

**BETWEEN MONARCHY AND DEMANDS FOR POLITICAL  
CHANGE: REGIONALISATION AND INTERNATIONALISATION  
OF TRADE UNION ACTIVISM IN SWAZILAND**

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## **Between monarchy and demands for political change: Regionalisation and internationalisation of trade union activism in Swaziland**

*This article examines how the trade unions in Swaziland have shifted their activism from local to regional and international arenas, crystallising their positions around new demands that attracted the ban of their activities. The reasons for such a shift are critically discussed in the light of contemporary political and economic crises affecting the kingdom of Swaziland. Using the social movement theory and interviews collected from union leaders, the article focuses particularly on the cross-border alliances which are built between, on the one hand, the federations of trade unions in Swaziland and the Congress of South African Trade Unions (COSATU) around political changes and on the other hand between the Swazi unions and international union confederations.*

**Keywords:** labour movement, decisional process, political alliances, civic organisations, oppression, Eswatini

## **Entre a monarquia e as exigências de transformação política: Regionalização e internacionalização do ativismo sindical na Suazilândia**

*Este artigo examina até que ponto os sindicatos na Suazilândia têm mudado seu ativismo da arena local para a regional e internacional, articulando fortemente suas posições à volta de novas exigências que levaram ao banimento das suas atividades. As razões para tais mudanças são criticamente discutidas à luz das crises contemporâneas políticas e econômicas que afetam o reino da Suazilândia. Com recurso à teoria de movimentos sociais e entrevistas feitas a líderes sindicais, o artigo foca particularmente as alianças transfronteiriças construídas, por um lado, entre as federações de sindicatos da Suazilândia e o Congresso dos Sindicatos Sul-Africanos (COSATU) à volta das transformações políticas e, por outro lado, entre os sindicatos suazi e as confederações sindicais internacionais.*

**Palavras-chave:** movimentos sindicais, processos decisórios, alianças políticas, organizações cívicas, opressão, Essuatíni

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Trade unions in Africa have received a great deal of attention from various labour analysts, especially in regard to their contributions to the struggles against neoliberalism during the harsh time of structural adjustment programmes (Mkandawire & Olukoshi, 1995; Rakner, 2003; Webster, 2007). On some related aspects, they have also attracted a great deal of attention from social scientists for their involvement in political change. There is however little empirical work on the extent to which trade unions can regionalise their activism and build cross-border coalitions to mobilise support in order to engage with transformative issues at national level. This is a major question especially when one looks at it from the perspective of the multiscale (more than one geographical scale) nature of trade unions that can leverage the support of powerful unions at both regional and international levels to exert pressure on their national government. This is what makes the case of Swaziland very interesting to examine.

The kingdom of Swaziland (recently renamed as Eswatini) has constantly been faced with persistent labour unrests associated with increased demands for democratic openness (Simelane, 2016). Progressive trade unions have, over the years, occupied a prominent place in the expression of such demands. At time, this has often relegated the workers' rights to the second plan. Vigorously controlled within the country by the regime in place, Swaziland worker organisations have come to rely on their partners in South Africa to which they are linked through various regional networks. The partnering with the South Africa-based unions aims to get more firm hand on the monarchy in order to put in place the democratic reforms needed in the country. On several occasions, the African National Congress (ANC) in power in the nearby South Africa has had to pass resolutions on Swaziland to highlight the recurrent political issues affecting the kingdom. Its alliance member, the Congress of South African Trade Unions (COSATU), has always used its strong position to convey such resolutions. With time what was a struggle for democracy confined to trade unions in Swaziland increasingly became a cross-border union coalition for political change at the regional level. Yet, the details about the very nature of this regional political trade union activism have remained remarkably unclear over the years. What emerges from the scanty literature is a picture of newspapers accounts of what may represent the persistent interests of unspecified trade unions.

This article critically examines way in which trade union activism in the kingdom of Swaziland has shifted from a locally based to a more regionally based and externally supported engagement with the ongoing struggle for democratization in the country. The reasons for such a shift are explored in the light of political party legalization still affecting the country. The article focuses particu-

larly on the cross-border alliances which are built between, on the one hand, various federations of trade unions in Swaziland and the Congress of South African Trade Unions (COSATU) around political changes and on the other hand between the Swazi trade unions and international union confederations around workers' rights in the preferential trade arrangements such as African Growth Opportunity Act (AGOA). Importantly the paper interrogates the dynamic of such alliances in the context of recent union fragmentation in South Africa. This study aims to answer the following questions: How are political demands articulated with the workers' rights at the regional level? How are these unions' demands relayed at the international level? Are unions fragmented in conveying those political demands?

The article is divided into six sections. Put aside this section, the second section presents the theoretical framework. The methods and data are discussed in the third section. The fourth section discusses the difficult path to instilling democracy in the country. The fifth section provides some critical accounts on the involvement of South Africa-based unions in the struggle for democratic openness in Swaziland. The sixth section draws some concluding implications for the future of trade union activism in the kingdom of Swaziland.

## Theoretical framework

Following Fioramonti (2014) and Godsäter (2013) a conceptual approach is adopted through which trade unions in Swaziland are seen as transnational spheres of deliberate struggle that encompasses both international and national interests. Locating trade union activism along these lines suggests that unions are neither delinked from the state nor regional or global institutions. Thus, as a way of consolidating their strategies, they make use of various public spaces, either at the local or international level to raise their grievances and issues. Like most of the civil society organisations, they can demonstrate leverage (capacity and power) to engage institutions at different geographical levels. This engagement shapes their strategies and practices as well as the various roles that trade union actors play in regional governance. Trade unionism as a relational sphere of action informed by multiscalar governance opens the way for analysis that explores way in which different kinds of trade union activism (transformative, politically engaged, national-interest oriented) are embedded at various geographical levels and informed by issues that are simultaneously national and regional.

This paper is particularly interested in these multifaceted roles and how trade unions make strategic choices and with what purposes and effects at different

geographical levels. Therefore the underlying assumption is that as trade unions grow in numbers, they may also diversify in form and focus. There is a possibility of internationalisation through a creation of unionised organisations and networks across national and regional borders. Drawing a parallel from Godsäter's study on civil society regionalisation in southern Africa, it is assumed that networks may include better-resourced national and regional trade unions and other transnationally coalescing initiatives. Adding on the traditional demand for workers' rights, those initiatives emerge around a range of issues such as democratisation and human rights, good governance, service delivery and gender (Godsäter, 2013). However, as Godsäter further cautioned, not all civic organisations are necessarily regional, nor are they delinked from national identities and spaces even when their engagement aims to inform regional processes. A set of criteria needs to be met to understanding the regionalisation of formal and organised trade union actors (Godsäter, 2013).

The local context under which unions operate is shaped by and feeds back into global processes (Fischer, 2011). Along the lines suggested in the social movement theory, a trade union as a group of individuals has a set of options or means for collective action effectively available to its members. In the process of selecting an option, new strategies are invented, available means adapted and inappropriate means abandoned. Speaking in reference to the global scale, Cohen and Rai advanced the idea of a transition of social movements from a national era, marked by strikes and public rallies, to a transnational solidarity area (Cohen & Rai, 2000, p. 15). Looking at the options for collective action trade unions have, although they are constrained by institutional arrangements, they are also shaped by multiple relations that could expand in new forms of solidarities. In this regard, actions on the micro-level could have bearing to the macro-level (for example, a political change within a regional setting or international trade arrangements create new power possibilities which unionised workers may (or not) consider in their range of options for collective action).

Cross-border union activism is a specific feature of the regionalisation of the predominant role played by COSATU in many issues taking place within and around the Southern Africa region, especially within the group of countries sharing borders with South Africa (Swaziland, Botswana, Zimbabwe, Namibia, Mozambique and Lesotho). With reference to Swaziland, such a role has been observed in the claims for democratic regime and multiparty system, freedom of workers' association, accountability in public finances, protection of human rights and particularly workers' rights, control over global capital pervasive effects on exploitation to name but a few. Unions in Swaziland also call upon

international organizations, the ILO being one of these, for support in legitimizing their actions against exploitation of current workers in the garment industry and social security for ex-mine workers. A question addressed in the article is the rational and motives for Swaziland-based federation of unions to construct their activism around alliances with external powerful institutional actors and strengthen their claims. This question is investigated through the use of empirical information collected from personal interviews, observations of mass events such as strikes and protests and other secondary sources.

## Methods and data

This article uses various sources of data of which in-depth interviews constitute the primary source of information. The fieldworks collected in-depth interviews from eight prominent union members on the South Africa side. Four interviews were collected from the Swaziland level. The principal investigator made arrangements with the respondents to have those interviews on the phone. The interviewees were mainly communication officers either in the federations or sector-based unions. The following organisations were covered by the interviews: Congress of South African Trade Unions (COSATU), National Education, Health and Allied Workers Union (NEHAWU), National Union of Mineworkers (NUM) and Food and Allied Workers' Union (FAWU). The selection of these organisations was guided by the author's interest in cross-border union activities in the social movements. The selected South African trade unions have been especially engaged in this field for years dating back the time of apartheid. On the South African level, the investigator was particularly interested in the motives behind their support to Swaziland-based unions, the forms of their support and the level of communication. Their assessment of the labour movement and its relations with the monarch powers made from a detached but informed position, helped clarify some important aspects. On the Swaziland side, the interviews were secured with the leading members of TUCASWA and of the SNAT. The small number of respondents in Swaziland was due to the difficulty encountered to getting in touch via phone communication, as they were no longer operating from their official union headquarters. The approach was basically of qualitative nature. Questions were open-ended and unionists were asked to talk about the engagement of their organisation with transformation and regionalisation of collective action. The collected views cover such issues as strategies to further collective interests, to resist co-optation, to engage with social and political transformation and the continued struggle for workers' interests. On both sides, Swaziland

and South Africa, the interviews were supplemented with written records, statements and grey literature (press releases, research reports, newspapers and publications in journals). Only selected material collected from the interviews and secondary material are presented in this article. The names of the interviewed persons are not revealed in the article.

## The difficult transition from a feudal to a democratic state

Swaziland is a landlocked kingdom of about 17364 km<sup>2</sup> of area with a population estimated at 1,300,000 inhabitants (United Nations Fund for Population Activities & Government of Swaziland, 2014). The country shares borders with South Africa and Mozambique. The kingdom of Swaziland gained its independence from the British colonial regime in 1968. From that date to 1982, King Sobuzha II ruled the country. Following his death in 1982, the current King Mswati III (pronounce *Mouswati the third*) took over in 1986 and has been in power since then. The country is a monarchy with the king holding power through a traditional system called *tinkhundla* overarching all the legislated institutions (Lowsby & De Groot, 2007). The *tinkhundla* system resulted from a royal decree dating back 1973, which institutionalised the banning of political parties and the absolute appropriation of power by the king (Dlamini, 2013). This institution gives absolute power to the monarchy to regulate, among others, over the activities of the trade unions. Serving as the pedestal of the monarch authority, it is a powerful instrument through which land alienation is perpetuated. The king has absolute authority over the national land and this is used as an instrument of political control. Swazi chiefs who receive their authority from the king exercise substantial powers over their subjects including the allocation of agricultural land and are in control of elections. Under such a system, political parties are not allowed to compete for elections (Freedom House, 2013). It is devoid of any form of contestation to ordinary citizens in the kingdom. The system of governance and parliamentary representation in Swaziland, as proclaimed once again in the 2005 constitution, is a *tinkhundla*-based system which emphasises devolution of state power from central government to *tinkhundla* areas and individual merit as a basis for election or appointment to public office (Dlamini, 2013; Freedom House, 2013). An *inkhundla* (plural *tinkhundla*) is therefore a voting constitution made of various chiefdoms.

Economically speaking, the country has continuously been plunged into economic downturn since the early mid 1980s (World Bank, 2002). Once ranked by the World Bank as a middle-income developing country of US\$ 3362 per capita,



Swaziland has faced over the past years a steady decline of its economic growth. To put back the economy on the growth path, the government of Swaziland opted for joining the African Growth and Opportunity Act (AGOA), which is a preferential trade arrangement, enacted by the US Congress in May 2000 to ensure free access to the US markets. Since joining the AGOA, Swaziland has attracted a considerable number of investors from Asia, mainly in the textile industry (Tati, 2014). Thousands of jobs have been created in the textile and garment industry under AGOA but the working conditions of employees (mainly females) in the textile are terribly poor. The industry remains weakly unionised as trade unions are prevented from expanding their activities among workers employed by Asian firms. Although Swaziland has made considerable progress in reducing poverty, it is widely recognised that its degree is still uncomfortably high. In terms of Human Development Index, Swaziland is ranked 112 out of 174 countries. The Swazi society is characterised by high level of inequality, poverty and deprivation (Tati, 2014).

Swaziland remains a country with an absence of active political parties, despite the dredged legalisation granted within the constitutional change of 2005. This vacuum has to a large extent motivated workers' organisations to play a central role in the quest for democracy. This role has largely benefitted from the protection they have had under the conventions of the International Labour Organisation calling for freedom of association and assembly (Dlamini, 2013). Democracy driven demands for democracy are not only a thing of today in Swaziland. Such demands were expressed during the protests led by the workers in the early 1960s. Since then, they have always been an accompanying package of more oriented advocacy for workers' interests and good governance.

In the today Swaziland, one can say that trade unions are in the midst of halted transition from a constitutional monarch to a multi-party state. While they previously enjoyed some influence in the country, unions are constantly at war, so to speak, with the government as they have moved into the political arena to demand constitutional change. Trade unions, however, are fragmented, fractioned and caught in the middle of either subjection to the king's authority or sidelining with workers' voices for the protection of their rights at the work place and the public space as well (Freedom House, 2013). The unions are grouped into five federations with different agendas and strategies of collective bargaining. Continuously subjected to the threat of being banned by the Swazi government and faced with the fear of oppression, some progressive federations have at varying degree recently engaged in the pro-democracy struggle through direct action against the government and by so doing, they need to secure the support and



protection of a more powerful trade union confederation in the Southern African region, namely the Congress of South African Trade Unions (COSATU) regarded as “the big brother” in the southern region of Africa. This latter has served as a protector of many unions within the region, especially those in activity in Swaziland which is placed under the threat of violent repression and constantly harassed by the security forces in that country. After a long period of restricted presence, these local unions have been particularly active in the textile and garment industry producing under the African Growth and Opportunity Act, a preferential trade agreement between the US government and selected African countries to which Swaziland joined in 2001. Unions in Swaziland have received strong support from the International Trade Union Confederation (ITUC) for the United States to withdraw Swaziland’s eligibility for AGOA in 2014 because of violation of workers’ rights in the textile and apparel industry by foreign garment-manufacturing companies from Asia. This unionisation beyond the national borders is discussed with details in a section to come. The internal dynamics of trade union activism is now examined.

## **Trade union landscape and changing forms of fragmented activism in Swaziland**

Since the 1980s Swaziland has reached quite a considerable number of sector-based trade unions operating across the economic sectors. Trade unions have had a legal basis of operation in the country under the provision of industrial relation acts dating back the pre-independence period. These acts defined rules for the collective negotiation and conditions of employment and dispute resolution mechanisms. Over the years, the trade unions have managed to establish solid international linkages through their affiliates with the International Trade Union Confederation (ITUC), and through these linkages, powered and protected by the International Labour Organisation (ILO); Swazi trade unions have been able to bring international attention to abuses of all sorts committed by the Swazi government against union activists. For many years, after a long period of repeated attempts from the government to keep unions divided, they finally come together to operate under a national federation: the Swaziland Federation of Trade Unions (SFTU). Founded in 1983, its individual membership was around 83000 at the end of 2011 (Dlamini, 2013). The SFTU is affiliated with the International Trade Union Confederation (ITUC) and it serves as an umbrella to 21 local trade unions. This membership has considerably protected the federation from the monarch system control.

There are however trade unions which are not members of that federation and such unions include the Swaziland National Association of Civil Servants (SNACS), the Swaziland National Association of Teachers (SNAT), the Swaziland Transport and Allied Workers Union (STAWU) and the Swaziland Nurses Association (SNA). The non-affiliation to SFTU has been essentially motivated by the firm political stance adopted by the federation. The trade unions did not endorse the political orientation and support to the People's United Democratic Movement (PUDEMO), the strongest opposition party. Remarkably for most of these trade unions, regardless of their affiliation membership, workers' rights and other issues around labour relations do not exclusively drive the agenda of actions. Their demands extend to those for democratic and pluralist reforms in Swaziland. SFTU particularly has been involved for years in campaigns driven by such demands to remove not only the restrictive labour legislation but, in more recent years, also the unbanning of political parties in the kingdom. For all these reasons, the federation has always been the target of political intimidation from the regime in place. Any of its very few meetings held in the two major cities of the country, Mbabane and Manzini, has always attracted a strong presence of the royal police force. The considerable opposition to some of its actions has often resulted in many cases of physical assaults by the police and fatal injuries of some of its prominent members.

Despite the difficult environment, SFTU has built a powerful support base in South Africa which is led by COSATU. This union congress has frequently outspoken and actively supported the SFTU. The union is regarded as a low level field player within the regional labour movement when compared to some of its counterparts across the Southern African Development Community (SADC). In a country affected by high unemployment rates ranging from 15 to 25 per cent of the total working population, unionised labour only represents a marginal part of the total labour force in Swaziland. But due to its strategic location in urban area and key sectors of the economy, such as manufacturing and the agro-processing sectors, unionised labour has over the past years constituted an important factor in Swaziland political life. From the middle of the 1990s, the union federation started to play a key role in the struggle for democratic reforms and enforcement of workers' rights, providing the main platform of movement for multiparty democracy. In the early 2000s, the struggle resulted in the debates around the change of constitution though the final outcome of this process did not reflect the profound wants for democracy. Due to its increasing role as a major driving force of the demands for democratic reforms in the kingdom, the Swaziland labour movement is considered to be a central societal association in the process of political and economic reforms.

The factional political activism of some unions has not come without hurdles set on its way by the authorities. On many instances, the government has sought to control the work force through economic redistribution and political co-optation. Frequently it has also made use of violence and intimidation to suppress contestation to the power of the king. In the 1980s, the regime in place attempted to bring the trade union movement in line with its own developmental objectives through patronage and corporatist measures. Most of the time, the attempts made to destabilise the progressive unions have failed. The power of the organised urban working class was demonstrated in a repeated manner in 1994, 1995, 1996 and 1997 when general strikes periodically paralysed the economy of the kingdom. The general strike called by SFTU in 1994 resulted in the establishment of a tripartite forum bringing together representatives from the government, workers unions and business community. The tripartite had the task of addressing the then called "27 Popular Demands" that generated the strike. Although the strike sought to improve the working conditions of the Swazi labour force, those 27 demands were, from a societal point of view, quite inclusive and broad. They included improvements in minimum wages, affirmative action policies, an end to racial and gender discrimination, the right to strike and to organise without state intimidation, the unbanning of political parties, and the freedom to assemble, to associate and to speak without the fear of reprisal (Salmond, 1997). Those demands were not however met by the government who instead ignored them, pushing the workers under the SFTU to embark on a more vigorous general strike in 1995. The economic cost of this second strike was estimated at 100 million in Rand (South African currency) in terms of lost production and damaged property. In fact property was damaged because government reacted violently to the strike in its early hours, sending in both the royal police and the army to reprimand the workers (Simelane, 2016).

Thereafter as a response to those repressive measures, a more politically radicalised position emerged among the trade unionists. The violent character of the government response increased acknowledgement on the side of the SFTU leaders of the need to mobilise along the lines of the struggle for democracy. They conceded that reforms in the labour conditions and social justice could not take place in a repressive state. To them, the political climate was not conducive to the implementation of workers' rights. One might recognise that up to the call for the 1995 general strike, the union federation strategically and deliberately avoided debating overtly political issues. This was somewhat in compliance with a restriction imposed upon them by the government to keep political issues outside their mandate. For many years, following the authoritarian ruling of 1973 which

banned political parties in the kingdom, the government was resistant to any trade union activity and reluctantly allowed it (under the ILO pressure) provided unions stay away from politics. Thus, it did not come as a surprise when around the end of 1995, labour unions managed to bring on their side underground political parties, women, youth and church groups to act together in what was seen as a unified “labour-led pro-democracy movement”. It was an indication that the union federation was taking up new roles in the political arena in the way it happened in the rest of Africa during the turmoil time of the structural adjustment policies (Mkandawire & Olukoshi, 1994). This movement, one must note, coincided with the political change in the nearby South Africa with the ANC-led government taking charge of the public affairs. By leading this unified movement, the agenda was clearly stated beyond the traditional demand of workers’ rights. Such a wider social movement led by a coalition of unions under the SFTU signalled a step toward a larger coverage of demands for transformation of the Swazi society in all of its aspects. For the unions, one way of taking forward this role was once again to strike. Despite the concern expressed by the Federation of Swaziland Employers (FSE) on the economic consequences of another strike looming, and that could affect business confidence in the kingdom, the government of that time turned, once again, a deaf ear to this warning and instead instigated the parliament (entirely controlled by the king) to enact a new industrial relations act which, as the previous, was very hostile to the workers. The new act set forth that any mass action by workers will be treated as a criminal behaviour, and union organisers will be subjected to either 10 years imprisonment or a payment of 10,000 Rand fine for inciting labour unrest. In response to this new act hostile to them, workers in their thousands (the figure of 100,000 was estimated by Salmond, 1997) embarked on a nine day general strike in early January 1996. Unexpectedly, rather than increasing the divide, the new act cemented a unity between the SFTU and the FSE. For many years, these two federations were diametrically opposed in finding a common ground when engaging in constructive industrial relations. This unity is discussed in detail in the section to follow now.

## **The forging of employer and worker unions’ unity as a turning point in the political demands**

In more recent time, a new federation emerged on the scene, namely the Trade Union Congress of Swaziland (TUCOSWA) to bring together the workers and the employers. Formed in 2012, it was formally recognised and registered by the Swaziland government in the course of the same year. From a member-

ship point of view, TUCOSWA is a sort of overarching union trade union that brought together the SFTU and the Federation of Employers Union. Soon after, the Swaziland National Association of Teachers (SNAT) too joined TUCOSWA. For many observers, the association of SNAT with TUCOSWA was a significant step in the labour mobilisation in Swaziland. With its 9000 members, SNAT was regarded at that time as the largest union in Swaziland. This trade union has on its records a history of success in bringing out its members for strikes and public administration. But things did not go well for the association. One year after its establishment, the association of TUCOSWA and SNAT experienced a cleavage around divergent agendas among the two and resulted in its dissolution. The discontentment was generated from what has always been a problematic choice for a union to make: whether to move in the political arena or remain an exclusive union for workers. At its first congress following its foundation, TUCOSWA made a resolution that

the current system of Government in Swaziland is one that is undemocratic, repressive and dictatorial and that the Federation shall join cause for the total boycott of the national elections in 2013 unless the elections are held under a multiparty system.

This open political pronouncement was not welcome for endorsement by many civil society organisations and SNAT had a similar attitude. Along with the other organisation, they distanced themselves from any political influence in the TUCOSWA leadership. This was in response to the association of TUCOSWA with the Swaziland United Democratic Front (an affiliate of the main opposition party PUDEMO). The SNAT hard stance on staying away from political affiliation signalled the end of the association as this trade union claimed its firm adhesion to the principle that labour unions should be independent of political parties. A similarity can be drawn here with the debate on the end of coalition with the ANC which was the same taking place with the COSATU in South Africa.

Despite this initial recognition, the very same government, one year after its establishment, deregistered TUCOSWA. The Trade Union Congress of Swaziland (TUCOSWA) was banned in Swaziland following the statement they made in early 2013 concerning the elections to be held in the country. Since its deregistration TUCOSWA members have been taking actions that have been followed by police clamping down on them. These actions have received external support, especially from COSATU and international union partners including the ILO and ICTU. The deregistration has sparked a wave of protests across the borders as the dismantled trade union resorted to getting support from sister unions in South Africa.

The decision to deregister TUCOSWA was seen on the side of unions in South Africa as one which was working against the convention 87 of the International Labour Organisation which Swaziland ratified.

As parts of its attacks on the labour movement and the working class, the regime in place has vehemently attempted to destabilise TUCOSWA by sponsoring a new union under the name of Swaziland Economic Improvement Workers Union (SEIWU). This is a reflection of a strategy known as “dividing in order to reign better” which was in line with the *tinkhundla* previously evoked. As a union, SEIWU presented itself as a progressive federation for the workers’ interests. Several critics of the Swazi politics viewed its underlying purpose of creation as manoeuvre by the government to divert membership away from TUCOSWA (Freedom House, 2013) and protect the interests of the monarchical regime. SEIWU recruits its membership from the agricultural sector, especially in the sugar producing areas (locally known as the sugar belt) which employ quite a big number of unskilled and semi-skilled labourers. Swaziland depends heavily on its exports of sugar (raw and processed) to generate a substantial share of its revenues (McFadden, 1987). Many of the sugar producing farming estates are owned by the royalty through the authoritarian appropriation of the most arable land in the country (Levin, 1997; Lowsby & Groot, 2007; Sithole et al., 2015). Workers on these farming estates have been pressurised to join SEIWU. They run the risk of not being recruited for work or losing their jobs if they are not membership with SEIWU. From that angle, it does not come as a surprise that TUCOSWA leaders have tended to portray SEIWU as a regime spoke union serving as an agency for the royal interests. As one of the representatives of TUCOSWA put it during an interview: “SEIWU is our enemy. It is a threat to workers’ unity and it is a threat to the ability of the working class to develop its militancy against one of the most anti-democratic and exploitative regimes in the world.”

This statement is a suggestion of the political stance taken by TUCOSWA in denouncing the collusion of a union federation with the interests of an employer, in this case the government of Swaziland. This sentiment has found echo in the political opposition arena, itself targeted by intransigence from the royalty. The Communist Party of Swaziland (operating underground) brought its support to the struggle of TUCOSWA as a union federation. This was conveyed by one of his senior leaders in these terms:

The monarchical regime has waged a continual campaign to ban TUCOSWA and end forever its activities. TUCOSWA is the voice of progressive trade unionism. First the regime deregistered the union, and this decision was internationally condemned with vigour. Then it waged a dirty tricks campaign to emas-



culate TUCOSWA's finances. More recently, it ended the merging of employer and employee by banning TUCOSWA. This last move also sought to centralise all tripartite collective bargaining through the state. But TUCOSWA lives and is undeterred.

Such an act of support coming from a political party, itself not formally recognised under the institutions of the state, shows the extent of linkages among non-state organisations around common grounds that transcend organisational cleavages. The linkages of demand of political nature with those of industrial relations nature have become so entrenched that it is difficult to demarcate union activism from political activism in Swaziland. The problems of rights fulfilment for workers are intertwined with those of political rights and by extension to those of change for the establishment of a democratic regime in the kingdom. However, Labour is not represented in the political arena of Swaziland. The banning of political parties has prevented unions from being a part of the political mass organisation.

Since the beginning of the 2000s, trade unions have become strongly vociferous and detached from the king's influence to operate (at least nominally) independent (Simelane, 2016). As a result, proven strategies such as strikes, slow go, for furthering interests have become less effective. They have devised other means of collective action. A part of these means has consisted of strategies and activities in exchange with South African trade unions, western trade unions, development agencies and the International Labour Organisation. The relationship between unions and the government has drastically changed over the past years. Workers have continuously engaged in struggles with the government (Simelane, 2016). However, there are fractions among them that are still closely attached to the government and the ruling monarchy. The attachment is the constant manifestation of the traditional ideology in the king's authority and the would-be divine power dedicated to his persona. To a certain degree, unions are entangled in the devoting system of obligations and duties that comes with the symbolisms and rituals around the monarch. More certainly than anything else, to the idea that unions may be taken over by the political activists that can render fragile the foundation onto which the Swazi society is built on. A union federation member expressed the view that:

We Swazi people are proud of our cultural bondage through our ancestral heritage symbolised around our rituals, traditions, values, beliefs and practices. We love our kingdom and have no problem being ruled by a king. Some of us are however unpleasant by the way the kingdom affairs are currently run. The lack of freedom of speech and association is one aspect causing division within our society. We



would like it to be changed. Trade union issues in Swaziland have little relevance or meaning unless they address the need to end autocratic rule and instate a democratic dispensation where all political parties and movements are free to operate. Trade unions exist to wage and win the class struggle against class exploitation.

## The 2005 constitution: rupture or continuity?

There were some expectations that the constitution adopted in 2005 could bring some changes around the status of banned political parties. It turned out, however, to be a continuity of the old system of government. Paradoxically, the legislated constitution does provide room for the official recognition of political parties in Swaziland. Currently about 10 political parties have received authorisation to operate. Importantly, it must be noted that under the new constitution the right to compete in political elections is not granted to parties. Members of such parties willing to join the parliamentary assembly have to do so in their personal capacity and chieftdom membership. The representation to the parliament is not party-based or individual. In other words, they compete as individually through their respective *inkhundla* affiliation.

The recognition of political parties is not in line with the demands constantly made by the progressive trade unions. As in the previous constitution, political parties are banned from participation in any electoral process. This continuity of an old rule must be contextualised as a continuation with the traditional system built around the power of the *tinkhundla* authorities. Extending the right to participate in the electoral process is giving way to the dismantlement of the traditional system of governance. This system could be under the threat of losing its reasons of existence. With this happening, the monarchy could also lose his grips over the power machinery in the decision making and the monopoly over the use of state resources. Put differently, an endorsement by a traditional chief is a prerequisite to standing for election.

Since 2005, two electoral processes have taken place in the country. One in 2013 and a recent one in 2018; political parties were prevented from participation. Under the current constitution, the 1973 ban is still in place. Political parties are merely regarded as associations of individuals and not groupings with an agenda, programmes, manifestos or constituencies. Overall the status of political parties in Swaziland remains undefined as they seem to work under the 2005 constitution guarantee of freedom of association. The constitution in itself does not mention political parties. This is one of the arguments continuously advanced by the conservative elements of the *tinkhundla* system to maintain the

ban of the political parties. Recent polls conducted since 2005 suggest a strong allegiance to the monarch system in place. There is, however, a debate taking place in Swaziland whether Swazi people are in support of political parties. This debate has justified the ban imposed on the political parties in that as long as the people have not openly declared to end the ban there will be no public space for such parties for participation in the political life of the kingdom.

The other paradox in this political limbo is that Swazi people would like to be granted with all the rights that come with democracy, especially freedom of expression, but they firmly believe that this could be achieved under the prevailing monarchical system. Commenting on this social contradiction and on the role of political parties, a US-diplomat in post in the Southern African region had this to say:

People do not see what a political party can do for them. You need to build understanding and policy of advocacy at the grass root level so that you can get a number of people in a similar way. Political parties must work on the ground to change people's mind about the value of political parties. The average Swazi does not understand why political parties are useful.

Partly correct, the statement above encapsulates the lack of political education which characterise the majority of people, mostly rural dwellers living in poverty, in what many analysts still view as a semi-feudal state. It however fails to capture the essence of the political dilemma how to embrace in a meaningful way the demands for democracy made by the very same political parties to create the conditions for a more inclusive monarchical system.

## **Regional activism and alliances at work: cross-border support from the South Africa-based trade unions in the demands for political change in Swaziland**

Outside the borders of Swaziland, there have been frequent political initiatives within the Southern African Development Community to find possible solutions to the Swaziland blocked opening to democracy. These interventions have particularly focused around the release of the detained trade union leaders (Salmond, 1997). One must however admit that such initiatives remain soft in their capacity to serve as instruments of pressure on the monarch and his government. On the side of South African trade unions, initiatives have been more radicalised around issues, often going beyond the traditional workers' demands. Taking the front seat, COSATU has all the time, along the International Labour

Organisation (ILO) and the International Confederation of Free Trade Unions (ICFTU), taken a major influential position in pulsing change in the authoritarian monarch regime. The Congress has always included in its demands the ridding of the notorious 1973 decree that banned political parties in Swaziland.

Within COSATU, NEHAWU has been particularly vociferous in condemning the attitude of the king of Swaziland towards trade unions. The ban instigated by the monarchy was surprisingly presented by the Swaziland authorities, through the prime minister office, as an abiding act by the recommendations of the ILO. This later, according to that office, advised the government to “amend certain provisions of their Industrial Relations Act, making particular reference to the absence of legislation that allows for the registration of federation in the country”.

NEHAWU, a South Africa-based trade union affiliated to COSATU, has aligned itself strongly against the banning of trade unions in Swaziland. A statement collected during an interview from one of his representatives stressed the need to exert pressure on the South African government for democratic reforms:

We [NEHAMU] think that without any bottom-up and additional pressure, government efforts are unlikely to resolve the current political log-jam, because it's quite clear that the bigger loser out of this would be the Swazi regime: it can never survive democratisation.

During its 11<sup>th</sup> congress, COSATU and many of its affiliates on international solidarity demonstrated their commitment to support all the key traditional demands for union activism in Swaziland. Within the South African territory, COSATU has a strong power of mobilisation that can unleash a sustained programme of action to put pressure on the Swazi regime. This has been manifested in many instances. For instance, COSATU has frequently resolved for blockages of the border of South Africa with Swaziland. Economically, the kingdom is very dependent on the cross-border trade with its giant neighbour. Being a landlocked country, all the imports and exports are transacted through the South African borders through the province of Kwazulu-Natal or that of Mpumalanga. Blockades have been very instrumental in the strategy used by trade unions in South Africa to express their solidarity with their counterparts in Swaziland. Other means of showing support have been through marches, petitions and picketing in front of diplomatic representations of Swaziland. This clearly transpired in a statement made by a representative of NEHAMU during a Southern African Labour Organisations (SALO) meeting:

Our leadership backed by our affiliates is very determined to provide us with all the necessary resources to materialise this action as one of the key instruments that we can use as the union movement to put pressure, but also we think it's something that must continue throughout the year. We will raise this issue with SADC and African Union and the South African government. We will continue to strengthen our positions and work together with the Swazi progressive and to build TUCOSWA as well... The view is that this really lies within the framework of our attempts to help strengthen the efforts directed to change the balances of forces in favour of democracy.

When commenting on the lack of unions' rights in Swaziland NEHAWU, in one of its press releases, drew an interesting analogy between the present king and his father (the King Sobhuza II):

The banning of unions by [the King] follows his father's banning of political parties and the continuing harassment of activists and incarceration of political prisoners in Swaziland. As did the king's father, up to now political activists are not allowed to return home and development of democratic structures is being brutally and violently stifled. [The King] is continuing with his use of repression and fear to subjugate and intimidate the people of Swaziland and stifle dissent against his rule.

The stance taken by this South African trade union is an illustration of the progressive efforts being deployed across the borders in order to produce political change in the kingdom. This comes in contrast to the passive "wait-and-see" and "withdrawal" approach adopted by the South African government these days. Even within regional organisations such as the SADC and, at the continental level, the African Union, there is a lack of pressure on the monarchy regime to unban the trade unions and the political parties. Through the support of South African trade unions, one can see the union activism being shifted from exclusively its members at the national level to more cross border political issues and being instrumented in the alliance building with a union federation located in another country.

At its 10<sup>th</sup> national congress, NEHAWU resolved to intensify its solidarity work in support of the "struggle for freedom and democracy in Swaziland by mobilising all forums of activity" (extract from a press release issued by NEHAWU Secretariat office). On the ground, the mobilisation targeted two provinces in South Africa, Kwazulu-Natal (KZN) and Mpumalanga. These two provinces were not selected by mere chance. They are culturally very close to the social fabric of Swaziland in addition to having the borders which are shared with Swaziland. These ports of entry or exit, depending on which side of the border one is, are

also vital gates for the economy of Swaziland. The province of Mpumalanga is predominantly inhabited by the *siSwati* speaking people who continue to abide by the cultural rites as those in practice in Swaziland. As for Kwazulu-Natal, its dominant *isi-Zulu* speaking people have also common cultural traits with the Swazi people. The *isi-Zulu* language is strongly similar to the *isi-Swati* spoken by the people of Swaziland. Besides, it is generally alleged that under the colonial regime, Mpumalanga was part of the kingdom of Swaziland and was included in South Africa when colonisation ended. Even after apartheid, Swaziland has never claimed back what was once part of its territory. By calling upon union members who are based in these two provinces culturally and traditionally linked to Swaziland, NEHAWU strategically located its pressure in two geographical areas that are generally seen in South Africa as not only vital for the economy of Swaziland but also the cultural support in favour of the king of Swaziland.

From a federation stand point, similar views have been expressed with the leadership of the Congress of South Africa (COSATU). Leaders as well members of this union federation have been vehement with regard to the economic arrangements between the ANC-led government and the royal monarchy in Swaziland. Frequently the secretary general of COSATU has spoken out against the financial bailout brought to the government of Swaziland every time the economy of that country has been in turmoil. In their assessment of the banning of unions in Swaziland, COSATU's argument stipulates the risk of such a ruling in terms of ceasing all the activities of Trade Union Congress of Swaziland, the Federation of Swaziland Employers and the Chamber of Commerce, the Federation of Swazi Business Community and the Amalgamated Trade Unions of Swaziland. This ending of activities was seen as a source of potential implications for union representation in other statutory organs. In this regard, one should refer to the COSATU's statement to illustrate such implications:

The Swaziland authorities have for many years shown their content for fundamental workers' rights violation, and this latest decision which abolishes workers' and employers' organisations, is absolutely shocking. The government claims that a technical oversight in existing legislation needs to be fixed to allow the registration of union and employer federations, but there is no justification whatsoever in banning existing organisations while the government tidies up a legal mess that it is responsible of. This is the latest in a long list of severe violations of international standards by the king's regime. We [COSATU] demand that the ruling be rescinded immediately. (Press release, COSATU, 12 September 2012)

Throughout the past years of post-apartheid regime, the Congress Union has always punctuated its support to unions in Swaziland with statements of this type. At times, it has made use of more radical actions on the ground such as stepping up campaigns for democracy and human rights in Swaziland. Rarely these actions have taken place on the kingdom soil but most of them are organised around the South African border posts with Swaziland. In its support to TUCOSWA, for example, the South African Congress Union has seized opportunities offered by international events to convey its support. This is what it did by rallying the Global Week of Action for Democracy in Swaziland to add its voice to the action undertaken by the Swaziland United Democratic Front (SUDF), an umbrella of progressive organisations in the kingdom. That action called for the intensification of struggles for workers' rights, democracy and justice in Swaziland.

Within the kingdom, many civic organisations have joined hands with COSATU to support the demand for unbanning TUCOSWA and freedom of union activism. Among the organisations which have done so are the Swaziland Democracy Campaign (SDC), the Swaziland Solidarity Network (SSN) and the church authority (SCCCO). It is important to mention here that COSATU extended its call for the freedom of unions to the liberation from prison of all the political activists in Swaziland. To strengthen its call, the congress led several activities in South Africa. The city of Johannesburg was a privileged site of such activities and events the congress organised in order to give an impetus to the struggles for democracy in the kingdom. Some of the political activists arrested were former members of political parties in South Africa, even participated in the armed struggle against apartheid by being involved in what was known as the MK (military branch of the ANC). The call for the suppression of arrests in Swaziland is assimilated with the struggle for freedom in South Africa at the time of apartheid. The suffering of all kinds during that struggle for human rights and democracy in South Africa is always brought forward by trade unions under COSATU to instil the same spirit of liberation. To the unions in South Africa, especially those with a predominant black membership, Swaziland is an appropriate space for showing solidarity with workers whose rights are under threat of deprivation by the regime in place. This spirit of togetherness in struggle reflected in the view of one interviewed unionist:

Voting for democracy in South Africa is at the same time a rejection of oppression anywhere. Voting for the ANC means a clear and decisive rejection of political oppression and the affirmation of all that Nelson Mandela, OR Tambo, Chris

Hani, and Solomon Mahlangu stood for, together with all the compatriots who laid down their lives so that Africans, wherever they are, must be free.

Outside the continent, these actions of support have somewhat paid off as illustrated by the decision taken by the government of the United States of America (USA) to suspend, even exclude, Swaziland from the benefits of the African Growth and Opportunity Act (AGOA). AGOA is a sort of preferential trade allowing eligible African countries to export certain products, tax free, to the US markets. Since 2002, Swaziland has been involved in AGOA and this participation has helped the country to develop a textile and garment industry with thousands of job opportunities created (Tati, 2014).

The two major reasons behind this exclusion are believed to lie in the poor records on human records in the manufacturing sector and the absence of viable democratic institutions. If implemented, the exclusion would result in the kingdom no longer receiving preferential access to the US market. Within COSATU, the call was initiated by the National Union of Mineworkers (NUM), an affiliate of COSATU, which has a strong membership from Swaziland. (Thousands of miners are migrants from Swaziland and some of them have settled permanently in South Africa.) According to an interviewed NUM leader:

The exclusion of Swaziland from AGOA will send a strong message to the Swazi government that their time is up, now is the time to embrace human rights, respect for workers' rights and to stop harassing and banishing other voices including those of union leaders. The decision to exclude Swaziland from AGOA will have severe consequences on Swazi workers employed particularly in the textile sector, most of them being female workers, but Swazi people have been suffering for many workers because of life under dictatorship and any means of change will do them good in the long run.

## **The uncertainty around cross-border support in the aftermath of the COSATU split**

In 2014 COSATU split with the expulsion of the National Union Metal Workers of South Africa (NUMSA), its most important trade union affiliate, losing 10% of its membership. The split came as a result of internal fighting over conflicting political ideologies and policies within the coalition with the ANC and the South African Communist Party (SACP). This is not the place to dwell in lengths on the causes and consequences for the future of COSATU, but many observers predicted a setback in the degree of support Swazi trade unions were receiving from the



other side of the border with South Africa. The former general secretary was a key actor in the drive for political change in Swaziland, taking openly position against the financial aid to Swaziland. He was at the forefront of mobilising the big COSATU machine in support of their Swazi counterparts for the freeing of trade unionists in detention. The after-split COSATU, being more concerned with the issues around organising its membership, somewhat lost interest in Swazi politics. On its side, NUMSA cannot effectively play the role that COSATU has always played in the struggle for democracy. The concern has been more centred on worker's issues and reorganisation as a confederation.

The former general secretary of COSATU probably built a strong attachment to its former country of political exile where he was a student during the apartheid time. This could be one of the reasons of his strong support to the unions. He was among those leaders who departed from the congress and established a new union organisation under the NUMSA umbrella. Embroiled in internal disputes and until his departure, COSATU became less involved in the Swazi progressive unions' demands for political change. Just before the split, COSATU was at grips with the government of Swaziland for its ban of workers and employers' organisations. Together with the ITUC, there were plans in motion to step up an international campaign for democracy and human rights in Swaziland. One of the demands brought forward during the action plan was the immediate reversal of the ban. To COSATU, the ban was an assault on the workers and democratic movement (Freedom House, 2013). This was corroborated by the ILO and many civic organisations as unconstitutional and infringement on freedom association.

A sign of renewed engagement with the struggle for democratic change, however, can be seen through the newly established COSATU leadership. The recently first ever woman elected President of COSATU is a long-time activist for the pro-democracy struggle in Swaziland. Arrested and evicted in 2011 during the pro-democracy protests, she has advocated democracy in the kingdom as well as calling for economic sanctions against the monarchy. During a visit in 2018, to convey COSATU support to small sugar cane farmers evicted from their land, she called for the continued support from both COSATU and IFTU members to the progressive unions of Swaziland.

The support from the ITUC Global has particularly been critical in mobilising the international support from several trade unions inside and outside the African continent, though some of the countries coming on board were far from being democratic. Interestingly, there were indications of real action being taken as marches and pickets to Swaziland and South African consular offices. In many countries around the world, trade unions associated with the ITUC put forward

the demand for an end to the alleged Swazi dictatorship, the freeing of political prisoners, for the freedom of association and for a range of other demands captured by the SDUF led forces (ITUC, 2015).

TUCOSWA deregistration had serious international repercussion on the Swaziland economy, especially in its trade relations with the United States. The trade unions and the employers' unions were key players in bringing about the required labour relations for the continuation of eligibility in the AGOA process. As a consequence of the deregistration, the trade benefits granted to the kingdom under AGOA were suspended. In the negotiations around the renewal of AGOA for a further five-year period, a representative diplomat of the US, in a crude manner, made the following statement:

The government [of Swaziland] has for years engaged in serious and systematic violations of the fundamental rights of workers. These violations include the jailing of trade union leaders, the deregistration of the union federation (TUCOSWA) and the banning of strikes and demonstrations. In January 2014, the ILO High-Level Fact-Finding Mission to Swaziland found that "no concrete, tangible progress has been made on the various matters [freedom of association], some of which have been pending for over a decade". (ITUC, 2014)

## **Concluding remarks: regional alliances, king's power and quest for transformative unionism**

Through it all, the developments highlighted in the previous sections have consolidated several important trends. On the one side, first is the convergence of unionised workers, banned political activists, and other civic organisations into a popular front. The then established Swaziland Democratic Alliance emerged in the late 1990s as a coalition symbolising that popular front. Second, the emergence of a co-operation between the SFTU and the Federation of Swaziland Employers has been a positive outcome for the development towards a less adversarial relationship between labour and business. The government has always worked against such a development, reviving constantly his support to business community as a financial ally to the monarch. Third, and lastly, the sustained development of international linkages between trade unions in Swaziland and organised labour across the borders and the rest of the world, a trend exemplified by cross-border organising involving COSATU and international solidarity with ICTU in the United States.

On the other side, these developments reveal the type of multiscalar character of trade union activities mentioned in the theoretical framework. COSATU, for ex-

ample, is a well-resourced workers' organisation engaging with regional issues, working as well at national and local levels. With respect to Swaziland, COSATU and its affiliates advocate a regime change in the kingdom and provide support to progressive trade unions in Swaziland with the aim to strengthen their local counterparts to facilitate more bottom-up approaches to political reforms in the kingdom. However, the emphasis put by COSATU and its affiliates on political regime change in Swaziland raises the question of benefits derivable from such a cross-border unionisation for the workers in Swaziland as it shifts the focus of local trade unions to political engagement. This could have serious implications on the representation and the voice of workers. While there is no doubt that the interventions from unionised workers outside the kingdom play altogether an important role in the regional or national institutions, there are some dangers for unionised workers in Swaziland of being co-opted into process and giving a semblance of popular legitimacy to agendas driven by outside workers' unions and influential members who have joint membership in the banned political parties. The benefits of such support could also be questioned with respect to their contributions to workers-centred and pro-decent working conditions policies as an alternative to persistent market-led regional integration processes under neo-liberal globalisation. The way for COSATU and trade unions in Swaziland to push for transformative agendas may require that more voices be heard from workers involved on daily basis in the processes in the workplace.

Observations carried out by political researchers suggest that the People's United Democratic Movement (PUDEMO), one of the dominant banned political parties in the opposition to the monarch and its government, has very active structures and alliances in place in most trade unions and other civic groupings (Freedom House, 2013). These structures and alliances are also vigorously contesting for space, power, prestige and resources within the trade unions. Instances of disagreement are generally the results of rough contestations. Such disagreements have been most of the time strategically used or manipulated for political purposes by the monarch and his government to exacerbate the division among workers. The deregistration of TUCOSWA mentioned earlier was along those lines. Seen as a platform to develop a broad-based union federation, the chances for the newly formed federation were weakened due to a combination of planned destruction by the government and the influence PUDEMO has on the leadership of TUCOSWA. When one takes into account as well the alliance and the strong solidarity relationships PUDEMO has with the Congress of South African Trade Union (COSATU), the South African Communist Party (SAPC) and the African National Congress (ANC) in power, it becomes clear why the political issues were

on the top of demands made by COSATU. This union congress has a long history of political engagement and, while retaining considerable autonomy and influence, is aligned to the current ruling party in South Africa (Webster, 2007). Naturally there are union federations that are politically non-aligned. More recently, COSATU has experienced internal divisions due to its political alignment and this has resulted in many important affiliated unions leaving COSATU.

The move taken by trade unions in Swaziland of building political alliances has certainly its merit taking recognition that historically trade unions have been central to the creation of a democratic order (Webster, 2007). Webster put it straight when he argued that “vibrant militant independent trade unions are the most important bulwark against authoritarian regime” (Webster, 2007, p. 6). This move however has cost unions in Swaziland a loss of esteem and tolerance from the king and his government. However, a very important question remains: is it the more effective way to serve the interests of the working class in Swaziland, especially the poor and the unemployed? Some labour analysts have cast doubt on this approach to union engagement with political transformation (Fischer, 2011; Hassen, 2011; Paton, 2011; Webster, 2007). To some extent, the decision taken by SNAT to end the association with TUCOSWA echoes that view. An alternative approach to politics for trade unions in Swaziland should focus rather on building coalitions with other civic organisations in the civil society, such as women’s organisations, youth organisations, organisations of the self-employed, NGOs and the informal organisations. The on-going AGOA trade framework, for example, that has brought controversial Chinese investments in Swaziland (Tati, 2014) should be an opportunity for unions to come up with powerful ideas that challenge market-driven development, and provide alternatives that point, as Webster put it, to a more labour friendly transformative regime.

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