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Trade Unions in Transformation

An Assessment of NUMSA's Attempt to Develop its Political and Organisational Independence, 2012–2016



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- The transformation of South Africa's largest union, the National Union of Metalworkers of South Africa, NUMSA, was triggered by the decision to assert its independence from the ruling party and give voice to workers beyond the workplace essentially a return to its political past.
- This has steadily increased its membership by transforming itself from an industry-specific to a modern general union while strengthening its public profile as a champion of an independent working class politics, but it has not succeeded in establishing sustained relations with working class communities.
- Trade Unions in Transformation is an FES project that identifies unions' power resources and capabilities that contribute to successful trade union action. This study features among two dozen case studies from around the world demonstrating how unions have transformed to get stronger.



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Abstract

The paper evaluates progress made in the past three years regarding the implementation of the various resolutions adopted at the NUM-SA (National Union of Metalworkers of South Africa) Special National Congress in December 2013, when the union withdrew its support from the ruling party, the African National Congress. Widely known as the »NUMSA moment«, it signalled a commitment to develop a new independent working class politics to be pursued in the sphere of production as well as in broader society. NUMSA has been transformed from an industrial-specific to modern general union, and, despite difficult economic conditions, particularly in manufacturing, has steadily increased its membership. Moreover, it has aimed to contest the public discourse from a class perspective and assert a presence in society. Results have been mixed: while the union has made impressive achievements in terms of membership and in overcoming media isolation as well as in asserting its position in the public discourse, further work is needed in specific areas. In particular, internal unity needs to be built and officials have to overcome divisive forms of factionalism. Secondly, NUMSA has been less successful on the societal power front, especially in relation to the establishment of sustained relations with working-class community organizations.

1. Introduction

After three decades of neoliberal policies worldwide, and in a period of crisis for the South African labour movement, the membership of the National Union of Metalworkers of South Africa (NUMSA) has steadily increased from approximately 220,000 in 2009 to 340,000 in 2015 (Monaisa 2017, NUMSA 2016a). The union also gained widespread support from progressive political forces who perceive the so-called »NUMSA moment« as a window of opportunity for change. The NUMSA moment was signalled by the union withdrawing its support from the governing alliance, which it said was incapable of pursuing a pro-worker and pro-poor agenda, and a commitment to develop a new independent working class politics to be pursued in the sphere of production as well as in broader society.

This research works within a power resources and capabilities framework (Schmalz/Dörre 2014). Four dimensions of trade union power are considered: structural, institutional, associational and social. For unions to recognize and make strategic use of the available power resources, specific capabilities are needed, in particular those concerning intermediation, framing, articulating and learning. Finally, organizational flexibility may also foster the union's ability to respond to new challenges.

The research itself is based on secondary and primary sources; fieldwork was conducted between August 2016 and February 2017 and included in-depth interviews with nine key informants, observation of union gatherings, regional congresses throughout the country, and the NUMSA 10th national congress held in December 2016.

The paper is divided into three parts: firstly, it analyses NUMSA's development to become South Africa's largest industrial union and its growing disenchantment with the ruling party and the leadership of the Congress of South African Trade Unions (COSATU). Then, it discusses the process that led to the union's decision to assert its independence from government and give voice to workers as a class beyond economic demands in the workplace – as return to its own political past. The third part of the paper assesses the progress made by the union over the period 2014 to 2016 in selected disputes.

As NUMSA's structural power has declined due to deindustrialization and the retrenchments which accompanied these processes, the union has invested in societal and associational power resources to implement its project. While the union has reached impressive results on many fronts, turning from an industrial to a modern general union; reinvigorating a workers' agenda in the public discourse; and strengthening its associational power, it has been less successful in terms of bolstering societal power, especially in relation to the establishment of sustained relations with working-class community organizations.

2. From Strength to Crisis

2.1 The Initial Strength of the Labour Movement

NUMSA was formed in 1987 through a merger of four unions from the engineering, motor, steel, energy, and auto sectors. Amongst these founder unions was the



combative Metal and Allied Workers Union (MAWU) which had been formed in 1973 following of a wave of strikes in Durban. The Durban strikes of 1973 were particularly important because they initiated the resurgence of workers' resistance as well as popular resistance which saw the end of the apartheid »golden age« (Marais 2011). As a result of the turmoil, the apartheid state amended the Labour Relations Act to create an alternative to trade unions, namely joint management and worker liaison committees. These attempts to prevent the emergence of independent black trade unions were largely rejected by workers. While the 1979 Wiehahn report aimed to incorporate black workers into the apartheid industrial relations system, the Riekert Commission around the same time re-divided them on urban residence rights. Having identified the connection between control inside the factory and the control of migrant labour, black unions resisted by organising migrant workers and challenging influx control, the limitations imposed on the movement of black people into urban areas during the apartheid era. The new unions developed around tenets of the centrality of shop steward structures, a strong presence in the workplace, and commitment to workers' control. The latter was designed to prevent the possible emergence of a gap between union officials and their members, and, secondly, as the foundation of political independence within the wider popular struggle. For the first time in South African history, a mass-membership, non-racial industrial union was created, giving birth to a working class politics as its demands extended beyond the workplace to include issues concerning the sphere of reproduction (Webster 1985).

Different political traditions, from Trotskyism to Africanism, contributed to the NUMSA milieu, but broadly the union oriented itself towards so-called »workerism«, which emphasised worker organization and unity in the struggle for liberation and focussed on factory-based leadership. At the other end of this spectrum, the socalled »populist« unions saw their struggle predominantly against white minority rule. Racial and class oppression were deeply entrenched in the apartheid social order, in everyday life, and in the dominant political discourse; nevertheless, the emphasis put on one or the other element of the struggle against oppression differed from organisation to organisation and in the 1980s a tension between class and national consciousness emerged. The ANC tended to interpret the struggle for national independence, the so-called National Question, as more

pressing over economic exploitation and reinforced the position of the »populists« in the liberation movement. The »populists« would eventually win the ideological battle: in June 1990, COSATU, the federation NUMSA belonged to, joined an alliance with the ANC and the South African Communist Party (SACP) for political and economic transformation based on the principles of the Freedom Charter¹, thereafter also known as *Tripartite Alliance* (Forrest 2011).

According to Theron, what is distinctive about South Africa is the numerical and historical significance of its working class and of wage-earners as a paramount social construct; related to the centrality of the working class is the »historical ascendance of trade unions as a form of membership-based organization in poor and working class communities (...). Trade unions played a key role in establishing and defining a tradition of communal solidarity in poor and working-class communities in the apartheid era« (Theron 2010: 88).

In the 1990s, while trade unions in Europe and the United States were in decline, in South Africa they entered the decade of democratic transition as strong agents of change. Thanks to their successes in undermining the apartheid racial order in workplaces and establishing alliances with community organizations, the *societal power* of unions, particularly of those affiliated to COSATU, was at its peak. At the time, many unions were characterised by shop floor vitality and member activism. Moreover, the sustained pace of unionization in manufacturing and mining from the early 1980s, and subsequently in public services, boosted *associational* and, in certain instances, *workplace bargaining power*.

COSATU started reaping the fruits of its participation in the Tripartite Alliance soon after the first democratic elections in 1994. The new government considered it a priority to align the labour movement to the interim constitution, which included fundamental worker rights and a commitment to international labour standards (Macun 2014). The Labour Relations Act was adopted in 1995 as part of a package of transformative labour laws which significantly strengthened the position of workers, giving them the universal right to organise in trade unions; to fight unfair dismissals; and to negotiate over wages

^{1.} The Freedom Charter was adopted in June 1955 by the Congress of the People which united most liberation forces at the time, including the ANC. Its opening demand is "The People Shall Govern!".



and retrenchments. South Africa, it could be said, was going through a »double transition«: a transition from minority rule to democracy together with economic liberalization and participation in the global economy. The outcome was a class compromise (Adler/Webster 1999) and a corporatist model of labour relations. As Desai and Habib suggest:

»Corporatism in South Africa can be regarded as a system of interest representation whereby influential socio-economic organizations are given access to, and the possibility of helping to shape policies decided in, state institutions, in exchange for restricting their demands and operating within agreed parameters, as well as supporting the ideology of national unity.«

(Desai/Habib 1997: 495)

In this sense, the institutional power that workers won can be seen as a double-edged sword which gives rights but limits action (Webster 2015).

The model introduced institutions such as the National Economic Development and Labour Council (NEDLAC) which brought business, labour and government representatives together to discuss critical socio-economic issues². The new labour regime was profoundly majoritarian and, according to some commentators, not suitable for organising at the margins of the economy. The newly acquired right to organise public sector workers and the majoritarian nature of the laws allowed COSATU to rapidly increase its membership and strengthen its role in the Tripartite Alliance, thereby dramatically consolidating its *institutional power*.

2.2 Cracks Start to Appear

Despite the legal and institutional power acquired by labour, new challenges became evident in the 1990s, above all an apartheid wage structure which had been only marginally altered from its previous configuration (Coleman 2013); a widening gap between workers and their leaders; and the spread of casualization amidst increased inequality (Webster 2013; Webster/Von Holdt 2005; Buhlungu/Bezuidenhout 2008; Pons-Vignon/Di Paola 2014). The unions generally failed to respond ef-

fectively to these challenges, resulting in declining union density in certain sectors (Macun 2014) and ultimately a crisis of labour representation.

The apartheid wage structure remained largely unchanged, with the vast majority of black workers earning below subsistence level of R4125 (approximately 290 Euros), including 53 percent of full-time workers (Finn 2015). Union members are not an exception to unequal wage structure, as shown by Coleman, who argues that about 20 percent of COSATU members earn less than R2500 (approximately 180 Euro) per month (Coleman 2013), about 40 percent below subsistence level. Persistent wage inequality largely overlapping with racial distinctions is certainly a key reason why workers felt that the ANC government and its allies were not representing their interests.

The transition to democracy coincided with South Africa's integration into the global economy as trade liberalization and the privatization of certain state assets began to take effect (Mohamed 2010). Capitalist globalization dramatically widened inequality in a context of rising unemployment alongside real production growth, owing to increased labour productivity (Strauss/Isaacs 2016). Earning a living wage had become a pipe dream for many and wage labour was undermined as a consequence (Theron 2010).

Reincorporation into the global economy, accompanied by attempts to deracialise capital and the privatization of previously state-owned services, unleashed a dynamic of rapid class differentiation (Alexander et al. 2013). The gap between union leaders and ordinary members became increasingly wide and complex, and some factors which exacerbated it include rapid class stratification; the cosy relationship between labour leaders and the ruling party; and the bureaucratization of labour relations (Masondo et al 2015). Buhlungu (2010) describes this ironic outcome of the workers' struggle as the paradox of victory: trade unions have acquired unprecedented legal protection, institutional power and political visibility, while at the same time losing their grip on the shop floor and workers' grievances. Although the gap affects the unions differently, it is also a sign of a broader social malaise, indicated by political disaffection especially amongst youth, as demonstrated by the low voter turnout in the last general and local elections in 2014 and 2016 respectively (McKinley 2014; Tracey 2016). NUMSA

^{2.} It is a consensus-seeking body for economic, trade and industrial policies, labour law, training and human resource developments.



was not insulated from the rest of society and, despite its glorious past of worker control, also experienced some political demobilization of members and »over-reliance« on its leaders.

Another aspect of the paradox of victory is the spread of casualization and working poverty, probably the most salient features of the South African labour market today, resulting from macroeconomic policies which organised labour has failed to shape in its constituency's interest. In particular, the government's Growth Employment and Redistribution (GEAR) strategy liberalised trade and finance; privatised or corporatised basic services; and allowed for outsourcing of non-core operations (Weeks 1999; Mohamed 2010). Theron (2010) defines these processes as »informalisation from above«. Far from being exclusive to informal operations, they are also widespread in mining (Bezuidenhout 2008), manufacturing, and public sector professions such as nursing and post-office administration (Dickinson 2015). Moreover, GEAR helped to shift the economy from industry and towards finance (Ashman et al. 2010), further weakening the base of NUMSA's constituency.

The economic policies implemented by the democratic government made the different class interests at play within the Tripartite Alliance evident and deepened the fault lines in the Alliance, not only between the different partners but also within them. The mining sector, at the core of the South African economy since the onset of capitalism, represents an interesting example of how class interests came into conflict in the post-apartheid era cutting across different constituencies, including organised labour. While an analysis of specific labour dynamics in mining is beyond the scope of this paper, some factors should be considered as representative of more general trends. Still dependent on the exploitation of migrant labour, the mining sector has undergone profound turmoil particularly since the 2008 financial crisis, with mineworkers conducting many »spontaneous« or wildcat strikes organised outside of union-led negotiations. At the beginning of 2012, a dispute led by mostly migrant rock-driller operators protested again an 18 percent wage increase which had been implemented for only one specific category of workers, having been negotiated by the National Union of Mineworkers (NUM) as an addition to the 10 percent general agreement. The strike spread across the whole platinum industry and subsequently in gold, coal as well as transport and logistics. At the core of the unrest was the demand for a »living wage«. The workers, united around the rock drillers' demands, refused to be represented by NUM and organised the action through alternative structures called independent workers' committees. In August 2012, 34 mineworkers on strike for a living wage were killed by the police in Marikana. The massacre represented the most tragic result of this profound crisis of worker representation. Their fight against the bosses but also against the will of their union leaders to settle the dispute represented the tip of the iceberg of this crisis throughout the union movement (Satgar and Southhall 2015; Craven 2016). In two decades of democracy, the triple crises of poverty, unemployment and inequality has gradually deepened, while protected and unprotected strikes and community protests have dramatically increased since the mid-2000s. Furthermore, the labour movement has undergone a crisis of organisation in its most vulnerable constituencies as well as a crisis of representative democracy. Trade union leaders have been accused by their own members of »selling out« for their own political and economic interest, while the ruling party has become the target of social unrest especially at the community level.

2.3 NUMSA's Political Isolation

NUMSA was not insulated from these challenges. On the contrary, union density in manufacturing dwindled in the 2000s as casualization hit the sector. Deindustrialization and rising unemployment affected NUMSA's constituency, while the rising costs of basic services such as transport and electricity have increased hardship for its members. The union vehemently disagreed with several policies adopted by government, such as GEAR; e-tolls on national roads; a youth wage subsidy to businesses; and the National Development Plan, a macroeconomic policy adopted by government in 2012. Several commentators hold that NUMSA's increased criticism of the ANC-led government, labelled »ultra-left posturing«, was the main reason it began to experience isolation within the federation before its expulsion in 2014 (Craven 2016).

A critical step towards the expulsion took place at CO-SATU's 11th National Congress in September 2012, only a month after the events of Marikana. During the Congress, the factions fighting for the soul of COSATU coalesced into one camp around NUMSA and the federa-



tion's General Secretary Zwelinzima Vavi, while another formed around the leadership of the public sector union NEHAWU (National Education, Health and Allied Workers' Union) and the NUM, which were less critical of government. NUMSA was accused of being anti-majoritarian and too close to civil society organizations which did not support the ANC (Craven 2016). At the same congress, attempts were made to oust the general secretary, but in Vavi's reading of events democracy and workers' control prevailed (Vavi 2015). One tentative interpretation could be that NUMSA, conscious of its appeal to civil society organizations and independent unions, was already pondering its *societal power* outside the Alliance.

On the 7th of November 2014, COSATU's Central Executive Committee decided to expel NUMSA, its largest and only growing affiliate. The federation's paralysis deepened thereafter, and purges and splits in the federation became the norm (Beresford 2016). NUMSA's isolation from the federation it had been central in building also resulted in its exclusion from institutions such as NED-LAC. Although organised labour has not made enough use of these institutions, in the South African context they remain the most important debating and negotiating fora for organised labour to influence public dialogue and decision-making, for example on the campaign for a national minimum wage. A loss of institutional power was evident. NUMSA had become a stand-alone union in the national arena. Moreover, the socetial and institutional power resources it had enjoyed as part of the alliance were broken.

3. NUMSA Fights Back

NUMSA had remained loyal to the Alliance, though at times reluctantly, throughout the 1990s and the 2000s. Underpinning that decision, and always internally contested, was the hope that the union could influence economic policy to benefit workers from such an institutionally and societally powerful position. This did not happen:

»In 1994 we characterized the ANC victory as a political breakthrough because of the black immense majority who voted for the first time and secured victory but this was a hollow victory as the government failed to secure economic power for the black majority.«

(Jim 2016)

As a result, NUMSA began to question its support for government and ultimately, at the 2013 Special National Congress (SNC), leaned towards re-launching a class-based political project. Its recent embrace of the idea of class conflict instead of class compromise is not new, as it has been part of NUMSA's political discourse since the 1990s.

In the decades after democratization, the expectations of the majority have been mostly disappointed (Vavi 2016). NUMSA began to question the compromise during the Mbeki administration in the early 2000s, and decided to campaign vigorously to support Jacob Zuma for president of the ANC in 2007. This period was central to the union's turn towards a more radical political programme. In October 2008, at NUMSA's eighth national congress, four of the national office bearers who were close to the Mbeki administration were voted out and a new leadership came in. The Eastern Cape secretary, Irvin Jim, was elected General Secretary, while Cedric Gina was elected President (Letsoalo 2008). The new leadership was united by its support for Zuma, who at the time enjoyed the support of the radical ANC Youth League leader Julius Malema and was perceived as a man for change, who cared for the people and was close to trade unions (Wolmarans and Burbidge 2007). NUMSA leaders were counting on him to replace the Mbeki administration's neoliberal stance in favour of a pro-poor and pro-worker agenda.

Soon after being appointed as President, Zuma began to show the true face of his administration: support for crony capitalism and government appointments based on patronage and populism, including Zulu nationalism. NUMSA's support for the new administration began to crumble and its critique of government, often shared by Zwelinzima Vavi, then COSATU General Secretary, sharpened. As early as 2010, relations deteriorated between NUMSA and leaders closer to the ANC and SACP (Craven 2016). As already detailed, NUMSA was expelled from the Central Executive Committee of CO-SATU. Officially, the expulsion was due to NUMSA's decision to organise throughout value chains, contradicting COSATU's principle of »one union, one sector«, but many commentators read the expulsion as political. In the same month, former NUMSA president Cedric Gina announced that a new metalworkers' union, called LIM-USA, had been registered at the Department of Labour.



It was accepted as a COSATU affiliate in February 2015 but has been largely unsuccessful in competing with NUMSA so far.

3.1 The 2013 Special National Congress

While cracks were appearing in the alliance and in the labour federation, and before NUMSA's expulsion from COSATU was confirmed, the union had faced additional pressures from its own members, as well as further afield. To fully appreciate the importance of this moment, it should be appreciated that when NUMSA was confronting its allies and voicing workers' grievances in the public arena, it was responding to bottom-up pressure. In 2012, fora were created in which ordinary members were able to express their discontent with the Alliance. At the same time, responding to the union's bold pro-worker position, workers employed in non-manufacturing sectors were requesting for NUMSA to organise them, the mining industry being amongst the first well-known cases. Veteran NUMSA official Motau describes this pressure as follows:

»The structures started saying that we should review the issue of our political engagement, the Alliance and how we deal with issues in the economy. We were also experiencing pressures from other unions' members who wanted to join NUMSA, because other COSATU affiliates were not responding appropriately to their grievances.«

(Motau 2016)

As a result of these pressures, drawing on its learning capabilities and organizational flexibility, the union revived its bottom-up democratic decision-making processes, which led to thorough political debates on the metalworkers' attitude to government. Discussions went from the shop-floor up, factory by factory, to the shop-stewards' council, then to the local, provincial and regional offices. Moreover, in order to assure the highest level of democratic debate, the union organised local policy workshops and general meetings where all members of a local structure, including shop stewards and ordinary members, participated together. The Marikana massacre was felt strongly by workers as a signal of the state's antagonism to the working class. The institutional power the union had benefited from as part of the labour movement was insufficient to justify participation in an Alliance which, according to the workers, was failing to fully represent their interest.

The debates led to a request for a Special National Congress (SNC) which was finally held in Johannesburg in December 2013. During the SNC, NUMSA shop-stewards made clear that the Alliance with the ANC-led government had to end because "there was no chance of winning back the Alliance to what it was originally formed for, which was to drive a revolutionary programme for fundamental transformation of the country" (Jim 2016). NUMSA thus overturned the decision made twenty years before. Moreover, several resolutions were adopted regarding political independence and championing the interest of the working class, such as committing NUMSA to:

- a. call on COSATU to break from the Alliance;
- b. spearhead the creation of a united front of workers and grassroots organizations;
- c. explore the creation of a movement for socialism;
- d. give birth to a new federation if the ongoing crisis in COSATU did not come to an end;
- e. extend its scope and organize along value chains;
- f. adopt a Service Charter to revamp service to members (NUMSA 2013).

The adoption of these resolutions marks NUMSA's return to a class-based political project, and its commitment to assuring high-level service to its members. Using its framing capabilities NUMSA put forward a political agenda based on a specific narrative that had unfolded from bottom-up pressures within the union, but which was talking to the working class as a whole. Many civil society organizations, community-based groups and radical academics started looking to NUMSA as the champion of radical change and voice of the disadvantaged (Ashman/Pons-Vignon 2014; Satgar/Southall 2015). NUMSA's resolutions aimed to catalyse change. They symbolise a new phase of class-based union politics after a long period of compromise with government and, to a certain extent, with capital. The transformative agenda the union adopted is based on reacquired independence from government, and on workers building a presence as a class beyond economic demands in the workplace – a return to its own political past.

These objectives required sophisticated *intermediating* and *framing* capabilities, first and foremost in order to



keep internal unity and members, and secondly, to assert the workers' voice in broader society.

4. A Critical Reflection on the First Three Years of the NUMSA Project

As argued previously, NUMSA's expulsion from COSATU marked the rebirth of radical class-based politics but also meant a significant loss of institutional power. In relation to its institutional position it should be noted that despite the weakening of this source of power due to the exclusion of the union from certain bodies such as NEDLAC, and from the Alliance, NUMSA has maintained its participation in the bargaining councils based in industries where it organises, and NUMSA aims at strengthening its institutional power through its participation in the building of a New Federation. Another major external challenge was the undermining of its structural power.

Moreover, the fact that macroeconomic and social policies remain constrained by neoliberal principles of cost containment has meant that workers have been exposed to multiple pressures from the resulting lack of job opportunities, weak unemployment support and insufficient social safety nets. Moreover, international competition on the commodity market is taking its toll. Resource dumping, especially of steel from China, has endangered local producers' viability, setting off a spiral of slowed production.

Building up new resources and delivering on the 2013 mandate, including a transformative agenda based on building a new federation and a United Front, proved difficult owing to external challenges such as retrenchments and media isolation, as well as internal problems such as organizational shortcomings and factionalism. Nevertheless, the project continues.

In this section, analysis of the first three years of NUM-SA's transformative project will be conducted through the power resources framework. This does not aim at exhaustive analysis of the activities NUMSA as embarked on, but selected losses and victories will be discussed. The union has invested in the launch of a movement for socialism in the view that this may become a political party. Notwithstanding the importance of a political voice for workers and the progress made in terms of in-

ternational exchange with Latin American, African and European workers parties, the author did not investigate the work conducted by NUMSA in this particular area. At this stage the party has not been launched, and further research will be required to evaluate current results and future plans.

Loss of Power Resources and Its Consequences

Structural power is the basis of trade union strength (Schmalz and Dörre 2014). Deindustrialization and disinvestment in manufacturing has reduced the *workplace* and *marketplace bargaining power* of metalworkers. Retrenchments and short time became widespread between 2013 and 2016 and, unless the government changes its strategy towards socio-economic development, the situation will not improve in the coming years³.

The union has also struggled with media coverage of its activities. This relates to a loss of *institutional power*, but its fading societal visibility also may undermine its *societal power*. As we will see below, the union identified this area for particular attention, thus reversing the union's media isolation.

Often overlooked in associated literature is the fight the union waged between 2012 and 2014 to remain in CO-SATU, carried out both in the federation and the courts, and requiring a great deal of human and financial resources (Motau 2016). Several commentators, including Jansen (2016) and Pillay (2017), have underestimated the importance but also the high cost of this fight. For the union, it represented one stepping stone in the delicate process of putting forward a radical agenda which entailed being ready to break away from their historic federation, while assuring that ordinary workers and structures owned the process. At the time, the union was testing the viability of the transformative agenda discussed by local and provincial structures and, at each step, the leadership had to ensure the largest possible support amongst members. This cautiousness helps to explain why the union did not lose members in the process.

^{3.} Looking at the impact of the economic downturn in the past three years in Sedibeng, one of the 27 locals organised by NUMSA, may give an idea of the jobs bloodbath occurring nationally: 16 companies applied long periods of short time, 12 retrenched large sections of their workforce, and 10 closed operations completely; about 600 workers were affected in only one local.



More generally, NUMSA has responded to weakening institutional and structural power by investing heavily in its associational and societal power resources.

4.1 Strengthening Associational Power

Campaigns and Bargaining

In June 2016 the union embarked on a campaign against the attempts by the employer association NEASA to collapse the Metal and Engineering Industry Bargaining Council. The employers' association has been accused of attempting to transfer bargaining procedures from the sector to plant level in order to further fragment the workforce. NUMSA itself depicted NEASA as non-cooperative and acting in bad faith (NUMSA 2016b).

In the second half of 2016, NUMSA organised a national campaign on the right to strike, to be launched the following year. Owing to the high frequency of strikes and related violence in South Africa, the government is trying to curtail the right. In 2016 NEDLAC discussed secret strike ballots and compulsory arbitration in the case of violent or prolonged strikes. The union strongly opposes these changes to the labour law as an attack on a constitutional right.

In 2016 NUMSA was bargaining in the car manufacturing and motor sector, and as such organised a bargaining conference, in March, to collect demands of workers in that sector. The procedure of collecting demands is a bottom-up process and controlled by the workers. As Hlokoza Motau puts it:

»Our shop stewards from the plants from those sectors will meet with members and say, »What issues do you want to put forward for bargaining this year? and those demands will go to a local shop-stewards' council where you bring shop stewards from different plants and then decide as a local what are the demands to be bargained on for 2016. And those demands then will go to the region, from the region will go to the National Bargaining Conference. And at the National Bargaining Conference we will adopt what we call national demands which will be placed in front of all the employers. We can't place a different demand, we only place those demands.«

(Motau 2016)

Although specific demands can be put forward for each sector, the union aims for some coherence of demands across sectors in order to strengthen unity amongst workers. While three year agreements were signed across all sectors, workers' demands were unevenly met, reflecting specific economic pressures in particular sectors. The 2016 round of bargaining took place in an economic context marked by sluggish growth, with the possibility of being downgraded to junk status looming throughout the year (Gumede and Yo 2016). In the auto sector NUMSA managed to reach a 10 percent wage increase and housing allowance, whereas in motors it got 9 percent without housing allowance. This housing allowance measure is particularly relevant due to a socio-economic environment marked by an extremely low social wage, where housing and transport are among the highest costs. The union considers this allowance a breakthrough to be pursued in other sectors in years to come (Jim 2017).

NUMSA has recently started organising in transport and aims to reach an agreement at the bargaining council by March 2017. Declaring the 4 percent wage increase offered by employers to be an insult, the union is demanding 30 percent. NUMSA is using its replenished media capacity to send the message that the sector needs drastic transformation. In a statement, the union points out that bus drivers may work for 18 hour shifts without adequate pay, and invites the employers to »dump their hostile attitude and develop a more inclusive workplace culture« (NUMSA 2017).

The New Federation

The new federation currently comprises 57 unions, on paper. About 40 are active in the federation's activities, 21 of them have the mandate of obtained members and are regularly paying federation fees. According to the latest calculations, the federation has 640,000 members. Many of the unions are independent organizations or unions which broke away from COSATU. In particular, beside NUMSA, the Food and Allied Workers Union (FAWU); the South African Football Players Union (SAFPU); the South African State and Allied Workers Union (SASAWU); and the Public Allied Workers Union (PAWUSA) left COSATU en masse. At the same time, members from the South African Municipal Workers Union (SAMWU); the South African Transport and Allied Workers Union (SATAWU);



and the South African Society of Bank Officials (SASBO) left COSATU while the bulk of their leadership remained in the federation. Other organisations in the federation are new unions that aim to organise precarious workers. For many, it has proven very difficult to organise union activities outside of, and in opposition to, the ruling party. This aspect relates first and foremost to the loss of institutional power but in fact goes deeper. All the interviewees mentioned working under dire financial constraints, mostly related to obstacles to registering the union at the Department of Labour, which would allow for the collection of union dues via wage deductions by the employers as guaranteed by the Labour Relations Act. Registration is not compulsory, but necessary to enter the system of industrial relations, for example to participate in negotiations in bargaining councils. The process has proven extremely difficult for new unions:

»Registration at the Department of Labour was blocked by COSATU unions. It has taken more than two years only to register as they were citing all sorts of requirements to slow down the process. Then we had to apply to Treasury for a deduction order which has taken more than one year. Then you must start the battle for your bargaining rights. In South Africa there are seven public service bargaining chambers and we will have to request recognition in each of them, which is where we are now. The employer (the State) is refusing to lawfully deduct the subscription of our members to our union. They're obstructing the lifeblood of the union and violating the constitutional right to belong. Because of this obstruction we're not part of the bargaining councils.«

(Ntola 2016)

According to Vavi (2016) at this stage it is more important to be present in workplaces and to revive shop stewards' commitment than to build alliances with political leaders. When engaged on the issue of lost institutional power, Stephen Faulkner, a key figure in the new federation, explained that they identify a relation between declining union militancy and the strength of certain labour institutions.

Institutions such as NEDLAC contained rather than enhanced worker control. They are part of the crisis of representation and we don't aspire at rebuilding them. On the contrary, the federation represents a fracture on class collaboration embodied in those institutions. What

we are interested in is being part of the bargaining councils to negotiate for our members and that's proving very difficult. (Faulkner 2016)

According those promoting the new federation, it was COSATU's support for the ruling party that hollowed out the institutions the federation was part of; discussions in institutions such as NEDLAC became mere exercises of knowledge, whereas political decisions were taken in the party structures. While NUMSA is planning to restore institutional power together with other unions through the establishment of a new federation, they are also focussing on its independent nature. Drawing on their learning capability, NUMSA and the other unions are adamant that they have learned from past experiences and the federation will be independent from any political party, but not apolitical (Vavi 2016). It will engage in political battles and it might support independent candidates or new political formations, but it will retain its autonomy.

Learning capabilities are central to strengthening the associational power of the different affiliates through mobilising and organising new members and sectors. All the interviewees stressed that they are drawing on new ranks of unionists and activists to reach workers amongst the 74 percent of the workers not currently unionised.

The steering committee of the new federation has met every week since August 2016 (Faulkner 2017). General shop-stewards' councils have been organised throughout the country, and, according to the organisers, the turnout has always been higher than expected. The main principles of its constitution are independence from political parties, democracy, worker control, and cooperation, rather than competitive recruiting amongst affiliates. The federation will be launched by a three-day congress in April 2017, with the objectives of approving the constitution, endorsing policy statements on the global economy and the crisis of labour, electing the structures, and planning a way forward.

Organising New Sectors

Having extended its scope, the union has been organising new sectors since 2014, turning NUMSA into a general union (Monaisa 2017). Recognition by



the Bargaining Councils was not swift, but today the union is recognised by PetroSA, a national oil company; Transnet, a state owned company responsible for transport; South African Airways; road freight companies; and by the respective bargaining councils. Despite the fresh membership acquired, the union has invested a lot of human and material resources especially to a new structure of shop stewards who can participate in and contribute to the union's radical political culture. In large companies such as Transnet or Eskom, NUMSA is organising irrespective of position, from cleaners to engineers. This entails injecting extra resources where the workers are most in need but union contributions are the lowest.

NUMSA and Young Workers

In an attempt to reach young workers and students, NUMSA has given its structure new tasks and mandates. As a result of its 2012 Congress resolution, NUMSA turned the union Youth Desk into a Youth Forum to strengthen the position and visibility of its young cadre with a view to better representation of young members. This change entailed clearer objectives for the youth, confirmed by the 2016 Congress resolutions which identify the Youth Forum as the union's spearhead for implementation. It also entailed employing a full-time national coordinator. In terms of recruiting young members, union organiser Pokomela explains: »The youth forum has made an impact. The forum is a recruitment and campaigning structure, and the majority of our members currently are under the age of 35« (Pokomela 2016). Nevertheless, to adequately represent youth, the general consensus of the forum is that the union needs to invest more resources in the grievances that many young workers face when entering the labour market. According to Tshabalala:

»Many young workers in all sectors of the economy are victims of labour broking and are always first in line when it comes to retrenchments due to the principle >last in, first out<, which means youth are the first in line for the axe. South African organised labour force still organises works within stratification of labour instead of waging a struggle to eradicate stratification. This has resulted in many graduates reluctant to join trade unions.«

(Tshabalala 2016)

The forum is now campaigning for the structure to be written into the union constitution which, according to its representatives, would entail, among other things, the allocation of funds and crystallization of the structure, »with a view of popularizing trade unionism and outlining the importance of organised labour«. The Youth Forum played an important role in reaching the student movement. Recently the union openly supported the protests for free, quality and decolonised education. Zwelinzima Vavi met protesting students several times, including on official occasions such as a peace meeting hosted by ASAWU on 19 October 2016 and in several informal discussions (Faulkner 2016). Student leaders have been engaged at various stages, including being invited to the NUMSA political school in October 2016, and the union has framed these struggles as a workers' struggle, again providing a narrative of unity and paving the way for possible societal power.

4.2 Societal Power

Alongside associational power, NUMSA has focussed on strengthening *societal power resources*. A number of initiatives in the past three years deserve particular attention, namely the union's efforts to build a United Front, consolidating its media presence, and the union's relationship with academia.

The Mixed Experience of the United Front

The United Front was intended to be a platform for workers and community organizations to coordinate their struggles at a time when the relationship between COSATU and civil society had been strained (United Front 2014). COSATU had previously supported groups such as Corruption Watch, but began to identify them as enemies and labelling them counter-revolutionary or ultra-left. While still in COSATU, NUMSA identified its relationship with civil society organizations as part of its strategy to strengthen societal power by building working class politics. The union aimed to renew its relationship with some organizations on the basis of common objectives to be identified by the United Front in struggle. The United Front was conceived as an umbrella body that different organizations, including NUMSA, would join. Principles such as internationalism, anti-racism, feminism, anti-xenophobia, anti-tribalism, anti-ho-



mophobia and pan-Africanism were defined as pivotal during the preparatory assembly held in Johannesburg in December 2014. Other critical yet contested issues, such as adherence to a socialist transformation project; criteria for membership, including whether it would be open to individuals or only organizations; participation in political elections; and relations to local government were left open to debate. After a well-attended preparatory assembly the United Front developed unevenly across the country, and generally insufficiently. According to Waiyle (2017), the experience of the United Front represents inadequate conceptualization and stretched organizational capacities. Moreover, internal factions failed to promote the healthy debates required to conceptualize and strategize appropriately. For instance, the decision of some United Front structures to participate in the 2016 local elections was marked by insufficient debate and unhealthy factionalism. The decision resulted in several activists abandoning the project, including Dinga Sikwebu, one of its initiators; more generally, activists and officials who have decided to pull out refer to strong limitations in the possibility of democratically influencing decision-making. Further research on the events and debates that led to these outcomes is needed.

Despite the enthusiasm showed by union members and sympathisers from civil society and academia, the discussion on what the United Front ought to achieve left many open ends and ultimately has not produced into a coherent project. The issue of leadership and collective ownership of the project has proven particularly difficult. At the preparatory assembly an interim National Steering Committee was nominated, the main problem with which was that most of the committee members did not represent working class organizations based in communities but were NGO directors or employees. Many of the nominated leaders never participated in the committee's debates, and did not actively participate on the ground at all. Although some of its initiators had abandoned the project by the beginning of 2016, there was no communication with the structures that had emerged on the ground. Even at the time of writing, the structures meet without national coordination. Moreover, NUMSA was stretched in different directions, most significantly fighting retrenchments and striving to stay in COSATU, and did not invest sufficient resources in building the Front amongst its own members. As a result, apart from areas where they were already historically involved in community activities, the bulk of NUMSA shop stewards still remain separate from the project. At the moment, the project seems to have stalled and even those structures which have shown a high level of militancy need leadership to plan a coherent way forward. Nevertheless, building alliances, and thus strengthening societal power, remains a central task for NUMSA, as acknowledged in the 2016 Congress Declaration (NUMSA 2016a). Since the United Front national steering committee is essentially dissolved, it rests on the union to provide space for debate and political guidance. Developing intermediating capabilities may help the union overcoming the challenges around internal debate and building consensus in structures of the United Front.

Media Strategy: New Recruitments and a Renewed Impetus

Despite a media blackout as a result of the union's expulsion from COSATU, NUMSA has recently re-asserted its presence in the media as the voice of the workers. The union has invested in its organizational flexibility, appointed a new spokesperson, and consolidated its relationship with some academics to support its media task team. The union has been intervening on issues of public interest, always trying to maintain a specifically workers' angle. The general secretary has regularly appeared in the media during and after the national congress, including on popular TV shows. Media coverage of the National Congress was positive overall. Certain individual journalists raised concerns that the media was not invited to the financial debate, but since the media was only excluded for a specific discussion on finances, that could be considered part of NUMSA strategy to discuss sensitive issues with shop stewards in a confidential environment so that participants may feel entirely free to raise concerns or suggestions.

In its effort to influence the public discourse from a working class perspective, the union is intervening on a number of issues of public attention. Recently the union issued a media statement on the deaths of 94 mentally ill patients, relating these to the neoliberal policies that created a two-tier, unequal health system. In a general meeting of the new federation, NUMSA's General Secretary, Irvin Jim, emphasised the importance of organising illegal migrants in order to break the cycle of exploitation that impacts all workers, whether national or foreign. When addressing the first congress of the newly



registered Municipal and Allied Trade Union of South Africa (MATUSA), NUMSA's Deputy General Secretary, Karl Cloete, reaffirmed the importance of building a United Front and an independent, but not apolitical, new federation, and has summoned MATUSA to organise all municipal employees in order to break the logic of capital (Cloete 2017). The message the union is sending, including through its media presence, is an appeal for the working class to organise itself against the neoliberal agenda embraced by government and capital (Farouk 2014); to fight to implement the Freedom Charter as a minimum programme; for industrialization; and to demand exploration of alternative sources of renewable energy.

Relationship with Academics

NUMSA's General Secretary Irvin Jim stated in 2014 that the middle class is a vocal and articulated strata and a contested terrain between workers and capital (Farouk 2014). According to him, academia and the intelligentsia at large have a contribution to make, and workers should make sure that contribution is in the interest of the majority and advances society. Two years later at the time of writing, the relationship between NUMSA and the academic community is not at its best. While new and fruitful relationships have been established with some intellectuals, the union relies almost exclusively on internal sources for political analysis and workers' education. It is understandable that the union may have re-pondered certain relationships as a result of internal dynamics and factionalism, but this has coincided with a generally leaner relationship with academia, and in particular with some segments of labour studies and political economy scholarship. The South African tradition of labour studies is rich and diverse, and breaking with it may entail breaking with the union's own history. Also, while NUMSA has historically engaged with political economists in the country and internationally, in the past few years those relationships seem to have diminished.

At the same time, many intellectuals have become lukewarm to the NUMSA project after their initial enthusiasm. Recent publications have raised concerns about the pace of implementation of the SNC resolutions; the validity of the Marxist-Leninist ideology supporting the project; the lack of engagement with environmental issues; and financial accountability (Bell 2016; Jansen

2016; van der Walt 2017). Pillay (2017) refers to an »unprecedented attack« at the 2016 congress on scholars who profess strains of Marxism different to that adopted by the NUMSA leadership, and complains of general exclusion of different voices. It is beyond this paper's scope of to engage with the content of those concerns. Nevertheless, it is important to note that at present there is little room left for constructive engagement on either side. To paraphrase the General Secretary, it is the duty of the working class and its leaders to reach the hearts and minds of academics to support their project of emancipation.

4.3 From Power Resources to Capabilities

Through framing capabilities, the union has won several battles and assured increased its *societal power*. Furthermore, NUMSA has used *framing capability* to influence public debate on certain issues and to present the union as a problem solver. In the steel industry for example, NUMSA has encouraged the establishment of a coalition with employers to request government intervention in the industry, especially in relation to Chinese dumping of cheap metals. As a result, the union has managed to regain a certain level of institutional power in terms of establishing the terms of a constructive relation with the Department of Trade and Industry. As Jim argues:

»In South Africa we have been fighting plant-byplant defending jobs. The fight includes forcing government to increase tariffs especially in the steel industry, on about 10 products. We engaged in that battle in the attempt to secure about 50,000 jobs that could have been lost. We have been calling on government to ensure that all State owned enterprises increase local content, and that we should be driving designation in all products where we have capacity to manufacture locally. The union has engaged the Department of Trade and Industry (DTI) to review the current support to the automotive industry in the form of an auto industry support program.«

(Jim 2017)

In terms of associational power the union has only partly succeeded in strengthening its position; if on one hand it has established itself as the voice of the workers in the public debate, on the other it has not managed to establish a presence in communities through the United Front.



NUMSA could invest in intermediating and learning capabilities to overcome internal challenges and strengthen its associational power.

The issue of internal factions fighting over ideologies has been covered by Pillay (2017); Jansen (2016); and Bond (2017). What is important to explore is the way the ideological battle was waged and how factionalism, as a dynamic process, could become a source of strength. Based on the author's participation in the United Front, and reinforced by interviews, there is room to improve factional dynamics. As suggested by Boucek (2009), while factionalism can be an engine for enriched debates, through so-called cooperative factionalism, in other cases it can become competitive, leading to exclusion of the »losing faction«, or degenerative. This last form may even lead to implosion of organizations owing to smearing opponents and suppressing differing ideas. In the case of the United Front, opportunities for formalising differences in open debates were limited, resulting in confrontations remaining »underground« and at times personal. Moreover, some of the participants who ended up abandoning the project felt there was no real opportunity to influence decision-making. Consequently, the different visions of the role of the United Front were not expressed through healthy channels of debate but rather as conflicting factional stances to be undermined. The factionalism was not cooperative, but rather highly competitive.

A significant shortcoming is that, not only was little room dedicated by the union to robust debate on the fate of the United Front, but also little was done by the Steering Committee or other structures to record or disseminate the outcomes of meetings and the discussion therein. This is a major constraint for reflection to strengthen learning capabilities and organizational flexibility, which must be addressed if similar mistakes are to be avoided in future. Drawing on its own worker-controlled decision-making procedures and transferring those to the United Front may be a route for NUMSA to ensure a higher level of participation and healthier debate.

Conclusions

NUMSA has achieved what can be considered a historical success in increasing membership at a time of labour fragmentation and poor investment in productive activities. The paper shows that this is mostly due to the

radical position the union entrenched since 2008 and epitomised in the 2013 SNC resolutions.

In a hostile economic and political context where its structural power has been eroded, the union has invested in building associational and societal power. The first three years of the project have somehow been positive in building new sources of power, but certain areas, relating in particular to societal power, require further attention. The union has managed to successfully frame workers' position and aggressively contest the public media domain, but there have been shortcomings in the building of the United Front in its relationship with academics and in the loss of cadres. Framing capabilities have been used to contest neoliberal capitalism from the working class point of view, and issues located beyond production have been addressed in accordance with the union's historical politics of engagement in the broader struggle. This is the area where NUMSA has seen major successes. Further research should be conducted to document other ongoing activities the union is carrying out which were at an embryonic stage when this research was started, e.g. the efforts to build a movement for socialism.

Other challenges remain, particularly the full development of a United Front of grassroots and worker activists, assuring participation of the intelligentsia, and achieving consensus within the union. A reflection on the importance of capabilities may prove valuable. Firstly, intermediating capabilities can help to deal with dissent in an open fashion, spelling out disagreements to enrich the debate and assure full and consistent support for the project by all factions within the union. Secondly, NUMSA could reinvigorate its learning capabilities by drawing from its own history to further enhance worker control. The fact that scholars have historically been on the side of metal-workers may assist in bridging the gap with academia and broadening support to the union's transformative project.

Workers' meetings and congresses shed new light on the implementation of the 2013 SNC resolution. Despite internal challenges and the extreme duress metalworkers are experiencing, what transpires is that workers are not questioning the union's commitment to class politics. On the contrary, what emerges is that the shop stewards and members can articulate the fact that NUMSA is their home and that implementing the resolutions towards the emancipation of the working class is their objective with impressive clarity.



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Imprint

Friedrich-Ebert-Stiftung | Global Policy and Development Hiroshimastr. 28 | 10785 Berlin | Germany

Responsible:

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About this publication

With Trade Unions in Transformation, the Friedrich-Ebert-Stiftung (FES) aims to direct trade union discourse at successful union work. Using the power resources approach, two dozen case studies analyze how unions were able to secure victories. For us, the Global Trade Union Programme of the FES, and our partners, learning from positive experience opens opportunities to reflect about strategic opportunities for unions in a rapidly changing environment. This project thus aims to analyze and strategize union action, including the needed transformation and mobilization of power resources within and outside the organizations.

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