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Punching above their weight: Nigerian trade unions in the political economy of oil

Nigeriansk fagbevegelse i den politiske
oljeøkonomien

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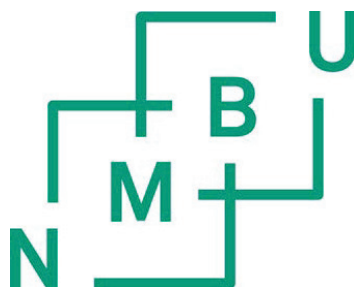
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Part II: Compilation of papers

Houeland (in press) *Between the street and Aso Rock: The role of the Nigerian trade unions in the 2012 fuel subsidy protests*. Accepted for publication, *Journal of Contemporary African Studies*.

Houeland (2015). *Casualisation and Conflict in the Niger Delta: Nigerian oil workers' unions between companies and communities*. *Revue Tiers Monde*, 224 (4): 25-46.

Houeland (2017) *Popular protest against fuel subsidy removal: Nigerian trade unions as mediator of a social contract*. Revised and resubmitted 15 May 2017 to *Journal of Modern African Studies*. Summary

Part III: Appendices

Interview list

Summary

The purpose of this thesis is to explore trade union agency and its limits in an African country that is highly dependent on oil. The overall research question is: What are the opportunities and constraints to trade union agency in Nigeria? This case study of the Nigerian trade unions focuses on the 2012 fuel subsidy protests that constituted among the biggest popular mobilisations in Nigerian history. Many of the Nigerian trade unions' achievements over the last decades relate to their leading role in the recurring and successful resistance against fuel subsidy removals. This is widely recognised, but insufficiently understood, and the unions are both over- and under-estimated in terms of their capacities.

The thesis addresses a research gap on African trade unions. It is motivated by an apparent paradox. On one hand, are theoretical dismissals of the relevance of trade unions, in assuming that there is a limited civic agency and space for trade unions in African states and in petro-economies. On the other, are reports of widespread labour rights abuses from many African governments and employers, undoubtedly due to the significance of the unions. Additionally, whereas emerging studies of civic agency in Africa tend to focus on relatively disempowered groups and informal labour, the focus on the strategically positioned trade unions into the analysis opens for a renewed conversation about state–society relations, the constitution of power and discussions about the capacities of social actors to engage with structures.

Theoretically, the thesis engages with the concepts of agency and power. Power is understood as inherent properties or capacities of an actor, while agency concerns the subjective, reflexive and purposeful realisation of these capacities. Agency is further considered as relational, contextual and historical. In understanding the unions' contexts and relations, the thesis emphasises a holistic understanding of labour's multiple roles and relations in what I have called the 'labour triangle': state, market and society. Methodologically I have used an extended case method, which is reflexive in nature, combines fieldwork and interviews with theoretical explorations, and implies moving between scales and levels.

As agency is rooted in history, the introductory chapter emphasises the specific historical formation of state, market and society in Nigeria. The Nigerian state is characterised by prebendal elite politics, a federalised and divided governance system with divisions according to regions and ethnicities, as well as parallel social logics of the civic

and the 'primordial' publics. The unions are rooted in a modern, civic public. Although the state has attempted to control the unions, they operate largely autonomously. The Nigerian economy is dominated by oil and a large informal sector, and there are deep class divisions horizontally, between the haves and the have-nots; the elites and the popular masses. Additionally, there are social divisions vertically in terms of ethnicity, religion and region. Although these divisions have at times disturbed union efficiency and the relevance of class identity for mobilisation, the unions largely cut through these separations. Within the unions, ideological divisions between radical and reformist are more prominent. While the oil resources have fuelled the distanced relationship between state and citizen, a growing sense of injustice caused by the lack of redistribution and of popular benefits from the oil resources has been a source for trade unions' mobilising power. This, together with the workers' strategic position in the oil economy, allows the unions a particularly strong structural power.

The thesis consists of three articles. The first article – *Nigerian unions between the street and Aso Rock: The role of the Nigerian trade unions in the 2012 fuel subsidy protests* – critically examines the trade unions' contested positions and actions during the 2012 protests. Whereas unionists described the outcome as a victory and demonstration of popular sovereignty, fellow protesters expressed anger towards the unions for unfulfilled democratic opportunities and accused the unions of succumbing to bribery. The article shows in practice how the unions' capacities to mobilise, strike and negotiate were instrumental in the reinstatement of the subsidy, and also how the unions' agency is both enabled and constrained by their embeddedness in the state, society and the market.

The second article – *Casualisation and conflict in the Niger Delta: Nigerian oil workers' unions between companies and communities* – explores the particular opportunities and constraints to organised oil workers' actions. Although the 2012 fuel subsidy protests mobilised an unprecedented number of people on the streets, the government did not call for negotiations until the oil unions threatened to shut down oil production. However, production was never shut down, and the oil unions were criticised for 'empty threats' and for abandoning their historical democratic and social role. Based on the premise that the conditions for labour actions are found at the local and industrial workplace levels, the paper explores how processes of informalisation of labour (casualisation) and conflict interlink and affect the local labour regime and the oil unions' powers in the Niger Delta. It shows how the labour fragmentations and erosions of labour power from casualisation are exacerbated when unfolding into this context of conflict and social fragmentation. Despite

the oil unions' strategic position in the oil industry and their relatively high union density, these processes have challenged both their capacity and will to mobilise, strike and bargain.

The third article – *Popular protest against fuel subsidy removal: Nigerian trade unions as mediator of a social contract* – explores the popular idea that cheap fuel is an economic right for Nigerian citizens, and is part of a social contract. In contrast to perspectives that underscore the lack of civic opportunities in the relations between the state and its citizens in Nigeria, the article proposes that the protesters asserted and claimed deeper citizenship. They did so by rallying behind the fuel subsidy as a social right, and also by utilising civil rights to bargain and political rights to participate. Here, the trade unions played a critical and mediating role, based in their specific industrial citizenship, with collective forms of representation, organising and bargaining. This social contract is fragile however, and the unions' roles as mediators of this social contract are both critical and contested.

In addition to expanding our understanding of an African trade union in an oil-dependent economy, this thesis opens for a renewed conversation about state–society relations, power and agency. Whereas agency studies from Africa have focused on relatively powerless actors and the tactical agency of getting by, studying the agency of the relatively powerful unions reveals their ability to influence the surrounding structures. Trade unions have strategic powers in relation to state, market and society in their ability to mobilise socially, hurt the economy through strike action and negotiate with elites in state and market. This allows them to play a far greater role than their relative size suggests. Although Nigeria is among the most difficult countries for unions to operate in, the Nigerian trade unions have contributed to ensuring social benefits to Nigerians through cheap fuel, and they have been a counterforce to the expansion of informal and patronage relations at the workplace. They have additionally contributed to strengthening civic relations and state institutions through a mediating role between state and citizen. The study clearly shows the need to engage with trade unions in the study of power and politics in Africa.

Sammendrag

Et tilsynelatende paradoks har motivert denne avhandlingen: På den ene siden avvises fagbevegelsens relevans i afrikanske land og i oljeøkonomier. Teorier hevder at sosialt aktørskap og aktivt medborgerskap har begrensede muligheter i slike kontekster. Det antas også at fagbevegelser har liten betydning på grunn av at lønnsarbeidere er få i økonomier som er lite industrialiserte og har store uformelle sektorer. På den andre siden vitner innsatsen fra stater og næringsliv for å begrense fagorganisering og fagbevegelsens handlingsrom – indikert ved utbredte brudd på faglige rettigheter i afrikanske land – om at fagbevegelsens i praksis anses som (potensielt) viktige og mektige. Mange afrikanske fagbevegelser opplever også press fra andre sivilsamfunnsorganisasjoner om å engasjere seg i en rekke sosiale, økonomiske og politiske spørsmål, utfra forventninger om at de er spesielt effektive endringsagenter. Betydningen av afrikansk fagbevegelse er både over- og undervurdert, og fagbevegelsers konkrete roller i Afrika er utilstrekkelig forstått. Denne avhandlingen bidrar til å fylle et tomrom i forskningen.

Formålet med avhandlingen er å undersøke fagbevegelsens vilje og evne til påvirkning i et oljeavhengig afrikansk land gjennom en case-studie fra Nigeria. Det overordnede forskningsspørsmålet er: Hvilke muligheter og begrensninger har nigeriansk fagbevegelse for aktørskap? Fokuset på fagbevegelsen, med sin strategiske politiske, økonomiske og sosiale posisjon, åpner også for en fornyet analyse om sosialt aktørskap, og om forhold mellom stat og samfunn i Afrika.

De massive drivstoffsubsidieprotestene i Nigeria i 2012 er fokus for analysene. Protestene var en reaksjon på President Jonathans avvikling av statlige drivstoffsubsidier 1. januar. Mobilisering og streik presset presidenten til forhandling med fagbevegelsen, og til å gjeninnføre subsidiene. Mange av fagbevegelses viktigste suksesser de siste tiårene er knyttet til deres lederrolle i tilsvarende protester mot subsidieavvikling. Jeg ser spesielt på den eldste og viktigste sammenslutningen, NLC (*Nigerian Labour Congress*), som organiserer rundt 4 millioner arbeidere, og de to oljeforbundene, NUPENG (*Nigeria Union of Petroleum and Natural Gas Work*) og PENGASSAN (*Petroleum and Natural Gas Senior Staff Association of Nigeria*), som organiserer til sammen 35.000 arbeidere.

Vitenskapsfilosofisk er avhandlingen fundert i kritisk realisme, som gir både teoretisk og metodisk retning. Oppgaven fokuserer på de to begrepene «aktørskap» og «makt». Makt forstås som en aktørs iboende egenskaper, mens aktørskap angår den subjektive, refleksive og målbevisste realisering av disse. Fagforeningenes mest sentrale

egenskaper er evnen til kollektiv mobilisering, streik og forhandling. Deres aktørskap handler om den praktiske evnen til å utøve disse, og derigjennom påvirke sine omgivelser. Aktørskap er relasjonelt, kontekstuel og historisk. Oppgaven legger vekt på en helhetlig forståelse av arbeideres mange roller og relasjoner i det jeg har kalt "arbeidstrekanten": stat, marked og samfunn.

Metodisk har jeg har brukt en utvidet casemetode. Denne legger vekt på hvordan jeg som forsker er en aktiv aktør, ikke en passiv observatør. Metoden er refleksiv og innebærer kontinuerlig dialog mellom empiri, basert på feltarbeid og intervjuer, og teori. Jeg har vært i Nigeria tre ganger og i tre byer: Den politiske hovedstaden Abuja, den økonomiske hovedstaden Lagos og oljehovedstaden, Port Harcourt. Jeg har intervjuet cirka 70 nøkkelinformanter, fra kontrakts-ansatte i såkalt vertslandsbyer for oljevirkosomhet i Niger Delta, til nasjonale fagforeningsledere, aktivister og oljeindustri-ledere.

Avhandlingen har fire under-forsknings spørsmål, som besvares i kapittel fem i kappen og i tre artikler:

1. Hvordan er den nigerianske fagbevegelsen betinget av den historiske dannelsen av stat, samfunn og marked?

Fagbevegelsen er både betinget av, og betinger stat, marked og samfunn. Kapittel 5 analyserer framveksten av den nigerianske fagbevegelsen i lys av utviklingen av staten, den moderne kapitalistiske økonomien og sosiale samfunnsstrukturer. Fagforeningene oppstod under kolonistyre, og er forankret i den moderne stat og økonomi. Selv staten har forsøkt å kontrollere fagbevegelsen i Nigeria, opererer den i stor grad autonomt fra staten. Fagbevegelsen har frontet motstand mot kolonimakt, udemokratiske regimer og rettferdig økonomi. Sosiale skillelinjer som etnisitet og religion har i perioder utfordret fagforeningens effektivitet. men i hovedsak organiserer fagbevegelsen på tvers av disse skillene. Ideologiske skiller mellom reformisme og radikalisme har vært mer framtreddende. En samlet fagbevegelse er også bundet i arbeidsloven av 1978, som begrenset organisasjonsfriheten ved å gi monopol til en sammenslutning, NLC, som kun tillot et forbund per sektor og som gjorde medlemskap og kontingentinndragelse obligatorisk. Arbeidsloven av 2005 åpnet for fri organisasjonsrett.

Den nigerianske økonomien er dominert av den globale oljeindustrien og en stor uformell sektor, og det er dype klasseskiller mellom eliten og folket. Arbeidere, ikke minst oljearbeiderne, har en strategisk posisjon i økonomien. De kan lamme økonomien og hindre inntektsstrømmen til staten og eliten i form av streik. Mens inntekter fra oljen har underbygget avstanden mellom stat og borger, har en voksende opplevelse av urettferdighet,

manglende fordeling og fellesgoder fra oljeressursene gitt mobiliseringsgrunnlag for fagbevegelsen. Dette ble spesielt tydelig etter oljekrisen og under liberaliseringen av økonomien fra sent 1970-tallet. Mens fagbevegelsen mistet medlemmer og tradisjonell makt, søkte de samarbeid med andre sivilsamfunnsorganisasjoner for å øke mobiliseringskapasiteten sin. Felles kamp for demokrati og mot økonomisk liberalisering var i stor grad konsentrert rundt motstanden mot forsøk på avvikling av drivstoffsubsidier.

2. *Hvilke egenskaper har fagforeninger som gjør at de kan spille en avgjørende rolle i drivstoffsubsidieprotestene, og hvordan begrenser og muliggjør arbeidernes mange roller i og relasjoner til stat, samfunn og marked realiseringen av disse?*

Artikkelen «*Nigerian unions between the street and Aso Rock: The role of the Nigerian trade unions in the 2012 fuel subsidy protests*», tar tak i konkret kritikk av fagbevegelsens politikk og handlinger i forbindelse med protestene i 2012. Mens fagforeningsledere omtalte utfallet som en seier og en demonstrasjon av folkelig suverenitet, var andre demonstranter sinte. De anklaget fagbevegelsen for å ikke å utnyttede demokratiske muligheter og for å gi etter for bestikkelser. Artikkelen viser hvordan fagbevegelsens kapasitet til å mobilisere, streike og forhandle var avgjørende for å gjeninnføring av drivstoffsubsidiene, men også hvordan fagbevegelsens aktørskap både er muliggjort og begrenset av hvordan de er en del av stat, samfunn og marked.

3. *Hva forklarer oljeforbundenes spesielle betydning innenfor fagbevegelsen, og hvordan er arbeidermakt fundert i oljeindustrien i Niger-deltaet?*

Artikkelen «*Casualisation and conflict in the Niger Delta: Nigerian oil workers' unions between companies and communities*», utforsker spesifikke muligheter og begrensninger for organiserte oljearbeideres handling. Selv om protestene i 2012 samlet store folkemasser i gatene, var det først når oljeforbundene truet med å stoppe oljeproduksjonen at presidenten inviterte til forhandlinger. Oljeproduksjonen ble aldri stoppet, og oljeforbundene ble kritisert for 'tomme trusler' og for å forlate sin historiske demokratiske og sosiale rolle. Denne artikkelen utforsker vilkårene for arbeideres handlingsrom fundert på det lokale, industrielle arbeidsplassnivået. På arbeidsplassene i oljeindustrien i Nigerdeltaet virker liberalisering av arbeidsorganisering og sosiale konflikter sammen og påvirker det lokale arbeidstidsregimet og oljeforbundets makt. Fragmentering av arbeid gjennom kontraktutsetting av arbeidsprosesser og jobber, undergraver og utfordrer makten til arbeidere. Dette understøtter klassesdeling og skille mellom ulike oljearbeidere som også er organisert i to ulike forbund. Disse prosessene forsterkes i samspill med sosial fragmentering knyttet til oljekonflikter i Nigerdeltaet. På tross av oljeforbundenes

strategiske posisjon i økonomien og deres relativt høye organisasjonsgrad, har disse prosessene utfordret både deres kapasitet og vilje til å mobilisere, streike og forhandle.

4. *Hvordan påvirker de nigerianske fagforeningens handlinger medborgerskap og demokratisk handlingsrom i Nigeria?*

Artikkelen «*Popular protest against fuel subsidy removal: Nigerian trade unions as mediator of a social contract*», utforsker en populær ide om at billig, subsidiert drivstoff er en rettighet og en del av en sosial kontrakt. I motsetning til perspektiver som understreker begrensninger i medborgerskap og et direkte forhold mellom stat og borgere i Afrika, foreslår artikkelen at demonstrantene i 2012 aktivt utøvde og krevde dypere medborgerskap. Dette gjorde de ved å samle seg bak subsidiene som en sosioøkonomisk rettighet, og ved å benytte politiske rettigheter til å delta og sivile rettigheter til å forhandle. Fagbevegelsen spilte en avgjørende rolle i dette, og de fungerte som forhandlere mellom stat og borger av denne sosiale kontrakten. Dette forklares gjennom deres «industrielle medborgerskap» med kollektive former for representasjon, organisering og forhandling. Den sosiale kontrakten knyttet til drivstoffsubsidiene og protestene er skjør, og fagforeningens rolle som forhandlere er både avgjørende og omstridt.

I tillegg til å utvide og utdype vår forståelse av en afrikansk fagbevegelse i en oljeavhengig økonomi, åpner denne avhandlingen for en fornyet samtale om stat-samfunnsrelasjoner, makt og aktørskap. Mens studier av aktørskap fra Afrika har fokusert på relativt maktesløse aktører, viser denne studien av en relativt mektig fagbevegelse deres evne til å påvirke sine omkringliggende strukturer. Fagforeninger har en strategisk posisjon i stat, marked og samfunn og i deres evne til å mobilisere sosialt, skade økonomien gjennom streik og forhandle med eliter i stat og marked. Dette tillater dem å spille en langt større rolle enn deres relative størrelse tilsier. Selv om Nigeria er blant de vanskeligste landene å operere i for fagforeninger, har den nigerianske fagbevegelsen bidratt til å sikre sosiale og økonomiske fordeler. De har vært en motkraft for utvidelsen av uformelle og klientelistiske relasjoner på arbeidsplassen, og bidratt til å styrke formelle samfunnsrelasjoner og staten gjennom å engasjere viktige institusjoner som rettsapparatet, parlamentet og regjeringen, og som forhandler mellom stat og borger. Avhandlingen viser tydelig behovet for å fokusere på fagforeninger i studier av makt og politikk i Afrika.

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Camilla Houeland

Abbreviations

APC - All Progressive Congress

ASUU – The Academic Staff Union of Universities

COSATU – Congress of South African Trade Unions

FDI – Foreign Direct Investment

GUF – Global union federation

IMF – The International Monetary Fund

ITUC – International Trade Union Confederation

JAC – Joint Action Committee

LP – Labour Party

NANS – National Association of Nigerian Students

NGO – Non-governmental organisation

NLC – Nigerian Labour Congress

NNPC – Nigerian National Petroleum Company

NUPENG – Nigerian Union of Petroleum and Natural Gas Workers

PDP – People’s Democratic Party

PENGASSAN – Petroleum and Natural Gas Senior Staff Association of Nigeria

SAP – Structural Adjustment Programme

SMU – Social Movement Unionism

TUC – Trade Union Congress

ULC – United Labour Congress

Chapter 1 Introduction

The purpose of this thesis is to explore trade union agency and its limits in an African country in which the economy is highly dependent on oil. The overall research question addressed in the thesis is the following: What are the opportunities and constraints to trade union agency in Nigeria? The thesis provides a case study of the Nigerian trade unions, with an emphasis on the historically large fuel subsidy protests in 2012.

Trade union agency, or its capacity and will for action within structures, is based on labour power, in other words, on the ability to mobilise workers and beyond, to affect the economy through work stoppage and to influence policies. Whilst trade unions have traditionally been analysed as actors in the market, this thesis uses a more holistic framework in which trade unions are also considered as key actors in state and society. This thesis uses a more holistic framework in which trade unions are considered as key actors in market, state and society. This enables a broader understanding of trade unions' socio-political and economic roles, and of how opportunities and constraints are structurally conditioned by the specific and historical formation of state, market and society. Additionally, this perspective opens up for a deeper understanding of the inherent tensions between core trade union roles as workers' representatives and their engagements in larger socio-political matters.

Bringing trade unions back in

Nigerian unions have had a series of 'remarkable returns' since 1999 (Okafor 2009b). This has taken place notwithstanding the numerically small unions, a continued labour crisis characterised by the violation of labour rights, vast unemployment and expansion of precarious jobs, political repression, economic deregulations and a large informal sector. Led by the Nigerian Labour Congress (NLC), the unions have cushioned labour law reforms, protected the purchasing power of poor people and workers, mediated between political institutions and between the state and citizens and resisted deregulations of the oil industry. This has been accomplished through social mobilisation, political negotiation and economic strike action, largely centring on the fuel subsidy resistance. With the backing of international financial institutions, nearly all Nigerian governments since the late 1970s have attempted to remove the fuel subsidies as part of deregulating the oil industry, only to

be effectively resisted by labour-led civil society alliances. Fuel subsidies are materially important, as they have ensured cheap fuel to Nigerian citizens in the relative absence of common goods from the vast oil resources. The subsidies also have symbolic value for resistances against deregulation and struggle for substantive democracy, led by the NLC with particular force since 1999¹.

Because of these achievements, unions face high expectations from other social actors to engage in further issues outside the workplace, without sufficient understanding of the limitations to their agencies. Despite such achievements there is a scholarly gap in understanding the agency of Nigerian trade unions in particular (and trade unions in sub-Saharan Africa outside South Africa in general). Thus, there is a need for exploring the unions' agency, opportunities and constraints.

Founded on a case study on Nigerian unions, this thesis sets out to bring trade unions back into studies on socio-political and economic processes in Africa. It contributes to this literature by theoretically positioning labour in the midst of civic agency and identifying opportunities and constraints to trade union agency. The thesis analyses the positionality of Nigerian unions in relation to actors in state, market and society to understand from where the unions derive their agency, as well as how they strategically navigate in the Nigerian socio-political and economic landscape. While focusing on the NLC at the national confederation level, this thesis also examines the particular agencies of relatively small oil workers unions at the local level in the oil-producing Niger Delta.

Nigerian trade unions

Nigeria is a critical case for the study of African trade union agency. There is a saying that 'as Nigeria goes, so goes Africa' (Adebanwi & Obadare 2010: 379). Nigeria is used extensively as an example in key theories of African state and society (Bach 2012b; Ekeh 1975; Joseph 1987; Mamdani 1996), and of oil dependent economies (Apter 2005; Obi, C. 2010; Omeje 2008; Watts 2004). African state and oil dependency theories suggest limited opportunities for civic agency. At the same time, and despite severe structural and conditional limitations, the Nigerian unions are among the strongest on the continent. The Nigerian trade unions are independent, with direct political engagements and broad civil

¹ In May 2016, however, the NLC's call for general strike against subsidy removal failed. There is no longer subsidised fuel in Nigeria, while there is no formal removal of the subsidy. I will reflect on this in the conclusion.

society alignments, and they can refer to concrete achievements. Historically they have played a vanguard role in anti-colonial, human rights and democracy struggles (Aiyede 2004; Andrae & Beckman 1998; Beckman & Sachikonye 2010; Falola & Heaton 2008; Kew 2016).

In the late 1980s and 1990s, studies on Nigerian labour were dominated by the effect of the structural adjustment programme on labour (Adesina 1994; Adesina 2000; Andrae & Beckman 1998; Olukoshi & Aremu 1988). The most recent comprehensive work on Nigerian unions is the insightful book *Union Power in the Nigerian Textile Industry: Labour regime and adjustment* by Swedish Gunilla Andrae and Bjorn Beckman (1998). These authors show how the Nigerian textile unions under the pressure from structural adjustment and ‘constant threat from an unpredictable and repressive national leadership’, showed ‘remarkable progress in crisis management, industrial adjustment, institution building and conflict regulation’ (Andrae & Beckman 1998: 11). A central argument in this book is that the unions built strength based on a combination of a state-initiated labour pact and a militant grassroots organisation. The pact referred to by the authors is rooted in the 1978 labour law, which restricted the right to organise by allowing only one union in one industry and only one national labour centre, the mentioned NLC. Thus, the law ensured trade union unity. Furthermore, the law made union membership obligatory and check-off dues automatic, safeguarding unions’ membership and income.

Although intending to control labour, this state-imposed law also became a source of union power because it was combined with ‘an equally powerful source from below, namely the militant self-organisation of the workers at the work-place level’ (Andrae & Beckman 1998: 275). A bottom-up, membership driven trade union process ensured relative job protection, even though the textile industry was particularly vulnerable to the austerity measures, with factory closings, downsizing and job losses. A strong union-based labour regime emerged, where the unions were active in determining their own conditions. The authors show that both informal and formal labour regulations existed in different localities. However, they argue that trade unions are a force for formalisation and constitutionalism with the potential of formalising both state and capital, a process that the authors expected to continue. While their study focus on the workplace, they ‘suggest that more attention should be given to the actual forces at work within society and their struggles to construct legality and constitutionalism from below’ (Andrae & Beckman 1998: 21).

Two decades later the Nigerian unions find themselves in a new historical context. When entering the current democratic period with a broken neck, the NLC soon reverted

back to its strength, and again marked itself on ‘wages, fuel prices, and oversight of the judiciary’ (Kew 2016: 309). Newer scholarly work emphasises the unions’ political and social roles (Aiyede 2004; 2010; Beckman 2009; Beckman & Lukman 2010; Okafor 2007; 2009a; 2009b; Tar 2009). There are fewer studies on industrial relations (Edu 2013; Fajana 2005; Okene 2009) and an emerging interest in the organisational relationship between formal and informal labour (Andrae & Beckman 2010; 2013). Most of this literature focuses on or refers to the role of the unions in the resistance against fuel subsidy removal.

This study updates and renews understandings of Nigerian labour by positioning the unions in relation to the economy, state and society. This requires contextual analysis of the state, social relations as well as the economy, and opens up for recognising and understanding the multiple roles of the unions. The thesis focuses on a non-typical workers issue, namely fuel subsidy resistance. This brings labour actions explicitly into the social and political arena. Although there is a vast literature on the fuel subsidy protests, all recognising the pivotal role of the unions, there is a lack of specific understanding of trade unions based on the particularities of labour, and the opportunities and constraint to labour action. By bringing back the perspective of the workplace to the socio-political role of the unions, this thesis discusses the relevance of the subsidy for traditional worker and workplace issues such as wages and job security, while also revealing the ambivalences and tensions arising from the unions’ multiple roles and relations. Furthermore, this thesis brings an explicit focus to the role of the oil worker unions as particularly interesting in the oil-dominated economy, again filling an important gap in the labour literature.

Focus and research questions: Oil economy, democracy and the fuel subsidy

The focus of this thesis is on the Nigerian trade unions movement’s engagement in the fuel subsidy protests, with an emphasis on the historically big protest in 2012. Although many emphasise continuity rather than rupture in Nigerian history, there have been some important changes in state, capital and society since 1999, changing the conditions for trade unions. First, 1999 marks the start of the fourth republic that has seen the country’s first continuous democratic period with electorally based government changes². Even though

² Although among the most violent and fraudulent in Nigerian history, the 2007 presidential election celebrated the first democratic transition between two presidents. The 2015 election was celebrated both as the freest and fairest in Nigerian history, and as being the first civil transition between two parties.

elections have been contested and political repression and human rights abuse continues, there has been improvement and policy spaces have opened. Second, the numbers and roles of civil society organisations have grown. This started under the ‘roll back the state’ paradigm of the structural adjustment programme since 1986, while it accelerated after 1999 (Falola & Heaton 2008; Kew 2016). Third, there has been strong and consistent economic growth. The international oil prices have only driven part of this growth; the finance, telecommunications and agricultural sectors have also grown significantly. At the same time, poverty and inequality is growing. Resource curse theories suggest that politicians have little incentive to initiate economic or social reforms during high oil prices, therefore assuming a lack of development initiatives during growth. Grugel and Singh (2013) point to increased social and popular resistance often occurring in times of economic growth without redistribution. The liberalisation of the labour regime has continued and deepened. Consequently, all three aspects may change the conditions and relations for trade unions. Additionally, the new labour law in 2005 broke the previously mentioned labour pact of 1978. The law allows for freedom of association, opening up for union fragmentations and declining membership. It was considered as President Obasanjo’s attempt to curtail labour power, and it also restricts labour rights beyond international standards (Okafor 2009b; Owen 2004).

The fuel subsidy is significant to the Nigerian polity, and protecting it has been a union priority. Fuel subsidies have ensured cheap fuel to Nigerians since 1966. This is one of very few direct economic benefits from the vast oil resources. Virtually all governments – with pressure from international financial institutions and communities – have since the late 1970s attempted to remove the subsidy, as part of deregulating the oil industry. The Nigerian unions have led the successful resistance against the removal, with particular force since 1999. Therefore, when President Jonathan removed the subsidy in January 2012, it was no surprise to see protests erupt and labour calling for strike action. However, these protests turned into the one of the largest popular mobilisations in Nigerian history. The unions confirmed their instrumental role in protecting the subsidy, as the President buckled and reinstated the subsidy after protests, strikes and negotiations with the trade unions. The oil unions’ strike action and strike threat were instrumental, although they were criticised for not stopping oil production. During and in the aftermath of the protests, conflict and tensions between unions and other civil society actors surfaced, in relation to both agenda and methods.

The subsidy and related protests are situated in the public sphere outside the traditional sphere of labour action in the workplace and in relation to employers. Hence, it gives an entry point to a holistic social study of the unions' roles and relations. Although the protests played out in the public, to capture the specifics and the nature of labour and trade unions, the thesis will relate and contextualise the protests and the subsidy issues to workplace and core labour issues.

Within the trade union movement and in the fuel subsidy protests, the oil unions hold a key role. The particularly powerful role of the oil unions can be traced to the oil-dependent Nigerian economy. The oil industry has dominated the state and economy since the 1970s, with about 80% of the national expenditure budget and 90% of export earnings coming from oil. The 35,000 organised Nigerian oil workers in NUPENG (Nigerian Union of Petroleum and Natural Gas Workers) and PENGASSAN (Petroleum and Natural Gas Senior Staff Association of Nigeria) can in theory stop oil production and the main financial flows to both capital and state. Historically, the most notable role of the two oil unions was when they took the lead in the struggles for democracy during 1993–1994 when the NLC was crippled. Although under pressure from liberalisation, they are still critical actors in Nigeria, and regularly feature in the news. They were instrumental to the outcome of the 2012 protests, although civil society also criticised them for inactions. Regardless of this and of the scholarly and policy interests in Nigerian oil politics, there are few academic studies of the oil workers in Nigeria, and insufficient understanding of their specific agency. The edited book *Oil and class struggle* (Turner & Nore 1980) suggests a particular agency for oil workers in petro-states. The book shows how oil workers' historical struggles against state and companies have included larger questions of democracy and transformational politics, and played decisive roles in for example the Azerbaijani and Iranian revolutions. Since Terisa Turner's work (1980; 1986), academic studies on Nigerian oil workers are scarce, although trade union solidarity institutions and unionists have published reports and autobiographies (Adewumi & Adenugba 2010; Akinlaja 1999; Fajana 2005; Kokori 2014; Ogbeifun 2007; Solidarity Center 2010).

The more concrete research questions are:

- How are the Nigerian trade unions conditioned by the historical formation of state-society-market relations? (Chapter 5)
- What are the capacities of trade unions that enables them to play the critical role in the fuel subsidy protests, and how does labour's multiple embeddedness enable or constrain the realisation of these capacities? (Article 1)

- What explains the oil unions' particular significance within the labour movement, and how is labour power embedded in the oil industry in the Niger Delta? (Article 2)
- How do the Nigerian unions' actions influence civic relations and democratic spaces in Nigeria? (Article 3)

Agency

The overall research question on labour agency relates to the foundational philosophical and theoretical question for social scientists of the role of actors relative to structures in shaping social realities and human behaviour. This thesis leans on critical realism for general philosophical and theoretical insights to questions of agency and actors' inherent powers; it reflects on debates on structural limitations to civic agency in African and oil-dominated contexts, and it identifies specific labour agencies from labour geography in combination with concepts of labour power from labour sociology.

Agency is an actor's capacity for wilful and purposeful action, and is both enabled and conditioned by structures. Critical realism ascribes both actors and structures as drivers of historical changes, and see the two as mutually constitutive (Elder-Vass 2010; Sayer 2010). Margaret Archer (1982; 2007) argues that structure and agency are often analytically conflated, and she suggests looking to the realist ontology to disentangle the two and identify their respective causalities. Most agency literature focuses on human individual's agency, whereas this thesis focuses on the collective agency of trade unions. The trade union confederation, such as the NLC, consists of trade unions which again have individual members. A trade union as a collective organisation consists of, but is not reducible to, the individual members (Marshall 1992).

Labour geography has offered frameworks for analysing labour agency, though they suggest that 'a more sophisticated understanding of the structural constraints and social relations that shape labour's agency potential is required', which implies 'reconnecting or re-embedding notions of agency into economic and society systems that surrounds workers' (Coe & Jordhus-Lier 2011: 228). Recognising the particular structural constraints in African countries, an ongoing scholarly debate on civic agency in Africa emphasises its relative constraints based on the size and centrality of the informal (Chabal 2009; Obadare & Willems 2014). Few formal structures or organisations operate with agency in Africa, and informality is the most important form of resistance and exercise of power, they argue.

While ‘there is a place’ for the analysis of formal organisations, such as trade unions, churches and NGOs, resistance belong ‘firmly’ in the informal, ‘as it is the informal that constitutes the matrix within which formal resistance occurs’, holds Chabal (2014: xvi). Despite a recognition that trade unions are an example of formal and collective agency, the empirical focus has been on relatively disempowered informal actors, sectors and relations and there are few studies of trade union agency in Africa. The flipside of criticising Western conceptions of and overemphasis on civil society, is overlooking possibly powerful and influential civil actors such as the trade unions.

A union’s agency come from its inherent powers, rooted in their multiple embeddedness in state, market and society, its position in the economy and ability to disrupt the economy through strike action, its mobilising capacities among workers and in civil society, and its institutional access to and influence over politics.

The Nigerian unions’ agency will be analysed from their powers, positions and relations in the specific Nigerian landscape, characterised by multiple socio-political and economic fragmentations, exacerbated by the oil. By taking agency seriously, as not only the ability to act but also the willingness to act purposefully, this thesis analyses the underlying policies and interests of the unions to avoid theoretical or ideological assumptions of unions’ positions. This will also help to identify ambivalences and tensions among workers as much as between workers and non-union members, and between different roles of the unions.

The literature

Copans (2014: 25) asks: ‘Why African labour and workers are no longer a reference in modern African studies in 2014?’ Thirty years earlier, Freund (1984: 1) wrote: ‘No subject has in recent years so intruded into the scholarly literature on Africa as the African worker’. Copan claims an ‘undisputed’ interest in the period of 1950–2000, while Phelan (2011: 2) holds that there was a high scholarly interest in African labour in the 1950s and 1960s, a decline from 1970 to the 1990s, and that there has been a new peak since the mid-1990s. With the exception of the ‘impressive and influential’ literature on South African trade unions (for an overview see Freund 2013), the current and renewed scholarly interest in African labour concentrates on migrants and informal workers, in other words, on large but relatively weak sections of workers (Copans 2014; Lindell 2010a; Meagher 2010). This contrasts to the historical interests in labour and trade unions, linked especially to Marxist-

inspired scholars with an explicit wish to ‘seek to develop African economies or to revolutionize African polities’ (Freund 1984: 1).

There is a disconnect between the insights gained from this earlier left-leaning, activist-orientated research and the current studies of African labour (Copans 2014). However, earlier labour studies often held Western theoretical and ideological biases, leaning on Marxist ideologies and British experiences, and they often failed to identify the actual roles of African unions (Burawoy 2013; Cooper 1995; Freund 1984). In addition, declining interest in African trade unions is found in ideologically contradictory developments: on one hand, in the disappointments in the absence of fulfilment of ideological expectations; on the other, in the discredit of socialist ideologies that had guided labour and labour scholars after the cold war. The shift in labour relations through structural adjustments, austerities and liberalisation, also led unions into multiple crises.

Subsequent discourses on weak, failed or irrelevant unions resonate with the dismissals of the African state in ‘failed state’ approaches. Such approaches have been criticised for being ‘inherently political’ and based on Western ideas of the state which fail to identify the realities and empirical practices of the African state (Bøås & Jennings 2007: 475; Eriksen 2011; Nugent 2010)³. As Eriksen (2011: 229) argues that the African state ‘should be treated as a category of practice and not as a category of analysis’, so does this thesis seek to understand the Nigerian trade unions by observing empirical practice. This does not imply a purely ethnographic study approach; rather, the analysis focuses on the inter-relationship between the ideas and practices of trade unionism.

Newer labour sociology, inspired by labour radicalisation and strategy renewal in the aftermath of globalisation and liberalisation, provides a more open, contextually sensitive framework to studying labour (Burawoy 2008; Burawoy 2009b; Chun 2009; Silver 2003; Webster 2008; Webster et al. 2011). It uses Polanyi’s concepts of ‘great transformations’ of the political economy, to define two distinguishable historical periods that set the conditions for the emergence and transformation of labour relations. In the global south, colonialism brought the first transformation, and structural adjustment programmes mark the second. A labour crisis followed the second transformation, with increased unemployment, eroded labour conditions, and downward spiralling trade union membership. At the same time, labour radicalised and renewed trade union strategies, above all in emerging economies as countermovements following the transformations. The

³ Bøås & Jennings furthermore link the concept to specific Western security perceptions and interests.

composition of the labour forces moved towards white collar and public sector workers, and unions sought new alliances to mobilise broader, consequently changing relations towards state and society. Although continuing to insist on labour's fundamental relation to capital, this opens up for analysis of labour's relation to state and civil society.

These approaches are rarely used in the contexts of African states⁴. This is particularly interesting as the labour theories focus on the union shifts towards public engagement with civil society actors, and in the context of theoretical dismissals not only of civic actors, but also of the state and public. The African state has been termed 'no more than a décor, vacuous, a pseudo-Western façade masking the realities of deeply personalized political relations', ineffectual, and failing to acquire functionality and legitimacy (Chabal & Daloz 1999: 16). The Nigerian state in particular has been seen as so weak, that it 'could become a country without a state' (Bach cited in Folorunso et al. 2012: 245). Indeed, Nigeria has been referred to as a 'near-perfect example' of a neopatrimonial state 'characterised by the non-existence of a public arena, an inefficient state and an embryonic development of indigenous capitalism' (inserted quote from Kohli 2004 in Bach 2012a: 34).

Nigerian political relations are difficult to comprehend without reference to clientelism and patronage systems. Nigeria is indeed bifurcated, and political, economic, and social life is divided between modern and traditional, rural and urban, formal and informal. There are unclear separations of the personal from the public (Bach & Gazibo 2012; Ekeh 1975; Joseph 1987; Mamdani 1996). Nigeria is vertically divided by regional, religious, and ethnic fault lines, and horizontally between the elites and the popular majority. However, there is a tendency to overemphasise and exoticify the traditional and clientelistic at the expense of the modern, the rural over the urban, the informal over the formal (Branch & Mampilly 2015; Mamdani 1996). Consequently, 'the role of the state in mediating the production and reproduction of social inequalities [...] has become lost in a rather mushy literature about neo-patrimonialism' (Nugent 2010:37).

The state is not only a platform for private political elites nurturing their patronage networks, but also a platform for formal and contested relations to its citizens. It is as much an analytical fallacy to assume that all social relations in Nigeria are clientelistic or neopatrimonial, as it would be to assume a Weberian type of bureaucratic state. Although

⁴ The literature on South African labour is again the exception. Despite the convincing critique of the narrative of South African exceptionalism by Mamdani (1996), and despite the emerging literature on 'Africanisation' and neopatrimonial features of the South African polity (Lodge 2014), the country has a larger formalised economy and politics, which are key for labour relations. Mamdani admits that from a labour perspective, South Africa differs from other African countries, and his emphasis is on similarities in forms of rule.

not escaping elements of patronage and ethnic divisions (Kew 2016; Tar 2009), the unions are institutionally embedded in the formal political and economic spheres (Ekeh 1992) and may further formalise these spheres (Andrae & Beckman 1998).

Another line of theory that has dominated in explanations of the Nigerian state of affairs is that of the resource curse theories. These have sought to explain the paradox between large extractive resources and the state's inefficiency and illegitimacy, as well as high levels of poverty, conflict and corruption. Although the theories have statistically shown the strong correlations between vast petroleum resources, democratic deficits, conflicts, corruption and social inequalities, they have also been criticised for a lack of understanding of and focus on actor-driven politics and power relations (McNeish & Logan 2012; Obi, C. 2010). The Norwegian experience is often used as a reference for how to avoid the 'curse', with emphasis on the role of institutions (Mehlum et al. 2006). Although the trade unions are widely recognised to have been key to the development of these Norwegian institutions (Moene & Wallerstein 2006; Moene 2013), these insights have rarely been brought back to the studies of oil-dependent economies in the global south.

Nigerian unions are not only constituted by but also constitutive to structures and actors in state, market, and society (Andrae & Beckman 1998; Cooper 1996; Ekeh 1992; Kew 2016; Mamdani 1996). The emergence of Nigerian labour and trade unions is rooted in the colonial project, which instituted the structures of the state, the formal economy and civil society. Colonial systems of indirect rule created bifurcated governance systems. Post-colonial federalism enforced social divisions and personalised exploitation of the state, rather than creating national solidarity (Ekeh 1975; Joseph 1987; Mamdani 1996). Labour was intrinsic to the formal state systems, while indirect, patronage-based labour recruitment was also common (Cooper 1996; Mamdani 1996). Whereas the relation between civil society and state often shifted in post-colonial African states, the Nigerian experience was of continuance rather than rupture (Joseph 1987; Kew 2016).

The inflow of oil money accentuated existing relations, and allowed for a deepened version of prebendal politics, where individual actors seek power and resources through controlling the state and lubricating their clientelist constituency through (illegitimate/informal) redistributions (Apter 2005; Joseph 1987; Obi, C. 2010). The 1970s oil boom led to an inflated state and huge debts, and the international oil price plunge brought an economic crisis. The 'second great transformation' of Nigeria, which came about from the oil crisis in the early 1980s and the structural adjustment programme from 1986, shifted labour's conditions and relations to state, economy, and society. The crises' remedy

for liberalisation, through a home-grown version of structural adjustment and austerities, severely affected workers and unions. Unemployment, inflation and downward spiralling labour rights followed. The relation of labour, state, capital, and civil society shifted. Unions and civil society radicalised, and increased individual and joint resistances against state and capital (Kew 2016). The Nigerian part of the African democratic wave in the 1990s was delayed by the repressive Abacha regime (1993–1998). Key labour leaders were arrested and the NLC and oil unions were set under state controlled administrators, temporarily crippling the labour movement. This thesis focuses on the period after 1999, when continued economic liberalisation opened policy space and continued social divisions.

This thesis contributes to the literature by bringing trade unions back onto the centre stage for understanding political, social, and economic formations, similar to the way in which the state was brought back into the study of politics in the mid-1980s. Although the thesis follows a critical and engaged academic tradition into a new time and context, and is inspired by scholarly renewals and more open approaches to labour that consider a broader set of trade union relations and roles, it places emphasis on and starts methodologically with the empirical realities. This thesis aims to achieve a deeper understanding of an actor-driven, socio-political process, in the specific context of an African oil-dependent state. By focusing on the trade unions' agency, it also tries to put labour at the centre of civic agency.

Background and motivation

Working as the Africa adviser to the Norwegian Confederation of Trade Unions (LO-Norway, 2006–2011), I found that academics, politicians and development practitioners alike had a poor understanding of the African trade unions. Many dismissed the unions as failed, inefficient or irrelevant. A commonly recurring question was: 'Do they have unions in Africa?' In fact, each African country has trade unions, most dating back over a century.

My experience, however, resonated with Schiller's (2005: 1) description of African unions as 'weak, but feared', suggesting ambivalences in their status, roles and powers. African trade unions have ensured increased workers' rights and benefits, and have been crucial in the struggles against colonial regimes and for post-independence democracy and social justice. Their capacity to improve workers' conditions through collective agreements has declined, especially since the 1980s liberalisation and structural adjustment programmes. Numerically few in predominantly informal economies, and continuously threatened by outsourcing and privatisation, labour power seems to be eroding. At the same

time, the constant threat from capital and governments to unions is an indication of the continued power of trade unions: they are feared. The annual reports from the International Trade Union Confederation (ITUC) on the status of trade union rights around the world, list abuses of labour and trade union rights around the continent, alluding to anything but the African unions' irrelevance.

All the unions I interacted directly with (in 14 sub-Saharan African countries) were struggling. Some were marginal, but none irrelevant⁵. All had direct access to political and economic elites and institutions, and many played crucial roles in their countries' politics. The Zimbabwe Congress of Trade Unions (ZCTU) and Swazi Federation of Trade Unions (SFTU)⁶ spearheaded their countries' democracy movements⁷. The international union movement held regular solidarity campaigns targeting President Robert Mugabe of Zimbabwe and the Swazi Prime Minister, Barnabas Dlamini, protesting against beatings and arrests of individual trade union leaders, attacks on trade union properties and severe violations of workers' and trade union rights.

The legacy of the Congress of South African Trade Unions (COSATU) in the struggles against apartheid and for a non-racial democracy is undisputed. Its leaders' role in the negotiation for and transition to democracy critically ensured what was considered the most liberal constitution in the world. In 2007, COSATU pulled its weight within the ruling party, the ANC, and ensured Jacob Zuma replaced Thabo Mbeki as President of the country. In Kenya, the Central Organisation of Trade Unions (COTU), and its charismatic leader, Francis Atwoli, were applauded by the Ministry of Labour for having ensured strong labour rights - including an unusual provision for the right to strike - in the 2010 Kenyan constitution. Even in Malawi, with low levels of industrialisation, a long history of state oppression and slowly emerging oppositional politics, the Malawi Confederation of Trade Unions (MCTU) was important to the countrywide protests against economic crises and political mismanagement in 2011.

⁵ Some trade union structures were relatively passive in relation to state and capital, or came across as state instruments for control. Eritrea is a case in point. International trade union pressure on the National Confederation of Eritrean Workers (NCEW) and government, led to the release of imprisoned unionists. The unions' policy space was severely restricted, and when we were in Eritrea to follow up, we were under surveillance and it was difficult to identify if the unions were primarily unable or unwilling to act.

⁶ SFTU merged with the former breakaway group, Swaziland Federation of Labour in 2012 to The Trade Union Congress of Swaziland, TUCOSWA.

⁷ The ZCTU, led the formation of the oppositional party, Movement for Democratic Change (MDC), that was considered the rightful winner of the 2008 elections. Former General Secretary of the ZCTU, Morgan Tsvangirai was their Presidential candidate. In Swaziland, the political opposition party, PUDEMO, is banned, leaving SFTU/TUCOSWA as the only significant, organised force outside the state.

The particular role of industrial unions in key sectors of the economy stood out as significant and influential in politics and economics, beyond their size. Examples of this are the oil workers' unions in Nigeria and mineworkers' unions in South Africa, Zambia and Zimbabwe. Some of the most famous trade unionists on the continent learned their political skills from these sectors: the Deputy President of South Africa, Cyril Ramaphosa, and the former Prime Minister of Zimbabwe, Morgan Tsvangirai, are both from the mine unions. The late President of Zambia, Fredrik Chiluba, worked in a mine-related supply company. In Nigeria, the oil union presidents, Frank Kokori and Milton Dabibi, stood out in the democratic struggle of the 1990s and they were both imprisoned by the notorious Abacha regime. These sectors have been particularly targeted for liberalisation, privatisation, outsourcing and casualization – although the oil sector is still characterised by heavy state ownership and interests.

The last decade's priority of development interventions in extractive economies, such as the Norwegian Oil for Development programme (OfD), have been influenced and premised by resource curse theories (McNeish & Logan 2012; Solli 2011). Launched in 2005, the OfD programme aimed at bringing the positive Norwegian experience of 'making oil a blessing and not a curse' to oil-rich countries in the south, with emphasis on institution-building, good governance and security. There was a rather reluctant acceptance of a small funding support to union activities under OfD, despite the above-mentioned recognition of the role of institutions in avoiding the resource curse, and the recognition of trade unions' role in institution-building in the Norwegian democracy and equality regime. The lack of trade union involvement was puzzling, considering the recognised role of organised labour in the successful Norwegian oil regime, especially concerning safety and security (Cumbers 2004; Ryggvik 2010). The Norwegian Petroleum Safety Authority (PSA)⁸ is partner to OfD to work specifically on safety and security. PSA inspectors highlight the tripartite cooperation and direct dialogue with workers' representatives as a core institution to ensure not only workers' safety, but to avoid accidents that are a risk to business – in Norway. From informal conversations with programme officers and PSA representatives, it seemed that although the relevance of the unions is duly recognised, this part of the Norwegian experience is not brought forward as part of aid program as they consider it 'political' and hesitate to bring politics into the programme.

⁸ The Petroleum Safety Authority functions as labour inspectorate for the Norwegian offshore oil industry.

In contrast to apparent technocratic and apolitical development interventions after the cold war, politics was an explicit motivation for aid to African trade unions during the cold war. The ideological block competition included support to and competition for trade unions, leading to opportunities for African unions in solidarity, training and funding. The post-cold war declining interest in labour not only reduced financial and training support – which could have compensated for diminishing membership dues income – but also reduced political and solidarity support. After the cold war, union solidarity support has largely and increasingly followed development fads. Frustrated labour leaders claimed it was easy to get funding for gender or HIV/Aids sensitivity programmes, but not for core activities of member recruitment, even from union donors. The human rights focus in aid after the cold war (De Haan 2009), has neglected labour rights and labour institutions. My experience was that labour courts, labour inspectorates and labour ministries were systematically underfunded and under-prioritised by governments and donors.

However, policy interest in labour issues is on the rise. There is a cross-political recognition of the economic and political challenges of growing inequalities and unemployment, whether the aim is social justice or economic growth, or even security. In the last decade, traditionally conservative and liberalist institutions such as The World Economic Forum, G20, the World Bank, and IMF have had job creation and wealth redistribution on their agendas. This is partly in light of the post-2000 ‘Africa rising’ narrative of economic optimism and growth, with increasing interests in trade, investments, and building consumers’ purchasing power.

Although many jobs have been created, growth, investments, and trade are concentrated in sectors that are not labour intensive, and unions have questioned the quality of the jobs created and the conditions for unions to ensure labour rights. The 2015 UN Sustainable Development Goals refer to decent work and job creation as part of the eighth goal, and include targets of labour rights with a general reference to the compliance to the ILO conventions. The focus is, however, on the less political and more passive rights of the weakest workers (migrants, women, and precarious workers), and against child and forced labour, not on the two core conventions that unions consider the most important and which are the basis for political agency and voice: The right to organise and the right to negotiate. In Norway, the 2013 white paper on development titled ‘Sharing for prosperity’ focused more on the role of trade unions and tripartite structures in development in general and redistribution in particular, underscoring the right to organise and negotiate.

Triggered by consumer price increases and lack of opportunities despite economic growth, a protest wave swept the continent during 2010–2012. The sub-Saharan Africa protests should be seen in relation to (and as an inspiration to) the Arab Spring (Branch & Mampilly 2015; Lodge 2013), although former was less about regime change. It also took inspiration from the protest wave in the aftermath of the financial crisis across Europe and North America. The African protests have not been analysed from a labour perspective, but anecdotal evidence suggests that the involvement of unions in the protests made a difference to the protests' outcomes and impacts. The case study for this thesis of the pivotal role of unions in the 2012 Nigerian protests against the fuel subsidy, is a case in point. In countries like Mozambique and Uganda where unions were passive bystanders, the protests seemed to achieve little, whereas in Malawi where unions were active participants, protests led to governmental concessions.

The role of trade unions in the Tunisian revolution was acknowledged when the Tunisian national dialogue quartet consisting of the trade union (UGTT), the employers association, a human rights organisation and a lawyers association⁹ received the Nobel Peace Prize in 2015. Whereas democratic efforts in other countries of the Arab Spring were collapsing, the Tunisian spring seemed to have reached a sustainable, democratic transition, which was accredited to these organisations:

'[The] Quartet exercised its role as a mediator and driving force to advance peaceful democratic development in Tunisia with great moral authority. [It] paved the way for a peaceful dialogue between the citizens, the political parties and the authorities and helped to find consensus-based solutions to a wide range of challenges across political and religious divides. The broad-based national dialogue that the Quartet succeeded in establishing countered the spread of violence in Tunisia' (The Nobel Committee 2015).

It was widely held that of the four organisations, the UGTT stood out as driver and carrier of the process owing to its wide popular base, negotiating capacity, economic position, and political access. These examples suggest significant and multiple roles of African trade unions.

⁹ The organisations are the Tunisian General Labour Union (UGTT, Union Générale Tunisienne du Travail), the Tunisian Confederation of Industry, Trade and Handicrafts (UTICA, Union Tunisienne de l'Industrie, du Commerce et de l'Artisanat), the Tunisian Human Rights League (LTDH, La Ligue Tunisienne pour la Défense des Droits de l'Homme), and the Tunisian Order of Lawyers (Ordre National des Avocats de Tunisie).

Structure of the dissertation

The thesis consists of two parts. Part 1 is the introductory essay, divided into six sub-chapters, where this introduction is the first chapter. Part 2 consists of three research articles published or submitted to international peer-reviewed journals.

Chapter 2 positions the research within a critical realist philosophy of science. This is particularly useful to solidify arguments and the understanding of the relation between power, agency and structure, for theorisation and for engaged and reflexive studies.

Chapter 3 draws an analytical and conceptual framework in three sections, sourcing opportunities and constraints to labour agency in both contexts and within trade unions themselves. First, it draws a contextual and global overview of labour and labour studies in the context of capital mobilisation, liberalisation and labour crisis, identifying shifts in both labour strategies and academic approaches inspired by experiences in emerging economies in the global south. Second, it draws up a labour triangle of state, society and market to identify contextual opportunities and constraint to unions' actions. Third, it discusses labour agency, and relate agency to different types of labour power. Agency is considered not simply about the capacity, but also the reflexive will to act.

Chapter 4, on methods and methodology, is framed according the concrete method of extended case study (Burawoy 2009a), which is based on similar philosophical ideas to critical realism, such as reflexivity and the combination of ethnographic and theoretical approaches to a case study. First, the chapter describes the choice of case, and the concrete casing process. The second part is framed according to the four extensions of the extended case study: 1) into the field 2) over time and space; 3) from micro to macro; and 4) into theory. I discuss in detail my fieldwork and interviews, as well as usage of other sources, including theoretical approaches. Within all extensions, I reflect on questions of power, positionality, validity, and ethics.

Chapter 5 provides an historical grounded context to understanding Nigerian labour agency. It discusses how the unions emerged and developed vis-à-vis the formation of state, market and society. The chapter spans from early development of wage labour and trade unions under colonial rule, via independence and a series of military regimes and failed democracies, through oil booms and economic crisis, up until the current Fourth Republic from 1999, with continuous elections and economic growth. In this, I draw on key theories on state and society (Ekeh 1975; 1992; Joseph 1987; Mamdani 1996) and on the political economy of oil (Obi, C. 2010; 2011; Omeje 2008; Watts et al. 2004; Watts 2011). The

chapter details how the Nigerian unions have been leading in struggles for independence, democracy and socio-economic justice such as in the fuel subsidy protests, but with various degrees of continuity, unity and impact. Whereas narratives of Nigerian unions tend present them as either independent of or controlled by the state, this chapter presents a more nuanced narrative of ambivalent and shifting relations.

Chapter 6 summarises the contents, frameworks and main findings in the individual papers, whereas *Chapter 7* reflects on the overall findings and draws lines into the future.

Part 2 consists of the following articles:

1. 'Between the street and Aso Rock: The role of the Nigerian trade unions in the 2012 fuel subsidy protests'. Accepted for publication, *Journal for Contemporary African Studies*.
2. 'Casualisation and conflict in the Niger Delta: Nigerian oil workers' unions between companies and communities'. Published in *Revue Tiers Monde*, 2015, 224, 4: 25–46.
3. 'Popular protest against fuel subsidy removal: Nigerian trade unions as mediator of a social contract', Under review after revise and resubmit, May 15 2017, *Journal of Modern African Studies*.

Chapter 2 Critical realism

Critical realism forms the philosophical underpinnings of this study. To be clear on my position of philosophy of science helps theoretical consistency and methodological choices. Our methods and methodology depend on our epistemological positions (what and how we can know about the world), in turn depending on our ontological position (how we understand the nature of the world). Realist ontology sees the world as real, complex and independent of our observations of it. Critical epistemology holds that we have access to this reality and can build knowledge about this reality, but it recognises that our knowledge is theoretical and conceptually biased.

Critical realism is particularly useful in analysing and understanding agency, as it analytically disentangles structure, actor and agency through the layered ontology. Agency is a mediating mechanism between structure and actors, both of which hold inherent powers. Second, it provides a methodological direction for relating the empirical and the abstract through retrodution, which I find useful as a method of theorisation and in relating to many theories in a multi-disciplinary study like this. Third, critical epistemology seeks to reveal true knowledge, and links to the idea of emancipatory potential of knowledge, fitting to the normative motivations behind this project.

This chapter is divided into four sections: the first identifies the realist ontology, with emphasis on actor, structure and agency. (I will elaborate and detail on specific labour agency and labour power at the end of the next chapter.) The second is on critical epistemology, with emphasis on the scientific goal of revealing powers and mechanisms. The third reflects on critical realism and methods. Critical realism encourages qualitative case study methods. This section will briefly examine ‘why’ and ‘how’, although details of the case study and the more concrete tools, such as field visits and interviews, will be discussed in Chapter 4. However, the most important method for critical realist-inspired social science is retrodution, which is about relating the concrete to the abstract, the empirical to the theoretical. This will be elaborated upon, and will introduce the fourth section which reflects on critical realism in relation to the two main directions of development studies, namely modernism and post-modernism, and how to bring insights from both the structurally orientated modernist and the agency-orientated post-colonialist studies.

The realist ontology: the social is real, but complex

Critical realism acknowledges both the agency of actors and its own structural constraints. Human agency is both enabled and constrained by structure, and structures are not sustained unless actors reproduce them through their actions (Sayer 2010). The philosophical and analytical underpinnings of the nature of and relations between actors, structure and agency, are grounded in the realist ontology. It sees the social as real and complex, where both structures and actors hold emergent powers with inherent causal potential for social change.

Realism proposes that the world is real in itself, and independent of our experience of it (Collier 1994; Patomäki & Wight 2000; Sayer 2010). Objects, individuals, institutions and social relations are all real, and critical realists can reconcile insights from both discourse analysis and empirical studies (Elder-Vass 2010; Fairclough et al. 2004)

Reality has depth; it is complex, layered, and open. Similar to scientific disciplines, the world is stratified in different levels, and each stratum has inherently different logics and powers: physics, chemistry, biology and the social/human. The strata are hierarchical, where we find social life at the top of the pyramid. Higher levels emerge from lower levels, but are not reducible to them (Collier 1994; Njihia 2011) This layered reality and its implication for social sciences can be summed up as:

‘the life of society is governed by laws which can interact and codetermine events of other laws; these laws operate at a multiplicity of emergent strata, rooted in but irreducible to natural strata. Since social entities presuppose a natural environment and natural components, and since they exist only in symbiosis with social entities at other strata [...], we can find only open systems here. So social sciences must search in the open systems of social life for the various emergent mechanisms that codetermine them’ Collier (1994: 160)

Social realities and powers have their roots in – or emerge from – lower strata, but cannot be reduced to them. Workers and their powers are in the social realities, emerging from lower strata in that they are conditioned by their physical abilities and human nature. At each stratum, new relations and unique power systems emerge. For example, do individual workers have emergent or immanent powers, such as to work or not to work, while trade unions as workers collectives create new forms of social powers that cannot be reduced to the sum of the individual workers.

The social strata can be divided into three domains: the *empirical*, which is about our experiences (such as impressions), the *actual*, comprised of events and objects, and the *real*, which is about structure, mechanisms and causal powers (Collier 1994; Sayer 2010). I

have analysed the protests and general strike of the fuel subsidy, as an *actual* event, while using *empirical* manifestations of experiences of the protests in the form of readings and interviews, to reveal mechanisms and causal powers behind the protests and the substantial relations between the unions and others, in the *real* domain. Descriptive, extensive studies are interested in identifying patterns of formal relations and regularities in the actual level, while explanatory intensive studies seek to reveal causal and substantial relations in the real (Sayer 2010: 242 f). My study has elements of being both the descriptive and explanatory.

Since causality is generative and contextual, explanations require the researcher to go beyond the event or issue to analyse contextual and relational aspects. A specific mechanism can generate a very different outcome in time and space in response to a multitude of structures and mechanisms operating simultaneously but never equally in strength in the stratified and open system. A underlying idea of this research is to ground trade union action contextually in the Nigerian socio-political and economic landscape.

The ontological complexity is necessary for methodologically and analytically examining agency and emergence theory helps to reveal the agency of and relation between structure and actor (Archer 1982; Elder-Vass 2010; Fairclough 2005).

'Without a dualist ontology, methodological examination of conditions for organizational stability or organizational change becomes impossible. Collapsing the distinction between agency and structure, far from leaving researchers free to account for neglected aspects of agency, makes the causal powers of agents and their actualization impossible to analyse: the capacity of social agents to radically transform organizational structures, and the conditions under which that capacity can be actualized; differences between agents, according to their positions within the social relations of organizations, to effect changes; and so forth' (Fairclough 2005: 928).

Structure and agency are conceptualised 'as distinct strata of reality because they have different, irreducible and causally efficacious properties and powers' (Archer 2007: 18)¹⁰. At each level, emergent properties constrain, enable and motivate agency (Archer 2007). Both structure and actors can constrain or enable other's agency.

Critical realism explains the inherent powers of actors or structures through the concept of 'causal powers'. Notably, critical realists are not interested in causality as a relationship between 'cause and effect', 'but the 'causal powers' or 'liabilities' of objects or relations, or more generally their ways-of-acting or 'mechanisms' (Sayer 2010: 104-105,

¹⁰ Theories that theoretically and philosophically separate actor and structure and see them as mutually constitutive, such as structuration theory, tend to conflate the two analytically (Archer 1982).

italics in original). In simpler terms actors, relations and objects have inherent characteristics or abilities that can produce action or social change. Sayer (2010: 91) suggests that we consider what it is about a relation or an actor that 'makes it do such or such'. This study is interested in what it is about a trade union and trade unions' relations or inherent characteristics (i.e. their causal powers) that make them act the way they do. This will be elaborated on, using the concepts of labour agency and labour power in the next chapter. In short, trade unions have two core causal powers: to mobilise and to collectively not work and thereby hamper economic production. In a complex and open reality, this power is enabled and constrained by other social actors and relations. This study explores the practical and principled limitation to these powers when influenced by other mechanisms and powers, such as state regulations, technical and practical questions in oil production and the challenges of a labour market with high unemployment. I am interested in not just identifying the potentials and limitations of the union strategy, but also in discovering how and why it has been used on social and consumption issues, in contrast to traditional workplace issues.

Agency concerns the reflexive and purposeful use of causal powers. Actors can make a difference, and intentionally or unintentionally change the course of history. They can reproduce rather than change structures through their actions. Critical realists emphasise that people rarely act to reproduce structures, and that the institutionalisation or other effects of action may be unintentional. As an example, people do not marry each other in order to reproduce the nuclear family, although this is the unintended consequence of their action (Sayer 2010). It can be argued that the subsidy protests have been a form of institutionalised price-setting which was probably not intended.

This study examines agency not simply as capacity for action within structures, which can include habitual action, but as purposeful and wilful action. Acknowledging the agency of actors implies that they can actively choose not to reproduce structures, but also actively support the reproduction of structure. Thus, the subjectivity and reflexivity of actors are key to understanding the actors' agency. Agents' reflexivity or ability to think and reflect enables their responses to structures. The emphasis on subjectivity is in contrast to a focus on objective interests (Archer 2007). For example, in Marxist-inspired labour studies, the theoretically defined objective interests of workers has often been assumed to overthrow a capitalist system. This may or may not correspond to their subjective interests, as when workers express support for a capitalist system. If it is assumed that an actor's ability to act within structures requires that the actor has an agenda different from that which is

subjectively expressed, it is problematic for the study of agency¹¹. I am primarily interested in the subjective and self-expressed interests of the Nigerian unions, although also reflecting on the (ideologically or theoretically) objective interests of Nigerian trade unions.

In the thesis, I explore several types of trade union relations, and from an agency perspective it can be useful to refer to the critical realist distinction between internal/necessary or external/contingent relations (Easton 2010; Sayer 2010). Although agency is about reflexive and subjective choices, some relations are internal and necessary and cannot be chosen away. A contingent relation is neither necessary nor impossible. A wageworker stands by definition in a relation to an employer; therefore, worker and employer form a necessary relation. An employer's relation to a trade union, however, may be a necessary relation by law, while in practice it is contingent upon the existence of the law and its enforcement. The relation between trade unions and non-governmental organisations (NGOs) are possible, but not necessary. Similarly, the union's relation to state is internal and necessary, in that the state is an employer and it regulates and conditions the union. These relations condition agency.

The critical epistemology: revealing mechanisms

Critical realists' main scientific aim is to reveal mechanisms in the real domain. To identify laws of regularity is not fruitful for a critical realist, since the world is an open and complex system of simultaneously working causal powers that makes the social world unpredictable. In revealing mechanisms or false ideas or knowledge, science has a potentially emancipatory function. When we know and understand society, we can also make active choices to change or reproduce it. Some scholars therefore see critical realism as a normative as much as a scientific position (Millstein 2008).

Critical realists hold that we can gain access to and have knowledge about the world/reality, but that knowledge is concept-dependent. Ideas and knowledge derive from our experiences, but they also form how we experience the world. Although access to knowledge, and knowledge itself are both theory-laden and not neutral, a critical realist accepts that one can develop 'true' knowledge about the world, and therefore progress scientifically (Collier 1994; Easton 2010; Sayer 2010).

¹¹ This can relate to Marxist ideas of false consciousness or of discursive powers. As much as there are important insights here, I am interested in the Nigerian trade union's self-expressed interests and agenda, and it is based on their assumed ability to reflect.

Critical realism equally rejects epistemological empiricism and idealism. Some scholars present critical realism as a middle ground between the two, since they reject both the ideal and the empirical as a necessary basis to gain access to the real world and build knowledge of it. However, both empiricist and idealist stances are based on an anti-realistic ontology; hence the realist ontology cannot be a scientific compromise. However, critical realist philosophy can help transcend antinomies between idealism and empiricism that seem insurmountable, as it sees the social as embedded in the material without being reduced to it (Patomäki & Wight 2000).

Critical realism does not privilege mind over matter in the development of knowledge, or ‘the activities of speaking and writing’ over those of ‘making and doing’ (Sayer 2010: 15). Critical realists’ understanding of language and social expressions appears similar to constructivism in holding that ‘social phenomena are socially constructed, i.e. people’s concepts of the world they live and act within contribute to its reproduction and transformation; and that social phenomena are socially constructed in discourse’ (Fairclough 2005: 215-216). Social expressions should, however, be analysed in relation to the material and are not in themselves reality. Language and framings are important parts of political strategies and social relations, and the public discourses are in themselves part of the socio-political and economic reality. In this case study of Nigerian realities, I have analysed how different actors frame and politicise the subsidy issue itself, and by extension, ideas of legitimacy, state, and social contract.

Material objects can be concept-dependant and not neutral, as exemplified by the socially ascribed monetary value of gold and diamonds, which is delinked from their economic functionality (Sayer 2010). This study is concerned with oil, which has a more direct economic and productive functionality than diamonds, but oil is not only material, particularly in Nigeria. ‘Oil is natural, material, symbolic, political and spectacular’, and with its ‘synthetic and multifaceted quality’ (Watts 2011: 51), oil is central to understanding violence and lawlessness. It conditions the Nigerian political economy, and therefore the social and political relations of the trade unions. For example, the physical quality and geographic location of oil defines its amenability to taxation or stealing by political elites or rebellions. According to Le Billon (2001), oil is technology- and capital-intensive compared to other extractive resources, and is therefore associated with large-scale actions such as military coups or secessionist movements, such as the Biafran in Nigeria, rather than guerrilla movements. However, in the Niger Delta, we have guerrilla-like militants whose operations are enabled by the particular Nigerian political economy, with a limited state

control and state actors involved in the oil loot. In the Niger Delta, oil theft (or bunkering) amounts to up to 25% of the oil production (Stakeholder Democracy Network 2013). With few people controlling production and in a social context where private accumulation of state resources is common, it opens social spaces for ‘lootability’. Another example is that the materiality of oil and the nature of oil production, limits opportunity for labour action (Mitchell 2013). This is discussed further in the research articles, and in the theory chapter.

Critical realism and methods

Although critical realism has been termed ‘a philosophy in search of a method’ and is compatible with a range of methods, it favours qualitative research and case study methods (Yeung 1997: 51). Because reality is complex, open and layered, and because access to realities requires abstract thinking, the concrete should be related to the abstract, empirical research with theoretical insights. What actually happens, or the underlying mechanisms, cannot be found in experience itself, and retrodution is the key method for critical realists. Retrodution is a process of abstracting by moving between the empirical and the theoretical (Bergene 2007; Easton 2010; Meyer & Lunnay 2013; Millstein 2008; Sayer 2010; Yeung 1997).

Although not dismissing the value of quantitative studies, critical realists more commonly draw on qualitative methods, aiming to reveal underlying causal mechanisms (Sayer 2010). Qualitative methods such as interviews and ethnography are necessary to abstract causal mechanisms. As an example, it is ‘impossible to realize a priori the existence of capitalist relations without experiencing some of their manifested effects’ (Yeung 1997: 57). However, mechanisms are not usually found directly in the empirical, and observation of an action alone will not reveal how events contribute to sustain structures or institutions. A worker would probably explain that s/he works in order to get salary (to buy necessary goods), not ‘because under capitalism I have to sell my labour value in order to exchange it for a part of what I have produced’ (Sayer 2010: 63). Abstract theories and methods retrodution are key in the process to identifying powers of objects and social relations (Sayer 2010).

Retrodution is a method of abstraction that allows the researcher to move beyond the empirical and actual, to identify causal powers or mechanisms in the real. Whereas inductive method starts with empirical observations to form the basis for generalisation and the deductive method starts with formulating a theoretical hypothesis that is tested

empirically to develop theories, the retroductive method continuously moves between the empirical and the theoretical. This double movement from the concrete (empirical, data) to the abstract (theoretical), and from the abstract to the concrete, aims to go beyond the pure description of a phenomenon (a social relationship, knowledge, action) to a description of what produces or conditions it (Elder-Vass 2010; Meyer & Lunnay 2013; Sayer 2010; Yeung 1997). We seek to identify what causes an event, and what it is about the object, actor or relation that actually causes it: we ask what is its emergent powers or liabilities. In my case study, the aim is to identify labour agency, about how trade unions' actions and relations are rooted in labour power (or the mechanisms). This is empirically manifest in the fuel subsidy protests, but to go from the descriptive to the explanatory, and to access the actual, we need to relate abstract ideas through theories or theoretical concepts.

This is how a researcher contributes to building theory, by recontextualising theory by applying it in new contexts or to new events, or through reinterpretation of an event in light of a new theory. In this process, the researcher can contribute to create or adjust concepts, generate new combinations of concepts and build theory (Bergene 2007; Millstein 2008). This process of thinking, and explanations of how things might be, opens up for multiple explanations, and implies that abstractions can be countless for one event (Meyer & Lunnay 2013). During and after the 2012 protests, several interpretations and explanations of both the unfolding of events and the underlying subsidy regime came to the fore from different actors, as discussed in the two articles about the subsidy protests. In the process of trying to understand the events, some of abstract ideas derived directly from the field, some from previous knowledge. Some ideas were used and others dismissed, either as not working or as not adding to the insights. Although abstractions can be endless, and despite the fact that recognising the 'depth realism' implies a realisation of science never coming to an end (Patomäki & Wight 2000), we can reach a point of 'theoretical saturation' (Yeung 1997: 59) that can lead us to identify the most plausible explanations (Elder-Vass 2015).

A critical realist reflection on theoretical positions

Our observations are theory-laden or mediated by preconceived ideas, and knowledge of the world is fallible (Bergene 2007; Sayer 2010). Production of knowledge is a social activity, with linguistic, cultural and material elements (Fairclough et al. 2004; Sayer 2010).

Knowledge is not value-free, and relates directly to power relations in knowledge production.

Critical realism forms a scientific and philosophical platform where insights from traditions from different ontologies and epistemologies can be included (Nielsen 2002; Patomäki & Wight 2000). The process of seeing either structures or actors as drivers of change, reflects a reductionist ontology of closed system (Patomäki & Wight 2000). Limiting oneself philosophically to either position affects the opportunities to build (real and emancipatory) knowledge. The depth realism, and the emphasis on dialectic scientific processes between the empirical/concrete and theory/abstract allows for retaining the insights received from modernist as well as post-modernist scholars, without falling into the trap of reductionisms either towards the material or the ideal, structure or actor.

A researcher should not limit her/his study to a specific choice of academic theory (Maxwell 2005; Sayer 2010). By using a range of theories, one opens up the research, which can avoid theoretical fallacy, and it increases the room for scientific innovation. Bringing in insights from seemingly contradictory positions can give a more realistic (or real) understanding of a problem area, and increases the room for scientific innovation. I lean on a range of theories from different scientific philosophies.

In a post-colonial setting, it is particularly important to consider relations between the global North and South in knowledge production and biases. The particular power relations of the post-colonial setting is reflected in heavy Western biases of knowledge production of Africa¹².

'[R]esearchers of Africa and African researchers operate in a scholarly context where it is normal to minimize the scientific and creative capabilities of the African mind. Increasingly, for reasons of political correctness, this is true in practice even if it remains unstated'
(Nyamnjoh 2007: 338).

A study of all issues from 1993 to 2013 of two African studies journals, namely *African Affairs* and *The Journal of Modern African Studies*, showed a low and declining percentage of articles by Africa-based authors (Briggs & Weathers 2016). This is the result of 'low and declining acceptance rates', not lower submission rates from Africa. Furthermore, Africa-based scholars 'are systematically cited less than others'. Finally, the study finds that Africa-based authors are less likely to generalise, or write on economics or

¹² The politics of academic knowledge production has reached a new peak after the student uprisings in South Africa from March 2015. This has spilled over to American and British university discussions of 'decolonialising' universities, which includes discussions of institutional racism in academia.

conflict. ‘These patterns have implications for the diversity of the discipline and the state of our knowledge about Africa’ (Briggs & Weathers 2016: 466). As a scholar concerned with local and actors agency, Nyamnjoh (2007) challenges us to avoid monolithic discourses on agency, and holds that allowing Africans their own agency as academic knowledge producers is pertinent. In this study, I am actively using a range of Nigerian scholars, although many are not based in Nigeria where academic opportunities are meagre. There is a strong Nigerian scholarly tradition on state, political economy, oil, and social relations; however there are few labour scholars, and they mainly belong to the old school.

In a post-colonial setting, it is valuable to give thought to modernism versus post-modernism from a critical realist perspective. Modernisation theory emphasises economic and industrial growth as basis for development, and has been criticised for understanding history as deterministic and linear, and simplifying complex realities. While modernism gives privilege to structures and the material and empiricist epistemologies, post-colonialists or post-positivists have a bias towards idealist and discursive truths and emphasise cultural knowledge and development through political and cultural emancipation. (Bull & Bøås 2012; Mannathukkaren 2010). Post-modernists and post-colonialists have tried to restore local agency and the role of colonial subjects in philosophy and social theory (D'Souza 2010; Mannathukkaren 2010). They argue that capitalism does not produce the same history of power and class everywhere, and may even deny causality regarding questions of political economy and modernity, and understand capitalist modernity as cultural rather than material (Mannathukkaren 2010). The modernists, including Marxists and political economists, have been criticised for a lack of local sensitivities and for ignoring actors and their agency, while the latter have tended to romanticise local knowledge and lacked a comprehensive understanding of political and economic context (Millstein 2008). Although the focus of this thesis is on local agencies – which fits the post-colonial thinking – the post-colonialist lacks room to form a comprehensive analysis of the material in colonialism and capitalism, and fails to identify emancipatory insights (D'Souza 2010; Mannathukkaren 2010). There is a tendency to fall into the trap of rejecting all ‘modern’ and ‘Western’ ideas, and instead accepting an underlying binary understanding of the world which disallows a complex reality where the modern and traditional operate simultaneously and in complex ways (Mannathukkaren 2010). In this study, it has been necessary to relate to the Nigerian oil economy, both as concrete, material forms of production, which is modern and capitalist, but also to emphasise its particular social and political (or cultural) manifestations. Acknowledging the

materiality of capitalism it is also necessary to understand its particular social manifestations in Nigeria.

Questions of class versus other identities are relevant in this context. It has been argued that in African societies, modern or capitalist forms of social relations and identities are overshadowed by traditional forms; workers do not primarily identify as workers and other forms for identities are more important (Chabal 2009). In political economy, labour is a central concept, and in particular in capital production processes. Seeing class simply as a cultural identity project fails to identify the ‘process of surplus expropriation’ (Mannathukkaren 2010: 310). The rejection of the relevance of class falls into the trap of rejecting all modern and Western concepts, accepting an underlying binary understanding of the world, therefore disallowing for a complex reality where the modern and traditional operate simultaneous and in complex ways (Mannathukkaren 2010). My interest in trade unions in Nigeria is linked directly to their role in the production process, and in their potential power position in the economy, but also in other arenas and relations. Edwards (2005) argues that critical realism can help studies of industrial relations through acknowledging a multitude of social identities. It is not just a question of ‘either/or’, but of ‘both/and’, where an individual worker does not have to move between the modern (class) and traditional (ethnic) identities but possesses both. These identities are neither inherently seamless, nor overlapping, nor conflictual. Workers individually and collectively may not have to choose between identity loyalties, but in certain situations, class and other identities or interests may conflict.

Bull and Bøås (2012) point out that a polarisation of understanding (knowledge) also polarises policy positioning and ruptures development interventions. The choice of either a modernist or a post-colonial approach has had implications for continuously failed policy interventions, as one paradigm supersedes the next without forwarding important knowledge from the previous. The critique against the modernisation school, and its radical brother in dependency theory, has been exaggerated – and by dismissing a vast body of scholarly work, one ignores important insights gained over more than half a century. The post-colonial perspective has brought ideals of sensitivity to specific power relations in knowledge production, while more modernist or Marxist theories have brought insights into material and economic processes (Bull & Bøås 2012). Researchers should seek insights from both traditions, as will this thesis.

Chapter 3 Analytical and conceptual framework

Traditional labour studies have primarily focused on union agency or labour power, and on opportunities and constraints within and in relation to capital and state¹³. Newer labour studies open up for broader perspectives, recognising that labour is additionally embedded in and conditioned by the surrounding society (Beckman & Jega 1995; Bergene et al. 2010a; Coe & Jordhus-Lier 2011; Hyman 2001). This chapter draws on insights from these new theoretical and conceptual debates, to form the theoretical and analytical framework for the thesis.

The first section maps developments in labour and labour organisations in the context of globalisation, in the trade union crises starting in the 1970s, and in labour's responses to the crises. Liberalisation and commodification influenced and shifted power relations between labour, state, capital and society, and therefore between unions' opportunities and constraints. Trade unions lost members and power but also reinvented themselves. In places of particular vulnerability to globalisation and liberalisation (emerging economies), labour became more militant. This happened frequently in alliances with societal actors outside traditional industrial relations. In turn, this inspired a renewal of labour studies. Both labour organisation and labour studies have become more global and more public.

The second section details how trade unions are positioned in what I call the 'labour triangle' of market, state and society, namely the main arenas and relations for trade unions. By contextualising unions in this triangle, I seek to explore the unions' core roles, relations, interests and ideologies, as well as the inherent and potential tensions between roles and relations.

The third section picks up the question of agency and of power discussed in the critical realism chapter, and looks specifically at the agency and power of labour. I detail the argument that labour agency is embedded in the labour triangle, between state, market and society. This will be discussed in relation to current scholarly debates on African and civic agency. Traditional understandings of labour power often refer to structural and associational power; ability to organise, bargain and potentially hurt the economy in a strike.

¹³ These tend to emphasise labour market conditions, workforce structure, and state regulation. As indicators of union strength, traditional labour studies use union density, collective agreement rates and prevalence of strike action.

With shifting labour conditions and strategies, and new scholarly perspectives, additional sources of labour power have been identified such as institutional and moral powers. Whereas the first is based within the market, the newer sources have larger social relations.

Globalisation, labour crises and opportunities

Since the 1970s, trade unions have experienced a series of crises, including loss of membership, decreased bargaining efficiency, membership fragmentation, and declining mobilising capacities. This has been largely a result of shifts in the structural conditions from globalisation (Frege & Kelly 2003). Academic interest in labour studies has also dropped following the decline in trade unions. This dual crisis in labour and labour studies has mostly taken place in the US and Europe. At the same time, alternative trade union strategies and scholarly perspectives have emerged in the global south. Trade unions in emerging economies showed innovative forms of resistance and means of revitalisation based on new sources of power. Inspired by new practices, labour scholars combined social movement theories with traditional labour analysis and renewed labour studies (Burawoy 2008; Burawoy 2009b; Chun 2009; Kelly 1997; Silver 2003; Webster 2008; Webster et al. 2011).

The great transformations and their countermovements

Part of the scholarly shift is a new theoretical reading of labour moving away from Marxist production-focused frameworks towards a Polanyi-inspired focus on commodification processes, or marketization. Where Marx focused on the capitalist economy and class-based resistance, Polanyi focuses on markets, marketization and resistances in countermovements. The historical development of the modern state was intrinsically related to the development of modern market economies and had implications for social relations.

Polanyi wrote in 1944 about the ‘the great transformation’ with reference to late 19th century industrialisation and its social transformations and political upheavals in Europe preceding the Second World War. The transformations and period of market liberalisation and commodification challenged the social orders, followed by inevitable countermovement of resistances by social actors and re-regulations and social protections by the state (Castles et al. 2011). Scholars have later identified a second great transformation from the oil crisis in the 1970s and following rapid liberalisation, marked in the South by the structural adjustment programmes (SAPs) (Castles et al. 2011; Webster et al. 2011).

Although Polanyi pointed to a limited marketization in Africa under the first transformation, colonialism did create modern state structures and brought market economy to the colonies (Webster et al. 2011: 52). In this transformation, labour commodification was the most prominent, and the establishment of trade unions the most central countermovement, demanding both labour and other citizen rights. This contributed to entrenched state formation and regulatory systems (Burawoy 2009b: 262f).

In the second great transformation, the process of marketization of money (or ‘financialization’) took the lead. This brought

‘a retreat from the commodification of labor power – together with a destructive decommodification of labor as it is pushed out of wage labor into the informal sector. Increasingly, exploitation is a privilege rather than a curse, especially in the South but also in the North with growing unemployment and underemployment’ (Burawoy 2010: 308).

The following countermovement broadened the scope of workers’ struggles. Trade unions moved from resistance against exploitation and labour commodification in the production process into more open processes of resistance against deregulation and commodification. Labour moved into the public sphere and started to play out resistances in relation to state and in alliance with community, on larger issues of social protection (Burawoy 2008; Burawoy 2009b; Frege & Kelly 2003; Silver 2003; Webster et al. 2011).

‘Polanyi-type labor unrest [is] the backlash resistances to the global self-regulating market, particularly by working classes that are being unmade by global economic transformations as well as by those workers who had benefited from established social compacts that are being abandoned from above’ (Silver 2003: 20).

This contrasts with earlier Marxist-type labour struggles in that they are carried out by ‘newly emerging working classes that are successively made and strengthened as an unintended outcome of the development of historical capitalism’(Silver 2003: 20). Polanyi-type unrests have been especially important in countries of the South, where the number of wage labourers is shrinking, and informalisation and dispossession define the experience of subalternity.

Burawoy (2010: 305) has synthesised two tables contrasting the two great transformations from Webster et al. (2011: 53 and 55), reproduced in Table 1 below:

Table 1:

	FIRST GREAT TRANSFORMATION	SECOND GREAT TRANSFORMATION
MARKETIZATION	<i>North:</i> Rapid Marketization and commodification <i>South:</i> Colonial Conquest and land dispossession	<i>North:</i> Rapid liberalisation <i>South:</i> Structural Adjustment
PRODUCTION REGIME	<i>North:</i> Market despotism in the workplace <i>South:</i> Colonial despotism	<i>North:</i> Shift to hegemonic despotism <i>South:</i> Market despotism
COUNTERMOVEMENT	<i>North:</i> Emergence of workplace hegemony and construction of welfare state <i>South:</i> National Liberation Movement, leading to political independence and state corporatism	<i>North and South :</i> Embryonic global countermovement in the post-Seattle period – World Social Forum, new global unionism

Capital movement, shifting power relations and labour uprisings

The great transformations have shifted the power balance between states, capital, and civil society on both global and national levels. The global mobility of capital, intensified after the 1970s liberalisation of trade and capital markets, shifted production patterns, labour markets and employment structures, and fragmented labour. It has also undermined states' sovereignty and national democratic institutions in relation to capital (Chun 2009; Silver 2003; Webster et al. 2011)¹⁴.

The mere number of individual companies have grown tremendously. From the 1960s to the 1990s, multinational companies increased from 7000 to 60,000 (Webster et al. 2011: 24). By 2009, UNCTAD (The United Nations Conference on Trade and Development) reported 82,000 transnational companies, controlling more than 810,000 subsidiaries (Ravenhill 2014). The intense liberalisation and internationalisation of capital led to the decentralisation of bargaining systems and the erosion of labour power and rights.

David Harvey (2001: 24) has described how capital reorganises to meet the inherent crisis in capitalism and the continuous need for the geographic expansion and restructuring due to over-accumulation in terms of 'spatial fixes'. When capital seeks a spatial fix, it refers to either 'solving a problem', spatially 'pinning down' or 'securing in place'. A company

¹⁴ It has been argued that state power has been rescaled, rather than lost by 'a transfer of economic and social policy-making functions upward, downward, and sideways' (Jessop 2003). However, also a rescaling of state power shifts the conditions of labour as it underscores labour fragmentation, for instance by challenging the relevance of sector based organising (Jordhus-Lier 2012). Although there might have been some level of upscaling of state power at the global level, there is a general sense of loss of political control over global capital, which was highlighted across political divisions in the aftermath of the global financial crisis in 2008.

can change their geographic location by moving all or parts of the production to places with lower production costs and/or weaker labour organisation (Harvey 2001: 24). In addition, the production process can be restructured and subdivided organisationally, in the form of different technological fixes. A company can outsource parts of its production or force labour into flexible contracts, such as casual or contractual labour. This leaves workers and labour fragmented and in multiple levels of insecurity (Silver 2003).

This labour fragmentation undermines the basis for trade union organisation. A stable workforce is more likely to organise. This has shifted the boundaries within labour, as a new labour class with precarious labour conditions and multiple job and labour insecurities is seen as a new labour class (Standing 2011)¹⁵. Furthermore, globalisation has shifted the boundaries between workers and non-workers; and between household/community and the workplace (Webster et al. 2011: 213), especially as social institutions such as trade unions, occupational communities, education, and even families have been under attack (Standing 2011). Webster et al. (2011: vii) describe this as part of ‘the strategy of neoliberalism to *consciously manufacture* insecurity as a strategy to undermine the collective power of civil society movements’.

Most scholars emphasise how spatial fixes reduce labour power. Although relocations are attempts to escape labour power, relocating jobs can lead to increased labour power in new sites. When ‘a strong labor movement emerged, capitalists relocated production to sites with cheaper and presumably more docile labor, weakening labor movements in the sites of disinvestment *but* strengthening labor in the new sites of expansion’ (Silver 2003: 41). New production sites have resulted in fast-growing wage earners (van der Linden 2015), and labour uprisings tend to follow. Brazil, South Korea and South Africa, as key emerging economies and sites of investments, have been main sites of labour uprisings and trade union revitalisation (Silver 2003; Webster et al. 2011). China, probably the most important emerging economy, has – despite the strict labour control systems – experienced exponential growth in labour unrest since the late 1980s. In 1994

¹⁵ ‘The precariat’ as a concept was firmly into labour debates, with the 2011 book by Guy Standing, *The precariat: The new dangerous class*. He usefully describes the new labour class of workers in these unstable work relations in terms of insecurities. However, the definition he uses is unclear, and both too open and too rigid. He defines the precariat as distinct from the working class, or salariat. One of the key defining characteristics is that “The precariat does not feel part of a solidaristic labour community” (Standing 2011: 12), which I find problematic. Feelings of solidarity should be a matter of scrutiny, not definition. He is critical of the assumption that trade unions represent or can represent a larger working class, including waged workers and the precariat (and informal workers). His boundaries between informal sector and the precariat is also unclear, as are class distinctions within the precariat. Strong solidarity between wage labour and precarious workers has not only been claimed in countries like South Africa during anti-apartheid, but is also a defining feature of social movement unionism.

almost 78,000 workers were involved in labour arbitrations, while in 2006 the number was close to 700,000 (Lee & Shen 2009).

As China and other Asian countries grow more expensive¹⁶, investors look to Africa¹⁷. Even Chinese investors cite cheap labour and production costs as reason for investments in Africa (Shen 2015). Newspaper headlines such as ‘Search for ever cheaper garment factories leads to Africa’ (Passariello & Kapner 2015), suggest that companies search for spatial fixes in Africa to lower labour costs. Labour-intensive industries such as textile and automobile industry have exemplified the process of global fixes (Silver 2003). Whereas African and Nigerian manufacturing capacity was devastated by the structural adjustment programmes (Andrae & Beckman 1998), there is now an upsurge in investments in textile factories on the continent. The chief executive officer of a textile and garment conglomerate in Ethiopia, Fasil Tadesse, told *The Economist*,

‘If you take a look at the big picture, you will see that the growth of the textile industry in Ethiopia is part of a wider pattern of movement for the global industry. Starting in the US, it moved to Europe, then to Japan, South Korea and finally to China. Over the last couple of years the cost of doing business in the textile industry in China has soared, and that is why the focus is now on Africa where the cost of doing business is still very low’ (Mosavi 2014).

There is some increase in automobile manufacturing in Africa, including in Nigeria. This is explained not simply as searching for cheap production, but entrepreneurs tapping into the increase in consumers’ purchasing powers (Farai Gundan 2015). Under the ‘Africa rising’ narrative, there has been a focus on sub-Saharan African economic growth and increased investment since the turn of the century. In 2015, foreign direct investment (FDI) to sub-Saharan Africa hit a record of USD 60 billion, which was five times the 2000 level. FDI to the region continues to rise despite setbacks in certain countries owing to the 2014 oil plunge and Ebola outbreak (UNDP 2015). Between 1980 and 2005, the labour force in sub-Saharan Africa has roughly doubled (van der Linden 2015). It remains an open question if the spatial fixes in Africa and the expected increase in wage labour will increase trade union organisation and labour uprisings.

¹⁶ While in 2006 a US worker cost 13,5 times a Chinese worker, in 2015 it was only 2,5 according to Wen Chei senior advisor, Norwegian Confederation of Trade Unions at a Panel Presentation, Fafo, 10.2.2016 (He referred to Hong Kong Independent Media Network, with statistics from Chinese National Bureau of Statistics and US Department of Labour).

¹⁷ Importantly, investments relate not simply to questions of labour costs, but also other aspects of labour regimes such as state control systems (Anner 2015).

Oil: Limits to spatial fixes and complex state-capital relations

Given the oil dependency of Nigeria, it is pertinent to reflect on the particular role of oil in relation to commodification and spatial fixes. As Timothy Mitchell (2009; 2013) showed in his seminal work on ‘Carbon Democracy’, the physicality and nature of production of oil poses limits to labour power and democratic opportunities in a fossil-led global and national economy. Whereas the pre-oil coal-based economy was more vulnerable to disruption, fossil fuels are more flexible and the commodification process more detached from political claims. That does not mean that oil capital does not seek a spatial fix – of escaping production or labour costs (Harvey 2001) – nor that oil workers are without significant power, as is discussed further in the Niger Delta article (Houeland 2015). In the new oil economies, oil workers have led decisive strikes for democracy in Azerbaijan, Iraq and Nigeria (Mitchell 2009; Turner & Nore 1980). Although geographical relocation is naturally limited since oil is physically grounded, establishing export-processing zones has been a way of spatially fixing production within a country rather than across national borders. These zones limit labour control regimes and labour rights, and are also found in Nigeria and in the oil industry (Houeland 2015). Organisational fixes are also common, in the form of restructuring the labour process, with outsourcing and casualisation. The oil industry has particularly targeted slimming production, outsourcing and flexible forms of employment and through it, the industry has shifted labour relations and trade union conditions (Cumbers & Atterton 2000).

The mere size of the oil industry and global dependency on oil is followed by specific kinds of political economies on global and national levels. The oil industry is associated with a high concentration of political and economic power, where the relationship between corporations and states is not straightforward. The state is not only a regulator, but is also frequently part of the capital as owner of the oil resources and full or part-owner of oil companies. Among the 100 largest economies in the world, 37 are corporations and several of them are oil companies. In the 1950s, the ‘seven sisters’ (equivalent to today’s British Petroleum, Royal Dutch Shell, Chevron, ExxonMobil and Total) controlled 92% of the oil market. Many of these have a history of state ownership and control before privatisation. Despite many mega-mergers between large oil companies, with the entry and growth of Asian and Middle Eastern oil companies, the Anglo-Saxon domination has waned and half of the 50 biggest oil companies in the world are state-owned, with Russian, Brazilian, Saudi and Chinese companies taking central stage (Appel et al. 2015).

The global trade of supply and demand has to a large extent been manipulated by states, such as in the case of OPEC (Organisation of Petroleum Exporting Countries) holding back oil from the market in the 1970s as a response to the Western intervention in the Middle East. Today, Saudi Arabia is accused of overflowing the market to manipulate international prices. Additionally, many oil-producing states including Nigeria, have large state ownership through legal provision for shared ownership. Through so-called ‘joint ventures’, the state owns a share of most or even all oil companies. The Nigerian state holds majority shares in most companies through the Nigerian National Petroleum Company (NNPC). Thus, in oil there are particular overlapping interests and power between states and capital, where the marketization process is more state-controlled, while labour de-commodification is particularly strong.

Trade unions going global and public

Globally ‘old style labour’ is in decline, whereas ‘a new type of unionism’ is ‘in the air’ (van der Linden 2015: 25). There is an apparent paradox as labour is in crisis and in its ‘greatest decline’, at the same time as unions have revitalised through new strategies. Two overall turns in both labour movements and labour studies have been discernible: the public turn and the global turn (Burawoy 2008; Burawoy 2009b). These labour shifts have also been termed ‘going social’ or ‘going global’, which can be seen as extensions (into the global), and as intensifications (into the community) (Lier 2007).

The global turn

The global level has become more relevant. The need for transnational labour responses followed the increasingly transnational nature of capital. Subsequently, labour scholars increased their interest in transnational unionism and the geographical focus turned to the global south (Burawoy 2009b; Cumbers et al. 2008).

Globalisation has brought new forms of ‘governance struggles’. Some claim that the globalisation of goods, capital, and services, has not in itself ‘triggered closer trade union cooperation across borders’ (Erne et al. 2015: 237). However, in the absence of overarching political authority on the global level, trade unions have tried to influence in the rules of engagement directly with multinational companies in global production networks (Cumbers et al. 2008; McCallum 2013; Webster 2015) or in international organisations like the World Trade Organisation (WTO) or in the International Labour Organisation (ILO) (Pahle 2011).

This trend is relatively weak but evolving, as will be discussed below under ‘new kinds of power’.

Within the global union structures, there are still bias towards the global North and complaints of discrimination against unions in the global South (Cumbers et al. 2008). Furthermore, northern protectionism are often seen as hinders for a viable global or international alliance strategy for unions in the global South (Silver 2003; Webster et al. 2011: 209). Global processes tend to strengthen rather than surpass national interests, and transnational initiatives tends to have greater impact on a national level and for individual unions, than on unions as a cross-national collective. The national level remains the most relevant level for labour studies (Burawoy 2009b; McCallum 2013; Seidman 2007).

Both global and public turns in labour and academia have been spearheaded in the global South, in particular in the emerging economies of South Africa, Brazil and South Korea, that are also known for their social movement unions (Burawoy 2009b: 24; Chun 2009; Cumbers et al. 2008; von Holdt 2002; Webster et al. 2011). Social movement unionism was identified as a new type of unionism and labour strategy based on experienced in South Africa in the 1970s and 1980s (Buhlungu 2009; Fairbrother & Webster 2008), in the US in early 1990s (Burawoy 2009b) and later in Europe (Frege 2004). Although identified and coined in the latter half of the 20th century, the features are well recognisable in earlier trade union struggles in both the global north and south. The ‘global turn’ is not just about upscaling labour studies to the global level, but expanding empirical focus to geographic areas in the global south.

The public turn

The public turn is also twofold; it captures the change in unions composition towards public sector workers, and unions moving from workplace into the public spaces, relating more specifically to the state and in alliances with civil society.

As a consequence of the liberalisation of production and labour processes since the 1970s, the public sector unions bypassed private sector unions in both membership and density (Burawoy 2008). The public sector unions have a different relation to the capital, state and society, and ultimately ‘The politics of public sector workers is conditions by the role of the state in the wider society’ (Jordhus-Lier 2012: 428).

To the public worker, the state is not only regulator, but also employer and counterpart in collective bargaining. The public worker is not simply a worker or a citizen,

but acts on behalf of the state a public servant in relation to other citizens. The strike power of a public union strike is logically different to that of private sector, as it affects other citizens as much as the employer, for instance in the case of a teacher's strike. This implies a different relationship to 'the public', and need of different kinds of sensibilities to the larger society. At the same time, corporate logic and power has entered into the state, by privatising public goods and essential services, such as water and electricity 'which erodes democracy, citizenship and the public interests' (Webster et al. 2011: 79). These issues affect workers as citizens and rights holders alike. Thus, unions have become relevant to a broader citizenship and citizenship has become an organizing identity (Burawoy 2008: 380).

Not being producers in capital relations, public workers are primarily consumers in the relation to capital. The post-industrial society since 1990s has increasingly focused on consumption – rather than production – as part of the commercialisation and consumerism in society and scholarly work (Webster et al. 2011). The increased focus on consumption, has challenged labour to rethink the relationship between production and consumption within the political economy (Johns & Vural 2000). Organizing strategies have broadened to issues such as health care, family leave, living wage campaigns, consumer boycotts, in addition to improved wages and working conditions (Burawoy 2008: 384).

Academically, these changes brought a 'shift of focus from structure to agency, from process to movement, from a critical-professional sociology to a critical-public sociology of labor' (Burawoy 2008: 372)¹⁸. A combination of favourable intellectual disposition and changes in the union movement itself as it 'confronted its own demise', lead to a scholarly transition from *the study of labour* process to *an engagement with* the labour movement in the 1990s was (Burawoy 2008: 378). Labour scholars went social.

A shift in balance between private and public workers often shifted the gender balance with more women workers and trade union members. As public workers in Nigeria are also male dominated, this has less organisational consequences. However, the revitalisation of labour studies revitalisation in the 1990s, was leaning on feminist theory, in addition to social movement theories (Burawoy 2008). Feminist studies brought in a focus on workers' boundary making in relation to other identities, such as ethnicity, gender and race (Silver 2003). This opened up for more complex identity focus in labour studies and a move away from the classic Marxist focus on class formation and working as a category 'in and of itself' to being more open for multiple and sometimes conflicting identities.

¹⁸ A similar methodological turn towards agency and broader, relational understanding of institutional formation linked to critical realism, is also inspired by Polanyi (Jessop 2001).

The labour studies' focus on the labour movement renewal may have exaggerated 'the significance of the upturn, thereby giving their work a touch of euphoria' (Burawoy 2008: 380). This intellectual 'euphoria' was parallel and contrasted to ideological disorientation (Hyman 2001). Whereas radical American and Southern scholars were more optimistic, ideas about the death of ideologies particularly related to the disintegration of communism, dominated European unions and European scholars in 1990s. This followed and deepened the early atrophy of social democracy 'with the eclipse of Keynesianism, the rise of anti-egalitarianism and the triumphalism of the free-market liberal ideology (Hyman 2001: 36).

Trade unions in and between state, market and society

Globalisation processes may set the premises for labour, but its effect are mediated at state level, by national characteristics and have specific local manifestations (Burawoy 2009b). At the national level, the structural conditions, opportunities and constraints for labour agency are defined by their position in the labour triangle of state, market and society. This triangle is inspired by Hyman's (2001) labour geometry and the labour geographers Coe and Jordhus-Lier (2011: 214), stating that:

'[The] notion of [labour] agency needs to be further conceptualized and fleshed out in terms of its multiple geographies and temporalities, and that the potential for worker action should always be seen in relation to the formations of capital, the state, the community and the labour market in which workers are incontrovertibly yet variably embedded'

Hyman (2001)'s geometry of trade unionism, identifies ideal types of unionism, identities and core roles according trade unions' ideological position in relation to class, society and market: As labour market regulators, as vehicles of raising workers' status and promoting social justice in relation to state as social partners or mobiliser of discontent. Hyman's framework is grounded in European history and experiences. As this thesis leans on theoretical frameworks more open to experiences in the global south the geometry needs some conceptual adjustments. I lean closer on Coe and Jordhus-Lier (2011) who defines capital, state, community and labour intermediaries as the key arenas. However, I do not include labour intermediaries as a social arena. Although agreeing that the formation of labour intermediaries is constitutive to shifting labour relations, I understand this formation as part of the changing labour regimes and shifting relations in the (labour) market rather

than a separate arena. Furthermore, they use the term ‘community’ where I use ‘society’. This is because in the Nigerian context, ‘community’ is associated with specific kinship- and ethnic based social entities at a local level, whereas this study is interested in a larger social space, consisting of both local and national level, organised and unorganised, and both civic and non-civic association. For this, ‘society’ seems more appropriate. I could alternatively use ‘civil society’, but this is explicitly associated with a civic space, and in the Nigeria context, I explicitly talk about a divided public between civic and non-civic spaces as constitutive to the social arena, and civil society could be confusing and it would exclude traditional structures and communities. My concept of ‘Society’ loosely links to what Hyman refers to as ‘class’. However, as the theoretical reflections above implies, we need a more open identity reference, since ‘class’ is too linked to traditional Marxist studies, ‘old labour’ and limiting in relation to other identities. Hyman refers to ‘society’ similar to how I use the ‘state’, as a political arena that includes the state, parliamentary processes and parties. Lastly, where both Hyman and Coe and Jordhus-Lier use ‘capital’ I refer to the more open ‘market’.

This section elaborates on the three arenas and the unions’ relations within and between them. Historical ideal types of unionism depend on the placement in relation to these arenas and its actors, each associated with different ideological orientations. Even if unions tend to prioritise one arena or an axis between two, ‘[all] trade unions face in three directions’, leading to an inherent ‘triple tension’ in the direction of each arena (Hyman 2001).

The market: Labour market regulators or class conflict

The fundamental arena for workers and labour power is the work-place, and the core, necessary relation is between employees and employers. The historical foundation of labour unionism is based in the private sector, with a relation to capital owners as employers. Although the state as labour regulator, is decisive and unions can derive power from and seek alliances outside the market, the fact that labour derives its ‘power from its location in the economic system still stands as an essential source of labour renewal’ (Serdar 2012: 403).

Since their inception in the 1800s, the core of trade unions have been as continuous, collective associations for workers concerned with negotiating for better working conditions in labour contracts (Hyman 2001: 6). The primary task of a trade union is to seek improved

conditions for their members (or workers in general), primarily through collectively negotiating with their employer for work conditions defined in collective bargaining agreements (CBA). Labour is both insider and outsider in the market, as distinct from business owners and employers, but part of the economic and production process. Both economic, liberal orientated, industrial relations studies and traditional Marxist studies are primarily concerned with this arena and relations, associated with two opposing ideal types of unionism: business unionism and socialist class based unions.

Business unionisms (or market unionism), is associated with early trade unions in the US, and emphasise trade unions' role as producers and labour market regulators and focus on work-place relations (Hyman 2001). The relationship between workers and business can be mutually beneficial, and is potentially harmonious. They share a common interests in profit accumulation for the industry, while in conflict of interests in profit sharing.

Business unionism emphasizes labour's autonomy from any political party and a strict distinction between industrial relations and politics. It is often associated with economism or economic reductionism, seeing the economy as separate from the social and the political. Unions should mainly try to maximise their salaries, and their role in larger society is mostly as market regulator, which centres on collective bargaining, negotiations over wages and working conditions. However, even the model's promoters in the United States (US) recognised that the pure business union ideal is impossible, as they related more to the state than its purist ideology implied. This emerged from acknowledging the role of state in regulation and establishment of rights, thus conditioning the labour regime, but also that the state's role in taxations and as provider of social benefits had implication for the real value of wages (Hyman 2001).

In contrast, Marxist, class-based unionism is based on an understanding of the relation between labour and capital, and between workers and employers, as fundamentally conflictual and exploitative. This perspective is associated with political economy, seeing the political and economic arenas as interrelated and based on unequal power relations. It follows logically that unions engage in both the economic and the political, and that understanding of power is central. Theoretical concepts of labour power come from this tradition. There are

'two distinct kinds of effects of workers' power on capitalists' interests: one, a negative effect, in which workers' power undermines the capacity of capitalists to unilaterally make various kinds of

decisions, and the second, a positive effect, in which workers' power helps capitalists solve the various kinds of collective action problems they face' (Wright 2000: 957).

Also, radical scholars hold that it should not be taken for granted that the interests of labour and capital are always in contradiction or in a conflict relation, as they not only offer 'spaces of resistance' but also 'reinforce capital accumulation' (Cumbers et al. 2008: 374).

The role of the unions as labour regulators is often described with the concept of labour regime, which defines 'regulations of the relations between capital and labour' (Andrae & Beckman 1998: 21). This refers mainly to formal institutions such as labour laws and collective agreements. A union-based labour regime is created when the active role of unions in determining their own conditions and relations has been institutionalised, either at national or workplace level. Alternatively, labour regimes can be regulated informally, such as through patronage networks (Andrae & Beckman 1998). Furthermore, labour regime is scaled, and the local labour control regime is the 'local institutional framework for accumulation and labour regulation constructed around the local labour market' (Jonas 1996: 323).

Collective bargaining between workers and employers is at the heart of a union-based labour regime. Bargaining is concluded in the labour contract or collective bargaining agreement, between workers and employers. A trade union has a double role to fulfil between members and the company (or state): 'Organised labour [...] engages in the labour contract both by articulating collective claims and by disciplining workers into following the premises of this contract' (Lier 2007: 817).

The collective agreement defines the rights and obligations of the parties, with workers providing labour services in exchange for remuneration. The coverage of collective bargaining varies greatly between countries, from one or two per cent to almost full coverage (Visser et al. 2015). The bargaining can happen on workplace, industrial or national level. In countries with national- and sector-level bargaining, coverage tends to be higher than in countries with enterprise level bargaining¹⁹. Following the union membership decline, and enforced by the financial crisis in 2008, there is a downward trend and pressure on collective bargaining (Visser et al. 2015).

¹⁹ The report covers 57 countries, with only a few African examples that do not include Nigeria.

The state: social partners, political actors and worker citizens

The state is also a necessary arena for unions. It is most often the biggest employer; it is a regulator of labour markets through labour laws and it provides welfare services that influence labour conditions, such as taxation and health services (Coe & Jordhus-Lier 2011).

The state regulates and protect labour rights, and even if there is a current tendency that states either lack the will or capacity for efficient protection of labour (Seidman 2007), the state ‘remains the pivotal institutional apparatus which regulates the lives and politics of workers’, though representing a blind spot in many labour studies (Coe & Jordhus-Lier 2011:222-223).

At a basic level, the state defines who are workers, and what it means to be a worker, and in this way, sets boundaries against immigrant workers, denizens and political society (Chun 2009). Historically, trade unions have been active actors in defining the boundaries not just of workers, but also of citizenship. In his classic work, Marshall (1952/1992) shows how trade unions build on forms of citizenship to form an ‘industrial citizenship’, which is again used to entrench and expand other forms of citizenship and rights. There are three basic types of citizenship, namely civil, political, and social, with corresponding rights and protective state institutions. Civil citizenship implies the rights to justice and individual freedoms, such as freedom of speech and property rights. Civil rights include the right to participate in a free market where one can offer property or labour and bargain over its value. The court system is the protector of these rights. Hence, civil rights tie citizens to both the state and the market, and relate to the rights of individual workers to bargain over working conditions. Political citizenship is rooted in the state and the political arena, and gives the right to participate, organise and to choose one’s representative, operating through institutions like parliament and local government. Social citizenship gives socio-economic rights such as social welfare and education. Trade unions have been built around these three types, creating ‘a secondary system of industrial citizenship parallel with and supplementary to the system of political citizenship’ (Marshall 1992: 26). Based in industrial relations between employers and workers in the workplace, trade unions play a role outside workplaces with reference to the expansion of social rights from the state. The unions are positioned to mediate between state and citizens over rights, and indeed, unions have been central vehicles for expanding citizen rights and promoting social equality (Fudge 2005; Marshall 1992). Industrial citizenship ‘is a crucial support for social solidarity upon which other types of citizenship are based’ (Zhang & Lillie 2015: 1).

Whereas social rights and entitlements are passive, political rights are explicitly about power or agency, and ‘industrial citizenship is about organisation, process and participation, based on class consciousness and capacity’ (Zhang & Lillie 2015: 5). Cooper (1996: 467) suggests that the universal language of rights is useful to unions ‘because it provides a reference point outside particular power structures. It is useful, however, in so far as such claims are part of a well-grounded political mobilization’.

A corporatist trade union model sees unions as social partners promoting social integration and social justice through corporate relations to the state and market. This model has its roots in pre-war anti-socialist Catholic workers’ organisations, who rejected class conflict as in-built in labour relations, but saw relations between workers and employers as complementary (Hyman 2001). However, the model was institutionalised with reformist social democratic unions and it dominated post-war Europe as ‘a synthesis between pragmatic collective bargaining and politics of state-directed social reform and economic management’ (Hyman 2001: 55).

The corporatist model is also linked theoretically to political economy, as it is based on seeing the economic and political spheres as mutually constitutive. Nevertheless, in practice the model has been critiqued for tending towards economism, and that issues outside the material and economic, become ‘ceremonial’ (Hyman 2001). In this model, the unions have mixed roles, and represent workers in both bargaining relations to the state (as regulator) and in the market. The main meeting point for interaction between labour, state and capital is in the social dialogue, defined as bipartite or tripartite forms of consultation between state and employers²⁰. The social dialogue aims at a ‘social pact’, which is a form of an extended labour contract, negotiated between state, capital, and labour (Silver 2003). In this, labour typically agrees to exchange lower wages for social welfare guarantees.

In a social pact, the relationship between the workers, business and state (social partners) is not just as a relation of exploitation, but of interdependency and is based on both conflict and cooperation. The role of unions as compromise builder and conflict actor is both mutually constitutive and inherently contradictory. Compromise starts from conflict (or threat of conflict). In this contractual relation to the state, the vertical tension of unions’ roles of representing upwards and disciplining downwards is key. Through negotiations,

²⁰ Defined by ILO as ‘all types of negotiation, consultation or simply exchange of information between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic and social policy [...] successful social dialogue structures and processes have the potential to resolve important economic and social issues, encourage good governance, advance social and industrial peace and stability and boost economic progress’ (ILO n.d.)

unions can shape their own opportunities and simultaneously contribute to the state's legitimacy.

'For trade unions [a social pact] may provide an opening for influencing the substance of [...] reforms while simultaneously seeking acceptance for labour rights', whilst for governments social pacts may be an attempt to 'reconstruct a faltering political order' by broadening the social base and popular legitimacy' (Beckman 2002: 91).

There are inherent tensions in balancing between benefits and sacrifices in this model, and unions' interests are pulled between the state and members' interests, between upwards representation and downwards control. Some see social pacts as the surrender of power and co-optation (Bergene 2010). By contrast, social democratic unions see the social dialogue as a negotiated space where unions have ensured access to institutional power, based on a position of labour power (types of power will be discussed further below). The Nordic model, often used as a prime example of the social partnership model, is seen as a compromise between mutually powerful partners in labour and capital, mediated with the state (Moene & Wallerstein 2006; Moene 2013). The culture of compromise in the corporatist model opens up for union influence beyond the workplace and in the state, such as over fiscal policies. It can be a viable strategy for unions to gain concessions for their members in times of economic crisis and liberalisation, despite high unemployment and membership decline (Hassel 2009). A successful social dialogue and compromise hinges on the relative balance of power between the partners.

The public sector workers hold a particularly complex relation to the state, as the state is also the employer and boss. Furthermore, public service workers are both providers and recipients of social services and rights (Jordhus-Lier 2012). In this lies the difference between public and private workers, with not only different relations to the state, but also to the public and general citizenship, with implications for power. For example, if public sector workers strike²¹, they do not significantly hinder production or financial flows to capital, but they may prevent the service of citizen rights such as health or education. A public strike will to a larger extent depend on public support. The mentioned public turn with relative increase of public workers as a share of the labour movement, altered the union movement and its relation to the state and the public.

Within the state context, a further question is how unions choose to relate to party politics. Political unions will try to influence the state and the political system directly by

²¹ For now and for this argument, we discount the national ownership in production.

seeking political positions, most commonly by creating separate labour parties, but also through close collaboration with the ruling regime. Political unionism was common in early post-independent African countries, mostly by collaborating or creating alliances with the ‘freedom party’ or regime, rather than establishing or supporting a separate labour party (Freund 1984). From the 1990s, under economic and political liberalisation, many African unions again sought independence from the state-bearing regimes (Webster 2007). Different unions have chosen different paths in relation to party politics. In Ghana and Zambia, the unions (Ghana TUC and Zambia TUC) have chosen party political neutrality. Elected unionists cannot take a political position. In South Africa the main union, COSATU, is in an (unhappy) alliance with the ruling ANC²². The Zimbabwe TUC took part in establishing the oppositional party, the MDC, in 1997. However, they held an arm length’s distance to the party, especially after the Government of National Unity came into power after the controversial 2008 elections.

Society: ‘schools of war’ or social movement union?

With liberalisations and declining trade union achievements in state and market, the third societal arena together with alliances with civil society have increased in significance (Coe & Jordhus-Lier 2011; Hyman 2001; Webster et al. 2011).

Seeing unions more holistically than simply as between capital and state opens up for a third economic perspective in the moral economy (Hyman 2001). Whereas market economists or economism sees economy as autonomous, Polanyi suggests that the economy is not only embedded in the political (as political economists) but subordinated to social relations (Castles et al. 2011; Webster et al. 2011: 3). This perspective looks at how the interface between political economy and moral economy influences and conditions labour (Hyman 2001). The moral economy perspective acknowledges that subjective and social norms and obligations influence the economy (and class formation) (Thompson 1971)²³. Since Thompson’s (1971) seminal essay, the concept of moral economy is used in a variety of ways, although they have a common focus on ‘how groups of people evaluate particular forms of conduct’ (Pierce 2016: 4). However, the original work is about showing how poor and working class rioters (in the United Kingdom, otherwise described as an irrational and

²² By seeing apartheid as an extension of colonial despotism, 1990 or 1994 marks the actual independence of South Africa, and the union-ANC alliance falls into a typical post-independence pattern.

²³ EP Thompson (1971) essay is about the English food riots in the mid-1880s, about price-setting mechanisms for bread.

unruly ‘mob’) have a rational understanding of the economy. This rationality is based in a social and normative understanding of the legitimacy of the socio-economic system – in Thompson’s case related to price-setting mechanisms for bread. This approach expands our understanding of the economy to include the social and normative, and demonstrates the social basis for class formation (Thompson 1971).

Thompson’s work inspired African union studies in the 1970s and 1980s (Cooper 1995). The moral economy concepts have been applied specifically to riots and African labour strikes (Abdullah 1994; Moodie 1986) in relation to corruption (de Sardan 1999; Pierce 2016) and also in relation to the fuel subsidy protests in Nigeria (Guyer & Denzer 2013). In some early African labours studies, the concept of the moral economy was used to argue for a culturally particular process of class formation, rooted in traditional or ethnic-based justifications for actions and relations (Cooper 1995). I agree with Cooper (1995) that this is a misreading. The moral economy should not be understood as based in pre-modern norms or cultures, but as linked to social and popular norms which can as much be based in the public or social domain (de Sardan 1999). Furthermore it is a relational concept, and inherently contains a form of popular resistance (Cooper 1995; Thompson 1971). The moral economy has not only to do with what is financially viable, or politically makes sense – but also with how the public understand legitimacy, and just and moral bases of economic actions and interactions.

Where business unions mediate between capital and labour – and corporatist unions mediate between labour, capital, and state – when relating to society, unions also mediate between workers and other social actors. Social movement unions often focus on consumption and social reproduction, and connect and mediate labour’s position between market and society (Chun 2009; Fairbrother & Webster 2008). As social life (in addition to labour) has been commodified, the focus has shifted from labour and citizen rights. This shift re-links rights struggles more directly to the market and in relation to capital, and less as a political process in relation to the state. In my third article, I argue that labour also mediates between citizens (also beyond workers) and the state (Houeland 2017).

Class-based unionism has its roots in Marxist theories and radical forms of socialism. In this model, the working class unites to advance its common class interest to contest the dominant system and fight both repressive states and exploitative capitalists. Based on anti-capitalism and antagonistic relation to the state, class-based unions work politically towards the state, not inside it, and often form alliances in the larger society and have a conflictual relation to employers. This model carries three consistent tensions:

between political action and economism, between militancy and accommodation, and between broad class interests and more narrow sectional interests. This model carries potential conflicts between workers and non-workers, between different types of workers and workers' different identities; the boundary-drawing of shared versus opposing identities is a continuous challenge. In contexts where other identities are particularly significant socially and politically, workers may have closer ties to employers of their own identity group than to workers from other identity groups (Hyman 2001). Although often seen as a problematic model in an African context, given the small traditional working class, many African unions have had a strong class rhetoric, although often expanding the class concepts to include informal workers or other 'oppressed classes'.

The social movement unionism (SMU) model was initially seen as a radical form of class unionism (Fairbrother & Webster 2008), and associated with antagonistic relations to state and radical forms of unionism (Upchurch & Mathers 2011). The model was used to theorise the previously mentioned 'militant, innovative and progressive industrial unions' in South Africa, South Korea and Brazil in the 1980s (von Holdt 2002: 284). SMU was defined as internally democratic, externally allied to community and politics, and as socialist driven (von Holdt 2002; Webster 2008). Judged relative to the Nordic tripartite embedded corporatism (Cumbers et al. 2008). By contrast, Hyman (2001: 60) positions SMU under the social integration model, seeing unions as part of society in institutionalised relations to state and capital as social partners.

Although emerging in the global South in the 1970s, identified in the US in the 1990s, and initially contrasted to European corporatists unions, SMU coalitions have evolved as unions that are 'forced to come to terms with the decline of their autonomous influence' (Hyman 2001: 62). The demise of Keynesian political economy decreased labour control and reduced the relevance of states and it shifted employment patterns and decreased union mobilising capacity. Thereafter, as the power balance shifted, there were fewer achievements through dialogue and compromise in state and market. European unions also radicalised and moved towards SMU (Frege 2004; Frege & Kelly 2003).

Even among radical scholars, there is an understanding that social unionism can be as much a pragmatic response to erosions of labour power, as it can be a radical ideological project (Webster et al. 2011). Over time, SMU as a concept has evolved to describe unions who seek alliances outside the workplace (Serdar 2012). In this sense SMU is neither theoretically nor in practice inherently radical. It can take both a radical form of class representation in direct contestation of the capital system, or it can be a pragmatic response

to pressure in the capital market. And it seems, with good labour institutions, that unions are less likely to form alliances in civil society and with social movements (Upchurch & Mathers 2011).

The SMU model gives prominence to society in addition to state and market, and workers' struggles at the workplace and in their life-spaces are integrated (Serdar 2012: 404).

'Social movement unionism [...] differs from conventional trade unionism in that it is concerned with labour as a social and political force, not simply as a commodity to be bargained over. As a result, its concerns go beyond the workplace to include the sphere of reproduction' (Webster 2008).

Workers are not just part of a production process and social integration, but are also part of communities as reproducers and consumers. Trade unions are part of organised civil society.

Society is not only a potential arena for labour action, but it shapes labour conditions and the labour regime. The labour regime is conditioned

'by the nature of enterprises and the entrepreneurial classes, local and national politics, the interventions of the state and organized interests, as well as by the way in which labour is recruited trained, and supported by family, community and state outside the workplace' (Andrae & Beckman 1998: 23).

A strategy of political alliance is not always strengthening. If a union is strong, collaboration can lead to virtuous circles of mutual benefits. However, if a union is weak, alliance with outsiders can push a union out of its core of workers' issues and disconnect it from workers. Eventually, this can push unions out of alliances and back to roots (Hyman 2001). Hyman (2001) identifies interrelated tensions inherent in this type of unionism. The first is that between external and internal influences. The nature of alliance politics is to be open to external influences, which contrasts with the internal union structures of clear hierarchy and democratic representation and decision-making. SMU brings tension to external institutions, but also between workers (Fairbrother & Webster 2008). For alliance politics to work efficiently, a union needs to stay connected to its members and to shop-floor issues.

Another dilemma in the formation of alliances, regards with which actors to collaborate. Social movement unionism hinges on union members' interest in the formation of larger alliances, which can take the form of organising new groups of workers or creating

alliances with other organisations. Serdar (2012) holds that organising the unorganised, and building alliances in society, are complementary processes; one cannot be substituted for the other. However, there are potential conflicts within and between the two strategies. Traditional working classes may have conflicting interests with civil society organisations, since they are often biased towards middle-classes. Core trade unions members, may potentially have conflicting interests to those of the precariat or casual workers (or the unemployed). This is particularly evident when unions ‘turn public’ with a relative increase of public sector, white-collar, middle-class workers.

Although the SMU is a strategy for revival and restoration of unions, there is also a strong reluctance, especially towards NGOs – which are often seen as part of the neoliberal and donor-driven process and delinked from a popular base (Adunbi 2016; Folorunso et al. 2012). Unionists often distinguish between NGOs and social movements, based on ideology as well as with reference to representation.

There are also potential tensions between trade unions and social movements. Unions often declare that social movement partners fail to understand the core roles and modus operandi of their multiple functions and complex relations. The unions are embedded in institutional setups in relation to state and capital, and have ‘unusually powerful opponents’ (Fantasia & Stepan-Norris 2004: 571). Unions are institutionally different from other social movements. They have a different kind of bureaucracy, and they are closer to and institutionally linked to power through a range of economic, legal, and political relations. These issues are not commonly analysed from a social movement perspective (Fantasia & Stepan-Norris 2004). Social movement literature often ignores labour (Webster et al. 2011: 9) or see unions as part of a social movement, relating primarily to the state (antagonistically) and civil society (as alliance partner without reflecting the union’s particularities and embeddedness in the economy).

A union is neither simply a collective organisation operating in the workplace for working conditions, nor is it simply part of a larger social movement (Fantasia & Stepan-Norris 2004). A union always holds multiple functions, and some of these are conflicting. In the conflicting roles of acting as a social partner and representing a social movement, unions face potential tension balancing between state and society. ‘As institutions, [trade union] operate as units of social integration, bargaining tool and producer of social compromise. But as social movements, they are also part of social conflicts and contentious politics’ (Obono 2011: 97). In institutionalised negotiations, a union seeks sympathy from the powerful, while as a social movement, it seeks confrontation (Hyman 2001).

Unions can also externally relate to outside the traditional understanding of civil society or social movements. Social movements and civil society often imply a specific, formal arena with direct relation to state or citizenship (Branch & Mampilly 2015).

Though ‘SMU’ and ‘community unionism’ are terms used interchangeably, ‘social movement’ and ‘community’ have different meanings. Community can refer to either a sphere of reproduction or to the more elusive ‘social arenas in which workers live their lives’ (Coe & Jordhus-Lier 2011: 224), and it evokes different associations and institutional relations. SMU on the other hand is associated with national scale, while community unionism often refers to local labour market mobilisation. This is often a response to labour fragmentation and decentralisation (Jordhus-Lier 2013).

In my three articles, I use the terms ‘civil society’, ‘community’ and ‘society’ with slightly different meanings. In the Nigerian context, community often refers to ethnic-based or more narrowly defined social entities or arenas. Hence, in the introductory chapters, I refer to the larger society rather than community. In the article on the Niger Delta (Houeland 2015), community explicitly refers to host communities in a narrow and localised sense. In the two articles about the fuel subsidy protests (Houeland 2017; Houeland in press), I discuss civil society as a traditional social movement space. However, the first article acknowledges that protesters ranged from formal civil society to informal and unorganised workers. The second, about the social contract, explores the concept of a civic public (in contrast to a primordial public), to acknowledge the vertical divisions in society and social relations to the state.

Using the social movement perspective for labour or trade union analysis, one often fails to understand and consider a union’s relations to state and capital, the analysis become depoliticised (Upchurch & Mathers 2011). Social alliances can be important strategies for union revitalisation under neoliberalism, but are not in themselves a substitute for analyses of trade unions as workers with primary strategic options in relation to market and state. The insights from Polanyi and social movement theory have led labour studies to relevant issues of citizenship, consumption and the larger social arena, but these perspectives are insufficient to analyse labour movements, and the insights of Marx on capitalist production are still needed (Burawoy 2010). We need a more holistic understanding of unions as embedded in state, society and market, with both shared and conflictual interests.

Labour agency and powers

'Labor movements are fundamental social formations whose effects on society run deep and reverberate broadly. Though not a common occurrence, when labor rises it can shake a social order to its very core, exposing basic fault lines, unsettling deeply rooted social hierarchies, and revealing the degree of social power that can be realized in collective action' (Fantasia & Stepan-Norris 2004: 555).

This thesis reveals the social powers of unions, and this section conceptualises the specific agencies and powers of trade unions. In Chapter 2 on critical realism, I detailed the concept of agency, its relation to structure and change, and discussed actors' power and how this links to agency. Human agency is enabled and constrained by structure, but it also sustains structures. Power is an inherent property of the actor or relation, whereas agency is linked to subjective, reflexive and purposeful use (of power). This perspective corresponds well with Lukes' actor-centred perspective on power (Hayward & Lukes 2008) and to concepts of labour power (Webster 2015; Wright 2000).

The first subsection will elaborate on labour agency. A second subsection will link labour agency with an emergent scholarly debate on civic agency in Africa. The second section concerns labour power.

Labour agency

Labour geographers are engaged in an ongoing process developing a specific conceptual framework of labour agency in the context of capitalism and neoliberal globalisation (Bergene et al. 2010b; Coe & Jordhus-Lier 2011; Cumbers et al. 2008; Cumbers et al. 2010; Herod 1997). Labour agency is invariably constrained, as it 'is always relational and never completely autonomous' (Coe & Jordhus-Lier 2011: 221). Labour agency is contextual, relational, and bound up with state, capital, and society, across scales from local to global, both within and outside workplace (Coe & Jordhus-Lier 2011; Cumbers et al. 2008). Workers are agency-holders both on individual and collective levels, but the focus of this thesis is on the collective trade union agency.

Labour has the potential as 'an active agent able to mobilize and become a social force resisting the strategies of states and companies' (Bergene et al. 2010b: 5), but the kinds of responses to labour insecurity vary from individual to collective, and from acceptance to resisting/challenging (Webster 2008). Coe and Jordhus-Lier (2011: 216) are 'concerned with [agencies as] strategies that shift the capitalist *status quo* in favour of workers'.

However, the status quo can be close to labour's agenda, as in the Nordic countries where the unions primarily aim at protecting and preserving an extensive welfare state and already accomplished labour benefits. Cumbers et al. (2010) formulate a more open concept of agency that concerns the ability to hinder the shift in status quo to a less labour friendly system.

Labour is not only conditioned by structure, context, and relations, but it also influences them (Herod 1997). Cumbers et al. (2010: 52) remind us that labour should be viewed 'as an ever-present obstacle to processes of commodification and it is labour's ability to continually threaten accumulation that leads to offensive capitalist strategies (eg neoliberalism, deindustrialisation, new spatial fixes etc)'. Labour is not only reacting to capital and state transformations, but capital and states react to labour's agency.

'From the perspective of capital, the labour problem sooner or later reasserts itself into the logic of accumulation. That problem—in its simplest terms—is threefold: first, the need to successfully incorporate labour into the production process; second, the need to exercise control over labour time in the production process and third, stemming from this second point, the imperative to exploit labour as part of the process of commodification to realize surplus value. In other words, capital comes up against the reality of labour agency and resistance' (Cumbers et al. 2008: 370).

This is the underlying idea of the pendulum-like waves of commodification and countermovements described above.

The contextual opportunity of and constraints to agency relate temporarily to the past, the present, and the future (Emirbayer & Mische 1998). It relates to the future in that agency relates to action that is intentional, voluntary, purposeful and reflexive (Archer 2007; Campbell 2009: 408; Coe & Jordhus-Lier 2011; Hayward & Lukes 2008; Van Dijk et al. 2007). It relates to the present, in being conditioned by both contemporary actors and structures (Emirbayer & Mische 1998). Union organising and revitalisation 'is structurally conditioned by historical legacies, institutional factors, and likely to be constrained by rigidities embedded in those elements' (Serdar 2012: 404). It relates to the past, as agency is historically grounded (Van Dijk et al. 2007).

There are different kinds of agency. A useful distinction is drawn by Katz between three levels of agency as oppositional action, namely resilience, reworking, and resistance (Coe & Jordhus-Lier 2011; Cumbers et al. 2010). Resilience refers to small acts of getting by. Labour resilience can take the form of foot-dragging or sabotage, or in the case of Nigeria, short work stops taken for prayer meetings, or wearing the same coloured shirts

(Ogbeifun 2014). '[Projects] of reworking are enfolded into hegemonic social relations because rather than attempt to undo these relations or call them into question, they attempt to recalibrate power relations and/or redistribute resources' (Katz quoted in Coe & Jordhus-Lier 2011: 216). Thus, reworking is about peoples' attempts to

'create spaces that can improve their conditions of existence. In this sense, it involves a greater level of consciousness of the underlying conditions of oppression, although like resilience does not necessarily lead to action that challenges hegemonic power. [Resistance] involves direct challenges to' structures and social relations (Cumbers et al. 2010: 60-61).

Katz is unclear about the distinction between intentional and outcome-defined agency, and action is commonly experienced or described as resistance, while analytically belonging to the category of resilience or reworking (Coe & Jordhus-Lier 2011). It should be added that intention might be at resistance level, while outcome may be at reworking level, while still constituting a form of agency. Different kinds of oppositional action should be linked to the different ideological positions and union identities discussed above. Not all unions aim at challenging the hegemonic powers. This underscores the critical realist point of emphasis on subjective and reflexive agency, and is emphasised by Jasper (2004: 2) for whom agency is not only about capacity but relates to actors' choice to use or not use their capacities: 'if agency means anything, it would seem to involve *choices*. Individuals and groups must initiate or pursue one flow of action rather than another, respond in one way to event rather than in others'. In a critical examination of theories on social movement strategies, Jasper (2004) notes that although many set out to explore agency, they tend towards structuralism in their analysis, which seems to stem from a failure to understand agency also as choice.

When we relate Katz's three types of agency to both capacity and choice, it encourages us to analyse the actor's own strategies, interests, and aims. This reminds one of the above discussion on subjectively defined interests, versus the theoretical assumption of labour's agendas. If a study assume the agenda of labour, it will fail to understand the complexities of trade unions' interests in relation to state, companies and communities, and it will fail to identify unions' potential to cement or challenge power relations. Some scholars dismiss agency based on an actor's assumed strategy to resist (undo the social order), while it may actually be to rework (recalibrate power), as has been the case in analyses of the Arab Spring and the related protests in sub-Saharan Africa. The absence of regime change has been used to explain the failure of uprisings, without analysis of strategic

aims or other achievements in the form of policy change (reworking) (see Lodge 2013; Obadare & Willems 2014).

Jasper (2004) emphasises the importance of individual action within social groups and organisations as key to understanding agency. In contexts such as the Nigerian, where the state monopoly of violence is challenged, and where boundaries between the formal and informal, and between policy and practice are unclear, individual actors are particularly important. This stresses the importance of studying internal struggles, interests and fault lines within organisations (Fantasia & Stepan-Norris 2004). In addition to workers' relation to external actors in state, society, or capital, different groups of workers in unions can hold overlapping or crosscutting interests (Kelly 1997).

A particular scholarly focus on labour agency in relation to capital, examines labour's positionality in the global production network (Coe & Jordhus-Lier 2011; Cumbers et al. 2008). Although globalisation provides new arenas and opportunities for labour, these new spaces have been dominated by the global North (Europe, the US and somehow Japan), not least in the oil and energy sector. When unions have embraced this level of action, it has been most efficient when leaning on independent and strong unions at the local scale (Cumbers et al. 2008). Production networks are also relevant at lower scales. The state is a target for labour agency, not just as employer, but also as labour regulator, so that labour can influence its own structural conditions through changing or ensuring enforcement of the labour law.

Labour agency in Africa

Although labour geography has offered new frameworks for analysing labour agency, it is suggested that 'a more sophisticated understanding of the structural constraints and social relations that shape labour's agency potential is required', which implies 'reconnecting or re-embedding notions of agency into economic and society systems that surround workers' (Coe & Jordhus-Lier 2011: 228). One of the central aims of this thesis is to develop an understanding of labour agency that is relevant to a Nigerian petro-based economic context and that intersects with particular African political and social dynamics. I suggest that this requires a particular sensitivity to and an understanding of how power and resistance operate in the African context, and where informality is central to the way both state officials and citizens exercise agency (Obadare & Willems 2014).

There is a re-emergence of theoretical debates on (civic) agency in Africa, acknowledging the peculiarities of its structures and systems, emphasising blurred distinctions between public and private, and between formal and informal (Bøås 2013; Chabal 2009; De Bruijn et al. 2007; Obadare & Willems 2014). The African social environment can be described as ‘a space of uncertainty in which negotiations, manoeuvring and muddling through are essential aspects of agency’ (Van Dijk et al. 2007: 5).

The larger body of studies of agency in African most often relate to the agency of the voiceless and the weak (Van Dijk et al. 2007), often using Scott’s ideas of resistance or weapons of the weak (Obadare & Willems 2014). This compares to Katz’s concept of resilience. This literature tends to focus on individual or traditional actors. Ethnographic studies of agency emphasise the difference between strategic and tactical agency, which depends on the actor’s room for manoeuvre – where the first implies room for taking decisions on a long-term perspective, and the latter implies a relatively disempowered actor with rather short-term options available (Bøås 2013). Tactical agency has been used to describe the agency of relatively disempowered actors such as child soldiers (Honwana 2006) and refugees (Utas 2005).

Agency-related labour literature from Africa tends to focus on the relatively weak, informal workers (Lindell 2010a; Lindell 2010b; Meagher 2010). Although workers from the informal sector ‘suffer from problems of institutional exclusion, internal divisions and the precarious legal status of their enterprises’ and are ‘extremely’ vulnerable to elite capture, they are active agents with strategies beyond loyalty, into both voice and exit²⁴ (Meagher 2010: 47, 26). The agency of informal organisations is not just challenged from above, but also from below and informal workers oftentimes seek influence through clientelist channels (Meagher 2014).

Different actors have different agency, and some actors and some workers matter more than others (Coe & Jordhus-Lier 2011: 216). As mentioned, Chabal (2009) holds that very few formal structures or organisations operate with agency in Africa, but the author refers to trade unions as an obvious example of collective agency. Despite these claims, there are few studies of union agency in an African context. Rather than searching for the agency of the weak and resilient types of agency, this thesis seeks to understand the strategic agency of relative powerful trade unions, mainly in the formal sector and civic sphere.

²⁴ Exit, voice and loyalty refers to Hirschman’s classic ‘entry variables’ describing an actors’ different strategic choices in relation to other actors or a system: withdrawal (exit), attempt to change from within (voice) or loyalty (accept as it is).

Power and labour power

This thesis argues for a concept of power that is actor-centred, as described by Lukes' understanding of power as 'located in agents, individual or collective' or 'attached to the agency that operates within and upon structures' (Hayward & Lukes 2008: 7, 11). This corresponds to the critical realist ontology where power is understood as inherent potential that actor or relations carry, which has causal potential. "The powerful, by this view, are those actors (individual or collective) who can reasonably be held responsible for limits imposed on the freedom of other actors" (Hayward & Lukes 2008: 6). Power is relational, asymmetrical and the perspective inscribes actors' moral responsibility for their actions. Following, to study power has normative implication in that it assumes responsibility of the powerful. Different actors have different capacity to act, and 'we attribute power to agents when it is in their capacity to act or not to act' (Hayward & Lukes 2008: 12). As noted above, agency is linked to the voluntary use or non-use of this capacity or power to action or inaction.

For this thesis, labour power is about trade unions' capacity to action, and to constrain the freedom of others. As agency is relational and contextual, so are different kinds of labour power related to the different arenas and relations. This concerns the ability of trade unions to constrain capital or state, but could also be seen as a form for enabling power for workers or citizens, sometimes even for state or capital. The two core forms of trade union power are the ability to disrupt the economy, deriving from their position in the economy or structural power, and the ability to organise collectively to influence policies, based on associational power (Wright 2000). These are primarily linked to the spheres of production (i.e. the labour market), but also concern influence in the political sphere. The labour and scholarly turns discussed above imply a move away from traditional, workplace-based associational and structural powers, to new sources of power in the global and public arenas. Webster (2015) sums up the new sources of power as symbolic (or moral), institutional and global. Symbolic power is about the ability to use popular moral sentiments or to influence these, and institutional power is about influencing the legal or governance regimes. I will argue that global power is not a new type, but rather a rescaling of power and that symbolic power is mostly a tool to expand associational power.

Structural power

Structural power ‘results simply from the location of workers within the economic system’ (Wright 2000: 962), and relates to the worker’s ability to disrupt production. It is particularly associated with strike action, but also relates to other direct forms of labour action, such as slowdowns, absenteeism, sabotage, demonstrations, or picketing.

Structural power splits further into two forms of bargaining power: market and workplace bargaining power. *Market bargaining power* depends on the labour market, and workers’ power depends on skills availability, levels of unemployment and access to non-wage incomes (Wright 2000). In a tight labour market with few available workers, market bargaining power is high. The rise of Fordism²⁵ led to a shift from craft unionism where the power was market-based, leaning on workers’ skill, to industrial unionism with semi-skilled workers whose source of power was more workplace-based (Webster 2015). *Workplace bargaining power* results from ‘the strategic location of a particular group of workers within a key industrial sector’ (Wright 2000: 962). A certain group of workers in a production chain can be essential to overall production, so that a local work stoppage can cause widespread disruption.

Related to this is logistical power, which is about blocking roads, transport, or communication by taking struggles outside the workplace. Although referred as a new form of power, it should be seen as a subtype of structural power. It is often associated with global-level analyses, as globalisation opens up vulnerability points in supply and distribution networks, and multinational enterprises are exposed to international campaigns (Silver 2003; Webster 2008; Webster et al. 2011), but logistical power can be decisive also at a national or local level.

Mobile capital and an insecure workforce, with the imminent threat of outsourcing or job loss, have weakened both market-based and workplace bargaining power as both collective bargaining and organisation have become more risky (Seidman 2007). Certain sectors are more vulnerable than others to capital mobilisation; an example is the textile industry’s extreme sensitivity to outsourcing which reduces textile workers’ structural power (Silver 2003).

²⁵ The shift in economic production system associated with Henry Ford, in early and mid-20th century. It emphasises mass production through factories and assembly lines, but also mass consumption which implied raising workers’ salaries to increase demand.

As labour's structural power has often declined or has become more uneven with globalisation, associational power has become more important (Serdar 2012). However, the two types are interlinked. Beckman (2009) asserts that African unions are centrally placed in the economy by controlling the technology, which is vital for modernisation and economic development for independence. This implicitly means that African unions have a high degree of structural power. Further, he claims that the strategic position of African trade unions has provided the basis to provide leadership and direction to a wider range of popular democratic forces and for wider popular representation, in other words, for associational power outside the workplace.

Associational power

Associational power concerns workers' capability to organise and mobilise. The 'various forms of power that result from the formation of collective organizations of workers' (Wright 2000: 962). Most often this refers to collective mobilisation into trade unions or political parties, but it may also include other forms such as works councils, institutional representation of workers for co-determination at workplace level or beyond, or even community organisations (Wright 2000).

Trade unions have used the combination of structural and associational power to ensure the state-supported right is in place to organise collective associations and collective bargaining. As described above with reference to Marshall on industrial citizenship, this again has built unions' opportunity to ensure other workers' rights, as well as more general citizen rights. Weakening of state sovereignty relative to capital has undermined the legal protection for labour, which has entrenched the shift in power relations between labour and external stakeholders. Although associated with the political sphere, capacity to organise is also important in relation to capital. 'Increases in working-class associational power generally undermine the capacity of individual capitalists to unilaterally make decisions and allocate resources within labor markets' (Wright 2000: 979). However, the relation between workers and capital (or state) is not simply a zero-sum game²⁶, and collective workers' organisations can also enforce and strengthen capitalist interests (Wright 2000).

Liberalisation of the labour market, with outsourcing, casualisation, and precarious labour systems, has challenged the ability of trade unions to mobilise and organise a

²⁶ The idea that the economy is a constant, implying that if one actor gets a higher share it is at the expense of another. In contrast, liberal positive-sum games imply that cooperation can increase the economy and all actors can get more.

vulnerable and fragmented workforce. Although the associational power is primarily associated with number of members, and although the size of a union matters, the relation between union density and union power is not straightforward. For example in France, the unions organise a low share of workers, but enjoy disproportionate associational power in their ability to mobilise beyond members, and French workers enjoy an almost 100% collective bargaining coverage (Visser et al. 2015). In 2010, the All-China Federation of Trade Unions (ACFTU) reported 229 million members, more than the then combined membership of the global International Confederation of Trade Unions, counting 169 million (Traub-Merz 2011). ACFTU is too close to and controlled by the state, although there are important shifts in this relations. Independence seems to be important to associational power.

Associational power can be expanded by mobilising new groups of workers, such as irregular, informal, and immigrant workers (Silver 2003; Webster et al. 2011). Casual workers and contract workers with a semiformal relation to capital are most often welcomed in unions, although they are difficult to organise. Across the African continent, unions adopt different strategies on whether or not to organise informal sector workers. Although many African unions have opened up for informal sector unions, these are often more on paper than integrated into the union family. Rather than integration, others argue for cooperation between formal and informal workers. Andrae and Beckman (2013) argue that the Nigerian textile union cooperation and cross-sectoral alliance with the informal tailors, expanded their mobilising capacity. They are sceptical about the strategic value of organising jointly across the formal–informal divide, considering the different kinds of embeddedness in ‘social relations of production and the nature of the contradictions confronted by people at the two ends of this divide’ (Andrae & Beckman 2010: 86). The two types of workers, they argue, have different organisational opportunities, and in the case of the Nigerian textile union, they say: ‘[t]he strength of the union lies in its ability to protect and expand collective bargaining and other labour rights associated with formal employer–employee relations, not in organizing the tailors [the informal workers]’ (Andrae & Beckman 2010: 98). They seem to imply also a relationship between structural power and associational opportunities. Branch and Mampilly (2015) position informal and formal workers in different relations to the state, where the latter is part of civil society with direct relations and access to the state, whereas the former has either indirect relations to the state or none at all, thus having different interests as well as opportunities. Following this, the formal workers can be mediators between informal workers and the state. On the other hand, an often repeated

success story is the Ghanaian agricultural unions' model of vertical organisations of both informal and formal sector workers in one sector. It is also held that: '[i]nformal workers, are creating new institutions and forging a new social contract between the state and labour' (Webster 2015: 3).

Another way to expand associational power is through mobilisation beyond workers and ally with non-worker associations in civil society or community, as discussed as a key feature of SMUs (Silver 2003; Webster et al. 2011). To do this, and for unions to appeal to new groups at global level or to the public at large, new sources of power are relevant. The identified new type of powers are symbolic (or moral), institutional, and global.

New kinds of power

Symbolic power is used to expand associational power, because the ability to organise beyond the traditional workforce and into the public builds on symbolic power (Webster 2015; Webster et al. 2016). Symbolic power has also been termed 'societal', 'discursive' or 'moral' power (Chun 2009; Webster 2015). Although theoretically from new social movement theories – in particular, those related to cultural framing as a strategic tool for mobilisation (Gamson & Meyer 1996; Zald 1996) and defined as a new kind of labour power – alliance politics and use of symbolic power has long historical roots (Chun 2009). Some of these historical roots in mobilisation beyond workplace and use of symbolic power will be clear in the next chapter on the role of Nigerian unions in independence and democracy struggles, and is well known also in other geographies.

Workers often use symbolic power to seek leverage through public support in situations of 'weak structural power and contested labour rights' (Chun 2009: 17). Symbolic power is centred in the public arena, and often relates to consumer issues with particular pressure points on both state and capital and across national borders (Chun 2009; Seidman 2007; Webster 2008).

'Building symbolic power requires an emphasis on contesting the public arena, both physically in streets and neighbourhoods and cities and in the media, and constructing a new discourse drawing on symbolic meanings that have a resonance in communities as well as to the broader public: the injustice of poverty, the right to make a living, discrimination suffered by women and street traders and so on'
(Webster et al. 2016: 216).

Symbolic – or moral – power resonates with the 'moral economy'; of how the public, workers or certain groups understand the legitimacy of action, systems or economic

relations. To understand labour power as not just based in the political economy but also in social life, it implies that we need to use social, normative and relational approaches to the study of power (Cumbers et al. 2003; Hyman 2001). Symbolic leverage or moral power also ‘recognizes that the social exchange of labor for a wage is grounded as much in a moral and cultural understandings as in economic calculations about profit and efficiency’ (Chun 2009: 17).

Symbolic power can be built by tapping into existing norms, or active attempts to influence the public’s conceptions by creating new norms (Gamson & Meyer 1996; Zald 1996). This corresponds to Lukes’ third dimension of power, which is not power ‘over others’, but about ‘influencing their desires’ (Hayward & Lukes 2008: 6). This refers back to critical realist epistemology and view of language and constructions of meaning as part of social relations. In relation to power, critical realists insist that discourse is not simply a structure which conditions agency, but actors have the ability to influence discourse (Fairclough 2005). Agents are not simply structured by discourse, but have the power to influence it, and discourse is part of political practice.

*‘Discourse as a political practise establishes, sustains and changes power relations, and the collective entities (classes, blocs, communities, groups) between which power relations obtain. Discourse as an ideological practise constitutes, naturalizes, sustains and changes significations of the world from diversive positions in power relations’
(Fairclough 1992 cited in Houeland 2002: 23).*

Relevant discursive or symbolic power struggles can take the form of contestations over definitions or classifications of workers, employment relations and their rights (immigrants, informal, casual), but is at the core of the ‘capacity to influence the distribution of power and resources in the broader society’ (Chun 2009: 14). Symbolic struggles lead to renewed relevance for workers relation to general citizen struggles and rights (Chun 2009). The third article of this thesis on the Nigerian trade unions as mediators of a social contract (Houeland 2017), describes a discursive power struggle over the legitimacy and framing of the fuel subsidies. It shows how the unions tap into existing popular ideas of social justice, using the moral economy of the fuel subsidies as a foundation to expand their associational power at the same time as ensuring workers’ purchasing power. Through this process, they contribute to expanding general citizen rights in the right to organise, to participate and to socio-economic welfare.

Symbolic power has also been important in transnational campaigns to hold corporations accountable (Seidman 2007). These struggles often target consumers rather

than workers, shifting the focus from production to consumption, and are most often framed in a human rights discourse, not as a struggle for labour rights. This encourages passive rights to protection from violations rather than active and political rights to participate, such as to organise and to bargain. These two rights give workers an active voice and direct agency. Appealing to a larger consumer audience tends to play on the spectacular, such as those highlighted by child and forced labour, rather than on the political, such as the apparently mundane and less appealing right to organise and negotiate (Seidman 2007). Thus, consumer campaigns and morally-orientated struggles carry opportunities, but also the danger of depoliticising workers' issues and weakening workers' own agency.

Rather than focusing on the 'stateless vision' of consumer boycotts and of multinationals, (Seidman 2007: 17) holds that transnational and national campaigns should focus on building state power, and pressure the state on regulatory mechanisms and enforcements. The Nigerian case in this thesis relates symbolic power directly to the state and regulatory mechanism. Citizens are ultimately bound to and protected by the state as regulators, where laws and regulations mediate conflict and protection of rights (Marshall 1992; Seidman 2007; Thompson 1971). This brings us to institutional power.

Institutional power involves the ability to ensure regulation of rights (Webster 2015), and refers to agreements on rules of the games of social conflict, most often legally anchored (Fichter & McCallum 2015: 67). It may take the form of labour law, wage-setting mechanisms and bargaining arrangements, as well as institutionalised forms of social dialogue (Webster 2015: 9). This relates to what McCallum (2013) calls governance struggles, where labour seeks to influence the regulatory regime. Institutional power in the form of regulations continues to be applied during ongoing economic cycles, even when power relations within society may have changed. It embeds past social compromises by the incorporation of associational and structural power into institutions (Webster 2015). As such, other forms of power may be protected or limited by institutional power, and institutional power both grants rights and limit space of action. For example, the strong bargaining system in the Nordic countries also limits the right to strike.

With the globalisation of labour and capital and weakening of states' regulatory will or capacity, there are increasing attempts by labour to negotiate and influence the rules of engagement between capital and labour, of rights and conflict regulation mechanisms, even before worker organisation begins, at a global level (McCallum 2013: 143). Webster (2015: 7) suggests that McCallum has identified

'a new source of power, global power. This is a crucial insight, as it allows us to go beyond the widespread view that globalization disables labor – the pessimistic school - to begin to explore the new sources of vulnerability and the strategic possibilities this has created for labor.'

What McCallum (2013) refers to as transnational governance struggles about the 'rules of engagement', comes across rather as an upscaling of bargaining and institutional power, rather than a new source of power.

The upscaling of bargaining and attempts to influence institutional regulations at a global level has taken several forms. Trade unions have attempted to influence the global trade regimes, such as by including social clauses of core labour standards into the World Trade Organization (WTO). Although this has failed (Pahle 2011), trade unions continue to work for such clauses in multilateral and bilateral trade agreements. Another form of governance influence has been through global framework agreements (GFAs), which are a form of collective agreements between a global union federation (GUF)²⁷ and a multinational company. The content of these agreements varies, but sets a minimum standard of respect for core labour rights within the operations of the company. There were 110 GFAs in existence at the end of 2014 (Fichter & McCallum 2015). Oil and energy companies are strongly represented in these, and the energy-related GUF IndustriALL has been active in formulations of GFAs (Cumbers et al. 2008)²⁸. However, these have had a limited effect, and are relatively poorly implemented (Fichter & McCallum 2015). In addition, the GFAs tend to have a European bias (Cumbers et al. 2008). The agreements are negotiated by GUFs, most often in cooperation with unions in the host countries, and are criticised for not being known to the relevant workers in the company across countries. In Nigeria, this was confirmed in the example of the Statoil agreement, signed by IndustriALL and the Norwegian oil workers union, Industri Energi. But the Nigerian shop steward at Statoil Nigeria was not acquainted with the agreements that were supposed to benefit him and his members (Nwafor 2014). Currently there are several initiatives to build transnational associational power through building worker networks within companies and across states, but this also holds a heavy European bias (Cumbers et al. 2008)²⁹. Industri Energi has argued

²⁷ A GUF is an industry-based international federation of national trade unions.

²⁸ At the time of writing, the authors referred to ICEM (International Chemical, Energy, Mining and General Workers Federation), that in 2012 merged with International Metalworkers' Federation (IMF) and International Textiles Garment and Leather Workers' Federation (ITGLWF) to IndustriALL Global Union.

²⁹ Although the article is from 2008, my impression from conversations with trade unionists suggest that this continues to hold true.

that the GFA can form a basis for such transnational company networks. Furthermore, the most successful agreements tend to emphasise and strengthen the national level, allowing for expanding associational power (McCallum 2013). Lastly, very few of the agreements concerns third-party responsibility for subcontracting firms, where the majority of workers are and where labour violations are harsher, although trade unions work to get that into the agreements.

The most recent development in this is the ‘Accord for Fire and Building Safety in Bangladesh’ that was signed only a year after the famous Rana Plaza accident, where a building hosting a textile factory collapsed and killed more than a thousand people, and injuring many more. This agreement is seen by many as an important step in deepening institutional power on a global level. Although only concerning safety issues, it is the first agreement that is legally binding. It is the first of its kind that involves workers from the shop floor, as opposed to host country trade union leaders, in addition to a full 180 international retail companies. Its purpose has been to bridge the consumption–production divide through a social movement–union strategy by ‘combining social movement strategy and industrial relations approach, looking at supply chain and linking production and consumption’ (Reinecke & Donaghey 2015).

Recent negotiations at the level of ILO are arguably about both governance struggles and discursive or symbolic ‘classification struggles’ on a global level, by labour-driven attempts to expand the international labour regime to include new kinds of workers. The ILO adopted a convention for domestic workers in 2011 and a recommendation for informal workers in 2015. The recommendation, rather than expanding labour rights to informal workers, aims to move informal workers into the formal economy. Additionally, by agreeing that eight ‘core conventions’³⁰ shall apply to all ILO members irrespective of national ratification, the ILO has also expanded the regulatory regime.

Since both the global framework agreements and the ILO lack sanctions systems, the global rules have deep limitations, and unions still depend on the state level. Despite the expansive internationalisation, labour relations and power ultimately play out differently in

³⁰ The core conventions are freedom of association [no. 87]; the right to collective bargaining [no. 97]; the elimination of all forms of forced or compulsory labour [No.29 and No. 105]; the effective abolition of child labour [No.138 and No. 182] and the elimination of discrimination in respect of employment and occupation [equal pay, no.100, and against discrimination, No.111] (ILO 1998). The active rights to agency through freedom of association and bargaining are the absolutely key for the unions, while these are also the most contentious when it comes to processes of sanctioning mechanisms, both at the ILO and in other transnational mechanisms.

different countries (Webster et al. 2011). Both new and old powers ultimately evolve from the unions' position in the economy and its ability to organise and bargain.

Chapter 4 The extended case method

This chapter details the methods used, and reflects on methodological questions. This is a multi-sited case study that considers trade unions' multiple social relations (state, market, and society), at both local and national level. The first subsection introduces the choice of an extended case study, and the second reflects on the casing process, including a focus on Nigerian unions, and on the analytical and practical considerations of forming and narrowing the case.

The extended case study is designed to enable researchers to say 'something big from something small' through four lines or principles of extension (Burawoy 2009a: xv and 17). First is the extension of the observer into the lives of the participants under study through methods of fieldwork and observation. Second is the extension of observation over time and space. Third is the extension from micro-process to macro-forces. Finally, (and most importantly) is the extension of theory. The third subsection discusses the first two extensions (into the field, and over time and space) as they are in practice difficult to separate. In addition to describing my field visits and interviews, I reflect on the power relations and politics in the field, and my own position and relation to this. The fourth subsection discusses the third and fourth extensions (from micro to macro and into theory). Since I have already reflected on theorisation (the method of abstraction through retroduction) and theoretical approaches in Chapter 1, I will focus on methodological challenges in going from 'small to big', and on the possibilities of mistaken causalities and wrong conclusions.

All levels of the research design, from purpose and research questions to conceptual framework and methods, imply questions of ethics and validity (Maxwell 2005). The extended case method emphasises the position of the researcher as a subjective and intervening observer into events, sites and in relations, which makes representation, reliability and replicability impossible (Burawoy 2009a; Maxwell 2005)³¹. Validity relates to the 'correctness or credibility of a description, conclusion, explanation, interpretation, or other sort of account' (Maxwell 2005: 106). When relying on qualitative methods, operating

³¹ Representation refers to informant selection and trying to make a sample that is numerically and qualitatively representative of relevant population, expected for example in a quantitative survey. Reliability is about consistency, stability, and repeatability (replicability) of the research over time and between researchers. Different researchers should get the same results if carrying out the same study. Replicability concerns the research design and to what extent another researcher could reproduce it.

in a politicised environment, and exploring controversial issues, questions of validity become particularly pertinent (Maxwell 2005: 72). Ethics and validity will be discussed continuously rather than in a separate section.

The extended case study method

Qualitative case studies are context-orientated, and specifically suited to exploring causal mechanisms or meaning in social processes and relations. Therefore, a qualitative case study is well suited to this thesis. Case studies can be explorative, explanatory, or descriptive, corresponding to the ‘how, why and what’ types of research questions (Yin 1994), but is typically used for ‘how’ and ‘why’ questions, rather than ‘what’ (Easton 2010; Maxwell 2005: 22-23; Ragin & Becker 1992; Yin 1994). This study has elements of all these types, being explorative at the outset, and by posing open questions to more narrow and specific questions of both explanatory and descriptive character.

Compared to other empirical studies such as historical studies or surveys, a case study is explicitly contemporary, contextual and complex (Yin 1994: 13)³². As a contemporary event, issue, or organisation, the researcher has access to real time by observation and/or access to people with direct experience of that event or issue for interviews. Since it is complex, it needs a variety of data sources and uses prior theories for guidance. Yin (1994: 27) contrasts case studies to ethnographic studies and grounded theory, describing a case study as a deductive endeavour starting with a theory before data collection, in contrast to inductive, ethnographic, and grounded studies that aim to build theories from evidence. However, I concur that a case study can and should combine theoretical and empirical approaches (see Burawoy 2009a; Ragin & Becker 1992)³³, as also discussed under critical realism. Theories should be tested and explored against evidence, but evidence cannot be understood without theory. The Marxist ethnographer, Burawoy (2009a: 8), polemically describes the trouble with choosing a deductive *or* an inductive approach as: ‘[t]oo often Marxism is trapped in the clouds, just as ethnographers can be glued to the ground’.

The extended case method is consistent with the critical realist methodological focus on both empirical data and theory and its relation, as it also combines apparent opposites,

³² Others, like Vaughan (1992), do not specify ‘contemporary’ in the definitions of a case study, which opens up for historical case study.

³³ Ragin and Becker explicitly define themselves as realists. Although not explicitly defined as critical realists, they describe a similar epistemology.

both of micro and macro levels, and of theoretical tradition and empirical research. This is not done by dissolving their difference, but by bringing them into dialogue through ‘ethnographic reflexivity’, which enables the researcher to go beyond and beneath binaries – insider and outsider; coloniser and colonist; capital and labour – and link the local, national, and global (Burawoy 2009a: 24).

‘Reflexive science starts from our dialogue, virtual or real, between observer and participant, embeds such dialogue within a second dialogue within local processes and extralocal forces that in turn can only be comprehended through a third, expanding dialogue of theory with itself’ (Burawoy 1998: 5).

The reflexive methods correspond closely to the critical realist methods of retrodution. The ethnographic reflexivity implies valorising subjectivity and engagement rather than objectivity and detachment. This kind of engaged research also relates well to the critical realist ideas that we can reach true knowledge about the social world and reveal underlying power mechanisms; therefore science can be emancipatory.

Finding the case and narrowing down

Two questions clarify and guide a case study: ‘What is my unit of analysis?’ and ‘What is it a case of?’ The process of finding the case or ‘casing’ describes a continuous process of exploring and identifying the theoretical and empirical boundaries and the specifics of the case in question, of matching ideas and evidences. It is essential for the primary goal of research, namely to use theory to understand evidence, and to use evidence to sharpen and refine theory (Ragin 1992a). In this study, the first step is to identify a case suitable for the defined purpose of exploring trade union agency and its limits in an African country in which the economy is highly dependent on oil. The reasons for choosing Nigeria were discussed in the introduction.

The Nigerian unions

The Nigerian union movement is the unit of analysis. There are two Nigerian labour centres or confederations in Nigeria. The first is the Nigerian Labour Congress (NLC). The NLC was established in 1978 under a labour law allowing for only one trade union federation in Nigeria, which was only for blue-collar workers. The NLC claims 4–4.5 million members

in 43 industrial unions, mainly blue-collar workers. The other is the Trade Union Congress (TUC) representing 300–500,000, white-collar workers³⁴. TUC was legally recognised as a trade union in 2005 under the new labour law that opened for free association, but it has roots in previous white-collar workers associations. My focus is on the NLC, as the oldest, biggest, and most significant trade union centre, and it has been in the forefront of civic actions. The TUC, is generally less visible, though they work closely with the NLC in national activities, including the subsidy protest in 2012.

Because of the focus on the oil economy, and of the inherent structural power and the oil workers' historical role in the democracy movement, this thesis is specifically interested in the oil workers' unions, both in their role within the labour movement and as individual unions. There are two oil worker unions: NUPENG (Nigerian Union of Petroleum and Natural Gas Workers, affiliated to NLC), organising about 20,000 petroleum workers, and PENGASSAN (Petroleum and Natural Gas Senior Staff Association of Nigeria, affiliated to TUC) organising about 15,000 petroleum workers. NUPENG and PENGASSAN often work closely at branch level, and at national level, they have a formal cooperation agreement called 'NUPENGASSAN'.

2012 fuel subsidy protests and the oil unions in the Niger Delta

The overall research question, 'What are the opportunities and constraints to trade union agency in Nigeria?' concerns questions of structure and agency. The previous chapter on the analytical and theoretical framework identified how labour agency is constrained, and in particular how it is embedded in the labour triangle of state, market, and society. Chapter 3 contextualised the formation of these three arenas and the respective actors. This leads to the second aspect of the question which concerns unions' agency. In critical realist terms, this is about identifying trade unions' powers or liabilities. Theoretically, I link agency, and in particular labour agency inspired by labour geography, with traditional, Marxist-inspired theories of labour power (Wright 2000), with emphasis on associational and structural power as the core union powers. I have also considered the importance of new forms of labour power such as symbolic, logistical, global, and institutional powers. Although the Nigerian petro-economy is fundamentally transnational, there was little evidence that the

³⁴ Union membership numbers are impossible to establish correctly: the unions themselves do not have accurate records for various reasons. This can be due to fluid and changing membership base resulting from the temporary nature of employment relations and there are various incentives to inflate or deflate numbers.

NLC or oil union actively prioritised the global level for global power. At a relatively early stage, I decided not to pursue the global level³⁵.

The Nigerian protests that exploded into the streets in January 2012, only three months after I commenced the PhD programme, shifted the research focus towards these protests. The subsidy issue has a long history of high priority for the Nigerian unions, but the 2012 protests was one of the largest popular mobilisations in the country's history (Branch & Mampilly 2015). The subsidy protests as a case study of the unions is both a good historical case, defined as having significance for subsequent events, and a sociologically important case, as it had theoretical significance (Ragin 1992b: 15). Furthermore, I could follow the day-to-day news stories about the protests, and although I was not able to visit Nigeria to attend the protests, I was able to interview key actors within a few months of the protests occurring.

Since protests can be seen 'as sets of players in fields of strategic contestation' selecting and applying certain tactics or actions over others (Jasper 2004: 2), the 2012 protests is a particularly useful case to study agency and interests. This requires a focus on strategic choices, acknowledging existence of multiple actors with their own agencies, and that agency is relational (Jasper 2004). The subsidy protests have been likened to Thompson's account of the moral economy (Guyer & Denzer 2013), described as contestations of rights and the understanding and limits of power and authority (Cooper 1995). The unions played a key role in the protests, but also met heavy criticism from other protesters. In itself, the protests could be cased in many different ways. The protests highlighted various union arenas, roles, and relations, and different interests and identities came to the front.

The Nigerian protests were a case of a global and regional protest waves as they occurred simultaneously with the international series of 'occupy movements', such as the Arab Spring and the Africa uprising (Branch & Mampilly 2015). The media referred to the protests as 'Occupy Nigeria' (Kew & Oshikoya 2014), inspired by social media groups and loose coalitions of activists calling themselves by that name. Though the president's subsidy removal ignited the protests, the global protest wave inspired them further. The international protest waves also triggered fear and repression from authorities, and the international media

³⁵ The NLC is active in Pan-African (International Trade Union Confederation, Africa, ITUC-Africa and Organisation of African Trade Union Unity, OATUU) and West-African confederations (Organisation of Trade Unions of West Africa, OTUWA). The oil unions are active in the GUF, IndustriALL. However, these activities and strategies seem not to be systematically prioritised.

asked whether Nigeria was seeing its own ‘spring’. Although new social actors framed the protests in relation to global and contemporary events, the protests were largely a Nigerian event targeting specific national issues. The trade unions, however, never used the term Occupy Nigeria. The unions referred to the protests as the fuel subsidy protests, positioning them in a historical trajectory of resistance against deregulation. Fuel subsidies have been high on the global agenda of liberalisation and deregulating oil economies around the world, and have been under pressure and been removed in many countries (Ibrahim & Unom 2011). It is interesting to note that the Nigerian authorities have not been able to remove the fuel subsidy, in contrast to other countries where removal also met with large popular protests.

Many accounts of the 2012 protests have been framed in relative isolation of the historically re-occurring subsidy protests which have been strongly connected to Nigeria’s democracy struggles, and which have played a particular role for the unions. By seeing it as a part of a particular case within a historical protest sequence, it brings out different perspectives to the protests themselves and of the motives and agendas of the actors involved. The historical perspective also bring out specific and changing relations between unions and state, capital and society. The exact developments of the 2012 protest differed from earlier subsidy protests, not just with the new social movement actors, but with many and diverse actors, discussions, and uncertainties along the way, triggering new contestations and revealing underlying tensions in the Nigerian civil society. Towards the end of the protests and in their aftermath, newspaper op-eds and social media were filled with non-labour protest actors’ anger and disappointment with the unions for not shutting down the oil production, and with how they ended the strike and its outcome. Whereas the unions complained that they had been misunderstood, expectations on one hand and stakes on the other, were too high. My first article aimed at unpacking these issues, to identify actors’ interests and to tease out the actual power and agency of the unions. (Houeland in press).

While collecting data for that first article, I met a masters student from Oxford, Chris Akor, in Abuja. He was collecting data for his masters thesis about the fuel subsidy as a ‘social contract’ (Akor 2013). Looking for references, I discovered that several activists, researchers, and even the World Bank referred to fuel subsidies as a social contract. This led me to a new casing process, driven more by theories and ideas about state–society relations, and asking questions around contract mediation and unions’ role in citizenship and formation of rights (Houeland 2017).

Critique of the oil unions for lower strike turnout in the Niger Delta, and for not shutting down the oil production, revealed the need to understand the specifics of the Niger Delta in itself, and in relation to national issues. In the historical context of the oil unions active role in earlier subsidy struggles (not least in the pivotal 1993/1994 strikes which are described in the next chapter), the lower strike turnout was puzzling. At the same time, oil and oil unions were pivotal, as the government only called for negotiations and eventually buckled after PENGASSAN threatened to shut down production. Given the vital importance of the oil industry to social, economic and political relations in Nigeria, and the potential oil union power, the questions about the specific contextual conditions of unions' power and agency in the oil industry became important. Even if only in theory, 35,000 organised Nigerian oil workers could stop the oil production and distribution of fuel products, and by extension, the revenue income to the state and to the Nigerian elites. In practice, the capacity and will to strike is constrained, underscoring the need to analyse both the boundaries of this potential power and how the unions manoeuvre and use the structural power strategically. Exploring labour power within the specific labour regime in the oil industry and in the Niger Delta, opens up for more direct analytical links between the unions' structural conditions in relation to capital, and to union opportunities in relation to state and community, in the local and national context.

Structural constraints and opportunities, both in the political economy and specifically based in the conditions of the labour regime, run through this thesis in the three articles and in the chapter on historical context. The two articles focusing on the subsidy discuss the Nigerian unions' navigation, priorities, policies, and strategic choices made. The Niger Delta article is explicitly about labour power rather than (subjective and strategic) agency, although it reveals constraints to some choices. The three articles can be described as follows in the context of casing:

1) *Between Aso Rock and the Streets: Nigerian trade unions' roles in the 2012 fuel subsidy protests.* The unit of analysis is the Nigerian trade union movement. The specific event is the subsidy protests, and the article engages with critique and contestations around the trade unions' actions. It is a case of the opportunities and constraints of a social movement strategy. I use concepts of labour power and agency to consider the trade unions' strategies and contestations in the context of their multiple embeddedness in state, society, and market. The article unpacks workers' and unions' expressed interests, considering agency as subjective, reflective and active.

2) *Casualisation and Conflict in the Niger Delta: Nigerian Oil Workers' Unions Between Companies and Communities in the Niger Delta.* In this article, the unit of analysis is the oil unions. It is a case of the effects of shifts in labour systems on labour power in the oil industry, in a context of conflict and social fragmentation. The article uses concepts of labour regime and labour power to explore the conditions of workers and trade unions within the oil industry in the Niger Delta. This includes analysis of union relations to host communities (as part of society), companies (market), and to the state.

3) *Popular protest against fuel subsidy removal: Nigerian trade unions as mediator of a social contract.* The article has the trade unions as unit of analysis, and proposes to see them as mediators of a social contract. Through this mediation, they bind the Nigerian state and citizen. This implies that the subsidy itself is a case of a citizen right, and that the process around it is the process of social contract formation.

Extensions into field, over time and space

The first two extensions in the extended case study, are of fieldwork and observation, and observation over time and space. Both are rooted in the ethnographic principle of ‘writing about the world from a standpoint of participant observation’ (Burawoy 1998: 6). In this section, I will first map out the field, and then discuss the challenges of operating and navigating in this highly politicised context, before discussing issues and strategies relating to my own and others’ biases and blind-spots.

Visits to the field

A classical, anthropological ethnographic field visit of many months and ‘living like the locals’, was neither feasible nor necessary for this study. A ‘quick and dirty’ or rapid ethnographic study can compensate for lack of time in the field by deepening and focusing, and using key informants (Millen 2000). Not only is the field visit important for formal data collection, one should not underestimate the importance of ‘hanging out’ and of informal situations (Maxwell 2005: 79).

My extension over time has been as much about intense visits and relations across time and space, as about long duration visits. Intense, long-term involvement with the subject matter and the field, strengthens the validity of the study (Maxwell 2005: 110). In

addition to the research-related field visits, I have been to Nigeria three times since 2005, and interacted with Nigerian unions on several occasions³⁶. I had three research visits to Nigeria, in 2012, 2013 and in 2014, for ten weeks in all. Each visit started in the political capital, Abuja, followed by a visit to the economic capital, Lagos. The last visit was extended to the ‘oil capital’, Port Harcourt, in the Niger Delta. The three localities represent different geographies and histories, and together they provided different kinds of accesses and opportunities for data collection and contextual understanding for this study.

In order to meet the Nigerian trade unions, employers, and government representatives (or social partners) and to introduce myself (as a researcher) in a tripartite setting, I attended the ILO’s 101st annual International Labour Conference (ILC) in Geneva, in 2012. The ILC is where the social partners from most countries in the world – in 2012 from 185 countries – meet to develop and assess the international labour standards (in other words, the ILO conventions and recommendations). I met with the employers and union delegates from Nigeria, but failed to meet government representatives. Through observation and informal interactions with other ILC participants, especially from African workers’ delegations, I could deepen my understanding of labour in Nigeria relative to other countries and from peers’ perspectives. Even if this is not a comparative study, the possibilities to compare Nigerian realities with other countries proved to be useful. The processes in and around the ILC also give a unique insight into the politics of labour at a global level.

As such, the developments of 2012 were a particularly forceful reminder of the global pressure on the fundamental rights at work and of the deep and seemingly increasing conflicts between labour and capital, easily forgotten in a context of ‘social dialogue’ (Bergene 2010) and in labour studies in general (Burawoy 2013)³⁷. The employers’ delegation effectively blocked the work in the Committee on the Application of Standards (the Application Committee), with the result that for the first time in history, it did not reach

³⁶ I visited Lagos and Port Harcourt, including several host communities in 2005 when I was representing the Norwegian Council for Africa in a collaboration with the CDD Centre (a Nigerian NGO), on a project on oil and Norwegian engagements. Representing LO-Norway, I again visited the country in 2007 and 2010, first to attend NLC’s quadrennial congress in Abuja, and later to Abuja and Lagos to follow up their cooperation project with NLC under the Norwegian Oil for Development programme.

³⁷ Especially to a Norwegian most familiar with the compromise-orientated ‘Norwegian model’, these kinds of reminders and contrasts are important to me. The Norwegian social democratic dispensation has often led me to be rather sceptical about the emphasis on conflict as the main relation between capital and labour, since the Norwegian model strongly emphasises compromise. However, this does not translate well into new contexts. As an example, as I tried to identify and discuss commonalities and joint interests between labour and capital, in business development and job creation with the Nigerian unions and employers. Both agreed to agree on several policy issues, but said there had not been any joint policy approaches. Although many talked about ‘fraternal relations’ between managers and workers, conflict seemed to be the basic understanding of the general relation.

a conclusion. The Application Committee consists of delegates from the three social partners. Each year, the Committee discusses breaches of selected ILO conventions, with 25 agreed-upon cases chosen from the annual report from the Committee of Experts. These cases are discussed at length and the government in question needs to defend itself against accusations. The ILO has no sanctioning authority, but the work in committee resembles a trial, and can conclude with recommendations for follow up, sometimes with important policy consequences. In 2012, it was decided to discuss the core conventions, considered the fundamental rights at work³⁸, including Convention 87 on Freedom of Association and Protection of the Right to Organise. A united employers' group blocked the process as they refused to accept the premises of the report from the Committee of Experts that implied the right to strike as part of Convention 87. In addition to the ILO experts, most governments and indeed all workers, maintained that the right to strike is conventionally included in the right to organise. The employers' actions were seen as a blunt attack on labour rights – an attack that continues unabated.

All of my field visits to Nigeria started in Abuja, where the NLC has their headquarters. Abuja is an artificially created city, built gradually since the 1980s, symbolically positioned in the geographical midst of the country, situated within the Federal Capital Territory (FCT) that is a separate territory outside the 36 states. Abuja became the capital of the country in 1991, to move the political power from the Yoruba-dominated Lagos to a more neutral space. The idea was to situate the capital in a place without bias towards any of the dominating ethnic groups. Abuja has less than a million inhabitants and appears quiet and orderly, with massive highways criss-crossing the city, with large buildings, open spaces and few pedestrians – unless you drive to the suburbs, where you find the familiar, busy street life and the homes of ordinary workers.

Abuja is the centre of Nigerian political life and power; it is a city for the elites. Here one finds the presidential palace (Aso Rock), government structures, parliament and parastatals, such as the headquarters of NNPC (The Nigerian National Petroleum Corporation). Most sizeable NGOs, embassies and international organisations have their offices here. Abuja is where the distribution of oil revenues is formally (and often informally) decided. It is known as a site for the luxurious living and consumption of elites who legally or illegally benefit from the oil revenues. Driving past an oversized private residence, with Greek-pillared entrances and oversized Roman statue replicas in the garden,

³⁸ The rights to organise (No.87), negotiate (No.97), against forced labour (No.29 and 105), child labour (No.138 and 182) equal pay (No.100) and against discrimination (No.111).

the taxi driver told me that that it was built with ‘chopped’ money from the subsidy scheme. Rumours held that militant leaders from the Niger Delta lived at the infamous Hilton Hotel on money embezzled from the amnesty process.

Abuja is also the location of the NLC headquarters (an eleven-story house donated by President Babangida in the late 1980s) and where the unions gain access to the state and political structures. The state is the regulator of relevant economic policies, labour conditions through law, and minimum salary, and it is the biggest employer. Some of the state employment is administrated at state level, under the governors – who also have their representative residents and political offices in Abuja. Although moving around a lot for various meetings with NNPC, NGOs and diplomats, the NLCs ‘labour house’ in Abuja’s Central Business District (CBA) was my base in many ways. From the 10th floor, there is an excellent view to the National Christian Centre, the National Mosque, Nigeria’s Central Bank and a range of other power institutions. I spent hours and days hanging around the offices, having formal and informal meetings with NLC staff and leaders, getting a sense of the day-to-day work life. One day I ran into the Minister of Labour and his entourage in the elevator. On another, there were hardly any people around, and I had lunch with a staff member who gave useful reflections over changes in the Labour House. On occasion, I had coffee in the General Secretary’s office, while the heads of departments went through the daily newspaper before roaming the hallways for meetings and informal conversations.

Lagos, the first political capital of independent Nigeria, remains the ‘capital of capital’. It is the financial and commercial heart of Nigerian economy, and hosts the Nigerian Stock Exchange (1969) and the bulk of national and international business. The presence of multinational oil companies and other international actors makes Lagos a transnational space, rooted in the city’s historically strategic role as a port for West African trade, including slave trade. Lagos is a dynamic place of economic optimism and cultural innovation, not least reflected in hosting the second largest film production centre in the world (‘Nollywood’). It is the largest city in Africa with an estimated population of 20 million people. Situated in the geopolitical South-West zone³⁹, two thirds of the population are Yoruba, but Lagos attracts people from all over the country, including returning Nigerian youth from abroad who want to partake in its opportunities.

³⁹ The Nigerian constitutions divide Nigeria into defined six geopolitical zones. The zones were created under President Ibrahim Babangida. This is one in many attempts to regional organise Nigeria. The zones were to divide the country in zones according to commones in culture, ethnicity and history. The other zones are North West, North East, North Central, South West and South East. The zones consists of five to six of the 36 states. Chapter 4 will elaborate on geographical divisions and zoning systems in Nigeria.

Even if Lagos state is the smallest of the 36 Nigerian states, it accounts for 60% of national industrial and commercial activities. It is the only financially independent state, generating over 75% of its revenues locally, when other states depend on federal grants derived from oil revenues. If isolated, Lagos's 2010 GDP (gross domestic product) of USD 80 billion would have made it the 11th largest economy in Africa (Nwagwu & Oni 2015).

Lagos is infamous for being loud, chaotic and dangerous, but it has also become a reference point of urban improvement with eased traffic and decreased crime over the last five to ten years. Nevertheless, it is certainly still an overwhelming and noisy space. This is emphasised by the stark contrast between the modern luxuries of Lekki Island, where most oil companies are located and where some of the richest people on the continent live, and the deep poverty on display under the bridges that cross the river towards Ikoyi.

NUPENG and PENGASSAN, as well as the employers' association called the Nigeria Employers' Consultative Association (NECA), and most oil companies, have their head offices here. The main meetings and interviews in Lagos were with national union leadership and staff, company representatives, and academics.

Flying from Lagos towards the oil capital, Port Harcourt, onshore oil production becomes visible, as constant flames from the flaring gas light up the landscape. Port Harcourt is the main access point to the oil production sites, and to the downstream industry. This is where the global capital physically meets traditional communities, and where conflicts over sovereignty have evolved into violence, insurgency, and crisis. This transnationality is encapsulated in secluded enclaves, such as the oil compounds and the export-processing zone, both securitised and inaccessible to ordinary citizens. Port Harcourt hosts two of the four Nigerian refineries and the related port activities. And it is where the local offices of NUPENG and PENGASSAN gave me access to workplace visits, shop stewards, and oil union members, and from where I visited communities, met oil workers and local NGOs and activists, oil company managers, and had a closer access to the actual industry.

Historically, environmentally, and ethnically, the Niger Delta stands out from other parts of the country. At the same time, it is significant to the federal state through the revenue dependency on this region. Port Harcourt was created by the British colonial administration as a port for coal transport at the end of Bonny River, and the oil activities have entrenched its transnational character. It is the capital of Rivers state, but also the heart of the larger

Niger Delta, which currently consists of nine states⁴⁰. Historically it referred to the main oil-producing states: Rivers, Bayelsa and Delta. Its popular name, ‘the garden city’ used to refer to its well-planned avenues and many green spaces, but currently, that name appears more like a curious reminder of what the city used to be.

The oil production commenced just before independence, in 1958, and it has contributed to a complex landscape. In the Niger Delta, the petroleum connects community, state, and companies in particular ways, into what Watts (2004) terms the ‘oil complex’ – an elite collusion between state, oil companies, and local communities (Obi 2014). The oil economy and its actors have led to the transnational nature of the social spaces in the Niger Delta in particular, where ‘local and international actors bargain over power domination and authority’ (Eberlein 2006: 578). This has

‘contributed to change in the organisation of local regimes, the rise of new actors of violence, and fragmentation of sovereignty and authority. These interventions give the ongoing reconfiguration of decentralised neo-patrimonial rule into predatory modes of control’
(Lewis in Eberlein 2006: 578, 579).

There is a long history of local community struggles for resource sovereignty, and of resistance, most often directed at the international oil companies. Resistance and rights claims have been both non-violent and violent. Attempts at non-violent resistance have been met with violence from the state and companies (Obi, C. I. 2010; Watts 2011). The increasingly violent ‘Niger Delta crisis’ dominated the 1990s up to the amnesty process in 2009 (with a resurgence in 2016).

Communities have demanded resource control, distribution of oil profits, and access to jobs. The various conflicts over economic and political claims to the oil and its benefits are commonly framed by ethnicity. The Niger Delta hosts over 30 million people divided into more than 40 minority ethnic groups, and there are about 1500 ‘host communities’ with oil production facilities on their land (Akpan 2008). The oil literary springs out of their ancestral land. Failing to bring in revenues, it also destroys their alternative livelihoods from the now polluted land and waters. The ethnic minorities in the Niger Delta (in the South-South zone) express feelings of marginalisation relative to the dominance by the three major ethnic groups, namely Yoruba (around Lagos and the South-West zone), Igbos (in the Ft

⁴⁰ In 2000, the Niger Delta geographic area expanded to include Abia, Akwa-Ibom, Cross Rivers state, Edo, Imo and Ondo states, also with some oil-related activities.

zone), and the Hausa-Fulani (North-West and North –East zones), as well as in contrast to international actors.

The various local and transnational conflicts date back to pre-colonial and colonial slavery and trade conflicts, but became exacerbated by conflicts related to oil. Ten years after the oil discovery in Oloibiri, Bayelsa state, 1956, the Niger Delta was dragged into the Biafran war (1966–1970), where Igbos proclaimed the Biafran state to include the oil-rich Niger Delta. The story of how the Niger Deltan minorities at the time related to Biafra and the Igbos is contested, but most historical accounts emphasise that Niger Deltans did not support an independent Biafran state. The Biafran war has been described as primarily an ethnic conflict, which implicitly relates to conflict over control of the Nigerian oil. The Biafran idea and Igbo nationalism resurfaced under the Jonathan regime, while it exploded after Buhari’s election victory in 2015 and after the arrest of a Biafran secessionist activist. Young Igbos, with no personal experience of the actual Biafran war, led a series of protests. The protests also spread to the Nigerian diaspora in many countries, which is often dominated by Igbos.

Many people associate the Niger Delta with illegal oil trade, corruption, hostage-taking, and militancy; it represents the most conflictive and contested space of the three sites I visited. Although currently in a state of relative peace, the area is still tense and several countries advise against travel in the Niger Delta, including Norway. At the time of my own travel, the Norwegian Ministry of Foreign Affairs ‘[discouraged] trips or stays that are not strictly necessary [...] parts of northern Nigeria and the Niger Delta’ (Norwegian Ministry of Foreign Affairs 2013: my translation from Norwegian). In a context of renewed security focus at my own home university, this created added challenges to travel, reduced the time available and increased the cost of the field visit. I consulted a range of experts before travelling, and used a facilitator (see details below) to ensure my safety and to help navigate the landscape without jeopardising other peoples’ safety.

The unions received me with great hospitality and assisted me in finding a hotel, where I also met with shop stewards who held their collective bargaining negotiations in that hotel. I also met with NGOs, academics, and journalists in cafes and social spaces. By taking precautions that reduced my mobility, I felt personally safe, other than when visiting a community to talk to contracted community workers. A community leader seemed to disapprove of our presence, and the people who took me there suggested it was high time to leave the place. ‘These people can become dangerous’, I was told.

Observation and interaction not just across space, but within different spaces, has been important. The possibility to communicate with and observe friends, academics, and ‘comrades’ through social media was also important. I have actively ‘befriended’ or followed Nigerian activists, politicians, and scholars on Facebook and Twitter. I had several Skype conversations with activists and scholars to share ideas and topics. Throughout my PhD process (and before), I had interaction with Nigerian scholars as well as scholars on Nigeria, both in the US and at international academic conferences in the US and Europe, and I met Nigerian unionists in Ghana and in the US. This allowed informal meetings to share and test ideas. This gives a valuable added insight to specific debates outside mainstream media.

Of power relations and politics in the field

The effect of power is the biggest threat in an extended case study, and these threats are particularly prominent in post-colonial settings since colonialism brought specific raw or exaggerated versions of power to play (Burawoy 2009a). In Nigeria, the oil industry exaggerated these ‘raw’ powers. This section discusses relevant power relations in the field, in the context of the subject matter, while the next section deals with my own role and relations.

The most immediate method to avoid validity errors is data triangulation, or to use of several sources. In this thesis, I employ a wide range of oral and written sources, from academic to policy documents, to following formal and social media, to conducting interviews. In doing this, we need to be sensitive to how we understand the sources themselves (Maxwell 2005). This requires a contextual sensitivity, not least in understanding relevant power relations. To analyse ‘power relations is an inherently evaluative and critical enterprise, one to which questions of freedom, domination, and hierarchy are – and should be – central’ (Hayward & Lukes 2008: 5).

Nigeria is a highly conflictive and contested space, with deep poverty and extreme inequalities, with multiple horizontal, vertical, and historical conflict lines and vast, valuable, and concentrated resources. In this landscape, questions of silencing as the ‘second face of power’ is important to consider (Burawoy 2009a: 58). This relates both to understanding which voices and interests dominate the field, as well as to how I, as a researcher, relate to these.

When exploring labour's power and agency in relation to state, society, and capital, there are multiple relevant levels of relations concerning the political, the social, and the economic. Labour has an explicit agenda to challenge both political and economic elites through redistribution of economic resources and expansion of popular decision-making. This agenda is closely associated with radical and socialist politics, emphasising the politicisation of the field. Labour's agenda of profit distribution can be either within a company, or the state, or between different groups of workers. But how radical the agenda is, depends on the type of workers and on their ideology. Workers and trade unions represent distinct interests in the balance of power and politics around oil, but they are also part of a web of complex inter-related dependencies between workers, state, and oil companies. Although representing relatively disempowered workers, when seen in relation to 'capital' – and remembering that the relative income in the formal sector is not necessarily higher than in the informal sector (Adesina 1994) – the unions and their leaders also hold positions of relative privilege and power. And some workers are more powerful than others, with class differences also within the union movement.

The power of oil and its profits cannot be overstated. Nigerian oil has brought unimaginable wealth to a few; it has fuelled conflicts, created resistance, and destroyed livelihoods. The oil is intrinsically linked to questions of illegality, violence, and corruption, and it involves local, national, and global actors. Oil touches sensitive issues of ethnicity that both overlap and crosscut economic and political conflicts. Because of the economic and political significance of oil in Nigeria (as in the global economy), oil has symbolic and moral power, value and meaning. In addition to the economic and the material,

'Oil kindles extraordinary emotions and hopes, since oil is above all a great temptation. It is the temptation of ease, wealth, strength, fortune, power. [...] Oil creates the illusion of a completely changed life, life without work, life for free. Oil is a resource that anesthetizes thought, blurs vision, corrupts. People from poor countries go around thinking: God, if only we had oil! The concept of oil expresses perfectly the eternal human dream of wealth achieved through lucky accident, through a kiss of fortune and not by sweat, anguish, hard work. In this sense oil is a fairy tale, and like every fairy tale, a bit of a lie. [...] Oil, though powerful, has its defects. It does not replace thinking or wisdom'
(Kapusinski 1995: 34-35).

There are strong economic interests in the industry, and these are associated with political positions, linked to illegality and corruption in and around the oil industry, which makes the field all the more sensitive.

Nigerian trade unions challenge the distribution of profit in the oil sector, not only concerning salaries, but also the distribution of public income from taxation, and consequently the income of the political and economic elites. The following quote from my interview with former NUPENG president (now Member of Parliament), highlights the power of the unions and the transnational and securitised nature of power and oil politics:

Peter Akpatason: [...] Embassies in Nigeria have more security information about this country than the Nigerians. Each time we had a strike the embassies invite me. And I tell them openly. I tell them the truth. Because in most cases I feel that at best they will assist

Me: So you were invited to the American Embassy? [...] that is indicative of your role in the country?

Peter Akpatason: Yes. You know whatever we do in the oil industry – NUPENG and PENAGSSAN – affect companies. Most of them are foreign companies – American companies, European companies and the rest of them – I think that is the reason why they show so much interest (Akpatason 2012).

On the one hand, labour challenges various forms of power in state and oil industry by engaging in questions of public and private ownership, profit-sharing and not least around corruption. On the other hand, unions may have interests in the current setup. In the aftermath of the 2012 subsidy protests, and as part of a clean-up of the industry, the government held back subsidy transfers to a range of marketers they alleged were not entitled to receive subsidy transfers. Workers in these companies were not paid, and NUPENG went on strike. In relation to this, Ibrahim (2012) stated:

'There is increasing evidence that mega looters have taken over the economy and maybe the political system of Nigeria. The mega looters are using our stolen resources to give themselves impunity and to prevent the State and its judicial system from sanctioning them. [...] They are now taking over the Nigerian labour movement after defeating the police and the anti-corruption agencies. When the House of

Representatives tried to deal with the mega thieves, the response was carefully planned and executed. Farouk Lawan who led the [Subsidy Probes] Committee ended up as the accused. Even civil society appears cowed as we try with great difficulty to understand what is going on and we are unable to take appropriate measures. Recent actions by NUPENG and the NLC have been confusing and have raised issues on which side they are on, the people or the mega thieves.'

Acknowledging the complexity of realities, fallacies of knowledge (see Chapter 1) and politicisation of issues, requires not only sensitivity to the empirical, but also sensitivity and a critical approach to knowledge formation, ideas and theories. This implies reflection concerning questions of power and biases when engaging with scholarly literature and theories, including recognising power dynamics in knowledge production itself.

A key challenge in this deeply contested space where contradictory facts and poor numbers flourish, is to unpack issues, get a sense of actual events and reveal meaning. The oil industry and the petro-state are veiled in secrecy, and in many instances it was impossible to get access to credible numbers and statistics over key indicators of the unions' role in for example wage settlement, number of workers, salaries or strike actions. In addition, Nigeria has poor statistics in general (Jerven 2016), making it difficult to support analysis with statistical data. There are also myriads of myths, symbolic narratives and unsubstantiated 'facts' that flourish in Nigeria. Not only is it important to critically analyse the interests and relations of the actors' actions, but also the mediators of information, including academics and the media. Knowledge formation and production of facts and information is part of politics, and navigating the Nigerian political debates can be a minefield. This is not simply about fact, but about perspectives and interests, and many scholars emphasise the impossibility of reaching an understanding about Nigeria. Bourne (2015: ix) introduces his history book on Nigeria with an assertion that 'anyone who claims to understand Nigeria is either deluded, or a liar' (2015: ix). This, he suggests, is partly a results of Nigerians' lack of confrontation with and knowledge of their history.

Whereas other countries use history to create a national identity, and although in the oil boom and economic heydays of the 1970s, attempts were made to build a national identity and story (Apter 2005), Nigeria is 'the only country in the world where the teaching of history has disappeared from the school system. Our children go through the whole school system without learning our origins and struggles as a nation-state' (Ibrahim 2014). This is

related to failed attempts at building a common nationhood, and conflictual and contested history, as discussed in the next chapter. Nigeria is characterised by multiple division in terms of class, region, religion and ethnicity and a turbulent history of violent and non-violent conflicts over resources, where there are also multiple perspectives to and versions of facts, figures and histories. A telling example of the politicisation of numbers is the fact that Nigerian population censuses have not asked questions of religious affiliations since 1963 (Lende 2015). There is a political consensus that there is a 50–50 distribution between Muslim and Christian, North and South, to avoid conflict in the case of unequal shares.

Specifically for this thesis, a calculation of the numbers of employees in the oil industry was hard to come by. Even taking casualisation into account, the allegations around criminal abuses of expatriate quotas made it difficult for me to arrive at an accurate number, as did the lack of detailed statistics from the Labour Department and the Nigerian Bureau of Statistics. In addition, industry practice often differs from laws and policies, and I was unable to estimate salary levels as an indicator of workers' relative economic position nor of unions' efficiency of wage settlement over time. Salaries are often not paid according to collective agreements or minimum laws, and are often not paid at all. There are discrepancies between the formalities and the practice in many fields. The oil companies kept numbers of workers and their salaries close to heart. Trying to estimate the strength of the unions as membership shares of the workers, I had to rely on estimates, qualified speculations and probabilities. Similarly, I expected to get an overview of labour conflicts in the oil industry. However, there is no credible data from the state over labour conflicts, and even the unions do not have all the information about labour disputes. Some local union chapters take action without giving information to or gaining consent from the organisation, and although the unions have piles of reports of labour disputes, they have not computerised their data and have no overview. (This calls for future survey-based research, for example in cooperation with the unions.)

Ethnic, religious, ideological and theoretical biases are also reflected in academic literature. Indeed, certain stereotypes and narratives of the Nigerian history and politics are sometimes reproduced in academia. In literature on Nigerian labour, there are accounts of Nigerians succumbing to ethno-religious cleavages, while most of the literature emphasises how they transcend these. The latter can be interpreted as more likely to be true, since this is an overwhelming majority, while there is an inherent possibility of 'wishful thinking' as an ideological fallacy (see below).

The Nigerian media is described both as vigilant and biased. It is known to be ‘imbued with a self-conscious tradition of outspokenness’ (Olukoyun 2004: 71) and has a relatively good reputation. At the same time, there are strong limits to press freedom (Reporters without borders 2015), and Nigeria is characterised by so-called ‘chequebook journalism’ (Al Jazeera 2011). Nigerian journalists are among the lowest paid on the continent, if they are paid at all. In 2015 the Nigeria Union of Journalists (NUJ) picketed *This Day*, one of the largest and most trusted newspapers, claiming payment of nine months’ salary arrears (Editorial 2015). Consequently, many journalists depend on informal payments from their story subjects, with an obvious impact on the quality of reporting. ‘Reporters are often seen waiting for cash handouts from politicians and government officials at press conferences, and then rarely questioning them or fact-checking’ (Al Jazeera 2015). The media has ownership biases in the South-West zone and Lagos, while journalists are recruited from across the country (Olukotun 2010; Olukoyun 2004). The emergence of online, diaspora-based media platforms, such as Sahara Reporters, has been considered to bring renewed quality and neutrality to investigative Nigerian news. They have an impressive network of reporters on the ground, but also express bias. For example, they considered themselves as part of Occupy Nigeria during the 2012 protests, and were biased towards the oppositional candidate, Buhari, in the 2015 elections.

Finally, Nigerian public narratives and conceptual meanings are cultural-specific, not immediately available to an outsider. A case in point is how to relate to allegations of corruption. Corruption has been high on the political agenda in Nigeria, particularly since 1999, with a range of anti-corruption initiatives from the various presidents, and a constant pressure from civil society (including the trade unions). With the lack of economic and political transparency, the media often relies on people’s allegations of mismanagement and corruption without ‘evidence’, which may or may not be true. Furthermore, the concept of ‘corruption’ itself has several meanings:

‘When Nigerians talk about corruption, they refer not only to the abuse of state offices for some kind of private gain but also to a whole range of social behaviors in which various forms of morally questionable deception enable the achievement of wealth, power, or prestige as well as more mundane ambitions. Nigerian notions of corruption encompass everything from government bribery and graft, rigged elections, and fraudulent business deals, to the diabolic abuse of

occult powers, medical quackery, cheating in school, and even deceiving a lover' (Smith 2010: 5).

With a range of moral, discursive, legal, and economic notions of corruption that are parallel, overlapping, and/or intersecting (Pierce 2016), it is often difficult to dissect public (or private) corruption claims. Corruption accusations can in fact be allegations of breaking social norms rather than strict corruption in the legal sense (Apter 2005). As Smith (2001) describes murder charges against 'big men' in the Niger Delta as symbolic allegations of lack of patronage obligations and redistribution, so it seems that allegations of 'corruption' can be similarly symbolic for other mishandling of power or unwanted social behaviour. It can also be used as a means to get rid of troublesome people. Apter (2005: 21) describes use of corruption allegation as 'political performative' where people 'talk about corruption in order to achieve specific political ends'. Speaking of corruption is itself a political act, which can furthermore link to collective ideas of moral economy (Apter 2005). Finally, although it has been argued that in Nigeria, abuse of state recourses for distribution in kinship relations has been popularly accepted (Ekeh 1975; Joseph 1987; Kew 2010), it does not imply a moral and popular acceptance of abuse of power for private gains. Indeed, corruption is generally not tolerated (Adebanwi & Obadare 2011; Joseph 1987).

A case in point was accusations that the NLC and TUC were 'being settled' after the 2012 protests. I found no actual evidence or concrete indicators, even when talking to some of the most vocal accusers, and it was hard to unpack what was behind the allegation. When asking informants about proof or indication of corruption, they referred to the fact that the unions called off the strikes before an agreement was actually reached, or that labour leaders acted in spite of the will of their constituency. Although both assumptions can be questioned (as discussed in Houeland in press) in the deeply corrupt society, it is not unlikely that money changed hands on 16 January 2012. At the end of the day, the more interesting question is rather: if it happened, did it affect the outcome of the negotiations? I doubt it – as indicated in Houeland (in press).

Not a fly on the wall: about my position

Embracing a reflexive method requires the researcher to reflect over her/his own role in relations in the field and in relation to the researched, where we find the 'first face of power'. 'A self-critical reflexive science [...] displays the effects of power so that they can be better understood and contained' (Burawoy 2009a: 61). Reflexivity can be both explicit and

outward, as well as about introverted self-reflection (Mullings 1999). This section will reflect on the relation between researcher and researched as a continuous negotiation process (Smith 2006), which relates to both ethics (Brinkmann & Kvale 2015) and validity (Burawoy 2009a).

The most common threats to validity⁴¹, are the researcher's biases, preconceived ideas and theories, and the influence of researcher on the setting (Maxwell 2005: 108). The researcher is in shifting relations between dominating and being dominated, and in these relations, the relatively disempowered is often silenced, objectified or normalised (Burawoy 2009a: 56).

Seeing the relation between the researcher and the researched as a continuous negotiation, is based on the idea that there is no absolute distinction between subject and object, as promoted by both ethnographers and critical realists (Burawoy 2009a; Sayer 2010). Challenging the subject-object duality unlocks not only the possibility, but the desirability, of breaking the positivist ideal of objective, distant, and value-free research where the researcher should be an observant fly on the wall (Burawoy 2009a; Mullings 1999). Valorising subjectivity and engagement, the extended case method encourages the researcher to violate the positive ideals and to enjoy and reflect over what positivists separate: the 'participant and observer, knowledge and social situation, situation and its field of location, folk theory and academic theory' (Burawoy 2009a: 39).

Prior – or tacit – knowledge based on earlier acquired theoretical and philosophical ideas gained through studies and former experiences are sources of knowledge and valuable components of the research process (Burawoy 2009a; Maxwell 2005; Sayer 2010). In other words, my previous studies and experience are relevant. Furthermore, personal characteristics and convictions inform the information we are interested in, as well as our research questions, methods, and interpretation of information. As knowledge is fallible and we are biased by our theories, without them we are blind (Burawoy 2009a: 13). The challenge then, is to try to identify personal biases and formative characteristics (Burawoy 2009axii-xiii). Mullings (1999) states that her race, class, and age characteristics and commitment to feminist perspectives shaped both the information sought and interpretation of information shared in her case study.

Burawoy (2013) declares that his identity as white, male, and foreigner, together with his Marxist conviction and ethnographic methods, has defined his work. I am white,

⁴¹ To get results and conclusions wrong.

female, Norwegian (from the oil city, Stavanger), academic, and a former unionist and activist. During five years as the Africa adviser to the Norwegian Confederation of Trade Unions (LO-Norway), I have worked with a range of African unions. Included in this experience were oil-related union programmes, in which the Nigerian unions were involved. I worked with Nigeria and oil in an NGO, and all my studies since 1998 to 2002 revolved around African politics. Work and studies have centred on issues of social and economic justice, social movements, democracy, and the power relations in the production of knowledge. I have obvious leftist political convictions and theoretical biases, where I see trade unions as potentially important actors for social and economic justice. Being a woman in a male-dominated field can sometimes open doors; at the same time it limits opportunities to 'hang out' and converse in some informal settings.

These backgrounds and characteristics were more or less relevant or explicitly and outwardly stated in different settings. My role in relation to the field, the case, the events, and not least to the interviewees, shifted between insider and outsider (Vaughan 1992). Rather than assuming inherent biases in either insider or outsider roles, both carry potential biases that must be negotiated during fieldwork and in each relation (Merriam et al. 2001). It is assumed that insiders have privileged access to information, but outsiders are more likely to be (considered) neutral (Mullings 1999). Insider roles and shared identification can enhance interpretive validity (Kezar 2003).

As a Norwegian, I will always be an outsider to the field when it is understood as the physical and cultural landscape of Nigeria, and I will not be perceived as a party to the many conflict lines within the country. This outside status oftentimes gives access to information, as discussed in the interview with Peter Akpatason, where he said:

'Do you know what? Sometimes foreigners present a better picture of what happens in Nigeria than our own writers, because they are not biased. You have no reason to be biased. You are not South-South person; you are not South-East... so you are not writing from a biased perspective. [...] And again. Nigerians are good at volunteering information to foreigners. They are more comfortable doing so. I don't have any problem giving you information because I don't see you using it against my interest' (Akpatason 2012).

The researcher can obtain 'temporary insider' status, but can never be a full insider (Mullings 1999). One can be the intellectual equal of, and share convictions or experiences

with the researched. In this, ‘positionality’ is not only about objective characteristics, but about how others perceive me and themselves (Sanghera & Thapar-Björkert 2008). Accordingly, self-representation becomes important, where impartiality (not objectivity) is crucial in order to gain access to information (Mullings 1999: 340). The researcher’s sound knowledge of a subject and context is therefore key. I found myself unconsciously emphasising similarities with interviewees. When talking to unionists, I emphasised my work with unions; when talking to the former president of Publish What You Pay (PWYP), Nigeria, I told him that I initiated the establishment of the PWYP in Norway, and with managers in oil companies, I emphasised my background from the oil-dominated city of Stavanger, and reflected on similarities and differences to Nigeria. However, assuming shared understanding of particular experiences can also be a hindrance (Sanghera & Thapar-Björkert 2008). Therefore it was also important to tease out particularities in the Nigerian experiences and emphasise contrasting experiences and differences. I was always open about the research motives, but how I presented and positioned myself was subjective and contextual.

‘Gatekeepers’ are people or institutions with power to grant or withhold access from the research population; they either hinder or facilitate access to information. Gatekeepers also influence inter-subjective relations between me as a researcher, the gatekeepers themselves, and informants (Crowhurst & Kennedy-MacFoy 2013). My main gatekeepers were unionists. They gave me a unique access to the unions and their allies. I already knew the leadership (the appointed general secretaries, and elected presidents) of the NLC, TUC, PENGASSAN and NUPENG. I had a particularly strong bond with the NLC, as I had earlier met several of their staff and leadership in Oslo and Nigeria. I met a range of staff and leadership by hanging out at the offices, and observing and engaging formally and informally. I believe my previous knowledge of the subject matter and connection with the unions helped to build trust and openness with the unionists, to get access to relevant information, and to provide a platform for interpreting and understanding issues at hand. However, this trust and openness with unions had obvious boundaries, and the Nigerian unionists distinguish explicitly or implicitly between ‘in-house matters’ to identify what can be shared.

Gatekeepers are not only instrumental in getting access to information and informants, but they are also ‘social actors embedded, participating in and influencing relations of power. [Gaining] access through gatekeepers is a dynamic process that is shaped by transformative encounters in the field’ (Crowhurst 2013: 463). Using trade unionists as

gatekeepers may have opened access to workplaces and all layers of organised workers from national leadership to shop-stewards and unions' allies, but it can also have hindered access to partners of more conflictive relations to the unions. Studying labour relations in Jamaica, Mullings (1999: 347) found that when seeking balance between managers and workers, the 'success of interviewing managers [was] the recipe for lack of trust of workers'. My experience was in reverse. For example, the NLC arranged an appointment at the Ministry of Labour, and the NLC staff who accompanied introduced me as a trade unionist and as 'comrade Camilla'. State representatives proved difficult to access, and the individual representative's reluctance to share information may have been related to this introduction. However, a general reluctance of public and company representatives was also related to the general lack of transparency on oil and labour issues.

Multiple gatekeepers or access points can help avoid biases (Crowhurst & Kennedy-MacFoy 2013). Business elites are generally harder to access (Mullings 1999); I always used gatekeepers from outside the unions to try to get access to company representatives. As examples, a former staff of the Norwegian employers' association (NHO) introduced me to the Nigerian employers' association (NECA) and the director of the Nigerian office of Statoil introduced me to company representatives.

In the Niger Delta, I had several entry points. NUPENG and PENGASSAN helped me with practicalities, introduced me to leaders, staff, and shop stewards and PENGASSAN took me to several workplaces where I met with both unions and managers. I treated the meetings with managers I had met through the unions as courtesy visits rather than interviews; however, these gave valuable impressions of working relations in the workplace. As a result of the general conflict and security situation in the Niger Delta, I hired a Nigerian journalist, Sam Olukoya whom I knew from my visit in 2005, as a local facilitator. It is acknowledged that having a facilitator – or a paid 'gatekeeper' – can enhance trust (Sanghera & Thapar-Björkert 2008). Olukoya has covered Niger Delta issues for BBC and others since the 1990s, and has worked as a facilitator for several journalists and NGOs. He assisted me particularly in getting access to oil companies and communities.

As a former unionist, I was already part of a strong international trade union fraternity and solidarity, and the Nigerian unions met me with warmth and hospitality. International trade union solidarity is remarkably strong⁴². In addition to the concrete

⁴² The trade unions' solidarity was concretely mentioned when I met older unionists from both NUPENG and PENGASSAN. They referred to the LO-Norway affiliated oil union, and to NOPEF's leading role in the international solidarity campaign during the brutal Abacha years in the 1990s when the Nigerian oil union

support during the 1990s, there is a deep-rooted shared understanding of the role and purpose of trade unions, even if Nigeria and Norway represent different trade union traditions. In a situation of global economic, political, and ideological attack on unions, this common understanding creates a certain level of solidarity of common purpose, trust, and understanding. The unions' hospitality included situations of ethical dilemmas, such as when the NLC not only pre-booked, but also prepaid my hotel during my stay in Abuja in 2012, and when PENGASSAN booked and paid for my flight from Accra to Abuja in 2013. My attempts to repay them were futile.

Trade unions' solidarity relations are not without inherent contradictions and tensions, not least between the global north and south. I was also a former donor to the NLC, which was an inherently problematic relation. Aid can be seen as a form of paternalistic trusteeship, particularly linked to a post-colonial situation of inequalities between north and south. Although there was an element of trusteeship inherent in my former representational relation with NLC, I experienced that working with NLC was less problematic than with other unions in this regard. NLC was not dependent on external funding for its day-to-day activities, but received funds for additional activities⁴³. The relative strength and independence of the NLC is one of the reasons behind my choice to work in Nigeria for the PhD.

Some individual unionists clearly regarded me as a gatekeeper to re-open relations with a larger international trade union network. As the Africa advisor to LO-Norway, I was part of a union solidarity network. This was made up of Nordic, Dutch, British, US and Canadian 'trade union solidarity organisations' and linked to key people in the ILO and global union federations. In other words, I had access to trade union donors and political partners. Although NLC is financially independent, an internal crisis in 2011⁴⁴ cut off communications and contact with many of the international union actors, both as partners and donors. The crisis occurred when I was still in LO-Norway, and the relations between

leaders from Dabibi (PENGASSAN) And Kokori (NUPENG) was imprisoned and the unions set under sole administrators.

⁴³ This is of course relative. Although the NLC and Nigerian unions are financially independent and self-sufficient for administrative costs, they were struggling financially to fully fulfil their mandate, for instance regarding organisation and training. They largely relied on donor support in key areas like education, research, and gender mainstreaming. In contrast, however, some African unions would not have any fulltime leaders or paid staff without donors, and would most likely collapse without them.

⁴⁴ Early in 2011, controversies around the NLC congress were followed by sacking the long-serving General Secretary, John Odah, with allegations of corruption. He was later acquitted in court for corruption allegations, and the NLC reinstated him with an agreement of early retirement. Odah had been the contact point for most international trade unions. Odah was dismissed together with other key NLC staff, which temporarily weakened the NLC.

NLC and LO were disrupted on my watch. My first research visit to the NLC Labour House was only a year into this crisis. Now that I was a researcher, some of the staff (not the elected leadership) confronted me by suggesting that LO (or I) had abandoned the NLC for personal relations to persons involved in the 2011 crisis.

This NLC crisis kept some doors closed to me, as issues were contested, personal, and painful. But the situation also opened up issues, because when they are under stress and in crisis, institutions tend to reveal much about themselves (Burawoy 2009a: 40). There was an unusually vibrant and public debate about the internal and external issues of the NLC, driven by unionists, dismissed staff, disappointed and frustrated sympathisers in NGOs, academia, and the media. Although not using the crisis as a case, it revealed issues about the NLC and the trade union movement itself. The fact that the 2012 fuel subsidy protests occurred in the middle of this crisis, emphasised this. The tension and disappointment in the NLC allowed for an unprecedented criticism in the aftermath of the general strike and negotiations.

Since the crisis involved many people and was considered personal rather than political⁴⁵, it required sensitivity and caution in analysing and using the accusations and issues surfacing. These issues seen in light of my particular background begs the question of biases and whether I identified too closely with respondents, and whether my research agenda was ‘co-opted’ and certain findings are ignored or over-emphasised (Brinkmann & Kvale 2015: 97). On the other hand, research comes with ethical obligations towards the respondent communities, especially considering the critical realist standpoint of the emancipatory potential of knowledge. I assume an obligation to bring ‘research and realities’ into dialogue, which brings in the ethics of reciprocities (Gillan & Pickerill 2012). As researcher, I often considered the tension between a researcher’s role as observer and actor (participant), and the ‘obligations to the academic community’ and ‘accountability to the world we study’ (Burawoy 2009a: 267). I needed to balance questions regarding the truth of the various accusations, and personal biases, with the potential value such information had to the understanding of the issues discussed. For example, concerns were expressed about internal democracy, leadership priorities, patronage politics and corruption. If true, these issues could contradict the narrative of the unions as fighters for democracy, against corruption, and as formalising agents – and this seemed worth exploring. In practice,

⁴⁵ Although acknowledging the politics of personalities and probable patronage in the crisis, I think the underlying political differences between the involved personalities were underestimated in the analysis of the crisis.

however, the details of these internal dynamics were not easily accessible and the links between internal dynamics and external function were unclear. More importantly, it was unclear how deep these tendencies went, and if they could challenge the overall image of a mainly internally democratic and formal organisation. Ultimately, I found that the uncertainties which were involved, weighed heavily, and although I mention the internal conflict and the significance of the weakening of the NLC in 2012, I do not elaborate on this.

Although emphasising reflexive methods and engaged research, I do not see myself as an ‘activist researcher’ in the sense that a researcher should develop her/his research agenda in close dialogue with participants (Lewis 2012; Smith 2006) nor do I think that the emancipatory transformation should be in relation to the interviewees themselves, as suggested by (Kezar 2003). In spite of the fact that individual interviewees and informal contacts in Nigeria told me that my interest in them and their issues was inspiring, and some expressed appreciation of having time to discuss issues important to them with an outsider, I share Katz’s (1994) experience, that the research process itself was ultimately more useful to me than to the respondents. I believe that true emancipatory knowledge must also keep a critical connection to those we sympathise with, while it is important to understand their perspectives and realities and bring this out through dissemination (Smith 2006).

Actively trying to disseminate research findings and knowledge from Nigeria beyond the academic, I found that I had better access to active public engagement and dissemination in Norway, and somehow internationally, rather than in Nigeria. I have sought other ways of contributing and sharing information with Nigerians and unionists, such as sharing relevant literature, events, and contacts. During fieldwork and interviews, I also sought feedback and opinions regarding the fact that my pension, through the Norwegian Pension Fund, is invested in oil companies with a controversial track record of oil spillages in the Niger Delta, and where the fund decided not to divest, but to ‘actively engage’ as owner.

Interviews

Interviews have been a key method of data collection and empirical investigation. I conducted more than 70 interviews with elite and key informants, with a variety of actors, but with emphasis on trade union leaders and staff and stakeholders in relation to the unions. Informants were chosen on the basis of their expert capacities, assumed to have special

access to knowledge about and experience arising from events and connections. I also used a snowball method where one informant refers to another. I included interviews with analysts such as journalists and academics, to assist in giving meaning to actors and events. There is a strong male bias due to the lack of gender balance in unions, the oil sector, and politics, which was reflected in my interview list.

Elite and key informant interviews were examples of the ‘quick and dirty’ ethnographic method (Millen 2000), but were also logically necessary when trying to understand the political action and strategies of and relations between organisations. Elite interviews were particularly useful as the interviewees could help me as a researcher to interpret events, issues, and relations, to understand the context, and to add otherwise unavailable information (Richards 1996). Elites can be ‘persons who are leaders or experts in a community, usually in powerful positions’ (Brinkmann & Kvale 2015: 171) or persons ‘who hold, or have held, a privileged position in society and, as such [...] are likely to have had more influence on political outcomes than the general members of the public’ (Richards 1996: 200). Although some informants were not elites, they could rather be described as key informants in terms of being ‘an expert source of information’ (Marshall 1996: 92).

I interviewed elected and appointed leaders in the unions, at companies, in politics, and in organisations, in addition to journalists and academics. Many held privileged positions, especially in relation to key decision-making, knowledge production, or public spaces. An example of one such person was the president of the NLC who led a four-million-member organisation and had held the country to ransom during a strike and who led negotiations with the country’s president. Another was a security diplomat, a member of parliament and I met several professors. Most had academic degrees, and many were conversant with interview situations. Unionists and NGOs use the public space as an explicit strategy to build and get access to power. Some of my informants were not at all part of the formal elites, but were ‘experience-based experts’ (Collins & Evans 2002), such as contract labourers at community level. Their competence and experience with community leaders and companies alike could not have been accessed through mediated experts or representatives.

Key or expert informants are generally not expected to be representative nor give access to understanding of ‘the majority view’ (Marshall 1996; Maxwell 2005). At the same time, many of my informants had a formal representational role. Trade union leaders have a representation mandate through election, and policy mandates through organisational decisions, especially from congress. Although there are indications of limited internal

communication and institutionalisation of knowledge, ideology, and policies, I had a strong impression that there were functioning systems of internal communication between the grassroots and leadership, and in most cases clear representational mandates. Many interviewees also talked in their personal capacities.

I interviewed some informants more than once; other interviews were with a group of people such as meetings with shop stewards at workplaces or in meetings. Given the variety of interview locations (hotel lobbies, cafes, workplaces, and offices), the variety of my previous relations to the respondents (as friend, stranger, academic, donor, comrade), and the different kinds of actors (from casual community workers, and medium-level managers, to parliamentarians), the individual interviews took different forms and character. Where possible, I would always provide advance information about the research project, its purpose, and the purpose of the interview, although I was not able to control advance information for those meetings organised by the unions.

In the Niger Delta, Olukoya or union representatives often joined me in the interview situation, and always in visits to workplaces and with community representatives. This could both limit and open the dialogue with the respondents. My sense is that it brought trust to the situation.

I recorded most interviews. As the presence of the recorder itself can change a conversation (Brinkmann & Kvale 2015: 106), some of the meetings were deliberately more informal and without a recorder to allow for freer flow of thoughts, aiming to help me understand. Many of these interviews, and especially those in Abuja in 2013, were carried out in noisy spaces like cafes or hotel lobbies.

Although the interviews were primarily about the interviewee's experience with and perception of specific events and of social issues, I believe that the interviews and conversations should not be reduced to a source of either 'facts' or 'meaning', but sources of both (Brinkmann & Kvale 2015). Although Nigeria has been described as 'the easiest place in the world' for a journalist because people easily talk and share their opinions (Maier 2000: xxx), not all Nigerians were accessible to talk to, neither was it a given that they could or would talk about anything.

'[The] recognition of power dynamics by the social construction of knowledge in interviews is necessary to ascertain objectivity and ethicality of interview research' (Kvale 2006: 480). The assumed power relation is often that 'the respondent [is] in the subordinate position' (Fontana & Frey 2000: 658). An elite interviewee can cancel out or reverse this power asymmetry (Brinkmann & Kvale 2015: 171; Mullings 1999: 338). Feminist and

critical theorists have questioned the assumed difference in the character of elite interviews, particularly regarding the assumptions that relative power in one situation translates into the interview situation (Kezar 2003; Mullings 1999; Smith 2006). It is suggested that personal engagement, reflexivity, and openness in dialogue circumvent the power challenges of the interview situation (Kezar 2003; Smith 2006).

The interviews were tailor-made according to the individual meeting, and I used an unstructured approach, with open questions. This approach is useful when studying a particular phenomenon, and when talking to a broad set of individual respondents with different characteristics (Maxwell 2005: 81). It allows for an open and explorative dialogue, with follow-up questions according to the issues raised. Berry (2002: 679) claims that ‘the best interviewer is not one who writes the best questions. Rather, excellent interviewers are excellent conversationalists. They make interviews seem like a good talk among old friends’, and that open-ended questions may be riskiest, but are potentially the most valuable. My approach to interviews was reflexive and not distant, as ‘it is by mutual reaction that we discover the properties of societies’ (Burawoy 2009a: 40). A reflexive dialogue cannot form a value-free and neutral relation between equals, and it can itself create a problematic kind of seductive situation (Brinkmann & Kvale 2015). It is potentially deceiving and manipulative, as a situation of sympathy where ‘empathy and trust may serve as social lubrication to elicit unguarded confidences’ (Kvale 2006: 482).

This unstructured approach does not support generalisability or comparability, but allows for a higher degree of internal validity, not least through ‘systematically soliciting feedback about your data and conclusions from the people you are studying’ (Maxwell 2005: 11). I actively sought respondents’ feedback on issues, and allowed critical follow-up questions to their own statements. This open and reflexive strategy was not easily available in all situations. Although I had some very interesting and (seemingly to me) open and reflexive conversations with representatives from companies, this kind of ideal form of conversation was easier to achieve with NGOs and unionists. However, it also depends on personal chemistry.

As an example of a reflexive dialogue, which was directly related to methods as much as to substance, is the occasion when I discussed internal trade union issues with Peter Akpatason. He claimed he would not have said the same to his peers or to any Nigerian (see above), but there was a strong sense of self-consciousness about the information revealed:

Me: If I quote you on something you say to me now in my PhD [it will be available to the ones you say you will not talk openly to] ...

P.A: That is no problem. Whatever I say, I want to be quoted. There are political issues that Nigerians don't want to discuss with fellow Nigerians, but if they see a foreigner, they are ready to talk (Akpataon 2012).

He demonstrated self-awareness in the interview and a subtle understanding of knowledge production and power plays of the information flows. Whereas NGOs and unions actively used the public spaces, managers and representatives of the state were less open, probably also because the public spaces are less appealing or not even necessary for their agency. Some of my interviewees were less experienced in navigating the public arena like this. This does not imply that I consider the information from these conversations was less valuable, but I have to a large extent chosen to make these interviews anonymous, or to avoid direct reference altogether, even though the respondents had consented to the interviews, recordings, and academic usage of the information. I made this choice in consideration of both the security situation and individual protection of respondents. When coming across particularly interesting information in some interviews, I tried to seek similar stories or perspectives from other sources, to avoid exposing individuals. At the end of the day, it is the researcher who controls the topic discussed, and more importantly, it is the researcher who determines the use and interpretation of information from interviews (Brinkmann & Kvale 2015; Kvale 2006).

Extensions from small to big

The extended case study is designed to enable researchers to say something big from something small, mainly through the fourth and third extensions: from micro to macro and into theory. Since I have already discussed the use of theories and theorisation in the chapter above on critical realism, this section will only briefly discuss the extensions. The focus will be on some further methodological challenges inherent in these extensions. These challenges concern the danger of 'mistaken causality' or drawing false conclusions based on inadequate theoretical reflection in the scientific process. Burawoy's (2013) 'six ethnographic fallacies' sum up some key errors to consider. The first three fallacies are of ignoring, reifying and homogenising the world beyond the field. The last three traps are

'the fallacies of viewing the field site as eternal or, when the past is examined, the danger of treating the present as a point of arrival rather than also as a point of departure; and finally the danger of wishful thinking, projecting one's own hopes onto the actors we study' (Burawoy 2013: 527)⁴⁶.

Between micro and macro; social manifestations and theoretical explanations

The third extension is about studying micro-manifestations of macro-process and to study macro-foundations of micro-processes (Burawoy 2009a: 10-11). This can refer to scalar levels such as local, national, and global, or to the process of linking a social situation to social process and social structure. I relate to all the scalar levels. While in the three articles the focus is on the local and national, in the background essay I reflect on global level issues, actors, and processes both theoretically and empirically. The 2012 protests are an example of a social situation which I link to social processes and structures through political and economic liberalisations and their effect on labour regimes.

The fourth extension into theory is about using theory and theorising. Reflexive ethnography proposes a dialectical and continuous process of reflection on concepts and theories in relation to empirical realities (Burawoy 2009a: 8-9), similar to the realist methods of retroduction (Collier 1994; Sayer 2010) already discussed. By using analytical theories as well as analytical concepts, and continually challenging claims of causality, this is 'how we develop science, not by being right but by being wrong and obsessing about it' (Burawoy 2009a: xiv). Reflexivity and dialogue is a research method which also links theory and theory, in a process of challenging assumptions, ideas, and indeed theories.

As we test validity by actively searching for discrepancy and negative cases (Maxwell 2005: 112), so should we also test the strength of our theories (Burawoy 2009a). 'Here lies the secret of the extended case method—theory is not discovered but revised, not induced but improved, not deconstructed but reconstructed' (Burawoy 2009a: 13). The formation of or contribution to theory does not necessarily imply a clear and sharp theoretical intervention or the development of an entirely new or comprehensive theory. It is rather about the contribution of 'grains and components' to existing theories.

⁴⁶My sequencing number of the fallacies differs from the way in which Burawoy numbers them in his article.

Six ethnographic fallacies

The first fallacy is about ignoring any of the geographical scales. As an example, Burawoy (2013: 528) explains that when he studied employment relations in Zambian mines, he stopping at the national and therefore ‘failed to recognize the operation of global forces, whether in the form of copper prices or such international agencies as the IMF’. In this thesis, I have contextualised and analysed the Nigerian unions and labour relations, with a focus on local and national level as well as on the global context. As such, I emphasise liberalising labour processes, multinational oil companies and the pressure from IMF and others to deregulate, with references to the historical Structural Adjustment Programmes and the contemporary deregulation politics. However, in trying to identify labour power and agency, I discover that there is further analytical potential in exploring the global level as a site of trade union action, especially within the global oil production systems, as only hinted at in Houeland (2015).

Another form of ignoring can be identified as ‘silencing’ mechanisms. As the social world is an open system where objects, actors, or relations are under the simultaneous influences of multiple powers, these powers may reinforce or neutralise each other, and inherent powers may not be realised at all (Collier 1994). Silencing can stem from the lack of manifestation, or a researcher can (deliberately or otherwise) fail to identify or else overemphasise mechanisms. This is harder to identify for myself. In academic settings, however, I have explicitly been challenged that I might be ignoring systems of patronage and clientelism within the unions and in their external relations. This reflects back to the importance of exposing my work and sharing ideas during the research process. This was an explicit challenge I received from editors when working on the Niger Delta article (Houeland 2015) and presenting draft ideas for the social contract article (Houeland 2017). In both, I focus on processes and relations of formalisation of union-based labour regime or citizenship, and state formation respectively. In the first, I explicitly deal with expanding patronage relations in the labour market, while I conclude that the trade unions are mainly outside this. In the second, I downplay (though not ignoring) informalising forces such as patronage, corruption, crisis in the union, and ethnic loyalties. This is an example where I have been explicitly pointed to what others assume was silencing, from a theoretical perspective and other geographical experience, which enabled me to take this into account. However, there are most probably silencing mechanisms that I have not been aware of.

The second ethnographic fallacy is to reify ‘the external forces that shape micro processes’ (Burawoy 2013: 529). In other words, to fail to understand external structures and actors, such as the state or capital, as dynamic and shifting. This relates also to *the third fallacy* of homogenising the interests of external forces (Burawoy 2009a: 250). In my case, this would be happening if I for instance underestimated the dynamic nature of the state and companies, as well as communities and civil societies. In this thesis, the complex and historically shifting relations between state and capital have been highlighted, such as those concerning shared interests in profit-making in the oil industry versus the state’s interest in nationalisation or local content policies. To do this properly, I have also included an extensive background chapter in the thesis.

The fourth fallacy of seeing the field site as eternal (Burawoy 2013: 529) links to *the fifth*, which is about seeing the site or event as an endpoint, not a point of departure (Burawoy 2013: 533). The 2012 protests are both a result of history, and a contribution to further historical development. By looking into history of the subsidy issue, of removal attempts and resistances, perspectives and substance are added to singular contemporary analysis. This history reveals the institutionalisation of the process and the role of the unions in it. As I wrote about the 2012 protests and looked at the much-celebrated elections in 2015, new aspects came to the fore about the protests (and the elections), strengthening the analysis on one hand, but also opening up for new questions on the other. The elections were seen as a high point of election procedures, with high and decisive involvement of civil society in the actual election monitoring, and which saw the first civil–political regime shift in Nigerian history. Bearing this in mind, the 2012 protests can be seen as both a consequence of and contributor to opened policy spaces. As the subsidy issue rose to the surface again in 2015, the unions came across with a consistent message and reaction, while the renewed civil society and ‘Occupy Nigeria’ were both quiet. Some of these facts, like the temporary character of Occupy Nigeria, underline my arguments in Houeland (in press). As a consequence of the 2012 protests, unforeseen levels of corruption around the subsidy scheme were revealed, which also changed later dynamics and political debate about the subsidy. That fuel prices increased in 2016 by the new government under Buhari without any significant resistance, supports arguments that the 2012 protests were political and anti-Jonathan, and possibly more ethnic than my analysis suggests⁴⁷. The allegations that the

⁴⁷ There was no fuel subsidy in the 2016 budget due to the low international oil prices. The inflation however increased the actual fuel prices. In practice, it seems the government has in practice ended the subsidy.

then opposition party, APC, with bias among the Yoruba and in Lagos funded the Lagos protests, gain plausibility as the NLC general strike against subsidy removal in 2016, now under an APC government, fell flat for lack of support. However, it can also be a confirmation of the fuel subsidy as a social contract, and could suggest that the massive corruption revealed has de-legitimised the subsidy to the extent of breaking its moral economy of it. Such observations have strengthened my analysis, and are more implicit in the research process than explicit in the thesis.

The last ethnographic fallacy is about ‘the danger of wishful thinking [of] projecting one’s own hopes onto the actors we study’ (Burawoy 2013: 527). This is particularly relevant in light of the above discussion of my positionality, particularly in relation to the labour movements and leftist leanings. Looking back, Burawoy (2013: 530-531) recognises that a mix of theoretical Marxist expectation and personal hopes (of socialism), led him to a failed analysis (of the actual aspirations of the workers). The literature on African and other workers’ movements (and social movements), are similarly dominated by Marxist perspectives and socialist aspirations, often romanticising the movement and having ideological assumptions. Some researchers have clearly assumed socialist leanings of African workers. Similarly, workers’ actions have been seen as radical and revolutionary, when they are issues-based and pragmatic. In the current ideological climate, I would add that the danger of projecting one’s own disillusionment and fears, or theoretical assumptions of lack of agency, is equally problematic. I have also met several scholars who seem to assume a priori that African unions are primarily patronage machine. In a context with deep emphasis on patronage relations, I tried to critically engage with and look for empirical evidence of patronage. Of course there are explicit and implicit signs of patronage, corruption, and elitism in the unions and in their external relations. However, this is not my main impression, and to emphasise this as the main character of the unions would be incorrect.

This again relates to the important intellectual fallacy which is overemphasising the structural and the theoretical, and not recognising the observer’s perceptions (Sayer 2010), which is particularly relevant working in a post-colonial setting and in the global context of skewed knowledge production, biased towards the north. The theoretical focus on agency as not just capacity to act, but as reflexive, subjective will to act, opens up for less juxtaposing of my own ideas onto the field.

As there is no political decision to remove the subsidy, some unions continue to insist that government should guarantee a maximum price of fuel, and do not accept that the subsidy is in fact removed.

Personal bias and theoretical embeddedness can be turned into strength and a resource at this stage of the research process of bringing micro to macro, theory to field, and tying past to present (Burawoy 2009a: 9). ‘We need first the courage of our convictions, then the courage to challenge our convictions, and finally the imagination to sustain our courage with theoretical construction.’ (Burawoy 2009a: 53). As our blind spots are exactly that – blind – it is hard to self-evaluate conclusively, but the idea of this chapter has been to be as open as possible about my own biases, positionalities and reflective processes in relation to the field, interviews, and theories.

Chapter 5 Emergence and development of the Nigerian trade unions

In Chapter 2, I discussed the way in which a union's agency conditions and is conditioned by historically situated dynamics of state formation and the operations of market and society, or the labour triangle. Considering that labour theories largely lean on Western experiences, the study of Nigerian labour agency needs to be particularly sensitive to historical and geographical realities. Therefore, this chapter draws on theories of the African state, social relations, and the petroleum economy.

In this chapter, the Nigerian trade unions are situated historically and in the political economy of Nigeria. The Nigerian state has been dominated by a small group of elites and by repressive regimes, with a few failed attempts at elections and democracy. Before the fourth republic of 1999, military dictatorships largely replaced each other, only interrupted by the brief appearance of three republics: the first of 1963–1966⁴⁸, the second 1979–1983, and the third in 1993. The Nigerian economy has fluctuated between growth and optimism, crisis and contraction, with political highs and lows exacerbated by Nigeria's deep oil dependency since 1970. The society is deeply divided along ethnic, religious, and regional lines. Economic inequality and political repressions have been sources of grievance and resistance.

Narratives about the Nigerian trade unions tend to describe unions either as independent or as co-opted by the state. In contrast, this chapter will demonstrate that Nigerian unions are caught within a series of persistent tensions 'between political action and "economism"; between militancy and accommodation; and between broad class orientation and narrower sectional concerns' (Hyman 2001: 17). The Nigerian state has been dominated by regular attempts to co-opt or control the unions, either by direct intervention or through the law. Organized labour has played a key role in voicing opposition to the repressive actions of the government, often in alliance with other social actors, and representing a larger community.

This chapter is chronologically organised. The *first subsection* deals with the period between 1912 when the first trade union was formed, to the year of independence in 1960 – a period that, in Polanyian terms, constitutes the first transformation in Nigeria's

⁴⁸ Until the first constitution in 1963 provided for a Nigerian President and republic, Nigeria was a monarchy with Queen Elizabeth as head of state 1960–1963.

corresponding countermovement, where workers were key actors in struggles for citizen rights and struggles for independence.

The *second subsection* concerns the first decade from 1960, when independence, democracy and nationalism soon showed their limitations. Already in 1964, the unions led the second general strike, resisting uneven economic development, and challenging the legitimacy of the regime. Although the trade unions were growing, the movement was fragmented and mobilisation was not sustained. The final blow to building national solidarity and democracy came with the 1966 coup and the following Biafran civil war (1967–1970).

The *third subsection* examines the 1970s and Nigeria's transition to an oil-dependent economy. The military regimes continued with strategies of an active and expansive state. Even if deep inequality and extensive poverty was the order of the day, employment and welfare benefits for workers and trade union members increased and cushioned popular discontent. Until the labour law of 1978, the trade unions were largely inefficient and fragmented.

In the *fourth subsection*, the 1980s and 1990s are discussed. Economic crisis was followed by liberalisation of state and the economy, and a second great transformation and countermovement took place. A radicalised civil society, together with the trade unions, jointly fought against liberalisation and Structural Adjustment Programme (SAP) and for democracy, and the subsidy protests were integral to these. Gradually more brutal governments reached a peak in the mid-1990s in suppression of resistance, arresting union leaders and taking control of union administrations from the mid-1990s.

The *fifth subsection* covers the current fourth Nigerian republic which has had unbroken elections since 1999, and which has opened and deepened democratic spaces, allowing for new types of organisation in civil society. Economic liberalisation continues, although the state has maintained a key economic role in the oil industry. Economic growth benefitting only the few has continued to build frustration and a base for mobilisation and resistance. The resistance against the fuel subsidy removals again takes centre stage, and trade unions take the leading role.

1912–1960 colonial state and embryonic capitalism: trade union emergence and independence struggle

This section situates the emergence of Nigerian wage labour and trade unions as part of the political and economic modernisation project of state-building and creation of a capitalist economic system under late colonialism. The unions combined adapted struggles for workers' rights with Nigerian independence and citizen rights.

The first union, the Nigerian Civil Service Union, was registered in 1912⁴⁹, followed by the Railway Workers Union (1931) and Nigerian Union of Teachers (1931). By 1946, there were 121 registered unions with a total membership of 52,000 (Bourne 2015; Falola & Heaton 2008; Odah & Onah 2015).

The colonial state project and early capitalism

It has been argued that in African societies, workers do not identify themselves as workers, and that other forms of identity are more important to them (Chabal 2009). This kind of argument has been used to dismiss the relevance of trade unions, although most labour scholars consider this argument outdated. Cooper (1996) asserts that 'class', in the Marxist sense, is not necessarily interesting when measuring the relevance, agency of the unions. Capitalist exploitation theories are insufficient to understand the modes of colonial subordination and conditions for resistance (Cooper 1996; Joseph 1987; Mamdani 1996).

The modern state and capitalist economy in which trade unions emerged, has its roots in the colonial project. The modern state was built to protect the colonists and its control did not reach directly into all of society. Rights and privileges were limited to the right-holding citizens ('the civilized') in urban areas, initially the privilege of whites and denied to the 'natives' on racial grounds. The British did not have the resources for direct rule which, in the context of colonial capitalism, would have required land appropriation, destruction of communal autonomies and defeating tribal populations (Mamdani 1996).

The British colonial administrator, Fredrick Lugard, created the system of indirect rule that was first applied in northern Nigeria, and then extended south after the unification of Nigeria in 1914 (Falola & Heaton 2008). This indirect rule was a practical response to

⁴⁹ The union was registered in the Southern Nigerian Protectorate in 1912, and it expanded to national, Nigerian coverage in 1914 after the amalgamation.

‘the native question’ of how the tiny foreign minority could rule over the indigenous majority, in principle building on the many pre-colonial state-like structures and traditional rules systems. Indirect rule ensured that the colonists could rule and dominate a ‘free peasantry’, or subjects, through communal or ‘customary’⁵⁰ law (Mamdani 1996).

‘Although rhetorically about respecting the traditional’, the system created horizontal tensions as it ‘alienated traditional authorities from their subject population through their association with the colonial regime’ (Falola & Heaton 2008: 110). There are between 250 to 500 ethnic and language groups in Nigeria, while there are three dominant groups: Hausas in the north, the Yorubas in the South-West, and Igbos in the South-East, each constituting about 20% of the total population. Building and playing on existing ethnic differences and tribal structures, indirect rule cemented vertical polarisations and a tribalised society.

The bifurcation of the state between the primarily urban and civil, and the rural and customary, is reflected in Ekeh (1975) classic work on ‘the two publics’: the primordial⁵¹ and civic. The Nigerian political spaces are segmented, and

‘the state has only partial control over the space it claims as its own. The sphere of the primordial public occupies vast tracts of the political spaces that are relevant for the welfare of the individual, sometimes limiting and breaching the state’s effort to extend its claims beyond the civic public sphere’ (Ekeh 1992: 196).

Whereas Nigerians in general tend to relate to the state via the primordial realm, the trade unions are positioned in the civic public and in direct relation to the state (Ekeh 1992; Kew 2016; Osaghae 2006). Associations in the primordial public sphere relate to traditional social systems; trade unions are positioned to assert rights in relation to a civic sphere. Because the unions (and other civic associations) are so positioned, it makes them ‘most exposed and the weakest of associations of civil society’ as they are within ‘easy reach of the state’ (Ekeh 1992: 208).

Although an important analytical distinction, the practical realities and relations between the civic and the primordial public are complex, and we need to acknowledge that workers and trade unions have to navigate the complex relationship between the civic and

⁵⁰ What was accepted as customary was manipulated or even invented by colonisers (Mamdani 1996).

⁵¹ The term ‘primordial’ is from Ekeh’s work. He acknowledges the ‘primordial’ as fluid, dynamic and constructed (Ekeh 1975; Joseph 1987; Osaghae 2006).

primordial, formal and informal. The two public spaces overlap, the various ethnic groups have different normative systems, and the Nigerian civic sphere has explicit African roots (Joseph 1987). Furthermore, ethnic identities were largely activated by first-generation migrant urban dwellers and workers, who sought tribal organisations in the cities for community and support (Osaghae 1995). Urban workers, even if in the civic public and formal economy, kept close connection with the rural and primordial (Cooper 1996). Labour recruitment has throughout history been sourced in the primordial relations⁵².

Wage labour and early trade unions

Development of wage labour in the early colonial time centred around trading in Lagos (Viinikka 2009). The trans-Atlantic trade that dominated early colonial relations between Europe and Nigeria was intrinsically linked to slavery, or forced labour⁵³. The first wage labourers were forced to work for cash as part of streamlining the monetary economy. Labour recruitment initially relied on the indirect rule of local chiefs (Cooper 1996; Mamdani 1996; Odah & Onah 2015; Viinikka 2009). Early labour regimes thus stretched between the primordial and civic.

Although banned by the British in 1807, forced labour continued in practice (Falola & Heaton 2008)⁵⁴. In the mining on the Jos plateau and the railway between Port Harcourt and Enugu for coal transport, Nigerian exports and wage employment increased steadily. Under the second world war, British need for tin from Jos, led to a dispensation for forced labour, allowing for the conscription of 100 000 peasants to the mines (Bourne 2015), and also in the railways, the prohibition was ignored (Viinikka 2009).

Wage labour gradually formalised into free exchange of labour against wages, centring more and more around recruitment of Nigerians into the administrative state apparatus (Odah & Onah 2015). The first Nigerian trade unions emerged in Southern Nigeria, where capitalism was more expansive and where state control was deeper – and direct rule more prominent. The Southern Civil Servants Union was formed in 1912, while

⁵² In addition to colonial and post-colonial recruitment systems via traditional leaders, see family-based businesses and patronage- or kinship-based labour recruitment/relations in the textile industry in the 1980s and 1990s (Andrae & Beckman 1998), and in the contemporary oil industry (Houeland 2015).

⁵³ The slave system was rooted in precolonial slave relations within Nigeria, as well as between groups of Nigerians the trans-Sahel traders.

⁵⁴ Trafficking, forced labour, and child labour still exists in Nigeria, and was debated at the ILO Conference in June 2016.

the Northern Native Administration Staff Association was only formed in 1957 (Mayer 2016).

The Northern Nigeria Protectorate was less integrated into the colonial system, and Lugard allowed for a greater continuance of pre-colonial political structures here. This has been explained by Lugard's fascination with 'the civilised' Sokoto Caliphate, limited British resources, and not least little colonial economic interest in the north. The Caliphate and British had mutual interests in the indirect system as a means of civic control. The Hausas in the north were, to a small extent, integrated into the capitalist economy, but provided recruitment ground for soldiers to the British army (Bourne 2015; Campbell 2013). Northerners resisted 'modernisation', and European missionaries were banned from going north.

In contrast, European missionaries were active in the south, and they introduced and spread European schools and education systems. This fact explains the higher levels of Western education in the south and of qualified labour for work in the state administration and the formal economy. The traditional structures in the south were less centralised, more fragmented, and therefore more difficult to control, and the indirect rule system was shot through with contradictions; the colonial invention of indirect rule systems was greater in the south. The earliest attacks on the colonial and indirect rule systems came from the southern missionary-educated Nigerians.

Formal work, labour laws and wage settlement systems were part of the colonial system, and labour politics was an explicit part of state-building, modernisation and control (Cooper 1996). Colonial authorities attempted to build a loyal African workforce distinct and relatively privileged from the rest of African society, mostly based on state employed civil servants (Bourne 2015; Cooper 1996; Falola & Heaton 2008; Mamdani 1996).

The early civil servants' union was also less strike-prone, initially mainly concerned with racist employment systems. The radicalisation of the trade union movement came with the organisation of teachers, marine workers and the railway workers in 1931 (Mayer 2016). Until the passing of the 1938 Trade Union Ordinance, which allowed unions to formally register and be recognised, trade unions had no legal protection and were systematically harassed by employers (Odah & Onah 2015).

'The proper industrial relations machinery could make the difference between chaotic mass movements and the orderly posing of demands and the negotiations of differences. [Colonial governments]

had pioneered – or so they thought – a path to modern, orderly future.

But that future was not to be theirs' (Cooper 1996: 453).

The British were not able to control labour as intended, and labour soon formed the basis for trade unions and the independence movement (Bourne 2015; Falola & Heaton 2008). Nigerian workers had less pay and fewer rights than Europeans who were favoured for higher positions, received higher wages and were privileged in business opportunities through monopolies on trade and exports. The economic grip by European companies, the gradual enforcement of cash economy, racist employment structures and direct taxations, all fuelled growing unions, nationalism and resistance (Bourne 2015).

Class, race and citizenship rights

Although Marxist analysis of capitalist formation is insufficient to fully understand the mode of rule and its resistance, it does not mean that class is irrelevant. Many African scholars emphasised that identities such as ethnicity, gender, race, and class exist simultaneously, and overlap (Adesina 2000; Joseph 1983; 1987). Different identities are activated depending on the social context (Joseph 1987): The interesting questions to ask is when and how class identities are activated and what identities the trade unions use to mobilise.

Nationalist resistance was mixed with interwar ideologies and socialism (Ekeh 1992; Falola & Heaton 2008; Kew 2016; Viinikka 2009), and at the point of the 1945 general strike, labour leaders were inspired by the newly available Marxist literature (Mayer 2016). Class and race, nationalism and worker issues mixed, and a person's nationality (or skin colour) defined working conditions and citizen rights. The Nigerian urban workers were in a legal limbo, neither accepted as urban citizens with rights, nor falling under customary, rural law (Mamdani 1996). The workers' struggle was about equal rights as well as citizenship (Cooper 1996). Labour adopted, adapted, and reshaped the civic and labour systems according to local realities and interests, and soon added the language of labour rights to that of citizenship, rights, resistance, and independence (Cooper 1996).

'[The] anticolonial struggle was at the same time a struggle for the embryonic middle and working classes, the native strata in limbo, for entry into civil society. That entry, that expansion of civil society,

was the result of an antistate struggle. Its consequence was the creation of an indigenous civil society' (Mamdani 1996: 19f).

The Nigerian urban, educated working class – with nationalist ideas brought from abroad – took the lead in the struggle for the related issues of workers' rights and deracialising the state. The trade unions focused on a combination of decolonisation and labour and citizenship rights (Cooper 1996; Ekeh 1992; Mamdani 1996), contesting both the state and the expanding civil society.

The 1945 general strike

The first massive strike in Nigeria was the general strike in 1945. The wartime economy brought steep inflation and increased cost of living, while real wages deteriorated (Falola & Heaton 2008). This added to the generally harsh working conditions, such as the 77-hour workweeks for railway workers, and to the racially divided labour regime. The trade unions demanded a minimum wage and allowance increase. The strike was initiated by the public service and railway workers, but expanded to 17 unions. Even though the government deemed the strike illegal (Oyemakinde 1975), the strike turnout was massive. Estimations of the strike vary between 30,000 and 150,000 workers (Bourne 2015; Mayer 2016; Viinikka 2009). The railway workers' union proved pivotal, which underscores the importance of transport and trade hubs, and logistical forms of structural power.

'Being the greatest single physical link in the country for purposes of transportation and communication the railway system extended the strike frontier to the different territories of the country. [...] All over the system, railway stations became the foci for strike plans and action. For once the strike began in Lagos it spread into the hinterland following the established route of the iron thread' (Oyemakinde 1975: 702).

At its core, the 1945 strike was about equal rights for – in Pan-Africanist jargon – African and European workers (Oyemakinde 1975). The formal reason given for a higher allowance to Europeans, was compensation for separation from and support for families, whereupon the striking Nigerian workers emphasised their own family obligations and need for family allowances. This highlights the role of workers as reproducers, backed by the solidarity and support from outside community. Despite the colonial government spreading

false information about the strike and arguing that it was against the interests of self-employed as increased wages and allowance would only bring inflation, the strike had wide popular support. In fact, striking workers were met with lowered prices from women selling market produce, and suspended rent payments from landlords (Oyemakinde 1975).

The nationalist independence movement and class-based labour movement intertwined: nationalists, with a strong base in the media, agitated for strike actions and boycotts, and unions agitated for independence. When the nationalist press was banned during the strike, the trade unions included the unbanning of the paper in the strikers' demands (Oyemakinde 1975).

Workers were against the race-based as well as class inequalities in the wage system, and targeted special treatments of a few privileged Nigerian workers, and the strikers demanded cuts in the special allowances to higher echelons of Nigerian civil servants (Oyemakinde 1975). The workers did not gain any concessions on this demand. At the time, the total number of Nigerian higher civil servants was less than 200. After 1945, the colonial administration expanded the use of special treatments and recruited nationalists into these higher civil service positions, and by 1960 they counted 2,600 (Falola & Heaton 2008). This is a reminder that in Nigeria, class concepts more often refer to the distinction between the popular masses and 'dominant classes' (referring to the state-cum-economic elites with access to resources and the state) than as a capitalist-cum-working class distinction. This kind of class-based analysis was reflected in the unions' later critique of nationalisation policies, holding that the policy simply shifted the nationality of the exploiters (Viinikka 2009).

The strike lasted for between 44 to 52 days, followed by a long negotiation process. Government eventually conceded to a 50% allowance increase (up from the original 20% offer) and a marked increase in wages (Bourne 2015; Viinikka 2009). Furthermore, the first national level wage councils were set up (Aiyede 2009). The strike outcome was considered 'a serious blow' to colonial rule (Mayer 2016: 52). The strike was a forceful assertion of rights and proved the workers' commitment to trade union activities and collective workers solidarity (Viinikka 2009).

'Nigerian workers were shown able to defy colonial the administration, take control of strategic communication centres throughout the country, and force the government onto the defensive: the Nigerian working class had come of age' (Viinikka 2009: 127).

The general strike had firmly proved the power of popular mobilisation and colonial administration in a crisis situation. The strike ‘demonstrated to both the colonial government and Nigerians themselves their ability to force reforms from the colonial government if they could unite and organise at a large scale’ (Falola & Heaton 2008: 144). Since 1945 the British labour government was more sympathetic to workers’ issues, and expanded development plans, such as educational policies in the colony (Falola & Heaton 2008).

Whereas the nationalist leaders were inspired and the independence struggle continued with renewed vigour after the general strike, for the labour movement, the seeds of internal splits were sown during strategy discussions over when and under what conditions to call off the strike. This split went along cold war ideological lines between the westward-looking, moderate social democrats and eastward-looking socialists (Oyemakinde 1975).

1960s independence and social divisions: trade unions’ fragmented growth

With independence in 1960, the Nigerian state was deracialised, but it was not democratised nor detribalised. Despite the optimism from independence and economic growth, and active state interventions based on developmentalism and nationalism (Andrae & Beckman 1998; Apter 2005; Mkandawire 2001)⁵⁵, ethnic tensions undermined democracy. Systemic insecurities for both elites and ordinary citizens opened for misuse of state and corruption, and continued political instability. Already in 1966, the first republic ended and the following Biafran civil war of 1967–1970 was a symptom of failed nation-building, and conflict over oil resources, and it set the foundation for the subsequent expansion of the federalist system that further deepened the significance of tribalist identities.

The unions had an ambivalent relationship with the post-colonial state, explained by lack of socialist state ideology, but also by resistance to the elitist abuse of the state. The numbers of organised workers increased, as did the number of individual trade unions. Around 1960, the unions counted 275,000 member, but were divided into more than 300 unions, of which 200 were independent, while the remaining were divided into two federations (Diamond 1988). Only four years into independence, the unions mobilised for

⁵⁵ Driven by Pan-Africanism and the increasing oil riches, Nigeria grew as a key political player on the continent, providing solidarity support to the Angolan independence movement and the anti-apartheid struggle in South Africa.

the second Nigerian general strike in 1964, almost two decades since the 1945 general strike. However, the workers' solidarity was again short-lived, as unions split along personal and ideological fault lines, until ethnic politics and the Biafran war halted the union movement.

Ambivalent state relations and ideological divisions

The independent Nigerian governments expressed clear expectation for the unions to contribute and support the state, as reflected in the speech of the first Prime Minister, Sir Abubakar Tafawa Balewa, at the 1960 annual conference of Trade Union Congress:

'It is true that as representatives of workers, it is your duty to strive to improve working conditions and living standards of your members. That also is the aim of your government. But your duty does not end there. Those of you who have been entrusted with the leadership of the trade union movement have another equally important obligation. You should educate your members to appreciate the economic, social and civic responsibilities towards state and the community... You and your employers have contributed, in no small measure, to the remarkable progress which this country has made in recent years, but this progress is yet a beginning' (quoted in Joshua et al. 2015: 19).

Elsewhere on the continent in the first years of independence, trade unions often allied with or were co-opted by the state (Freund 1984). On the African continent in general, independence led to a 'moment of the collapse of an embryonic indigenous civil society, of trade unions and autonomous civil organizations, and its absorptions into political society' (Mamdani 1996: 21). This did not happen in Nigeria, despite the close historical link between nationalist movement and unions. In fact, the first President of Nigeria, Obafemi Awolowo (1963–1966), was a former trade unionist as well as a founder of Nigerian nationalist and independence movements.

A key explanation for the Nigerian unions playing a more ambivalent role in relation to the state than the rest of the continent, was that 'the role of the state presented particular conceptual difficulty because Nigeria ... was among the least socialist of African countries' (Freund 1984: 10). The independent regime was detached from the cold war ideological nexus between socialism and capitalism (Joseph 1987), but the political leaders were pronounced nationalists and Pan-Africanists.

In contrast, the unions absorbed cold war ideological debates. In fact, cold war ideological divisions between the socialist ‘progressive’ and ‘conservative’ social democrats have dominated trade union history (Akinlaja 1999; Kew 2016; Odah 2012). Prime Minister Balewa actually expressed concern with the unions’ ideological splits, holding that both ideologies were imperialist and foreign. These ideological divisions within the unions have caused repeated tensions, not least concerning questions on strategies of how to relate to the state at both union and national centre level. Progressives tended to lean towards the strategies of social movement unionists, and argue for pursuing a political party (Akinlaja 1999; Beckman & Sachikonye 2010).

Another explanation for the more ambivalent relations to the state can be sourced in the continued structures of the state, and particular form state rule in Nigeria. As mentioned, resistance and civil society is conditioned by the mode of rule. Although the state elites changed, the colonial mode of elite dominated rule and popular alienation from the state continued after independence in 1960 (Ekeh 1975; Kew 2016; Mamdani 1996; Viinikka 2009). Joseph (1987)’s theory of ‘prebendalism’ explains how individual, class, communal and capital accumulation develop and interrelate in post-independence Nigeria.

Understanding the Nigerian state and capital through prebendalism

Prebendalism builds on the theory of the two publics (Osaghae 2006), and

‘refers to patterns of political behaviours which reflect as their justifying principle that the offices of the existing state may be competed for and then utilised for the personal benefit of office-holders as well as that of their reference support group’ (Joseph 1983: 30)⁵⁶.

There was never a development of private sector economy separate from the state. Legal pluralism continued, and a mix of patrimonial modes of rule continued in relation to the state.

As the modern Nigerian state and the civic public sphere was externally imposed and delinked from the private and moral realm, they were seen as amoral, alien and illegitimate. By contrast, in the primordial public sphere there was an overlap between

⁵⁶ Later forms of Nigerian prebendalism has been termed ‘godfatherism’, describing that the ‘prebends’ rather than taking state positions, rule by proxies in the state (Albin-Lackey 2012; Human Rights Watch Africa 2007).

public and private morals, and associations and authorities were considered accountable, moral, and legitimate (Ekeh 1975). This allowed primordial actors to take positions in the state for redistribution in the primordial realm, without (initial) moral condemnation. Ekeh's theory of the two publics continues to be referred to as a basis for popular acceptance of corruption (Kew 2016). As pointed out by Aiyede (2009), this use of Ekeh's argument fails to recognise agency and change over time in both norms and political institutions. Ekeh did point out that the primordial public was not necessarily seen as a legitimate arena, and that tribalists were popularly regarded as enemies of progress (Osaghae 1995: 44). In addition, the state-capturing, prebendal elites were using resources not only for kinship distribution, but for personal benefits and sharing between elites (Joseph 1983; 1987).

Prebendalism builds on patronage, and the two kinds of social relations overlap but are fundamentally different. Joseph (2013: 269) refers to Van De Walles' description, maintaining that patronage is often 'perfectly legal', but prebendalism 'invariably entails practices in which important state agents unambiguously subvert rule of law for personal gain'. For example, it would be patronage to provide jobs and services for a political clientele, but to give a person a job in order for him or her to gain personal access over state resources, would be prebendal. This can be termed a form of 'privatisation of public resources' (Joseph 1983). The prebends not only direct demands on the state, but attempts to appropriate the state, therefore in itself undermining it (Joseph 1987). Although prebendal forms of redistribution of state resources can be normatively accepted, the stark inequality in Nigeria, thus, also indicate a redistribution failure in the primordial. 'Most Nigerians [...] deplore and condemn this ruinous cycle of thought and action' (Joseph 1983: 34).

Unions fighting prebendalism

This prebendal system of inequalities and favouritism became a source for popular mobilisation and resistance and unions explicitly fought the prebendal politics, elitism and corruption. Overall, the union movement was relatively free of ethnic and tribal competition and sentiment. By independence, labour leaders had grown distant from their membership, similar to the political elites. Although individual workers probably benefited from patron networks, and trade union leaders have at times been entangled in prebendal politics – workers at grassroots level have most often been able to discipline their leaders and pushed for unity (Diamond 1988), and 'civicness' from below.

In 1963, the radical Nigeria Trade Union Congress expressed and called for abolishing of native authority structures, and extension of franchise to women, stating that

'independence has not brought democracy to Nigerian workers and farmers. This is because the type of democracy preached and practiced by the Nigerian Government is the democracy for the few rich Nigerians, the Emirs, the Obas, their families and supporters ... The existing major political parties are parties of rich and feudal aristocracy. They are dominated, controlled and financed by the agents and representatives of the rich classes (quoted in Diamond 1988: 168).

The more moderate United Labour Congress (ULC) expressed similar disdain for class inequalities and the will to fight these inequalities.

Workers' anger over continued inequalities, corruption, and real wage decline came to 'a boiling point' in 1963, which forced labour leaders to come together across the ideological divides and establish a Joint Action Committee (JAC) to coordinate demands and actions. In the summer of that year, the JAC demanded upward salary revisions and a complete 'overhaul of the colonial wage structure'; introduction of a 'national minimum salary and abolition of zonal wage rates and the daily rated labour system' (quoted in Diamond 1988: 170). The demands were not taken seriously by government, appointing the Morgan Commission to review wage and labour issues. The government expected disunity to take control and JAC to collapse. However, the unions rejected the commission and reiterated their demands and expanded them to include the private sector. A brief strike in Lagos in 1963 caused embarrassment to the government, and enforced the continued work of the Morgan Commission, this time with hearings and deliberations with unions. The government had underestimated the workers.

1964: The second Nigerian general strike

In May 1964, Nigerian workers came together in the second Nigerian general strike. The strike was equally about economic inequalities and the elites' abuses of the state, and about extravagant consumption. 'What began as a protest over wages quickly widened into an attack on the very basis of the regime's authority' (Diamond 1988: 162).

The first demand from the strikers was to release the Morgan Commission report. The report was released in June, and it confirmed that most Nigerian workers had income below the cost of living, and that most government workers were temporary labour. The

commission recommended 50%–100% wage increases to alleviate the workers' hard conditions, even though this would be insufficient to provide a decent living. Government rejected this on the grounds that it would cause inflation, and offered a 20% increase (Diamond 1988). This fuelled unions' and workers' commitments, and they added pay cuts for senior officials to their demands.

Between 750,000 and 800,000 workers participated in the strike, which was a massive number, considering that the total workforce was estimated to be 800,000 to one million, with a total urban population of four million with only 300,000 workers who were union-organised (Diamond 1988; Viinikka 2009). Railway workers and dockworkers were again the first to take action by closing ports and railways, followed by sit-down actions in private companies, government offices, post and telecommunication.

As in 1945, the strike action spread beyond the workplace. The unions had widespread popular support from market women, domestic workers, and the unemployed: 'Popular support and sympathy were behind the strikers – indeed, in the larger cities, which mattered the most politically, the strikers *were* the population' (Diamond 1988: 185, italics in original). Ethnicity was not made relevant, and the strike was supported across regions, religions and ethnicities; the organising cleavage and mobilising identity was of class, and the confrontation with the state and government. The government was not able to control the strikers, even with the extensive use of army and police.

Although government was 'by far the largest employer', employing 54% of wage earners (Diamond 1988: 178), the strikers demanded that the agreement should apply also to the private sector. The Nigerian employers association (Nigerian Consultative Association) was with government. At the time, foreign companies, most of which were British, constituted 80% of the private sector and employed 38% of wage labour. Although political opposition supported strikers, the strikers did not welcome the support, and their resentment was formulated generally against the political classes (Diamond 1988).

After two weeks, government threatened with an ultimatum of dismissing striking workers. Only when the unions rejected this did real negotiations start. However, when private sector employers issued the same 48-hour ultimatum, it proved more effective. The following day, JAC and government signed an agreement suggesting a weaker bargaining power in the private sector. This included government admitting full payment during the

strike⁵⁷, a new wage scale for government workers, and increased wages of between 25% and 30%.

The wage concessions were closer to the original government offer than to the Morgan Commission's recommendations, but the outcome was widely considered a victory, bringing with it a new taste of unity and power for workers. There were no concessions on questions of corruption and inequality (Diamond 1988), but it was a watershed in labour relations. The unions had insisted on being taken seriously as partners in determining labour conditions, by forcing a negotiation platform and, as such, building institutional power. A textile union leader stated that 'Workers were mobilized and embolded, feeling part of a movement capable of challenging both state and employers' (Andrae & Beckman 1998: 175). The strike paved the way for the first 'condition of service' agreement for the Lagos-based NTM textile company, and it generally inspired organisation and unionisation (Andrae & Beckman 1998).

The wage success and inter-ethnic class solidarity of the 1964 strike were short-lived, as following the 1945 general strike. Labour unity broke already during the 1964 election campaigns, eroded further with the 1966 coup and eventually collapsed with the Biafran war in 1967 (Andrae & Beckman 1998; Diamond 1988; Viinikka 2009). The erosion of government's legitimacy and the strike's exposure of government's vulnerability did not lead to a democratic enhancement, but contributed to the end of democracy and paved the way for a series of military regimes.

1966/1967: the end of democracy and civil war

The election late 1964 did not see the class solidarity and power of political mobilisation translate into political power for the newly revived Nigerian Labour Party. In polls, workers supported the labour party, while in practice they voted according to ethnicity (Diamond 1988).

'Workers may have been opposed to the politicians and corrupt individuals, but they were not opposed to the institutions and interests that the politicians represented. In his capacity as a member of this or

⁵⁷ Mayer (2016) holds that this claim was made easier by the fact that the strike action was mostly in the form of sit-down action rather than actually absenteeism from the workplace. However, it is common practice in many African countries to claim salary in times of strike, also in the case of absenteeism, despite collective agreements normally containing paragraphs stating 'no work no pay'.

that ethnic group or region, the same worker who denounced all politicians in one breathe supported his man in the next' (Robert Melson quoted in Diamond 1988: 230).

In the elections, ideological cleavages either succumbed to or reinforced regional and ethnic cleavages. Progressives and radicals were stronger in the south, whereas northerners were generally more conservative. The nationalist and independence movement with bias in the south was unable to build a sense of strong national identity and challenged the deep distrust between the communal or ethnic groups (Joseph 1987). The quote by the nationalist independence leader, Awolowo from 1947, continues to be used as a reference to describe the lack of Nigerian national identity:

'Nigeria is not a nation. It is a mere geographical expression. There are no Nigerians in the same sense as there are English, Welsh, or French. The word Nigerian is merely a distinctive appellation to distinguish those who live within the boundaries of Nigeria from those who do not' (quoted in Kew 2010: 501).

The 1964 elections were flawed and chaotic (Falola & Heaton 2008). The political party structures in the first republic were divided along regional and ethnic cleavages, which split the nation and contributed to the failure of the first republic (Aiyede 2009; Diamond 1988). The prebendal struggle for control of the state, and the absence of functioning, universal distribution systems created vulnerabilities and insecurities of both the haves and have-nots; both for those in power and for their dependants (Joseph 1987). This laid the ground for regime instability with the many coups and counter-coups in post-independence Nigeria.

The Nigerian first republic and democratic period ended with a military coup by Major-General Johnson Aguiyi-Ironsi – an Igbo – in January 1966. Instability and insecurities increased, and ethnic tensions broke out all over the country. In the Niger Delta where oil production grew in size and importance, the local population increasingly expressed a sense of marginalisation and lack of resource sovereignty. In 1966, Isaac Adaka Boro – from the minority group Ijaw, and from the community where they first discovered oil in 1956, Olobiri – declared a Niger Delta Republic. This was defeated in two weeks. The Ironsi regime was seen to favour Igbos, which fired up anti-Igbo sentiments (Mayer 2016). Conflicts between Hausa-Fulanis and Igbos in the north with alleged pogroms and killings

of up to 10,000 Igbos fuelled the Igbo secessionist movement. Only six months after the coup, Yakubo Gowon from the north led a counter-coup.

On 30 May 1967, Biafra was declared an independent state, leading to the brutal Biafran civil war (1967–1970). As mentioned in Chapter 4, the Niger Delta area inhabited by ethnic minorities was included in the area defined as Biafra, undoubtedly related to its oil resources. Isaac Boro was released when the civil war started in an attempt to appease the Niger Delta minorities and hinder the alliance with Biafra. In 1967, President Gowon additionally granted the Niger Deltans two new states, to undercut the support (Maier 2000). The civil war cut off trade union structures, and in 1967, separate union structures were formed in Biafra (Joshua et al. 2015).

Federalisation and the labour market

The Biafran war was a symptom of the failed national question, as well as a cause for continued and deepened regionalisation. In 1960, there were three regions, by 1963 four – and in 1967 there were 12 states (Aiyede 2009). This federalisation of the Nigerian state, was an attempt to merge the loyalties between the civic and primordial; to tie kinship to the state (Ekeh 1992). Rather than preventing ethnic conflicts, federalism tends to cement ethnic divisions and entrench the tribal character of the state (Mamdani 1996). This period laid the foundation for a continued process of attempts to solve conflicts by continually increasing the number of states: in 1976 to 19, in 1987 to 21, in 1991 to 30, and finally in 1996 to 36 (Aiyede 2009).

This federalism regionalised individual rights according to ethnicity. On state level there are formal privileges on land and education based on ‘indigeneity’, or regional and ethnic claims to belonging (Adebanwi 2009; Alubo 2004). Thus, citizenship and rights were (and are) not simply a question of belonging to Nigeria, and this divided citizenship, and fuelled ethnic tensions and conflicts (Aiyede 2009). The relevance of ethnicity in mobilising identity and being the basis for rights claims, increased. From the time of Boro, the Niger Delta minority groups have claimed resource sovereignty to oil based on ethnicity, as have land disputes in the Middle Belt been framed according to indigeneity.

Federalism and ethnic cleavages also affected labour markets, most prominently but not exclusively in the public sector. In addition to federal level employees, a large number of public workers were employed at state level.

Unions resisted regionalisation, from the colonial indirect rule and regionalisation in the late 1940s throughout the 1960s, as they feared regionalisation would break workers' solidarity (Diamond 1988; Viinikka 2009) and undercut associational power. The public sector in particular resisted attempts to decentralise collective bargaining systems. Nigerian governments have favoured decentralised and regionally based wage systems and mechanisms. Decentralised bargaining generally tends to favour employers, and politicise and tribalise wage politics. Trade unions have insisted on central, federal level bargaining. Wage settlement mechanisms have been a recurring battle between the various tiers of Nigerian government. Despite several attempts to decentralise these mechanisms, the centralised public sector bargaining has been protected, which has been an institutional victory for the unions.

A parallel and seemingly contradictory process of centralisation and deepened economic control of the federal government was in motion, related to lessons from the Biafran war and to the increased importance of oil. After the Biafran civil war, the state changed the labour relations, leaving the laissez faire attitude of the capital-labour relationship, and taking a more active role in industrial relations. Dispute settlement mechanisms, a range of labour regulations and related institutions, and an active labour court system, were established. Centralisation of bargaining was connected to centralised economic management, which was especially prominent since the emergence of the oil economy (Aiyede 2002). This improved unions' institutional power, which they also used to formalise labour relations (Akinlaja 1999) and build a union-based labour regime.

1970s the oil-fuelled developmental state: trade union growth and consolidation

Oil was discovered in 1956 and the oil industry grew in the 1960s, but with the oil boom of the 1970s, oil made a deep economic impact. By 1976 Nigeria was the seventh largest oil producer in the world (Viinikka 2009). Parallel to this, Nigeria was under military rule from 1966 to 1979. The massive income from oil allowed the military leaders to pursue active industrialisation policies and increase welfare benefits for Nigerians. Although redistribution was ineffective, with the economic expansion, ethnic tensions eased. However, the reliance on oil also underscored state vulnerability both to international price fluctuations, and to individual state capture, and prebendalism deepened. The labour force

increased drastically, from an estimated one million workers in 1964, to 9.6 million in 1981 (Viinikka 2009). Trade union members also grew significantly, but until a military decree in 1978, the unions remained fragmented.

Opportunities and vulnerabilities in the petro-state

Questions of revenue distribution from oil has hunted the Nigerian polity. Even if oil resources have been vast, considering that Nigeria is Africa's most populous country, the 'national cake' is insufficient to appease all palates.

The state's revenue from oil almost ten-folded between 1970 and 1977, and the expenditure budgets multiplied. Nigeria's economy grew by an average of 6% between 1967 and 1980 (Mkandawire 2001). At independence, 64% of the Nigerian national output came from agricultural export, such as cocoa, cotton, rubber and groundnuts (Aiyede 2009). By the late 1970s, government expenditure accounted for 85% of the Nigerian economy, of which 95% came from oil (Kew 2016). United Nations (UN) classifies countries as resource-dependent if oil and/or mining make up 25% or more of their exports. With oil share of exports peaking at 97% in 1984 (Nigerian National Bureau of Statistics n.d.), Nigeria is 'close to [being] entirely resource dependent' (UNECA 2016).

Resource dependency is often associated with resource curse theories that point to the so-called paradox of plenty: the inversed relationship between high natural resource endowment and low economic and political performance, often with continuous political and economic crisis, and particular proneness to conflict and corruption (Collier 2000; Collier & Goderis 2007; Karl 1997; Karl 2005; Mehlum et al. 2006; Ross 1999). 'Petro-states', are according to Karl (1997: 34) 'not like other states':

'The petro-state is simply more dependent on a single commodity than any other state, and the exploitation of this commodity is more depletable, more capital-intensive, more enclave oriented, more centralized in the state and more rent-producing than any other – all of which bodes ominously for development'

Nigeria is often cited as a prime example of resource-cursed states, even to fall 'at the worst end of the continuum' among the resource-cursed countries (Karl 1997)⁵⁸.

⁵⁸ This can be disputed in a comparative perspective, for example with reference to Equatorial Guinea and Angola.

The resource curse theories are criticised for proposing a causal rather than correlating relation between oil and negative developments, and for being ahistorical and apolitical. The theories ignore the transnational and unequal nature of accumulation, and fail to consider actors' agency and unequal power (McNeish & Logan 2012; Obi, C. 2010; Watts 2004; 2011). As we know from Norway and Canada, oil abundance does not cause violence, corruption and instability per se, but it can contribute to a welfare state.

There is no dispute that oil has intensified and accentuated previous cleavages in Nigeria, but it has enabled rather than caused conflict (Obi 2004). However, in the 1970s, income from the oil industry enabled the state to develop infrastructure, introduce import subsidies and build refineries (1965 in Port Harcourt, 1978 in Warri, 1980 in Kaduna). Public investments bypassed private, and in 1975, the state owned 38% of large-scale industries.

In the early 1960s, more than half of the workforce was state-employed, and 30% were employed by European companies. By 1975, half of the state employees worked for parastatal corporations (Tereisa Turner 1975 referred in Joseph 1987). The public sector unions dominated the labour movement in this decade (Andrae & Beckman 1998). The textile industry was prioritised, and was offered credits and import bans. By 1980 'Nigeria had become an industrial giant by African standards, with the largest textile industry after Egypt and South Africa' (Andrae & Beckman 1998: 34). Although the nature of oil is capital- and technology-intensive rather than labour-intensive, the relatively few workers in the oil industry had a strong structural power potential. The industrial expansion and increasing domination of the oil industry laid the foundation for the key role that textile unions and oil unions both played in the 1980s and 1990s.

The oil boom induced labour migration to the oil industry, primarily to Lagos and Port Harcourt areas. As the oil boom gathered momentum, the cities of Nigeria took on the character of gold rush towns (Freund 1978). Paradoxically, the industrial and urban upswing in southern cities also led to an increase in school dropouts as young people left to seek work in cities, and urban unemployment in the south was 29% and increasing, compared to 13% in the north (Diamond 1988). This further fuelled the southern base for upheavals and political resistance.

Despite the interventionist policies to stimulate industrialisation, production was relatively meagre and the economy continued to be geared to extraction of natural resources for foreign markets and a 'bureaucratically controlled economy' (Viinikka 2009: 128-129). The state swelling with civil servants was as much a sign of prebendalism as increased state

activities. Although wealth was privatised, little was invested in private industry, ‘since it was mainly acquired through patronage networks that provided coveted access to state resources and revenues’ (Apter 2005: 8). The Nigerian political class consolidated under the oil boom, and prebendalism deepened and thrived (Joseph 1983; 1987). The state distanced itself from citizens in the absence of taxation (Aiyede 2009) and in a setting of the military and bureaucratic rule of the 1970s, Nigerian state officials and foreign and local businesspersons shielded themselves from the pressure of ethnic redistributions (Turner paraphrased in Joseph 1983: 33). The ‘ruling class was primarily a state class, based less on exploitation of labor and more on the exploitation of political connections, through a de facto market of government contracts, licenses, and offices’ (Apter 2005: 8).

As the state’s engagement in the economy deepened and expanded, it increased the stakes for individual abuse of the state and prebendal politics (Joseph 1987). This increased ‘state vulnerability’, which is understood as ‘the degree to which individual and private concerns were able to block, alter, or circumvent state policies to suit their own interests (Joseph 1983: 23).

‘Inevitably a desperate struggle to win control of state power ensues since this control means for all practical purposes being all powerful and owning everything. Politics became warfare, a matter of life and death’ (Claude Ake cited in Joseph 1987: 75)

During the 1970s, the government attempted to regain control of the oil industry through nationalisation. The Nigerian state was (and is) closely tied to transnational companies and global interests (Obi, C. 2010; Watts 2004; Watts 2011). Much of the oil profit ‘found its way to the Global North through major oil companies’ (Ovadia 2013: 98). Although the state has been seen to run the errands of these companies (Turner 1980), the Nigerian nationalisation policies were detrimental to their interests (Omeje 2005; Ovadia 2012). Since the late 1960s, a range of indigenisation policies was passed, and in 1971, the Nigerian National Oil Corporation, later the Nigerian National Petroleum Corporation (NNPC) was established.

To secure federal control over the oil (and oil regions), the Land Use Act of 1978 declared that government owned all land (and therefore oil) (Kew 2016). This has caused conflict especially in the Niger Delta, where host communities claim to be deprived of the ancestral resources (Adunbi 2015). The revenue distribution formula, defining the federal distribution of oil revenues between the different tiers of government and between different

regions in the country, is an ongoing controversy. At independence, 50% of royalties from extractive productions (minerals and oil) went back to the producing state (or region). Since the Biafran war, the formula shifted several times⁵⁹.

Another attempt to promote national unity and avoid biases towards a group or region, a quota system was enshrined in the constitution in 1979 as ‘The federal character’⁶⁰. It stated that federal appointments of civil servants, military personnel and government members should reflect the social composition in Nigeria. Part of the background for this, was to reverse the civil service southern bias and Northern military bias. The principle is continuously debated and its success contested. On the one hand, it attempts to ensure stability across the ethnic and regional cleavages, while also cementing the tribalised character of the state.

Although ethnicity was primarily relevant in the public sector labour market, it was also reflected in the private sector labour market. In the transnational oil companies, jobs recruitment, contracts and other benefits were linked to ethnicity. This process that was deepened by the nationalisation. When more than 2,000 foreign-owned companies were taken over by Nigerians, it was held by both northerners and Igbos that Yorubas benefited disproportionately in banking, finance, service, and oil alike (Osaghae 1995). It appears that, similar to the state, the private sector was deracialised but retribalised⁶¹.

However, oil can also be a source of stability, even in unstable situations, where ‘governments use abundant resources to buy off opposition or suppress armed rebellion’ (Basedau and Lay 2009 quoted in Obi, C. 2010: 488). Indeed, in the 1970s, Nigeria was relatively stable, and ethnic tensions eased while, in the name of nation-building, policies encouraged cross-ethnic relations in urban areas, banned tribal unions and increased universal welfare provisions, such as education and health, which were virtually free. (Osaghae 1995). In this context, we can read the Nigerian state’s subsidy of fuel products. In 1966, the Nigerian government decided to guarantee Nigerians cheap fuel as universal benefit from the oil endowment. The state guaranteed a fixed price at the pump of 8 kobo (1 Naira is 100 kobo), a price that remained fixed until 1978.

⁵⁹ Today the oil-producing states keep 13%, and the rest is distributed equally between the 36 states

⁶⁰ This principle was later confirmed in the 1988 and 1999 constitutions.

⁶¹ My findings in the Niger Delta from 2014, suggest that nationalisation indeed changes the nature of the labour market to a more patronage-based and clientelist system.

The 1978 labour pact: state forced trade union unification

With the increasing employment, trade union organising exploded in the 1970s, and in 1977 there were 985 registered unions and four labour centres (Akinlaja 1999). However, continued fragmentation threatened to destabilise the unions from within and made them ineffective (Akinlaja 1999; Andrae & Beckman 1998; Odah & Onah 2015). In addition to the ideological divisions between radical, progressive and moderate democrats, individual trade union leaders were entangled in regional and ethnic politics. Furthermore, many unions lacked national structures, such as in the case of in-house company unions in oil and textile companies (Akinlaja 1999; Andrae & Beckman 1998).

From the mid-1970s, trade unions and the government set processes in motion for amalgamations of unions (Akinlaja 1999; Joshua et al. 2015). Government expressed worry concerning the proliferation and fragmentations of trade unions already in the early sixties. The small sizes, fragmented leadership and lack of employers' recognition was seen as a 'crying scandal' (Akinlaja 1999). The nationalist government considered the Cold War ideological divisions within the unions as imperialist and alien, and counterproductive to Nigerian issues. Also in the unions, especially the rank-and-file members expressed the need for unification for increased efficiency because small, individual unions without national structures were vulnerable to employers interventions. In the oil industry there were frequent attempts from employers to buy off union leaders, infiltrate, and split the unions (Akinlaja 1999).

President Obasanjo presented a military decree, the 1978 Trade Union Act. Andrae and Beckman (1998: 162f) term the act a 'labour pact'. Though the law was state-imposed, it confirmed an ongoing process of union unification and development of national centres. The unions supported the act, hoping that it would help building union power and efficiency. As explained in the introduction, this law restricted the freedom of association by allowing only one national centre (NLC) and one union per industry: 42 industrial unions, including 15 senior staff associations and 9 employers' associations were established (Akinlaja 1999). The monopoly also prevented fragmentation in times of internal disputes and conflicts (Akinlaja 1999; Andrae & Beckman 1998; Joshua et al. 2015). The pact forced employers to recognise unions, and some employers saw it as an advantage to deal with a unified trade union. The law consolidated and unified the labour movement, but it also made the unions more vulnerable to state capture, and the pact had built-in contradictions.

The law provided for obligatory union membership for workers and automatic deduction of trade union membership fees from wages. This gave the unions financial power and independent resources (Andrae & Beckman 1998; Joshua et al. 2015). The law forbade financing from abroad, as a form of preventing the continued ideological divisions and foreign influence (Andrae & Beckman 1998; Ootobo 1981). However, this was not efficiently implemented. The automatic membership and check-off dues system was particularly effective in the public sector. The flip side is, as suggested by Aiyelabola (2015), that public sector unions virtually stopped recruitment after the law was passed. This, one can imagine, would affect internal democracy, and therefore undermine the associational power of unions.

Although unions in both public and private sectors were split according to junior and senior positions prior to 1978, the legal separation emphasised class divisions among workers. This division also emphasised ideological divisions, as blue-collar workers tended to be more radical and progressive, while white-collar workers tended to be more conservative.

Senior workers associations were not legally recognised as trade unions, and were banned from taking industrial actions. With a higher market bargaining power, this was a clear attempt to undermine the labour movement. Senior workers were also denied a confederation. However, they formed an umbrella body, the Federation of Senior Staff Associations of Nigeria in 1980, which is the forerunner to the Trade Union Congress (TUC) (Joshua et al. 2015; Ogbeifun 2007). Both the Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) and the Nigerian Medical Association were not only referred to as trade unions, but they also acted as trade unions and took industrial actions in spite of the law (Joshua et al. 2015: 18; Ogbeifun 2007). Unions claimed and asserted rights in spite of the law, and through these actions, built institutional power.

Although the unions supported aspects of the law, the 1978 Trade Union Act was an attempt by government to control labour. At the NLC inauguration congress in 1978, the government representative, Brigadier Yar A'dua, conveyed the government expectation to the NLC:

'the relationship between the [...] Government and NLC should be one of partnership in progress, without prejudice to the over-riding responsibility of the government to preserve the security and peace in the nation. [NLC] should adopt a rational and conciliatory approach in

the industrial disputes. Conflicts should not be resolved either by artificially imposed conditions or by free play of economic forces, and union leaders are warned against restrained use of economic power, and exhibition of intransigence, violence and blackmail in the conduct of trade disputes' (quoted in Ootobo 1981: 67).

However, the government soon expressed regrets over the law. At the 1978 NLC elections, the government's preferred candidate, the moderate David Ojeli, lost to the Marxist Hassan Sunmonu. Already in 1981, Sunmonu led the third general strike in Nigerian history, mobilising 700,000 of the one million workers, successfully increasing the national minimum salary by 25% (Ootobo 1981). The government explicitly stated that the law had backfired (Beckman & Lukman 2010; Ootobo 1981). In fact, after losing another NLC election in 1981, Ojeli had the government back his attempt to establish an alternative labour centre, although it contradicted the 1978 law. However, Ojeli lacked support from workers and the attempt failed (Ootobo 1981). Despite the attempt to control labour, the law also became a source of union unity and power because it was combined with 'an equally powerful source from below, namely the militant self-organisation of the workers at the work-place level' (Andrae & Beckman 1998: 275).

1980-1999 crisis, adjustments and repression: trade union radicalisation and social mobilisation

This period marked the second great transformation, with the liberalisation of the Structural Adjustment program (SAP), but also a strong countermovement, where the unions took centre stage. Military regimes continued to dominate Nigeria from the mid-1980s until 1999, only interrupted by a short-lived third republic in 1993 (without popular legitimacy), and the period saw unprecedented political oppression, mismanagement and corruption, and deepened prebendalism. Economic crisis reinforced the political crisis. To meet the economic crisis, the state liberalised through austerity measures.

Liberalisation of both the state and the economy deeply affected labour power and labour's relations in both the private and public sectors. Trade unions lost members and traditional power, but were also radicalised. The unions fought job losses, worsening labour conditions and state repression at the same time, taking a clear 'public turn' in the sense of growing social and public engagements and civil society alliances. The struggles,

combining the anti-SAP with democracy demands, manifested in a series of resistances against fuel subsidy removals. The height of the resistance came in 1993/1994. However, instead of democratic concessions, the resistance paved the way for an unprecedented brutal military regime that temporarily halted union activities when key trade union leaders were imprisoned, and the NLC and oil unions' structures dissolved and were set under sole administration.

Economic crisis and liberalisation

The price of oil peaked in 1979–1980, only to burst into an international crisis in 1982 (Kew 2016). The 1980s oil crises hit the oil-dependent Nigeria with particular force: 'the scale of Nigeria's economic rise in the 1970s, and above all its subsequent collapse in the 1980s, are unusual' (Mosley 1992: 228). The SAP from 1986 emphasised ongoing liberalisation efforts that shifted the economy and state–society relations.

Economic adjustments and military rule

The 1970s export success of oil had led to inflation and decline in other sectors, not least to a crisis in agriculture (Freund 1978). Between 1980 and 1986, Nigerian export earnings dropped from an indexed 100 to 24 (Andrae & Beckman 1998). From being the leading industrialist on the continent, Nigeria became the most debt-ridden country in Africa by the end of the century (Aiyede 2009).

Economic austerity measures were initiated in 1977 (Osaghae 1995), but under nationalist and Pan-Africanist inspirations, Nigerian governments resisted the SAP until 1986. The coup-maker, President Muammadu Buhari (1983–1985), was initially popular for his focus on anti-corruption and disciplinary actions in relation to civil servants' abuses of the state, and for his refusal to accept the conditionalities of the SAP⁶². He honoured public sector collective agreements by demanding back pay for many civil servants who had not received their salaries for months. However, he soon broke labour's right to negotiate by a unilateral wage freeze, and banned strikes and lockouts (Falola & Heaton 2008; Olukoshi & Aremu 1988; Osaghae 1995). Buhari's popularity faded as human rights abuses increased, and his promises to return to democracy seemed forgotten (Kew 2016).

⁶² His anti-corruption credentials and economic independence contributed to his presidential victory in the 2015 elections. Then, the electorate seemed to accept his insistence on democracy as a 'born-again democrat'.

General Ibrahim Babangida overthrew Buhari in a bloodless coup in 1985. Before long, he declared an economic state of emergency, and reduced public salaries by up to 20%. In 1986, he presented an International Monetary Fund (IMF)-backed SAP (Adesina 2000; Olukoshi & Aremu 1988). Although Babangida insisted that it was a ‘home-grown’ programme which had exceptions to the standard SAP package, it was considered an orthodox IMF package. The Naira was devalued, subsidies cut, the financial sector deregulated, and government spending in health, education, transport, and communication were slashed (Lewis 1996; Mosley 1992; Osaghae 1995).

While Babangida ‘earned kudos with the international community for introducing [SAP, he] faced bitter resentment at home as Nigerians saw their standards of living drop tenfold’ (Kew 2016: 80). The bloated public sector was blamed for economic mismanagement and crisis and the SAP targeted labour explicitly. In 1981, the World Bank attacked labour productivity in Africa for the economic crisis (Adesina 2000). A World Bank (1994: vii) analysis of the SAPs explicitly blames labour wages:

‘The expansion of Government changed the structure of relative prices and wages. Rising wages and an appreciating currency squeezed the profitability of non-oil exports and undermined their competitive position internationally, while cheap food imports competed with domestic food production’.

Between 1980 and 1991, Nigerian per capita income contracted from USD1000 to USD300, and by 1993 workers took home 20% of their 1983 wages in real terms (Viinikka 2009). Babangida’s promise of labour dialogue was soon broken. The Babangida period was characterised by unprecedented ‘drastic and systematic’ state repression against labour (Olukoshi & Aremu 1988: 99). Unemployment levels swelled. Up to a million workers may have been retrenched between 1984 and 1989 (Osaghae 1995). Some unionists hold that liberalisation and fragmentation of the labour market was a deliberate attempt to weaken the unions (Adesina 2000; Akinlaja 1999).

The inequalities between the elites and the masses deepened, and class formations shifted as wage earners lost income. Inflation, unemployment and lack of access to public welfare devastated the middle-classes and the rural areas was at best at left at unchanged (Adesina 1994; Kew 2016).

'Neoliberal economic reform in Nigeria triggered skyrocketing inflation, averaging 200 per cent per year between 1985 and 1999, as well as severe unemployment, which stood at over 25 per cent in 1997. The popular impact has been one of intense pressure on livelihoods and a surge of entry into informal economic activities' (Meagher 2010: 57)⁶³.

The formerly affordable education and health care became unavailable to many (Meagher & Yunusa 1996; Osaghae 1995).

Notable winners of the economic crisis were formal and informal actors speculating in exchange rates, transnational companies gaining from the depreciation of the Naira, and foreign businesses who got access to previously indigenised parts of the economy. The transnational companies recorded huge profits in 1982–1984, but continued retrenchments and forced shifts in the labour market system (Osaghae 1995). Although President Sani Abacha (1993–1998) dismantled SAP, he continued liberalisation and deepened tendencies of predatory rule and political oppression. Mismanagement brought the economy 'into a grinding halt', and corruption led the oil refineries into despair (Kew 2016).

Rolling back the state and growing prebendalism

The economic crisis was followed by state contraction, and the crisis was also a crisis of the Nigerian state (Kew 2016: 93). While the state 'rolled back', state control and oppression intensified. At the same time, the 'national cake' was shrinking, and the pressure on redistributive regime and the competition for elite appropriation of the state were increasing, again heightening ethnic tensions and anxieties (Osaghae 1995). Elites spent more energies to divert funds to their own pockets, while the state resources were 'shared increasingly only at higher echelons of the state, its overstretched lower administrative levels atrophied' (Kew 2016: 93).

'While [the Babangida administration] could manage to combine repression with palliatives and intensified benevolence towards the rural communities, the reduction of its neopatrimonial and patronage instrumentalities was a bitter pill [it] refused to swallow, and

⁶³ Unemployment rates in Nigeria are problematic, as they do not include underemployment, nor 'discouraged workers' who had given up search for work (Adesina 2000).

this has been identified as one of the main reasons for the failure to implement SAP properly' (Osaghae 1995: 39)⁶⁴

The Economic Financial Crimes Commission estimated that USD380 billion were stolen from public funds between 1960 and 1999, and that it was particularly devastating under the Presidents Babangida and Abacha (1985–1998) (Aiyede 2009). Adesina (2000) describes the two presidents as ‘neofascist’ who liberalised the economy in order to gain political hegemony.

Privatisation – in the sense of detaching the state from the economy and disentangling the state from corruption and clientelist practices – had failed. The selling of government shares in parastatals, and expanding private sector participation often followed prebendal logics. Even though indigenisation policies were formally abandoned, the implementation of privatisation had ethnic overtones and undertones. The state continued to control its ownership in oil through NNPCs, in railways through Nigerian Airways, and in ports through Nigerian Ports Ltd. (Osaghae 1995).

Lewis (1996) suggests that since the Babangida regime, the political economy altered fundamentally in a shift from ‘prebendal’ to ‘predatory’ rule. He describes the prebendalist regimes before Babangida as relatively decentralised and comparatively controlled, where ‘the Nigerian state was not controlled by an exclusive oligarchy, and there were countervailing influences on the concentration of personal power [and civilian] institutions and military affinities hindered the tendency towards personal rule or ethnic monopoly’ (Lewis 1996: 100). In contrast, the predatory rules of Babangida and Abacha were more coercive, and based on concentrated and personalised political authority, where the economy was decided upon on at the personal discretion of the rulers. However, instead of a fundamental shift of operational logics of Nigerian politics taking place, other scholars hold that the period deepened prebendalism and that predation was implicit in the system (Joseph 2013; Kew 2016; Osaghae 1995).

'[Babangida and Abacha were] astute manipulators of prebendal attitudes. Predation was always part a feature of prebendal attitudes. Babangida and Abacha carried the personalizing of supreme

⁶⁴ There is agreement that SAP was not properly implemented (Lewis 1996; Viinikka 2009).

power [...] to the extreme level using the control over, and selective distribution of, petroleum derived resources' Joseph (2013: 267).

The economic and political changes of the 1980s and 1990s particularly affected the urban dwellers, upon whom the state had relied for legitimacy. The very legitimacy of the state was at stake (Osaghae 1995).

Changes in associational life

Associational life underwent changes, and experiences with and organisational relations to the state were mixed. Many associations directly linked to the economy were collapsing, including informal sector associations (Meagher & Yunusa 1996). At the same time, new associations emerged that challenged the state itself. Whereas unions and professional associations continued to relate and direct demands to state, the new mantra of non-governmental organisations (NGOs) was for the state to 'back off' (Kew 2016: 99). There was a related rhetorical or ideological shift from Marxist to rights-orientated framing of popular struggles (Adunbi 2015).

NGOs for human rights, aid, health, and women mushroomed and took over many social welfare provisions and public service delivery, especially in education and health (Falola & Heaton 2008; Kew 2016). Additionally, religious associations grew as their role in welfare tasks increased, which contributed to the politicisation of religion and radicalisation of both Christians and Muslims (Lende 2015; Obadare 2004; Osaghae 1995). Ethnic identities and loyalties were rejuvenated through the increase in traditional associations' roles in service and care provision and through deeper connections between the urban and rural (Meagher & Yunusa 1996; Osaghae 1995).

Ethnification of popular struggles was not least significant in the Niger Delta. A general upsurge in Niger Delta resistance was a response to liberalisation and oil commodification (Osaghae 1995; Watts 2011). The hanging of nine Ogoni leaders in 1995, including Ken Saro Wiwa, was the final straw for non-violent resistance and claims to resource sovereignty for the Niger Delta minorities. The resistance then took a violent turn. This marks a particularly dramatic episode 'in the larger trajectory of neoliberal reform, in which privatization, devaluation, inflation, and unemployment marked the collapse of the state and the erosion of civil society' (Apter 2005: 280).

In the oil struggles of the Niger Delta, rights claims from non-violent and militant actors were not only targeting the state, but also international oil companies and at a

transnational level. The resistance that reflected local, nostalgic ideas of a moral economy of the agricultural past contrasted to the immoral economy of oil ‘which pumps bad money from beneath the ground, only to pollute and destroy the productive base of the eco-system’ (Apter 2005: 273). Militants and resistance groups used a narrative mix between human and environmental rights with ancestral and indigenous rights (Adunbi 2015).

Despite this, resistance against the SAP and for democracy was revitalised during the 1980s. I will return to this topic after a brief discussion of changing labour and trade union conditions.

Trade unions’ shifting powers and relations

‘The first casualties of declining oil wealth were the workers’ (Viinikka 2009: 137), and trade unions came under severe pressure from rising unemployment and economic reorganisation, as well as state oppression.

Liberalisation and informalisation of the state and the economy shifted conditions for workers at the workplace and in relation to the state, the market and society. There were mixed experiences in relation to labour power. The informal sector and informal jobs expanded dramatically, posing new challenges to the unions, but also new opportunities. The associational and bargaining power of public sector workers declined. In the private sector, unions lost members, but increased their significance in the countercyclical unions’ growth in the period, as illustrated below with reference to the textile and oil sector unions.

Informalisation of the economy and of jobs

The informal activity in the Nigerian economy increased from 50% to 65% between 1970 and the late 1980s (Meagher & Yunusa 1996). Informality is defined as ‘operation outside the regulatory framework of the state’ (Portes et al. 1989); the informal sector businesses are unregistered and evade key taxes (Meagher 2010: 48). The International Labour Organisation (ILO) defines informal jobs as work in which the ‘employment relationship is, in law or in practice, not subject to national labour legislation, income taxation, social protection or entitlement to certain employment benefits’ (Husmanns 2004: 6). Informal jobs are also found in the formal sector, such as contract and casual jobs, referring to jobs that are outside labour regulations either by law or in practice (Husmanns 2004: 7).

Before SAP, the formal urban-based economy was considered to be the engine of Nigerian economic development. The World Bank held that this led to a state bias and

consumption-orientated economy at the expense of the productive sectors: the agricultural and the informal. Between 1960 and 1980, Nigeria recorded zero growth in agriculture. Although SAP was supposed to benefit small farmers, they were vocally resisting, especially because of the removal of subsidy on fertilisers, tractor hiring and seeds. Except for a short-term gain for cocoa farmers, the agricultural sector suffered under SAP.

The shift in state priority from urban to rural ran the risk of losing state support and legitimacy. And the most far-reaching consequences were for urban dwellers (Osaghae 1995). Actually, the gaps between informal and formal sector incomes were closing, as many formal sector wage earners, especially in public sector, dipped below the poverty line (Adesina 1994; Adesina 2000).

The informal sectors recorded economic growth before SAP, but declined under SAP (Meagher & Yunusa 1996). The fact that workers had alternative livelihoods in agriculture or in the informal sector (providing an easy exit and less dependency on their wage work) was important for the relative bargaining power of the textile workers' unions in the 1990s (Andrae & Beckman 1998). However, although 'easy entry' is a defining feature of the informal sector (Fields 1990: 55), the Nigerian informal sector was not able to absorb the excess labour from formal sector retrenchments (Meagher & Yunusa 1996).

Informal sector workers are rarely unionised, but often have their own associations. However, 'any organizational advantages [by the increase of informal sector workers] were rapidly eroded by the disabling economic and political environment of liberalization.' (Meagher & Yunusa 1996: 57). The conditions in the informal sector worsened. They lost customers, real income and access to equipment, and their associations were disempowered (Meagher & Yunusa 1996; Meagher 2010).

The main strategy by actors in the informal sector has been to cooperate with trade unions (Andrae & Beckman 2010; Andrae & Beckman 2013; Meagher 2014; Sola 2008). This is because in 'the face of rapid expansion and intensifying competition within the informal economy, access to adequate resources, services, infrastructure and regulatory authority is increasingly dependent on formal sector connections' (Andrae & Beckman 2010: 56). For the trade unions, cooperation, mobilisation and membership expansion in the informal sector can increase their associational power. However, the unions are also concerned that a joint organisation can divert attention from the primary preoccupation 'to fight such processes, defend workers' rights and expand the sphere of a union-based labour regime' (Andrae & Beckman 2010: 98).

Since the informal sector is more prone to elite capture and clientilism (Meagher 2010; 2014), the informalisation of labour and increase in ethnic-based claims and prebendal relations (Osaghae 1995) may open up for more patronage-based labour relations. In their study of textile workers, Andrae and Beckman (1998: 12) contend that the local labour regime is premised by the specific power relations on which these institutions are built. The authors compare labour regimes in two cities in northern Nigeria with heavy textile industry, where they find a more patronage based labour system in the more informally dominated Kaduna than in the more urban, formalised Kano.

Some unions shifted from being formal sector unions to becoming a de facto informal workers' union as the industry informalised. The NLC-affiliated Nigerian Union of Road Transport Workers (NURTW) is a case in point. Under SAP, public transport informalised as transport companies virtually collapsed, and private vehicles and cars gradually took over (Ogunbodede 2008). Instead of organising employees in public and private bus transport companies, NURTW now organised the new private, informal drivers. In this period, NURTW also started functioning as a public transport company.

Although the majority of informal workers remained outside the unions, some unions organised informal workers within their industry. NUPENG started organising informal tanker drivers from 1988 (Akinlaja 1999; Kokori 2014). This increased their mobilising and structural powers (Houeland 2017; Houeland in press). NUPENG started organising 'casuals' in early 1992 (Akinlaja 1999). 'Casuals' is the lumpen term for a range of informalised labour, especially on labour that used to be permanent, and shifted to flexible, cheap and short-term employment under liberalisation in terms of outsourcing and fragmentation of labour organisation (or casualisation). NUPENG has been able to ensure some improved working conditions for their members, but the organisational work is a continuing uphill battle (Houeland 2015). Interestingly, when I informally asked an NLC leader about which were the most powerful unions in strike action, he answered NUPENG and NURTW. They have strong structural power based on control of the informal transport of anything from people to fuel – in other words, of everything that keeps the Nigerian economy and state running.

Public sector union breakdown

The reforms changed the composition and conditions of labour in the public sector. In chapter 2 in this thesis, the labour's 'public turn' had two components. In addition to increased union engagement with the larger public and the public sphere, it described an

increased relative share and significance of public workers within the labour movement. In Nigeria, there were clearly an increase public engagement, but the public sector that had dominated the union movement in the 1970s, was not to dominate the labour movement. The public sector unions were left with a broken neck by the liberalisation (Andrae & Beckman 1998).

Massive retrenchments reduced the number of public workers and the real wage declined dramatically from wage freezes and inflation. By 1987, the public sector real wage was 37% of the 1975 wage for lower ranks, and 20% for the middle civil servants (Meagher & Yunusa 1996). Although the public sector bargaining was centralised and intended to cover all tiers of government structures, it failed to institutionalise. Collective agreements, such as those concerning minimum salary, happened sporadically and often not implemented at all. Workers were often not paid, or paid on an irregular basis, particularly at state level (Aiyede 2002).

Although numerically large and with potentially high associational power, the structural and institutional power of the public sector was and continues to be very weak, also undermined by its lack of recruitment resulting from the automatic membership system. The Nigerian unions' 'public turn' did not give the public sector a dominant role within the labour movement. However, the labour movement went public, in the sense of engaging in public issues and in alliances with part of the larger society.

Private sector: Building union-based labour regimes

The private sector unions were small and shrinking, but increased their relative significance and power. In the case of the textile unions, despite the economic crisis, SAP and state repression, they reported 'remarkable progress in crisis management, industrial adjustment, institution building and conflict regulation' (Andrae & Beckman 1998: 11), as noted in the introduction to this thesis.

The first collective agreement in the textile industry as a whole was signed in 1979. By 1980, the National Union of Textile Garment and Tailoring Workers of Nigeria (NUTGTWN) counted 75,300 members, which was estimated to be 75% density. The textile industry was under heavy pressure from the 1980s, with outsourcing and retrenchments in the face of increased competition with the removal of import substitutions. The unions were able to cushion the effects of the industrial crisis, by flexible salary reductions and reduced working-hour systems, and unemployment dropped less than capacity utilisation (40% versus 50%). The power of the unions was based on the unity

ensured by the 1978 Trade Union Act, and was enhanced by capital's relative weakness (Andrae & Beckman 1998). Employers were also disempowered by the economic crisis. They turned to unions for cooperation for smoother adaptation to the economic realities and to retain skilled labour awaiting longer-term economic improvement. Despite the pressures on the industry and labour market in addition to reduced bargaining power, the unions safeguarded and strengthened a union-based labour regime, constructing 'legality and constitutionalism from below' and 'growth of a capacity to regulate conflicts, develop modes of representation, and institute social contracts'⁶⁵ (Andrae & Beckman 1998: 21). The unions' achievements were based on their autonomy, social embeddedness, internal democracy and labour militancy (Andrae & Beckman 1998).

Trade unionism in the oil industry showed similar developments, although the processes were more turbulent and conflictual, not least in NUPENG. At its formation meeting in 1977, questions of ethnic zoning came up, but 'the founding fathers of NUPENG were ethnic blind' (Akinlaja 1999: 28). Admittedly, the North–South divide was hardly relevant to oil unions, as there was little oil activity in the north (apart from the Kaduna refinery) and therefore few northern delegates attended the founding meeting. Crisis and the economic adjustments came with massive retrenchments and intensification of casualisation, which challenged job security and trade union organisation. Both government and employers attempted to break and weaken labour, not least by attempts to manipulate internal trade union ideological–political divisions between socialist 'progressives' and social democratic 'conservatives'. Employers tried to weaken the unions through interference and old-fashioned divide-and-rule tactics. As mentioned above, unionists reported employers infiltrating NUPENG and financially supporting individual unionists and workers (Akinlaja 1999).

Internal divisions in NUPENG reached a crisis in the late 1980s, but the external influence was resisted by a strong membership-driven insistence on trade union unity. The political factions came together, and in 1986, NUPENG actually held a strike to demonstrate union independence (Akinlaja 1999). Eventually,

'oil firms embraced the unions, rolling out carpets of cooperation. On the part of the union, as a matter of deliberate policy, dialogue became the primary weapon for negotiations, except for companies that displayed

⁶⁵ Here, 'social contracts' refer to collective agreements at the workplace.

deficiencies in job security or welfare packages for workers' (Akinlaja 1999: 85).

By the end of the 1990s, the wage gaps between junior workers and management had decreased from 1:20 to 1:9 (Akinlaja 1999). The fact that the employers' associations for oil tankers and other transport owners, the Nigerian Association of Road Transport Owners, came as a response to NUPENG organising tanker drivers (Akinlaja 1999), is another indication of the institutional power and formalising role of the unions. Hence, there is a development of union-based labour regime also in the oil industry. However, whereas the relative disempowerment of employers that encouraged union-based regimes in textile companies came also from the threat of relocation, the oil industry is less threatened by relocation.

Countercyclical union power, anti-SAP and pro-democracy struggles

'The charge that national governments had broken the implicit social contract to safeguard not only the material welfare of the people, but also their political rights, led to growing demands for democracy and social change' (Seddon & Zeilig 2005: 9)

The role of unions as a voice of opposition and mobiliser of discontent was reinforced. Despite rising unemployment and loss of membership, there was a 'countercyclical growth in union power', where unions consolidated and expanded, rather than contracted, in the crisis years of the late 1970s until the early 1990s (Andrae & Beckman 1998). Although traditional civil society and trade unions declined in core numbers, democracy activism increased and civil society radicalised and expanded its scope (Kew 2016).

There was an explosion of labour conflicts in the 1980s, in number and intensity (Adesina 2000)⁶⁶. As mentioned, in 1981 the NLC mobilised a third general strike (Otobo 2016). As opposed to the 1945 and 1964 general strikes, the years following the 1981 strike was followed by further massive strikes and economic halts (Viinikka 2009). The increased trade union activity in this period suggests 'increased reinforcement of labour identity not its dissolution' (Adesina 2000: 151).

The unions saw core labour issues such as wages, as being closely related to both SAP and democracy (Adesina 2000). The unions, and in particular the NLC, formed the

⁶⁶ Even if Nigerian strike data is considered 'suspect', it is useful to compare over time (Adesina 2000).

nodal point for both anti-SAP and pro-democracy movements (Kew 2016; Viinikka 2009). Building on the historical trajectory of public engagement, the radicalisation and alliance politics of the unions intensified and had clear characteristics of social movement unionism. The resistance focused on education and health policies and on wage issues, with a particular focus on the removal of the fuel subsidies (Adesina 2000; Kew 2016; Olukoshi & Aremu 1988; Osaghae 1995; Viinikka 2009).

The resistance had a broad popular base, and SAP was criticised by a range of actors. Deregulation policies in general and fuel price increases in particular exacerbated the harsh economic conditions (Falola & Heaton 2008). Combined with an increase in state repression, the opposition and resistance strengthened:

'As expected, the situation made the people fight. Labour groups, professional associations, students, market women, and other organized groups confronted the state through strikes, demonstrations and riots, managing to wrest some palliative concessions' (Osaghae 1995: 28).

Protests mobilised popular masses across rural–urban and formal–informal divides, but also involved industrial organisations such as the Manufacturing Association of Nigeria as well as the National Association of Chambers and Commerce, Industry, Mines and Agriculture (Olukoshi & Aremu 1988), and the Nigerian Bar Association (Kew 2016).

Academic staff in the Academic Staff Union of Universities (ASUU) and students in the National Association of Nigerian Students (NANS) provided intellectual leadership – and discursive power – to the NLC and the larger movement (Beckman & Jega 1995; Obono 2011). The 1970s massive spending on university systems had increased the number of academics and students, and both organisations had strong activist and protest histories. Contraction of funds to and privatisation of the educational sector was followed by massive increases in the cost of education, in retrenchment of staff and in worsened conditions of work. This was met with protests from enlarged, radicalised, well-organised and angry students and academics (Akintola 2010). NANS was an explicit recruitment ground for the unions, building high intellectual capacity of the NLC staff. The union leaders used radical rhetoric of socialism and class solidarity. Although it is uncertain how ideological the rank-and-file of the unions were, their commitment to reform was undisputed.

The NLC's struggles against the Babangida regime were popular and enjoyed the support of the ordinary workers (Olukoshi & Aremu 1988). To call the NLC leadership 'unpopular with the Babangida administration would be a gross understatement' (Otobo

1992 cited in Adesina 2000). Babangida dissolved NANS after massive student riots protested against student subsidy reductions in 1986 (Falola & Heaton 2008). ASUU was forcefully disaffiliated from the NLC in 1986, as it was believed to have been behind the radicalisation, and the NLC was dissolved in March 1988 (Olukoshi & Aremu 1988). The regime's official explanation for dissolving the NLC was the continued internal divisions between reformists and radicals in the NLC. Admittedly, there were attempts to establish a second confederation in 1988, which would have contradicted the 1978 law of provision for only one national centre (Adesina 2000; Akinlaja 1999; Kew 2016; Olukoshi & Aremu 1988). Nevertheless, the dissolution of the NLC should be understood as Babangida's attempt to 'pave the way for the "smooth" removal of the oil "subsidy" and the unchallenged implementation of other elements of SAP' (Olukoshi & Aremu 1988: 110). Although the strategy failed when union members did not follow suit, the 1988 intervention weakened the NLC and demonstrated the control opportunity present in the 1978 Trade Union Act.

However, already in April 1988, the unions had carried out several wildcat strikes in cooperation with students against new subsidy removals and had forced the regime to negotiate with the leadership and concede (Adesina 2000; Falola & Heaton 2008). Although the protests led to restoration of the subsidy, the fuel price increased steadily, and continues to be a key issue for political resistance. Early 1988, a litre of fuel cost 39.50 kobo (1 Naira = 100 kobo), and by 1993 it cost 3.25 Naira (Falola & Heaton 2008). With growing poverty and inequality, the price increase in fuel was contradictory to popular understanding of justice, regarding both distribution of wealth and price-setting mechanisms (Guyer 2009; Guyer & Denzer 2013).

After a period under sole administration, a state-controlled NLC congress was held in December 1988. Pascal Bafyau, who was considered close to Babangida, was elected as NLC president (Adesina 2000; Beckman & Lukman 2010; Olukoshi & Aremu 1988). At the same time, both NANS and ASUU had started weakening in membership numbers, and many students were later subsumed into personalised and even criminalised politics and cult groups (Akintola 2010; Bøås 2011; Kew 2016; Osaghae 1995). Even so, resistance continued.

The stolen election of 12 June 1993: peak and downfall of union power

President Babangida stalled the promised transition to civilian rule and the third republic. When Babangida called for parties to qualify for elections in 1992, the newly revived Labour Party was one of more than 50 applicants. However, Babangida declared them all

unfit owing to 'ethnic divisions', and instead created two parties: the Social Democratic Party (SDP) and the National Republican Convention (NRC).

Workers and unions leaned heavily towards the SDP and its presidential candidate, Moshood Abiola, but the NLC endorsement only came after pressure from individual unions. Allegedly, this slow and reluctant reaction was a result of the NLC President Pascal Bafyau's personal disappointment that Abiola had not appointed Bafyau as his vice-presidential running mate. Babangida had introduced and supported Bafyau's candidature (Akinlaja 1999; Kokori 2014). Akinlaja (1999) suggests that Abiola distrusted Bafyau owing to his closeness to Babangida, but also that Abiola chose a running mate based on considerations of regional balance of power. The general secretary of NUPENG, Frank Kokori, was the only labour representative in the SDP executive (Akinlaja 1999; Kokori 2014).

Despite the pre-election limitations, the long-awaited elections of 12 June 1993 were accepted as free and fair by international observers and the democracy movement alike, and they are often referred to as the freest and fairest elections in Nigerian history.⁶⁷ Abiola won the presidential election with 58% of the votes. After delaying the results, Babangida eventually annulled the elections 11 days later, and a 'titanic wave of grief and anger swept the country' (Akinlaja 1999: 142).

The NLC leadership remained passive, and President Bafyau operated 'with the speed of a tortoise that had been infected with jigger in its feet' (Akinlaja 1999: 162). But the NLC leadership was out of touch with members at shop-floor level and with individual unions. The then Deputy General Secretary of NUPENG, Joseph Akinlaja (1999: 143), describes reactions from members to the 1993 election annulment:

'They got in touch by phone. They came in person. On the street. At formal meetings called to discuss quiet unrelated issues, workers peppered us with their fears and their questions of June 12. They were angry. And they were angry enough to want to fight. However, oil workers were not alone'.

The oil unions, and in particular NUPENG, took the lead in activism and resistance (Adesina 2000; Akinlaja 1999; Kew 2016; Viinikka 2009). Protests broke out all over the

⁶⁷ 'June 12' remains a symbolic date for the Nigerian democracy movement, and the historical memory of the election, the democracy movement's mobilisation afterwards and the trade union's role, together marked a reference point in the 2012 fuel subsidy protests (Houeland in press)

country and Lagos, where the local NLC chapter took unilateral action, was ground to a halt. The protests forced Babangida to step aside. Although the Campaign for Democracy led many of the protests, Viinikka (2009: 142) asserts that in ‘1993 the Nigerian working class was the force that swept away Babangida’.

Instead of allowing Abiola to assume office, Babangida announced an interim national government under Ernest Shonekan. Shonekan who took office in August 1993 soon decided to remove the fuel subsidy, which increased the fuel price from 70 kobo to 7 Naira. On 15 November, the NLC called for a general strike on the twin issues of democracy and the increase in the price of petrol.⁶⁸ The pressures on Shonekan were deep and continuous. Two days later, when Sani Abacha staged a military coup on 17 November, some human rights activists actually endorsed him (Viinikka 2009).

‘Within days of assuming power, Abacha had reinstated a substantial portion of the domestic fuel subsidy, and in subsequent weeks he demonstrated antipathy toward liberalization. Lacking public confidence, and beholden to an array of distributive pressures and clientelist demands, the regime was averse to the rigours of further adjustment. This was manifest in the January 1994 budget, which dismantled the central features of the SAP and returned the country to a system of fixed exchange rates, foreign exchange rationing and restrictive trade and pricing policies’ (Lewis 1994 quoted in Akanle et al. 2014).

Abacha’s concession on the subsidy demand and promised reversal of liberalisation policies was initially popular. NLC called off the strike. Abacha did not attempt any further subsidy reductions, which according to Akanle et al. (2014: 92), is best explained ‘as a move to confer a degree of legitimacy upon his illegitimate rule’.

However, there were no concessions on the strikers’ democratic demands, and the Abacha regime turned out to be the opposite of labour- or democracy-friendly. Political structures, including the two parties and the electoral commission, were demolished (Akinlaja 1999; Viinikka 2009). The Abacha regime is considered the most repressive and corrupt in Nigerian history. Whereas Babangida was said to ‘buy off’ his enemies, Abacha ‘incarcerated and killed them’ (Apter 2005: 272). NUPENG’s Akinlaja (1999: 20)

⁶⁸ Different sources refer to different prices, dates and relations, but the overall fact of a tremendous price increase, protests and eventual coup, remains consistent.

comments that the ‘oil shortages of the 1980s proved to be a child’s play [in comparison] to the situation of the 1990s’.

A year after the 1993 elections, on 12 June 1994, Abiola declared himself winner and claimed the presidency – only to be arrested. Despite pressure from below, the NLC again remained passive, but a series of labour resolutions on political and economic demands followed. On 4 July, NUPENG initiated ‘one of the most bitter and economically painful strikes in Nigerian history’ (Viinikka 2009: 143). After two weeks, PENGASSAN joined the strike, followed by bank workers, nurses, teachers and others in what would be the longest strike in Nigerian history. The NLC’s Lagos branch joined unilaterally. The NLC eventually called for a strike on 3 August after continued pressure, but their participation lasted only two days.

Abacha responded with a crackdown on labour, human rights and democracy activist. Activists were ‘hounded and imprisoned, and military units [...] crushed the labor unions spearheading the strike’ (Kew 2016: 83). The leadership of NUPENG, PENGASSAN and NLC were dissolved, and several labour activists were arrested, among them the two oil union leaders Frank Kokori of NUPENG and Milton Dabibi of PENGASSAN (Akinlaja 1999; Viinikka 2009). This temporarily crippled the union movement. At the same time, international human rights and labour organisations initiated international solidarity campaigns. The campaign escalated after the hanging of nine Ogoni leaders in the Niger Delta, in 1995. The labour leaders were released and unions unbanned only after the death of Abacha in 1998.

1999 The Fourth Republic: democracy, economic growth and continued insecurities

The February 1999 elections marked the entry to the Nigerian Fourth Republic, which started with high expectations of economic, social and political betterments. Indeed, democratic spaces have subsequently opened, and economic growth has marked the period. Despite growth, however, poverty and unemployment are on the increase, and multiple insecurities still characterise the everyday life of ordinary Nigerians. Electoral flaws, fraud and unfairness and continued prebendalism, state abuse, terror, violence and corruption have tainted the political system.

The NLC entered 1999 debunked and with a broken neck, but it regained strength and took a central role in politics and public debates (Andrae & Beckman 1998; Beckman & Lukman 2010; Kew 2016). While democracy provides unions with new opportunities, new actors claim the same spaces, and challenge the unions' oppositional and social position. Despite economic growth, relatively few jobs are created and continued liberalisation limits the trade unions' opportunities. However, the continued political significance of the unions relies on a combination of strategies, while again, the most noteworthy roles are in relation to another series of subsidy protests, as analysed in the articles of this thesis.

Economic growth and optimism

Economic optimism and growth have characterised the economy of the fourth republic. Nigeria has been singled out as one of the most interesting emerging markets. Whereas global capital has long been seeking spatial fixes – in the form of low labour costs, for example – in Asia and in the emerging economies of BRICS (Brazil, Russia, India, China and South Africa), with time, these countries have grown comparatively more expansive. The economist, Jim O'Neill, who coined BRIC (South Africa was added later) has suggested that the next emerging economies will be Mexico, Indonesia, Nigeria and Turkey; MINT (BBC 2014).

In 2014, the Nigerian Bureau of Statistics revised the Nigerian GDP estimate upwards to USD510 billion. This represents a 89% increase on the previous estimate. With this, the Nigerian economy has surpassed that of South Africa as the biggest in Africa. Although considered a genuine statistical upgrade, there are great uncertainties associated with the numbers (Jerven 2016). Nigeria is still overwhelmingly oil dependent, and the high international oil prices in most of the period since 1999 have driven this growth. However, steady – and even higher – growth has been reported in the non-oil sectors: agriculture, wholesale, and retail have been growing at 7% to 9% since 1999 (Treichel 2010). Additionally, the estimated population of 181 million and increasing, as well as its growing middle classes, has already made Nigeria an interesting consumer market for goods, especially targeted by Chinese traders.

Foreign direct investment (FDI) to Nigeria has increased significantly. FDI was about USD1 trillion in 1991 and peaked in 2011 at almost USD9 trillion. Even with a downward trend since, in 2014 the FDI figure was approximately USD4.6 trillion (World

Bank n.d.). This growth and investment expansion is despite the fact that many companies and investors are reluctant to work in Nigeria. The World Bank Annual ‘Doing Business’ report (2016), places Nigeria among the most difficult countries in the world to work in (placed 169 out of 180 countries). Key negative issues for investors are access to power, infrastructure, and regulatory predictability. The report emphasises that there are notable regional differences in Nigeria. Lagos is listed as significantly better than other regions, and continues to be the heart of economic and industrial development. Oil is still the most important sector for attracting FDI, though the power sector is on the increase (Kukoyi 2015).

Nigeria is now ranked as the world’s 12th biggest oil producing country (CIA 2015). It is the fourth largest exporter of liquefied natural gas. It is still the largest oil producer, with about two million barrels produced per day, and it has the highest oil reserves in Africa (US Energy Information Administration 2016)⁶⁹. And it attracts the highest level of oil-related FDIs on the continent (Kukoyi 2015).

Oil, and especially the upstream or extraction phase, is less vulnerable to capital flight and geographic relocations than other industries, such as textiles. However, despite the high quality Nigerian ‘sweet crude’ and proven oil reserves of 37 billion barrels as at the end of 2015, investments have slowed down awaiting the passing of the Petroleum Industrial Bill (PIB) (US Energy Information Administration 2016). This bill was first proposed in 2008. It is a comprehensive petroleum law, which has caused simultaneous resistances from multiple stakeholders. Investors have particularly resisted the fiscal terms proposed, while unions have resisted deregulations. Until the bill was passed as law by the Nigerian Senate in May 2017, the terms for capital has been unpredictable. The bill, passed as Petroleum Industry Governance Bill (PIGB) is expected to open FDIs.

Additionally, there is investment reluctance due to the high-level corruption, insecurity and instability in the Niger Delta. Many transnational oil companies have preferred to move offshore (US Energy Information Administration 2016). The downstream sector – with more job creation potential and value additions – is heavily underdeveloped. Ninety per cent of the fuel consumed in Nigeria is imported rather than refined in the country, as the four oil refineries have worked under capacity for years. This is related to corruption and economic incentive structured in the fuel subsidy system (Africa

⁶⁹ Nigeria is occasionally bypassed by Angola, especially in times of high level of conflicts and sabotage actions in the Niger Delta, such as under the upsurge of militancy since May 2016.

Confidential 2012). Part of the argument to deregulate the fuel subsidy, is to attract FDI to the refineries.

Nigerian governments continue liberalising policies, aiming at securing private and foreign investments. To attract investors to the mid-stream and downstream oil sector, several export-processing zones have been established, which can be seen as a form of national spatial fix. These are artificially secluded areas with tax and labour law exemptions to attract investments (Aiyelabola & Yusha'u 2011). At the same time, however, laws on nationalisation and local content have been passed that are unfavourable to the international oil companies (Omeje 2005; Ovadia 2012). Meanwhile, there has been an increase in national oil companies. This increase is discussed in relation to labour regimes in Houeland (2015).

All Nigerian governments since 1999 have aimed at expanding industrialisation and making the country less oil-dependent, but with limited success. The current Nigerian president, Buhari, targets textiles, mining and agri-business for industrialisation and economic development. According to Buhari, the textile industry once employed 320,000 Nigerians⁷⁰, but now only counts 30,000 workers, with factories closed or operating below capacity (Nwabughioqu 2015).

Oil dependency makes Nigeria extremely vulnerable to global oil markets. Economic optimism got a received a huge blow with the international oil price downfall in 2014. The growth in GDP has gradually contracted, plunging to a negative growth in the second quarter of 2016. After the elections in 2015, two of the immediate items on the agenda for the new President Buhari were to seek emergency loans from the IMF and China, and to severely tighten the budget. This limited his available resources to appease Nigeria's socio-political networks, as well as his ability to carry out promised security, infrastructural, and industrial reforms.

Continued insecurities for the Nigerian majority

Riches from the growth in the economy have mostly landed at the feet of the elites and a growing urban middle class, while the vast majority continue to experience insecurities in their everyday lives. Although there has been a net increase in jobs, the job creation has not been able to keep pace with the surging population growth. Furthermore, new jobs are often

⁷⁰ Andrae and Beckman (1998) use more conservative estimations. Numbers are always uncertain, but some of the discrepancies can be explained if Buhari includes the informal sector.

precarious, and in sectors which are hard to organise. According to the United Nations Development Programme (UNDP), general unemployment is relatively stable at around 24% (UNDP 2015), while youth unemployment has risen since 1999, and the share of wage labour has declined from 15% in 1999 to 10% in 2006 (Treichel 2010). In addition to the material insecurity of poverty, inequality and unemployment, Nigerians are subject to physical, epistemological and political insecurity (Pratten 2013). Epistemological insecurity refers to the lack of trust in information and everyday deceptions, trickstering and misinformation. Political insecurity applies to both prebends and their clients, as power and positional shifts are unpredictable. Pratten implies that these insecurities are a cause and consequence of prebendal political logic (Pratten 2013).

Physical insecurities and violence are rampant, ranging from everyday violent crimes to militancy, terrorism and an abusive military and police. The state continues to be seen as disconnected from its citizens. Not only does the state fail to protect citizens, but it is itself militant and a perpetrator of human rights abuses and violence against citizens (Adebanwi 2009; Obadare & Adebanwi 2010). Even though 'a host of laws and regulations govern the relationship between state and civil society in Nigeria, ... the state typically enforces these at its own convenience, usually to control groups it perceives as political threats' (Kew 2016: 100).

The struggles for resource control in the Niger Delta escalated from 1995, as mentioned, and by 2006 it had evolved into a full insurgency (Obi & Rustad 2011). Here, the relationships between political, economic and local community chiefs (indirect rule/domination), include a particularly pronounced elite-based coalition between firms, state apparatuses and oil communities, termed 'oil complex' (Watts 2004). This complex is comprised of 'top-level state executives, members of their political networks, politically connected ... military and security officials, government officials, traditional rulers and top-level private sector executives' (Obi 2014). This complex operates and interacts under a petro-dominated capitalism that generates contradictory governable spaces; violence that is constitutive, is termed 'petro-violence'⁷¹ (Watts 2001; 2004; Watts et al. 2004; Zalik 2004). These insecurities hinder civic mobilisation and labour organisation, as discussed in Houeland (2015).

After the 2009 Niger Delta Amnesty programme, there has been relative peace in the region (Obi 2014), although there was a re-escalation of violence after the oil price

⁷¹ The type of social violence often associated with resource extraction, and that derives from the specific mythical, material and biophysical properties of oil (Watts 2001).

plunge in 2016. This violence was generally explained as a response to the drying up of Amnesty funds, which had been used to buy out militant leaders rather than to target the root causes of the conflict. An additional explanation relates to the fact that Niger Delta largely supported Jonathan against Buhari in the 2015 elections. In that context, resurgent violence can be understood as a way to put pressure on the government for economic allocations to region. The Middle Belt region has experienced a similar period of relative peace after a 2014 peace agreement, but there has been a re-escalation of conflict and geographical expansion since 2016. Whereas the Niger Delta resistance has been framed in terms of ethnic minority claims against state and companies, the Middle Belt conflict is framed as an intra-community conflict with both ethnic and religious markers.

In terms of security, the Boko Haram terror has dominated since 2010. Although often depicted as a religiously driven conflict, it has both ethnic and economic drivers, and is deeply related to a general sense of mistrust in the state.⁷² By early 2017, this terrorism has caused about three million people to be displaced from the Lake Chad region, seven million to be dependent on food aid, half-a-million children malnourished, and UN warning of emerging hunger. The group's epicentre is Borno state in North-East, where there is little industry, and few union members. However their attacks on schools and infrastructures severely threaten the lives of the population in general and teachers in particular. As mentioned in Houeland (in press), this insecurity was a direct hindrance to workers' actions in these areas in 2012.

Trade union growth and increasing labour insecurities

Although institutional power in forms of union-based labour regimes may have continued to expand in certain industries and companies, and democracy has opened policy spaces for the unions in general and at national level, the unions' institutional power continues to be fragile. Lack of trust and insecurity characterises the labour regime and institutional setup and Nigeria has an extremely poor record regarding labour rights (ITUC 2015). In 2015, Nigeria was categorised as among countries with 'no guarantee of rights', while the 2016 report improved Nigeria's status as a in the category of countries with 'systematic violations

⁷² The Australian peace broker, Stephen Davis, in 2014 alleged that former Borno governor, Senator Ali Modu Sheriff and former Chief of Army Staff, General Azubuikwe Ihejirika, had sponsored Boko Haram, in a similar pattern to political support to Niger Delta militants (Maina 2014).

of rights' (ITUC 2016). Without a country analysis, it is uncertain what explains the improvement.

It is noteworthy to refer to Treichel (2010: 24) who is critical of the dominant narrative of lack of wealth distribution and growing inequalities. Treichel (2010: 24) writes that World Bank data:

'strongly indicate that real incomes have substantially risen since 1999. Incomes in the formal wage sector and the informal urban sector have increased by about 50% in real terms. Most importantly, incomes in family agriculture have almost doubled in real terms and are now on par with those in the self-employed nonagricultural sector. At the beginning of the decade, incomes in the urban informal sector were about 30 to 40% higher in real terms than in family agriculture.'

Even if Treichel et al. (2010) are correct that the public discourse of unemployment and increased poverty is 'a perception', the fundamental economic and class differences among Nigerians remain. According to the UNDP (2015) 76.6% of working Nigerians are 'working poor' with an income under 2 Purchasing power parity dollar a day.

The mentioned net increase in jobs forms the basis for increase in traditional trade union membership. As the unions lack efficient membership registration, membership numbers are unreliable.⁷³ The NLC itself reports increased membership. At the NLC congress in 2007, they reported around two million members, and decided to target a doubling of members by 2011. During my fieldworks (2012–2014), the NLC operated with four million members, while in the recently released climate strategy, they noted seven million members (NLC 2016). With scarce evidence of active union recruitment, it seems unlikely that the membership has increased as drastically as indicated by the NLC. As mentioned in Houeland (2015), because unions are known to protect and support members, workers themselves often approach the unions.

The public sector still constitutes the larger share of union membership, but it is relatively weak on bargaining and institutional power. As mentioned, in the public sector automatic membership system based on the 1978 labour Act was followed by a lack of recruitment efforts. This, one can assume, has hindered the building of strong union

⁷³ Membership reports which come to the NLC tend to increase in advance of the NLC congress, to increase the unions' delegates and voting power, especially if the union at hand has candidates running for a leadership position.

structures, not least at the rank-and-file level. Public employers continue to pay lip service to collective bargaining (Francis et al. 2011), and workers are systematically not paid. The irregular negotiation periods between minimum wage adjustments is very problematic for workers' purchasing power, as well as being inefficient in a country with high inflation (Edu 2013). At the time of the 2012 subsidy removal, the unions were fighting for the implementation of the March 2011 agreed minimum wage of 18,000 Naira (USD110), which had not been adjusted since 2007. Workers can be assumed to survive on other means and through clientelism, kinship, family and patronage systems, and through petty corruption.

Contrary to other countries, the Nigerian courts do not recognise the agreements as legally binding documents, unless provided for as part of the individual workers' contract of service. The bargaining itself has often been chaotic, filled with controversies, agitations and widespread strikes. Striking has become a means not only to reach but also to implement agreements, as oftentimes civil servants are not paid at all (Edu 2013). President Mashood Yar'Adua (2007–2010) promised regular social dialogues and minimum salary negotiations, but the following regime of President Jonathan was less available for labour (Lakemfa 2015), even if NLC President Abudlwahed Omar was allegedly close to the vice-president, Sambo. Nigerian media regularly reports on workers' actions and strikes in the public sector across the country, such as health workers, university employees and civil servants, where workers demand their pay or resist deregulations.

In transnational oil companies such as Shell and Chevron, however, trade unions agree to reach legally binding collective agreements (Edu 2013). Oil unions have retained institutional powers, compensating for reduced associational and bargaining powers, and have to a large extent ensured a union-led labour regime, with local, company-based bargaining and strength at the shop floor. This relative bargaining power relates to the skills scarcity and structural position of oil, and the relative necessity of wage work in the national economy (Andrae & Beckman 1998; Beckman 2009; Houeland 2015). However, this is taking place mainly among a shrinking group of core workers and in international companies. As suggested in Houeland (2015), there is an increase in patronage-based labour relations because of the informalisation of jobs, and resulting from community labour intermediaries and Nigerianisation of companies. Continued liberalisation of production systems and labour flexibilities challenges job security and labour rights, as well as the core operation of the trade unions. Key growth sectors outside oil – banking, finance and telecommunications – are particularly difficult to organise as they have been strongly

affected by contractual and flexible labour and union resistance from employers (Adewumi & Adenugba 2010). This makes it difficult for unions to recruit and expand their associational power. Following Nigerian media, and also coming from the private sector, there is an almost daily report of labour action, from policy statements to strike actions. With continued informalisation, the NLC opened up for informal sector unions in 2003. Even though registered, informal unions are not efficient nor effectively integrated into NLC.

Despite the structural challenges, Nigerian unions continue to have more leverage than their size suggests (Viinikka 2009). The unions are active participants in the public arenas, and they are invited to various forums, such as the Nigerian Extractive Industry Transparency Initiative, and in consultation forums, such as the one preceding the privatisation of Nigerian electricity. In this, the unions were able to negotiate severance packages, rather than job security.

Nigerian trade unions have achieved increases in minimum wages, contributed to elections through monitoring, and have struggled against corruption. Although not able to safeguard their members' job security, the unions have been able to cushion threats to unemployment, secure relative increases in wage levels for unionised workers, and secure severance packages for workers losing their jobs. However, the most significant of the 'remarkable' achievements of the unions, is in alliance with civil society and related to the fuel subsidy strikes (Okafor 2009b).

Revoking the 1978 labour pact: the 2005 law

During the years 1999 to 2007, Obasanjo and Oshiomole were two strong, charismatic men with solid strategic political abilities who ran both government and the NLC. Obasanjo was initially accommodating to the unions, and the NLC under Oshiomole gained major concessions on wage increases (Kew & Oshikoya 2014), with a 25% increase in the minimum wage in 2000 (to 5,500 Naira). However, relations soured between government and the NLC in view of the NLC's continuous and successful resistances against fuel subsidy removals.

The new labour law of 2005 was a clear attempt by Obasanjo to break the strength of the unions and especially hinder their resistance to subsidy removal (Joshua et al. 2015; Okafor 2009a; Okafor 2009b). The fuel subsidy protest in 2003 came with particularly harsh confrontations between the government and the NLC, between Obasanjo and Oshiomole, and Oshiomole was arrested. Cooperation with and support from civil society and

parliament helped the NLC resist some of the most regressive elements in the original labour law proposal, while the final law still contradicts international standards, for example, in that it forbids political strikes and restricts strike action in certain sectors, such as oil (Okafor 2009b).

The 2005 law revoked the 1978 labour pact. The new law opened for improved freedom of association by allowing more than one labour centre and one union per industry that was grounded in the 1978 labour law (Okafor 2009a; Okafor 2009b). The legal restrictions on white collar workers to register and act as trade unions in matters such as taking strike action, was repealed (Ogbeifun 2007). This was the basis for registration of the Trade Union Congress (TUC) in 2005. Although this formally opened the way for expanded associational power, because senior workers had acted as trade unions in spite of the 1978 law, the trade union organisation of senior workers has not changed much in practice.

The flipside of freedom of association – or the revocation of the unions’ monopolies – is that by opening for organisational competition, free association allows for splinters and fragmentation. Ironically, President Obasanjo, who tried to control the union movement through granting legal monopoly in 1978, in 2005 wanted to break the labour movement and take advantage of internal divisions. Indeed, after a conflict at the 2011 congress, there was an attempt to create an alternative labour centre in which 12 NLC-affiliated union leaders were involved. Thus, the unions were in fact not united at the time of the 2012 protests, and many unionists distrusted the leadership.

Although the 2015 NLC congress amended the 2011 crisis, a new group challenged the outcome of the elections. In 2016, a new labour centre was formed: the United Labour Congress (ULC). Based on information from the ULC leadership, media reported that 25 unions, including the Nigerian Union of Petroleum and Natural Gas Workers (NUPENG), electricity and mine workers, were to be part of this new confederation (Ahiuma-Young 2016). However, NLC and TUC jointly sent a letter to the Minister of Labour, disputing the realities and legality of the ULC, holding that ‘In the last couple of months, they have collected forms for the registration of dozens of “Shell trade unions without membership”’⁷⁴

‘ULC’ was the name of one of the four labour confederations that merged into the NLC in 1978. Long-term labour activist Baba Aye (2017), suggests that the new formation reflects ideological divisions and can be an opportunity to reopen ideological debates in the

⁷⁴ An unsigned version of the letter was shared with me on e-mail 8 February 2017.

labour movement. However, when Nigerian media report on the ULC as a political alternative to the NLC, the ULC is referred to as both progressive and moderate. The ULC leadership describes the NLC leadership as bourgeoisie, and failing to build structures and to take care of the grassroot level workers⁷⁵. Considering that the ULC leaders are all unionists who lost elections at the NLC 2015 congress, these arguments may sound hollow, although they appear to resonate with a general frustration about the unions.

Continued prebendalism: elections and party politics

There have been regular elections in Nigeria every four years,⁷⁶ but with a relative permanency of the ‘elite classes’, prebendalism continues to describe the Nigerian political economy (Adebanwi & Obadare 2013). Although anti-corruption has been a central theme for all Nigerian presidents since 1999, the assumed reversed relation between democracy and corruption is not a simple one.

‘Indeed, instead of being eroded, existing networks of patronage and clientelism have consolidated, even expanded, while the shady mutuality of state and informal institutions has further encrusted the country’s iconography as one of Africa’s myriad “shadow states” ’
(Adebanwi & Obadare 2011: 187).

Various state-led anti-corruption initiatives have gained some important successes, including prosecution and funds relocated to the state from key political actors. However, the anti-corruption initiatives have targeted individuals and symptoms, rather than the system and causes of the problems (Adebanwi & Obadare 2011). Reintroduced and expanded privatisation has also opened the possibility of renewed corruption in the public sphere as well as growth in anti-corruption initiatives (Adebanwi & Obadare 2011). Prebendalism continues to characterise the fundamental logic of Nigerian politics (Adebanwi & Obadare 2013; Diamond 2013; Joseph 2013).

⁷⁵ This is interestingly close to the arguments by the newly formed SAFTU (South African Federation of Trade Unions), which held its inaugural congress in May 2017, similarly providing a ‘workerist alternative’ and accusing the traditional COSATU (Congress of South African Trade Unions) of being elitist.

⁷⁶ In 2007, several losing governor candidates took the election outcome to court, and won. Since they were inaugurated months after the actual elections, several state level elections are out of sync with the federal and other state elections.

'Political parties in Nigeria [...] lack ideological substance and organised popular democratic roots. Much of the time they are shifting alliances of individual "big men" with claims to territorial control based on patronage and hierarchy.' (Beckman & Lukman 2010: 59).

Most party leaders and presidential candidates have been former military heads of state or supporters of such regimes. Party politics follow patterns as a space for ethnic contestation for state resources.

In 1999, the People's Democratic Party (PDP) won the elections, with the former head of state – known as the only military head of state who voluntarily gave up power (in 1979) – Olusegun Obasanjo, as presidential candidate. There were high expectations about fighting corruption and deepening democracy. However,

'[Nigerian elections] are too riddled with fraud and corruption to qualify as a democracy, yet there is sufficient competition for power, alternation of personalities if not parties, and freedom and pluralism in civil society to allow for some degree of representativeness, and at least some possibilities for reform' (Diamond 2013: x).

In the previous republics, political parties failed to transgress the ethnic divisions (Aiyede 2009). The PDP, which came to dominate Nigerian politics until 2015, seemed to have broken a power-sharing code through 'zoning' arrangements. 'Zoning' is about balancing ethnic, regional and religious groups, through alteration of party leadership and therefore Presidency between the North and South. In prebendal terms, zoning means altering opportunities for access to the state and to 'the national cake'. This has been key to the relative political stability since 1999. Its importance was confirmed when parliament resisted Obasanjo's attempt to alter the constitutional two-term limit before the 2007 election. Although Obasanjo was considered a candidate of an alliance of Igbos (South-East) and Hausa-Fulani (North), it was his Yoruba identity (South-West) that counted in the zoning principle. In 2007, it was the North's turn. The northerner, Umaru Musa Yar'Adua, won the PDP leadership and the national Presidency.

The zoning system was broken and the balance upset in 2010 when Yar'Adua died, and a south-easterner, Vice President Goodluck Jonathan, took over presidential powers after much controversy. The northerners felt deprived of their two terms, and voiced concern that for the 2011 election, they expected a new northern candidate. However, Jonathan won

the PDP's candidacy for both the 2011 and 2015 elections. Jonathan was accused of exceptional levels of political corruption to ensure sufficient internal support in the PDP and in the north. Although there were incidents of fraud and violence also in the 2011 elections, they were seen as a great improvement on the previous elections (Adesina 2012).

The election left some northern elites disgruntled. The PDP dominance was challenged from both within the party, and from the growing political opposition. In 2007, the PDP won almost 70% of the presidential votes; in 2011 they won 59%. In 2007, the biggest opposition party and their presidential candidate, Muhammadu Buhari from the north, had less than 20% of the national vote and majority in seven states. In 2011 Buhari obtained 31% of the total vote and a majority in all northern states. Even when considering that the 2007 numbers are particularly problematic owing to a historical low point of election fraud, the trends are clear that PDP was losing ground. The broken zoning within the PDP shifted the political landscape, and opened for increased party competition, but also opened for destabilisation in the north (Campbell 2013).

This forms an important context for understanding the unfolding of the 2012 fuel subsidy protests, as described briefly in Houeland (in press). Political opposition candidates and northern elites were ready to support protesters against President Jonathan's subsidy removal to build their popularity, and undermine Jonathan's. The protests influenced the political landscape (Kew & Oshikoya 2014) in deepening the strength and confidence of civil society and the political opposition. The opposition's growth consolidated in 2013 when three parties merged to form the All Progressive Congress (APC). The APC won a solid victory in 2015. Its presidential candidate, Muhammadu Buhari, represented an alliance between Yoruba and Hausa-Fulani. The 2015 elections were the freest and fairest elections in Nigerian history, and marked the first civilian regime shift between two parties in Nigeria. Buhari also gained support based on peoples' impatience with the security situation, especially in the north, and with corruption. Security and corruption were key issues in the 2012 protests and were the two central themes of the APC's 2015 election campaign. Buhari, despite a brutal human rights record, was largely accepted as a 'born again democrat', and embraced as a legitimate crusader against corruption.

Whether we will see the development of a two-party system in Nigeria remains to be seen. In the party programmes, PDP leans on liberal economic and social values, whereas APC advocates a stronger market control, and many key party figures are pronounced social democrats. At the same time, similar to how the PDP has been seen as a platform for individual political actors to gain position, the widespread party deflection and

parliamentary floor-crossing to the APC after 2015 suggests that the APC may end up another elite platform. Within both parties, there are individuals fighting for substantial democracy.

The continued failure of the Labour Party

In a context of failed ideological parties and ‘big men’ party politics, Beckman and Lukman (2010: 59) maintain that the Nigerian unions ‘rightly see themselves as more credible representatives of popular democratic interests and they aspire to translate this into real influence on the political process’. However, the Labour Party has not been able to translate the trade unions’ popularity into associational power in elections.

Since 1914, concretely in 1938 and 1964, there have been attempts to build a labour- and farmers-based party (NLC 2010). The NLC reconfirmed their interest in not just relating to the state, but in taking state power by reviving the Labour Party in 2003, renamed the Nigerian Labour Party in 2006 (NLC 2010).⁷⁷ The party has structures in all 36 states. Despite the NLC’s broad-based constituency, the attempts to achieve political positions have failed (Beckman et al. 2010; Beckman & Lukman 2010; Webster 2007). Its failure has been explained by lack of leadership priority and funds, as Nigerian election campaigns are extremely costly (NLC 2010), but it is also the result of ideological and internal divisions (Akinlaja 1999).

The stories of the two governors who were actually elected on the Labour Party ticket in 2007 is indicative to some of the party’s problems. Dr Olusegun Mimiko won the governorship in Ondo state (effectuated in 2009 after a court process) on a Labour Party platform. However, Mimiko only approached the Labour Party after failing to achieve the PDP candidacy. There is little indication that Mimiko is ideologically close to the labour movement. In fact, Mimiko and NLC had an open conflict in 2016 over state salaries. In 2014, Mimiko defected to the PDP. Adams Oshiomole – who led the textile unions to strength during the crisis of the 1990s, and the NLC from weakness to strength from 1999 to 2007 – stepped down from the NLC, and ran for a governor election in Edo state in 2007. Oshiomole first approached the PDP for an election ticket. PDP has by far the largest party machinery and funding access. Oshiomole ran on an Action Congress Party ticket, and he

⁷⁷ This NLC report was written after the NLC leadership again decided to revive the Labour Party at the 2007 delegates conference. The reports states that the NLC was inspired by South African ANC/COSATU alliance and the Norwegian LO-Norway/Labour Party relationship. Preparation of the report was partly based on a research visit to Oslo, which I hosted.

only accepted a double ticket for the Labour Party after pressure from the unions. He was obliged to take the results to court to confirm the victory, clearly based on his charisma and popularity from his labour experience.

An NLC assessment of the failure of the Labour Party has a clear address when it cites a lack of commitment from trade union leaders, and sees the party as ‘betrayed and abandoned’ for ‘boot-licking’ political elites and allowing non-labour leaders with money to run for office (NLC 2010).

Civil society and challenges to prebendal rule

Despite the continued prebendalism, within the democratic openings, there are increased opportunities to challenge the system. These come most forcefully from civil society (Adebanwi & Obadare 2011). Larry Diamond (2013) suggests that potential pressure against prebendalism can come from within, below and outside.

The outside, international pressure is limited. Nigeria is financially independent of aid (Diamond 2013), but is fundamentally linked to the transnational through the oil industry. In their alliance with the state, the international oil companies play ambivalent roles in the prebendal power games, (Obi, C. I. 2010; Watts 2011). The United States (US) has had a particularly strong trade relation to Nigeria, and saw Nigerian as an alternative source of oil import to the instable Middle-East. During the first decade after 1999, the US planned to import 25% of their oil from Nigeria by 2015 (Obi 2011). However, the US owing to the development of shale fracking, the US import from Nigeria declined to a low point of zero in July 2015. However, the US continues to maintain strong interests in Nigeria in relation to the global war on terror. The US has looked away in times of state repression, and has through military support contributed to the militarisation of the state. Chinese economic interests in Nigeria have increased (Ovadia 2013), but China has a non-interference policy in relation to other countries, and is not likely to challenge Nigeria.

From within the political system, oppositional governors, particularly in Lagos and Ekiti state, have been mentioned as challengers to prebendalism (Diamond 2013). These governors (Babatunde Fashola and Kayode Fayemi), have since been key architects of the currently ruling APC and now hold important ministry posts. There are, of course, individuals across the party lines who fight corruption and prebendalism.

The vibrant civil society has challenged prebendalism through struggles for substantive democracy and transparency (Diamond 2013). In the context of vast poverty

and insecurities as well as state incapacities, Nigerians who depend on patron networks create a popular ambivalence to corruption: people often support anti-corruption socially, while they economically and politically depend on it (Adebanwi & Obadare 2011). Even so,

‘Nigerians are generally supportive of anti-corruption campaigns, even if, for various reasons – ethno-regional, religious or political party affiliation, affective networks etc. – they would rather not have specific popular public figures suffer prosecution and punishment (Adebanwi & Obadare 2011: 195).

Again the unions have taken centre stage, and the fuel subsidy removal protests have been key in raising questions of distributional justice and challenging corruption. Between 1999 and 2007, there were no less than six attempts to remove the subsidy. Despite powerful actors wanting to remove the subsidies, the unions have in practice resisted deregulation in the oil industry, as well as having had ‘remarkable influence on legislative reasoning, process and action’ (Okafor 2009b: 241). The fuel subsidy contestations are played out in the public sphere and are seen as ‘a key democratic claim by the Nigerian people on their government, crossing boundaries of regime types, market conditions, and forefront organizations leading the articulations of the terms’ (Guyer & Denzer 2013: 72).

However, the civil society landscape has continued to change. In the wake of liberalisation of the state, NGOs continue to grow. They tend to view the state as a problem and argue against state collaboration (Adunbi 2016; Kew 2016). In contrast, unions see the state as an inevitable part of the solution. The student movement NANS that was a key union ally during the 1970s to the 1990s, still holds regular protests against such issues as school fee increases; however, they do not provide the ideological strength that they used to. Many students have also been subsumed into personalised and even criminalised politics (cult groups) (Akintola 2010; Bøås 2011; Kew 2016). Another key ally from the previous period, ASUUA, is still important, but has also lost its ideological clout.

The 2012 protests against the fuel subsidy removal, that form the entry point for the three articles in this thesis, were among the largest popular mobilisations in Nigerian history (Branch & Mampilly 2015). The three articles in this thesis detail the strategies of the unions, the meaning of the subsidies and the protests’ achievements. They also discuss controversies, dilemmas and tensions, and through these discussions reveal both the

particular power of and the constrained agencies of the Nigerian unions. The protests also suggest contextual shifts in the fourth republic.

Summing up

Whereas the ideological fallacies of Marxist scholars in the 1970s and 1980s may have overlaid the independence and socialist aspirations of the Nigerian trade unions, the currently dominant narrative of the Nigerian unions as being co-opted and controlled by the state, is equally simplistic and problematic. The above history reveals a more complex and shifting relation to the state, and a continuous tension between co-optation or cooperation, and confrontation.

The Nigerian state has attempted to co-opt, control or repress the unions through various means. However, periods of attempted state and capital control have often been the most vital for union activity. Even during times when labour leaders were entangled in politics of the state, the elite, or of patronage and ethnicity, or they were divided by ideologies, rank-and-file members and individual unions have ensured actions against the state. This was demonstrated in the general strikes in 1945, 1964 and in the series of anti-SAP and democracy protests and strikes in the early 1990s. As such, these incidents indicate that union leadership is as much limited and controlled by members and individual unions, as by the state: an NLC leadership cannot take actions without the support of members.

Unions have gone on illegal strike action, mostly with impunity under colonial, nationalist and military states (Viinikka 2009). Workers' mobilisation has often been temporary, rather than consistent and continuous, and individuals seem to navigate the multiple systems of loyalty and distribution, acting according to situation. One day workers can mobilise a strike action; the next day they vote according to ethnicity. Although the Nigerian union movement has not escaped ethnic cleavages and also needs to consider power balances between ethnic, regional and religious groups (Tar 2009), it is widely considered to have successfully crossed ethnic divisions on a general basis (Viinikka 2009).⁷⁸

⁷⁸ However, formal labour and the labour movement in Nigeria was and is deeply gendered and male dominated. Both the white, colonial ruling class in pre-colonial Africa, and the post-independent Nigerian political economy is patriarchal (Morrell 1998).

Chapter 6 Summary of papers

This chapter presents the three single-authored articles of this thesis, one published and two resubmitted after reviewers' comments to international peer-reviewed journals.

Paper 1: Between the street and Aso Rock⁷⁹: The role of the Nigerian trade unions in the 2012 fuel subsidy protests

Submitted 15 March 2017 to *Journal of Contemporary African Studies*.

This article uses theories of labour power and labour agency to analyse the Nigerian trade unions' roles and strategic actions in the 2012 protests. The Nigerian unions are widely recognised as instrumental in the protests that forced President Jonathan to reinstate the fuel subsidy in 2012, but they were also criticised by other protesters for not exhausting their capacities and using the potential policy space for democratic change. The critique was directed at the oil unions for making empty strike threats, as well as at national union leadership for being bribed by the state, for calling off the strike too soon, and for acting beyond their representational mandate. The article suggests that since analysis of the unions' roles in these protests rarely consider the particularities of labour and trade unions, our scholarly understandings of Nigerian labour are inadequate.

This article shows in practice how the unions' capacities to mobilise, strike and negotiate were instrumental in forcing the reinstatement of the subsidy in 2012. Additionally, the article illustrates how the unions' multiple embeddedness in the state, civil society, and the market, simultaneously enables and constrains the unions' agency.

The particularity of the unions define their available capacities and choices – but also their limitations in agency. The two core labour capacities – associational and structural power – are related to labour's inherent capacities to mobilise, hurt the economy through strike actions, and to bargain for collective agreements. In addition, labour's institutional power is the capacity to ensure regulation of rights and to influence governance regimes. Labour agency is about the will to action, about realising power. Combining labour agency and power, one can say that a union's agency derives from its structural position in the market, its capacity to mobilise workers, and its institutional access to and influence over

⁷⁹ Aso Rock is the popular name of the office and residence of the Nigerian president.

actors in the state. How the unions strategically relate to each arena and relation, has inbuilt tensions of conflicting interests.

The article shows that the ways in which unions interact with the state and civil society are deeply linked to the history of issues around the subsidy, and that the unions' relations in each arena are ambivalent. Nigerian governments have been attempting to remove the subsidy since 1978. But union-led popular resistance has ensured a continuation of cheap subsidised fuel, thereby hindering deregulation of the downstream sector. The oil-dominated Nigerian economy is characterised by unequal wealth distribution, and protesters see cheap fuel as one of very few welfare benefits coming to them from the vast oil resources. Government argues that removing the subsidy would mitigate subsidy-related corruption and release funds for more efficient welfare benefits. However, protesters do not trust the government to deliver alternatives, and hold that subsidy removal would merely change the nature of the corruption.

Popular mobilisation and civil society alliances in the subsidy protests have been a key source of trade unions' associational power in times of membership loss and pressure on labour conditions. The state has responded with attempts to co-opt and control the unions through the law and direct repression. Over time, the protests have built a bargaining position for the unions, giving them a degree of institutional power. The oil unions have a particular structural power, in that they can threaten a strike that not only affects the companies, but also the state and its elites. Oil workers in the upstream oil industry are vulnerable to losing jobs in the disrupted production. These workers share the interests of companies and the state in avoiding a strike in the upstream sector. Some unionists agree with government that deregulation of the fuel price will lead to restoration of the refineries and job creation. Thus, some unions and unionists are open to conditioned deregulation.

Specific controversies surrounding the roles of the unions in 2012 suggest shifting political dynamics in Nigerian civil society and challenges to the associational power of the unions. New actors who joined the protests in 2012 brought improved mobilising capacities, while they also challenged the legitimacy of the unions to represent. The structural power of unions was pivotal and is widely acknowledged as such. However, I argue that analysis of protest participation tends to be biased towards street protest at the expense of strike participation. As such, workers' participation in protest actions were underestimated. At the same time, however, the workers' capacity and will to strike seem to have been overestimated. It was not taken into account that the oil workers' job security was at stake, nor that informal sector workers were impatient to restart businesses. Additionally, specific

ethnic and patronage politics in the Niger Delta in 2012 challenged the will of workers to participate in strikes, as well as threats towards protesters and strikers from militants who supported President Jonathan, who hailed from the Niger Delta. What the unions view as a historically founded right to negotiate in social dialogue (institutional power), was seen by outsiders as a co-optation. The fact that the unions suspended the strike rather than conclude an agreement was confusing, and indicated a weak, rather than a bribed, union leadership.

Paper 2: Casualisation and conflict in the Niger Delta: Nigerian oil workers' unions between companies and communities

Published December 2015, *Revue Tiers Monde*, 224, 4: 25–46 (Houeland 2015)⁸⁰

Although the January 2012 subsidy protests were one of the largest popular mobilisations in Nigerian history, it was only when the senior oil workers' union, PENGASSAN, threatened to shut down oil production that the government called for negotiations and eventually buckled. This demonstrates the particular structural power of Nigerian oil unions. The two oil unions, PENGASSAN and NUPENG, have used this power to play key roles in Nigerian democracy struggles and in alliance with a larger democracy movement. In 2012, the oil unions were criticised for making 'empty threats' as oil production was never shut down and for abandoning their historical engagements. Compared to earlier subsidy protests, in contrast to a general increase in protests participation in other parts of Nigeria, there was lower strike participation in 2012 in the heart of the oil production area in the Niger Delta.

To understand the opportunities of and constraints of oil workers to take labour action, this article explores the workplace-based conditions for labour action by analysing the particular powers and conditions of NUPENG and PENGASSAN in the oil industry in the Niger Delta. It does so by examining how casualisation and conflict interlink and affect the local labour regimes in the Niger Delta. There are two kinds of core labour powers. Structural power relates to the workers' position in the economy, and is associated with the capacity to strike, while associational power concerns the unions' ability to mobilise and

⁸⁰ The issue was a special edition dedicated to the trade unions in Africa, entitled '*Entre opposition et participation, les syndicats face aux réformes en Afrique*' ('Between opposition and participation, trade unions facing reforms in Africa').

organise. Local labour regimes are the institutional frameworks for capital accumulation and labour regulation that are constructed around the local labour market. ‘Casualisation’ is a term for the combined processes of reorganised production and the workforce. This can take the form of outsourcing parts of production, or the increased use of flexible, cheap and short-term employment. Casualisation changes the labour regimes and conditions of labour power.

The Niger Delta is characterised by social, economic, and ethnic divisions and oil-related violence and conflicts. There is a deep economic and political division between a petro-based elite coalition consisting of state actors, community leaders and oil companies with control of production and profit, and the general population. For ordinary Niger Deltans, the oil production has brought increased poverty, and deterioration of living conditions and livelihood opportunities – and very few jobs. Ethnicity has been politicised and forms the basis for rights claims, in both non-violent and violent forms.

This article reveals that although the oil unions continue to have significant structural power based on their strategic position in the oil industry, as well as relatively high associational power from high union density, worker fragmentations challenge both the unions’ capacity to mobilise and carry out labour action. The article demonstrates how the combination of oil-related conflict and labour liberalisations affect the local labour regimes in particular ways, and exacerbate worker fragmentations and the challenges to labour power.

In the multinational oil companies and in the state oil company, NNPC, permanent staff have relatively good working conditions, systematic labour relations and high union density that has improved over time.⁸¹ Core workers are most often senior staff who belong to PENGASSAN. Extensive casualisation has drastically reduced the share of core workers since the 1980s. An increasing share of the workforce is involved in precarious work in subcontracting companies and in local communities. These workers are typically junior workers who have witnessed progressively worsening conditions and decreased opportunity for union recruitment. Since NUPENG has a more progressive and militant history, employers are accused of deliberately casualising junior workers and promoting others to senior positions. Casualisation emphasises class divisions between the two unions.

Large parts of the oil industry are located in export-processing zones. These zones aim to achieve increased foreign investment in the oil industry through legal and tax

⁸¹ In Chapter 5, this is identified as union-based labour regimes.

exemptions. The seclusion and securitisation of these zones physically hinders access for unions to organize workers. In addition, in these zones companies are legally exempt from following the labour law and giving their workers the right to organize and bargain. Local content laws have increased Nigerian ownership in the industry, which has expanded patronage-based labour regimes. Here, ethnicity and kinship form the basis for recruitment and set the terms for working conditions. These companies are difficult for unions to access.

Demands from oil communities include demands for jobs. Under corporate social responsibility programmes, multinational companies have entered agreements with community leaders as contractors of labour or of particular services. Under community contractors, labour regimes are typically patronage-based. Furthermore, since communities are associated with violence and ethnic tensions, the community-contracted workers are difficult to access and organise. Many oil workers and the larger part of the trade unions come from areas outside the Niger Delta, which makes it difficult and dangerous to organise community workers.

Paper 3: Popular protest against fuel subsidy removal: Nigerian trade unions as mediators of a social contract

Submitted 15 May 2017 to *Journal of Modern African Studies*.

This article is about the deeper meanings of the 2012 subsidy protests, and the role of the trade unions. It explores the popular idea that subsidised, cheap fuel is an economic right for Nigerian citizens, and represents part of a social contract. The subsidy is the single most important popular mobilisation issue in Nigeria and the fuel price contestations reflect Nigerian political dynamics. In contrast to theoretical perspectives that emphasise a lack of civic opportunities in the relation between the Nigerian state and its citizens, this article proposes that the protests are sites for asserting, contesting and reshaping citizenship, in which the trade unions play a critical and mediating role. The article also suggests possible changes to political dynamics by highlighting the contestation of the trade unions' roles as mediators of this social contract.

In the article, I use Marshall's (1992) work on citizenship and social class to link the abstract notion of a social contract to actual rights, political processes, and to the roles of trade unions. Marshall describes the development of citizenship as being similar to the

formation of a social contract; he proposes three core forms of citizenship and related rights, namely civil, political and social. Trade unions have built on these and created a parallel and supplementary kind of industrial citizenship, with collective rights to represent, negotiate and participate. Marshall's view of citizenship is that it is both a status and an active process between the state, social classes, and their organisations. Trade unions can use their industrial citizenship to expand other forms of citizenship.

The article discusses state–citizen relations and the conditions for a social contract within Nigerian prebendal politics and in its petroleum-dependent economy. This article takes the perspectives that Western concepts of state, citizenship and of the social contract are useful and relevant to Nigeria, but must be considered with contextual sensitivity. Although ethnicity, patronage and elitism were important elements of this particular protest dynamic and its outcome, they were not all that was involved. While a type of disassociation exists between state and citizen in Nigeria, there are indeed civic spaces for negotiating the popular will and citizen rights.

Furthermore, the article analyses the fuel subsidy as a social right, and demonstrates how protest actions relate to civil and political rights. Although initiated by the state, the fuel subsidy has been protected by protests, mobilisation and negotiations led by trade unions. Civil society and fuel subsidy protests provide alternative arenas for mediation of the popular will, or for a social contract to develop. Protesters rallied behind the fuel subsidy as a social right, and utilised civil rights to bargain, and political rights to participate.

The critical and mediating roles of trade unions are enabled by their specific industrial citizenship. The unions collectively claim social rights by exercising political rights to organise, and civil rights to bargain, not only on behalf of members but also for a larger community of citizens. In the fuel protests, trade unions and civil society actors engaged state institutions that are integral to citizenship – namely parliament, governments and the courts – and through this, built on and deepened civic and democratic spaces. In this way, unions have contributed to expanded civic spaces and deepened citizen–state relations.

In Nigeria, labour rights are not guaranteed, and labour contracts only partly provide avenues for benefits to and protection of workers. This industrial citizenship deficit creates incentives for trade unions to expand their scope through alliances with a larger community, to engage in issues and arenas outside the workplace. The expansion of scope is not without contradictions and tensions, and the unions' roles as representative mobilisers and negotiators were challenged by other actors in the protests. A weakening union was losing its leadership position within civil society. As the union failed to communicate and

coordinate, it emphasised a sense of exclusion by other social actors. The unions were stretched between autonomy and dependency. While the unions considered the negotiation with government as a historically built institutional right and a space for exercising power to influencing the state, it was also the ground for critique and accusations of co-optation. The role of trade unions is critical, contested, and historically shifting.

The article briefly reflects on the continued role of fuel subsidies in popular politics. The subsidy as a right and part of a social contract is fragile, conditional, and contextual, linked to the relative absence of other rights and lack of other spaces for participation and negotiations. Changes in the political and economic situation can also shift the meaning of the subsidy. Since 2012 there are indications of both confirmation and contestation of the continued popularity of the subsidy. The status of the subsidy in 2017 is unclear: although there is no actual subsidy budget, government and unions insist that it has not been removed. While many protest actors from 2012 are now in government or support a subsidy removal, the unions continue to insist that a removal will bring new protests and strike action.

Chapter 7 conclusions: Nigerian unions punching above their weight

This thesis set out to bring trade unions back into the studies on socio-political and economic processes in Africa in general and in an oil-dependent economy in particular. Guided by the research question: **What are the opportunities and constraints to trade union agency in Nigeria?**, the thesis provides a case study of the Nigerian unions, with an emphasis on their roles and relations in the historically large fuel subsidy protests in 2012.

As a Norwegian unionist working with African trade unions, I often found that both academics and development practitioners dismissed the relevance of trade unions in development. This dismissal resonates with theoretical assumptions about limited civic agency in African states (Chabal & Daloz 1999; Chabal 2009; Obadare & Willems 2014) as well as in petro-states (Karl 1997; Mehlum et al. 2006; Ross 1999). In studies of agency in Africa, there is a tendency to give primacy to the informal, and often relatively disempowered actors (Honwana & De Boeck 2005; Lindell 2010a; Meagher 2010). Although trade unions are considered collective, formal actors, it is assumed that they have limited agency and relevance due to the relatively small formal sector and primacy of informal socio-political relations (Chabal 2014). This contrasts with efforts to hinder trade unions by both African governments and employers, which seem to suggest trade unions' latent importance. ITUC annual surveys (2015; 2016) report systematic abuses of trade unions rights across the continent, including in Nigeria.

This thesis confirms that the role of the Nigerian trade unions is greater than their relative size would suggest (Beckman 2009). Approximately 4.5 million organised workers from a population of 181 million, have achieved what Okafor (2009b) calls 'remarkable returns'. In the 1990s, they contributed to forcing illegitimate governments to step down (Viinikka 2009). Despite liberalisation and informalisation of labour, the unions have built formal labour regimes at workplaces and safeguarded relative job security and salary levels for their members (Aiyede 2004; Andrae & Beckman 1998; Houeland 2015). At national level, they have cushioned labour law reforms and the effects of economic liberalisation, most notably in resisting four decades of attempts by Nigerian governments to remove the fuel subsidies and deregulate parts of the oil industry (Okafor 2009a; Okafor 2009b). In all this, the fuel subsidy protests have been of principal importance. Furthermore, the currently

35 000 organised oil workers hold a critical role, which emphasises the unions' power beyond size.

Even when these achievements are acknowledged, the unions are often underestimated. There has been an insufficient analysis of the practical sources of the unions' powers and the boundaries of the unions' ability and will to carry out labour actions. This thesis explores the external conditions as well as the inherent capacities of unions, and how, in practice, the unions strategically realised these capacities in relation to the fuel subsidy protests in 2012. The 2012 protests were among the largest popular mobilisations in Nigerian history. Again, the unions held a pivotal role, while simultaneously being criticised and challenged. These protests serve as a critical case in revealing both the particularities and limitations of trade union agency.

Agency and labour's multiple roles and relations

Agency is contextual and relational (Coe & Jordhus-Lier 2011; Cumbers et al. 2008). While theories of collective actors' agency have often been analysed in Western, post-industrial economies, the Nigerian case represents a different context for trade union struggles. The Nigerian political economy is characterised by oil dependency, inequalities, widespread corruption and prebendal politics, a small formal sector, multiple social divisions both vertically and horizontally – and widespread human rights abuses. Clearly, the Nigerian unions operate in a socio-political landscape of contradictions, restrictions, and insecurities.

It has been critical in this thesis, to use holistic theoretical perspectives on labour that emphasise the multiple roles, relations and arenas of workers and of trade unions (Coe & Jordhus-Lier 2011; Hyman 2001). In the Nigerian context, an economic perspective that focuses on the market and workplace issues will miss most of the unions' achievements mentioned above. Social movement perspectives, on the other hand, tend to overlook workplace-based constraints to labour actions in relation to the state and civil society, as discussed in Houeland (in press).

This thesis locates labour in what I call the 'labour triangle' of market, state, and society. In the market, workers are producers or market regulators; in relation to the state, they are political actors and citizens; and in the larger society, they are reproducers, consumers and alliance partners with civil society. This holistic perspective opens up for a more nuanced and complex understanding of the roles of the trade unions, in addition to the opportunities of and constraints to labour action. A union's ability and will to act in one relation or arena is conditioned by how it is embedded in another. How a union acts depends

on opportunities in the labour triangle, but also on the union's own policies and ideologies. As shown in this thesis, the Nigerian unions' social alliance strategy and engagement with issues of larger public concern, have at times conflicted with workers' narrow interests in the market and workplace. The Nigerian popular engagement in social movements such as the fuel subsidy protest, has often been assumed to be a radical strategy, but must also be considered a strategic response to weakened labour in the wake of neoliberal economic reforms. The Nigerian unions' confrontations with the state has both blocked and opened access to the influence of the regulatory regime.

Agency and power

Theoretically, the concepts of agency and power are frequently used interchangeably, with similar definitions of actors' capacity or ability to act. In this thesis, I have used critical realist perspectives to distinguish between the two concepts; power is operationalised as inherent properties or capacities of an actor, while agency concerns a subjective, reflexive and purposeful realisation of these capacities.

Trade unions' most important capacities are to collectively mobilise, strike and negotiate, conceptualised through associational and structural power (Wright 2000). Associational power is about mobilisation, and the Nigerian unions represent a large part of a small labour force. Their efforts to mobilise in the electoral arena by creating a labour party have largely failed, but their expansion of mobilising capacity in the social arena through fuel subsidy protests has been more successful. Structural power concerns the workers' strategic position in the economy. Formal labour and members of the unions are strategically situated in the Nigerian political economy, while some workers have more structural power than others. Most significantly, the small number of oil workers have the capacity to stop oil production and fuel transport, thereby halting financial flows to the political and economic elites in state and companies, and disrupting the smooth running of everyday life.

The Nigerian unions' institutional power, namely their ability to influence regulation or governance of rights (Webster 2015), varies across and within sectors and scales as discussed in Chapter 5. At some workplaces, such as in textile and oil industries, unions have built institutional power by ensuring union-based labour regimes, where the unions are part of setting the terms of conditions and regulations of labour. In the public sector, the bargaining mechanisms and regulations are weak. At national level, social dialogue mechanisms are weak, although the trade unions are represented in many government bodies

and are consulted on a wide range of policy issues. During military regimes, labour rights and opportunities were formally restricted. The attempts of various governments to control unions were inefficient, and the restrictive labour law allowed the unions to create strength and unity. The unions were able to cushion the labour law reforms in 2005, even if the revised labour laws still do not follow international standards for labour rights. It is important to note that the Nigerian unions have insisted on exercising rights, even when state regulations do not allow for this; senior workers have organised and acted as unions, despite the law, until 2005, and although political strikes are illegal, the Nigerian unions have carried out a series of general strikes to resist fuel subsidy removals. By exercising their rights, the unions have expanded their institutional power. Over time, the unions have reached a certain level of acceptance to have a bargaining position with government in regulating the fuel subsidy (see Houeland 2017; in press).

The fuel subsidy strikes clearly relate to moral power (sometimes referred to as symbolic or discursive power). This kind of power concerns the ability to frame the unions' struggles in a way that builds support outside the core workforce. In the fuel subsidy strikes, the unions have used the popularity of cheap fuel, but also democracy, redistribution and anti-corruption to build alliances and influence government. These alliances have again supported unions in conflict concerning pension and minimum wage issues.

The thesis emphasises that agency is not just externally conditioned, but is also subjective and reflexive. This perspective recognises that it is not sufficient to be able to act, but the relevant actor must choose to act. Consequently, the actor's own assessments, ideological positions, and actual choices to act – or not to act – have been important to consider. This has been particularly clear with regard to the limited will to strike during the 2012 fuel subsidy protests, either by some oil workers' whose job security was at risk,⁸² or in the reports that workers wanted to revert back to work at the time of the strike suspensions.

Labour studies have often fallen into the fallacy of ideological assumptions, such as assuming a socialist or revolutionary ideology of a given trade union, as discussed in Chapter 4. The success of social movements is often linked to regime change (Lodge 2013). First, reducing social movement agency to the level of resistance (in other words, creating system change) is problematic, as discussed in Chapter 3 under the elaboration of agency.

⁸² In addition to the job security aspect, an unexplored issue is whether the expatriate workers may have the capacity to continue oil production even in the hypothetical situation that all Nigerian organised oil workers lay down their tools.

It is a closed analytical assumption that hinders the understanding of both the actors' own positions as well as of the actual achievements at policy and practical levels. As such, this perspective to agency is an inherently structuralist idea of agency. By analysing the actual policies and self-defined interests of the Nigerian trade unions, this thesis has emphasised that the unions in practice are strongly linked to formalistic and constitutional processes, and that during the 2012 protests, the unions aimed at reworking the system through reform rather than regime change. Even if the long-term aim of some unions and unionists may have been at resistance level, the short-term goal of the protests was to keep the fuel subsidy, and enhance the democratic, popular processes. Additionally, unionists referred to the experience of the 1993/1994 strikes to point out that government change does not necessarily imply system change, nor even improvement. This brings us to how agency is historically embedded.

The historical embeddedness of union agency

The first sub-research question is: **How are the Nigerian trade unions conditioned by the historical formation of state-society-market relations?** Detailing the historical background has been especially important in the Nigerian context. As outlined in Chapter 4 on methodological considerations, Nigerian history is both contested and neglected, and mythical narratives and 'historical truths' are reproduced in the media, in the public, and sometimes in academia. Concerning the trade unions' relation to the state, dominant narratives have emphasised the unions as either independent or co-opted, while this thesis has shown a history of tension and ambivalence where the unions' actions are neither fully autonomous, nor dependent on the state.

Given the debates about the limited civic agency and primacy to informal relations in African states, it has been pertinent to trace the Nigerian trade unions' emergence in relation to state and capital formation, and consider civic spaces and formal relations. The historical analysis positions the unions in a civic space and with formal, legal, rights-based relations to the state and capital, from inception. In Polanyian terms, the unions were formed in response to the First Great Transformation with liberalisation and commodification of labour, under colonialism. The state was divided between a direct rule and a civic public, based on Western ideas of formal relations and citizenship, whereas the indirect rule and primordial public was based on pre-colonial systems and on ethnicity or kinship. While Nigerian wage labour emerged in the civic system, citizenship was largely restricted to the urban-based colonists, and workers were in a legal limbo. Thus, trade unions' struggles for

labour rights were intertwined with those of citizenship and independence. After independence, the vertical political divisions were cemented in a federal system with citizen rights linked to indigeneity. Following this, popular rights claims have often been framed in ethnic terms. The Nigerian unions were not isolated from clientelist, patronage-based or ethnic-based social relations, and for some time, these social divisions hindered unity and efficiency of the unions. Nevertheless, the most important division within the unions has been that of ideological splits between reformists and revolutionaries. The socio-economic, horizontal class division between the haves and the have-nots has been the main issue for the Nigerian unions' mobilisations, not only within workplaces. Although many Nigerians act politically according to ethnicity, during elections, for instance, there is a popular ground for mobilisation along class lines. This has been evident in the series of general strikes, most forcefully since the mid-1980s, but also back in 1945 and 1964.

Oil dependency has hindered the development of other economic sectors and employment opportunities, and therefore the potential for union members is limited. Even though the military regimes used the fast increasing income from oil in the 1970s to expand state welfare, and workers initially saw improving labour conditions and expanding employment, the vast oil revenues have deepened the horizontal socio-economic divisions through prebendal politics.

The austerities and economic liberalisation of state and market that followed the international oil crisis from the late 1970s, hit Nigeria especially hard because of its oil dependency. This Nigerian Second Great Transformation peaked from the structural adjustment programme (SAP) in 1986. The SAP further blurred the relationship between the formal and informal economy as, in practice, this type of liberalisation led to informalisation of production and of labour organisation. Unemployment increased, and precarious, informal labour increased. Workers lost rights, and the vast majority of workers fell into the category of 'working poor'.

The fuel subsidy protests formed the nodal point of the Nigerian union-led struggles against neoliberal economic reforms and for democracy, constituting a second countermovement, in Polanyian terms. For the unions, ensuring a low fuel price was an alternative way to safeguard the purchasing power of wages, and of jobs in the informal sector and small-scale businesses through cheap fuel. Faced with spiralling unemployment and waning membership numbers, the unions expanded their associational power through alliances in civil society by 'going public' and engaging with a larger society on public issues. The popularity of the fuel subsidy related to a general discontent with the lack of

democracy, erosion of state welfare and increasing economic hardships. Specific ideas of cheap fuel were popularly viewed as a benefit from the vast and unequally distributed oil resources. This underscores the importance of acknowledging the economy as not only embedded in the political, but also in the social (i.e. a form of moral economy), as discussed in Chapter 2.

Even though the academic unions (and students) provided the union movement with intellectual and ideological capacity or discursive power, the role of the public sector did not increase, despite its relatively large share of union members. Nigerian public sector workers have low structural power in a state that is relatively disconnected from its citizenship, and the public sector labour regime is poorly developed and highly inefficient. Additionally, associational power is not simply about the numbers, but about the strength of the organisation, and the public unions in general have paid little attention to organising or recruitment. By contrast, private sectors unions were able to build strength at workplace level; the workers here seem to hold a stronger bargaining power. In textiles, employers are also vulnerable to the threat of outsourcing, loss of state benefits and production pressure. The oil industry is less threatened by outsourcing, and the workers have high structural power as they are a key part of production of oil and of the income flow to state elites.

Parallel to economic liberalisation, the state was increasingly repressive. The period began with an attempt to control the unions through the 1978 law restricting the freedom of association. Paradoxically, the 1978 labour law contributed to deepening the unions' associational power. It guaranteed unity through union monopoly, and a high union density through automatic membership that was most effective in the public sector. The rank-and-file members were mostly able to steer the union leadership. Even when the NLC leadership was under the control of the Babangida government, individual unions – particularly the oil unions – and grassroots members ensured effective mobilisation against the fuel subsidy removals and the annulment of the 1993 elections.

Experiences during the massive 1993/1994 strikes in the struggle for democracy, and to protect the fuel subsidy are key in the historical narrative of the unions, and also served as a reference point during the 2012 subsidy protests. Unionists emphasise the power of their strikes, in contributing to forcing first the Babangida and then the Shonekan governments to step down. However, these actions had the unintended outcome of paving the way for the notoriously brutal Abacha and the crippling of unions under sole administration and imprisonment of union leaders. At this point, we come to the case study and the three articles in this thesis.

The three articles: The 2012 fuel subsidy protests

The removal of the fuel subsidy on 1 January 2012 led to one of the biggest popular mobilisations in Nigerian history. At that point, Nigeria had seen uninterrupted electoral democracy since 1999 and high economic growth. Even if elections had been fraudulent and violent, democratic and civic spaces were opening. Both political opposition and civil society organisations had grown in number and assertiveness. Despite almost a decade of strong macro-economic growth, few opportunities and benefits had been made available to the Nigerian majority. Prebendalism and inequalities continued, and a sense of injustice grew. Continuing informalisation of the labour market meant minimal increase in recruitment bases for the unions, and labour rights continued to be systematically broken in both the private and public sectors. The 2005 amendment to the labour law opened up for labour agency by expanding freedom of association, although this amendment does not meet international labour rights standards. The law is considered a new attempt to weaken labour, by allowing for fragmentation of labour unity, as the NLC and industrial sector monopolies were revoked.

Trade unions' embeddeness in the labour triangle

The first article responds to the second sub-research question: **What are the capacities of trade unions that enables them to play the critical role in the 2012 fuel subsidy protests, and how does labour's multiple embeddeness enable or constrain the realisation of these capacities?** The article engages with critiques of the unions' actions and positions in the protests. Through the concepts of associational, structural and institutional power, the article shows in practice how the unions' capacities to mobilise, strike and negotiate were instrumental in forcing the President to yield and reinstate the subsidy. Additionally, the article shows how the unions' agency is both enabled and constrained by the way in which labour is embedded in state, market and society.

It was the general workers' strikes and the oil unions' threats to strike that triggered the government to call the unions to the negotiation table, underscoring the importance of the structural power of the unions, and suggesting their institutional power. From outside the unions, strike actions were both under- and overestimated. There was an underestimation of the number of strike participants relative to street protesters, while there was an overestimation of the continued will to strike. This, I argue, relates to the lack of understanding of the workers' underlying policies and interests, and supports the analytical argument that agency needs to be considered as subjective, purposeful and reflexive.

By analysing the policy positions and self-defined interests of the unions in relation to the fuel subsidy and the protests, it becomes clear that there are conflicting interests within the union movement and between unions and other protesters. Some unions are open to conditioned deregulation. As an example, oil workers in upstream production – with the most obvious structural power relating to short supply of their skills, and to their ability to hurt production – have overlapping interests with oil companies and the state in uninterrupted production for their own job security. These oil workers have limited will or practical ability to strike. Interestingly, unionists identified tanker drivers as having the most vital role in the general strikes, not the workers in upstream production. These informal workers provide fuel to the entire country, and have a crucial logistical form of bargaining power in relation to the state.

Some of the new civil society and political actors in the protests had different agendas to those of the unions. Especially in Lagos, there were calls for regime change, whereas the unions aimed at working within the existing system.

The unions' ability to mobilise was important, while new actors in the protests expanded the mobilising capacity and fuelled the massive protests. The unions' associational power and legitimacy to lead the protests and represent protesters was challenged. The fuel subsidy protests have historically provided the unions with the opportunity to expand their mobilising capacity based on the popularity of cheap fuel. In 2012, other actors contested for this moral power. The contestations between protests actors led to fragmentation and inefficiency. Over time, and through the series of union-led fuel subsidy protests, their role in negotiating this issue with government had become institutionalised. After decades of pressure on labour power, and with ongoing internal conflicts in addition to outside pressure from civil society, the union leaders acted from a place of relative weakness. However, it is uncertain if the opportunity to negotiate for a better deal was available. Ultimately it was clearly the power of the unions that led to the reinstatement of the fuel subsidy.

Labour power in the oil industry

The crucial role of the oil unions in the history of fuel subsidy protests and in 2012, brings us to the third research question, and second article: **What explains the oil unions' particular significance within the labour movement, and how is labour power embedded in the oil industry in the Niger Delta?** The starting point for the article is the external critique of the role played by oil workers in the 2012 protests for not shutting down

oil production, for lower strike turnout in the Niger Delta, and for abandoning their historical social engagement. The article underscores the argument that the unions' capacity and will to act politically at a national level – such as in a general strike and in alliance with civil society – depends also on opportunities and constraints at the local, industrial and workplace levels.

Theoretically, the article uses concepts of associational and structural power, and of local labour regimes. Labour regime concerns the regulations of the relations between capital and labour (in other words, a form of institutional power). The focus of analysis is on the unions' relations to companies (in the market) and community (in society).

Owing to the socially fragmented and conflictual context in the Niger Delta, the liberalisation of labour and production in the oil industry has affected labour regimes in particular ways, in a highly fragmented labour regime. Class divisions between junior and senior oil workers are deepened by and often overlapping with the division between permanent and casual staff. The core, permanent, and most often senior oil workers in multinational oil companies have good working conditions and institutionalised systems of bargaining over conditions of work. Casual and informal workers – mostly junior workers but increasingly also senior – in sub-contracting companies are generally difficult to organise, and with unclear agreements and legal responsibilities, they often lack protection of rights. However, the oil unions have been able to organise some casual workers, confirm the legal rights of casual workers, and establish joint labour contractor forums with some larger oil companies.

Forms of local content, both in terms of prioritising Nigerian-owned oil companies, and in expansion of community leaders as labour contractors, have exaggerated the informalisation of labour. Unions report that Nigerian employers are more prone to patronage-based and kinship-based recruitment and regulation, and are less willing to allow unionisation. Thus, in addition to the formal–informal divide, is the divide between patronage-based and union-based labour regimes.

Contrary to my expectations, there was little evidence of oil union cooperation or alliance with community and social actors in the Niger Delta. This was despite the oil workers' leading role in the Nigerian social movement union tradition and alliance politics nationally, and despite the seemingly shared analysis of the oil conflicts. Whereas governments and companies tend to frame the conflicts as a question of security and criminality that requires military responses, unions and community actors emphasise that the conflicts are rooted in historical economic and political injustices, with lack of popular

benefits and elite abuses, which require longer term socio-political interventions. Additionally, however, many community activists as well as insurgents frame the conflicts in terms of ethnicity, and accordingly their demands for resource control, jobs and community contracts. Hence, as communities demand jobs specifically for themselves, there is a casualisation process from below as companies have contracted community leaders as labour contractors. The ethnically framed and often violently conflictual social relations in the Niger Delta have caused unions to keep a distance from the conflict itself, as well as from organising community contracted workers. This is considered not only difficult but also potentially dangerous.

Despite the oil unions' strategic position in the oil industry and their relatively high union density, these processes and the resulting fragmentation of the labour regime limit the unions' associational power and undermine their structural power. This affects the basis for the oil unions' effective public and social engagements, such as in the fuel subsidy protests. In the specific context of 2012, there were lower protest turnouts in the Niger Delta than expected. First, this was the result of local support for the sitting President, Jonathan, who hailed from that area. Second, militants who supported Jonathan threatened the security of strikers and protesters.

Twenty years ago, Andrae and Beckman (1998) distinguished union-based labour regimes from patronage-driven labour regimes in the textile industry in two northern Nigerian cities. They suggested that there was a worker-driven expansionary tendency of union-based labour regimes, and they expected a further deepening of such formalisation and constitutionalism from below. By contrast, the findings in this article suggest an expansion of patronage-based labour regimes in the Niger Delta oil industry.

This article was part of a special issue on African trade unions, and the comment on the article from the editors is worth reflecting upon. They note that the article,

'allows [one] to clarify the paradox of a trade union movement on the margins of the games of power in the Niger Delta [that] is still able to influence social and economic policies of the federal government. According to the author, this movement represents a citizens' counter-power in Nigeria, which in the face of clientelist logics that dominate the political game, is able, to defend the social rights of the population. [...] What remains unanswered, however, is to what extent the unions may not also be working according to clientelist logics and be driven in their advocacy by the sponsors they can find in the political arena (Rubbers Benjamin & Roy Alexis 2015)⁸³.

⁸³ Translated from French by Ingrid Samset.

There is not foundation in the thesis to dismiss the existence of individual unionists being entangled in clientelist or prebendal politics. Indeed, Chapter 5 highlights such incidents. However, the unit of analysis of the article is the unions as a collective, and as such, the indications are that a patronage-driven and clientelist labour market is relatively inaccessible to the unions. In principle, patronage and clientelist labour systems are alternative, parallel and contradictory to the collective and formalistic bargaining system of trade unions, even if the boundaries are unclear. Most important, the article is concerned with the specific oil industry in a specific locality in the Niger Delta. Here, there are particular reasons for the lack of access to the patronage labour regimes. Many trade unionists are ethnically from outside the Niger Delta. A unionist I spoke to suggested it would be easier to engage workers in communities if or when the unionists themselves were from the same ethnic group. However, union members I interviewed who did hail from host communities expressed difficulty in relating to their communities owing to patronage expectations. Nevertheless, this raises a question whether unions in other industries and in different localities with more locally recruited staff have different relations to organisation and unionism relative to patronage systems. We can also imagine that in the public sector, with poor labour regimes and systematic abuses of agreements and rights, workers may depend on clientelist relations, and that the dynamics between the formal versus patronage-based relations may look different and would make an interesting study.

Trade unions expanding civic public and democratic spaces

From a workplace-based focus, Andrae and Beckman (1998: 21) ‘suggest that more attention should be given to the actual forces at work within society and their struggles to construct legality and constitutionalism from below’. This leads back to the political scene and the national level, and to trade unions’ relations in state and society, and to the fourth research question: **How do the Nigerian unions’ actions influence civic relations and democratic spaces in Nigeria?**

Whereas the other two articles have situated the unions within arenas of the labour triangle, this article focuses on the unions between state and society. It suggests that the unions mediate between citizens and state in a process of negotiating rights and citizenship, thereby opening civic, democratic spaces and deepening statehood. From a perspective of social contracts and the unions’ role in citizenship formation, this article suggests that the unions indeed contribute to a process of legality and constitutionalism from below through the fuel subsidy protests.

The article engages with questions of citizenship and rights. It implicitly links back to questions of power or inherent capacities (to mobilise, strike, and negotiate), because it concerns the unions' rights to act according to their capacities. The unions have translated individual rights into collective labour rights to form collective organisations (political rights), bargain (civil rights) and struggle for economic benefits (social rights), into industrial citizenship. The article shows how the unions are able to translate these labour-based rights into larger social relations and citizen rights.

The weak and eroding industrial citizenship and a what is termed a general citizen-deficit with a lack of a common Nigerian identity and limited realisation of basic citizen rights in Nigeria, gives incentives for the unions to engage with civil society and state, and in practice, to exercise and expand citizenship for a larger Nigerian population. Pressure from eroding labour rights limit opportunities for achieving higher salaries, job security and predictable and decent working conditions. Even if there are weak opportunities for development of a social contract between citizen and state, through the protests, the unions are in the forefront in engaging the state in a form of social contract with Nigerian citizens through the fuel subsidy. Through protests, the unions have not only ensured concrete benefits to workers and a larger citizenship through cheap fuel, but have engaged with and thereby strengthened citizen institutions such as parliament and government, and even engaged the courts. While previous studies have emphasised the role of unions in the early development of citizenship and rights – especially during independence struggles, this thesis argues that the unions continue to enhance citizenship, expand citizen rights, widen democratic spaces, and deepen citizens-state relations. In this way, they contribute to formalising and expanding the civic public.

Labour agency in the prebendal petro-state

The Nigerian unions operate in a landscape of specific opportunities and constraints. Nigerian labour is embedded in a divided society: a prebendal but democratising state and an oil-dependent economy with deep inequalities and a large degree of informality. However, the unions are not only constituted by, but are also constitutive of the characters of state, market and society.

Nigerian prebendalism is tenacious. This, combined with systemic corruption and human and labour rights abuses and ethnic-based loyalties, constrain civic and labour agency. However, these characteristics also form the ground for popular mobilisation, and unions have been in the forefront of such movements to counter this. Although there is a

popular will to defy prebendal politics, in the short term and in practice, it is patronage relations that puts food on the table for many. While the unions have expanded the civic public and democratic spaces by engaging in public issues and in civil society alliances, in terms of political opportunities the unions have failed to translate their moral power into the electoral system.

Paradoxically, while the unions have contributed to expanding democratic and civic opportunities, these opportunities have allowed competition for popular support (or for moral power) to thrive and to challenge the unions' position in society. During the undemocratic, repressive regimes of the 1980s and 1990s, the unions took a leading representational role in civil society and for democracy. Under electoral democracy, a larger variety of actors in civil society and political parties claim such roles, as manifested during the 2012 fuel subsidy protests. With political democratisation, there has also been liberalisation of freedom of association for trade unions, which has again allowed for organisational fragmentation within the unions. Since 2015 there has been an ongoing attempt to establish an alternative confederation structure to the NLC. Disunity may hinder the effective use of the potential associational power based on membership. The trade unions' extension of associational power through civil society alliances has partly been rooted in the relative lack of popular connection between state and citizen, in a weak social contract via elections, and on the popularity of the fuel subsidy. If the unprecedented free and fair elections in 2015 are an indication of improved contractual relations between the political elites and the Nigerian citizen, and if the fuel subsidy system is further discredited morally, the conditions for unions' associational power will shift drastically.

Economically, the petro-dependency constrains the unions' agency by fuelling the prebendal system. The elite actors in state and market are overlapping, and as a result of oil revenues, they are relatively independent economically from the Nigerian citizenry. At the same time, the oil-infused prebendal elite praxis creates a vulnerability in state and market – and for its elites – where the unions' structural power is particularly strong. The oil workers have also been targeted with particular force through liberalisation of production and labour, and with circumventions and abuses of labour rights.

Since 1999, the economic growth has been driven by high international oil prices, but it has created few economic benefits for the Nigerian masses. Job creation has not been able to catch up with increased unemployment, and liberalisation has informalised the labour market and increased the precariousness of labour. The lack of redistribution of oil resources and job opportunities are also a foundation for the moral power of unions.

Although there may be a process of political reconnections between state and citizens, the present economic crisis and a new series of corruption scandals seem to deepen the sense of popular disconnection and discontent, economically. Even with growth in some sectors, and economic recovery programmes focusing on job creation and restoration of the refineries, the government's ability to deliver socio-economic benefits to its citizenry is restricted. This can hinder the development or deepening of a social contract arising from the improved elections. The economic crisis has contributed to upsurges of ethnic- and religious-based tensions, violence and secessionist movements. This may constrain unions' immediate spaces for action, as in previous periods of ethnic-based upsurges such as those during the late 1960s and 1970s. However, the unions' counter-cyclical growth in the 1980s suggests that there are also mobilising opportunities in crisis. Very recently, in June 2017, the NLC and TUC stressed their support for Nigerian unity, and that the horizontal, class-based division is the primary conflict line in the country:

'Our common enemy [...] remains the corrupt political class, who instead of utilising the God-endowed wealth of our nation, choose to loot it for themselves and their children thereby depriving us of decent living and inflicting on us a scarred collective psychology that is predominantly negative, hostile and unproductive' (NLC-president, Wabba, quoted in Fagbemi 2017).

This thesis has shown that the trade unions have strategic powers in relation to state, market and society in their ability to mobilise socially, hurt the economy through strike action, and negotiate with elites in state and market. This allows them to play a far greater role than their relative size suggests. The Nigerian trade unions have strategically navigated this landscape, using opportunities and countering some of the abovementioned constraints.

Although Nigeria is one of the most difficult countries in the world for trade unions to operate in, the unions have been a counterforce to the expansion of informal and patronage relations at the workplace and in politics. The unions have contributed to the strengthening of civic relations and state institutions in the political sphere. Most importantly, this has happened through engaging politically with the state and in alliance politics in society. However, the findings in this thesis suggest that the continued ability for unions to play a powerful and significant role in the Nigerian political economy, ultimately hinges on the unions' strength at the workplace level. As such, there is a continued need to study the internal dynamics of the Nigerian trade unions in general, and in specific sectors,

both at the workplaces and in the relation between the workplace and national union leadership.

In addition to expanding our understanding of an African trade union in an oil-dependent economy, this thesis opens for a renewed conversation about state–society relations, power and agency. Whereas agency studies from Africa have focused on relatively powerless actors and the tactical agency of getting by, studying the agency of the relatively powerful unions reveals their ability to influence the surrounding structures. Trade unions have strategic powers in relation to state, market and society in their ability to mobilise socially, hurt the economy through strike action and negotiate with elites in state and market. This allows them to play a far greater role than their relative size suggests. Although Nigeria is among the most difficult countries for unions to operate in, the Nigerian trade unions have contributed to ensuring social benefits to Nigerians through cheap fuel, and they have been a counterforce to the expansion of informal and patronage relations at the workplace. They have additionally contributed to strengthening civic relations and state institutions through a mediating role between state and citizen. The study clearly shows the need to engage with trade unions in the study of power and politics in Africa.

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PART II: Compilation of papers

Paper 1

Between the street and Aso Rock¹: The role of the Nigerian trade unions' in the 2012 fuel subsidy protests

The recurring fuel subsidies contestations in Nigeria are a barometer of Nigerian politics. The trade unions' instrumental role in four decades of successful resistance against subsidy removals is widely recognised, but insufficiently understood. The 2012 subsidy protests - often referred as Occupy Nigeria - was one of the largest popular mobilisations in Nigerian history. Whereas unionists described the outcome as a victory and demonstration of popular sovereignty, fellow protesters expressed anger towards the unions for unfulfilled democratic opportunities and accused the unions of succumbing to bribery. This article uses labour theoretical perspectives to critically examine the trade unions contested positions and actions during the protests through. The article shows in practice how the unions' capacities to mobilise, strike and negotiate were instrumental to the reinstatement of the subsidy, but also how the unions' agency is both enabled and constrained by their embeddedness in the state, civil society and the market.

Keywords: Nigeria; trade unions, labour agency, social movements, fuel subsidy, protest

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¹ Aso Rock is the popular name of the office and residence of the Nigerian President.

Introduction

The 2012 protests and general strike against President Jonathan's subsidy removal constituted one of the largest popular mobilisations in Nigerian history, often referred to as Occupy Nigeria (Branch & Mampilly 2015). The protests followed a historical trajectory of trade union led popular mobilisation and political contestations over the 'price of petrol at the pump' that is seen as an 'excellent barometer to track the ebbs and flows of Nigerian politics' (Obadare & Adebaniwi 2013: 2). The union-led mobilisation have not only successfully resisted the consistent government attempts since 1978 to deregulate the fuel-price, but have in particular since 1999 also influenced and formalised the Nigerian governance system through it. This constitutes the most important among Nigerian trade unions 'remarkable returns' (Okafor 2009b). However, since analysis of the unions' roles in these protests rarely approach them *as* labour, considering the particularities of trade unions, our scholarly understandings of Nigerian labour is inadequate.

The aim of this article is to deepen our understanding of the Nigerian trade unions' roles and relations, and of their opportunities and constraints through a case study of the 2012 protests. The instrumental roles of the unions in the 2012 protests are both widely acknowledged, but also particularly contested. The 2012 is analysed as 'sets of players in fields of strategic contestation' who select and apply certain tactics or actions over others (Jasper 2004: 2). By engaging with concrete contradictions and contentions between trade unions and other protesters during 2012 through concepts of labour agency and power this article provides new perspectives to a key political actor and to a significant historical event in Nigeria. Additionally, the article contributes to filling a general a research gap on African trade unions.

When President Goodluck Jonathan removed the fuel subsidies on January 1, 2012, the official pump price increased from 65 Nigerian Naira, NGN (0.40 USD) to 141 NGN (0.86 USD) per litre overnight. After two weeks of intense mobilisation, street protests and strike action, the President buckled and restored the subsidy, with a new selling price at 97 NGN per litre. The same day, the President of Nigerian Labour Congress (NLC), Abdulwahed Omar, announced the suspension of the general strike. He framed the outcome as a popular victory and held that ‘through strikes, mass rallies, shutdown, debates and street protests, Nigerians demonstrated clearly that they cannot be taken for granted and that sovereignty belongs to them’ (Onuah & Brock 2012). International media referred to the result as a defeat for President Jonathan and a triumph for the protesters. However, not all protesters were content, and ‘[n]onlabor activists howled with anger that labour leaders had again been “settled” (i.e. bribed) into a deal that squandered a golden opportunity for fundamental democracy-building concessions’ (Kew & Oshikoya 2014: 7). The critique of the Nigerian unions assume that the unions could have acted differently and achieved more; that they had not sufficiently exhausted their potential policy space and their capacities. This concerns the question of labour agency - or their capacity and will to action. The related concepts of labour power describe labours’ inherent capacities – or available actions, loosely translated as the ability to mobilise, strike and negotiate.

This case study is based on field research in 2012 and 2013, interviews with union leaders and other key actors in the protests, and on a literature and media analysis. The focus is on the NLC, the largest and oldest trade union confederation with over four million members, predominantly blue-collar workers. There is also references to the Trade Union Congress (TUC) with about half a million white-collar worker members, and the two oil workers’ unions, the NLC-affiliated NUPENG (Nigerian Union of

Petroleum and Natural Gas Workers) and the TUC-affiliated PENGASSAN (Petroleum and Natural Gas Senior Staff Association of Nigeria).

The first section of the article draws up theoretical perspectives of labour agency and labour power and of how the trade unions' strategic navigation in their principle arenas and relations carries inherent tensions and dilemmas. Labour agency is also rooted in history, and the second section draws a brief history of the Nigerian trade unions roles and positions in relation to the three arenas. In this history, fuel subsidy is significant. The third section reflects over the main policy positions on the fuel subsidy at the time of the 2012 protests. The fuel subsidy binds together the private sector, the government and civil society – the three spheres that the union movement is intrinsically embedded in. The last sections details and analyses the unfolding of and controversies around the 2012 protests.

Labour agency, power, and strategic dilemmas

'Why [are] African labour and workers no longer a reference in modern African studies in 2014?', asked (Copans 2014: 25). In contrast, 30 years prior to that, Freund (1984: 1) wrote that '[no] subject has in recent years so intruded into the scholarly literature on Africa as the African worker'. The dramatic decline in academic interest can be traced to the liberalisations from the late 1970s and onwards, and the multiple trade union crises that followed. The decline also stems from the non-fulfilment of ideological expectations, and from the post-cold-war discredit of socialism that had guided labour and labour scholars.

At the same time as the parallel crises of labour and labour studies, trade unions in some emerging economies revitalised and radicalised, through increased militancy and social movement alliances. Social movement and protest scholars frequently included trade unions as actors in their studies, as with analysis of the 2012 subsidy

protests, but often ignored the particulars and multiple roles of labour and therefore fails to comprehend the actual role of trade unions (Engels 2015; Webster *et al.* 2011). As institutions '[trade union] operate as units of social integration, bargaining tool and producer of social compromise. But as social movements, they are also part of social conflicts and contentious politics' (Obono 2011: 97). Compared to other social movement organisations, the unions have a different kind of bureaucracy, relate directly and institutionally to state and capital through a range of economic, legal and political relations, and they have 'unusually powerful opponents' (Fantasia & Stepan-Norris 2004: 571). Unions are continuous organisations with long term perspectives, in contrast to single issue protests (Engels 2015). A union is neither simply a collective organisation operating in work place for working conditions, nor simply a part of a larger social movement (Fantasia & Stepan-Norris 2004).

Inspired by the 'militant, innovative and progressive industrial unions' in South Africa, South Korea and Brazil in the 1980s (von Holdt 2002: 284) there was a renewal of labour theory. These theories combined social movement theories and labour studies. Whereas earlier labour scholars often held Western theoretical and Marxist ideological biases and therefore often failed to identify the actual roles of African unions (Cooper 1995; Freund 1984), the renewed labour perspectives opened up for a more contextual-sensitive and complex framework for understanding trade unions. The new perspectives are especially associated with social movement unionism (SMU), describing union strategies of social alliances and confrontations with the state. SMU strategies and studies were later found in the US and Europe (Burawoy 2009; Frege 2004), but the theories have to a little extent been employed to African countries other than South Africa.

The particularity of the unions define their capacities, choices as well as its limitations: their agency and power. Labour agency is about 'how acts of defiance, strike and protest by ordinary men and women can change economic landscapes' (Coe & Jordhus-Lier 2011: 228), and it can be understood as 'strategies that shift the capitalist *status quo* in favour of workers, even if only temporarily' (Coe & Jordhus-Lier 2011: 216). Agency is an actor's capacity for wilful and purposeful action. This subjective and reflexive understanding of agency, acknowledges the actors' choice to either use or not use their capacities (Jasper 2004). The related concept of power describes capacities as a form of inherent potential in the actor: Power is 'located in agents, individual or collective' or 'attached to the agency that operates within and upon structures' (Hayward & Lukes 2008: 7, 11). Labour power is the inherent types of actions and abilities available to trade unions. The two core labour powers are associational and structural power, or the ability to mobilise, strike and bargain (Silver 2003; Wright 2000).

Associational power is about workers' capability to mobilise, or 'the various forms of power that result from the formation of collective organizations of workers' (Wright 2000: 962). Most often, this refers to collective mobilisation into trade unions. Workers can also expand its associational power in the form of a political (labour) party or in tactical trade union alliances in the surrounding community (Silver 2003; Wright 2000), such as in an SMU model.

Structural power 'results simply from the location of workers within the economic system' (Wright 2000: 962), and is associated with the ability to hurt the economy through strike and bargain. We can split structural power into two forms. Market bargaining power depends on the labour market; and it is higher in a tight labour market with few available workers. Workplace bargaining power results from 'the

strategic location of a particular group of workers within a key industrial sector' (Wright 2000: 962). A certain group of workers within a production chain can be essential to overall production, so that a local work stoppage can cause widespread disruption.

The critical importance of organising and bargaining explains why the ILO conventions on freedom of association [no. 87] and the right to collective bargaining [no. 97] are the two most important conventions for the trade unions. The right to strike is conventionally implied in convention 97 (Frey 2017). Labour rights relate to what Webster (2015) identifies as institutional power, that is about the ability of trade unions to ensure regulation of rights and to influence governance regimes, or a form of the incorporation of associational and structural power into institutions (Webster 2015). Institutional power may take the form of a labour law, wage-setting mechanisms, bargaining arrangements, or other institutionalised dialogue systems between labour, government, and/or employers. Importantly, institutional power both grants and limits rights; both provides and limits spaces of action.

Agency is contextual and relational, and labour agency is conditioned by their multiple embeddedness in state, market, community, and in history (Coe & Jordhus-Lier 2011; Serdar 2012). With reference to labour agency and power, we can say that a union's agency derives from its structural position in the market, its capacity to mobilise workers and in the wider community and its institutional access to and influence over actors in the state. A trade union must relate to all the three principle arenas, but tend to prioritise one arena or an axis between two, depending on both ideology and opportunity (Hyman 2001). In navigating this landscape Hyman (2001: 17) propose that trade unions face 'persistent tensions between political action and 'economism';

between militancy and accommodation; and between broad class orientation and narrower sectional concerns’.

In the market, workers are both producers and consumers. Trade unions organise workers to articulate collective claims, primarily regarding working conditions and job security. An economistic union strategy narrows trade union activity to the workplace and see political and social engagements as disruptive. Workers and employers share overall interests in profit maximisation for the company, while they have opposing interests in the division of profits, under collective bargaining (Hyman 2001). A trade union represents workers’ claims as well as disciplines workers into adhering to a collective agreement (Lier 2007).

The state is a regulator of labour markets and of workers’ lives through labour laws and by providing welfare services that influence labour conditions, such as taxation, health services and pensions (Coe & Jordhus-Lier 2011). In most countries, the state is the biggest employer. Reformist unions emphasise social dialogue mechanisms, and see themselves as a vehicles for social integration. They believe in gradual improvement in social welfare through political reform and cooperation with both state and capital (Hyman 2001).

Workers are part of the larger community as reproducers and consumers, and unions form part of organised civil society (Coe & Jordhus-Lier 2011). Here, the key roles of unions are to promote social justice and mobilise discontent. They do this by taking joint action in alliances with other actors in the larger community. Radical unions see their role as part of a class struggle, in conflict with capitalist system and in alliance with the wider community (Hyman 2001).

The Nigerian trade unions’ strategy during the 2012 protests was a form for social movement unionism (SMU). An SMU strategy is associated with broad public

engagement, alliances with other organisations, and antagonism towards capital and state (von Holdt 2002; Webster *et al.* 2011). The strategy is often described (and romanticised) as a desirable, new, innovative, inherently radical and militant form of unionism, but it can also be a pragmatic strategy for unions to recast their mobilising power, especially in contexts where workers have been excluded from formal structures and the state (Silver 2003; Webster *et al.* 2011). In addition to the confrontational line towards state and capital, there is potential tensions between the unions and their allies over strategies, and within the unions over decision-making and representation (Fairbrother & Webster 2008; Hyman 2001).

Situating Nigerian unions historically

Nigerian unions are both constituted by and constitutive to structures and actors in state, market, and society (Andrae & Beckman 1998; Kew 2016). Although the unions' relation to the state has been ambivalent, and governments have attempted to control the unions through both the law and direct repression, the modus operandi of the unions have been that of resistance and mass mobilisation. The mobilisation against fuel price hikes runs through the Nigerian trade union recent history.

By 1977, Nigeria was the world's seventh largest oil producer, and the oil bonanza in the 1970s brought economic optimism and opportunity. In 1966, the Nigerian government decided to subsidise refined petroleum products to ensure low fuel prices to all Nigerians. Driven by developmentalism, the state invested heavily in industrialisation and welfare, such as education and health systems. Employment increased dramatically, and between 1964 and 1981 the wage labour force almost tenfolded to 9,6 million (Viinikka 2009). Trade unions grew equally rapid, but they were fragmented. By 1978, they counted 4 labour centres and 985 individual unions, divided

particularly along cold war ideological lines, but also personal and regional. The divisions threatened to destabilise the unions from within and made them ineffective (Akinlaja 1999; Andrae & Beckman 1998).

In an attempt to control the unions, President Olusegun Obasanjo enforced a military decree in 1978 that allowed for only one national centre, and only one unions per industry. This was the birth of the NLC and 42 industrial unions and senior associations. The unions were already in merging processes, and workers mostly supported the law. The legally enforced monopoly, automatic union membership and check-off dues was a platform for strength through unity, increased membership and financial independence (Akinlaja 1999; Andrae & Beckman 1998). The law, however, limited the right to organise and bargain, and it formally divided labour through class by separating white-collar and blue-collar workers. White-collar workers were constrained to organise in 'associations' that could not undertake trade unions actions, such as strikes. Nevertheless, senior associations considered themselves and acted as trade unions. Despite the law, government failed to control the NLC. At the first NLC-congress, the government-preferred candidate for the NLC President lost elections to the Marxist, or 'progressive', Hassan Sunmonu. The NLC held a successful general strike already in 1981, and the government soon expressed regrets over the law and even supported attempts to create alternative – and illegal – union structures (Otobo 1981).

The international oil crisis from the late 1970s hit Nigeria with particular force. Since the early 1970s up until today, oil revenues have contributed 70% - 80% of the national revenue budget, which has created a strong oil dependency and vulnerabilities for both the state and Nigerian elites, and it has fuelled corruption and individual abuses of the state (Joseph 1987; Obi 2014). Although multinational companies dominate the Nigerian oil industry, the state is a key market actor, as regulator as well as owner of oil

companies through joint ventures and through the national oil company Nigerian National Petroleum Corporation (NNPC). When international oil prices plummeted, the bloated Nigerian state needed to take drastic actions to downsize. The structural adjustment program (SAP) from 1986 reinforced ongoing economic liberalisation, and it tended to exaggerate the negative effects of the crisis. A dramatic rise in unemployment led to loss of union members challenged both the associational and bargaining power of the unions.

Despite the relative small organisational base in the formal economy, wage workers have a particular strategic position in relation to the modern economy and the state (Beckman 2009). For example, a strike in the oil industry could upset the fabric of the state and elite economy (Houeland 2015). This structural power can translate to associational power, as the unions provide political leadership and direction to a wider range of popular democratic forces (Beckman 2009). This is particularly true in contexts like the Nigerian where the absence of democracy and ideologically political opposition, has created a combination of political space and popular demand for trade unions to play a role in filling the gap. Nigerian unions 'rightly, see themselves as more credible representatives of popular democratic interests and they aspire to translate this into real influence on the political process' (Beckman & Lukman 2010: 59).

Indeed, from the mid 1980s, the NLC took the lead in a radicalised civil society alliance, resisting political oppression, authoritarianism and anti-labour liberal reforms, such as privatisation and downsizing of the state, mobilising for bread-and-butter-issues and democracy, (Adesina 1994; Aiyede 2004; Andrae & Beckman 1998; Falola & Heaton 2008). In this, the struggle against fuel subsidy removal was paramount. Since bargaining power over wages was severely challenged, ensuring low fuel price was about hindering inflation in consumer prices and preserving the real wage value for

workers, as well as building associational power through alliances. In a context of lost health and education benefits, rising poverty and inequalities in the midst of elite corruption, Nigerians saw cheap fuel as a welfare benefit (Guyer & Denzer 2013). The 1988 anti-fuel subsidy protest was particularly big.

In 1988, President Babangida dissolved the NLC under the pretext that the attempts by an ideologically rivalling fraction of moderates, or reformists who attempted to organise an alternative union federation, was against the 1978 labour law (Adesina 2000; Olukoshi & Aremu 1988). Olukoshi and Aremu (1988: 110) propose that the dissolution was rather Babangida's attempt to 'pave the way for the "smooth" removal of the oil "subsidy" and the unchallenged implementation of other elements of SAP'. The state-controlled NLC-congress in 1988 safeguarded the election of a moderate NLC-president who was close to Babangida, Pascal Bafyau (Adesina 2000; Beckman & Lukman 2010; Olukoshi & Aremu 1988).

After ten years of military authoritarian regimes and persistent popular struggles for democracy, June 12 1993 was to mark the transition to the third republic. The popular presidential candidate, Moshood Abiola did not select the NLC-president, Bafyau, as a running mate, as much because of as despite the recommendation from Babangida (Akinlaja 1999). Abiola won by 58%, and Babangida's subsequent election annulment sparked widespread fury. With the NLC passive, the oil unions, with NUPENG in front, took the lead in activism and resistance (Adesina 2000; Akinlaja 1999; Kew 2016; Viinikka 2009). Protests and strikes broke out all over the country, and although the Campaign for Democracy (CD) had a leading role in the protests, Viinikka (2009: 142) asserts that 'In 1993 the Nigerian working class was the force that swept away Babangida'. However, the President-elect, Abiola was not handed the power, but an interim government under Ernest Shonekan was inaugurated in August

1993. Shonekan soon removed the fuel subsidy, and with the fuel prices increases the resistance was fierce. The oil unions again took the lead, but consistent pressure from the grassroots forced the NLC to call for a general strike. Shonekan was forced to negotiate with the unions and conceded on the fuel subsidy (Adesina 2000). However powerful, the strike backfired: It led 'to the collapse of that government and it ushered in the most dictatorial and corrupt military regime in the history of Nigeria [...] the Abacha regime' (Nwoko 2009: 147). Abacha did not attempt any further subsidy reductions (Akanle *et al.* 2014).

On June 12 1994, Abiola claimed the presidency, only to be arrested. NUPENG initiated the longest strike in Nigerian history. Again, rather than democratic concessions, Abacha banned the NLC and both oil unions. The three union structures were set under sole administrators, and the oil union leaders, Frank Kokori and Milton Dabibi, were imprisoned. After Abacha died in 1998, the union leaders were released and trade unions legalised.

The elections in 1999 marked the beginning of the fourth republic and formal democracy (Falola & Heaton 2008). The first president, Olusegun Obasanjo (1999-2007), started off with concessions to labour, including major wage increases (Kew & Oshikoya 2014). Despite economic growth since 1999, there had been little economic improvement for Nigerians in general and unemployment continued rising. Wage employment decreased from 15% of the workforce in 1999 to 10% in 2006 (Treichel 2010). With an estimated labour force just below 60 million (CIA 2016), and a low degree of informal sector unionisation, a combined membership of NLC and TUC of 4,5 million suggest a very high union density. Even so, the bargaining power of the Nigerian unions is limited, and NLC has continued its alliance politics and mass mobilisation.

In forming alliances, unionists underscore that they are selective and collaborate only with labour-friendly, representative, community-based organisations (P. Esele, personal communication, August 30, 2012; D. Yaqub, personal communication, August 30, 2012). The liberalisations of the state and economy from the mid 1980s reduced the powers of traditional union allies, such as the student movement (Osaghae 1995), at the same time as it opened democratic spaces for, and the roles and numbers of non-state actors (Falola & Heaton 2008). The new NGOs that emerged and thrived since 1999, often lean on liberalist ideologies and are anti-state, in contrast to the unions that actively work in and towards the state, and lean towards versions of socialism (Adunbi 2016; Kew 2016). Many NGOs, including democracy and human rights activists, are therefore not natural alliance partners to the Nigerian union movement. The trade unions' cooperation with their 'traditional partners' in civil society was formalised in 2005 with the establishment of Labour and Civil Society Coalition (LASCO) in 2005. In LASCO, NLC and TUC represent organised workers, whereas the Joint Action Front (JAF) represents pro-labour organisations that share ideologies and policy positions with the unions. The unions have cooperated with civil society groups on a variety of issues, including elections, corruption and transparency, and civil society groups have supported unions in minimum wage and pension issues. Moreover, broad popularity is a form of security and protection (D. Yaqub, personal communication, August 30, 2012). However, the resistance against the fuel subsidy has been the main mobilisation issue. There was six subsidy removal attempts and resistances between 1999 and 2007.

The NLC's relation to President Obasanjo soured with the continued subsidy removal resistance. In an open attempt to curtail labour power, in 2005 Obasanjo amended the 1978 labour law. Whereas in 1978 Obasanjo tried to control the unions through monopolisation, by revoking that monopoly the 2005 law opened for

fragmentation and mushrooming of unions. The opening for freedom of association allowed white-collar workers and TUC to register formally as trade unions. The law also constrained international labour rights, among others by banning political strikes (Okafor 2009a; Okafor 2009b), such as the fuel subsidy strikes.

Since 1999, spaces and institutions have opened for the Nigerian unions. They have representation on various government committees and public policy forums, and government regularly consult them on major reforms, such as the privatisation of electricity. Notably, many unionists question the effect of their participation in these arenas, and access and use of these arenas is the foundation for accusations of co-optation by the state. Whereas President Mashood Yar'Adua (2007-2010) established social dialogue systems and promised regular minimum salary negotiations, the President Jonathan regime was less available for labour (Lakemfa 2015).

Policy positions on the fuel subsidy

Considering agency as both about the capacities and the will to action, and to understand the protests dynamics, this section examines the policy issues and different actors' agendas in relation to the fuel subsidy. This will reveal the political and moral economy of the subsidy as well as the unions' ambivalent interests and policy positions in relation to it.

Subsidy as a blockage to development

The ruling political and economic elites, with strong international support and pressure from international financial institutions, bilateral donor organisations and the private sector, supported the fuel subsidy removal (Ibrahim & Unom 2011). They insisted that the subsidies were financially unsustainable, blocking public investments in infrastructure, education and pro-poor targeted policies. In 2011, the subsidy took up

one-third of the national budget. Deregulation was also expected to increase private investment, in particular in the downstream oil sector that could create sorely needed jobs. Officially, Nigeria had 23% unemployment; with youth unemployment double that number. Despite being the largest oil producer on the continent – with production of about 2 million barrels a day – Nigeria in fact imported 90% of its refined petroleum products. The four state-owned refineries had for long been neglected and was beset by corruption. At the time they ran at about 40% capacity (Africa Confidential 2012a).

The Nigerian trade unions had restoration and expansion of the refinery capacity for jobs creation and value added to the national economy high on their agenda. The dominant oil industry is capital- and technology-intensive, but creates few jobs. Most of the job creation is in the downstream sector, where refineries are the mainstay. Even though the unions, and in particular the NLC, had been associated with ideological orientation against privatisation and deregulation, their actual positions were divided according to ideology and interests. The ‘progressives’ were principled against privatisation, while the ‘democrats’ were more open to deregulation (Akinlaja 1999; Kew 2016). Adams Oshiomole, who led the subsidy resistances between 1999 and 2007 as the NLC-President, was a democrat and never against privatisation in principle (Okafor 2009a). The TUC and both oil workers’ unions were more open to deregulation, as they believe it would open up for investments, efficiency and job creation in the downstream sector (P. Esele, personal communication, August 30, 2012; A. Olowoshile, personal communication, September 10, 2012). Even the progressive former President of the NUPENG Frank Kokori argued that if the refineries had worked, there would be no conflict over deregulation and the subsidy (BusinessNewsStaff 2011). In 2009, under Abulwahed Omar’s presidency (2007–2015), the NLC revised its fuel subsidy policy to support a conditional deregulation of the

downstream sector (J. Odah, personal communication, September 14, 2012).

Conditional deregulation implied a transitional period with continued subsidised fuel and low petroleum prices, and the actual implementation of alternative development investments. Before these were manifest, the unions would continue resisting subsidy removals (P. Esele, personal communication, August 30, 2012).

Subsidy as source of corruption

The subsidy system was a major source of corruption in Nigeria, and removal proponents held that removing the subsidy would be an efficient tool to fight corruption. The endemic subsidy related corruption linked especially to the state-owned NNPC. As operator, regulator and revenue generator of both the upstream and downstream sectors of the oil industry, NNPC had an interest in every aspect of the subsidy policy (Ibrahim & Unom 2011). NNPC owned the four refineries and most of the oil related infrastructure; it licensed importation of refined products and was itself the main importer of refined petroleum products. Technically, the state guarantees a fixed selling price at the pump, and compensates market vendors for the difference between the import and selling price. The Nigerian Extractive Industry Transparency Initiative audit report for 2009-2011 revealed that the NNPC had illegally paid itself 1.4 NGN trillion between 2009 and 2011 (Amaefule 2013).

Anti-corruption was a fundamental driver of the 2012 protests, but the protesters jointly rejected the alleged fiscal problem, arguing that the largest share of the budgetary 'subsidy costs' was in reality elite mismanagement and corruption (Bakare 2012; A. Omar, personal communication, June 8, 2012). The protesters held that rather than solving a systemic corruption problem, removing the subsidy would merely change the nature of corruption. The 'ending of fuel subsidies has less to do with correcting a

structural imbalance in the national economy, and more to do with the maths of patronage politics' (Anonymous, 'Adding Fuel to the Fire in Nigeria', Democracy in Africa, 2012). President Jonathan was not in direct control over the subsidy system, as the NNPC was under the Ministry of Petroleum. Jonathan had already spent large sums to safeguard the 2011 elections, and his administration suffered from legitimacy and cash deficiencies. Removing the subsidy could lead to better financial control for the presidency.

Subsidy as a welfare benefit and workers issue

Proponents of removing the subsidy emphasised that the prime beneficiaries of the subsidy was the middle classes, since they consume disproportionate amounts of fuel products. Following that line of argument, Collier (2012) considered that '[the 2012] protests closely resemble the sad folly of the Tea Party: poor people tricked into lobbying for greedy elites'.

As in earlier strikes (Guyer & Denzer 2013; Okafor 2009a), the unions and protesters insisted that the subsidy was a workers' issue and a benefit to the poor, and that it was morally just and financially possible. The protest slogan 'Kill corruption, not Nigerians', indicated the importance of cheap fuel for the poor majority of Nigerians. In the midst of vast oil resources and economic growth, distribution of wealth was fundamentally unequal, poverty was rising, and the Nigerian majority experienced little welfare benefits. Fuel price increase has a direct inflationary impact on the price of transport, food, medicine and energy. At the time of the subsidy removal, the unions were fighting for the implementation of the 2011 agreed-upon minimum wage of 18,000 NGN (USD 110). The doubling of the fuel price threatened the real wage value in general, with particularly devastating effects to the poorest workers. Lastly, the subsidy was important for job security. Small and medium size businesses and a large part of the

informal sector depend on fuel for their generators (A. Omar, personal communication, June 8, 2012). Hence, the fuel subsidy is central to core workers' issue, and can be seen as an extension of collective bargaining.

Dynamics of the 2012 subsidy resistance

It was no surprise that unions and civil society organisations warned of strikes and street protests when the Nigerian Minister of Finance, Ngozi Okonjo-Iweala, in October 2011 announced that the subsidies would be removed in April 2012. The protests led to bilateral dialogues between government and civil society. This process gave civil society organisations and unions time to sharpen their arguments and to mobilise.

What was a surprise and added to the provocation, was President Jonathan's choice to remove the subsidy in January 1st. First, it ignored the ongoing dialogue process. Second, it was at the end of the holiday season when many Nigerians were short of money and still in their villages. The President may have hoped that the timing would hinder the resistance mobilisation. The following day, spontaneous protests broke out on the streets. On January 4, NLC and TUC jointly declared a general strike for January 9, 2012. After negotiations with governments 14-15th January, the unions suspended the strike on January 16th. Fellow protesters were unhappy with the unions for not consulting other protesters, accused them of selling out and charged that the oil workers unions' threat to close down oil production was empty (Abah 2012; Bassey 2012; Ibrahim 2012).

Associational power: contested representation and lost control in the street

The 2012 protests were among the largest in Nigerian history (Branch & Mampilly 2015). Although unions took a leading position, the increased mobilisation was not simply an expansion of their own associational power. New political and social actors

were instrumental in mobilising, but they also brought increased expectations, mixed agendas and challenges to the unions' legitimacy to represent.

The increased mobilisation was enabled by the opened democratic spaces since 1999; fuelled by the unpopularity of President Jonathan and by a growing political opposition; provoked by rising poverty and inequality; and inspired by the global protests waves of the Arab Spring, the Occupy Movement and a series of African uprisings (Branch & Mampilly 2015). Though depicted as a singular protest, it is more fruitful to see protests and strikes as parallel events that were only partly coordinated. There are no reliable numbers of how many actually attended the street protests in cities around the country. Reports range from hundreds of thousands to millions. The largest gatherings were in Lagos, and the highest estimate of Lagos protesters was two million. In this, the Occupy Nigeria and Save Nigeria Group (SNG) stand out.

Occupy Nigeria was a loose, online movement or network of individuals and groups that identified with that name rather than a coherent organisation (Kew & Oshikoya 2014). Occupy Nigeria used novel social media tactics and brought new actors to the protests scene, especially the young, educated, urban middle classes, and artists and celebrities. Branch and Mampilly (2015) emphasise that groups of informal, unemployed and unorganised people drove the protests, whilst others, such as Orji (2016), emphasise the rise of middle classes and their social media approach to activism, as key. Some union leaders and activists associated with labour, also identified with the Occupy movement, according to Jaiye Gaskia, (personal communication, September 2, 2012), while trade union leaders generally talk of the protests as the subsidy protests.

The organisation of Occupy Nigeria contrasted with the unions' hierarchical and direct forms of representation from workplace to national level. Both unions and

Occupy Nigeria had an urban bias, but whereas Occupy was strongest in Lagos, Kano and Abuja, the unions have structures throughout the country. NGOs, the unorganised and loosely organised Occupy Nigeria are relatively flexible to act fast. The unions were criticised for rigid systems and slow reactions. Unionists explained this with reference to their internal democratic procedures for decision-making and for time and resource consuming preparations for strike action. Unionists were in turn critical of Occupy Nigeria's lack of structures, representational mandate, and unclear leadership. A unionist reported the existence of four to seven different Occupy Nigeria groups (D. Yaqub, personal communication, August 30, 2012). In Abuja alone, there were several different protest points (H. Abdu, personal communication, April 2, 2013).

Moreover, the 2012 NLC leadership was less experienced, and politically and administratively weaker than under previous strikes². Funmi Komolafe, *The Vanguard's* labour editor (personal communication, September 4, 2012), held that compared to earlier subsidy protests 'due largely to what I would call some sort of failure on the side of leadership of the main unions, they allowed such a gap that the civil society took over the leadership role in the struggle'.

The contestation over the results was also about the actual agenda. The subsidy removal ignited the protests, but they were fundamentally about questions of democracy, inequality and corruption. Protesters agreed on the general issues, while the specific aims were more unclear. Whereas the unions had technical and detailed policies on the subsidies (Ibrahim & Unom 2011), Occupy Nigeria had 'no plan' (O. Adeniyi, personal communication, April 2, 2013). A particular controversy linked to questions of regime change. Placards with 'Jonathan must go' appeared most often in Lagos. The

² Oshiomole, who led the six previous strikes, came from the vibrant textile union and had extensive experience with mobilisation and negotiations. Omar, who led NLC in 2012, came from the teachers union that had poor and inefficient negotiation and recruitment systems. Moreover, administrative staff that was key in coordinating the previous protests, was dismissed after a crisis around the 2011 NLC congress.

regime change demand was associated with the leader of Save Nigeria Group (SNG), the charismatic Pastor, Tunde Bakare. The SNG spokesperson, Yinka Odumakin (personal communication, September 9, 2012) confirmed that the SNG wanted and saw the opportunity for regime change. Nevertheless, this was controversial within SNG, and Bakare, who had ran for vice president for the opposition party in 2011 was temporarily expelled from SNG for politicising the protests (*The Tide* 2012).

The trade unions were explicitly against regime change. With the institutional memory of how the 1993/1994-strikes paved the way for the brutal Abacha's military regime instead of enforcing democracy, the TUC President Peter Esele noted (personal communication, August 30, 2012):

Things were getting out of hand, opening for anti-democratic forces. [Unions demanded a reversal to fuel price of N65] but we will not support any attempt to undermine the constitution, which would result in a military coup.

The Nigerian government was alerted by the national security situation, as the terror of Boko Haram in the Northeast had recently expanded to Abuja, as well as the series of regime changes during the Arab Spring. The subsidy protesters were met with arrest and violence from the police and the army, and 16 casualties were reported (*National Mirror* 2013). The NLC was forced to evacuate as soldiers closed the streets around the Labour House in Abuja. Union leaders felt pressured to end the strike from state actors and the international community, but also from members and allies (Lakemfa 2015). When the unions suspended the strike on January 16, they referred to the security situation and rumours of a general state of emergency (Lakemfa, personal communication, September 13, 2012) and that 'the security forces had been ordered to use all means to end protests' (BBC 2012).

Structural power and its limitation: shutting down the economy

Reports from and analysis of the protests have a bias on the street protests and on Lagos, although in addition to presence in the streets, absence from work was critical. Though street protests had been ongoing for a few days, January 9th marked 'the nationwide phase of the mass protests; and in essence the birth of the January Uprising!' (Jaiye Gaskia, 'The betrayal then and the betrayal now', Sarah Reporters, 2013).

Workers who did not go to work did not necessarily attend street rallies. In certain areas, such as in Yobe and Borno State, workers stayed away from work, but had no street action due to the security threat of Boko Haram (Lakemfa 2015). In Port Harcourt, though many workers stayed away from work, only a few individual unionists joined the street protests. The regional TUC-chairperson, Cde. Chika Onuegbu (personal communication, March 29, 2014) commented that 'In Rivers state [where Port Harcourt is the capital], if we sit down dancing and the oil is flowing, we are sabotaging the strike'. In other words, he suggested that the success of the protests was not determined in the streets but by shutting down the economy, and that this was particularly true in the oil region. The fact that President Jonathan invited the unions to negotiate only once the oil workers threatened to shut down production on January 12, stresses the importance of strike action, and the structural power of unions in general and oil workers in particular.

There was repeated criticism of the 'empty threats' of the oil unions', since they did not enforce the threat to shut down the oil production (Abah 2012). Many members of the oil unions, such as truckers and office staff, did go on strike, but production was never shut down. In a negotiation situation, it is common to await the outcome of negotiations before work stoppage. More important, trade union leaders from both PENGASSAN and NUPENG explained the lack of production stoppages was due to the

technical nature of production and the extreme costs of a shutdown (P. Esele, personal communication, August 30, 2012; B. Olowoshile, personal communication, September 10, 2012; P. Akpatason, personal communication, September 1, 2012). After a production stoppage, it could take as much as year to restart production. This would not only devastate the national economy but also endanger jobs. Although a conflict situation between community solidarity and self-interests in job security, this was in line with how earlier strikes had unfolded (Akinlaja 1999). Even during the infamous 1993/1994-strikes, production was not shut. The then General Secretary of NUPENG, Frank Kokori explained that tactically:

[D]isrupting the upstream operations [...] never achieves immediate impact. [It] would only affect government after about a month, [...]. But with the downstream operations collapsing when the refineries and the tanker drivers stop working, the impact breaks out within 14 hours (Kokori 2014: 79).

This suggest that the critical structural or workplace bargaining power is not in the upstream production of crude oil, but in the downstream production and distribution of processed fuel (Houeland 2015).

Additionally, there was a higher security risk, and lower protests support in the region where a strike would hurt the most. In contrast to other cities, in Port Harcourt strike participation was lower than in previous strikes (Houeland 2015; Lakemfa 2015). Port Harcourt is the capital of the oil producing Niger Delta. Jonathan was the first Nigerian president from that the Niger Delta and from the minority ethnic group, the Ijaws. Local support for Jonathan was strong, not least among political elites. This contrasted to Jonathan's weak popularity in general and contested position within the People's Democratic Party (PDP), especially from the North. Protests were particularly

strong in areas with political leadership in opposition to the Jonathan regime, and many read the protests as 'anti-Jonathan'. According to a union leader, whereas in previous strikes, the Niger Delta militants offhandedly supported the fuel subsidy protesters, during 2012 Niger Delta militants actively supported Jonathan. It was reported that President Jonathan 'resorted to hiring Niger Delta militants to threaten labor union activists' in Abuja (SaharaReporters 2012).

The allegation that trade unions leaders yielded to the political elites, assumes that there was a continued will and capacity to strike from workers. Undoubtedly, there were heavy pressure from 'influential people' to stop protests (Lakemfa 2015). However, in addition to the insecurity and fear spreading among workers, the work stoppage was costly to the unions and workers. Members were losing income, and the signals from the grassroots were that they wanted to go back to work (Yaqub, personal communication, August 30, 2012). Also informal sector workers, wanted to restart business after a long period of no income (F. Komolafe, personal communication, September 4, 2012). An indication of the limited will to strike is the fact that on January 16, some protesters and unionists tried to continue the resistance but media reported that only a handful of protesters turned up. Historically, workers and individual unions have been on strike in spite of the NLC-leadership, such as in 1993/1994. Notwithstanding the obstacles, the nationwide strike was effective: 'Government was brought to its knees, not because of the wide reaching civil society network [...] but because of the unions' (F. Komolafe, personal communication, September 4, 2012).

Institutional power: From the street to Aso Rock

Although the Nigerian trade unions have a relatively weak institutional power, through history unions have insisted on being party to the decision making process of determining fuel price (Okafor 2009b); an example of how past social compromises has

been incorporated associational and structural power into institutional power (Webster 2015). Both unions and government saw the negotiations as part of the social dialogue, as in earlier strikes (F. Komolafe, personal communication, September 4, 2012).

However, access to the state runs the danger of co-optation, and indeed a much-repeated critique of unions is of state co-optation. In addition, in 2012 other protesters contested the unions' right to negotiate. The union negotiators were criticised for not consulting with allies and some unionists claimed that the leaders did not follow internal democratic procedures for negotiations. All these contestations weakened the legitimacy of the outcome and allowed for allegations of bribery.

Abuja was the site for closed meetings and political negotiations. The unions had dialogues with government, the national assembly and governors. Whereas the Governors Forum and the Senate supported the subsidy removal, allegedly to release funds to the governors' budgets, the House of Representatives supported the protesters in reinstalling the subsidy. Ironically, one of the main negotiators from the governors was Adams Osihomole, who led the resistances between 1999 and 2007, now pressed the unions to back down. In addition, the House of Representative member, former NUPENG President, Peter Akpatason, urged the unions to call off the strike for security reasons.

After two days of negotiations, President Jonathan announced the partial restoration of the subsidy and a new pump price for fuel of 97 NGN. Both within and outside the unions, there were voices of disappointment that it was not a full reversal to 65 NGN. The fuel price change was strikingly similar to earlier strikes, despite the unprecedented protest mobilisation.³ The government had to revise its budget and include subsidy costs of USD 4 billion (Africa Confidential 2012b). Other than the

³ For an overview of historical price changes and protests, see Ibrahim and Unom (2011).

subsidy reinstatement, there has been little focus on other achievements. However, the House of Representatives established a probes committee to investigate allegations of corrupt practices around the subsidy and the government pleaded with the National Assembly to pass the long-awaited Petroleum Industrial Bill (PIB) (Lakemfa 2015). Hence, there was responses also to the protest demands in relation to corruption and improvement in the downstream sector.

Some protesters were more angered by the lack of consultation than the outcome itself (see f ex Bassey 2012). Once government negotiations started on January 14, tensions arose regarding questions of representation and legitimacy. Although civil society partners were represented at the negotiations table through LASCO, the otherwise dominant Occupy Nigeria and the SNG were not. In the words of the acting general secretary of the NLC, Owei Lakemfa (personal communication, September 13, 2012), civil society was represented by the ‘goodwill of labour’. Furthermore, the unions were accused of completing negotiations without the participation of the civil society representatives of LASCO, Dipo Fashina and Jaiye Gaskia, and taking a unilateral decision to suspend strikes (Gaskia, personal communication, September 2, 2012). Whereas the TUC’s negotiator, Peter Esele (personal communication August 30, 2012) claimed that the two were actually present, the NLC’s Owei Lakemfa explained that his attempts to reach Gaskia failed, but that Fashina was present (Lakemfa 2015). Fashina later told the press that there were no negotiations about the fuel price on that day, only discussions of regime change, and that he rejected the decision to end the protests.

When announcing the strike suspension on January 16, the unions stated ‘categorically that this new price was a unilateral one by the Government’ (NLC & TUC 2012), and the NLC President, Omar, stated that fuel price talks would continue.

The fact that unions suspended a strike without a conclusive agreement led to uncertainty and ‘an uneasy calm’ (Elbagir 2012). Informally some trade unionists claimed that internal procedures had not been followed, and even among the unions, there were unease about the conclusion. Kokori summarised:

If it is the type of labour I know, when the government [...] does that type of thing with arrogance [unilaterally fix the price], then labour would go back, reinforce and mobilise. [...] That is heavy humiliation on labour. So, that is why I said, is there any juju [witchcraft, implying bribe] that they used for them in Aso Rock (quoted in Femi 2012).

In a country where bribes are commonplace, it is believable that union leaders were ‘settled’. Even if we assume that union leaders received bribes, the important question is if it changed the outcome of the negotiations. Kokori suggested otherwise: ‘even [if] they used Juju on Omar and Esele who were leading them, can the Juju affect all of them? This is because in labour, it is collectivity. Even as president or Secretary-General, you cannot take decisions on behalf of any union.’ Funmi Komolafe (personal communication, September 4, 2012), among others, similarly suggested that since the union leaders at the time were relatively weak and lacking strategic skills, it made them less ‘bribe-worthy’, and she questioned whether a bribe could water down the strike.

Conclusion

Whereas it is widely held that the Nigerian trade unions were instrumental during the 2012 protests, the unions were criticised by non-labour activists for certain actions and strategies. The critique - which suggested that the unions had not exhausted their potential policy space and their capacities - arguably lacked specific analysis of how trade unions’ external conditions, their own capacities and strategic choices mix and both opens and limits opportunities, and carries inherent tensions. By engaging with the

concrete criticism of the unions through labour theoretical perspectives, this article shows how the trade unions' agency is not only potentially powerful but also inherently constrained.

This article makes evident how the unions' in practice were instrumental in forcing the reinstatement of the fuel subsidy through applying their associational power to organise, mobilise, and represent; their structural power to interrupt the economy; and their institutional power to access and bargain with governance institutions. Nonetheless, the article also demonstrates the practical and ideological constraints to unions' agency or ability to apply these powers. In pursuing a strategy of alliance with a larger community and confrontational actions towards the state, tensions arose in relations to each of their three principle arenas, the state, the larger community and the market. This remind us of the proposal by Hyman (2001: 17) that unions priorities carry inherent tensions between 'political action and 'economism'; between militancy and accommodation; and between broad class orientation and narrower sectional concerns'. In relation to civil society and in mobilisation, tensions concerned both organisation, representation and policy, where in particular new actors challenged the unions' historical role and legitimacy. The unions were not in control of mobilisation and intra-protest communication was poor due to both the composition of civil society and internal weaknesses in the unions. The strategy of broad communal solidarity and joint social actions, contrasted with issues of individual workers' job security, as showed with reference to the practical limitation of strike action in the upstream oil industry. When moving from the street protests to political negotiations, charges of the unions' being co-opted and bribed surfaced. This contrasts to how unions' described negotiations and the making of concrete agreements as an exercise of power, resulting from associational and structural power. During negotiations, the unions moved from

being 'mobilisers of discontent', representing protesters in confrontation with the state, to being actors of social integration and 'producer of social compromise'. The national insecurity situation was underscored by calls from the streets for regime change, and in that situation, union leaders recalled how the 1993/1994 protests backfired, paving the way for dictatorship instead of democracy.

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Paper 2

LES CHANTIERS DU SYNDICALISME EN AFRIQUE

CASUALISATION AND CONFLICT IN THE NIGER DELTA: NIGERIAN OIL WORKERS' UNIONS BETWEEN COMPANIES AND COMMUNITIES*

Camilla Houeland**

Though millions of Nigerians were protesting in the streets against the repeal of subsidies in January 2012, the government did not call for negotiations until the oil unions threatened to shut down oil production. However, production was never shut down, and the oil unions were criticised for “empty threats” and for abandoning their historical democratic role. To better understand the opportunities and constraints of Nigerian oil workers, this study explores how casualisation processes and conflict interlink and affect the local labour regime and the oil unions’ powers in the Niger Delta. The labour fragmentations and erosions of labour power from casualisation have been exacerbated when unfolding into this context of conflictual and fragmented social relations. Despite the oil unions’ strategic position in the oil industry and their relatively high union density, these processes have challenged both their structural and associational powers.

Keywords : Trade unions, casualisation, labour power, Niger Delta, conflict.

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INTRODUCTION

Commenting on the two Nigerian oil unions, NUPENG¹ and PENGASSAN², an oil company manager referred to them jointly as “*The union in Nigeria; when they sneeze – the whole country catches cold*”³. Due to their particular position and power in the oil industry, Nigerian oil unions have been able to play a critical part in the trade union movement’s contribution to the struggle for democracy (Aiyede, 2004; Tar, 2009; Falola & Heaton, 2008; Okafor, 2009). Other unions and civil society organisations expect NUPENG and PENGASSAN’s continued commitment beyond the workplace. Lately, oil unions have been criticised for social disengagement, especially in relation to the massive fuel subsidy protests in 2012.

Social engagement beyond the workplace is a question of union strategy and it depends on their opportunities and constraints, resulting from conditions at the local and industrial levels in what Jonas (1996) terms the local labour control regime: the “local institutional framework for accumulation and labour regulation constructed around the local labour market”. Whilst acknowledging the workers’ own agency and impact on their environments (Herod, 1997), this paper rather aims at understanding the conditions for or constraints to labour action, or labour power, analysed according to Wright (2000)’s two types of labour powers, associational and structural. Constraints to labour action must also be seen “in relation to the formations of capital, the state, the community and the labour market in which workers are incontrovertibly yet variably embedded.” (Coe & Jordhus-Lier, 2011)⁴ ;⁵.

The relevant local labour regime for Nigerian oil workers is in the Niger Delta, which is the heart of the oil industry. Two parallel processes have particularly influenced the labour regimes in the Niger Delta: casualisation and conflict. Casualisation refers to processes of informalisation of labour in a shift from permanent to flexible, cheap and short-term employment⁶. In Nigeria, this has taken place through industrial reorganisation and relocation on the part both of oil companies (e.g. reorganisation of the workforce and outsourcing) and the state (e.g. local content and export-processing zones) since the mid-1980s.

1. The Nigeria Union of Petroleum and Natural Gas Workers.

2. Petroleum and Natural Gas Senior Staff Association of Nigeria.

3. Interview, Anthony A. Adiari, Division Manager, Contract Admin. & Cost Efficiency, Nigerian Agip Oil Co. Ltd., March 2014.

4. Coe and Jordhus-Lier (2011); see labour intermediaries as a fourth arena on a level with state, capital and community. Though labour intermediaries confuse labour relations and are a specific kind of employers, they are not considered as a separate analytical category in this article.

5. In these theories, “communities” refer to the general surrounding society. In the Niger Delta context and in this paper, it refers to the communities with oil production on their land (host communities).

6. This includes both contract and casual labour. Casual labour is, in theory, part-time labour which is hired and paid by the hour or day, for specific or seasonal tasks. Contract labour is short-term employment on a weekly or monthly basis. In Nigerian practice, casual and contract labour are often forms of long-term employment, but without the rights of permanent employees.

Over the same period, oil-related conflicts intensified in the Niger Delta, further fragmenting the social landscape. Through a labour perspective, this article shows how casualisation and conflict are interlinked, and set the conditions for oil unions' power. This article shows that in the context of the Niger Delta, which is characterised by high levels of violence and by a particular petro-capitalism dominated by an "oil complex" (elite collusion between capital, state and community), the effects of casualisation on labour power are exacerbated.

Labour studies have showed how the relocation and reorganisation of production and labour have changed labour regimes, increased job insecurity and rights violations, thus changing the conditions for labour power (Silver, 2003; Webster *et al.*, 2011; Gough, 2003). Renewed research interest in African labour has rather focused on informal labour, rather than on processes of informalisation, with the notable exception of South Africa. Although labour has a particularly powerful position in relation to the main stakeholders of the oil industry and the Niger Delta conflict, and although employment issues have been critical in the Niger Delta crisis, there are no specific studies examining casualisation processes in this particular landscape of conflict and sociopolitical fragmentation.

This article⁷ starts by introducing the Niger Delta and its complex politics between state, capital and communities. The second section positions the two Nigerian oil unions historically and politically, before analysing their particular opportunities and constraints. The third section considers specific reorganisation and relocation as the main drivers of casualisation, and its effects on local labour regimes and labour power in the Niger Delta. This section also reveals how the communities contribute to a push for casualisation "from below" (Theron, 2010). In the concluding remarks, there will be a short summary of the findings.

THE NIGER DELTA: OIL COMPLEX, PETRO-CAPITALISM, AND PETRO-VIOLENCE

The Niger Delta is the heart of the political economy of oil, dominated by the "oil complex": an institutional configuration of firms, state apparatuses and oil communities (Watts, 2004). There are intersecting elite coalitions with common interests, comprising "top-level state executives, members of their political

7. The study is mainly based on field observations and interviews with staff and elected officers of the two oil unions, oil company managers and community activists in the Niger Delta, Lagos and Abuja in March 2014. I also drew on two earlier field visits. As a former Africa adviser to the Norwegian Confederation of Trade Unions, I had previous knowledge of Nigerian unions, as well as connections to them. This background gave me a platform to build trust, get access to people and information, and a basis for understanding issues. Considering the politicised and conflictual field of labour relations in general and oil-related issues in particular, I approached community activists and company managers directly, or through researchers, journalist and Norwegian companies.

networks, politically connected [...] military and security officials, government officials, traditional rulers and top-level private sector executives” (Obi, 2014). This complex operates and interacts under a petro-capitalism that generates contradictory governable spaces, where a violence termed “petro-violence”⁸ (Watts, 2004; Watts *et al.*, 2004; Zalik, 2004; Watts, 2001) is constitutive. The particular form of petro-violence in the Niger Delta is visible through the “joint security imposed by the Nigerian military and oil companies to police their installations and the environment of social unrest that surrounds petroleum extraction” (Zalik, 2004), creating a spiral of human rights abuses from all parties.

The international oil companies, especially “the oil majors” (Shell, Exxon-Mobil, Chevron, Total, and ENI) continue to dominate the industry, though their priorities have shifted offshore (EIA, 2015) due to the security situation and there is an influx of Nigerian owned companies (Ovadia, 2013b). Earlier Marxist scholars, like Turner (1984), described the Nigerian state as a “comprador state”, running the errands of international companies. Omeje (2005), however, holds that although the companies’ interests are important to the state, they are secondary to its own interests in rent and patrimonial accumulation. The Nigerian state is an intrinsic part of the oil industry as the legal owner of the oil, the majority owner of production companies, and the owner of the four refineries, as well as through its dependency on oil rents since 80% of the revenue budget is from oil. The state has passed laws on nationalisation and local content which are unfavourable to international oil companies (Omeje, 2005; Ovadia, 2013b).

The governance boundaries between state and companies are unclear. Responding to pressure from both state and communities, the multinationals provide social services to the communities (schools, electricity, and infrastructure) (Zalik, 2006; Eberlein, 2006; Adunbi, 2011). “From the perspective and experience of most Niger Delta residents, oil companies are the supreme regulating institution”; this includes interventions in the state’s functions, on matters such as security and policing (Eberlein, 2006). Company interventions in community affairs are often described as “divide and rule”, engraining intra- and intercommunal conflicts (Akpan, 2008). The Niger Delta conflict cuts between and through communities, often over access to the privileges offered through company agreements. The contractors in these agreements have access to status and capital, and these “big men” function as indirect rulers (Zalik, 2004; Akpan, 2008).

8. The type of social violence often associated with resource extraction, which derives from the specific mythical, material and biophysical properties of oil (Watts, 2001).

Ethnicity has become a key organising principle for claims of resource sovereignty in the Niger Delta; this has been exacerbated by the decentralised Nigerian state and the crisis itself (Eberlein, 2006). The Niger Delta is home to over 30 million people divided into over 40 ethnic groups spread over nine states. There are about 1,500 “host communities” with oil production facilities on their land (Akpan, 2008). Oil installations and environmental damage to land and water have destroyed their livelihoods and caused widespread diseases. Despite vast petroleum resources, wealth is extremely unevenly distributed and development indicators show that there has been a decrease in the general welfare of the local communities since oil production started (Iyayi, 2008).

Community struggles for environmental justice and resource control escalated and turned increasingly violent during the 1990s. Demands included access to jobs and to qualifying education. High youth unemployment created a fertile ground for spiralling insurgency. Though often associated with host communities, militants’ loyalties are shifting and uncertain, and their relation to the communities has been both supportive and exploitative. Since democracy was reinstated in 1999, there has been a “convergence of militancy and politics”, where local politicians use insurgents for election intimidation, empowering and strengthening insurgents with weapons and money at the same time (Bøås, 2011).

The 2009 amnesty programme, through which militants disarmed and renounced violence in exchange for amnesty and “reintegration”, led to a dramatic decrease in violence, but it is doubtful that the ex-militants’ training programmes will lead to employment (Obi, 2014). Since the underlying causes of the petro-violence are unresolved, the tensions in the Niger Delta linger.

THE OIL UNIONS

The two oil workers’ unions in Nigeria, NUPENG and PENGASSAN organise about 10,000⁹ blue-collar or junior workers and 20,000 white-collar or senior workers respectively. NUPENG is an affiliate of the Nigerian Labour Congress (NLC), the oldest and most important trade union federation in Nigeria with about 40 affiliates and four million members. PENGASSAN is a member of the second confederation, the Trade Union Congress (TUC), founded in 2005, which counts around 300,000 members. They are both relatively well funded and organised, with a strong internal democracy¹⁰ and a high technical capacity. PENGASSAN is better funded since it has more highly educated, wealthier

9. Staff estimates vary between 7,000 and 20,000. Numbers fluctuate due to casualisation, and the unions do not keep good statistics.

10. Both have regular elections, a two-term limit for the President, and are known to follow the constitutional directions.

members. The two unions work together on all levels, from policy interventions to bargaining coordination in the workplace. There is no cooperation on recruitment.

Both unions registered after the 1978 Trade Union Decree forced all unions in one industry into either a blue- or white-collar workers union. Though it was meant to make the state control of labour easier, the decree strengthened the unions through the unification of a hitherto company-based union regime (Akinlaja, 1999). Austerity, liberalisation and Structural Adjustment Programmes in 1986 followed the deep economic recession between 1981 and 1992 (Falola & Heaton, 2008). These policies led to massive job losses and initiated the casualisation processes, with a downward pressure on labour rights in both the public and private sectors. Combined with increased state repression, this radicalised and further unified the oil workers and their unions (Turner, 1986).

As NLC was weak in the early 1990s, NUPENG took a leading role in a series of political strikes against the nonrecognition of the election results of June 12, 1993 and against subsidy removals. PENGASSAN joined in. Between 1994 and 1998, both oil union leaders (Frank Kokori and Milton Dabibi) were imprisoned, and the unions were forced under sole administrators. The unions were temporarily crippled, whilst casualisation was rolled out (Okafor, 2007). The relations with the state have improved since 1999, but there are continued state hostilities, which include the use of teargas and the joint task force in labour conflicts (Solidarity Center, 2010).

Whereas the 1978 law set out to control labour by centralising unions, the freedom of association in the 2005 Trade Union Act opened them up to potential fragmentation. The law came at a moment of tense relations between the Obasanjo government and NLC, and is seen as an attempt to frustrate labour power (Okafor, 2009). Though the unions, with NLC in front, smoothed the worst attempts to legally cripple the unions, such as a suggestion to fully ban strikes (Okafor, 2009), the law does not fully follow ILO-standards. A trade union branch must have a minimum of 50 members, even though 80% of the companies have fewer employees (Okene, 2007), and the oil sector is unduly defined as “essential services”, thus restricting the right to strike (Okene, 2009), which hinders associational and structural power.

Despite relatively good labour laws, there is a lack of will and of means of enforcement. The labour inspectorate and court systems lack resources. The unions have several ongoing cases of workers being harassed, threatened or dismissed for their union activities (Adewumi & Adenugba, 2010; Solidarity

Center, 2010). Even if the unions win most cases according to the Port Harcourt chairperson of NUPENG, the court cases are resource-demanding¹¹.

NUPENG and PENGASSAN have jointly intervened on and influenced a range of policy issues such as privatisation, casualisation, expatriate quotas, and the Petroleum Industrial Bill (Pérouse de Montclos, 2014). However, there are underlying differences between the two. According to the former NUPENG general secretary, Akinlaja (1999), white-collar workers were historically considered as conservatives with social democratic leanings, whilst blue-collar workers were more radical and associated with socialism. Today, the ideological overtones are less explicit, but PENGASSAN is still more supportive of privatisation (Pérouse de Montclos, 2014) and NUPENG is more militant in form, with more frequent strikes.

NUPENG, with its more systematic and aggressive recruitment, finds itself recruiting senior staff who are later claimed by the richer PENGASSAN. PENGASSAN has hardly had active recruitment in the last decade¹². Instead, unorganised workers contact the unions to establish new branches, mostly when there is already an industrial conflict. This confirms the oil workers' knowledge of and faith in the unions (Adewumi & Adenugba, 2010). However, conflict resolution is more resource-demanding than conflict prevention through early recruitment and the establishment of formal industrial relations.

When Niger Delta insurgents started kidnapping oil workers for ransom, they initially targeted expatriate workers, but in the 2000s they started targeting Nigerian workers (Akpan, 2010; Solidarity Center, 2010). This forced the trade unions to take a more active stance on the Niger Delta crisis. The kidnappings further increased the distance between unions and host communities, due to the communities' association with the insurgency. However, the unions and the insurgents share their understanding of the conflict, seeing it as primarily based on sociopolitical injustices, and critique the state and companies' security narrative and militaristic responses (Iyayi, 2008). Though "they speak the same language", they differ in approaches: the unions are formalistic and compromise oriented, whereas the militants are "more impatient"¹³.

Labour power and the oil industry

According to Wright (2000), the unions' main forms of power are collective organisation and their position in the economy: associational and structural power. The associational power is primarily about the members. The oil industry is capital- and technology-intensive, providing relatively few jobs, so the oil

11. Interview, Godwin Eruba, Chairman, NUPENG Port Harcourt Zonal Office, March 2014.

12. Interview, Onuegbu.

13. Interview, Patterson Ogun, Office of the Special Adviser to the President on Niger Delta, March 2014.

unions will never be numerically big. The total employment in the Nigerian oil sector was estimated to 64,000 in 2003 (Fajana, 2005), which corresponds to the unions' current estimates¹⁴. Thus, roughly, half of the workers are organised: a high density and workplace-based associational power. However, numbers vary strongly between workplaces. The estimated 60-70% organisation rate¹⁵ in the Nigerian National Petroleum Corporation (NNPC) with its large share of the total workforce¹⁶ skews the overall picture. Effective collective organisation requires internal solidarity between workers, which is generally strong and is manifested in solidarity strikes, as well as leadership control to both represent and discipline workers.

Associational power can be expanded through mobilisation beyond members under a social movement union model (Silver, 2003). As will be seen below, in the conflictual Niger Delta, this option is difficult. Another strategy is cooperation with and loyalty to "capital" in a business union model. Though both unions have engaged in social movements beyond the workplace, NUPENG has been more active in a larger social movement and PENGASSAN is sometimes referred to as a business union.

Structural power is partly based on the workers' position in the labour market; it depends on skill availability, levels of unemployment, and access to non-wage incomes (Wright, 2000). There is a high competition for jobs in the Niger Delta, as unemployment is 30-40% (Essien, 2011), and a strong narrative about the lack of alternative livelihoods due to the environmental damage from oil spillages, but there is also a shortage of skilled workers (PENGASSAN, s.d.). Structural power varies between groups of workers according to skills, and PENGASSAN can be assumed to have a higher degree of structural power in relation to the labour market.

Within a company, the bargaining power further depends on the strategic location of a group of workers. Skilled workers are often closer to production control and the good conditions for PENGASSAN's core labour reflects a high bargaining power. Mitchell (2009) points out that since there are few workers in the oil industry, the cost of accommodating them is relatively low, which might move workers towards loyalty to their employers rather than to the general community or the civil society; it may also limit their will to strike. Unionists add that production stoppage is extremely technologically challenging and that it could take up to a year to restore production, which jeopardises jobs. The only account of an actual production shutdown is when PENGASSAN closed Mobil's

14. Employment statistics in Nigeria are uncertain. Companies are not transparent, and the national statistics bureau has no separate category for oil workers.

15. Interview, Dr. Louis Brown Ogbefun, Manager Employee Relations, NNPC, March 2014.

16. Numbers are uncertain. In 2003, NUPENG estimated 12,000 workers, probably junior (see p. 10, under "Core labour"). Senior workers must be added and one may estimate NNPC to cater to at least one third of the oil workforce.

production of 800,000 barrels a day in 2008. After the dispute was settled, it took eight months to recover production¹⁷.

Another form of structural power derives from the unions' position in the economic system (Wright, 2000). Striking oil workers can slow down or stop not only the flow of energy (Mitchell, 2009), but the financial flow to the state and the political elites. NUPENG's strike power, through its organising of the informal tanker drivers, most often owning their own tanker or driving for an individual tanker owner, has proven decisive in general strikes for democracy or against the removal of fuel subsidies (Akinlaja, 1999; Kokori, 2014). "If NUPENG goes on strike with all the tanker drivers, that becomes a problem for the government and for the President"¹⁸. Thus, NUPENG's structural power may be particularly strong in relation to the state. This can be useful for influencing regulations and policies, rather than for collective agreements.

Bargaining is decentralised to the company level. Most companies have at least two branches since NUPENG and PENGASSAN are organised separately. Some have branches for casual or contract workers employed by the company and for the workers of subcontracted companies. NUPENG has reported between 80 and 100 branches, whilst PENGASSAN has registered 120 branches. The branches lead bargaining, which is resource-demanding and demands high skill levels of shop stewards. It also creates a heavy work burden for the union headquarters that provide support to the branches during bargaining. This fragmentation affects organisational control. In interviews, union staff spoke of how branches had occasionally taken uncoordinated and counterproductive actions.

The unions share information and coordinate the bargaining process between branches, and also across companies. They claim that they have used this effectively to apply upward pressure on work conditions, which is confirmed by employers, especially in smaller companies¹⁹. While there is no employers' organisation for the oil and gas industry, the Oil Producers' Trade Sectors (OPTS) have a sub-forum for human relations where companies discuss labour issues²⁰. A suggestion to formalise and centralise the negotiations with the unions was rejected by the forum²¹.

17. Interview, Bayo Olowoshile, General Secretary, PENGASSAN, September 2012.

18. Interview, Adiarì.

19. Interview, Folorunso Farotimi, Consultant, A4F Consulting (former Manager Employee Services, Addax Petroleum), March 2014.

20. Interview, Farotimi.

21. Informal communication with an oil company manager.

RELOCATIONS AND REORGANISATIONS

Since the mid-1980s, the Nigerian oil industry has been through a series of reorganisations and relocations of labour and production, which has transformed labour regimes and conditions for labour power. “Relocation” refers to a company changing its geographic location by moving all or parts of its production to new sites, most often to countries with lower production costs and/or weaker labour organisation. “Reorganisation” refers to shifting the composition of workers both within a company (casualisation of the workforce) and across companies (outsourcing). State regulations such as establishing an export processing zone and the local content policies have contributed to these processes.

Outsourcing and workforce reorganisation

Casualisation further divides workers not just based on their skills (junior and senior), but according to the employment relation: between core labour and contract or casual labour.

Core labour

Core staff has permanent jobs with high job security, often with decent working conditions and industrial relations. Such jobs are mainly found in multinational companies or in the state oil company, NNPC²². Okafor (2007) uses NUPENG numbers from 2003, in which three in four NNPC (junior²³) workers out of 12,000 are permanent, but the average share of core (junior) workers in other companies is only 15%.

Though core staff includes both senior and junior workers, it is increasingly associated with PENGASSAN, as more junior positions are casualised. PENGASSAN has lost between 6,500 and 10,000 members to casualisation in the last 10 years²⁴. NUPENG has lost even more. Already in 1999, NUPENG noted that the number of core junior workers had decreased significantly over 20 years: at Chevron from 800 to 286 and at Mobil from 595 to 108 (Akinlaja, 1999). By 2014, Mobil Oil Nigeria Plc had no junior staff²⁵. Though junior positions were outsourced, individual junior workers may have stayed with the company, through promotions to senior positions. Unionists claim that management deliberately attempt to split the two unions and to avoid the more radical NUPENG through promoting core junior staff to senior positions.

22. The good conditions at NNPC starkly contrast with other public sector workers who experience the non-implementation of collective agreements such as the minimum wage, or even the non-payment of salaries.

23. Though it is not specified, the extremely high number of casual workers and the fact that the total workforce is made up of 35,000 workers indicate that these numbers refer to junior workers only.

24. Interview, Olowoshile.

25. Interview, Tunji Oyeibanji, Chairman/Managing Director at Mobil Oil Nigeria Plc, March 2014.

The unions are strong in this group, since they have secured a high union density, the right to organise and to negotiate, and good conditions of service, but casualisation also affects core labour. The unions are afraid to “push too hard” in negotiations, as they fear workers will be casualised in response²⁶.

Casual and contract labour

Casual and contract labour workers have lower salaries, lesser benefits and no job security, and their basic labour rights are challenged. Junior workers are the main, if not the only target for casualisation, and NUPENG unionists’ description of this process reveals their frustrations: casualisation “can be equated to the neo-colonialisation of the workforce in Nigeria”²⁷ and it allows companies to “circumvent unions, silence communities and avoid responsibilities”²⁸. The NUPENG Indorama branch estimated that a permanent junior worker earns a monthly average of ₦97,000 (\$490) and a contract worker between ₦28,000-45,000 (\$140-225)²⁹. The minimum wage in Nigeria is set to ₦18,000 (\$90), so even if they are “privileged” because they have a job, it hardly gives them room for excessive spending. Many contract and casual workers are on continuous short-term employment for up to 20 years, even if it is against the labour laws which state that beyond six months, a contract worker must be treated as permanent.

Workers can be contracted directly by the operating company, but they are typically hired by subcontractors or via labour agents, thus creating mediated or indirect labour regimes. The “tiers of contractors and subcontractors often make it difficult to know where to direct one’s demands, where to claim one’s rights and with whom to build solidarity” (Millstein & Jordhus-Lier, 2012).

Casual workers are harder to organise. The fragmentation of the workforce has led to a decreasing and fluctuating membership, as well as to an increase in branches, which makes control and coordination for effective workers’ actions harder. Even when contract labour is successfully organised, such as through contractor forums, the contracts are temporary, and so is the union membership.

At Chevron alone, NUPENG has three collective agreements and negotiation processes: one for core staff, one for Chevron contract workers and one for mediated contract workers from service and labour contractor companies. At one point, 3,000 casual workers were members of NUPENG, but one day they were all gone when their contract came to an end. The proliferation of subcontractors further complicates organising: at Chevron, there used to be

26. Interview, Olawale Afolabi, Senior Assistance General Secretary, NUPENG, March 2014.

27. Interview, Eruba.

28. Interview, Afolabi.

29. Interview, NUPENG branch, Indorama Eleme Petrochemical Ltd (IEPL), Port Harcourt, March 2014.

6 contractors, now there are about 16³⁰. When workers are unionised, the unions are able to improve their conditions: at Keedak, for instance, contract workers' salaries was doubled from ₦18,000 (\$90)³¹ after unionisation³².

A way for the unions to assist those in contractor companies is to work with the operating company to take “third-party responsibility”. In 2001, NUPENG and PENGASSAN entered a tripartite agreement with OPTS (Oil Producers' Trade Sectors) and the federal government, which confirmed casual workers' right to organise. This was followed by the establishment of labour contractor forums under Agip, Mobil, Chevron, and Total (not Shell). In 2011, NUPENGASSAN³³ won a new victory in tripartite relations, when the Labour Minister signed new guidelines to regulate the operations and administration of contract staff and outsourcing, which added to the thus far unclear Labour Law on casual labour.

Export processing zones

Since oil production is bound by the physical location of oil, the transnational relocation of the industry is naturally limited. However, the establishment of Nigerian Export Processing Zones (EPZ) in 1992 was a form of relocation. These zones provide specific secluded, securitised locations which are exempt from taxations and labour laws. The aim of EPZs was to retain companies and attract new ones (Aiyelabola & Yusha'u, 2011). EPZs have been termed “local enclaves in which labour has been stripped of its power” (Jonas, 1996), as they effectively hinder unions. The fenced security walls physically hinder union organisers (and communities) who want to enter, and in some zones, the police have harassed trade union organisers.

In Nigeria, out of the 11 operational zones, one is exclusively for oil: the Oil and Gas Export Free Zone, in Onne, in Rivers State. In addition, other zones include oil-related industries. Onne has 155 registered oil companies, mainly in service and transport. By isolating both a labour intensive part of the industry and transport, that holds important bargaining power through its strike efficiency, the export processing zone negatively affects both associational and structural powers. Only five companies in Onne are unionised³⁴. Accordingly, when NUPENG and PENGASSAN threatened to shut down Onne in 2013 due to what they called companies engaging “in enslavement, victimisation and other anti-workers activities”, the threat was easily dismissed: a zonal representative simply commented; “The unions can picket some companies

30. Interview, Afolabi.

31. X E Currency Converter, March 2015.

32. Interview, PENGASSAN and NUPENG shop stewards, Keedak Nigeria LTD, Onne, March 2014.

33. NUPENG and PENGASSAN have a formal cooperation agreement – the NUPENGASSAN agreement. When they act jointly, they operate under this name.

34. Interview, Olowoshile.

involved in unwholesome labour practices but they cannot shut down the entire zone.” (Chinwo, 2013).

The zonal law provides a ten-year moratorium on strikes and lockouts, which according to Aiyelabola & Yusha’u (2011) the zonal authorities tend to present as a “carte blanche” for companies to avoid unions. Though pressure from the unions led the Labour Minister to confirm that the moratorium was to last ten years from 1992 when it was established, according to PENGASSAN’s General Secretary, companies continue to claim the “freedom to exploit workers”³⁵ from the time of their establishment and many “re-establish” themselves with new names³⁶. In a joint communique from both oil unions, they stated: “In trying to organise members in the Onne [EPZ], we have lost members to sacking, victimisation and humiliation, contrary to labour best practices and as guaranteed by [Nigerian law].” (NUPENGASSAN cited in Eroke, 2013).

Local content

Nationalisation policies in the 1970s secured direct state ownership in the oil industry, and later the local content policies encouraged the increase of Nigerian private ownership and employment through industrial diversification in both the upstream and downstream sectors (Ovadia, 2013; Omeje, 2005). Oil unions have agitated for the local content policies and have supported them, but they lament the fact that Nigerian employers have worsened industrial relations and that expatriate quotas are systematically violated.

Expatriate workers

A large section of oil workers is not organised in Nigeria: these are the expatriates. They may be organised in their country of origin, where their conditions of service are set. The local content laws privilege Nigerian workers through the expatriate quota. The latest local content policy, the Nigerian Content Act (NCA, 2010), sets a legal limit of at most 5% of non-Nigerians in management positions, and forbids expatriates in lower positions. Estimates of expatriates vary from 20% (Fajana, 2005) to a third of workers; they also make up a growing share of the workforce (Emelike *et al.*, 2015; Solidarity Center, 2010). Government agencies not only fail to enforce the laws, but they also allow these laws to be violated through corruption (Izeze, 2013). NUPENG and PENGASSAN have worked steadily against the systematic quota abuse for years, both through lobbying the state and warning strikes against companies.

35. Interview, Olowoshile.

36. Interview, Keedak unionists.

In 2009, PENGASSAN exposed “serious expatriate abuses” at Chevron, where over 900 expats had positions which “were considered nationalised”³⁷. Unionists hold that expatriates can earn up to ten times what Nigerians earn for the same job. They dispute companies’ argument that it is hard to find qualified Nigerian workers. When asked about the rationale for companies abusing the quota if Nigerian workers are cheaper and qualified, unionists simply refer to this situation as “Western patronage”.

Nigerian ownership and management

Estimates indicate that Nigerian capture has gone from five to 40% in the last decade (Ovadia, 2013b). There are nascent Nigerian exploration and production companies, but the local content policies have particularly contributed to an increase in supply and service companies. This proliferation of labour and service contractors has deepened the process of outsourcing and fragmentation of employers.

The increase in Nigerian-owned companies and Nigerians in management has had a downside on industrial relations, according to unionists. Whereas multinational companies mainly have formal recruitment and labour relations, Nigerian employers often practice informal and clientelist labour regimes. In one case, PENGASSAN tried to organise a company where several workers were relatives of the manager. The manager tried to persuade the workers not to organise. When that failed, he offered to pay PENGASSAN membership dues, without accepting unionisation³⁸. Nigerian owners and managers are more prone to using casual labour and they also resist the right to organise through denying trade union recognition (Okafor, 2007). According to the NUPENG chairperson in Port Harcourt³⁹, 90% of their ongoing court cases are about the right to organise for contract and casual labour in Nigerian-owned companies.

Ethnic divides

When asked about their relationship to local communities, the branch leaders of NUPENG at Indorama Eleme Petrochemical Ltd (IEPL) answered: “We *are* the community. We have 4-5 community members here. The issues of the community are with us”. However, further into our discussion, a more fragmented narrative emerged: “We have worker-friendly and not worker-friendly communities”, one said, explaining that community leaders were the gatekeepers to community relations⁴⁰.

37. Interview, Olowoshile.

38. Interview, Oshiokepkhai.

39. Interview, Eruba.

40. Interview, NUPENG branch, IEPL, March 2014.

Communities are often involved in workers' actions, either disrupting or supporting union actions. Community support is easier with, if not only depending on, a shared belonging: a PENGASSAN unionist, Chika Onuegbu⁴¹, explained that referring to sameness and a shared language was crucial when reaching out to nearby communities to support a strike, in Onne. By contrast, when PENGASSAN picketed against Mobil, in Eket, community members attacked the unionists: they saw the unionists as sabotaging the community agreement with the company⁴². In some community agreements, companies pay young people as a so-called "stand-by workforce" who will "support companies when needed" (Solidarity Center, 2010). Communities may support workers or companies in a labour conflict, depending on "who has the upper hand" with the community concerned⁴³.

Since the majority of oil workers are not originally from the Niger Delta, there are limited opportunities to collaborate with the communities. Oil workers are often seen as privileged and rather as part of the companies than as potential allies for the communities. Senior workers in particular are from other parts of the country. Most community workers are junior. Thus, skills and status divisions between workers are deepened along ethnic lines. When community members get oil jobs, they often move out because they can afford to, but also to escape kinship obligations, reinforcing the community-worker divide, if crosscutting ethnic divisions. A member of the PENGASSAN staff talked about their community relations as a form of "social responsibility", implying paternalism rather than solidarity. In relation to an internal union conflict over branch leadership positions, a local chief in Eleme complained that the communities "are continually [...] ridiculed by our fellow Nigerian workers" (Alike, 2014).

Community contractors

Local content also aims at increasing community participation in the oil industry (Ovadia, 2013b; Ovadia, 2013). The local content policies target increased community participation, as a response to the Niger Delta conflicts and the communities' demands for a higher share of the oil (Zalik, 2006; Ikelegbe, 2005; Ovadia, 2013). Though communities complain that "positions for junior staff that should have been reserved for 'indigenes' [are] allocated to 'non-indigenes'" (Ukiwo, 2011), a growing number of community workers are contracted via community leaders or "big men" who are labour or service contractors through company agreements. Thus, there is a process through which "territorialised

41. Interview, Hyginus Chika Onuegbu, Chairman TUC Rivers Council, former Industrial Relations Officer, PENGASSAN, March 2014.

42. Interview, Olowoshile.

43. Interview, Victor Akpanipa, former Shell Community Relation Officer, March 2014.

notions of entitlements and rights” lead to a “simultaneous shift towards fragmentation and the territorialisation of interests”, facilitating “casualisation from below” (Millstein & Jordhus-Lier, 2012).

In companies, community relations are organised separately from industrial relations. Companies and community leaders/labour contractors decide on workers’ conditions, with no room for the latter’s involvement. The hiring process is highly clientelistic and based on mutual loyalty systems rather than on duties and rights, as should be the case between employers-employees.

This form of casualisation in particular has become a hindrance for union-community relations (Solidarity Center, 2010), and community leaders are effective “gatekeepers”⁴⁴. Agreements between companies and communities have contributed to increased community tensions and to sometimes open violent conflicts. Community contractors get access to status and resources (Akpan, 2008). Watts *et al.* (2004) describe contractors in Eleme as “youth groups⁴⁵ and mafia-like ‘employment and contract’ syndicates”, who base their membership on the unemployed and openly challenge traditional authority.

Though community contractors are responsible for hiring workers, who seem to understand the back company⁴⁶ as the responsible employer (Solidarity Center, 2010). Community contracted workers often take up their grievances with the multinational companies on issues such as the lack of payment⁴⁷. When talking to non-organised, casual community workers, who had recently picketed Shell to demand the payment of six months of backlog salary arrears, they explained that the community leaders/contractors claimed Shell had not paid. The tense atmosphere when one of the community leaders/contractors lurked around during our meeting suggested that targeting Shell could also have come from the fear of acting against the community leadership. These workers knew their human and environmental rights well, as they had worked closely with the NGO Environmental Rights Action (ERA). However, they did not know about workers’ rights or unions.

According to Adunbi (2011), through company contracts, the communities “become complicit in their own exploitation”, in a system that resonates with colonial governance and its indirect rule. Unionists and activists use similar language, also claiming that companies “settle” (i.e. “buy off”) community leaders through labour contracts (and community agreements) for loyalty. Unions argue for “due recruitment”, in addition to the rights to organise and

44. Interview, Ralph Gobin, Solidarity Centre, 2014.

45. In several communities, intra-community conflicts have been between youth groups and elders, challenging each other as community leaders, partly to get access to company contracts.

46. The operating company, i.e. the main contractor.

47. Interview, Akpanipa.

negotiate, claiming that violent interactions between community workers and management would be avoided with unionisation⁴⁸. “When there are no unions – everybody does what he or she wants⁴⁹”, both implying the formalising role of unions, and contrasting organised workers with militant and “unpredictable” (community) workers.

Though most of the literature emphasises the decrease of labour power as a consequence of industrial and policy shifts, Silver (2003) suggests that labour power may also be relocated: labour unrests tend to move to the new production sites. Even though they were not unionised, the casual workers who picketed Shell used a typical trade union type of action. Although there is little unionisation of labour contracted community workers, there are reports of community groups and youths calling themselves “unions” when approaching companies⁵⁰. Such groups are however informal and not recognised by the law.

CONCLUDING REMARKS

This article has explored the opportunities and constraints for the structural and associational power of Nigerian oil unions, based on the local labour regime in the Niger Delta oil industry. It shows that processes of casualisation, through the reorganisation and relocation of the oil industry, have deepened worker fragmentation based on working conditions (core and contract/casual), in addition to the divisions between junior and senior workers. Secondly, the ethnic divisions and the conflictual social relations of the Niger Delta have exacerbated this fragmentation as the casualisation process has unfolded. Even if both junior and senior workers have been affected and division lines tend sometimes to overlap. Skilled workers are more likely to have permanent jobs and junior workers are more often casualised. Most oil workers are not from the Niger Delta, especially those who are skilled, and most community members are junior workers. Thus, this fragmentation has tended to reinforce the organisational division between NUPENG and PENGASSAN.

Although the two oil unions continue to have strong structural and associational power, in their position in the strategic oil industry and in high overall union density, the multiple processes of worker fragmentation have challenged both types of power. The spatial seclusion of labour (in EPZs or volatile communities) adds to the challenge of keeping or expanding associational power in a fragmented workforce. With the threat of being casualised, the core workers’ bargaining (structural) power has been challenged.

48. Interview, Afolabi.

49. Interview, Keedak unionists and interview, Onuegbu.

50. Interview, Afolabi. Informal communication with Former Shipping Manager.

NUPENG and PENGASSAN carry different types of structural power. PENGASSAN workers have a high workplace bargaining power, as a production stoppage is extremely costly. NUPENG has a high degree of structural power in relation to the state, through the control of fuel transport. A work stoppage ultimately affects everyone in Nigeria. The informal tanker drivers, with no clear or extremely fragmented employers, thus seem to have a particular structural power in relation to the state which can be used for national policies, such as the fuel subsidies.

Within the local labour regime, there is a complex set of industrial relations, types of employment and forms of recruitment, fragmenting workers along skills and types of employment. These types of relations are sometimes crosscut, but more often overlapping with labour fragmentation along transnational and ethnic identities. There is a continuum between the extremes of formally recruited, core jobs with relatively good industrial relations and worker conditions, which are mainly found in bigger oil companies and organised by PENGASSAN, and a non-organised, patronage-based job system of casual labour with poor working conditions, with indirect industrial relations under labour contractors in the oil communities. The industrial relations and labour conditions within the core have improved over time, whilst the precarious work in the contract industries and in the local communities have been worsening and becoming conflictual under indirect labour regimes. Though local content has created industrial optimism, hope for new jobs, and potential for greater associational power through new members, it has also led to an increasingly patronage-based recruitment system and to resistance to unionisation through the increase of Nigerian employers.

Even if unions make a real difference for their members in job security and wage settlement, they are fighting an uphill battle for recruitment and members' working conditions due to casualisation. The opportunity for NUPENG, in particular to keep a stable, continuous membership for strong associational power, has decreased dramatically. The violent and conflictual nature of the social spaces has challenged the unions' ability to expand their power through recruitment in and cooperation with communities, which mostly are under the purview of NUPENG.

Although Nigerian oil unions are relatively disempowered, they still have potential and opportunities. Labour's agency is also about the will to use these latter. There is a further need to analyse the strategic and ideological priorities of the unions' social and political engagement beyond the workplace and its outcomes.

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Paper 3

Popular protest against fuel subsidy removal: Nigerian trade unions as mediators of a social contract

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The January 2012 protests were among the largest popular mobilisations in Nigerian history. The protests followed a decades' long series of successful trade union-led protests against governments' attempts to remove the fuel subsidy. This article explores the popular idea that cheap fuel is an economic right for Nigerian citizens, and part of a social contract. In contrast to perspectives that underscore the lack civic opportunities in the relation between the state and its citizens in Nigeria, this article proposes that the protesters asserted and claimed deeper citizenship. They did so by rallying behind the fuel subsidy as a social right, and by utilising civil rights to bargain and political rights to participate. Here, the trade unions play a critical and mediating role, based in their specific industrial citizenship, with collective forms of representation, organising and bargaining. The unions' roles as mediators of this social contract are both critical and contested.

INTRODUCTION

The January 2012 protests against the fuel subsidy removal by President Goodluck Jonathan's government was one of the biggest mass mobilisations in Nigerian history. Since the mid-1980s, the trade unions have successfully led a series of protests against attempts by the Nigerian governments to remove the subsidy. This article uses Marshall's (1992 [1950]) classic work on citizenship and social class to explore the popular idea that cheap fuel is an economic right for Nigerian citizens (Guyer & Denzer 2013) and part of a social contract. This article argues that the subsidy protests are sites for asserting, contesting and reshaping citizenship, and that through the specific form of industrial citizenship the trade unions hold a critical and mediating role in this. Rallying behind the cheap fuel as a social right, protesters also assert and claim deeper citizenship through civil and political rights. The 2012 protests built on and deepened civic and democratic spaces.

These arguments contrasts to theories that underscore the limited space for civic agency and a social contract in neopatrimonial, African states (Chabal & Daloz 1999) or in petro-states (Karl 1997). These theories respectively emphasise patronage relations to dominate over civic relations, or state-bearing elites as detached from citizens. While critical to the empirical bias on traditional relations, Branch and Mampilly (2015: 207) maintain that the African protest wave¹ — of which the Nigerian 2012 fuel protests were part — was not about seeking state reform (which was considered futile), creating or expanding civil society against the state, or even about rights: They were 'largely about thinking and acting outside the state-civil society dichotomy entirely'. From the perspective of the 'underclass' seen as without mediated relations to the state, they argue that the unions captured the protests (Branch & Mampilly 2015), thus underscoring a detachment between the state-related elites and the popular masses.

Many Nigerians saw the fuel subsidy removal on January 1st 2012 as “a betrayal of trust and a breach of the social contract between the government and the Nigeria people” (Habba 2012). In political philosophy the social contract refers to an implicit or explicit agreement between citizen and the state regarding mutual rights and obligations, which define the moral and political foundations and boundaries of state authority (Boucher & Kelly 1994; Hickey 2011)². Recognising that the concept was developed in relation to Western, liberal states, and the need to understand the particular, political and economic realities in Nigeria, this article follows Nugent (2010) who maintain that Western concepts, including the social contract, can be usefully explored in African contexts if applied with caution and empirical sensitivity.

To link the abstract ideas of social contract to concrete rights, political processes and to trade unions’ roles in this, I use Marshall’s (1992) work on citizenship and social class. Marshall (1992: 20, 21) describes the development of citizenship similar to the idea of a social contract formation, starting at ‘the point where all men were free’ to a ‘modern contract [that] is essentially an agreement between men who are free and equal in status, though not necessarily in power’. There are three core forms of citizenship and related rights, namely civil, political and social³. Building on these, trade union have created a parallel and supplementary kind of industrial citizenship, with collective rights to represent, negotiate and participate. Citizenship is considered both a status and an active process between state, social classes and their organisations, and trade unions can use their industrial citizenship to expand other forms of citizenship (Marshall 1992; Zhang & Lillie 2015).

There is an extensive literature holding that the ‘price at the pump’ is ‘an excellent barometer of the ebbs and flows of Nigerian politics’ (Obadare & Adebaniwi 2013: 2). Even if the 2012 protests ended up following ‘a familiar script’ of fragile and temporary unity of mass mobilisation

eventually disintegrated into fractious politics (Obadare & Adebaniwi 2013: 2), the protests dynamics indicated shifting composition and relations between and within political and civil society actors. The unions upheld its critical role, but new actors that played key roles in the protests also challenged the historical, representative and mediating roles of the trade unions. Whereas the unions were accused of being bribed (Kew & Oshikoya 2014) or capturing the protests and being co-opted by the state (Branch & Mampilly 2015), this article emphasises their relative weakness at the bargaining table. The weakness stems both from the downward-spiralling working conditions, internal controversies and external challenges to their roles in the protests.

This article is divided into two sections. The first explores the concepts and practices of a social contract, citizenship and rights, including industrial citizenship in the particular Nigerian political economy: An oil-fuelled prebendalism, where individuals typically take public positions to access resources for personal and network gains, that is also the foundation for deep inequalities and limited – but not absent – civic state-citizen relations. The second section analyses the fuel subsidy and protests as a social contract, with an emphasis on the articulated agendas of actors in the protests. The section starts with a brief history of the fuel subsidy, removal attempts and trade union-led protests, before exploring how cheap fuel and the protests link to citizenship and rights. The last parts explore critiques of the trade unions during the 2012 fuel subsidy protests, regarding representation and negotiations.

A SOCIAL CONTRACT IN A PREBENDAL PETRO-STATE?

Understood as popularly based justification of rulers, social contracts are not necessarily nor empirically linked to Western, liberal democracies, but is found across pre-colonial societies, under colonial rule and in non-democratic regimes (Bewaji 2016; Boucher & Kelly 1994; Hickey

2011; Nugent 2010). Although acknowledging this multiplicity of social contract relations, it is common and analytically useful to distinguish between patronage- or kinship-based contract systems of rule and rights, from civic forms of social contract, social justice and rights (Hickey 2011).

A civic form of social contract has been claimed to have little room in the neopatrimonial African state (Chabal & Daloz 1999) nor in petro-states (Karl 1997). The Nigerian state is both considered prototypical neopatrimonial, with a 'non-existing public arena' (Bach 2012), and at 'the worst end of the continuum' among resource-cursed petro-states (Karl 1997). From a political economy perspective, resource curse theories are criticised for failing to consider the power relations and actual agency of actors (Obi 2010a; Watts 2004), and suggest there is indeed room for a social contract (Obi 2010b).

Rather than no public arena, Ekeh's (1975) suggests there are two: A civic public, linked to a colonially imposed state and related citizenship, and a traditionally rooted primordial public, associated with kinship and ethnic based relations. Much of the African state literature, including that of neopatrimonialism, is inspired by Ekeh's work on the two publics (Osaghae 2006). However, sceptical of using Western concepts, there is a tendency to empirical biases that overemphasise and exotify the traditional and clientilistic at the expense of the modern and civic; the rural over the urban; and the informal over the formal (Branch & Mampilly 2015; Mamdani 1996). Consequently, the role of the state 'in mediating the production and reproduction of social inequalities has become lost in a rather mushy literature about neo-patrimonialism' (Nugent 2010:37).

Bargaining over and content of a social contract

As philosophy and abstract ideas, the social contract concerns state legitimacy and popular sovereignty, while in political practice and popular understanding it evolves around concrete forms of relations between state and citizens and rights, even if not articulated as such. A social contract can in practice be loosely unpacked into the reasoning behind and content of the contract; and the parties to and bargaining over the contract (d'Agostino *et al.* 2011).

Citizen rights are concrete contents of a social contract. There are three core types of citizenships, namely civil, political and social, have corresponding rights and state institutions. Civil citizenship implies the rights to justice and individual freedoms, such as freedom of speech and property rights, including the right to participate in a free market where a person may offer one's property or labour and bargain over its value. The court system is the protector of civil rights. Political citizenship provides the rights to participate, to organise and to represent or be represented, and operates through institutions like legislatures and government. Social citizenship gives socio-economic rights such as social welfare and education (Marshall 1992).

Whereas Rawls (1985) assumes political rights and bargaining of a contract through a liberal democracy for a social contract, Hickey (2011: 435), suggest the possibility of bargaining outside the electoral system where social contracts are 'determined by bargaining processes between governments, social groups and citizens'. Trade unions are particularly well positioned to negotiate citizen rights as part of a social contract. Trade unions have created 'a secondary system of industrial citizenship parallel with and supplementary to the system of political citizenship' (Marshall 1992: 26). The expansion of political rights allowed for trade unions as collective organisations to expand the civil right from individual to collective bargaining. This 'was not

simply a natural extension of civil rights; it represented the transfer of an important process from the political to the civil sphere of citizenship' (Marshall 1992: 26). Through collective action and bargaining, trade unions have been central vehicles for expanding citizen rights and promoting social equality by promoting social rights (Marshall 1992). Industrial citizenship can form the basis of 'social solidarity upon which other types of citizenship are based' (Zhang & Lillie 2015),

State – citizen relations in the Nigerian prebendal state

The dominant narratives of broken state-citizen relations in Nigeria centre on neglect, oppression, abjection and violence (Obadare & Adebaniwi 2010). Adebaniwi (2009) describes a 'citizen-deficit' or citizen-crisis, with a lack of a common Nigerian identity and of the realisation of basic citizen rights. This link to the colonial state formation, which allowed for a particular form for prebendalist political economy (Joseph 1987). Prebendalism 'refers to patterns of political behaviours which reflect as their justifying principle that the offices of the existing state may be competed for and then utilised for the personal benefit of office-holders as well as that of their reference support group' (Joseph 1983: 30)

Prebendalism is rooted in the mentioned dual public. Kew (2010) proposes that in Nigeria, there was at the point of independence in 1960 two contracts: A limited social contract based in the civic public, and a dominant ethnic contract, based in the primordial public. The nature of the two publics and related contracts have developed and shifted over time (Kew 2010). Since initially kinship-based relations were seen as moral and legitimate in contrast to the civic state system, it allowed for ethnic actors to take state position for kinship distribution (Ekeh 1975; Kew 2010). However, prebendalism is considered a perverted form, where elites in the state, use their resource accesses not only to their reference support group, but also for personal benefit, implicitly breaking

ethnic contracts. Although building on patronage, which can perfectly legal, prebendalism invariably circumvent the law, and lacks popular legitimacy (Joseph 2013; Joseph 1987). Thus, prebendalism undermined both the ethnic and social contracts (Kew 2010).

Prebendalism deepened during the 1970s oil boom (Joseph 1987). In the name of nation-building and fuelled by oil income, the state expanded its economic engagements in industrialisation, agriculture and in welfare. Education and health became virtually free. Nigeria was relatively stable and ethnic tensions eased as policies encouraged cross-ethnic relations in urban areas. (Osaghae 1995). Under military regimes, the fast increasing oil income accentuated the elite control of the state and the oil resources extremely unevenly distributed (Joseph 1987).

The personalised politics of prebendalism further deepened under the unprecedented repression and corruption during the 1980s, and particularly under Babangida and Abacha in the 1990s (Joseph 2013; Kew 2010). Despite the electoral democracy since 1999, 'prebendalism persists with a vengeance' (Diamond 2013: x). Oil revenues continues to be the main source of income for state and elites. In 2011, 80% of the state revenues came from the oil industry. 85% of the oil income accrue to 1% of the population and the 'unimaginably poor' live in the midst of the elites' conspicuous consumption (Watts 2011: 63). The oil industry creates few jobs and is riddled with labour rights abuses (Houeland 2015).

The 'national question' of building a common Nigerian citizen identity and horizontal solidarity remains unresolved. The Nigerian federal governance system encourages ethnic and patronage relations to take primacy to civic social relations and citizen mobilisation. At state level, certain citizen entitlements are linked to ethnicity in that certificates of 'indigene' (i.e. place-based belonging) entitles special rights such as scholarships and employment (Alubo 2004) and land (Adebanwi 2009). Ethnicity underlie conflicts over land rights in northern Nigeria (Adebanwi

2009) and the Middle Belt (International Crisis Group 2012) and over oil resources in the Niger Delta (Eberlein 2006).

State militarisation, violence and human rights abuses challenge civil and political rights. At the time of the 2012 protests, the Niger Delta and the Middle Belt were in a fragile state of relative peace, while the Boko Haram terror had led to state of emergency in north-eastern Nigeria and the spread of insecurity to other areas. The lack of universal social rights has stressed the practical relevance of ethnic identities, and continues to hinder the development of a shared national identity and citizenship (Alubo 2004). The social rights that do exist are not able to counter the growing poverty and inequality, and the once-renowned public educational and health systems have been riddled by neglect.

Even if the Nigerian state is said to operate ‘in spite of its own citizens’ (Aiyede 2010: 178), and the Nigerian political economy is deeply elite-driven, Amuwo (2013: 122) suggests that elite politics in Nigeria is overanalysed and overstated, resulting in a ‘lopsided, if fashionable, reading of Nigeria’s political economy’.

Expressions of a popular will

Elections only partially mediate the ‘general will’ of Nigerians. Since independence, Nigerian political and civil citizenship has been undermined during almost three decades of military regimes, but also under ostensibly democratic regimes. However, the current fourth republic since 1999 constitute the longest period of electoral democracy in Nigerian history and it has opened democratic spaces.

Political parties are mostly based on ‘tribalism and sectarianism’ (Nwoko 2009: 143), and are considered prebendal instruments for the elites to gain access to state resources. All elections up

to the 2012 protests were tainted by low voter turnout, violence and fraud, consequently limiting the governments' popular legitimacy (Kew 2010). '[Yet], there is sufficient competition for power, alternation of personalities if not parties, and freedom and pluralism in civil society to allow for some degree of representativeness, and at least some possibilities for reform' (Diamond 2013: x). The vibrant civil society remains the main challenger to prebendalism through struggles for substantive democracy and transparency (Diamond 2013).

Ekeh (1992) distinguish between primordially based associations, and civil society in the civic public, and suggest that citizen and civil society continues to contest the state. Even if in practice Nigerian civil society is 'shot through with cultural identities and political loyalties [it] does not necessarily keep them from playing the balancing, mediating, or even transformative roles toward the state' (Kew & Oshikoya 2014: 9).

The Nigerian civil society is dominated by the trade unions. The once important student movement (Ekeh 1992) has partly disintegrated into sectarianism and cultism (Bøås 2011). Although the churches are part of civil society (Ekeh 1992), they appear more a parallel structure than mediator to the state (Lende 2015). Beckman and Lukman (2010: 59) suggest that the Nigerian unions 'rightly, see themselves as more credible representatives of popular democratic interests and they aspire to translate this into real influence on the political process'.

The Nigerian industrial citizenship

The Nigerian trade unions have both incentives and tools in industrial citizenship to taking a critical and mediating role in the subsidy protests and a social contract. Unions have oftentimes been dismissed as irrelevant as other identities are more important than class (Chabal 2009). Indeed, Nigerian labour was developed as an explicit part of the initially imposed, alien state-

building and the capitalist economy. However, trade unions adopted, adapted and reshaped the system to local realities and interests, and labour rights were soon expanded to citizenship, rights, resistance and independence (Cooper 1996).

Andrae and Beckman (1998) show how the Nigerian textile unions both efficiently cushioned the effects of liberalisation of the 1980s and 1990, and formalised and legalised labour regimes at the expense of patronage-based labour systems through insisting on formal and legal procedures, mobilising and bargaining. The authors suggest that by upscaling from the workplace, the unions can contribute to strengthen and formalise both state and capital, especially when they are weak. The NLC's ambitions in that direction is reflected in their mission to 'promote and defend trade union and human rights, the rule of law and democratic governance' (NLC 2007).

State repression is particularly pronounced in relation to labour (Aiyede 2010). The challenges to industrial citizenship escalated with the Structural Adjustment Programs (SAP) from 1986 that was followed by deindustrialisation, increased unemployment and erosion of labour rights. In 2015, Nigeria was categorised under countries with 'no guarantee of labour rights', and among 'the worst countries in the world to work in' (ITUC 2015). In the public sector, it is common that collective agreements are ignored, minimum wage not honoured and workers not paid (Edu 2013). In the private sector, there is widespread job insecurity, and the right to organise bargain are commonly broken (Adewumi & Adenugba 2010). Nonetheless, the unions' have been able to constrain state regulations and intensified exploitive conditions, and to increase job security and improve working conditions for their members (Aiyede 2010). Even without legal backing, the unions exercise labour rights in practice, most notably though the general strikes against subsidy removals that are in fact illegal (Okene 2009).

Industrial citizenship carry both incentives and opportunities for unions to engage with civil society and seek alternative pathways to ensure benefits and social rights to members outside the strict industrial sphere. The challenges to industrial citizenship and repression of Nigerian labour, is due to the unions' power in terms of popular base both in size and national coverage, and to their control of production and distribution of the vital oil industry (Viinikka 2009). Through strike, oil workers can threaten the capital flows to and functioning of both state and capital, (Houeland 2015). The unions have translated this power into political representation (Beckman 2009). When unions lose members, they can expand their mobilising capacities through active cooperation with other elements of civil society (Silver 2003). Especially after the SAP, the Nigerian unions radicalised, and expanded their political engagement and social alliances, which was manifest especially through fuel subsidy protests and in confrontation with the state (Aiyede 2004; Nwoko 2009; Okafor 2009b).

THE SOCIAL CONTRACT OF THE FUEL SUBSIDY

A decade after oil was discovered in 1956, the recently independent Nigerian state introduced fuel subsidies to ensure fixed and affordable fuel products to its citizens in a context of deep legitimacy deficiency, manifested in ethnic unrest and a series of coups. Almost all Nigerian governments since 1978 have tried to reduce or remove the subsidy, but these efforts have been successfully resisted, most often by labour-led protests (Akanle *et al.* 2014; Guyer & Denzer 2013). At a straightforward level, the subsidy protests are about protecting the low fuel price as a social right, but the protests also concern the political and civil rights to participate and negotiate, and questions of government legitimacy.

Fuel subsidy removals, resistance and trade unions

Without state defined price-adjusting mechanisms for fuel prices, the fixed price system is extremely vulnerable to international price fluctuations. By the late 1970s, the emerging international oil crisis led the Nigerian economy into crisis, inflating debts and inflation. The first subsidy removal attempt came in 1978 under President Olusegun Obasanjo. Meanwhile, in the context of prebendal politics and lack of redistribution, ‘the Nigerian people and certain of their organizations, such as the Nigerian Labour Congress (NLC), have expected and demanded that one part of their share in the “national cake” should be an affordable price of petrol and kerosene at the pump’ (Guyer & Denzer 2013: 54). In practice, protests have a regulatory functions as each removal effort has led to an upward price adjustment.

Also in 1978, President Obasanjo passed a labour law that limited the right to freedom of association: It allowed only one national centre, namely the Nigerian Labour Congress (NLC), and one union per industry, and senior workers were restricted from organising and acting as trade

unions. Although a clear attempt to control the unions, the law also became a source of union unity and power because it was combined with ‘an equally powerful source from below, namely the militant self-organisation of the workers at the work-place level’ (Andrae & Beckman 1998: 275). Already at the 1978 NLC inauguration congress, the governments preferred candidate lost to the Marxist Hassan Sunmonu. Sunmonu led the third Nigerian general strike in 1981, which mobilised 700,000 of the 1 million NLC-members and successfully increased the national minimum salary by 25% (Otobo 1981).

The international oil crisis hit Nigeria with particular force, and the economic crisis deepened through austerity measures and liberalisation, most consistently with the Structural Adjustment Programs (SAP) from 1986. Although traditional civil society and trade unions’ membership declined, democracy activism increased, and civil society radicalised and expanded its scope (Kew 2016). The unions, and in particular the NLC, formed the nodal point for both anti-SAP and pro-democracy movement (Kew 2016; Viinikka 2009). The revitalised resistance focused on education and health policies and wage issues, but most forcefully and consistently on the many attempts to remove the fuel subsidy (Adesina 2000; Kew 2016; Olukoshi & Aremu 1988; Osaghae 1995; Viinikka 2009). For workers, safeguarding the subsidy is a way to ensure a certain real wage value since fuel price increases have an immediate effect on inflation. For trade unions, the popular protests provided an opportunity to expand their mobilising power.

Protesters have linked cheap fuel to questions of democracy and economic justice (Guyer & Denzer 2013). Even the momentous pro-democracy strikes against President Babangida’s annulment of the 12 June 1993 election were paralleled with resistance to a subsidy removal (Akinlaja 1999; Viinikka 2009)⁴. However, with the 1978-law in hand, the state had at this point been able to pacify the NLC leadership (Adesina 2000; Beckman & Lukman 2010; Olukoshi &

Aremu 1988): In 1988, Babangida had dissolved the NLC, and was subsequently able to control the congress and ensure the election of a state-friendly NLC-president. This was understood as Babangida's attempt to 'pave the way for the "smooth" removal of the oil "subsidy" and the unchallenged implementation of other elements of SAP [while he clearly did not understand] the full extent of the determination of Nigerians to resist' (Olukoshi & Aremu 1988: 110).

While NLC remained passive about the June 12 elections annulment, with broad support and pressure from union members, the oil worker unions took a lead in the democracy struggle and the struggle to safeguard the fuel subsidy (Adesina 2000; Akinlaja 1999; Kew 2016; Viinikka 2009). The widespread protests forced Babangida to step down. However, instead of leaving power to the President-elect, Moshood Abiola, Babangida installed an interim government under President Shonekan. Before long, Shonekan attempted to remove the fuel subsidy, but the resistance forced also him to his knees. This paved the way for the military coup by General Sani Abacha in late 1993. Initially popular and endorsed by some democracy activists (Viinikka 2009), Abacha reduced the fuel price and reintroduced the subsidy. That Abacha reintroduced the subsidy is best 'explained as a move to confer a degree of legitimacy upon his illegitimate rule' (Akanle *et al.* 2014: 92). Popular support for Abacha soon evaporated as he turned out as the most brutal and corrupt leader in Nigerian history. He crippled the union movement when he banned NLC and the two oil unions, and imprisoned the oil unions' leaders in 1994.

Since Abacha's death and the unbanning of the unions in 1998, and electoral democracy from 1999, the intensity of labour-led resistance against fuel subsidy removal has been 'unprecedented' (Nwoko 2009). Whereas the 1980s radicalisation stemmed from economic and political crises, the decade leading up to 2012 was preceded by democratic openings and strong economic growth, but

with rising poverty. In 2004, 54% of Nigerians lived on less than a dollar a day, and in 2010 it was 69% (National Statistics Bureau 2010).

President Obasanjo (1999-2007) tried six times to remove the subsidies, each time successfully resisted through general strikes, popular mobilisation and political negotiations by a labour-led civil society coalition. The revised labour law that Obasanjo presented in 2005 was seen as another clear attempt to curtail NLC's power after the successful fuel subsidy strikes (Okafor 2009a; Okafor 2009b). The unions' cooperating partners from the fuel subsidy protests in civil society and parliament, supported the NLC in resisting the most regressive elements in the proposed labour law (Okafor 2009b). The final law revoked NLC's monopoly, but gave the senior workers' the full trade unions rights. Unable to control the unions through the centralisations and monopoly of the 1978 law, Obasanjo now attempted to fragment labour through liberalisation.

A period of 'subsidy peace' followed President Umaru Yar'Adua from 2007. It is noteworthy that Yar'Adua had particularly low popular legitimacy, as he came to power through the 2007 elections that are considered the most compromised elections since 1999, with broad-based violence and fraud. Hence, the subsidy expenditure costs had accumulated for almost five years in parallel to record high international oil prices, when the Minister of Finance in October 2011 announced that the subsidy would be removed in April 2012.

The trade unions and other civil society, including the newly formed Occupy Nigeria and Save Nigeria Group (SNG), expectedly reacted with outrage and threats of resistance and general strikes. This pressed the government to initiate bilateral dialogues that had not been concluded when President Goodluck Jonathan announced the subsidy removal on 1 January 2012. Overnight the fuel price increased from the 65 NGN (US\$0.40) to 141 NGN (US\$0.86). Protesters entered

the streets the following day. NLC immediately called for a National Executive Councils, and on 4 January they decided to call for a general strike from 9 January.

The 2012 protest mobilised broader than the immediately previous strikes. Nevertheless, it was only when the Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) threatened to shut down production on 12 January that President Jonathan invited the unions to negotiate. The talks that started 14 January, and lasted two days before the President reinstated the subsidy and announced a new fuel price of 97 NGN (US\$0.60), and the unions suspended the strike. President Jonathan additionally announced that the House of Representatives had established the ad hoc Committee on Monitoring of the Petroleum Subsidy Regime to investigate corrupt practices in the subsidy regime, and that he had pled with the National Assembly to pass the long-awaited Petroleum Industry Bill.

Subsidy as a social right

At the onset about a popular share of the national cake, the fuel subsidy as a social right appears conditioned on the lack of other rights and a distrust in the government. This is underscored by that fact that seeing the subsidy as a social right became especially popular after ‘predatory rule began in full scale through “roll back the state” principle of SAP and the wanton corruption that followed’ (Akanle *et al.* 2014: 92). During the 2012 debates, actors on both sides acknowledged that fuel subsidy is a form of social right or welfare benefit, while they convey different perspectives to it and its value.

Based on a market liberal or interest based approach to social benefits (Hickey 2011), the Nigerian government, supported by the international financial institutions and the business sector, acknowledged the subsidy as a welfare benefit, albeit a dysfunctional one that hindered better

citizen benefits. Even if in Nigeria, these actors did not frame the subsidy as a right as such, nor as part of a social contract, the international financial institutions have in other countries explicitly referred to fuel subsidies as social contracts (f. ex. Devarajan & Mottaghi 2015). In 2011, one third of the national expenditure budget was for fuel subsidy costs (*Africa Confidential* 2012). Those arguing for removing the subsidy, emphasised that it disproportionately benefitted the middle classes as the largest consumers of fuel for private cars, air-conditioning and generators, and limited the state's opportunities for general developments like infrastructure, and targeted pro-poor social goods such as health care and education. Consequently, poor and working-class protesters were portrayed as irrational, and lured into protests (Collier 2012).

By contrast, protesters leaned on a rights based approach, sourced in liberal to social democratic traditions, that promote universal rights and redistributive state functions (Hickey 2011). The NLC-president, Abdulwahed Omar (2012 int.) insisted that a fuel price is a core issue for the poor and working classes: A fuel price increase has devastating impacts on their purchasing power and livings standards, as it lead to price hikes in food, medicines and transport. A middle-aged worker explained that after a subsidy removal 'we became poor, very poor and constant strike actions became the only way to channel our anger and demands' (Tar 2009: 175). Omar (2012 int.), further emphasised that small businesses and informal sector depend on fuel for generators, and that fuel price increase therefore threatened jobs.

Subsidy removals supporters argued further that deregulation would attract economic investments and growth, and mitigate or even restrain the endemic subsidy-related corruption. The subsidy hinder private and foreign investors, especially in the value-adding downstream-sector. The four dysfunctional, state-owned refineries were expected to thrive and create jobs under private investments, ending the system where 90% of the Nigerian refined petroleum products are

imported. The refineries had for long been deliberately neglected because of subsidy-related corruption (*Africa Confidential* 2012). The subsidy system also contributed to a large illegal fuel product economy, linked to both 'bunkering' (oil theft), illegal artisanal refineries and cross-border sales, which is associated with insecurity and former militants in the Niger Delta.

Reinvesting in the downstream sector and in particular restoring the refineries would create and protect jobs, and the Nigerian trade unions have for long demanded restoration of the refineries. In fact, the NLC and some allies are open for removing the subsidy conditioned on reviving the full refinery capacity for national consumption (Vanguard 2011). However, because deregulation is associated with job losses, and deteriorating working conditions and labour rights, the unions have (mostly) insisted on state control and ownership of any such reinvestment. Even the senior staff union federation, Trade Union Congress (TUC), the oil workers' unions and individual unionists that are open to privatisation, insist that alternative social rights must be in place before a subsidy removal as they distrust governments (Esele, 2012 int.). Thus, the unions are actually open to conditional removal of the subsidy.

Protesters rejected the idea that the subsidy removal would mitigate corruption. They recognised the deep corruption and the high budgetary costs of the subsidy, but insisted that those costs were due to corruption and the inefficient policies regarding the refineries, not the subsidy itself. A common placard slogan, 'Kill corruption, not Nigerians', suggested that cheap fuel could and should be maintained, while at the same time targeting corruption to release funds for other social benefits. The protesters called for anti-corruption measures and more generally for formal procedures and transparency; and the 'struggle for the subsidy [is] a struggle by the people to enforce responsibility in governance' (Akanle *et al.* 2014: 89).

Exercising and claiming political and civil rights

Popular conceptions and expressions of economic justice and state legitimacy are interlinked, and the protests concerned also civil and political rights to negotiate and participate. The January 2012 subsidy removal was considered a betrayal of the ongoing popular dialogue. 'There had been speculations of this move but the government had said it was still consulting and would remove the subsidy in April [...]. I and many others see this is a betrayal of trust and a breach of the social contract between the government and the Nigeria people' (Habba 2012). It also breached the 2007 agreements between President Yar'Adua and NLC, which determined the price at the pump at NGN 65, but also promised consultations with labour in the case of price changes.

NLC's acting General Secretary, Owei Lakemfa, dubbed the protests the 'Parliament of the street', and claimed the protests as an exercise of citizens' sovereignty (Lakemfa 2015). By actively engaging the state institutions that are important to political and civil citizenship, the courts, legislature and government (Marshall 1992), the protesters arguably deepened statehood and citizenship. The protesters primarily targeted the government. Whereas the Nigerian government circumvented parliament when removing the subsidy, the NLC's and the Nigerian Bar Association, engaged the national parliament (Lakemfa 2015). As in earlier protests, through this labour contributed to strengthening parliament itself and the formal relations between government and the legislature (Beckman 2002; Okafor 2009a; Okafor 2009b). Several human rights and democracy organisations claimed the subsidy removal was unconstitutional, and took the matter to court. In March 2013 the Federal High Court in Abuja declared deregulating the petrol prices as unconstitutional with reference to the constitution stating that 'Government shall control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity' (Udo 2013).

From industrial to general citizenship: Trade unions and representation

Industrial citizenship in a narrow sense concerns trade unions representing workers vis-à-vis their employers, whereas a social contract concerns the relationship between the citizenry as a whole and the state. The NLC itself claims such a representative in its 'mandate as a workers' and popular organization [with a vision to] protect, defend and promote the rights, well-being and the interests of all workers, pensioners, self-employed, working people and the masses in general' (NLC 2007). Most literature on the Nigerian unions hold that the unions are accepted to represent a larger community beyond their members, especially through the fuel subsidy resistances (Aiyede 2004; Beckman 2009; Okafor 2009b). During the 2012 protests, however, non-labour activists questioned the unions representativeness, and accused the unions of pursuing particular interests (Branch & Mampilly 2015; Kew & Oshikoya 2014).

The unions' vanguard role in the subsidy removal resistance was challenged, most prominently from Occupy Nigeria and Save Nigeria Group (SNG). The two especially dominated the mobilisations in Lagos – by far the largest in the country – and the social media. Occupy Nigeria was a loose, online network or movement of individuals and groups rather than a coherent organisation (Kew & Oshikoya 2014). Occupy Nigeria recruited a new generation to protest who had little familiarity with or loyalty to the unions, and the movement had a loose, horizontal form of representation. The SNG, a non-profit organisation focusing on anti-corruption and political mobilisation, was formed in 2010 (Odumakin 2012 int.). Their leader, Tunde Bakare, a Pentecostal pastor, ran as the opposition Vice Presidential candidate with Mohammadu Buhari in the 2011 elections.

There are no demographic study of the protests, and reports and estimates are often biased on Lagos. Many refer to the middle classes as dominating the 2012 protests (Orji 2016), with emphasis on educated youth and artists that brought new vigour and mobilising and media power. Branch and Mampilly (2015), focus on 'political society', i.e. groups and individuals without formal, mediated relations to the state, as protest drivers, and hold that the moniker Occupy Nigeria first 'arose from members of political society who started the movement by taking to the street'. Others hold that the protests were rather dubbed 'Occupy Nigeria' by the media (Kew & Oshikoya 2014), inspired by the network formed already in 2011 (Kolawole 2013). Given the historical protest trajectory and the preceding processes during 2011 suggest that the protests were not as spontaneous or political society driven as assumed by Branch and Mampilly (2015). Although recognising that informal sector workers often collaborate with trade unions, Branch and Mampilly (2015) emphasise informal sector as part of political society. Even so, as informal workers' main strategy has been to cooperate with trade unions (Andrae & Beckman 2013; Meagher 2014), it suggest a more blurred relation between political and civil society. Furthermore, many key Occupy Nigeria activists were established Nigerian activists that otherwise belong to middle classes and civil society. Many activists also belong to new NGOs, that in contrast to the traditional civil society, such as labour, have no or little direct representation, and lean on liberalist ideologies that see the state as an obstacle rather than part of the solution (Adunbi 2016).

When Branch and Mampilly (2015: 110) hold that labour (and SNG) 'comprised a relatively small portion of the actual protesters', they seem to refer to presence at rallies and not account for striking workers who did not necessarily attend the rallies. Additionally, in many parts of the country, there were no street protests due to security issues, while workers did abstain from work (Lakemfa 2015). Even if recognizing that not all union members participated in either street protests or strike,

and that many unions have sparse contact with the rank-and-file, the union leadership did have a direct and democratically given mandate through their structures and regular congresses. The NLC claimed about 4 million workers, and TUC 500,000, which exceeds any other organization in the protests, probably also street protest participants, even if we account for inflated membership numbers. Owei Lakemfa (2012 int.), suggested further that through Labour and Civil Society Coalition (LASCO), unions ensured a broader direct representation. LASCO jointly called the strike, and their non-labour representatives were for the first time included in negotiations. Formed in 2005, LASCO is a formalisation of the cooperation between NLC, TUC, and 'labour-friendly' community organisations, including two coalition organisations, UAD (United Action for Democracy) and JAF (Joint Action Forum). Although with an unclear membership, they refer to themselves as 'representative' (Esele 2012 int.; Yaqub 2012 int.; Gaskia 2012 int.).

Rather than one group driving the 2012 protests, it was a broad-based movement of individuals and organisations from a variety of classes, with different policies, strategies and institutional set ups and experiences, not least in relation to the state. The 2012 protests were more fragmented and less coordinated. For the first time there was a 'clash of interests between the unions and civil society groups', and non-labour civil society appeared in the forefront (Komolafe 2012 int.).

Within civil society the most outspoken conflict was between the unions and SNG (Kew & Oshikoya 2014). SNG accused labour of being bribed and co-opted by the state (Odumakin 2012 int.), while with reference to SNG's call for regime change and Bakare's political aspirations, unions leaders held that 'politicians tried to capitalize on our mobilization' (Omar, 2012 int.). The popularity of the subsidy, is a clear base for political support, as it has been for the unions but also individual unionists and politicians. The former NLC-president, Adams Oshiomole, owe a lot of

electoral support for his governorship in Edo state to his popularity from leading the subsidy protests between 1999 and 2007.

The critique of unions for ending the strike ‘too early’ (Kew & Oshikoya 2014) assumes a will to continue. However, unionists and journalists hold that both union members and informal workers wanted to return to work (Yaquab 2012 int.; Komolafe 2012 int.). Remembering how individual unions and workers during the 1993/1994 democracy protests went ahead protesting in spite of the NLC leadership, and with the fact that the few attempts to continue the protests after suspension of the strikes proved futile, may indicate that the unions were in sync with and voiced the will of the masses both in starting and calling off the strike.

As in previous strikes, ethnicity, class, and religion played increasingly important roles towards the end of the protests (Obadare & Adebaniwi 2013). There were markedly lower protest and strike participation in President Jonathan’s home region, the Niger Delta, from both oil unions and civil society organisations (Houeland 2015). There were notably higher participation in opposition-party strongholds, which can partly be explained by opposition being generally stronger in urban areas. Overall, however, as in previous subsidy strikes (Guyer & Denzer 2013), the 2012 protests mobilised across the multiple conflict lines within Nigeria (Branch & Mampilly 2015). Wole Soyinka maintained that the protests and subsidy were national issues motivated by ‘the human principle of equity and fairness’, not ethnicity, and suggested that a ‘new citizenship spirit has emerged’ (Daily Post 2012).

From confrontation to co-optation?

Whereas the NLC-president, Abdualwahed Omar, called the protests’ outcome a display of ‘popular sovereignty’ (BBC 2012), other activists accused the unions of taking bribes (Kew &

Oshikoya 2014), being co-opted by the government and that labour (and SNG) had 'captured the popular outrage' (Branch & Mampilly 2015: 101). This contradiction confirm an inherent tension between militancy and accommodation when a union engage in broad-based social struggles (Hyman 2001).

From a union perspective, they have over time built an institutionalised right to negotiate. The subsidy negotiation was seen as part of the social dialogue (Komolafe 2012. int.) and government called the unions to the negotiation table. Occupy Nigeria, the Save Nigeria Group (SNG) and unorganised participants, were not invited to or represented at the negotiation table. Trade unionists lamented that these actors lacked organisational structures and representational mandates. Although unions emphasised that civil society partners in LASCO were present in the negotiations (Lakemfa 2012 int.), these representatives claimed that they were not present on the final negotiation day and that they disagreed to calling off the strike (Gaskia 2012 int.).

Rather than being co-opted, it can be argued that the unions bargained from a weaker position, compared to earlier strikes. In addition to the challenges from other protest actors, the NLC leadership was less experienced and the organisation was riddled by internal divisions and unions threatening to leave. Also from within the unions, the legitimacy of the union leadership was questioned. In addition to the general pressure on industrial citizenship and the opened democratic spaces, this may have allowed other civil society actors to occupy spaces in the subsidy resistance. It also allowed for a bigger role for the more conservative TUC and its President, Peter Esele. Esele (2012 int) considers bargaining as a preferred strategy to confrontation and strike. Both Esele and Omar lacked experience in mobilisation, cooperation civil society and negotiation, compared to the previous NLC-president, Oshiomole. The relative leadership weakness made the unions less bribe worthy (Komolafe 2012 int.; Husseini 2012 int.).

CONCLUDING REFLECTIONS

Perspectives from neopatrimonialism, resource curse theories as well as of political society as protest drivers all underscore the lack of active relations and civic opportunities between the Nigerian state and its citizen. Through a social contract perspective to the fuel subsidy protests and with an emphasis on industrial citizenship, this article suggests that these perspectives are insufficient. Although ethnicity, patronage and elitism were important elements of the protest dynamic and its outcome, it cannot be reduced to it. The protests were in many ways about resisting prebendalism, elitism and corruption. The fuel subsidy is for many Nigerians considered a social right from the state, framed as a question of just redistribution of the vast but unfairly distributed oil resources. Further, the protests concerned broader citizenship, as claims to cheap fuel was coupled with claims for popular participation as a political right, and bargaining and an end to corruption as civil rights. The protestors' claims was directed at the President and protest actors engaged state institutions that are integral to citizenship, namely parliament, governments and the courts. Thus, through this the 2012 protesters contributed to expanding the civic public and democratic spaces.

Trade unions have held a key role in the subsidy protests. As this article has shown, our understanding of the Nigerian trade unions needs to go beyond a narrow organisation and sectional interests of workers. The unions are concerned with larger questions of citizenship and state, and function as representatives and mediators in relation to the state. Unions have specific interests in and capacity for leading the protection and mediation of the subsidy as a social right, as explained through the concept of industrial citizenship. Based in collective forms of political and civil rights to organise and bargain between workers and employers, the unions engage in the social contract between state and citizen. These upscaling of roles are not without contradictions and tensions.

The trade unions' mandate to represent beyond workers has been widely claimed and partially given, but was hotly contested in 2012. The protests came more than a decade into the longest democratic period in Nigerian history, and a long period of economic growth. Increased citizens' expectations and anger fuelled mobilisation, but civil society and political opposition had also grown in size, assertiveness and capacity. The protests are clearly an opportunity to build and contest for popular support. From a challenged and relative weak position, the unions lost their vanguard role and failed to communicate and coordinate with allies, thus accentuating a sense of exclusion by other actors of the protests. The unions are clearly stretched between autonomy and dependency, especially highlighted in what the unions consider their historically built institutional power and space for influence, which is also ground for critique and potential co-optation. Thus, trade unions' role are both critical, contested and historically shifting according to external policy spaces.

The importance and popular insistence of cheap fuel as a social right seem to hinge on otherwise weak relations between state and citizens, or a general citizen-deficit and few social benefits. As such, the social contract is fragile, conditional and contextual. Political and economic shifts may change the popularity of the subsidy and affect a future protest scenario. Since 2012 the continued popular support behind the fuel subsidy has been both affirmed and questioned. After the protests, the subsidy system has been tainted by seemingly endless corruption scandals, and the subsidy appears less and less as a citizen benefit and increasingly as a cash-cow for corruption. The actual selling price of fuel has been repeatedly reported to be higher than the statutory defined price, which questioned the reality of the subsidy. During the 2015 election campaign, the main candidates outbid each other on promises of lowering fuel prices. When President Jonathan a few weeks before the planned elections reduced the selling price of fuel from 97 NGN (US\$0.52) to 87 NGN

(US\$0.47), the opposition accused him of tokenism. The 2015 elections was considered the freest and fairest in history, and possibly strengthened perceptions of elections as mediator of popular will and a social contract. The new President, Buhari, was met with high popular expectations to curb corruption and deliver social goods, not least supported by key actors from the 2012 protests. However, his popularity has deteriorated, and the decreased state income from low international oil prices and high inflations have limited his economic leeway to deliver social rights. In 2016, the budget had no provision for the subsidy since the low international oil prices ensured that the statutory selling price of 87 NGN (US\$0.43) could be upheld without it. However, due to inflation, the price at the pump increased, but the subsidy was not activated. In May 2016, the NLC tried to mobilise against the fuel price increases, but key non-labour actors from the 2012 protests were silent or even supported a removal and few turned up to protest. Currently, there are mixed media reports of budget-allocation for the subsidy, and prices at the pump keeps fluctuating, while both the government and unions insist that the subsidy has not been removed. The NLC continues to insist that a removal would be illegal and resisted through another general strike.

¹ Branch and Mampilly (2015) refer to a series of public protests in Africa between 2005 and 2014. Their book provides a comprehensive chapter on the 2012 Nigerian protests.

² The idea is especially associated with Hobbes, Rousseau, Locke and Rawls (Boucher & Kelly 1994).

³ Marshall describes a sequential development in Britain, from civil (1700s), political (1800s) to social rights (1900s), while in Nigeria the different kinds of citizenships unfold more simultaneously.

⁴ Most historical narratives of the powerful oil workers led strikes in 1993-94 do not refer to the subsidy claim, and most fuel subsidy recounts rarely include these strikes.

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INTERVIEWS

Esele Peter, President, Trade Union Congress, TUC (2007-2013), President, Petroleum and Natural Gas Senior Staff Association of Nigeria, PENGASSAN (2006-2008), Abuja, 30.8.2012

Gaskia, Jaye, National Convener, United Action For Democracy (UAD) and representative for Joint Action Front (JAF), in Labour and Civil Society Organisation, LASCO, Abuja, 2.9.2012

Husseini Abdu, Activist/Country Director of ActionAid International, Nigeria, Abuja 1.4.2012

Komolafe Funmi, Labour editor, The Vanguard, Lagos, 4.9.2012

Lakemfa Owei, acting General Secretary, NLC (2011-2012), Geneva, 6.6.2012; Abuja 12.9.2012

Odumakin Yinka, Spokesperson, Save Nigeria Group (SNG), Lagos, 5.9.2012

Omar Abdulwahed, President, Nigerian Labour Congress, NLC (2007-2015), Geneva, 8.6. 2012

Yaqub Denja, Assistant General Secretary, NLC, 30.8.2012

PART III: Appendices

Appendix: Interview List

2012, Geneva, Switzerland, 101st Session of the International Labour Conference, 6.-9. June

- Lakemfa, Owei, Acting Secretary General, Nigerian Labour Congress, NLC, 6. June, 1h 26 min, recorded
- Adu-Amankwah, Kwasi, General Secretary, The African Regional Organisation of the International Trade Union Confederation, ITUC-Africa, 7. June, 20 min, recorded
- Omar, Abdulwahed, President, NLC, 8. June, 1h 21 min, recorded
- Oshinowo, Segun, Director General, The Nigeria Employers Consultative Association (NECA), 8. June, 1h, recorded

2012, Abuja & Lagos, Nigeria 26.August-15.September

Abuja

- Ibrahim, Jilbrin, Director, The Centre for Democracy and Development (CDD), 27. August, 1h, recorded
- Yaqub, Denja, Assistant General Secretary, 30. August, NLC, 59min, recorded
- Ozo-Eson, Peter, Head of Research department, NLC, 30. August 1h 5 min, recorded
- Esele, Peter, President TUC, (and immediate former President, PENGASSAN), 30. August, 59 min, recorded
- Akpatason, Peter, Member of Parliament/House of Representative (for Action Congress), immediate former President, NUPENG, 1. September, 1h 3min, recorded
- Gaskia, Jaye, National Convener, United Action For Democracy (UAD) and representative for Joint Action Front (JAF) in Labour and Civil Society Organisation (LASCO), 2. September, 1h 42min, recorded

Lagos

- Aberare, Isaac O., General Secretary, NUPENG, 4. September, 30min, recorded
- Afolabi, Olowale, Senior Assistance General Secretary, & Adediram Christiana Olufumire, NUPENG, 4. September, 56 min recorded
- Komolafe, Funmi The Vanguard's labour editor, 4. September, 2h, recorded
- Fashoyin, Tayo, Professor, labour studies, University of Lagos, 5. September, 1h 14min, recorded
- Odumakin, Yinka, Spokesperson, Save Nigeria Group (SNG), 5. September, 1h 15min, recorded
- Ogbemi, Ariwola, Country President Statoil Nigeria, 6. September, 30min, recorded
- Nwafor, John, PENGASSAN representative, Statoil , 6. September, 1h 35min, recorded
- Anyim, Francis C., Senior lecturer, Department of Industrial Relations and Business Management, University of Lagos, 7. September, 45min, recorded

Oshinowo, Segun & Olawale, Timothy, Director General and Director, Social, Economic and Labour Affairs, Nigeria Employers' Consultative Association (NECA), 7. September, 1h 19 min, recorded

Olowoshile, Bayo, General Secretary, PENGASSAN, 10. September, 1h 37min, recorded

Abuja

Lakemfa, Owei, Acting General Secretary, NLC, 12. September, 1h 5min, recorded

Uyot, Chris, Deputy General Secretary, NLC, 12. September, 51min, recorded

Ugbuaja, Emmanuel, Head of Administration and Industrial Relations, NLC, 13. September, 1h 7min, recorded

Dike, Mrs C. C., Director of the Department of Trade Union Services and Industrial Relation of Ministry of Labour and Employment, 13. September, not recorded

Odah, John, Former General Secretary of NLC, 14. September, 1h 23min, recorded

2013, Abuja, Nigeria March 26th - April 8th

Ogulor, Rev. David, Secretary, Africa Network for Environment & Economic Justice (ANEEJ), 28. March, not recorded

Yahaya, Lai, Team Leader of the Facility for Oil Sector Transparency (FOSTER), funded by UK The Department for International Development (DFID), 29. March, not recorded

Mattig, Thomas, Resident representative, Friedrich-Ebert-Stiftung, 29. March, not recorded

Abdu, Hussaini, Country Director of ActionAid International, Nigeria, 1. April, not recorded

Adeniyi, Olesuegun, Editor Chairman, This Day, 2. April, not recorded

Babagane, Ibrahim, Bureau of Public Enterprises, 2. April, not recorded

Chiman, Douglas, Security officer, American Embassy, 3. April, not recorded

Bayer, Brandt, Labour desk officer, American Embassy, 4. April, not recorded

Ikpoki, Ibi, Economic Officer, EU delegation to Nigeria, 5. April, not recorded

Iyayi, Festus, Former ASUU leader, active academic/union activist, 7. April, not recorded

2014, Abuja, Lagos & Port Harcourt, 2.-29. March

Abuja

Gabin, Ralph, Program Officer, Solidarity Centre, 3. March, not recorded

Nwankpo, Nze Akachukwu, Special advisor to the President on The Subsidy Reinvestment and Empowerment Program (Sure-P), Various positions in government, 4. March, 1h 5 min, recorded

Omar, Abulwahed, President, Nigerian Labour Congress, 5. March, not recorded

Akpatason, Peter, Member of Parliament (APC), immediate former President NUPENG, 5. March, not recorded

Kokori, Frank, Former General Secretary, NUPENG, 5. March, telephone interview, not recorded

Ogun, Patterson, Head, Niger Delta/Stakeholder Desk, Office of the Special Adviser to the President On Niger Delta, 6. March, 1 hour 10 min, recorded

Ogbeifun, Louis Brown, Manager Employee Relations, Nigerian National Petroleum Corporation, 7. March, 32 min, recorded

Lagos

Oshiokepkhai, Joseph, Research & Development Officer, PENGASSAN, 10. March, 2h 15min, recorded

Ogbemi, Ariwoola, Country President, Statoil Nigeria, 10. March, not recorded

Nwafor, John, PENGASSAN representative, Statoil Nigeria, 10. March, not recorded

Ihejirika, Remi, Project Manager, Friedrich-Ebert-Stiftung, Nigeria, 11. March, recorded 1h 13min

Anyim, Francis & four PhD students, Senior lecturer, Department of Industrial Relations and Business Management, University of Lagos, 11. March, not recorded

Afolabi, Olawale, Senior Assistance General Secretary, NUPENG, 12. March, 1h 7min, recorded

Ogbebor, Joseph, Deputy General Secretary in-charge of Operations, NUPENG, 12. March, not recorded

Oyebanji, Tunji, Chairman/Managing Director at Mobil Oil Nigeria Plc, 13. March, 32min, recorded

Farotimi, Folurunso, Consultant, A4F Consulting (former Manager, Employee Services, Addax Petroleum), 15. March, 1h 13min, recorded

Oluwole, Akinyosoye, Assistant Director, Department of Petroleum Resources (DPR), 15. March, not recorded

Port Harcourt, Rivers state & Yenegoa, Bayelsa

Eruba, Godwin, Chairman NUPENG Zonal office Port Harcourt, 17. March, 1h 12 min, recorded, Dappu, Tamunokworo, Acting Assistant General Secretary, PENGASSAN, 17. March, 18min, recorded

Karipo, Mike, Head of Port Harcourt office, Environmental Rights Actions (ERA), 18. March, not recorded

Henshaw, Kenn & AkpoBari Celestine, Programmes Manager and staff member, Social Action, 18. March, 1h 36min, recorded

Seven shop-stewards, NUPENG-branch, Indorama Eleme Petrochemicals Limited (IEPL), 19. March 43min, recorded

Two shop-stewards, PENGASSAN, Arko and Agip, 19. March, not recorded

Four shop-stewards, PENGASSAN and NUPENG, Keedak Nigeria LTD, in Onne Free Trade Zone, 19. March, 42min, recorded

Cde Lucky, Chairperson PENGASSAN Branch, Indorama Eleme Petrochemicals Limited (IEPL), 20. March, not recorded

Akpanika, Victor B., Managing Director/CEO, Port Notel LTD, former community relations officer for Shell Nigeria. 21. March, 1h, recorded

Ebiriowu, Chris & Steve Ojeh, Chairman and Staff, Nigeria Employers' Consultative Association (NECA), Port Harcourt, 21. March 2014, 45min, recorded

Samiamia, Inemo, Country Director, Stakeholder Democracy Network (SDN), 21. March, 1h 18 min, recorded

Two shop stewards, PENGASSAN, Pipe Coaters Nigeria ltd, not recorded,

Victor-Ogbonda, Elo, Chairperson, women's group, PENGASSAN, Port Harcourt, 23. March, not recorded

Anthony A. Adiari, Division Manager, Contract Admin. & Cost Efficiency, Nigerian Agip Oil Co. Ltd, 24. March, 50 min, recorded

Ndon, Michael, Regional HR Manager, Orlean Invest West Africa Ltd., 24. March 2014, not recorded,

Dabidi, Milton, Former General Secretary, PENGASSAN during the 1990s, 24. March, 2h 42min, recorded

Efemini, Andrew, Head of Department of Philosophy at the University of Port Harcourt, 25. March, 1h 38min, recorded

Ibegwura, Che, Human rights and environmental activist, (former unionists), Niger Delta, Egi community, Bayelsa, 26. March, 2h 22min, recorded

Mixed group of elders and youth, Obite community, Bayelsa, 26. March, 39min, recorded

Morris, Alagoa, Head of Field Operations, Environmental Rights Action/Friends of the Earth Nigeria (ERA/FoEN), Bayelsa office, Yenagoa, 27. March, 57min, recorded

Ogbofa, Doutimiye, Conflict Resolution Trainers Network (CROTIN), Yenagoa, 27. March, 40min, recorded

Young man and young woman, Unemployed/Former contract worker and sister, Yenagoa, 27. March, 48 minutes, recorded

Group of unemployed men, some former contract workers, Oil community, Bayelsa, 27. March, 1h 12min, recorded

Bassey Duke, Susan and Deborah Effiong, Programme Manager and Programmes Coordinator, Gender and Development Action (GADA) Port Harcourt office, 28. March, 57 min, recorded

Jene, Kalada M., President, Bonny Indigenous Group, 28. March, 1h 17min, recorded

Onuegbu, Cde Hyginus Chika, Chairman TUC Rivers Council, member Central Working Committee and responsible for Industrial relations, PENGASSAN, Port Harcourt, 29. March, 1h 18min, recorded