



THE RISE OF EGYPT'S WORKERS

Joel Beinin

MIDDLE EAST | JUNE 2012

CARNEGIE ENDOWMENT

FOR INTERNATIONAL PEACE

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Acronyms

CTUWS—Center for Trade Union and Workers’ Services

ECESR—Egyptian Center for Economic and Social Rights

EDLC—Egyptian Democratic Labor Congress

EFITU—Egyptian Federation of Independent Trade Unions

ETUF—Egyptian Trade Union Federation

IGURETA—Independent General Union of Real Estate Tax Authority Workers

NDP—National Democratic Party

SPA—Socialist Popular Alliance Party

SCAF—Supreme Council of the Armed Forces



Summary

Workers have long sought to bring change to the Egyptian system, yet the independent labor movement has only recently begun to find a nationwide voice. As Egypt's sole legal trade union organization and an arm of the state for nearly sixty years, the Egyptian Trade Union Federation (ETUF) has had a monopoly on representing workers. Though its mission is to control workers as much as it is to represent them, ETUF has been unable to prevent the militant labor dissidence that has escalated since the late 1990s. Workers were by far the largest component of the burgeoning culture of protest in the 2000s that undermined the legitimacy of the Mubarak regime.

Workers have largely been concerned about economic issues that gained salience as Egypt accelerated the privatization of public enterprises. Until 2010, only a small minority of labor activists advanced democratization as a strategic objective. Commonly seeking to co-opt rather than openly contest the regime's power, the independent labor movement was unprepared to take the lead when unrest swept through the Arab world in January 2011. It had no nationally recognized leadership, few organizational or financial resources, limited international support, no political program, and only a minimal economic program.

Despite this, workers were quick to mobilize in the early stages of the groundswell that eventually unseated Hosni Mubarak, and they deserve more credit for his ouster than they typically receive. Soon after the uprising began, workers violated ETUF's legal monopoly on trade union organization and formed the Egyptian Federation of Independent Trade Unions (EFITU)—the first new institution to emerge from the revolt. Labor mobilization continued at an unprecedented level during 2011 and early 2012, and workers established hundreds of new, independent enterprise-level unions. They also secured a substantially higher minimum wage.

Yet, though the labor movement has made headway, problems persist. New unions face funding difficulties and the independent labor movement is internally divided. The Supreme Council of the Armed Forces (SCAF)—the ultimate power in Egypt since Mubarak's demise—and ETUF have both repeatedly asserted their power to oppose independent unions and have scored some successes. The movement has a very limited presence in the emerging institutions of the post-Mubarak state and is thus left without much leverage to fend off attacks from its political opponents.

Going forward, the independent labor movement should consider looking beyond street protests over immediate grievances, where it has achieved its

greatest successes, and begin training enterprise-level leaderships and forging political coalitions with sympathetic sections of the intelligentsia. Independent trade unions remain the strongest nationally organized force confronting the autocratic tendencies of the old order. If they can solidify and expand their gains, they could be an important force leading Egypt toward a more democratic future.

Labor Finds a Voice

Egyptian workers played an important part in bringing down the regime of Hosni Mubarak, though they did not make the headlines. They not only had a substantial presence in the mass demonstrations of January and February 2011, but strikes, which escalated after 1998, played a major role in delegitimizing the regime and popularizing a culture of protest.

Since Mubarak's departure, workers have broken the long-dominant, state-controlled Egyptian Trade Union Federation's stranglehold on labor organization and have begun to form new, democratic, independent unions and federations. Strikes and other collective actions continued throughout 2011 and into 2012 at unprecedented levels.

However, entrenched military and former Mubarak regime forces have attempted, with some success, to maintain their power, reverse the gains of independent trade unions, and block the entry of new and unpredictable forces into the political arena. The democratic labor movement is struggling to present a united front, but is, in fact, divided. And despite their role in overthrowing Mubarak, workers and their interests were not well represented in Egypt's first (and subsequently dissolved) post-Mubarak parliament, nor did they comprise a clearly defined factor in the 2012 presidential election.

Strikes played a major role in delegitimizing the regime and popularizing a culture of protest.

The Labor Movement Under Mubarak

Since its creation in 1957 the Egyptian Trade Union Federation (ETUF) has been the sole legal trade union organization in Egypt, a status formalized in Law 35 of 1976. It has also been an arm of the state, notwithstanding the dramatic changes in economic and social policy since the 1950s. In the 2000s, ETUF claimed a membership of 3.8 million out of a wage labor force of about 27 million. Almost all its members work in the government or public business sectors of the economy, as ETUF's structure is predicated on the dominance of the public sector created in the era of President Gamal Abdel Nasser (1954–1970).

ETUF's mission was to control workers as much as it was to represent them. But, it was unable to prevent militant labor dissidence in the late Mubarak era. From 1998 to 2010, well over 2 million and perhaps as many as 4 million Egyptian workers participated in some 3,400 to 4,000 strikes and other collective actions.¹ Those protests played a major role in delegitimizing the regime

in the eyes of many Egyptians—long before the mass demonstrations that led to the ouster of Hosni Mubarak in February 2011.

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After resisting or equivocating about proposals to expand the private sector at the expense of the public sector for a decade and a half, the ETUF leadership accepted the ERSAP and Law 203.² ETUF similarly resisted but ultimately acquiesced to the enactment of the Unified Labor Law of 2003. A significant provision of that legislation radically altered the prevailing practice of giving workers tenured employment after a trial period by allowing employers to engage workers indefinitely on "temporary" fixed-term contracts and to dismiss them at the termination of those contracts at their sole discretion.

This "flexibility" in the labor market was considered necessary to attract foreign investment. But it eliminated the job security workers had come to expect in the Nasser era. Because the number of new private sector jobs was much smaller than the number of new entrants to the labor market and public sector jobs were eliminated, this became an issue of frequent and sometimes bitter contention.

The ETUF leadership succeeded in inserting clauses into the new legislation prohibiting mass firings after privatization of a public sector firm and providing compensation to workers harmed by privatization. But these aspects of the laws were poorly enforced.³

ETUF raised no public objection to the installation in July 2004 of what came to be known as "the government of businessmen" led by Prime Minister Ahmad Nazif. Nazif's mandate was to accelerate the neoliberal transformation of the economy and the sell-off of the public sector. He succeeded. The World Bank enthusiastically praised Egypt's efforts at economic "reform" and repeatedly designated it a top-ten "most improved reformer."⁴

Though ETUF's top leadership acquiesced to the makeover of the economy, many rank-and-file members did not. Immediately after the Nazif government took power, contentious action escalated. The highest estimate of the total number of labor protests from 1988 to 1993 is 162—an average of 27 per

year.⁵ From 1998 to 2003 the annual average for collective actions rose to 118. But in 2004 there were 265 collective actions; over 70 percent occurred after the Nazif government took office in July. The movement was initially centered in the textile industry, which had been targeted for privatization, but by 2007 it encompassed virtually every industry, public services, transport, civil servants, and professionals.

Despite the escalating protests it could not control, ETUF remained the dominant nominal representative of organized labor. On the eve of the overthrow of President Hosni Mubarak on February 11, 2011, there were only three trade unions independent of direct control by the regime.

The largest and most influential by far was the Independent General Union of Real Estate Tax Authority Workers (IGURETA)—representing clerical workers employed by local authorities. The movement leading to the formation of the independent union began in the fall of 2007, when Real Estate Tax Authority workers formed a national strike committee led by Kamal Abu ‘Ayta to lead a coordinated campaign in support of their demand for wage parity with

tax workers employed directly by the Ministry of Finance, whose salaries were far higher. The disparity arose due a bureaucratic reorganization several years earlier, which created a group of poorly paid clerical workers employed by local authorities with fewer resources than the central government.

The campaign culminated in an eleven-day occupation of the street 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 capitulated; the Real Estate Tax Authority workers won a 325 percent wage increase.

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 (that is, labor) 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 health-care technicians and teachers were also founded before the end of 2010.

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Economic and Political Demands

Although they received far less attention than middle-class pro-democracy movements like Kifaya, workers were by far the largest component of the burgeoning culture of protest of the 2000s that undermined the legitimacy of the Mubarak regime. But until 2010 only a small minority of workers

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advanced democratization as a strategic objective. Striking or protesting workers commonly sought to co-opt rather than openly contest the regime's power by calling on Mubarak or a cabinet minister to visit them and hear their grievances.

Only in rare instances, like the September 2007 strike of 22,000 workers at Misr Spinning and Weaving Company (known as Ghazl al-Mahalla), did workers raise overtly political demands. During the strike, Sayyid Habib, a member of the elected strike committee, told Voice of America Radio, "We are challenging the regime" (September 28, 2007). Another strike committee member, Muhammad al-Attar, told a mass meeting of workers, "Politics and workers' rights are inseparable. Work is politics by itself. What we are witnessing here right now, this is as democratic as it gets."⁶

Building on this success, the Ghazl al-Mahalla strike committee called a strike for April 6, 2008, to demand a national minimum monthly basic wage of EGP 1,200 (about \$200; a huge increase over the prevailing rate of about \$23). Security forces thwarted the strike through a combination of co-optation and violent repression. The regime drew a red line at linking local grievances and national policy and temporarily succeeded in maintaining it.⁷

However, the struggle for a living wage continued. Khalid 'Ali, the founding director of the Egyptian Center for Economic and Social Rights, was a key personality in linking workers' economic demands to political demands toward the very end of the Mubarak era. He represented Nagi Rashad, a worker at the South Cairo Grain Mill, in a suit resulting in a March 2010 court order requiring the government to establish a "fair" minimum wage. The National Council on Wages proposed increasing the minimum monthly basic wage to EGP 400 (about \$67). Although far from adequate, this would have been a substantial increase if the government had enacted the proposal; but it did not.

On May 1, 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!" Khalid 'Ali told the press, "The government represents the marriage between authority and money—and this marriage needs to be broken up. . . . We call for the resignation of Ahmad Nazif's government because it works only for businessmen and ignores social justice."⁸

Due to a combination of repression and the limited capacities of the local networks that enabled collective action at the workplace level, explicitly political demands emerged only episodically late in the 2000s. This prevented the workers' movement from developing a national leadership or a political program. Because workers typically mistrusted the opposition intelligentsia as

outsiders who sought to impose their own agenda, there were only fragile and intermittent linkages between these two forces. Therefore, when Mubarak departed, workers could not provide political leadership for the nation, as the Polish Solidarity union movement did in 1989.

Workers and the 2011 Popular Uprising

Despite their inability to take the lead, workers were quick to mobilize in the early stages of the groundswell that eventually unseated President Hosni Mubarak, and they deserve more credit for his ouster than they are typically given. One of the less noticed events of the popular uprising was the formation of the Egyptian Federation of Independent Trade Unions (EFITU)—the first new institution to emerge from the revolt. Its existence was announced on January 30, 2011, at a press conference in Cairo’s Tahrir Square—the epicenter of the popular movement to depose Mubarak. Because establishing EFITU violated ETUF’s legal monopoly on trade union organization, it was a revolutionary act—one in which a crime becomes the basis for a new legality.

IGURETA and the independent unions of health-care technicians and teachers initiated the new federation with support from the Center for Trade Union and Workers’ Services (CTUWS)—a grassroots NGO focused on labor issues established in 1990. They were joined by the recently established 8.5 million member 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.

Facilitated by the government’s closure of all workplaces in early February, many workers participated in the popular uprising as individuals. On February 6 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, engaging in some 60 strikes and protests in the final days before Mubarak’s fall on February 11. As Khalid ‘Ali explained, “The workers did not start the January 25 movement because they have no organizing structure. . . . [But] one of the important steps of this revolution was taken when they began to protest, giving the revolution an economic and social slant besides the political demands.”⁹

According to the Sons of the Land Center for Human Rights, the economic paralysis created by this strike wave, “was one of the most important factors leading to the rapidity of . . . Mubarak’s decision to leave.”¹⁰ The Supreme Council of the Armed Forces (SCAF) pushed Mubarak aside in what was as

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much a soft military coup as a revolution. This satisfied the majority of demonstrators, at least during the first half of 2011.

But workers continued to protest. At least 150,000 participated in 489 strikes and other actions during February 2011. EFITU leaders and labor activists used this momentum to advocate substantive democracy not merely changing the face of the regime. Forty of them met on February 19 and adopted a proclamation of “Demands of the Workers in the Revolution,” including the right to form independent trade unions, the right to strike, and the dissolution of ETUF, “one of the most important symbols of corruption under the defunct regime.” Reflecting a widespread sentiment among workers and the poor, they asserted:

If this revolution does not lead to the fair distribution of wealth it is not worth anything. Freedoms are not complete without social freedoms. The right to vote is naturally dependent on the right to a loaf of bread.¹¹

Workers Turn to Politics

A decade of struggle around economic and trade union issues, participation in the January 25 popular uprising, and the removal of some (but far from all) of the repressive constraints of the Mubarak regime gave trade union activists the confidence to assert political demands that they had previously

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mostly avoided. However, many revolutionary activists—especially young liberals with little political experience who had been prominent in the occupation of Tahrir and other urban squares—regarded these as “special interest” (*fi’awi*) demands rather than proper “national” demands and refused to support them during February and March 2011, when the opportunity for change was greatest.

Independent trade unionists proceeded nonetheless, with the support of some allies from the intelligentsia. On March 2, EFITU leaders convened a conference entitled “What Workers Want from the Revolution.” One of their key demands—rescinding the SCAF’s appointment of ETUF treasurer Isma’il Ibrahim Fahmi as interim minister of manpower and migration—was met within two weeks. Fahmi’s appointment represented no real change from the Mubarak era. Independent trade unionists vehemently opposed him and proposed instead Ahmad Hasan al-Bura’i, a professor of labor law at Cairo University who had been publicly advocating trade union pluralism for several years.

Al-Bura’i replaced Fahmi, and on March 12, the newly installed minister participated in a panel discussion at the Press Syndicate entitled “Know your Role.” Mustafa Basyuni, a respected leftist labor journalist who reported for

the opposition daily *al-Dustur* in the 2000s and became labor editor for the new daily *Tabrir*, which positions itself as the “voice of the revolution,” moderated. The speakers were Minister al-Bura‘i, IGURETA president Kamal Abu ‘Ayta, and the general coordinator of the CTUWS, Kamal ‘Abbas. This scene would have been unimaginable in the Mubarak era. The daily *al-Abram* reported:

With tears in his eyes, El-Borai [al-Bura‘i] stated with resolve that workers would soon have the right to establish, form and join any trade union of their choice—trade unions which would remain completely independent of the ministry. These unions would be able to independently conduct their domestic affairs, develop regulations, allocate their funds and choose their own leaders.¹²

The legal basis of al-Bura‘i’s position was that Egypt’s ratification of International Labor Organization conventions guaranteeing freedom of association and protection of the right to organize (Number 87) and the right to organize and bargain collectively (Number 98) constituted international treaty obligations that superseded the national legislation establishing ETUF as Egypt’s only legal labor union. Therefore, al-Bura‘i recognized EFITU and scores of newly established independent enterprise-level trade unions.

Empowered by the popular uprising and the political legitimacy of their organizations, independent trade unionists did not simply rely on the minister of manpower and migration. The Founding Body of EFITU and the CTUWS submitted memoranda to the ministry with detailed criticisms of Law 35 of 1976 that established ETUF as the sole legal trade union and proposals for a new trade union law based on drafts developed by the CTUWS, the Coordinating Committee for Trade Union and Workers Rights and Liberties, and nearly 40 opposition political parties and NGOs who had inaugurated the campaign “Together to Unleash the Freedoms, Independence, and Democratization of Labor Unions” in October 2008.¹³ EFITU and its allies received support from the international trade union movement, including the Solidarity Center of the AFL-CIO, several European trade union federations, and the International Trade Union Confederation (ITUC), which had been formed in 2006 through the reorganization of the Cold War–era International Confederation of Free Trade Unions.

The SCAF responded to the surge of workers’ collective action that had been unleashed by Mubarak’s demise by issuing Military Decree 34 on March 24. A revised version became Law 34 and set a fine of up to EGP 50,000 (about \$8,333) 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.” The penalty increases to EGP 500,000 (about \$83,333) and at least a year’s imprisonment in the event of violence or property damage that may lead to “destruction of means of production” or harm “national unity and public security and order.”¹⁴

Acting on a long-standing demand of labor activists, on August 4, 2011, the Ministry of Manpower and Migration implemented a 2006 court order ignored by the Mubarak regime that nullified the blatantly fraudulent 2006 national ETUF elections. The ETUF executive board and the boards of seven of its 23 constituent national general unions were dissolved. The cabinet appointed a 25-member committee including thirteen independent trade unionists, Muslim Brothers, and ETUF stalwarts to manage ETUF's affairs and look into any financial irregularities until new elections could be held. ETUF treasurer Isma'il Ibrahim Fahmi, the SCAF's first appointee as minister of manpower and migration, was appointed head of the committee to constrain the independents' scope of action.

The independents sought and continue to demand the total dissolution of ETUF. But this arrangement created a large space for them to operate and gain strength, which the SCAF later closed down.

Workers' Gains

The most important achievement of overthrowing Hosni Mubarak for workers was one they shared with all Egyptians: the recovery of their human dignity and their voices. But many institutions, practices, attitudes, and personnel of the former regime remain in place. Little Hosni Mubaraks are still ensconced in thousands of workplaces and other institutions throughout Egypt, operating with the same undemocratic, corrupt, clientelistic norms as the Mubarak regime and its elites. At best, it will take years for this to be addressed and transformed. But even the lowest paid and most marginalized workers now feel they have the right to challenge existing hierarchies of power and demand accountability from their government and their supervisors at work.

A higher minimum wage and a substantial start on institutionalizing independent, democratic trade unions are the most important achievements specific to workers' interests. Independent trade unions still face the determined opposition of ETUF, which retains considerable power and has the support of the SCAF. Another important achievement, though it is primarily symbolic at this point, is the detention of former ETUF president Husayn Mugawir and former minister of manpower and migration 'Ai'isha 'Abd al-Hadi on charges of corruption. They are still awaiting trial.

The Minimum Wage and Workers' Rights

Compensation is the area in which labor activists have made the most tangible progress. The post-Mubarak interim cabinet increased the monthly minimum

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basic wage to EGP 700 (about \$116) for public sector employees July 1, 2011 effective. Minister of Finance Samir Radwan promised it would rise to EGP 1,200 over the next five years, though in light of the depressed state of the economy and Radwan's resignation before the end of the summer, this seems unlikely. In October 2011 the first-ever private sector minimum wage was established at EGP 700.¹⁵

The principle that the government should establish a minimum wage in the private sector is in and of itself a significant departure from the Sadat-Mubarak era approach to attracting capital investment. Yet, change will not necessarily be quick in coming. 'Adil Zakariyya, editor of the CTUWS monthly magazine *Kalam Sinaya'iyya* (Workers' Talk), maintained that "very few workers will actually benefit from this decision."¹⁶ In addition to the government's weak capacity and perhaps also disinclination to stringently enforce the law, the minimum wage does not apply to enterprises with less than ten employees—the vast majority of workplaces. Enterprises that present "sufficient proof"—a vague term open to abuse—that they cannot afford to raise salaries are also exempt. Moreover, some 40 percent of all labor in Egypt is employed in the "informal sector" that flies under the government's radar screen without effective regulation.

Many public and private sector managers treat workers, especially women, no less contemptuously than they did in the Mubarak era. Changing workplace cultures of disrespect and abuse can be accomplished only by bottom-up mobilization over a period of time, not by legislation. However, the popular victory of deposing Mubarak instilled a sense of confidence and assertiveness in many Egyptians, including workers.

For example, in June 2011 about one hundred former workers, mostly women, at Mansura-España, a private sector textile firm that went bankrupt and was eventually sold off in 2010, sought to collect their wages from the firm's largest creditor, United Bank. The bank had failed to fulfill its legal obligation to pay back wages and severance compensation to workers on the payroll at the time of the sale. Bank employees refused to pay the women, taunted them, and told them, "Go and block traffic in the streets if you want your rights."¹⁷ So they did.

A traffic policeman urged a truck driver unable to move his vehicle through the ensuing traffic jam, "Run them over. The blood money for each one is EGP 50 (about \$8)." The driver drove his truck into two women—Mariam Hawas, a forty-four-year-old mother of three, and Samah 'Isa. Mariam died on the way to the hospital; Samah was badly injured. The truck driver was charged with causing wrongful death and injury, but released without bail; the traffic policeman was not found.

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Ten days later the United Bank paid back wages and severance packages to former Mansura-España workers—two and a half months' salary for every year of employment—at a total cost of \$62,000.

Despite Mubarak's demise, the lives of factory women were still regarded as cheap by constituted authority. What changed is that even low-paid working women no longer accept the low price on their heads. Recovering in the hospital Samah 'Isa asked, "How can a life be worth 50 pounds? I don't see a future until I get my rights. That's what I want."¹⁸

Organizing New Labor Unions

EFITU has rapidly organized many new unions unaffiliated with ETUF. A year after Mubarak's demise, EFITU claimed a membership of about 200 unions and 2 million blue- and white-collar workers. EFITU has been most successful among public service workers and is relatively weaker in the manufacturing sector. Its most important affiliates are the IGURETA and newly established independent unions of teachers, the Cairo Public Transport Authority, Egypt Telecom, postal workers, and pilots and aviation workers.¹⁹

Developments in Sadat City exemplify both EFITU's great momentum and the obstacles it faces. Before 2011 there were only two enterprise-level unions in the industrial zone of Sadat City, a Special Economic Zone where 50,000 workers are employed in two hundred enterprises. Minimal union presence was one of many incentives the Mubarak regime provided to entice capital investment in such zones. As the citadel of former National Democratic Party (NDP) heavyweight and Mubarak regime strongman Ahmad 'Izz's iron and steel empire, Sadat City is a politically strategic locale. By the end of 2011 it was home to at least twelve new unions and a citywide labor council affiliated with EFITU. But such apparent successes do not mean the system has been quick or eager to adjust to workers' newfound empowerment.

The organizations in Sadat City were established through bottom-up mobilization, including several locally initiated strikes and demonstrations in May and June 2011. In early May, hundreds of workers demonstrated for several days in a row at the Gemma (Gawhara) Ceramics and Porcelain Company owned by Ahmad 'Izz, demanding a minimum monthly wage of EGP 1,200, the right to form a union, permanent appointments for 670 workers on temporary contracts, and other economic demands. On May 7, 9,000 workers at Beshay Steel went on strike to demand payment of the 15 percent bonus recently announced by the minister of finance. Most returned to work the next day with their demands satisfied. But management argued that the bonus did not apply to the 1,500 workers employed on fixed-term contracts (the ministerial announcement was not specific about this) and did not allow them to return to work.²⁰ Dividing permanent and temporary workers has been a common management strategy.

In May and again in June, for at least the sixth time in four or five years, 5,000 workers at the Turkish-owned Mega Textile factory struck over economic demands. As in several strikes of the 2000s, resentment over foreign managers, discrimination in favor of foreign workers (Indian and Bangladeshi in this case), and the humiliation of women escalated tensions. In October, management dismissed 43 members of Mega Textile's new union, and the workers, who had begun a sit-in in front of the factory gates, were attacked by military police. In November Mega Textile workers demonstrated in front of the Turkish embassy in Cairo and at ETUF headquarters. Striking workers at seven other Sadat City firms expressed their support for the fired Mega Textile trade unionists. But it did not appear that they would be rehired any time soon.²¹

Scores of new independent unions were established in 2011 and early 2012, many in workplaces with no tradition of trade unionism of any kind. But not all those employed in newly unionized enterprises joined them. Fear of retaliation, as at Mega Textile and Beshay Steel, posed major obstacles to unionization or protest of any kind.

Legal and organizational hurdles are also significant. Private sector employers typically do not recognize or bargain with a union unless strike action brings the government to intervene. Moreover, there has been no legal framework for enterprise-level collective bargaining in Egypt since the 1950s. All labor agreements have been centralized and supervised by the state in collaboration with ETUF. Rank-and-file workers have not been involved in such agreements and therefore have little experience in conducting the most basic functions of a trade union.

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. IGURETA gained partial control of its social fund in 2009, but ETUF ultimately restored its full control.

On the political level, the independent labor movement faces the opposition of the ETUF leadership, the SCAF, and the Muslim Brothers. Independent unions still have insufficient organizational, financial, and political capacity to resist such opposition successfully on many issues.

Entrenched Powers

The SCAF and ETUF have repeatedly asserted their power to oppose independent unions and have scored some successes.

So far, the SCAF-inspired law that sought to prevent sit-ins and violent protests has only been enforced once, on June 29, when a military court sentenced five workers at Petrojet, an oil and gas services company operated by the Ministry of Petroleum, to one-year suspended prison sentences. The workers had occupied the public space in front of the ministry for two weeks demanding that 200 workers employed for years on a temporary basis be granted permanent status. Despite their convictions, the occupiers did not apparently violate the law—they had not disrupted work; they positioned themselves to allow access to the building; and they did not cause any damage. The harsh sentence and its suspension suggest that the SCAF was attempting to maintain a balance between enforcing its authority, which was flagrantly flouted by almost daily strikes and demonstrations, and provoking workers to even stronger forms of contention. By the end of 2011 many workers along with other Egyptians concluded that the SCAF did not seek “to fulfill the goals of the revolution,” as it claimed, but to contain the popular upsurge by embracing only its lowest common denominator demand—the removal of Mubarak.

ETUF has fought to restore its monopoly on trade union organization, and, with support from the SCAF, has regained much of the ground it lost in the aftermath of the popular upsurge. As the Mubarak regime did, ETUF bureaucrats have harassed CTUWS coordinator Kamal ‘Abbas with a frivolous lawsuit. After a contentious encounter with Isma‘il Ibrahim Fahmi at the June 2011 International Labor Conference, ‘Abbas was sentenced in absentia to six months in prison for “insulting a public officer”—a vague charge similar to those commonly made against Mubarak-era opposition figures.

On November 19, in the midst of the reoccupation of Tahrir Square and the political upheaval prompted by the publication of the Selmy document—a trial balloon floated by the SCAF in an effort to protect the army’s privileges by blocking civilian oversight of military matters—four national-level unions loyal to ETUF declared a strike. Their aim was to force Minister of Manpower and Migration al-Bura‘i to restore the powers of the ETUF executive board and dismiss the committee he had appointed to manage ETUF. The ETUF loyalists were apparently piqued by the attempt of independents on the committee to remove Ahmad ‘Abd al-Zahir, who had become its chair, because of his alleged responsibility for organizing the attack on demonstrators in Tahrir Square on February 2—the infamous “Battle of the Camel.” Al-Bura‘i surrendered and restored the entire Mubarak-era ETUF leadership, except for President Husayn Mugawir.²² This was his last act—one which contradicted his long-held public positions. Al-Bura‘i and the entire cabinet resigned in protest over the SCAF’s refusal to allow the cabinet to govern and its repeated violent repression of street protests.

ETUF stalwarts will therefore organize the next national trade union elections, which were due to be held on November 27, 2011. They were postponed several times to avoid interference with parliamentary and presidential elections and are now scheduled for the second half of 2012. The yet undetermined procedures will determine whether or not ETUF can be transformed into a representative institution. However, that outcome is unlikely. The elections will be supervised by Isma'îl Ibrahim Fahmî, who was reappointed minister of manpower and migration by the SCAF in May 2012. Independent trade unionists have not been able to force his removal, as they did in March 2011—a measure of their loss of clout in the national political arena.

The SCAF also refused to allow the interim cabinet to enact the new trade union law prepared by al-Bura'î and his staff before his resignation. The draft law would have recognized non-ETUF-affiliated unions, authorized any group of 50 or more workers to form a union, and permitted multiple unions in a single workplace. Subsequently, three legislative proposals were brought to committees of the first post-Mubarak People's Assembly. One was based on the draft prepared by al-Bura'î and supported by EFITU, the Egyptian Democratic Labor Congress (EDLC), the CTUWS, and the Egyptian Center for Economic and Social Rights (ECESR). The second, supported by ETUF loyalists, would have restored ETUF's monopoly on trade union organization and allowed leaders to serve until the age of seventy, thereby preserving the power of those currently in office. The Muslim Brotherhood's Freedom and Justice Party, which had the most seats in the first parliament, backed a proposal that would allow only one trade union in an enterprise but legalize unions outside the framework of ETUF. This proposal would have given an advantage to the ancien régime ETUF bureaucrats, because they already control some 1,400 more enterprise-level unions than their competitors, vast resources, and a bloated staff.

The only legislative proposal that conformed to the ILO conventions Egypt has ratified is the one prepared by former minister al-Bura'î. EFITU, the CTUWS, and the ECESR have lobbied hard for its enactment. EFITU claims that failure to enact such a law resulted in the International Labor Organization once again placing Egypt on its list of “special cases.”²³

The most extreme example of the SCAF's opposition to independent trade unionism was its effort to break the strike of Delta Bus Company workers, which began on February 23, 2012. When negotiations between the army and strikers broke down, the SCAF ordered the army to deploy a fleet of its own buses. The strike was ended on March 5 with a promise to bring the workers' wages and benefits to parity with those employed by the Ministry of Transportation by July 2012.²⁴

Tensions in the Labor Movement

The independent labor movement is facing internal divisions over a combination of differing strategic visions, disputes over organizational issues, and political issues that have not been explicitly articulated.

IGURETA President Kamal Abu 'Ayta, who was elected to a full term as EFITU president in January 2012, represents one trend. He and his followers sought to rapidly position themselves as spokespersons for as many workers as possible. They believed that this would enable EFITU to deal with the SCAF and other political forces from a position of power while the political situation was fluid and open to promoting workers' interests. Given EFITU's limited staff and resources, setting this priority meant devoting less time to building up the strength of the enterprise-level unions comprising EFITU or training their leaderships.

Abu 'Ayta has for years been a leading member of the Nasserist Karama (Dignity) Party, which was not recognized by the Mubarak regime. In the 2011 parliamentary elections, Karama joined the Muslim Brotherhood-led Democratic Alliance, and Abu 'Ayta won a parliamentary seat. Several other EFITU leaders also ran for parliament on other party tickets but were not elected.

The second trend is represented by Kamal 'Abbas and the CTUWS staff. They have focused on slowly educating workers in democratic trade unionism from the bottom up rather than high politics. 'Abbas and the CTUWS believe that this approach is the only long-term guarantee of a democratic regime. Consequently, they prioritized that task over entering the parliamentary political arena.

After his years in the illegal People's Revolutionary Party during the 1990s, 'Abbas abandoned party politics. But he is highly suspicious of the Muslim Brothers because of their history of anti-union activities reaching back to the 1940s and their positions on gender relations. Because he was dismissed from the Helwan Iron and Steel Company for leading two strikes in 1989, 'Abbas has not been a member of any union. On that basis, some argued that 'Abbas should have no decisionmaking role in EFITU, despite his two decades of work to make possible its creation. They also maintained that since the CTUWS is an NGO, not a union, it should not be a member of EFITU.

Each approach has its limitations. While 'Abbas may be faulted for insufficiently appreciating the possibilities of the post-Mubarak moment, Abu 'Ayta was perhaps too quick to imagine that the arena of high politics was the key to securing workers' interests. In principle, there is no reason why the high political and the bottom-up approaches could not be pursued in tandem. But, the combination of limited personnel and resources, the rapidly changing political circumstances, and personal rivalry between two strong, charismatic leaders resulted in an organizational split.

‘Abbas, the CTUWS, and others who shared their vision withdrew from EFITU. On October 14, 2011, they convened the inaugural meeting of the EDLC with 149 unions represented.²⁵ By January 2012 the EDLC claimed 214 affiliated unions with a membership of over 1 million.²⁶ Although in many respects it fulfills that function, the EDLC does not consider itself a trade union federation but a broad labor-oriented coalition. Its affiliates include independent unions, some in major manufacturing enterprises, NGOs including the New Woman Foundation and the Egyptian Association for Enhancing Community Participation, and individuals.

A year after Mubarak’s departure, EFITU and EDLC claimed a combined membership of about 3 million—an impressive number compared to ETUF’s 3.8 million members in the Mubarak era. But this is surely an exaggeration. ETUF’s membership was based on over 1,800 unions, an average membership of about 2,000 per union. Three million members in 400 unions would mean an average local union membership of 7,500, far too many given the small size of the great majority of Egyptian workplaces.

Discord at the national leadership level admirably did not descend to public name-calling and other unprincipled tactics. Nor did it impede continued labor mobilization. The government reported 335 collective actions in 2011.²⁷ But according to the monthly surveys of the Sons of the Land Association for Human Rights, which has tallied workers’ contentious actions reported in the press for years, there were over 1,400 collective actions during 2011 involving at least 600,000 workers—two to three times more than any year in the previous decade.

The Parliamentary Arena

Despite the important role workers played in delegitimizing the Mubarak regime and the continuing mobilization of workers, the independent labor movement has not been able to make significant gains in the national political arena. It has had a very limited presence in the emerging institutions of the post-Mubarak state—such as the Constituent Assembly and the first parliament—that it might leverage to fend off attacks from its political opponents.

Two parties claiming to defend workers’ interests—the Mubarak-era National Progressive Unionist Party (Tagammu’) and the newly established Social Democratic Party—joined the Egyptian Bloc electoral alliance led by the liberal Free Egyptians Party established by Egypt’s wealthiest tycoon, Nagib Sawiris. As a Copt, Sawiris embraces a “civil state”—political code for secularism, a taboo word in Egyptian politics. But as a businessman he does not support labor. In July 2011, the Free Egyptians Party endorsed the government’s anti-strike legislation. Moreover, the Egyptian Bloc did not stand unequivocally against the old regime. The Tagammu’ had collaborated with the NDP in opposing the Muslim Brotherhood and other Islamists; the

Socialist Popular Alliance Party (SPA) and the Egyptian Socialist Party left the Egyptian Bloc over charges that it permitted former NDP members to occupy influential positions. The 'Tagammu' and the Social Democrats were attempting to build as large a secularist parliamentary bloc as possible and believed this justified allying with a billionaire. But many workers did not accept this logic.

About twenty-five members of the first parliament were likely to be consistent supporters of workers' interests—out of a total of 508 seats. The pro-labor bloc comprised the Revolution Continues Alliance with nine seats; the Nasserist Karama Party with six, including Kamal Abu 'Ayta; the 'Tagammu' with four; several of the sixteen Social Democrats; and perhaps a few others. The Revolution Continues—an alliance of socialists, liberals, and Islamist youth—is the most important new parliamentary party representing workers interests to emerge from the popular uprising. The SPA is the largest element in the alliance, which also includes the Egyptian Socialist Party, supporters of Mohamed ElBaradei and other liberal groups, some former Muslim Brotherhood youth, the Revolutionary Youth Coalition, and April 6 Youth Movement members.

Some of the electoral procedures established during the Nasser-Sadat-Mubarak era limited workers' access to the first post-Mubarak parliament. Law 38 of 1972 requires that 50 percent of the People's Assembly be comprised of "workers and peasants." But it effectively excludes most workers and pro-labor candidates from running in that category because it defines a worker as, "a person who depends mainly on his income from his manual or mental work in agriculture, industry, or services. He shall not be a member [an office holder] of a trade union, or recorded in the commercial register, or a holder of a high academic qualification." Consequently, many people who are not commonly considered workers, as long as they do not have advanced degrees and are not professionals, such as small or medium business owners, may run as "workers" for the People's Assembly. Very few rank-and-file workers have the money or name recognition to win a parliamentary seat. But Kamal Abu 'Ayta could not run for a "workers" seat because he is union office holder.²⁸

SPA member Fatma Ramadan, one of only three women out of 21 members of the EFITU executive board, attempted to run as a "worker." But the courts refused to recognize EFITU-issued documents certifying her as a union member. Naturally, ETUF refused to provide her with documents that the courts would recognize. She was compelled to withdraw her candidacy—a stark example of the obstacles faced by independent trade unionists in the political arena.

The Labor Committee of the first post-Mubarak People's Assembly was chaired by Freedom and Justice Party deputy Sabr Abu al-Futtuh, a manager in a petroleum sector enterprise. During the Mubarak era he occasionally expressed verbal support for striking workers, but the Muslim Brothers

never mobilized even a fraction of their vast resources to support strikers. The Brotherhood's deputy general guide, Khairat al-Shater (who was disqualified from running for president), and Hasan Malik, founder of the Islamic-oriented Egyptian Business Development Association—"Brothers of the 1 percent" as *Bloomberg Businessweek* termed them—will be the most influential figures shaping the economic and social policies of the Freedom and Justice Party.²⁹ They may be less corrupt, preserve more elements of the public sector, and empower a different group of businessmen than the Mubarak regime. But their pro-business credentials are solid.

Where Do We Go From Here?

The underrepresentation of workers in the first post-Mubarak parliament reflected the broader phenomenon that the forces who worked longest and hardest to overthrow Mubarak did not reap commensurate political rewards. Because of the low visibility of workers and social justice issues in parliament, on February 29 Khalid 'Ali resigned as director of the ECESR and announced his candidacy for the presidency. He did not expect to win, and in fact received only 0.6 percent in the first round balloting of May 2012. But he and his supporters believed that the campaign was a vehicle for placing the issues of workers, peasants, and the poor on the political agenda. Another solid supporter of workers' interests, SPA leader Abu al-'Izz al-Hariri, received a mere 0.2 percent of the votes.

Kamal Abu 'Ayta and several other trade unionists supported the Nasserist Karama Party candidate Hamdeen Sabbahi. He came in a surprisingly close third with 20.7 percent of the vote, winning support from many workers, leftists, and liberals as "the most electable non-Mubarak regime secularist candidate." Historically, the Nasser regime destroyed democratic trade unionism in Egypt. Nonetheless, Sabbahi's platform was certainly more worker friendly than the Freedom and Justice Party's Mohamed Morsi, or the SCAF's best hope, Ahmed Shafiq, who placed one and two respectively in the first round. Morsi's victory in the June 2012 runoff and his installation as the first post-Mubarak president of Egypt may reorder the terrain of national politics despite the SCAF's hasty attempt to eviscerate the powers of the president. But it will not, in and of itself, open that terrain to workers.

Despite their weakness in the first post-Mubarak parliament and the presidential contest, in addition to their lack of political unity, independent trade unions are nonetheless the strongest nationally organized force confronting the autocratic tendencies of the SCAF, the continuing power of institutions of the Mubarak regime, and the failed market fundamentalist policies that

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Egypt will be under pressure to maintain in order to receive needed assistance from international financial institutions. But this is not yet saying much. Independent trade unionists have only a year and a half of experience operating on a national level and have already split. The SCAF and even many “revolutionaries” have persistently argued that workers’ demands are “selfish” or “special interest” demands, not legitimate national political demands.

Most importantly, no major party or national political figure or trade union leader has yet proposed a comprehensive program that would provide both sustainable economic growth and human development. Renationalizing some recently privatized enterprises—a common demand of labor activists, Nasserists, and the Left, which the SCAF and the interim government opposed—may address some egregious cases of corruption and abuse of

workers. But this alone will not increase capital investment, productivity, and competitiveness, overhaul the dysfunctional educational system, or provide good jobs at a living wage for Egypt’s youth.

The failure to enact new trade union legislation, the reappointment of Isma’il Ibrahim Fahmi as minister of manpower and migration, and the breaking of the strike at the Delta Bus Company indicate that the SCAF is determined to limit the development of an independent trade union movement or thwart it entirely. The Muslim

Brotherhood has not opposed the SCAF on this issue, and its history and the social character of its current leadership suggest that it will not. Workers will, therefore, have no option but continuing contentious collective action in the period ahead to maintain and perhaps expand their post-Mubarak gains. And they are doing so. In the first half of 2012 workers in the postal service, Cairo public transport, the Railway Authority, court and prosecution services, and the ports of Alexandria and ‘Ayn Sukhna mounted high-profile strikes. There were 258 workers’ collective actions during two two-week periods surveyed by the ECESR in April and May 2012.

Moving beyond street protests over immediate grievances, independent trade unionists will need to strengthen the new institutions they have established, train enterprise-level leaderships, and forge political coalitions with sympathetic sections of the intelligentsia in order to achieve the goals articulated in the January 25 slogan—“Bread, Freedom, Social Justice.”

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