

Trade Union Unity in the New Context An Agenda of Social Transformation in Nepal¹

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Three fundamental activities of human existence in the world, according to Hannah Arendt, are: "labor, work and action."²

Introduction

The infection of current global economic crisis, the failure of regulatory system to control its negative effects on social and political life of workers, tremendous losses of jobs, homes and hopes and the reversal of global migration underline the need for the working classes to forge unity to define the alternative vision of world economy, increase their political leverage and gear up fight for their constitutional and human rights. The forecast of International Labor Organization is bleak: the crisis could push more than 100 million people into abject poverty. Women workers would face the worst because of their heavy engagement in part-time, informal, contractual and unorganized works. The ascendancy of financial capitalism over entire ecological, social and political system, dominance of money outside its sphere and socialization of cost and privatization of benefit disrupted the equilibrium of global economic system. "We are seeing the wild fluctuations in all the usual economic indicators—the prices of commodities, the relative value of currencies, the real levels of taxation and the quantity of items produced and traded."³

Karl Polanyi in his work *The Great Transformation* had eloquently warned the negative effects of free-market economy in 1944. "The self-regulating market as an institution cannot exist for any length of time without annihilating the human and natural substance of society" as it reveals a "paralyzing sense of vision, the absence of social project reflected in the devaluation of politics and politicians." "The priority of individual economic advancement over societal objectives of collective well-being and elemental social justice are creating a culture of alienation" manifested in the rise of poverty, crime, violence, denials and the "general cheapening of human life."⁴ The global economic crisis exposed the utility of the creed of free market, deregulation and fiscal discipline, defined as Washington Consensus to address the demands of foreign investors than the needs of local citizens. The failure of market-driven neo-liberal economic policy⁵ and its speculation of the "end of history" have, however, renewed the duty of state in "participatory democracy, overall responsibility for universal social security and the structure and development of the economy in line with fundamental rights of people."⁶ The workers' plea for social justice has, therefore, become a mobilizing and unifying ideology worldwide as it has the potential to offer the best guarantee of balancing the needs of workers with the greed of capital, while ensuring the regulative role of state in the management of public goods, avert the collapse of economic system, regulate socially disembodied financial capital and its promotional role in the fulfillment of their rights. The resolution of this crisis largely rests on defining the moral limits of market forces so that every social good is not transformed into a commodity. There is a need to restore the old money ethics of civic responsibility and resuming accountability by the multilateral institutions of global governance, such as Global Financial Regulatory Authority and the Global Competition Authority for common good. The crisis recovery requires: balancing the roles of the state and market, strengthening of banks through tighter regulation and better oversight, pumping new money into the economy, currency stabilization, doubling the allocation of

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² *Labor* is explained by its ability to sustain human life by satisfying biological needs of consumption and reproduction. *Work* corresponds to building and maintaining a world fit for human use. And *action* means human ability to disclose the identity of individuals, to know the world and to actualize human capacity for freedom. Freedom is the central characteristic of being human. "Of all human activities," she adds, "Only labor, neither action nor work, is unending progressing automatically in accordance with life itself and outside the range of willful decisions or humanely meaningful purpose." See, Hannah Arendt, *The Human Condition*, Chicago: The University of Chicago Press, 1998, P. 17.

³ Immanuel Wallerstein, "Reimagining Socialism," *The Nation*, March 23, 2009, P. 17.

⁴ Karl Polanyi Levitt, "Towards Alternatives: Rereading the Great Transformation," *Monthly Review*, Vol. 47, No. 2, June 1995, PP. 4-6.

⁵ The chairman of the US Federal Reserve Alan Greenspan admitted before the Congress that his ideological viewpoint of neo-liberalism was flawed and that the "whole intellectual edifice of "modern risk management had collapsed." He is now supporting the nationalization of banks. See, Kevin Rudd, "The Global Financial Crisis," *The Monthly*, March 10, 2009, P.4. Supporting this view Prime Minister of Britain Gordon Brown in G20 meeting in London declared, "The old Washington Consensus is over."

⁶ Thomas Meyer, "What Future Role for the State," *International Policy Analysis*, Berlin: FES, February 2009, P. 6.

Special Drawing Rights in the International Monetary Fund, reforming international lending institutions and strengthening vulnerability fund to set up safety nets programs for the developing countries.⁷ The crisis consciousness has also provided an opportunity to assess the utility of existing development paradigm and renew the welfare functions of the state to equalize life-chances and living standards of workers.

Trade unions as a political agency of workers have to establish its social utility by struggling to humanize the working conditions, improving industrial relations and exerting pressure on the agencies of capital and political authority to set a framework of social justice at multi-level governance. The best choice for the Nepalese government is: immediately revive the real economy, put the means of production for common good and invest resources in nation-building to reaffirm democratic practice as the source of value and political action. The choice for the various unions in Nepal is: establish the condition necessary for the promotion of the general interest of workers in the productive sector and resurrect their role as a maker of history in the making and see the national problems in the light of the universal standards. The current level of "unity in diversity," "networking" "occasional team spirit" and "working relationship" among them is a necessary part of awareness of interdependence among them. But, it is not sufficient to cultivate healthy relationships across them. They need to strive for common ground and collaborate for influencing state policy on areas of mutual social, economic and political benefits. This might produce system decay. Inclusion of all the rights of workers in the future constitution to be drafted by Constituent Assembly (CA) requires the transformation of these instinctual needs for unity into norm-based emotional solidarity that inspires confidence and compassion of workers to work together and re-moralize the excessive materiality of public life in this globally connected world.

The fourteen CA committees have provided Nepalese trade unions vital opportunity for discourse on their rights in which all voices are heard and all workers equally listened to. It is a strong platform of political struggle and social change through legislative means as it offers a chance for the unions to make proper designing of the future of state power and the overarching vision of social transformation. It is a transformation that seeks the restructuring of property and power relations corresponding to the "sovereignty of people," majority of them are peasants, workers and poor and enabling them to exercise their right to work and action as equal citizens. Now, the CA has been established as a dynamic center of political system as it consists of elites from all politically relevant strata of population. The Interim Constitution of Nepal 2006 speaks of new rights—right to work, education, health, food, health, social security, social justice, etc. But, the material and institutional framework of the state is too weak to implement these rights. The contribution of tax to GDP is only 12 percent. Erosion of state's monopoly on power, deficit of policy sovereignty, competitive violence and clientalist political culture have rendered Nepal vulnerable to multi-layered conflicts, state fragility and the problems of governance. The execution of workers' rights, therefore, requires enabling the state to perform core state functions. This paper discusses about the constitutional state and social justice, improvement of human condition of workers, coping with collective challenges, communication of common goals and means and coping the problems of collective action in social transformation.

Constitutional State and Social Justice

A constitutional state guarantees equal rights to all. It is bound by laws and provides reasonable opening of workers perspectives to recapture the social vision. Its political process rests on popular legitimacy and communication between public authorities and free citizens. As a responsive rule, it tends to equalize welfare across all the members of society. The mandate of mass movement of April 2006 in Nepal spelled out the drafting of a new constitution through CA based on state restructuring along federal lines to address gender, ethnic, class and regional discrimination as well as autonomy of the periphery; socially inclusive democracy, forward looking reforms for equal development and durable peace. The Constituent Assembly (CA) election has opened many closed societies without the expansion of institutional means to absorb them. Without the structural transformation of public sphere to absorb new groups of society, it would not be easy to eliminate the conflict-producing causes, realize these goals and even consolidate the future institutional design to support preferences and choices of workers. Workers must feed their stomach in order to work and must work in order to fulfill their essential needs and have the benefits of freedom. As majority of Nepalese workers are dominated by the necessities of life, they can win freedom only if their basic needs are realized. The distinction between

⁷ The Group of 20 London meet in the first week of April 2, 2009 made significant move. It decided to provide \$ 1.1 trillion to multi-lateral agencies. Of this the IMF will get \$500 billion additional fund to assist countries in crisis and another \$250 billion of Special Drawing Rights out of which %70 billion will be allocated to developing countries, it agreed to set a regulatory system to cover hedge funds and derivative markets. The issues of tax heavens, banking secrecy, fighting protectionism and trade balance, etc came under critical discussion.

labor and work is marked by what Arendt calls, "necessity and the life process." In this scheme, labor's productivity is measured by the requirement of life process, the means of survival.

The ability of union to inspire, unite and lead workers forward for strategic action lies in the skill and capacity of their leaders to renegotiate a "new social contract" to mediate the public and the private, wages and profit and the state and market. Now they have to redouble their efforts to build the solidarity of rank and file activists and inspire others in the struggle for social justice. This strengthens their "representative link" in the civil society, institutions of social dialogues, political parties and legislatures and exerts control over the action of executive by "public reason." The trade unions operating in the public sphere have to foster equal social integration and establish social control over the state through a democratic process of "co-determination" of public policy. This is necessary because unilateral subordination of workers to structural adjustment stripped them of their right to development and produced development failure in Nepal.

To break this cycle of failure, autonomy of unions is a key strategy to move beyond self-referentially closed sub-system of party politics to diverse social forces for communication, mobilization, mediation, steering and collective action. This helps to broaden their social constituency and transform the diversity of unions into a collective political strength. Political leaders often fear that the autonomy and unity of unions might trigger a "domino effect" on other ancillary organizations and eventually undermine party politics. Given the electoral imperative of parties to become catch-all, Nepalese unions have to transcend their personalized, ideologically ambiguous and faction-ridden tendencies and integrate all social classes into legislative spheres for their mixture in a single hope. The "acting option" independent of dominant interest groups of society provides them common orientation and common expectation of future payoffs. But, some parties reflect too "utilitarian" attitude to the unions' initiatives. They assign them only decorative role as they fear unions' growing electoral clout. Others are an "organic" part of union movement owing to their common ideological aspirations. The union unity and struggle is expected to democratize party structures making them inclusive of social diversity. Evidently, the relevance of unions varies in tandem with the nature of government. Only democratic government collaborates with the unions for the social modernization of the state for a just society based not on human nature but on human essence.

The spirit of unity, ways of thinking and working together, against the attempts to make workers pay for the economic and ecological cost of crisis, is possible through the re-politicization of unions and honest discourse about the way forward.⁸ In the current context of global transition the effectiveness of union unity lies in building efforts to democratize workplace, expand the participation of members in decision making and support the initiatives of rank and file, expand union activity into larger social spheres and organize the mobilization of workers, and most, importantly, build new symbiosis with unions and various sectors of the working classes—mostly women, youths, workers of informal, IT and service sectors; knowledge-producing institutions such as universities, labor research institutes and think-tanks; public interest groups such as civil society, human rights organization, NGOs and community organizations and opinion-forming associations, such as media, cultural industries and labor-friendly groups.

Improvement of Human Condition of Workers

Immanuel Kant defines "human beings as ends in themselves." Is human condition in Nepal suitable for workers making a dignified living? Or, they are forced into existential choice only devoid of work and action? The systemic closure of public enterprises, underutilization of labor force, mass poverty, inequality and discrimination have eroded the protecting capacity of Nepalese economy against global recession and weakened the base of Nepal's labor market. Increasing industrial action and social unrest are animated by radical promises of political parties beyond the capacity of state to fulfill and maintain social discipline. The rise of trade union militancy indicates that the current industrial system will not work to foster a climate for investment, economic growth, job creation and durable peace. The neo-liberal assault has removed economic preconditions of class compromise rooted in the welfare state, put the trade unions in defensive and silenced the moderate voice of even enlightened union leadership. Inspired by this employers pushed corporate demands—labor flexibility (in term of redundancy, retrenchment and retirement of employees), privatization and deregulation while unions bargained for strong commitment of employers for social security. Employers are now demanding the state of industrial crisis, the restriction of workers' right to strike, no work no pay and the right to close down industries if the government does not fulfill their demands.

⁸ Labor movement of differs from other forms of collective action in a number of ways: it constructs collective identity of workers, puts negotiable demands, mobilizes members along class and social lines, reflects the progressive movement of modernity, engages not only the state but all relevant institutions of capital and passes solidarity across local, national and trans-national borders.

The projected economic growth of 3 to 5 percent in Nepal hardly balances out the population growth of 2.9 percent. Economic growth can be faster if basic social security system is expanded and workers lives remain decent. About 90 percent of Nepal's workforce is engaged in unorganized, informal and agricultural sectors without any semblance of social protection. A massive 83 percent of them earn \$1 per day which is barely enough for their wretched existence. Unemployment rate is as high as 42 percent. Each year over 300,000 youth enter into the nation's shrinking job market. The ratio of those hunting jobs abroad rose to 204,775 last year. In many countries there are neither bilateral labor agreements nor the workers have agencies to protect their labor rights. Last year alone over 500 Nepalese workers died abroad due to poor working conditions. Still, their sacrifice brings annual remittance of over \$1.5 billion which has been the lifeblood of rural community. The top 5 percent of landholders own 27 percent of agricultural land, the bottom 44 percent occupies only 14 percent of the land. The vast unequal distribution of land does not provide poor peasants engaged in pre-capitalist share cropping any economic incentive to raise productivity. The rhetoric of radical land reforms in favor of working peasants has often provoked a ray of hope, to be silenced soon thereafter.

The vertical topography and multi-structural economic system of Nepal have forced majority of wage workers to sell their labor power on the market to secure a living. Pulling the bottom out of poverty is necessary to create democratic condition in which all citizens live together in peace with equal opportunity. This multi-structural economy reflects distinct policy choices about how to modernize them and improve the economy of scale through synergistic efforts. The population fertility rate is 3.91 children while infant mortality rate is 62 deaths of 1000live birth. The maternal mortality ratio stands at 530 per 100.000 births. Insufficient food and poor health facilities in rural and remote areas have caused malnutrition and high mortality. Due to low social consciousness and poor law-enforcing mechanism over 7,000 girls are annually trafficked to India and the Gulf region for prostitution, slavery and bonded labor, nearly half of them are minors. The government recently revealed that 4,098 children were lost in 20 months. Of every 100 children in Nepal, 84 live in villages, 47 are malnourished and 40 belong to very poor families engaged in primitive agrarian relations. The population is predominantly illiterate (35 percent of males, 58 percent females). Poor health standards fetters any attempt to raise labor productivity. The Nepalese unions equipped with a universal ideology have to work towards the elimination of this inhuman condition, create a social framework to bridge the chasm between rich and poor and seek a rough approximation of economic equality.

The visible decrease in annual remittances from abroad signifies less money, reduced consumption, additional unemployment and deep impact on society and politics. The financial sectors will be forced to trim their margins. The practice of Nepal's banking sectors to extend loans more on the basis of personal connections than credit worthiness has enriched bank defaulters. It is risking the fate of industrial enterprises and workers. The minimum daily wage is \$2.38 in the country.⁹ Wages of unionized workers are much less and there is neither paid leave, nor health facility, nor even pensions and social security benefits. To avoid this situation, more and more rural workers are migrating to already crowded cities and uncertain job markets abroad. Income equality matters for education, health and standards of living. Without reducing conflict producing causes it would be difficult to implement the peace accord, achieve political stability and economic development. Foreign direct investment has been reduced to the minimum. Employers' disinterest in investment will continue to exert downward pressure on working conditions, wages and benefits to workers. The social dialogue between unions and employers is marked by distrust and a lack of collaborative action.

The Welfare Funds provides a mechanism where workers and owners have equal financial contribution. Nepal's Labor Act 1992 has also established provisions for gratuity, pensions, provident fund, maternity leave and medical insurance equivalent to one year's remuneration. The brunt of climate change on Nepal is enormous: melting of Himalayan ice cap, uncertainty of agriculture cropping patters, scarcity of water, depleting forest resources and change in the disease patters affecting the health of workers. The ongoing energy crisis continues to hit the industrial operation, caused industrial closure, loss of tourist arrival and even adversely affected supply of essential public goods and services. This global economic crisis will further affect Nepal's labor market as waves of Nepalese workers in the Gulf region and Southeast Asia are starting to head back home due to decline of demand of labor in construction, energy, hotel and health sectors. Decline in the number of tourists is already visible. Nepal's perpetual reliance on international community has neither made aid poverty-efficient nor development sustainable. The conditionalization of foreign aid by mainstream donors to privatize Nepalese industries reduced Nepal into a society of consumers which produces little to sustain livelihood and export.

⁹ The minimum monthly wage for unskilled workers is US \$ 57.50 --- \$ 38.12 as basic salary and \$ 19.38 as allowance. The semi-skilled gets \$58.13, skilled \$59.50 and highly skilled \$ 61.88. This minimum wage is neither sufficient to meet basic needs nor address their poverty nor even cope with the structural changes brought by global economic crisis.

Improvement in Nepal's labor market needs a number of measures: first, capacity building of the institutional base of labor administration, such as labor inspection system, mediation and arbitration in the case of industrial conflict, the Labor Court and Ministry of Labor. They need to increase the competitiveness of industrial enterprises and workers through training and organizational change. Second, initiate a broader reform in the existing Social Security Act to integrate disadvantaged groups in social inclusion, social protection, health care and social assistance for economically active group. Third, introduce a new social insurance unemployment benefit scheme. Fourth, improve tax-financed benefit scheme for elderly and disabled. Fifth, introduce a universal child welfare program to improve human capital in the transition from school education to a world of work and foster gender and generational balance. And sixth, inspire union's proactive engagement in the formation of tripartite Labor Commission, amendment of existing labor legislation and constitutional discussion to provide sound proposals to various CA committees pertaining to workers welfare. Some of these reforms are already endorsed by tripartite Central Labor Advisory Committee in 2008 and, accordingly, it has constituted a task force of five trade union centers to identify measures for labor reforms. These measures are essential to restore the credibility of this crumbling state, create investment friendly environment and resolve the growing crisis of social development—poverty reduction, gainful employment, social cohesion and system integration.

Coping with Collective Challenges

The neo-liberal offensive of 1990s had unleashed pressure to a race to the bottom concerning labor standards through its policies of free trade, free market, primacy of finance over the production of essential goods, relocation of industries, greater flexibility of labor, job insecurity and reduced social welfare assistance. The management strategy of greater flexibility of labor on all areas—privatization, hire and fire, retrenchment, voluntary retirement scheme, cheap labor, sub-contracting, decreased benefits, outsourcing, profit repatriation abroad and new access to raw materials—had reduced the cost of workers and improved the profits of investment in capital. Its effects are: fragmentation of labor market, reduced power of unions for collective bargaining and inferiority complex of Nepalese planners to plan national development. Unless unions together frame a coherent, broad and feasible employment policy and enforce it through collective bargaining it would be difficult to arrest these negative trends and establish the rights of workers to freedom from hunger and indignity as well as humanization of culture of impunity.

Trade unions' unity at all levels is a constitutive of, rather than instrumental to, workers' social struggle. At the global level the formation of International Trade Union Confederation (ITUC) on November 1, 2006 has become a new source of strength and hope for the united power of trade unions and their members worldwide to cope with the challenges of globalization which has created more losers, than winners. International solidarity of Nepalese unions with Global Union Federations (GUFs) and International Trade Secretariats (ITSes) is growing in recognition of common humanity and collective identity. They are providing Nepalese workers exposure, skills, support and transnational collective action to restore the capacity of human beings to reshape economic system according to their ecological, social and political priorities. A just world order requires substantial redistribution of global resources.

At the South Asian level collaboration of trade unions is an imperative to cope with the global and regional challenges. The regional collective action of Social Forum, Peoples SAARC, South Asian Finance Sector Union Council (SFFSUC) and the South Asian Trade Union Council (SARTUC) is necessary to articulate the agenda of social charter, energy security, food sovereignty, labor rights, debt reduction, democracy and peace dividends but insufficient to enforce them unless these agendas are included into public policy domain. The official SAARC process stresses more on upward integration through South Asian Free Trade Area (SAFTA) which has caused social polarization. Still, regional cooperation provides the workers to defend their national interest and negotiate the common regional interest. South Asian unions, labor institutes of the region and popular forces have to cement their ties to effectively articulate their legitimate concerns for proportional sharing of benefits from regional cooperation.

At the national level there are encouraging trends. For example, three major trade union federations -- Nepal Trade Union Congress (NTUC), General Federation of Nepalese Trade Unions (GEFONT) and Democratic Confederation of Nepalese Trade Unions (DECONT) issued a joint seven-point agenda on labor law reforms on November 28, 2003. The same year formation of Joint Board of NTUC and GEFONT marked an effort towards unity through joint activities on workers' training on labor issues, including health and safety. The 10-point joint Lahan Declaration of four trade union federations—NTUC, GEFONT, DECONT and All Nepal Trade Union Federation (ANTUF) on December 3, 2006 laid another milestone. It endorsed a proposal of pressurizing political parties on compulsory proportional representation of workers in the interim parliament and CA election and seeking workers' rights, social security, social justice, need for a unified trade union movement and industrial peace.

Subsequently, in December a Joint Trade Union Coordination Center (JTUCC) has been set up to foster common process of training, critical debates, issue socialization, strategies for resistance and collective action by engaging other trade union federations¹⁰ in areas of common interests. In 2007, six national confederations together formulated a 22-point charter of a Common Minimum Workers Agenda.¹¹ In 2008, NTUC and DECONT merged to create NTUC-Independent. On April 23, 2009 JTUCC presented its charter of negative rights, such as rights against exploitation, forced labor and child labor and positive rights such as rights to form trade union and collective bargaining, equality, social security and justice, employment, workers' representation in major institutions of policy making and governance and the formation of National Labor Commission --to the Chairman of Constitutional Committee of CA to be included in the future constitution of the nation. These efforts promise a common ground for the development of a powerful trade union movement in Nepal. Increasing the union density, in both formal and informal sectors and overcoming the pitfalls of intra and inter division and unfair competition among unions, are keys to increase their organic indissolubility political leverage in collective bargaining, reducing wage inequality and democratization of the political and economic spheres through social transformation.

Communication of Common Goals

How to seek common ideological views about shared priorities of diverse trade union in Nepal? Only a participatory democracy allows the possibilities for a new political formation necessary for the realization of freedom, social justice, solidarity and peace—the lofty goals of trade union movement worldwide. Freedom is impossible so long as human exploitation continues, workers are alienated from the product of their work, denied options for work and stripped them of their potentiality to develop into free citizens and human beings. Freedom entails inclusive democratization of the state and society and creative participation of workers in material and cultural production and therefore responsibility to lift their lives. Participation, however, requires knowledge, institutional means, resources and power. In this context, it is important to examine the possibility of the creation of a class-neutral constitutional state by the new political formation of CA, co-determination of public policy and the democratic political culture through corresponding means of public communication and civic education. The trade union movement hovers around the issues of elimination of exploitation, promotion of workers' rights, social justice and rationalization of society by transforming dominant worldviews, relationships and structures. As experienced negotiators of social reforms, Nepalese trade unions continue to defend democracy based on Universal Declaration of Human Rights and debunk the aim of capital to reduce all spheres of life into an economy. Nepal as a signatory of civil, political, social, economic and cultural rights and social development agenda provides freedom, equality and social justice as a basis of democracy.

The ILO Core Labor Standards (CLS) and welfare schemes reflect a search for common denominators that resonate at all the levels of various unions. The fundamental rights incorporated in the eight ILO conventions¹² inter alia, involve guarantees the freedom of association and collective bargaining, prohibits forced labor and employment discrimination in international trade agreements, seeks corporate social responsibility, codes of conduct and framework agreements with multinational companies. The full and productive employment and decent work for all requires a conducive environment supported by the state, market, civil society and international cooperation. It would be wrong to regard economy as non-political given its relation of production to the distribution of power, authority and identity. Substantial development of forces of production is essential to fulfill all basic needs and provide workers sufficient opportunity for freedom. Unity in common goals requires Nepalese unions change their hitherto defensive attitude to pro-active in public policy. The CA too demands participatory process in setting the visions and goals. In the social formation of future Nepal equality of participation of female in labor politics will be basis of equality in other spheres- mode of production, power, governance and cultural life. Increased involvement of women in workforce will overcome the gender discrimination, expand career opportunity, give full sense of equality with

¹⁰ Other federations are: Nepal Trade Union Federation (NTUF), Nepal Progressive Trade Union Federation (NPTF), Nepal Sadbhavana Trade Union Federation (NSTUF), Federation of Nepali Progressive Trade Union (FENETP), All Nepal Workers Movement (ANWM), National Democratic Confederation of Nepalese Trade Unions (N-DECONT), Inclusive Nepal Trade Union Congress (INTUC), etc.

¹¹ Umesh Upadhayay, "Trade Unions in Nepal," unpublished paper, 2009.

¹² ILO Core Labor Standards include Conventions, such as No. 29 Forced Labor Convention, 87 Freedom of Association, 98 Right to Organize and Collective Bargaining, 100 Equal Remuneration, 105 Abolition of Forced Labor, 111 Discrimination on Employment and Remuneration, 138 Minimum Age and 182 Worst Form of Child Labor. Among these, Nepal has yet to ratify ILO Convention 87. Nepal has endorsed Weekly Rest no 14, Tripartite Consultation 144, Employment Policy 122, Indigenous and Tribal Peoples 169, Ratification of Protocols on Children on Armed Conflict and signed agreement to abolish bonded labor system from Nepal.

men and set out to define their own identity This provides them social security and stake in society. The CA too demands participatory process in setting the vision and defining appropriate mechanism for its achievement.

Coordination of Means

Coordination of means become easy if union leaders and their members undergo a common process of socialization and goal-orientation. The social pact between workers and employers had formed the basis on which welfare state was developed and wages and working conditions were gradually improved. Latter this bi-partite pact based on class conflict became tripartite as the state entered into meditative scheme, developed a politics of class compromise and three partners- capital, labor and the state- shared the economic surplus. But, this tri-partite scheme, however, sedated the trade union movement. This social pact on welfare state means first, the recognition to private organization and ownership of the means of production and, second, the employer's right to lead the labor in exchange for the better working conditions, better wages and social security for workers. The neo-liberal offensive, however, broke this social pact embedded on welfare state as the state took the side of capital and exercised the right to hire and fire of workers, cut social projects and subordinated the workers to the uncertainty of market forces. Lack of sufficient autonomy of unions from party politics and inability of leadership to forge solidarity in crucial time can be attributed to this loss of capacity for what Arendt calls "action" in pursuit of self-determination with the larger process of history. This has renewed the need for the coordination of social struggles, social dialogue and discourse on workers' rights and emancipatory form of social movement.

Unity is the bonding of several unions in collective practices of realizing common interest based on common consciousness, common tools and coordination of bargaining policies, strategies and measures. In Nepal, diverse nature of unions—personalized, conservative, reformist and radical—has posed a problem in the coordination of means. Similarly, separate unions for blue and white collar workers, formal and informal, organized and unorganized and registered and unregistered have posed problem in collective action as their interest are too diverse. The Confederation of Nepalese Professionals (CONEP), a union of white-collar workers, has shown interest in cooperative action with GEFONT and even eventual union with it. This is a positive trend. Politicization of professionals minimizes the cost of cooperation because politics is the domain of voluntarism and public. In contrast, partisan or de-politicization increases the cost for it. Social and contextual learning by union leaders is essential to understand as to how the heterogeneity of ideologies, needs, interests and identities of various unions are harmonized for coordinated action. The effectiveness of unity largely rests on the degree of cohesion and depth of leadership commitment of national affiliates, the resources these affiliates muster to support their initiatives and the linkages they forge at the district and plant level units and esprit de corps.

Handling the Problems of Collective Action

How can the workers protect and promote their labor, constitutional and human rights? Individual pursuit of interests is ineffective in the globalized context of market. The uncoordinated actions of each trade union may not result in the best outcome it seeks to achieve. If the unity among trade unions is not organized democratically, with a representative institutional structure, it will be vulnerable to factionalism, partisan policy and dominant economic interests. Coordination without cohesion, trust and teamwork creates problems in collective action. New relationships have to be developed that go beyond organizing new members into unions: they involve efforts to link up with and create social movements that fuse the dissimilar horizons of union, civil society, community and social service organizations in new and creative ways. The role of trade union leadership, organization, education and campaigns are especially important to increase their ideological commitment for social justice. A strategy of collective action is, therefore, the only basis for the pursuit of certain basic needs and wants, satisfying work, material benefits and control of everyday life.

To negotiate new social contract embedded in future constitution of Nepal requires structural transformation of society: first at the level of economy—from revenue –based to production-based and symbolic to real economy in order to establish the right to work and satisfy basic needs of all workers; at the level of education—capable of understanding both national needs and spirit of the age to support workers' life-long learning to cope with and adapt to structural change; at the level of technology—to reduce human and ecological cost in production, distribution and exchange; at the level of institutions—to absorb informal sector workers, youths and new groups of society; and at the level of leadership—to link the transformation to life-politics of satisfaction of individual liberty, preference and human identity and inspire workers in a new vision and system of justice. As human rights provide the workers to participate in civil, political, economic, social and cultural citizenship, there is a need for the unions to act as a mediating force, rather than an instrument of

political parties, or law of the government or even proxy of neo-liberalism. This transformation would be difficult unless unions strictly follow the principle of single union in workplace by breaking their compartmentalization into divergent interest groups, establish proportional representation of all unions in a confederation, a single collective bargaining strategy, working option on joint programs and build consensus on the merger though they might generate contradictions in the initial phase.

Conclusion

Unity is the hallmark of institutionalization of trade union politics. Autonomy of national federation from party politics and dominant structures of society helps to maintain consistency and coherence of their works and option for cooperative action, create overlapping interests, identities and ideologies among them, an atmosphere of mutual tolerance and prevent the disruptive effects of external forces. Unity can be achieved if national affiliates subordinate their individual interest to general social vision and objectives of all Nepalese workers and work to transform them into equal citizens. Unity among the unions is the lubricant of workers' life because it minimizes structural violence in their workplace, maximizes the motivation for freedom and liberates them from the dangerous grinding cycle of scarcity for negotiating higher capacity for "action." Trade union unity requires productive economic programs and joint activities as an incentive for the workers to join trade unions and hold the community and society together. It also requires unions to move beyond city-centric approach and provide the informal and agricultural sectors an agency for service, advocacy, education, mobilization and unity. Trade union leadership is a participatory process built from below, not bureaucratic top down. Unlike party leadership which is largely transactional, it is transformatory in nature as they motivate members to place their organizational and social demands above the personal ones.

Highly active informal social connections of union are vital in addressing needs and legitimate desire of workers. Low wage earners, agricultural and informal sector workers require union's support in organizing the integration of left out sectors in the labor market. The central level federations have to organize concrete programs for economic development such as workers cooperatives, micro-credit, community health, affirmative action for dispossessed, service centers, co-production of public goods and service and encourage the participation of workers in local peace committees. This helps to improve unions' image as wealth producers of society and de-colonizers of workers' life. The reduction of life to the pursuit of immediate material gain without regards for its general moral, social and political consequences, however, does not make workers' life stable. It drains the social, institutional and human capital necessary for interpersonal, inter-institutional and international solidarity for social transformation.