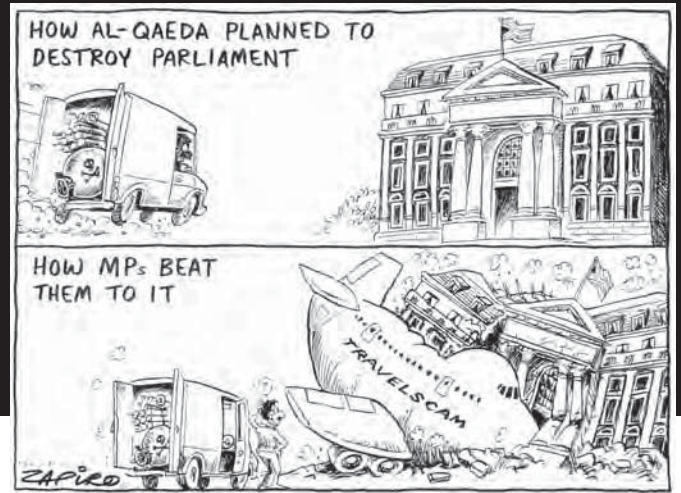


# It's not inside it's on top

It is only through an opening up of debate that issues such as union governance and accountability will be addressed. **Hassen Lorgat** attempted to do this by circulating an article, which appeared in the *Sunday Times* on the Nehawu congress. He posed the following questions: Is this an aberration? Only one comrade gone wrong or are there more political, systemic issues to discuss? One trade unionist responds by focusing on broad issues around accountability and transparency within unions.



**L**orgat began by stating that the media reports on the internal wrangling of the National Education, Health and Allied Workers' Union (Nehawu) make for interesting discussion. For the record, Vusi Nhlapo, the union's president was voted out of office and replaced by rival Noluthando Sibiyi. The *Sunday Times* wrote (July 4): 'After his defeat, Nhlapo said he would look to the ANC to give him a job.'

Lorgat says what makes interesting reading is the allegations of underground politics. The use of commercial media in the debate did not always find favour with members and leadership of the unions because it is not open or transparent. They asked who is behind these stories? The air was filled with talk of 'smear pamphlets' which allege variously that so and so is an ultra leftist and therefore anti ANC - and therefore, the reasoning goes, bad for the union movement.

Cosatu general secretary Zwelinzima Vavi was quoted as 'calling on union members' to vote out members who caused divisions. The *Sunday Times* said this was a code for 'axe Nhlapo!' He continued to criticise the use of the newspapers to sow division - 'where factions were eager to defend their evil deeds'. This was apparently a reference to a column Nhlapo had written for a Sunday paper.

#### WHAT ARE THE LESSONS?

From all reports, Lorgat says, it appears that the various 'factions' within the union employed allegations of corruption as a political tool. In particular, allegations of corruption, mismanagement and bringing the union into disrepute were used to suspend the current union general secretary Fikile Majola (Slovo) and treasurer Lindela Dunjwa. They were subsequently reinstated. Is corruption a real issue for unions (internally)? We know that the bosses are corrupt and have a corrupt

system, but if it is a real issue in unions, what lengths must we go to expose it? Will our commitment to solidarity undermine this thrust?

The Nehawu case, Lorgat says, raises some interesting points around the use of the media. He says the outside media (bosses) and e-mails were used in the battle for the soul of the union. The media reports raised a number of other issues, which Lorgat comments on:

- Cosatu intervened in a Commission, which may or may not have borne results for the factions, but for the members showed that the centre cared.
- Job losses and a waste of funds emerged during the crisis.
- The former Nehawu president was accused of 'driving a luxury Volvo S70, he earned a salary of about R400 000 a year and was paid a R10 000 honorarium from the union's coffers'. The *Sunday Times* reported that 'his detractors alleged he was living an opulent lifestyle at the expense of union members'.
- The truism 'when elephants fight the grass suffers' was demonstrated in the loss of membership, which all sides agree was a consequence of the conflict between the leadership.
- On losing his post, Nhlapo accused the new leadership of trying to build a political party. This way the obligation to run a pluralist union will be lost to 'one thought' or one line unionism. 'This push for complete hegemony is going to kill unions in South Africa. Unions thrive on the tolerance of different political views within them,' Nhlapo said.

#### WHAT NOW?

Lorgat raises a number of 'points to ponder'.

- Are these developments only peculiar to Nehawu or are these generalised trends

***Relations between unions and political parties and other allies should be the subject of further discussion. Is it a prerequisite for union leaders to be a member of the ANC or the SACP? If so, where is this in the unions' constitutions and resolutions?***

within the labour movement? If they are generalised, what stops these other unions or Cosatu from discussing them as a first step to understanding and dealing with them?

- The issues around corporate governance (allegations of misuse of funds) accountability of leadership (workers' control and other principles) need to be debated in unions.
- Whilst not necessarily un-democratic, resorting to underground pamphlets may include untested allegations and begs the question: has space for open discussion within unions declined?
- Relations between unions and political parties and other allies should be the subject of further discussion. Is it a prerequisite for union leaders to be a member of the ANC or the SACP? If so, where is this in the unions' constitutions and resolutions?

## CONCLUSION

Lorgat says the SA union movement must learn from how corruption seeped into developing countries during the cold war. He says it was a time when the likes of Noriega, Saddam, Mobutu Sese Seko made millions by supporting the US. They were our dictators, the CIA said – but does this mean they must be condoned? Today Transparency International reports that Mobutu Sese Seko (former president of Zaire now Democratic Republic of Congo dictator) was the top crook in Africa. This did not stop the US and West from supporting him for the benefit of the cold war. Indonesia's Suharto, and Ferdinand Marcos of the Philippines only beat him in the Kleptocracy Log Table. So here in SA are we too guilty of selectivity? Or is it merely a work in progress in a long struggle to renew trade unionism in SA?

## A TRADE UNIONIST RESPONDS...

There are a couple of points that I would like to make:

### THE EMERGENCE OF UNIONS AS MULTI-MILLION ORGANISATIONS

Not much attention has been given to unions as multi-million organisations. In fact I think that too much has been said about union investment companies (most of which are far from bringing any financial dividends to the organisations that they are attached to). Little has been said about the fact that unions:

- bring millions of rands through subscriptions (I'm convinced that none of the five-top Cosatu unions brings less than R1-million a month through subs, making their annual revenue not less than R12-million.);
- influence directly investments through retirement fund trustees (billions of rands);
- procure goods and services (rentals, equipment contracts, hire, stationery, travel etc).

Unions are no Mickey Mouse operations. Their monthly revenue far outstrips income of the companies that we organise. The fact that such large amounts of money go through unions and through transactions that unions are involved in raises the spectre of corruption that is prevalent in the private sector. So how many unions have known and clear procurement policies? How many have registers for declaration of assets, extra income, gifts etc. We cannot as labour, require these from public representatives when we do not have them ourselves.

### THE CIVIL LIBERTIES REVOLUTION HAVING MISSED THE UNIONS

Like socialists around the world, many unions have been part of a tradition within the working class that has been dismissive of civil

liberties. 'The right of individuals not only to hold their views but to propagate them, the right of like-minded comrades to come together within unions, the space of significant minority view points etc' are always dismissed as bourgeois and 'anti-the union collective'.

The wave of rethinking amongst socialists on these issues in the late 1980s and early 1990s, seemed to have missed the unions. Let me give a concrete example. Which unions, when meeting in national meetings, record what was a majority and minority viewpoint in their region/province? On a critical matter, the fact that 49% of the region/province had a different view than the 51%, does not count when discussions move onto a higher body. Unions seem to be stuck on some 'vulgar form of majoritarianism'. No thresholds for certain viewpoints to be recorded. Sorry to sound like the Nats in the early 1990s constitutional negotiations.

There are a range of practices within unions that need to be reevaluated – such as bloc voting and the space for legitimate platforms and factions (here maybe we can learn from our Brazilian – CUT comrades). Failure to provide this forces dissent underground and into conspiratorial methods.

### HOW CAN UNION ELECTION CAMPAIGNS BE CLEAN?

Campaigns around elections in unions are never clean and open because no public organisational space is provided for those that stand for elected positions. Counter-campaigning, slander and character assassination have become the norm. Those standing must be afforded the space to put forward what they stand for. They must be afforded the resources and time to do so in the open. This is the only democratic way to give members the right to choose who their

leaders should be. I know that objections will be raised that such an approach will make elections in unions look like US presidential elections. But what is the alternative? What normally happens is that those who have control of the apparatus (union resources), use this against opponents?

Another related issue is the terms of office that an individual can serve. It is my view that unions need to think about the need to have fixed terms of office. Why not? If comrades are serving the working class, is there only one position that they can do this from? What about unions making space for people to serve the organisation in other capacities. Does this not mimic bourgeois states and executives? I do not think so. As indicated above, there is always the danger of those in office using the apparatus to entrench themselves. What better place than in a workers' organisation. Should the principle of multi-tiered leadership be promoted? In revolutionary unions there can be no space for life-presidents and life-general secretaries!

### RETHINKING INSTITUTIONS OF ACCOUNTABILITY AVAILABLE TO UNION MEMBERS

How does a union member in a Local get to query a decision taken by his/her union? How does this member get to know how his/her subscriptions have been utilised? I can hear a

lot of comrades say: 'through the structures, com!' How does this happen in a 350 000 member organisation? The only way that Cde Nozipho as a member can raise her views on an issue that the CEC of her union decided upon is if she goes to a general meeting (if this is ever called). Hopefully she will not be told that the issue is not on the agenda!

Let us look at how Nozipho can deal with her predicament in a private organisation or company. Using the laws of the country on access to information, Nozipho can apply to have access to information that was used to come to a certain decision. How many unions have complied with the Promotion of Access to Information Act 2000? How many have developed manuals and have lodged these with the Human Rights Commission? Why do we want measures for other sectors of society when we do not practice those measures at home?

It is has been my view for a while that to strengthen internal democracy within unions, we need extra-union levers that workers can have access to in their fight to maintain workers control. I know that those who were around during the registration debate of the early 1980s will object to my suggestion of strengthening the Registrar of Trade Unions. According to the Labour Relations Act, unions are meant to submit their audited financial statements with the registrar. How can members have access to this information?

How many unions deposit their statements?

But it is not only statements that members need. They must have unfettered access to minutes, resolutions, commission reports etc. This is what democracy is all about. I'm sceptical of the 'through the structures method' as the only route that workers and members can have to know what is happening in their organisation.

### THE STATE OF UNION

Not raised in all the debates on Organisational Renewal (OR) in unions is the appropriateness of the existing and centralised union form? Does the centralised form that we have mitigate against workers' control? All the things that Lorgat quotes on workers' control were formulated when our unions were smaller and when it was possible to walk out of a national executive committee (NEC), directly to report to a general meeting. What has the growth of unions and the centralised nature of the organisation done to possibilities of exercising workers' control?

Debates amongst socialists on the state and power have highlighted dangers of 'statism'. In the aftermath of the collapse of the Soviet Union and socialist experiments in the last century, socialists have been talking about 'decentralisation of power, diffused loci of power and self-management'. What are the implications of these debates for our organisations? LE

### UNIONS AND CORRUPTION

If one looks at the union movement led by Cosatu, its values implicitly and expressly state that the union movement stands for democratically accountability and for members (not leaders) to control of their organisations. Some like me have also believed that these values were also to be applied in a society where the poorest and the organised working class can motivate their vision and practice of direct accountable democracy for the benefit of all. During the 1980s and as a young union organiser we learnt that for unions, democracy simply meant: mandate and report backs. This noble principle was appropriate for the time, but has changed over the years where today a mix of direct and representative democracy sits – maybe not so comfortably – side by side. However, I believe these principles still mould the

thinking about justice and an inclusive and accountable democracy.

From its inception, Cosatu adopted the following core principles:

- Non-racialism
- Worker control
- Paid-up membership
- One industry, one union – one country, one federation
- International worker solidarity

We must emphasise, the principles of equitability, inclusivity (anti-racism etc), accountability (paid-up membership, workers control). Importantly, the principle of workers' control is for me umbilically tied to whether unions own their own organisations or not – whether they pay dues etc. Despite pressures, the union movement still remains committed to self-sufficiency.

It follows then that unions are the first line of defence for their members but also for the public interest. This role is more obvious when it is public sector workers who feel directly the cuts in public expenditure as users of the services as well as providers of it. Thus fewer workers providing services (there are just over one million public sector workers for a 44 million population) affects the reach of the services as well as the quality. If we consider the development challenge – we must bear in mind and raise the challenge for unions to play their role for a greater accountable society – starting from the workplace where they are located.

*This is an extract from a paper presented by Lorgat at an anti-corruption workshop.*