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Independent Trade Unions: Between Political Developments and Internal Factors - Egyptian Case Study 2004-2015

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Introduction

Egypt has had a long history of trade union action and labour movements, even long before the January 2011 Revolution. It dates back to several periods during the 19th and early 20th centuries and is marked by mass and diverse union movements, despite various attempts by the State to quell it. However, the movement at times did indeed succumb to the wide control of the State through an institutional framework. As such, the Egyptian Trade Union Federation (ETUF) was founded in 1957 and was followed by long and significant periods of struggle.¹

It is also important to note that the Center for Trade Union and Workers' Services (CTUWS) was founded in 1990 by labour leaders who strongly believed in the independence of trade unions. These leaders were born out of the Egyptian Labour Movement, which prospered in the late 1980s outside of the official trade union structure, following the 1986 railway workers strike, and the 1989 iron and steelworkers strike.²

This paper aims to highlight the internal problems that face independent trade unions. It is primarily referring to the trade unions independent from the state-controlled ETUF and explores their activity from 2004 up until 2015. This contemporary period also includes major milestones that have affected independent unions in the Arab world's most populous country.

Period of New Foundations: Pre-January 2011

The rise of independent trade unions in Egypt was not linked to the January 2011 Revolution as some might think. They emerged long before that. In 2009, the first independent trade union was founded for workers of the Real Estate Tax Authority (IGURETA) by civil servants in that sector, based on the ILO convention enshrining workers' freedom of association. Three other unions were founded later before the January 2011 Revolution, for pensioners, healthcare technicians, and teachers. In



addition to the first trade union, these were the largest, most influential unions. However, most independent unions were founded after the January Revolution, which exposed once again the rampant corruption and submission to power in the general union space pre-January 2011. This was the case of the (official) Egyptian Trade Union Federation (ETUF), which condemned workers' strikes during the 18 days of the nationwide sit-in that removed Egyptian president Hosni Mubarak from his three-decade rule by on 11 February 2011. Independent unions now amount to 1,500 unions with five federations. ETUF includes 23 general federations as of the 2006-2011 union session, and around 1,809 union committees.³

Since its establishment in 1957, ETUF has been the sole legal trade union in Egypt. It was granted official status under Law no. 35 of 1976. Despite undergoing radical changes in socioeconomic policy since the 1950s, ETUF was also a tool of the State. Almost all ETUF members work in the public or governmental sectors. Therefore, the ETUF structure relies on the public sector. Its mission was to control workers as much as it was to represent them. However, it could not stop the mobilization of independent workers towards the end of Mubarak's mandate. Between 2000 and 2010, more than 2 million, maybe even 4 million Egyptian workers participated in 3,400-4,000 strikes.

In 2003, ETUF opposed the promulgation of the standardized Labour Law, yet came around eventually.⁴ The law contributed to changing prevailing practices by granting workers permanent employment following a probationary period. Establishments were allowed to employ workers indefinitely via fixed term "temporary" contracts, then dismiss them upon terminating the contracts at their discretion. Nonetheless, these aspects of the law were poorly enforced. In 2004, ETUF did not object to the formation of what is now known as the "Businessmen Government" headed by Prime Minister Ahmad Nazif. However, not all ETUF bases followed suit. The action escalated after the Nazif government took over power directly.

In 2004, 265 collective activities were organized – 70% of which occurred after the Nazif government took over in July 2004.⁵ The textile industry witnessed the most activity, having been targeted heavily by privatization. By 2007, the movement had expanded to include all industries, public services, transportation, civil services, and professionals. Even though ETUF could not restrain the growing protests, it

³ [Independent Trade Unions: Between Political Developments and Internal Factors - Egyptian Case Study 2004-2015](#)



remained nominally the dominant player over all organized action. On the eve of the fall of Hosni Mubarak on 11 February 2011, only 3 independent unions were not under the direct control of the regime. This may be due to their cohesive nature since inception, as well as the political context that allowed them to exist under the regime's control over ETUF. The movement, which paved the way for an independent union in 2007, was launched when the workers from the Real Estate Tax Authority formed a national committee. They did this so that they could organize a strike and lead a coordinated campaign to advance their demands for wage parity with tax workers from the Ministry of Finance, who were paid much more. The disparity arose due to a bureaucratic reorganization process that happened several years earlier. This restructure had created a group of poorly paid clerical workers employed by local authorities with fewer resources than the central government.⁶ The campaign culminated in an 11-day sit-in in front of the offices of the Cabinet in downtown Cairo. Some 8,000 workers and their families resolved to remain until the demand for wage parity was met. Astonishingly, Minister of Finance Yusif Boutrus Ghali yielded, and the Real Estate Tax Authority workers won a 325 percent wage increase.⁷

Building on the momentum of this achievement, the strike committee spent the following year organizing an independent union. By December 2008, over 30,000 of some 50,000 clerical workers employed by local authorities throughout Egypt joined the new union. The Ministry of Manpower and Migration unexpectedly and – technically – illegally recognized the new union in April 2009, the first trade union independent of the regime in over half a century. Independent unions of healthcare technicians and teachers were also founded before the end of 2010.⁸

To a great extent, workers became the biggest element of a thriving protest culture in the first decade of the second millennium. They greatly undermined the legitimacy of the Mubarak regime, although they gained less media coverage compared to pro-democratic middle-class movements, such as Kefaya. This could be traced back to the nature of worker movements characterized by more specific demands, rather than general movements. As a result, they attracted less media interest unless their protests develop into something bigger, or they engaged with partisan or political powers. However, until 2010, only a small minority of workers called for democratic transformation as a strategic objective. Workers on strike or



in protests would usually invite Mubarak or his ministers to visit them to appeal to the regime's power, rather than challenge it outright. The 22,000 workers of the Misr Spinning and Weaving Company who went on strike in September 2007 created for the movement another turning point. Building on their success, the strike committee of company workers called for a strike on 6 April 2008, demanding the establishment of a national monthly minimum wage of 1,200 Egyptian pounds. Nonetheless, security forces suppressed the strike using a combination of polarization and violent oppression. As such, the regime had drawn a line in the sand between local grievances and national policy. While the regime succeeded in doing this for some time, workers kept fighting for better wages to satisfy living requirements. A lawsuit was filed and resulted in a verdict in March 2010 urging the government to institute a "fair" minimum wage. On 1 May 2010, hundreds of workers and supporters gathered in front of parliament demanding that the government implement the court order and set a minimum basic monthly wage of EGP 1,200—a figure popularized since the aborted 2008 Ghazl al-Mahalla strike. They chanted, "A fair minimum wage, or let this government go home" and "Down with Mubarak and all those who raise prices!"⁹

Due to a combination of repression and the limited capacities of local networks that enabled collective action at the workplace level, explicitly political demands emerged only episodically late between 2008 and 2010. This prevented the workers' movement from developing a national leadership or political program. Because workers typically mistrusted the opposition intelligentsia and saw them as outsiders who sought to impose their own agenda, there were only fragile and intermittent linkages between these two forces.¹⁰

Period of Great Explosion: The January 2011 Revolution

When the uprising began on 25 January 2011, and despite their inability to take initiative, workers quickly mobilized to take part in toppling Hosni Mubarak. The main achievement was the establishment of the Egyptian Federation of Independent Trade Unions (EFITU), the first association born from the revolution.

EFITU was announced on 30 January 2011 at a press conference that took place in



Cairo's Tahrir Square, the epicentre of the popular movement seeking to topple Mubarak. Since the foundation of EFITU broke the state monopoly of ETUF over union associations, this revolutionary action made the legal breach a basis for new legitimacy.

IGURETA and the independent unions of healthcare technicians and teachers initiated a new federation with support from the Center for Trade Union and Workers' Services (CTUWS) – a grassroots NGO focused on labour issues established in 1990. They were also joined by the recently established retirees' association and representatives of textile, pharmaceutical, chemical, iron and steel, and automotive workers from industrial zones in Cairo, Helwan, Mahalla al-Kubra, Tenth of Ramadan City, and Sadat City. This collective group had 8.5 million members.

Although the labour movement made great strides during this period, new unions still face structural issues and challenges – namely funding.¹¹ Funding new unions also poses problems. Independent unions must collect dues from every individual member each month, while ETUF still receives dues by an automatic deduction from wages, even from those who have expressly resigned their membership. The central ETUF bureaucracy controls the social funds of its constituent unions, which provide pensions and other valuable benefits. New, independent unions have no access to these funds, even if all or most of their membership consists of former members of ETUF-affiliated unions, as is the case with the Real Estate Tax Authority clerical workers, Cairo Transport Authority workers, teachers, postal workers, and others.

Facilitated by the government's closure of all workplaces in early February 2011, many workers participated in the popular uprising as individuals. On 6 February, they returned to their jobs. Just two days later, EFITU called for a general strike demanding that Hosni Mubarak relinquish power. Tens of thousands of workers—including those employed at large and strategic workplaces like the Cairo Public Transport Authority, Egyptian State Railways, the subsidiary companies of the Suez Canal Authority, the state electrical company, and Ghazl al-Mahalla—answered the call. They then engaged in some 60 strikes and protests in the final days before Mubarak's fall on 11 February. One of the important steps of this revolution was taken when workers began to protest, giving the revolution an



economic and social slant besides political demands. The economic paralysis created by this strike “was one of the most important factors leading to the rapidity of Mubarak’s decision to leave.”¹²

Nonetheless, it did not prevent the internal rifts among the trade union movement due to the lack of clear structures within unions, as well as the lack of internal regulations and decision-making processes. Another issue is the dominance of some figures over movements, which were affected by their absence or changing stances later on.

Period of Decline - 2012-2015

After the toppling of Mubarak, workers continued to protest. No less than 150,000 of them participated in 489 strikes in addition to other activities in February 2011. The EFITU leaders and labour activists used this momentum to advocate for real democracy and not the mere change of the face of the regime. As such, 40 of them convened in February 2011 and adopted the “Workers Demands for the Revolution” Declaration, including the right to found independent unions, the right to strike, and the dissolution of the ETUF.¹³

Independent unionists carried on their action. In March 2011, EFITU leaders convened a conference entitled “What Workers Want from the Revolution.” One of their key demands—rescinding the Supreme Council of Armed Force (SCAF’s) appointment of ETUF treasurer as Interim Minister of Manpower and Migration—was met within two weeks. They proposed instead Ahmad Hasan al-Bura‘i, a professor of labour law at Cairo University who had been publicly advocating trade union pluralism. Thus, al-Bura‘i recognized the EFITU and tens of instituted independent labour unions founded afterwards. On the other hand, the SCAF – de facto ruler of the country at the time – responded to the surge of workers’ collective action by issuing Military Decree 34 on 24 March 2011. This decree imposed a fine of up to EGP 50,000 for anyone participating in, or encouraging others to join a sit-in or any other activity that “*prevents, delays or disrupts the work of public institutions or public authorities.*”¹⁴

As such, the regime focused on the EFITU, which represented a wide host of nongovernmental labour unions. It strove to place these independent unions once



again under the auspices of the state-controlled ETUF, and to dwarf the expectations of unionists and workers of securing their rights.

Thus, the hopes of Mahalla al-Kubra workers were decimated following the institutionalization of their labour action and independent committees within factories, given their weak structures, and the prevailing political and legal factors. The continued protests, however, did not prevent the Muslim Brotherhood from acceding to power. In the period between February and March 2013, around 350 to 461 strikes and workers' protests were taking place daily in Egypt. This new wave of strikes toward the end of Mohamed Morsi's presidency was used by political elites to bring down the Brotherhood by attending meetings of the EFITU, the CTUWS, and other opposition groups, in an attempt to put their activities under strict state control.¹⁵

Following Morsi's departure, the State maintained capitalist policies, ignoring demands for social justice. The government carried on negotiations with the International Monetary Fund. All of these measures encountered the opposition of large groups in the labour movement. On 28 April 2015, the High Administrative Court prohibited workers from exercising their right to strike and forced many labour officials to retire by accusing them of partaking in protests. In this context, the wide surge of worker protests was noteworthy following the fall of Morsi and the military taking full control over the reins of power. They were organized between August and September 2015, in parallel with the issuance of the first draft of the Civil Service Law.

The government's targeting of the EFITU and its members had prevented the union from "evolving into a more structured organization." However, the EFITU still maintains support at the local level and continues to organize new strikes, as it did with a set of strikes beginning in January 2014 at Suez Steel Company factories and the Menoufiya and Mahalla al-Kubra textile factories. However, increased governmental control today is hindering the independence of those trade unions, transforming their activities from anti-regime social workers' movements to NGOs defending labour rights and maintaining an almost irrelevant difference with more governmental organizations.¹⁶

The coordination and worker solidarity while using strikes as a tool may have been



the ingredient for this union movement’s success. Another factual ingredient is the regime’s engagement in negotiations with workers in an attempt to restrict the movement, rather than looking for solutions. Every time workers sit down to negotiate with the Minister of Manpower and Migration, they are blindsided by the Minister of Investment’s withdrawal from the deal. This has undermined trust in the very process of negotiating with the government, which has resorted to populist rhetoric calling on workers and the poor to be patient and make sacrifices for the good of the nation.¹⁷ This situation rippled through the structure of independent unions, which have started to disagree on various action processes and are suffering from internal divisions given the lack of governing structures.

Egyptian Case: Deducing Case-Specific Issues

Another important issue is the matter of public representation. Representation here refers to independent trade union leaders speaking on behalf of groups of workers whom they do not represent, instead of making efforts to organize workers and build their cadres. Workers are members of these entities and have not given them complete authority to speak on their behalf.¹⁸ This issue is evident in independent unions, especially during the post-January Revolution phase. Workers had been empowered to make their own decisions and organize their ranks without referring back to union leaders. Following the toppling of Mubarak and the start of a new era in union action, workers only wanted union leaders to help them build their cadres. They wanted help in organizing their ranks so that they could voice their own demands and work collectively towards achieving them, rather than having a union leader speaking and negotiating on their behalf without so much consulting them.

Conclusion: What can we learn from the Egyptian trade union experience?

Independent trade unions are facing several internal issues that have kept them from fulfilling their required roles. These obstacles include a lack of expertise,



funding problems, lack of internal regulations and decision-making processes, and a host of specific elements related to leadership.

Marginalization and a lack of organizational skills have led to poor expertise even among senior leadership. Structural factors have also played a key role.

Independent trade unions have faced numerous challenges during their establishment, namely the issue of deducting contributions and transferring contributions from ETUF to EFITU. This situation resulted in limited financial resources, preventing some from supporting members under difficult circumstances and securing headquarters.

Most general assembly members expect the union to prove its struggle and advocacy for workers' rights before paying contributions. This reflects a distrust in official union associations that had been accustomed to collecting contributions yet failing to provide adequate representation and benefits for their members.

These weaknesses do not mean that independent unions did not struggle or have not waged many battles over the last few years since the declaration of union freedoms in 2011. However, most trade unions have become weak and uninspired. They often do not represent workers due to their lack of organizational expertise. Trade unions have attempted several democratic decision-making methods during their inception; however, recent months have exposed several problems within unions in terms of corrupt administrative boards, internal divisions, as well as personal disagreements on action plans and negotiations. This experience, like others, has revealed gaps in the organizational regulations and structures of independent unions when seeking accountability for administrative boards.

Many of these issues could be explained by the newness of independent trade unions and their (sometimes) rushed inception. As such, general lessons to draw from the Egyptian experience for future independent trade unions include: first and foremost, building their capacity to organize themselves internally; drafting solid regulations and processes for various decision-making; relying on good governance and transparency; and moving away from personal disagreements in unions. The truest test for the effectiveness of trade unions is how well they advocate for their members and how much they represent their rights and interests.¹⁹





Endnotes

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