural and subsistence sector includes unskilled labourers, domestic workers, communal farmers, and the lowest paid agricultural labourers, whose incomes are 7 percent of those of semi-skilled workers and less than one percent of those of senior managers in the private sector (Hansohm *et al* 1998:5). Several structural and other factors reinforce this duality in the labour market. Some two-thirds of the population live in (rural) areas characterised by a chronic lack of adequate infrastructure and basic services. Namibia has a relatively young population with more than 40 percent below 15 years of age and more than 50 percent below 20 years (Ministry of Labour 1998:44). The levels of educational attainment in Namibia are also extremely low, with no more than two percent of the population having attained higher education.

Increased market competition, greater employment instability, and changes in the organisation of work have added momentum to fragmentary tendencies within the labour market. New bases of division flourish and old divisions are augmented and transformed. On the one hand, high levels of unemployment² and under-employment³ mean that many workers have lost the prospect of ever finding secure employment in the formal sector. With a combined rate of unemployment and underemployment of almost sixty percent, a sizeable

majority of the Namibian labour force was available and looking for more work.⁴ The increased uncertainty and volatility associated with globalisation has further reduced the incentives to invest and innovate, and reinforced the reliance on low pay and casualised employment as the only means of survival. Vulnerability to casualised employment is grounded in absolute poverty, a lack of work experience and skills, and little or no history of collective organisation. On the other hand, unionised workers have often gained substantially from the restructuring of employment in the formal sector. Many workers have had their skills upgraded, are more secure in their jobs, and have earned rising real wages. Prevailing economic policies also disproportionately favour permanent, full-time employees in the more skilled public, mining and manufacturing sectors.

High levels of unemployment, combined with the virtual absence of both a viable subsistence sector and comprehensive welfare provision, have forced many workers to take whatever jobs are on offer and not to report abusive labour practices and non-compliance with minimum standards. Unemployment has encouraged the growth of casualised employment in two ways: (a) it has forced governments to devise new strategies for job creation⁵; and (b) it has predisposed some workers to accept alternative employment forms, no matter how unstable or precarious they may be. A persistently high level of unemployment not only provides employers with the power to vary terms and conditions of employment since workers are in a diminished bargaining position, it also forces many workers to accept forms of employment outside the normal or standard employment relationship. The high population growth rate, combined with limited growth in the formal sector labour force, means that conditions in the labour market are bound to deteriorate for the more vulnerable sectors of society. To make matters worse, the HIV/AIDS pandemic threatens to drastically reduce the institutional stability and allocational efficiency of the Namibian labour market in the short- to medium-term.⁶

Collapsing all poorly-regulated forms of employment into the category of 'flexible' labour obscures as much as it reveals (Pollert 1988). Studies of the interaction between the labour market and the restructuring of employment at the level of the firm reveal that 'atypical' forms of work cannot simply be equated with employment 'flexibility' – i.e. the capacity to respond rapidly to volatility and uncertainty in markets (Harrison and Kelley 1993; Peck 1996). Managers face the general problem of converting the purchase of labour power as a commodity into actual work performance. The spread of casualised job forms has greatly increased employers' freedom over the financial costs of employment and, in so far as it supplants union regulation, over the disposition of labour in the workplace. By shielding the permanent workforce from the adverse effects of fluctuations in demand and workload, the disposability of casual employees enables management to circumvent the re-organisation of internal staffing practices. The use of a casualised workforce also allows

employers to (amongst others) cover unsocial hours; reduce their commitment to permanent staff; decrease the need for managing labour; and concentrate areas of competitive advantage. The social costs of these benefits to employers can be seen in the extent to which instability, insecurity and vulnerability have become permanent features of employment for the working poor at the bottom end of the labour market.

When we distinguish between *standard* and *non-standard* employment, the primary concern is not the length of service or position in the occupational hierarchy, but rather the broader issue of lack of entitlement.⁷ The thresholds set by labour legislation distribute rights among employees in a manner that benefit the standard employment relationship and discriminate against non-standard job forms. Many non-standard workers are excluded from a core of employment rights (e.g. protection against unfair dismissals, maternity leave, unemployment insurance and sick pay) because they do not meet the stipulated qualification requirements such as length of continuous employment. The standard versus non-standard employment classification is thus based on a regulatory and entitlement norm (see Mückenberger 1989). As such, 'non-standard' is a less ideologically loaded and a more precise term than, for example, 'flexible' or 'peripheral' labour.

Since non-standard employment is not necessarily marginal in status, it is not the form of work that should be resisted but the conditions often associated with it. Even where labour legislation offers some protection to non-standard workers, they still face fewer promotion and training prospects, less convenient working hours, less functional adaptability and job security, and more repetitive tasks. The social and/or legal regulation of non-standard employment does not signal protection, it merely ratifies the absence or limits of protection. It establishes what Campbell (1996:582) aptly describes as a 'regulated precariousness'. Non-standard employment is often devoid of many of the usual accompaniments of a standard employment relationship, such as a written contract of employment and an itemised pay statement. Crucially, many non-standard employees cannot freely dispose of their labour power:

Some of my people work for long periods – say, nine months – with the same client ... The longer the guy works with me and becomes used to the job, the more selective he becomes – 'I don't want to work here, I want to work there' – which he is actually not allowed to do. He must go where we send him ... They get comfortable with the work and prefer jobs where they don't have to work very hard. We battle to get workers for some clients because they know what work is waiting there for them. Unfortunately, this is usually some of our best clients: the big production people (labour broker).

Insights into the composition and distribution of non-standard labour accentuate the need for a greater appreciation of the open-ended and complex nature of changes in the workplace. In particular, a more adequate understanding of the employment policies of firms demands the consideration of a wider range of strategic options than has typically been the case. The study of non-standard

work also sheds light on the dynamics of the employment relationship itself. For example, it has been shown that the regulation of employment conditions within the firm has a major bearing on the extent of and motivations behind the casualisation of labour (see Abrahams and Taylor 1996). The sectoral distribution of non-standard labour indicates that internal equity considerations constrain the relative wages paid to employees within a single internal labour market. High-wage firms cannot easily pay low wages to their own employees and low-wage firms cannot easily pay high wages to workers in selected occupational groups. Hence the former are more likely to casualise low-skill work while the latter are more likely to outsource high-skill services.

A progressive critique of casualisation cannot remain content with a description of its various forms and their effects. Attention must be drawn to the structural functions and contradictions of such emergent patterns of labour regulation. To this end, we need to identify the underlying social and economic relations that must exist in order to account for the observable patterns in the use of non-standard labour.⁸ The historically- and spatially-specific origins of the various forms of non-standard employment suggest that they are generated within a specific ensemble of institutional structures. It is only on the basis of a delineation of these structures that we can explain why particular types of non-standard labour flourish in some places or industries rather than others. A serious analysis of the social and political conditions under which labour market structures evolve must complement an examination of the trends towards 'flexibility' and casualisation. In particular, we need to understand the extent to which the rise of 'flexible' employment policies are the product of wider structural constraints and opportunities. Understanding the conditioning effects of structural relations over managerial behaviour, however, has not been greatly assisted by the current penchant for models of 'strategic choice'.

The available evidence provides little support for the contention that employers are systematically pursuing a 'flexible' or 'core-periphery' model of employment practices (see Pollert 1988; Marginson 1991; Robinson 1999). The bulk of employers lack a coherent and long-term employment strategy, hiring workers on an *ad hoc* basis and in response to particular problems and circumstances as they arise (Hakim 1990:184). In Namibia, as elsewhere, workforce restructuring is generally understood and justified by employers in terms of conventional staff-planning principles and not in grand terms of new 'flexible' strategies. That is, actual changes in employment practices have been less dramatic or proceeded more hesitantly than the ideology of 'flexibility' suggests.⁹ A rise in the use of non-standard forms of employment is therefore seldom the product of any qualitative change in employment policy. Rather it appears more the result of an intensification of existing practices, a reaction to unfavourable economic conditions, and an expansion of those industries that have always utilised a non-standard workforce.

We haven't taken any jobs out of the hands of permanent workers. The work that is there has always been there. What we have done is to take over the client's own temporary workers or casuals. Everybody uses casual workers and, as I have said, the guy does not get paid his overtime or his Sunday work. The network, I think, is perhaps getting a bit small and the companies know they are going to get into trouble. That is why they switch over to us (labour broker).

In contrast to countries where non-standard employment is a small-scale phenomenon confined to cases of short-term employment to meet exceptional or irregular work demands in industries such as retail and construction, non-standard job forms are found in most industrial sectors in Namibia. The term *casual labour* has gained widespread currency.¹⁰ It carries connotations of an 'unusual' employment relationship with inferior or sub-standard terms and conditions of work. As such, the category of 'casual' labour combines work that is short-term and insecure with work that is more long-term and regular (Campbell 1996:576). While it may conflate the variety in terms of job security or degrees of precariousness, the value of the concept of 'casual' work lies in the fact that it highlights the existence of employees with long-term service for whom there appears no compelling grounds for denying the benefits and entitlements of permanent status.

The picture that emerges from the YCW survey (Table 1) is one of a workforce that has some continuity of employment and standard working hours, but is deprived of most of the other concomitants of full-time employment. The majority of non-standard workers are employed predominantly by the same employer, work on average nine hours per day and five days per week, and have been in continuous employment for more than six months.¹¹ However, most non-standard workers are denied overtime pay, social security benefits, regular pay increases, vacation and sick leave, and compensation for occupational injuries and diseases. The overriding motives for the employment of non-standard workers therefore seem to be a reduction in employment costs and the evasion of statutory obligations. The overwhelming majority of non-standard workers surveyed were also not members of a trade union, depriving them of any collective agency to mediate in their employment relationship. The prevailing legal and institutional framework has clearly failed to prevent employers from using non-standard workers as a source of low-cost labour and employing them on markedly inferior terms. Not only is there a need for existing employment rights to be restructured, but a new approach to their enforcement and application also needs to be found.

The main findings of my interviews with personnel and industrial relations managers in the private sector can be summarised as follows. First, the majority of the companies surveyed use or have used casual workers over the last ten years. The reasons cited for these employment practices ranged from irregular or excessive work loads to absenteeism and pressures to reduce the permanent staff complement. Second, the number of casual workers employed and the

duration of their employment vary greatly: as few as one to as many as several hundred workers were employed on non-standard contracts ranging in duration from a few days to as long as several years. Third, most firms experienced an increase in the use of casual labour since 1990, although some noted a decrease. Of particular significance is the rapid expansion of non-standard employment in the manufacturing and retail sectors. Fourth, casual workers were almost invariably concentrated in the lowest-paid and most menial jobs. In Namibia the central direction of change is towards 'numerical flexibility' (e.g. reducing the costs of and obstacles to hiring and firing workers) and not 'functional flexibility' (e.g. pursuing multi-skilling through a reduction in job demarcations). Fifth, casual workers were not regarded as a part of the company's workforce and their terms and conditions of employment were not open to negotiation. Non-standard work is thus largely a no-frills-attached, take-it-or-leave-it type of employment:

The way the employers are treating their casual workers is bad ... Sometimes we are harassed and threatened because our wage is the only thing we are living on. The bosses are taking advantage of that by saying: 'if you don't want to do it, then go'. As a casual worker, you don't even have the courage to talk if you see that something is wrong. If you talk and they take away your only bread, how will your family live? ... As a casual worker, if you don't even have the right to say something, how will you claim your rights? If you don't have a union, how will you fight? If you say something, you are told: 'you can go if you want to' (casual worker, manufacturing).

Table 1. Key Indicators of Non-Standard Employment in Namibia

	YES	NO	UNSURE/ NO RESPONSE
Member of a union	17	111	45
Work for nine hours and less per day	131	39	3
Paid overtime	59	65	49
Work more than three days per week	118	48	7
Engaged in shift work	48	111	14
More than six months continuous employment	115	50	8
Work for more than one employer	36	128	9
Registered with social security	39	119	15
Receive regular pay increases	41	123	9
Leave entitlement	56	107	10
Signed contract of employment	73	92	8
Paid treatment if injured on the job	45	115	13

(Source: compiled from *YCW Casual Labour Survey 1999*).

The lack of comprehensive data on employment in Namibia means that it is exceedingly difficult to determine the precise size of the ineffectively or poorly regulated and unprotected component of the non-standard workforce. The *Labour Relations Survey* found that, among the workplaces studied, 86 percent of workers in the private sector and 94 percent of those in the public sector had permanent employment status (Klerck *et al* 1997). According to the Ministry of Labour, 78 percent of working Namibians were employed full-time, or considered themselves to be employed full-time, in their main job (1998:41). The subsequent establishment and growth of temporary employment agencies suggest that these figures no longer reflect the true extent of non-standard employment. In the light of figures that are available, the use of non-standard forms of employment is clearly differentiated according to sector, occupation, gender and size of workplace. The highest number of casual and temporary workers were employed in the construction industry, followed by the fishing, retail and manufacturing sectors (LaRRI 1999). We should not, however, allow the quantitative dimension of non-standard work to conceal its qualitative impact on particular occupations and groups of workers. The increasing fragmentation of labour markets associated with the proliferation of non-standard employment forms has profound implications for social inequalities and decisively shapes political ideologies and managerial discourses. The casualisation of employment also has a significant impact on the experiences and identities of non-standard workers:

It is like slavery over there. They [employers] treat us like children, like dogs I could say ... The casuals can lose their jobs for anything ... They say that if you go someone else will come in, and it is true. People only do this work because there is so much unemployment ... We are also not allowed to join the unions because we are casuals, dogs or whatever ... Sometimes when we don't have time to go on lunch, then you must eat while you are standing and working. You cannot sit down and eat ... They tell you: 'you are a casual and you must be satisfied with whatever money you get'. You don't negotiate with them ... If you go to the manger to complain about your pay, they just tell you to take your things and go. That's all. It is better just to be quiet and to be satisfied with what you get (casual worker, retail).

Working class fragmentation is, of course, not a new phenomenon. Hyman (1992) outlined an inverted U-curve of unionisation which reflects variations in employment status and labour market position. Employees with professional qualifications or high levels of technical skill may perceive little need for trade union support; while the growing number of workers in precarious forms of employment lack the resources and cohesion for collective organisation. Unions have historically been strongest among intermediate categories of employment such as semi-skilled machine operators. The labour movement is thus flanked by two significant groups of non-unionised employees: the rising middle layers of skilled, white-collar and semi-professional workers and the increasing number of people in non-standard employment. The latter can potentially form a bridge between the marginalised and unemployed members

of the working class and the relatively more privileged workers in permanent, full-time employment. The active incorporation of non-standard workers into the unions is thus of great political significance.

Trade Unions and the 'Flexible' Workforce

The Namibian labour movement is fragmented into about thirty different unions, with the National Union of Namibian Workers (NUNW) as the country's largest and most influential trade union federation. The NUNW-affiliates cover most of Namibia's major industries and account for almost 80 percent of all recognition agreements. The service sector and white-collar workers, however, remain poorly organised. The rate of unionisation is about 26 percent among the employed labour force, but some 8 percent of the unemployed are also members of one or another type of union. There are significant variations in this regard: trade union density is roughly twice as high in urban areas compared to rural areas and the rate of unionisation of men is about one-and-a-half times that of women. The highest rate of unionisation (40 percent) is that of employed males in urban areas, while the lowest (6 percent) is that of unemployed females in rural areas (Ministry of Labour 1998:30-1).

The prevailing organisational and ideological framework of the labour movement inhibits its capacity to mount an effective campaign against the spread of unstable and poorly-regulated employment. Virtually all NUNW-affiliates negotiate terms and conditions of employment on a decentralised basis, even in industries where they dominate in all companies. The highly decentralised nature of collective bargaining results in the unions spending the bulk of their time and meagre resources on a multitude of separate negotiations with predominantly small companies. The predominance of workplace industrial relations (and the corresponding lack of industry-wide regulation) also means that the broader processes of political exchange are heavily weighted against the unions. Decentralised bargaining tends to confine employees' perspectives and actions within the enterprise. Such confinement reinforces the dominance of 'bread-and-butter' issues on the collective bargaining agenda and encourages employers to redefine the firm as the point of reference for workers' collective interests and loyalties. As a result of weak central coordination and direction, workplace unions are often forced to adopt highly pragmatic positions in relation to employer demands for greater 'flexibility'.

The neo-liberal, 'free-market' policies promoted by government and business provide a hostile environment for improving the legal and social protection of non-standard workers. The Namibian government's industrial and monetary policies seem more concerned with managing the economic crisis by creating an investor-friendly climate than with a commitment to extensive regulation and structural change. 'The whole reform process is driven by the question: how do we deal with conflicts in a way that they do not shatter

investor confidence?' (director, LaRRI). When challenged, employer decisions and managerial prerogatives are routinely upheld, and where employees do succeed the available remedies are generally inadequate. An inevitable consequence of this emphasis on attracting foreign investment is a redistribution of the costs of economic uncertainty and instability to the detriment of weaker sectors in the labour market. The resulting reproduction of a second-class workforce not only undermines the foundations of collective industrial relations and attenuates the legitimacy of labour law, it also imposes a number of constraints on the unions' ability to defend the interests of non-standard workers:

- the difficulties associated with the proper inspection of non-standard employment;
- the individualised forms of conflict associated with non-standard labour are not readily amenable to established dispute-resolution procedures;
- traditional forms of employee representation are often inadequate to meet the distinctive needs of non-standard workers;
- the prevailing mechanisms for employee participation are usually inapplicable or unsuited to non-standard employment;
- the social security systems designed to cover the risks inherent in regular, full-time employment are ill-suited to precarious and intermittent forms of employment; and
- complications often arise in determining which employer is liable for the health and safety of non-standard workers in cases involving a triangular employment relationship.

Together with labour law, trade unions are the principal mechanisms for regulating the unfettered exercise of employer power in both market and authority relations. Union-negotiated employment conditions act as a system of protection against the untrammelled operation of the market, supplementing the more partial protections offered by labour legislation. The joint regulation of work rules operates like high wages to raise labour costs, giving unionised employers a stronger incentive to outsource than otherwise similar non-union employers. For managers, the goal is to reduce or eliminate some or all of the guarantees and protections governing specific aspects of the employment relationship. By counteracting the homogenising effects of labour law and collective bargaining, the mobilisation of cheap and disposable labour through non-standard employment allows employers much greater individualism in the employment relationship. The changing social composition of the workforce poses serious challenges to the efficacy of the modes of organisation that have long served the labour movement:

I think outsourcing makes life for the unions much more difficult. In the traditional way that unions are organised, how do you organise a very flexible and liquid worker? I think unions must start adapting to this more flexible system ... The unions have traditionally

organised in very rigid and well-defined fields. Now all of a sudden you have a worker who is hired once in the public service, once he is in the fishing industry, the next day he is in the metal industry. How do you organise the guy? It is very difficult (permanent secretary, Ministry of Labour).

The Namibian trade union movement concentrated most of its energy and resources on the organisation of (predominantly male) black unskilled and semi-skilled workers in permanent, full-time employment. One unintended consequence of this organising strategy – despite its inherent logic and priority – was to cement the divisions between black and white, skilled and less skilled, and standard and non-standard workers. In sharp contrast to the unions' successes in organising semi-skilled employees in the manufacturing and mining sectors, union organisation in sectors (such as retail and construction) with a long-standing prevalence of non-standard labour has historically been largely inconsequential. Moreover, as the view of non-standard employees as 'marginal' or 'peripheral' to the core activities of the enterprise takes hold, the social distance between these workers and full-time, organised employees is strengthened. Part of the problem facing the labour movement in its attempts to incorporate non-standard workers resides in the fact that the unions themselves often pursue a strategy of exclusion as a means of protecting the interests of permanent workers.¹² An important reason for this strategic orientation by the Namibian trade unions stems from the dilemma posed by the high expectations of their *existing* membership and their limited organisational and financial capacity. The regular use of casual workers as strike-breakers has also significantly reinforced trade union opposition to non-standard employment:

I think it is right that companies should hire casuals during a strike. If you are my client and you phone me to say that your workers are striking, I will send workers because the country's economy suffers if you cannot produce. That is part of why we have many clients – if he has problems with his workers then I am there to send people to him ... My people won't have problems with that, it is work for them (labour broker).

Evidence of a deep-seated reluctance to organise non-standard workers is not hard to find. Unions on occasion also appear to share employers' conceptions of such workers as disposable in an attempt to protect the jobs and conditions of their members. In other words, the unions have struggled to strike a balance between representing non-standard workers and maintaining their historical opposition to these forms of employment. Despite the variation in the approaches adopted by individual unions to the challenges posed by recruiting non-standard labour, the main approach remains one of avoiding the challenge. Most unions have devoted very little time and resources to grappling with the difficulties of organising non-standard employees. This has been reinforced by the belief (a) that a union's core commitment and main source of income and strength resides with full-time permanent employees; (b) that non-standard employment is a threat to the job security and conditions of full-time permanent

employees; and (c) that there is a fundamental divergence of interests between full-time permanent and non-standard employees.

The introduction of these labour hire companies has severely increased job insecurity as businesses do away with permanent jobs and hire casual labour to do the work. This has hampered union membership ... We have launched a campaign against these flexible labour policies. We call these labour hire companies a 'slave trade' here because they are in fact selling people to do work for other people. ... The unions have already decided that such labour policies will not be allowed anywhere in Namibia. In the companies that are organised by NUNW unions, we will definitely fight any such initiatives (general-secretary, NUNW).

Since the unions face different problems with respect to non-standard employment, there is invariably considerable diversity in the practices of individual unions. While some trade unions have reacted to the challenges of non-standard labour, unions in industries that are dominated by full-time, permanent employment have been slow to respond. The 'traditional' trade union policy towards non-standard employment is centred on the defence of full-time permanent employment and a hostility towards all non-standard forms of employment (Campbell 1996). The use of non-standard labour is viewed as a symptom of employer greed, a threat to the numbers and conditions of permanent workers, and as a veiled attempt at undermining the unions. Traditional trade union policy proved to be indiscriminating in its approach to the various forms of non-standard employment and tended to regard them as a homogeneous category. All non-standard employment is rejected irrespective of its employment conditions, whether it is voluntary or not, and whether it is structured in terms of permanent or casual status.

The unions have often sought to negotiate agreements that prevent or restrict the ability of employers to casualise work. The substantive provisions of collective agreements constitute a floor of minimum labour standards and impose a standardisation that serves trade union interests in minimising competition between individual employees. These provisions are, however, largely couched in terms of permanent, full-time employment. Collective bargaining has historically been geared towards establishing minimum labour standards to support and protect workers in standard employment. Collective agreements often sanction differential treatment for full-time and part-time or temporary workers, usually to the detriment of the latter. Where they provide for non-standard employment, collective agreements typically also seek to limit its use (see Campbell 1996). This can be achieved by specifying proportional limits or quotas (calculating non-standard employees as a proportion of the workforce or non-standard hours as a proportion of total workforce hours) or by establishing restrictions on how, when, under what circumstances, and for how long non-standard employees may be used. Some agreements also specify a 'casual loading' on the hourly rate of pay, intended as compensation for the lack of standard entitlements and as an additional barrier against the reli-

ance by employers on non-standard workers at the expense of permanent workers.

Traditional trade union policy is valuable in so far as it sets out to defend some notion of 'permanency' in the employment relationship. A defence of employment relations that are expected to be continuous, signals that employees have certain rights in the workplace. But to defend standard employment at the expense of *all* forms of non-standard employment is problematic for at least two reasons (Campbell 1996:591). First, the traditional policy of seeking to limit or exclude non-standard employment has clearly failed. The best index of this failure is the rapid expansion of non-standard work in almost all sectors of the economy. Second, indiscriminating hostility and opposition to non-standard employment reduces it simply to an expression of employer preferences and ignores changing employee interests. For example, traditional union policy cannot account for employees who voluntarily enter into part-time employment. This policy therefore prevents the unions from developing strategies to improve the conditions of part-time workers and to integrate part-time and full-time work.

A 'blame-the-victim' attitude is slowing giving way to a perception that the interests of full-time, regular members may be served by measures designed to improve the position of non-standard workers. There is widespread recognition among trade unionists that the numerical strength of the unions is bound to decline as casualisation targets the middle and lower ranks of the occupational hierarchy, the bulk of whom has traditionally constituted the union membership. Furthermore, labour market 'flexibility' policies do not so much 'raise the level of employability across the labour market as a whole as increase the rate of exploitation in its lower reaches' (Peck and Theodore 2000:132). Increasing competition in low-wage labour markets is thus likely to create a downward pull on both wages and regulatory norms. Since the emergence of a growing sub-stratum of employees with poor employment conditions and high levels of precariousness constitutes a direct threat to the conditions of the core membership, it is now commonly argued that the unions can only ignore them at their own peril.

The membership has been declining quite drastically. The introduction of these labour hire companies has severely increased job insecurity as businesses do away with permanent jobs and hire casual labour to do the work. This has hampered union membership (general-secretary, NUNW).

At the NUNW's Second National Congress in 1998 a resolution was adopted calling for greater regulation of non-standard labour. It was noted that 'many' firms employ non-standard workers as 'a means of cheap labour', often in blatant violation of the country's labour legislation. 'Some employees', the resolution continues, 'have been employed as casual labourers for more than five years, working five days a week, receiving monthly salaries, and [are] still being regarded as casual workers' (NUNW 1998:22). In an attempt to alleviate

the plight of non-standard workers, Congress stipulated that a person who works continuously over a cycle of twelve months or more should not be regarded as a casual worker. The Congress also resolved that a policy on the matter must be formulated and called for tripartite consultations on 'this ugly scenario' (NUNW 1998:23). This resolution has not, however, been translated into practice in any sustained or coherent fashion.

Through a sheer force of numbers, some NUNW affiliates – e.g. Namibia Food and Allied Workers' Union (NAFAU) and the Metal and Allied Namibian Workers' Union (MANWU) – were compelled to recruit non-standard workers. NAFAU's paid-up membership varies by as much as 5 000 when seasonal workers in the fishing industry are without work (LaRRI 1999:6). This translates into a unionisation rate that varies between 25 percent and 45 percent depending on whether or not the measure is taken during the fishing season. The social composition of this seasonal workforce is revealing:

The majority of casual workers are women. Maybe eighty percent are women and twenty percent are men. They are also only looking for young people ... because they can work much faster (national organiser, NAFAU).

The industries organised by MANWU – metal, construction, etc. – consist of many small firms with a large share of non-standard employees. Although it organises in sectors that have historically constituted the backbone of labour movements elsewhere, MANWU's unionisation rate stands at only 13.1 percent (LaRRI 1999:7). In the first of its kind in Namibia, MANWU entered into centralised bargaining with the Construction Industries Federation in 1996. An agreement has recently been struck in this forum which seeks to regulate the employment conditions of casual workers. Even where non-standard employees have been organised, however, their interests are not necessarily well represented nor are their needs and conditions adequately understood. All too often, the actions of organised employees serve to perpetuate the subordinate status of non-standard workers:

The casuals have to do what the permanent worker tells them to do. The permanent workers also see themselves as our bosses. There is no cooperation between us ... Because they are permanent and we are casual, they are also kind of using us ... Maybe they act like that because they are permanent workers. If they do something wrong, the union will come and fight for them. If a casual worker and a permanent worker have an argument, then the shop steward will come and help the permanent worker. They would not help the casual worker ... The problem is that we casuals have too many bosses (casual worker, retail).

The 'new', emerging approach adopts a less hostile and more discriminating approach towards non-standard employment (see Campbell 1996). In particular, it distinguishes between forms of employment that are beneficial to those involved and forms that are detrimental. This approach seeks to move from opposing non-standard employment to upgrading it by adopting policies such as full pro-rata pay and benefits. To this end, collective agreements are geared towards establishing a clear ratio of non-standard and permanent jobs with a

view to increasing casual loading as well as reconstructing conventional restrictions on and incentives for casualised employment. Likewise, union policies on membership are often amended to reflect a commitment to recruiting new categories of employees more actively and to represent their interests more effectively. This commitment is frequently underwritten by a 'decasualisation' campaign which aims to restrict non-standard employment to those cases where employment is necessarily short-term, seasonal or irregular, and to convert the remainder (majority) to a permanent status. The unions in Namibia have also sought to temper the dictates of increased economic competitiveness with the demands for greater social equality:

The outsourcing of non-core departments is a major challenge facing us ... The companies are increasingly saying that to be competitive in the global market, they have to get rid of the non-core business and they want more labour flexibility ... You cannot talk of labour market flexibility without addressing the imbalances in wages which were created by past discriminatory laws (assistant general-secretary, MUN).

There are three broad limitations in the new trade union approach to the regulation of non-standard employment and its associated principles of decasualisation (Campbell 1996:594-5). First, the new approach to regulation is too narrowly focused on redesigning the text of collective agreements. The negotiation of collective agreements is *the* channel into which most trade union activity has been directed. Non-standard labour flourishes not only in the spaces marked out by the text of agreements, but also emerges in the interstices left by limits in enforcement and reach of labour regulation. The narrow channel of single-employer bargaining appears increasingly inadequate as a mechanism for combatting the expansion of casualised employment. Second, the new approach to regulation is too narrowly focused on the distinction between casual and permanent status. While the conversion from casual to permanent status is an important part of any decasualisation policy, the decisive issue for the unions must be terms and conditions of employment. A focus on employment *status* rather than employment *conditions* is likely to miss or mask significant features of non-standard work. Third, the new approach has proved largely unsuccessful in practice. The main direction of change has been towards a degradation in the conditions of non-standard employment. Labour market deregulation, neo-liberal economic policies, the promotion of small businesses, and employer restructuring at the workplace have all significantly reduced the space for the implementation of trade union policies on casualisation. The latter is increasingly confined to islands of union strength.

Too little debate has taken place within the ranks of organised labour on the design and implementation of strategies specifically geared towards the recruitment and retention of non-standard employees. Recruiting workers who have no tradition of collective organisation and are subjected to personalised and despotic forms of managerial control is fraught with difficulties. This is particularly evident where employees are engaged through a cascading series

of subcontracting relationships (e.g. construction) or where the contractor has minimal infrastructure (e.g. security). Different tactics are being used reflecting differences in recruitment problems, potential membership, and areas of organisation. In Namibia's retail sector, for instance, a lack of job descriptions is seen as both the root cause of the vulnerability of casual workers and the most significant obstacle to the prevailing ('job control') model of union organisation in the workplace:

For casual workers to have a say, to say 'this is my job, I'm only supposed to work here'; they must have contracts with job descriptions. That is the only way we are going to protect them. If they don't have that, they can be chased anywhere like the bosses want. They [managers] can say: 'you work here, you work there, it is all the same' (regional organiser, NAFAU).

Trade union recruitment strategies have made little impact, especially where non-standard workers are not seen to be in direct competition with full-time, permanent workers. Unionisation rates are markedly lower for non-standard workers in every size of workplace and industrial sector. Despite rhetoric to the contrary, trade union practice seems primarily orientated to 'defending the relative advantages of the stronger sections of the working class against possible encroachment by the weaker (whether unionized or not), rather than challenging the system on behalf of the class as a whole' (Hyman 1996:68). This is clearly evident in the extent to which the consequences of excessive wage demands, such as job losses, are accommodated by a buffer of non-standard workers.¹³ Union policy cannot afford to be confined to the realm of the effectively regulated sectors of employment at the cost of policies to deal with problems outside this realm. To be fair, there are several formidable barriers that impede the recruitment and retention of non-standard employees. The factors that contribute to making non-standard employees difficult, expensive and unattractive to organise include:

- their varied, unsocial and limited hours of employment make non-standard workers hard to find and retain;
- the distinctive, often unfamiliar problems associated with non-standard employment;
- the extensive demands on the time of organisers make it almost inevitable that collective issues will gain precedence over individual complaints;
- the reluctance by some non-standard employees to become union members for fears of victimisation by employers;
- the divergence in the needs and interests between non-standard and permanent employees;
- an ambivalence towards trade unionism due to their perceived reluctance to cater for the needs of non-standard workers;
- union dues are often viewed as an excessive deduction from meagre wages; and

- high turnover complicates recruitment strategies.

It is no surprise, therefore, that accommodating the interests of non-standard employees has assumed a number of forms between and within different regions. These vary from attempts to regulate their employment conditions in an effort to prevent undercutting, and seeking to obtain pro-rata terms and conditions of employment through legislation and collective agreements, to making certain categories of non-standard employees (e.g. female part-time workers) a priority target for recruitment and organisation. Other areas of potential union action include issue-based campaigns such as the demand for a living wage; reduced union membership fees to certain groups; and rule and policy changes to facilitate the recruitment of temporary staff. The Namibian trade unions have pursued many of these organising strategies – albeit with varying degrees of commitment and proficiency – primarily in an attempt to limit the adverse effects of casualisation on the conditions of organised workers. The success of these strategies, however, hinges on their ability to sell the idea of trade unionism to non-standard employees. Bargaining issues that are of interest to the under-represented groups which the unions wish to attract must be prioritised. For example, shop steward structures in the workplace need to elevate the profile of working time and job security within shopfloor politics. Demonstrating the ability of the unions to 'deliver' on these issues is crucial in a context where non-standard workers view the unions at best as irrelevant, and at worst as a threat:

When you want to approach these casual workers ... and if you want to intervene, the bosses will retrench them. They will say: 'the guy was just helping us temporarily' ... Later on the workers look at you and think that you want to take their jobs from them. When you approach them to maybe organise them, they say: 'if the subcontractor comes here we will lose our jobs' (general-secretary, MANWU).

The efficacy of new recruitment strategies is also vitally dependent upon closer collaboration between the various unions and between the labour movement and organs of civil society. The 'representation gap' created by the influx of unorganised, non-standard labourers into the workplace has led to an active role by voluntary agencies (such as legal assistance centres and youth groups) in advising and representing non-standard workers. The unions need to act in concert with these agencies. Union resources must be utilised in a co-operative rather than competitive recruitment of workers who, in retention terms, are 'high risk'. In the mining industry, for example, the sheer variety of jobs that are outsourced (e.g. cleaning, catering, medical services and engineering) has created recruitment problems associated with the sectoral demarcation of the industrial unions:

You want to organise these workers, but management just says that we are in the mining industry and under our constitution we can only operate in this industry ... One of the impacts of outsourcing is the creation of more unions per industry. You find a cleaning

company now which used to fall under the mine but has been outsourced. The cleaning workers' unions will claim those workers and come and organise them. Through this you create tension among the unions and you create room for unions to multiply. You might find unions changing their scope of operations to cater for all this outsourcing. This will result in many unions duplicating their scope of operations (assistant general-secretary, MUN).

Since they are not generally well organised, non-standard workers do not know or enforce their rights as actively as standard employees. Workplace organisation among non-standard workers is likely to be weak with a considerable reliance on trade union organisers. Diverting resources from permanent to part-time and temporary employees poses a dilemma in terms of democratic practice within the trade unions: 'whatever commitment unions may have to the protection of vulnerable workers, they are also required to promote and protect the interests of the majority of their members' (Dickens 1988:151). If the interests of non-standard workers conflict, at least in part, with those of permanent, full-time employees, then the question arises as to how their separate interests can be effectively articulated within the unions. Heery and Abbott (2000:170) argue that two developments are necessary if unions are to respond adequately to the needs of non-standard workers: (a) representing diversity by developing structures of representation within the unions which are designed to reflect the specific interests of non-standard workers; and (b) centralising decision-making processes within the unions in order to redistribute resources from the core to peripheral groups of the labour movement. The gains in democratic representation achieved through the former may, however, be thwarted by the tendencies towards oligarchy generated by the latter.

The design and defence of more appropriate forms of labour regulation will pivot on the ability of the labour movement to resolve the weaknesses of existing efforts to implement policies of decasualisation; to actively promote greater social regulation of the labour market; and to effectively coalesce the exigencies of economic competitiveness and the imperatives of social equality. In other words, the struggle against the casualisation of labour must be an integral part of the broader challenge to consolidate and expand the power and influence of the labour movement. In particular, pressure needs to be brought to bear on the government to amend labour legislation in a manner that limits the opportunities for evading minimum standards and provides mechanisms to ensure greater compliance with regulations. According to Wilson and Ewer (1996:137-41), a more practical expression of trade union opposition to casualised employment might include: (a) giving a voice to workers' experiences of non-standard labour through a serious research programme; (b) highlighting the occupational health and safety problems faced by non-standard employees; (c) mobilising union members to oppose the fragmentation of work and to develop strategies to ensure that non-standard workers are able to acquire training and have career options; (d) defending jobs by way of policies aimed at

redistributing work and combatting unemployment; and (e) promoting industrial democracy through campaigns against casualisation aimed at increasing the extent to which management's prerogative is genuinely open to joint regulation.

There is clearly a need to move beyond the neat dichotomy of 'traditional' versus 'new' in accounting for the variety of trade union responses to the casualisation of work. Common to much of the literature on casualisation is the claim that unions can adopt one of the following approaches towards non-standard workers: (a) ignore them; (b) exclude and oppose them; (c) limit their numbers and regulate them; and (d) recruit and integrate them. This customary classification of union responses fails to account for the interaction between different approaches and cannot explain why a trade union adopts a particular strategic orientation. The implication that unions can simply 'choose' a particular orientation or approach ignores the structural determination of viable options and downplays the contradictions that can arise between different union strategies. That is, the identification of multiple responses to non-standard labour should not conceal the fact that structural forces enable certain choices while ruling others out. Although they do not determine our performances, social structures impose limits on the acts we can perform. An adequate account of the tendency for responses to labour market changes (such as casualisation) to vary between unions must therefore be grounded in the existence of different 'types' of trade unions. The prevailing typologies of trade unionism, however, cannot adequately account for the variety of responses to 'flexible' employment within a particular trade union or sector, let alone a national labour movement.¹⁴

Employee Representation and Trade Union Identities

A pivotal process in any analysis is that of taxonomy: dividing things up and classifying them into things that are similar or different. Considerable theoretical and empirical work has been invested in the classification of the different forms of trade unionism associated with specific historical conjunctures (e.g. Scipes 1992; Munck and Waterman 1999). Unfortunately, these labels readily acquire a life of their own as the characteristics of a labour movement are simply read off the central features of the prevailing model.¹⁵ Trade unions, like all other social phenomena, have just those causal powers that they do and not others by virtue of their respective inner structures. The concept of 'causal power' indicates what a given kind of thing can do, given the right conditions (see Bhaskar 1989). This allows us to recognise that some outcomes may be impossible within a given social structure. An effective response to the challenges posed by casualisation, for example, is simply beyond the capability of a narrow workplace trade unionism. In fact, direct action by trade unions to preserve jobs has generally not met with much success. The ability to undermine the conditions that facilitate the trend towards casualisation and to bolster those

that subvert this trend presupposes a more inclusive trade unionism akin to a social movement. In other words, the various types of trade unions possess different capacities and limitations.

The concept of *political* unionism is often applied to the Namibian labour movement given the NUNW's origins within SWAPO, its role during the struggle for national liberation, and its continued affiliation to the ruling party. An inevitable consequence of political unionism is that the divisions between unions tend to reflect political affiliations, raising the question whether such affiliation should gain precedence over worker unity. This strategic orientation has important consequences for the unions' role in both the workplace and the wider society. As Bauer noted:

Whereas unions in Britain and America, and elsewhere in Africa, preceded the formation of labor or other major political parties, this was not the case in Namibia; nor have trade unions in Namibia taken the step that party-created unions in Germany eventually took, emphasizing their political independence ... Given that trade unions in Namibia were largely organized from above and primarily with a political objective in mind, more attention to the shop floor would do much to improve the living and working conditions of a sizeable segment of the labor force – and by extension of many others. Ultimately a social movement unionism of the type emerging in other developing countries might prove the most efficacious in Namibia (1998:136-7).

Prior to independence, SWAPO and the NUNW subordinated working class demands to the struggle for national liberation. Since independence, the NUNW-unions have concentrated on 'bread-and-butter' issues through the consolidation and extension of shopfloor organisation. However, this increased shopfloor presence has not translated into any significant impact on the national policy-making arena. The Namibian labour movement has not yet developed a form of unionism that would allow it to mount a serious campaign for more radical social change. The *Labour Relations Survey* revealed that most organised workers expect their trade unions to represent their interests inside as well as outside the workplace (Klerck *et al* 1997). However, the prominence attached to trade unions by rank-and-file members in taking up broader socio-economic and political issues 'is not matched by the unions' capacities and track records to date' (Murray and Wood 1997:195). Namibian trade unions very rarely make meaningful contributions towards macro-economic and national development policy-making. The labour movement's limited influence on economic and social planning has drastically curtailed its strategic options in the struggle against the casualisation of work.

Trade union representation has historically been concentrated at the workplace, based on the development of a permanent workplace organisation. The defining characteristic of non-standard employment, however, is that employees become detached from particular places of work or particular employers. A shift in the locus of union representation beyond the workplace towards labour-market-wide organising involving inter-union, cross-sectoral

attempts to increase union membership and set minimum employment standards is potentially the most effective response to the casualisation of work (see Heery and Abbott 2000). Trade unionists are increasingly acknowledging the inherent limitations of workplace trade unionism:

After independence the question emerged: what role do we play now? There was a lot of activity around the land question where the unions really played the role of a social movement. But after that it became more and more quiet. Even the living wage campaign was almost dropped and it was left to individual unions to address through collective bargaining ... We are in danger of allowing unions to be very much concentrated on their sectors and dealing with their companies ... The weakness of regional structures is a big problem. You have action taking place around the factory and policy debates and so on at head-office level. The link between the two is not always happening (director, LaRRI).

Of concern here is the extent to which attempts to promote the security of existing union members is compatible with attempts to organise non-standard employees. Hyman's (1994, 1996, 1997) typology of trade union 'identities' outlines a number of different forms of union representation which derive from a particular conception of employee interests.¹⁶ Unions are faced with a strategic choice between (a) focussing primarily on the workplace and conferring priority on the defence of their existing members (i.e. the marginalisation of non-standard labour); or (b) becoming more inclusive in the interests they represent and redirecting their activity beyond the workplace (i.e. the incorporation of non-standard labour). The primary contrast is between approaches to employee representation which are based on exclusive and inclusive definitions of employee interests. Central to Hyman's argument is the claim that workers possess a wide range of diverse and often competing interests. Interest representation therefore involves a difficult process of aggregation and the selection of priorities, leaving room for strategic choices and internal conflict. Hence unions can choose to be more or less inclusive in defining their constituency, more or less restrictive in the issues they pursue, and can adopt strategies of representation based on member mobilisation or passivity. This allows for a more nuanced account of union responses and facilitates an analysis of the underlying mechanisms that constrain and/or enable different identities.

Each of the identities outlined by Hyman will tend to preference a particular response to the casualisation of work (see Heery and Abbott 2000). By linking the various responses to specific trade union identities and by highlighting the limiting factors which serve to constrain choice, this approach represents a significant advance. It allows us to proceed beyond mere taxonomies of trade unionism and to explore their conditions of possibility, reproduction, and propensity for transformation. The five responses to insecurity that are likely to emerge from the separate identities are the following. First, a common reaction to employer-led flexibility initiatives has been to *exclude* these workers from employment and union membership. This reflects the social distance between non-standard and permanent workers as well as the formal union policies and

informal workplace rules which deny union membership and representation to 'outsiders'. In Namibia, as elsewhere, the unions that have adopted this approach have generally failed in their attempts to prohibit the use of non-standard employment.

Second, drawing non-standard workers into trade unions through the provision of *individual services* such as advisory services and reduced union subscriptions. Collective representation at the workplace may be difficult to achieve for subcontracted, casual or self-employed workers because they are dispersed and often highly mobile. A further constraint on this strategy is that many employees remain committed to a more collective conception of trade union purpose. Research shows that relatively few union members are decisively attracted by such consumer, advisory and labour market services.

The third approach targets the employer and seeks to furnish existing members with guarantees of future employment through a *partnership* between management and workers. A commitment to promote the competitiveness of the enterprise is underpinned by employee involvement, training and skills development, and profit-sharing. The degree of employment security afforded through partnership agreements varies, but generally falls short of an open-ended commitment. An essential feature of such partnerships is the externalisation of risks and costs: the union and management protect existing employees by passing off the costs of absorbing business cycles to 'outsiders'. Long-term partnership arrangements are also undermined by systems of corporate financing and governance which place a premium on relatively short-term performance.

The fourth response to worker insecurity consists of attempts by unions to influence government policy and secure changes in employment law through a process of *social dialogue*. Political exchange of this kind is aimed at conserving the jobs of existing union members and at reducing the insecurity experienced by workers on non-standard contracts. The NUNW's approach to casualisation relies heavily on using its influence within the ruling party to secure legislative changes and policies for a more general regulation of the labour market. In the political arena, as the labour movement has learnt to its cost, working class demands are inevitably diluted by the dictates of social stability and economic growth within the confines of a 'free' market.

The fifth response identified by Heery and Abbott (2000) is the *mobilisation* of union members, other employees and wider public opinion against injustices at the workplace. 'Social movement' unionism has two connected aspects. On the one hand, there are attempts to re-create trade unions as social movements such that their purpose is defined in terms of the mobilisation of members. This aspect can be seen most clearly in attempts to extend trade unionism to the non-standard workforce through militant organising campaigns aimed at recruiting new members as well as mobilising them around grievances and developing effective workplace organisation. On the other hand, there are

attempts to submerge trade unionism in a broader social movement such that the boundaries of the labour movement become blurred as it operates within a progressive alliance of organs in civil society. This aspect involves the development of labour-community alliances which seek to draw upon the resources of the community in the pursuit of union goals and to develop a broader vision of union purpose which embraces community and environmental objectives alongside improvement in terms and conditions of employment.

There are significant constraints on the pursuit of union policy through mobilisation: the risk of counter-mobilisation by employers and/or the state; internal opposition within unions as resources are shifted towards community-based structures and campaigns; and the fact that the interests of union members do not always coincide with those of consumers, civic bodies or environmental groups. The prospects of discord or quiescence loom large where organised employees perceive the costs of collective action to outweigh any real or potential benefits. Moreover, since they inevitably raise macro-economic issues, we can also expect some correlation between the level of economic growth and the willingness or ability of employers and the state to concede to the demands of social movement unionism.

Hyman (1996) clearly acknowledged the schematic nature of his typology of trade union identities, based as it is on ideal types of the main representative choices available to unions. The implication that individual trade unions or even national labour movements will approximate to a particular identity is contradicted by the fact that unions tend to develop complex strategies of representation which draw upon several of these identities. The development of new services and campaigns on behalf of part-time and temporary employees, for instance, operates alongside a continued opposition to the use of non-standard labour. The union responses outlined above are thus reinforcing and often amount to parallel initiatives with regard to employees (organising and servicing), employers (partnership), government (dialogue) and civil society (mobilisation). The relative success of these initiatives, however, will tend to vary between trade unions given a differential capacity to mobilise the necessary organisational resources and affect the requisite reformulation of strategic orientations. In short, the 'identity' of a trade union or labour movement is contradictory, multi-faceted and dynamic.

The efficacy of social movement unionism depends in large measure on its ability to address the socio-economic needs of the entire working class and not simply the interests of its more skilled and better paid sections. In this regard, the trade union movement in Namibia is at a cross-road:

In Namibia it could go either way. It could go further into a trade union movement that looks more and more at bread-and-butter issues only, that is largely on the defensive, defending members' interests and fighting retrenchments. Enterprise unions could be the one danger. But then there is likewise the opportunity to revive the social movement unionism because of the possible and almost natural links with communal farmers. Many

workers have their families in the rural areas ... But it [reviving social movement unionism] would need a specific decision to do it, and it would need a lot of effort in terms of binding your structures together, getting the debate going at local level again, and getting mandates from workers which can be transformed by the national leadership into campaigns (director, LaRRI).

The necessary preconditions for an effective social movement unionism in Namibia are only weakly present in the current conjuncture. The high level of demobilisation among organs of civil society has been a striking feature of the post-independence era. As a result, employers and the state tend to dominate national policy debates. Perhaps the clearest indication of the NUNW's status as SWAPO's junior partner is the negligible impact made by the labour movement on the macro-economic policies pursued by the state. 'A government as strong as ours should not worry about losing a couple percent of voters because it is not seen as going all out to promote the interests of workers against the interests of the economy' (president, Namibian Employers' Federation). In particular, the Namibian government is not crucially dependent on union cooperation to regulate industrial conflict or moderate wage inflation. Both are in large measure offset by the rise in non-standard labour, high levels of unemployment, divisions within the labour movement, the predominance of decentralised bargaining, and the declining significance of tripartite structures such as the Labour Advisory Council.

Conclusion

A comprehensive reform agenda is urgently needed: blanket opposition to non-standard employment is not necessarily progressive or likely to be effective. Such an agenda should underwrite income and employment security; redistribute work in favour of the disadvantaged and marginalised; redistribute incomes to impoverished areas; and promote sustainable, high-quality jobs rather than condemning the under- and unemployed to working poverty and dead-end jobs. This calls for more fundamental changes than simply widening the coverage of labour legislation and collective bargaining.¹⁷ Attempts to increase the efficacy of legal and collective regulation in the protection of individual employees and trade unions are bound to fail in the absence of a meaningful extension in the social regulation of employment. The labour market needs institutions designed to increase its coherence, transparency and efficiency, and to decrease segmentation through the provision of universal standards and stable employment practices. There is a pressing need to construct a collective consensus around what constitutes appropriate labour market institutions and standards.

While an increase in non-standard labour's share of total employment may lead to a rising propensity to casualise work, there are distinct limitations to the extent that employers and the state are willing to pursue the goals of labour market 'flexibility'. Nowhere have managers or politicians been intent on a full

dismantling of the rights which labour had acquired under the Fordist mode of regulation. The demands of new technology and high quality standards require a skilled, dependable and cooperative labour force. Most managers are aware that the maintenance of internal adaptability depends on a satisfactory degree of employment security and would therefore hesitate to go too far down the road towards a 'flexible' firm. In the long-term, an increasing reliance on non-standard labour can become a serious obstacle to economic competitiveness as it inhibits the introduction of more productive technologies and innovative work practices. The use of non-standard labour thus incurs its own penalties in the form of some loss of control, potential conflicts between non-standard and permanent employees, and problems in maintaining quality and co-ordination. The capacity of management to effectively deploy a casualised workforce as a bulwark against the growing uncertainty and instability in product markets must be conceptualised in the context of these constraints.

An expansion in casualised employment feeds off rising unemployment, mobilises new sources of labour supply, increases profits and managerial control, lessens the impact of declining demand, and widens the compensation gap between high-skill and low-skill workers. Since non-standard workers are more vulnerable to exploitation and often experience harsh forms of discipline and work intensification, their growing presence in the workplace may stimulate new demands for representation through trade unions and create the conditions for a renewed wave of worker mobilisation (see Kelly 1998). Increasingly, the choices available to unions are couched in terms of resistance to business through militant mobilisation *or* accommodation and a search for mutual gain within a rhetoric of partnership (see Bacon and Storey 1996; Heery and Abbott 2000). For workers who do not perceive a serious conflict of interests with their employer, or alternatively are so fearful of losing their jobs that they dare not challenge management's authority, appeals to militancy are not likely to prove an effective recruitment tactic (Hyman 1996). In fact, unmitigated militancy is a recipe for defeat and exclusion, while unconditional collaboration invites rank-and-file alienation and rebellion. Any effective system of representation is therefore always a contradictory combination of conflict and accommodation.

The prevailing institutional and normative landscape -- which includes the racial, ethnic and gender divisions inherited from the past and the predominance of bread-and-butter issues on the bargaining table -- has significantly constrained the ability of Namibian trade unions to develop an effective strategic vision to inform their interaction with employers and the state. As a result, the union movement has been 'unable to institutionalise the gains it has made at the shopfloor level, and has found itself marginalised from the national policy formulation arena' (Murray and Wood 1997:159). In other words, the structural and ideological framework of the labour movement has decisively qualified the form of trade unionism that is possible or feasible in Namibia. The

present organisational matrix and strategic focus of the Namibian labour movement are not readily amenable to a systematic and effective response to the plight of non-standard employees. In particular, the NUNW and its affiliates need to counter the threats posed by a growing division between membership and leadership, a decline in worker control over decision-making processes, the marginalisation of local and regional structures, increasing bureaucracy and a corresponding decline in accountability, and a deteriorating organisational capacity.

Notes

* The research on which this paper is based took place during October-November 1998 and April-May 1999. Extended, semi-structured interviews were conducted with twelve personnel managers in the private sector, five general secretaries and eight organisers in the major private sector unions, four labour brokers, six casual workers, two labour consultants, the presidents of the national and the construction employers' associations, the director of the largest union federation's research division, and the permanent secretary in the Ministry of Labour. In addition, the findings of a 1999 survey of 173 casual workers conducted by the Young Christian Workers was made available to the author. Thanks go to all the respondents, Herbert Jauch, Ranga Haikali, Cuana Angula and Henning Melber. The financial assistance of Rhodes University is also hereby acknowledged.

1. Productivity and income distribution in Namibia are notoriously skewed. About half of the population is considered poor and, with a Gini-coefficient of 0.7, inequality is amongst the highest in the world. The top one percent of households commands the same share (13 percent) of the private consumption expenditure as the bottom 48 percent. A World Bank Country Study found the following per capita GDP per sector in 1988: white (US\$12 839), black (US\$585), subsistence (US\$55) and total (US\$921) (cited in Stone and Gaomab 1994:10). The current wage structure also reflects substantial variations both within and across industries and occupations. For example, farm workers receive on average N\$366 per month, while managers in the mining industry receive an average monthly salary of more than N\$10 000 (Ministry of Labour 1995:5).
2. Namibia has an official unemployment rate of 34.8 percent with 29 percent of all economic active males unemployed and 41 percent of all economic active females without work (Ministry of Labour 1998:23). Over 60 percent of the unemployed were young people aged between 15 and 24 years. The majority (57 percent) of those who are unemployed have had no previous job experience and are seeking a job for the first time (Ministry of Labour 1998:24). Unemployment in Namibia tends to be of a long-term nature: some 55 percent of the unemployed have been without work for more than a year and 40 percent for more than two years (Ministry of Labour 1998:35).
3. About half the employed population in Namibia is underemployed in the sense that they work less than 35 hours a week, do so on an involuntary basis and are seeking

additional work (Ministry of Labour 1997:3). Underemployment is highest among females and in the rural areas. The majority of those working less than the normal duration of work (35 hours per week) are employed in the private sector and in 'elementary' occupations (Ministry of Labour 1998:42).

4. The roots of unemployment and poverty in Namibia are to be found in the structural legacy of neo-colonial rule. The most salient features of this socio-economic structure include: (a) an impoverished rural sector; (b) a small manufacturing sector dominated by the production of a few primary products; (c) a capital-intensive production structure that is incongruent with the need for a labour-absorbing growth strategy; (d) a lack of foreign direct investment; (e) a severe shortage of skilled labour; (f) a highly skewed distribution of income resulting in a small domestic market; and (g) a high degree of dependence on the South African economy. Prospects for the creation of additional jobs in the short- to medium-term future are bleak. In the light of efficiency gains of about 1.5 percent per year and a population growth rate of more than 3 percent, it is estimated that economic growth of at least 4 percent is required just to maintain the current level of employment (Schade 2000).
5. For example: the *National Employment Policy for Job Creation and Protection of Workers* was recently approved by Cabinet; an *Employment Services Bill* has been drafted to consolidate the various attempts at employment promotion; and a White Paper on *Labour-Based Works* was produced to stimulate job creation. During the next five years, the Ministry of Labour intends to implement an integrated approach aimed at reducing poverty through employment creation, that includes the *Jobs for Africa Programme*. The need for more effective policies for job creation, according to the Ministry of Labour, should be regarded as 'a national priority of the highest order' (1998:45).
6. The spread of HIV/AIDS could deter potential investors from investing in the region by: (a) increasing the costs of labour and exacerbating skill shortages; (b) reducing labour productivity, either on account of extensive sick-leave or because employees have to take care of family members infected with the virus; (c) inducing a rise in training costs as terminally-ill employees are replaced; and (d) increasing employers' contributions to medical-aid schemes as the number of claims mounts. Moreover, HIV/AIDS will reduce the demand for consumption goods because more money will be spent on health care and the number of consumers will decline. Finally, it will reduce Namibia's workforce by up to 35 percent, affecting mainly qualified staff (see Schade 2000).
7. Many of the categories in use tend to focus on one aspect of casualisation to the exclusion of others (see Felstead and Jewson 1999). *Contingent* work emphasises the indeterminate duration and unplanned nature of 'non-standard' jobs. *Precarious* employment highlights the fact that these jobs can be readily terminated. *Peripheral* work signifies the jobs that are not central to the core business of an enterprise. *Flexible* labour accentuates the need of employers to make rapid short-term adjustments to the supply of labour in response to changes in demand. This proliferation of concepts for job forms that deviate from the 'standard' employment relationship indicates a lack of both theoretical precision and concep-

- tual clarity which has profound implications for data gathering and the interpretations of trends.
8. In contrast to both induction and deduction, *retroduction* proceeds through a process of rational inference from some aspect of reality to one or more generative mechanisms which must exist for the former to be possible. Since these mechanisms are only tendential and may not always be manifested, or in the same manner/events, it is necessary to specify the facilitating and countervailing conditions under which they produce their contingently necessary effects (see Bhaskar 1989).
 9. An extensive survey of employment practices in New Zealand, for example, found that the picture that emerged from the findings was not one of innovative working practices that benefitted both employers and employees. Rather, the most common 'flexibilities' involved 'crude methods of reducing labour costs such as retrenchments and reducing hours of work' (Anderson *et al* 1994:502).
 10. According to the proponents of 'flexibility', the development of semi-permanent and lucrative relationships which allow for a considerable degree of autonomy belie the connotations of insecurity and dependence associated with the term 'casual' labour. These benefits, however, only accrue to skilled consultants, freelance agents, etc. and derive almost entirely from a shortage of reliable skills (see Klerck 1994; Jones 1996). The overwhelming majority of casual workers in Namibia possess few skills and minimal work experience.
 11. This is a blatant contravention of section one of the Labour Act which defines a 'casual' employee as: 'day worker who is employed by the same employer on not more than two days in any week'
 12. While collective bargaining has certainly improved the lot of organised workers in Namibia, it seems that these gains were made largely at the expense of other (especially non-standard and unorganised) workers rather than profits.
 13. Workplace industrial relations in the post-independence era have been punctuated by a number of protracted and militant disputes characterised by excessive demands and a reluctance to compromise. Several respondents argued that the intractable, short-sighted and reckless nature of industrial action by organised labour is best exemplified by the strike at TCL in Tsumeb which contributed significantly to the closure of the mine.
 14. Sayer (1984) has convincingly argued that a coherent classification schema has to be by causal rather than empirical grouping. The latter commonly disregards the underlying structures of the objects in a group which possess distinctive causal powers and liabilities.
 15. A question that is seldom adequately addressed in the construction of the various models of trade unionism is how micro diversity and contingency are translated into macro uniformity and regularity.
 16. These identities are: (a) *guild* – the focus of representative effort is on preserving the relatively privileged position of a craft or profession; (b) *friendly society* – seeks to provide mutual insurance, representational and consumer services to individual employees; (c) *company union* – develops a productivity coalition with management and seeks, through cooperation, to enhance company performance

and the terms and conditions of members within a particular enterprise; (d) *social partner* – defines broadly both its constituency and workers' interests and seeks to promote social welfare and economic growth through interactions with government; and (e) *social movement* – orientated towards a broad definition of its constituency and worker interests, but seeks to pursue these through mobilisation and campaigning.

17. The Australian experience demonstrates that extensive labour regulation, a powerful trade union movement, and a sympathetic government were not sufficient to undermine the trends towards an increase in non-standard jobs, a decline in the security of employment, and a strengthening of the position of employers in the labour process (see Burgess and Strachan 1999).

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Gilton Klerck

Department of Sociology & Industrial Sociology

Rhodes University

PO Box 94

Grahamstown

6140

g.klerck@ru.ac.za