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South Africa

Statement by the National Union of Metalworkers of South Africa

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This statement was issued on 9 November 2014 by NUMSA after its expulsion from COSATU to assert the union's intention to wage a fight to defend and strengthen its membership and political role.

What we have warned the South African workers and broader public about has come to pass. The National Union of Metalworkers of South Africa (NUMSA) with its 350,000 members was expelled as an affiliate by the Congress of South African Trade Unions (COSATU) in the early hours of Saturday morning (after 1 am), November 8, 2014, at a Special Central Executive Committee meeting (SCEC). This expulsion took place through a vote which was 33 for our expulsion and 24 against.

We have convened this press conference to state for the record our anger and dismay at this and factional and irresponsible action. We want to be on record to say that what happened was that a few leaders (many with no mandates from their own structures) decided the future of 2.2 million COSATU members in a boardroom through a vote.

NUMSA's application for urgent relief

It would be remembered that NUMSA went to the South Gauteng High Court on November 6, 2014, to request the courts of law rescue NUMSA from a Kangaroo Court that was to be convened as a SCEC of COSATU. Some media reports and the president of COSATU went public to falsely claim that the court ruled against NUMSA's application. If truth be told, the attorneys of NUMSA and COSATU presented the judge with the following agreement:

1. That NUMSA's application be postponed and that the judge do not make a ruling on urgency.
2. That COSATU's letter of February 11, 2014, making reference to five charges that NUMSA must answer should not be so wide as to say "but not limited to". NUMSA should only address the five charges as per the COSATU letter of February 11, 2014.
3. That cost be reserved.

For NUMSA this was enough of a victory because for close to a year NUMSA has been asking the COSATU National Office Bearers to provide the real and actual reasons why NUMSA would be suspended or expelled. COSATU failed up to November 6, 2014, to show NUMSA the courtesy and decency of a reply. It took a High Court to limit the charges made by COSATU against NUMSA to five issues.

NUMSA's submission to COSATU

NUMSA had been asked to explain to the SCEC why it should not be expelled, which we did very comprehensively, providing a detailed dispassionate analysis of our political and organisational analysis in relation to working-class struggles. (See our 48-page submission with a more detailed version of 105 pages.)

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We founded this federation. It is a federation that is governed by a constitution that provides for a minimum number of affiliates democratically requesting a constitutional meeting, especially the convening of a Special National Congress, if the need arises.

Our request for a Special National Congress, given the untenable situation the federation finds itself in, is in line with the constitutional provisions of COSATU. We are in an untenable situation in relation to:

How the policies of the ruling party, the African National Congress, negatively affect the working class;

And how the leadership of affiliates and the Federation respond to these anti-working class policies.

The NUMSA demands at the CEC are all located within the COSATU constitution but the leadership of the federation has continued to violate its own constitution.

Political division

One of the most important reasons for the tensions around all the constitutional violations is a political division between those who support the interests of the working class, as our constitution requires us to do, and those who are prepared to sacrifice those interests for an alliance with the African National Congress (ANC) and the South African Communist Party (SACP).

The "hearing" against NUMSA on Friday, November 7, 2014, in the SCEC was not a fair hearing as the decision to expel NUMSA had already been decided by some affiliate leaders using many different platforms over the past year.

In fact even members of the ANC task team, who had intervened in the COSATU CEC process of dealing with NUMSA, themselves demonstrated their bias against NUMSA and its congress resolutions.

NUMSA's biggest crime has been to democratically, in its own congress, argue for the political independence of the federation, given the worsening material conditions of the working class as a result of neoliberal ANC policies. We have noted with grave concern how our congress resolutions have been misrepresented and distorted.

NUMSA has always intended to procedurally argue for its congress resolutions to be democratically debated by workers at a COSATU Special National Congress (SNC). All attempts to stop the SNC are linked to a fear of the outcomes of democratic debate by workers about their political and material future.

NUMSA wants to state for the record some key areas of struggle with the ANC, SACP and national office bearers of some affiliates and national office bearers COSATU:

1. NUMSA is concerned that key policies of the ANC; the National Development Plan (NDP), which is a cut and paste of [the formerly pro-apartheid] Democratic Alliance policy, and the Growth, Employment and Redistribution plan (GEAR), have replaced the Freedom Charter. The Freedom Charter gave the ANC its liberation character. It is a militant, popular program which challenged property relations in South Africa.

The NDP is a neoliberal program, which entrenches existing property relations and attacks the working class and the

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poor in the interests of mining and finance capital.

2. The ANC leadership has abandoned democracy.

3. There is a serious threat to COSATU's militancy and independence. COSATU has become consumed by internal battles between two forces:

(i) Those who continue to support the ANC and SACP, with their neoliberal agenda.

(ii) And those who, despite their understanding of the ANC as a multi-class organisation, consciously and consistently fight for an independent, militant federation which stands for the interests of the working class before any other class.

4. Both at Marikana and in the farmworkers strike in the Western Cape, the armed forces of the state intervened in support of the owners of capital against striking workers. In both instances the result was the murder of workers whose only crime was to refuse to sell their labour for less than a living wage.

The inconsistency on how affiliates are treated demonstrates a well-orchestrated agenda against NUMSA. Other affiliates have rejected the [ANC-COSATU-SACP] Alliance and have not been threatened with similar sanction. There are three known examples of this which include:

1. NUMSA itself in 1993 resolved to canvass COSATU and its affiliates to support our position that we break with the Alliance and to form a workers' party. COSATU affiliates democratically engaged with this debate in the federation's national congress and it is common cause that NUMSA lost that debate in COSATU, yet no strong-arm tactics were ever applied to deal with NUMSA's democratically arrived at decision.

2. SASBO [the Finance Union, formerly the South African Society of Bank Officials] applied to become an affiliate of COSATU and is now an affiliate. Its constitution specifies that it "shall not belong to or support any political party". It does not contribute to the COSATU Political Fund. The leadership of COSATU at that time were prioritising unity of the working class. We can't say the same of the current leadership. Yet again SASBO had not been dragged in to a Kangaroo Court.

3. On March 9, 2011, the South African Municipal Workers Union (SAMWU) issued a public press statement which directly confronted the status of the federation in the tripartite alliance. It listed the failures of the ANC. It then recorded that the union resolved: "In the spirit of SAMWU's commitment to support the ANC in the forthcoming elections, we find it impossible to convince our members and the community to do this until the issues mentioned above are resolved. We thus call upon the ANC leadership to intervene urgently to address our concerns."

Other affiliates violate federation policy without consequence. Some examples of this include:

• The National Union of Miners (NUM) has on several occasions disagreed with the COSATU position on nationalisation.

• The Police and Prisons Civil Rights Union (POPCRU) has spoken against the COSATU campaign on e-tolls

There has been no call made for their expulsion.

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NUMSA is in good standing and there has been no threat of expulsion of the many other affiliates who have not been in good standing in the past. We have paid both our subscriptions and the COSATU/SACP political levy. It is in fact the South African Transport and Allied Workers Union (SATAWU) and POPCRU who have outstanding levies to pay over to the federation.

However NUMSA is being asked to continue paying a levy to the SACP which continues to threaten to liquidate the union and has publicly declared that it will intervene in the federation to isolate what it called a "lingering irritation".

Of the different issues that NUMSA must account for to the COSATU CEC the one that appears to be driving the call for our expulsion is the decision to expand our scope of organising.

We have provided a comprehensive presentation that demonstrated:

1. How value chain organising already exists and is being used by a number of affiliates and new unions.
2. That other affiliates organise across sectors and compete with one another and there is no sanction from the federation
3. Almost all constitutions of affiliates overlap in scope and to date the federation has not addressed this.
4. There are many overlaps in scope that have led to conflict among affiliates.
5. A detailed list showing that the vast majority of affiliates have amended their scope to infringe on others.

We want to reiterate for the record that workers are approaching us and asking us to organise them. We are not poaching. We provided evidence of this to the SCEC.

Also for the record we want to repeat our position about the unconstitutional and divisive conduct of the COSATU leadership and some un-mandated leaders in the CEC:

1. The president of COSATU [Sidumo Dlamini] has violated the constitution when he refused to convene the SNC since the Food and Allied Workers Union (FAWU) made the first call in April 2013 and eight other affiliates followed the call thereby meeting the constitutional threshold.
2. COSATU CEC deciding not convene the SNC when it had no powers to do so.
3. Suspended the COSATU general secretary [Zwelinzima Vavi] who had to be reinstated through the South Gauteng High Court
4. The continued presence of Zingiswa Losi in all constitutional meetings in her capacity as second deputy president despite the fact that she has ceased to be a member of an affiliate.
5. Acted in bad faith in the process of seeking to expel NUMSA.

6. Failed in their duties of unifying the working class.

7. It is becoming a common practice that workers' control, open debate and criticism and the right to differ in the federation are suppressed

We told the COSATU SCEC on Friday night that they are more loyal to an alliance of the ANC and SACP than they are to the working class.

We told the COSATU SCEC on Friday night that they want to expel us because we constantly remind them how they are failing to protect the interests of the working class, which includes both the employed and the unemployed.

What are we going to do about our expulsion?

What are we going to do about our expulsion? As a worker-controlled organisation we are going to convene NUMSA constitutional meetings and mass meetings to develop a program of how we move forward and how we continue to raise our voices on working-class struggles. This fight is not over!

The NUMSA leadership calls on all NUMSA members across the length and breadth of the country to remain united. We further call on all workers across all affiliates of COSATU to remain united and to reject the illegal expulsion of NUMSA by a factional group of leaders led by the COSATU president.

Today it is sad to see leaders who are hell bent on violating the COSATU constitution at every turn to serve their selfish political interest.

Today we see leaders who can knowingly destroy the federation of Elijah Barayi [COSATU's first president] and [another former COSATU president] John Gomomo. A federation built on the sacrifices, sweat and blood of so many workers who have come before us.

NUMSA's leadership remain resolute that we shall continue serving in COSATU structures in different capacities as we will challenge the boardroom dismantling of our federation.

We urge our local and provincial leadership to attend all the COSATU meetings in their numbers as we will not be pushed out by a now hidden now open agenda to split the federation. We remind our local and provincial leadership that there are many COSATU affiliates who are also prepared to fight to reclaim and unit our federation.

We know there is a special project of individuals who are ex-NUMSA and ex-COSATU leaders, (many of whom have been rewarded with big positions in parliament and legislatures), who are working externally with the leaders in the COSATU CEC, ANC and SACP to liquidate NUMSA. They are now going to try to get into our workplaces. They will try to get into our workplaces using the union they set up called Metal and Electrical Workers Union of South Africa (MEWUSA). We are prepared to fight back.

COSATU's decision to expel NUMSA must be understood for what it is – a well co-ordinated reactionary attack on the organisation of workers – an attack on COSATU, an attack on the poor and an attack on workers.

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These reactionary forces that have been plotting within the alliance to destroy the unity of COSATU are doing this for their own selfish material interest. This COSATU boardroom struggle is not about workers' interest.

What we must give them credit for is that they managed to achieve what the apartheid regime failed to do which was to destroy a federation that had been both a shield and spear in the hands of workers and in the consciousness of the nation.

We call on all workers to stand together to remain united and fighting till the bitter end. All workers must join metalworkers in dislodging the boardroom wedge drivers who can expel and dismiss workers because they demand democratic worker control of unions. These boardroom wedge drivers have long forgotten that the task of unions is to:

- Serve the interest of workers.
- Champion shopfloor struggles.
- Link shopfloor struggles with community struggles.
- Pursue a revolutionary agenda through campaigns that must be taken forward as resolved in the COSATU 11th congress

NUMSA leadership across the length and breadth of this country will be convening open shop steward council meetings and open general members' meetings. These meetings will be open to all COSATU members so that they can understand why they also should be fighting our illegal suspension.

We will in addition be explaining our SNC resolutions to all workers in these meetings and explain the underlying political struggle in the federation.

The NUMSA leadership calls on all our structures to intensify service delivery to our members in line with our Service Charter adopted at our December 2013 SNC. We must forge ahead with our recruitment target of 400,000 by 2016. We make a clarion call to all workers interested in a militant worker-controlled union to join NUMSA in their numbers.

We call on all metalworkers to remain vigilant in these testing times as the wedge-drivers move out of the COSATU boardroom and attempt to move into our workplaces. They will be driven out of NUMSA workplaces. This we are confident of.

There is no turning back on the NUMSA SNC resolutions and in line with these resolutions we are going to launch a national united front in December 2014.

We shall consolidate our work on the Movement for Socialism in the March 2015 central committee of NUMSA.

We remain committed to exploring an independent working-class political organ.

Our solidarity is our strength. Our unity is our strength.