

Challenging the old union order

Upon realising that they were not receiving adequate services from their unions, members have either formed new unions or joined others. With new formations looming on the horizon, such as the United Front or Movement of Socialism as proposed by the National Union of Metalworkers of South Africa (Numsa) does this signal the end of the old order and the coming into being of the new? **William Gumede** explores.

Disillusioned trade union members have responded in one of two ways.

Disillusioned trade union rank-and-file is increasingly breaking to form new unions. Association of Mining and Construction Union (Amcu) was formed by former National Union of Mineworkers (NUM) members, who felt that the NUM and its leadership was so embedded with the ANC leadership, BEE and in business, that the trade union leaders could not defend their issues anymore.

Nine Cosatu unions have already splintered and with the formation of Amcu, the former largest affiliate has experienced the most damaging fragmentation. A number of other unions have been deregistered because of falling members and internal disputes, such as the South African Democratic Nursing Union (Sadnu).

Marikana may signal the fragmentation of Cosatu and its affiliates into smaller units. Others bypass established trade unions and democratic institutions, as for example, during Marikana and elsewhere where workers rejected established trade union representation and elected their

own representatives to negotiate on their behalf, avoiding the official bargaining processes.

At the Marikana Lonmin labour dispute in 2012, workers set a new trend of negotiating and setting wage demands outside the established trade union representation system, putting the future of formal negotiation structures under threat, and undermining the legitimacy of existing trade unions, specifically Cosatu aligned ones.

TACKLING ANC DEGENERATION

Right now, among the biggest point of contentions is what Cosatu should do about its relationship with an ANC that appears to be 'degenerating' and 'ossifying' – and a current ANC leadership that appears to be fiercely in denial of the party's backslide.

Firstly, the problem is that many rank-and-file unions appear to think that Cosatu's involvement in the ANC Tripartite Alliance has not benefitted them adequately in terms of job protection, wage increases, and better public services so that their low wages are not taken up by paying for lack of public services, such as public transport, housing and education for their children.

Such Cosatu members are frustrated that the trade union federation's alliance with the ANC government has been unable to 'secure' them a 'living wage' and a 'social wage' (better public services).

Cosatu's uncritical support of President Zuma for ANC president at the ANC's 2007 Polokwane national conference – and President Zuma's failure to deliver in government, has left a damaging rift between those within the trade union federation who want to cut the umbilical cord with President Zuma specifically, and the ANC broadly, and others who argue that in spite of President Zuma and the ANC's failings supporting him and the ANC may be a better guarantee of policy concessions to the trade union movement, ordinary workers and the poor.

The current battle between those who argue that Vavi should face disciplinary action for allegedly having an extramarital affair with a staffer and for alleged corruption – and those who argue that he must be reinstated as Cosatu general secretary, as the charges are trumped up, is just a proxy for the differences over how to deal with Cosatu's relationship with the ANC.



United against e-tolls: Workers march in Johannesburg.

Some argue that even if the ANC has greatly disappointed, Cosatu can still wrangle more pro-worker policy concessions from it, can still change the party from within and push through the election of trade union aligned leaders to the ANC's top leadership. Furthermore, this group include people who argue that at least within the ANC fold they are guaranteed patronage benefits and some, albeit limited policy influence. They fear permanent isolation outside the ANC camp.

Yet, others argue again that the ANC has become too 'degenerating' and 'ossified' – and cannot be cleaned-up from within even if there is a leadership change within the party. Those who argue along these lines reckon it may be impossible for the trade unions to change the ANC from within or to bring in new leadership and policies within the ANC – because it would be fiercely opposed by anti-democratic elements.

They argue that for pure self-preservation, Cosatu must leave the ANC, because the longer it stays in the Alliance, the more workers and members will associate Cosatu with the ANC's likely continued

degeneration and leave the federation for new trade unions. For another, the longer Cosatu remains closely intertwined with the ANC, the more the corrosive internal undemocratic practices of the ANC will be infused into the internal workings of Cosatu.

They further argue that many Cosatu affiliated trade union leaders have become so deeply embedded in the patronage politics of the ANC that they appear to be unable also to represent their members' concerns credibly anymore, and must extricate themselves from the ANC.

The Cosatu divisions are roughly represented by the NUM and include the South African Democratic Teachers' Union (Sadtu), and the National Education Health and Allied Workers Union (Nehawu) as the pro-ANC Cosatu affiliates. Those opposed to the ANC are led by the National Union of Metalworkers of South Africa (Numsa), and includes the South African Municipal Workers' Union (Samwu), the South African Commercial, Catering and Allied Workers Union (Saccawu) and the Democratic Nurses Organisation of South Africa.

The reality is that Cosatu's continuing support of the current leadership of the ANC, and with Zuma likely to continue his second presidential period in a style of lurching from one scandal, crisis and wrongdoing to another, causing paralysis in the ANC and government, it is likely that more and more Cosatu members will want to leave the trade union federation.

SHOPFLOOR AND SHAFT COMMITTEE DEMOCRACY

Clearly, if Cosatu continues as if nothing has changed or is changing the trade union federation will lose members, fragment further and ultimately be overtaken by new trade union and political groups.

If Cosatu does nothing, new populist parties such as the Economic Freedom Fighters (EFF), could grab the space occupied by the Left, and align with breakaway Cosatu trade unions, such as Amcu. Furthermore, if they are able to align with many of South Africa's disgruntled grassroots and community groups, and form a formidable Left populist social movement bloc they will displace the progressive Left politics

espoused by Cosatu. And by the time Cosatu wakes up, the space for political Left politics would have been eroded.

The first thing is that Cosatu and its affiliates will have to be more internally democratic itself, more accountable, and responsive to their members. A 2012 Naledi Workers' Survey showed that the most important reason for members joining a Cosatu union was for protection against dismissal and unfair discipline (38%), followed by improving wages, benefits and working conditions (33%).

And yet the statistics from the CCMA show that only 46% of cases referred by Cosatu affiliates to arbitration were won in favour of workers. Furthermore, only 40% of Cosatu members satisfied with the outcomes of wage negotiations. For another, the Naledi surveys showed that 65% of members said there has not been a shop stewards' election in their workplace in the past four years. Trade unions will also have to combat perceptions among workers that they and their leaders are corrupt and selling-out to company managements.

The corruption in internal elections – with voters being promised jobs and money for voting for particular candidates, now so embedded in the ANC, appears to have infused Cosatu and its affiliates also – discrediting trade unions as trusted institutions. Frans Baleni, for example, at a NUM congress noted the rising levels of complaints that regional and shaft committee elections were being manipulated. Clearly, trade unions must reinvigorate shopfloor and shaft democracy – which is quickly eroding across the movement.

UNIONS TAKING OVER ANC?

Cosatu affiliates will have to decide to fully take-over the ANC and transform it, continue to support the current ANC leadership in its current form – and risk its own break-up, or form its own trade union-based political party.

One can presuppose that with Vavi's readmission to Cosatu, divisions between the pro-Dlamini-NUM-ANC and pro-Vavi-Numsa group will be overcome and Cosatu could, despite the factional divisions compromise to stay in the ANC.

Cosatu could then try to take over the ANC 'lock-stock-and barrel' and clean it up from within, by making it more accountable, bringing better leaders with integrity and honesty and introducing better policies. This will mean that Cosatu will have to take over the ANC at all levels.

Cosatu could then form an alliance with the Motlanthe bloc in the ANC and the remaining democratic socialists, social democratic and Christian socialists and other independent left thinkers and with aligned civil society groups, and so try to change the face of the ANC. Cosatu could then sign an electoral pact with the ANC which binds the ANC to specific policy, leadership and values agreements.

Yet it would be realistically unlikely that any pact between Cosatu and the ANC could be honoured because the ANC under President Zuma is so indebted to so many other opposite stakeholders – whether BEE tycoons or individuals such as the Guptas – Cosatu would be unable to deliver to the unions unless in the most watered down versions.

Trying to transform the ANC from within will also be a long slog as Cosatu's efforts would be fiercely resisted by elements who are happy with the disarray, ossification and degeneration of the ANC – and who uses it for tribalism, patronage and access to state resources and to destroy rivals.

President Zuma has already warned that Cosatu's alliance with the ANC is presupposed on a 'minimum' programme, and cannot be based on a 'maximum' programme. Zuma said Cosatu should not imagine it could 'overstretch' its role in the alliance and 'co-govern' with the ANC,

and cannot begin to think that in fact, as the labour movement, you begin to determine how the party, the government of the ANC, must continue governing and implementing policy... of course it cannot happen.

In remaining closely linked with the ANC, Cosatu will be losing members, because it would be associated with a failing Zuma or ANC leadership.

The seriousness of corruption scandals, self-enrichment and dishonesty among key ANC leaders has eroded the moral legitimacy of the ANC to persuade key constituencies to support policies and initiatives.

Now, all the ANC government could use to get people to do things, is its state power, the power over the police, intelligence and patronage. If Cosatu remains within the ANC – it must understand that the ANC's ability to push redistributive policies through moral persuasion is severely limited. It has become an ordinary party, with ordinary leaders, albeit with a glorious liberation past – which cannot be used anymore to mobilise supporters behind current challenges.

WORKERS' PARTY

Alternatively, Cosatu could form a Workers' Party along the lines of the Brazilian Workers' Party (PT). This option may also mean that some workers will stay with the ANC and will split Cosatu. NUM general secretary Frans Baleni has, for example, warned that 'we should avoid the Morgan Tsvangirai option or the [Frederick] Chiluba option where a trade unionist becomes a politician thinking they can take power.

Cosatu's largest affiliate, Numsa is mulling over launching a 'United Front and Movement for Socialism'. A trade union-based social movement on its own is unlikely to be able to effect policy change. It clearly will have to be a trade union-based political party.

A successful trade union-based political party must align itself with a broad front of community, civil society and issue based groups. The success of the Brazilian PT was that 'workers' included more than traditional trade union members, but included all wage earners, the unemployed, professional groups, academics, community associations and neighbourhood watch groups. It also was not rigidly ideological, but was pragmatically Left.

For another, it included such diverse organisations as the Brazilian landless people's movement (MST), and progressive churches, who were involved in social justice work.

Quality leadership is important. In Lula, the Brazilian PT had a genuinely democratic, honest and pragmatic socialist party leader, with an appeal beyond the trade union movement. The PT eschewed populism – whether political or economic. A new South African Workers' Party will have to heed this lesson, which means not joining with the economic, political and social populists such as EFF.

What stands out from the PT is that it was not launched on a populist platform, but based on principled policies, pragmatism and honesty. As important, the PT was also formed specifically to promote and deepen democracy in Brazil. A breakaway Workers Party, standing independently in elections, could still form tactical or strategic coalitions with the ANC after elections, based on very clear policy delivery agreements.

But forming a Workers' Party also means that Cosatu will split between the current groups, who want to remain in the ANC and those who want to leave. In such a scenario, the best the Workers' Party group can do is to form a broad alliance as possible with civil groups in order to compensate, for affiliates and members opting not to be part of the new Workers' Party.

CONCLUSION

The boiler pressures of the continued poverty among the black majority, the enrichment of a small black ruling through the ANC and the continued enrichment of the white business elite through apartheid secured social and other capital – and the resentment that it causes among the black majority; combined with the unwillingness of the current ANC leadership to even see that the country is in crisis, will force the fragmentation of the governing ANC-Cosatu-SACP Alliance. A tipping point has been reached where the ANC leadership can offer deals to the Cosatu leadership, whether cabinet or other jobs as happened in the past, cannot paper over the cracks

anymore, as this time ordinary workers will vote with their feet by forming their own trade unions.

President Zuma and the current leadership of the ANC are too complacent to be able to see the sea change among the grassroots of the ANC. The truth is that even with Vavi's readmission into the Cosatu fold, in order to foster unity, divisions between the pro-Dlamini-NUM-ANC and pro-Vavi-Numsa are unlikely to be overcome – the fallout will only be postponed. The reality is that Cosatu is likely to split into two trade union federations. South Africa is indeed experiencing an 'epochal transition', where we may see, even with the ANC's re-election, 'a new configuration of political and social power.'^{LB}



Vavi comeback: Cosatu general secretary Zwelinzima Vavi with supporters after High Court lifted suspension.