

Self-Organising is Breathing Life into Workers' Struggles in South Africa

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Over the last decade, workers in a number of sectors have undertaken radical actions in South Africa to try and win gains at the point of production. They have used innovative tactics in the context of post-apartheid South Africa which have involved going outside the labor relations framework and embarking on wildcat strikes and, at times, sit-ins. In the vast majority of these circumstances, such actions were organized outside and even against trade unions by the workers themselves through mass meetings, worker committees, and worker forums/councils.

This chapter traces the history of some of these struggles with a specific focus on the worker committees that arose in the platinum belt in South Africa during the 2009 to 2013 period and more recently with the experiments of the Simunye Workers' Forum (SWF)—which is supported by the Casual Workers' Advice Office (CWAO)—in the industrial areas east of Johannesburg. In doing this, the chapter begins by outlining the context in which these initiatives and actions have arisen focusing on the political decline of trade unions, why they have taken place outside of trade unions, and some of the challenges they have faced. Although some of these new forms of organizing and organization and innovative actions are on the decline, since 2015 the SWF/CWAO have been using workers' forums in attempts to build and sustain new forms of organising.

In order to trace the above developments, the chapter examines how the composition of the working class was structured during the heyday of trade unionism in the country in the late 1970s, how it was decomposed by neoliberalism, and the implications this has had for organizing. Indeed, capital in South Africa under neoliberalism introduced new technologies (including automation) and moved towards reducing the size of the permanent workforce through retrenchments and embarking on the use of contract, and casual and labor broker workers. It thus deconstructed and fragmented the working class, and trade unions in South Africa have been unable to effectively respond to this. In South Africa, this decomposed working class, which is now composed of a greater number of precarious, contract, casual, and labor broker workers has begun to self-organize to address the challenges it faces and rebuild its power. This chapter traces the story of this from the perspective of the working class.

The Tradition of Revolutionary Trade Unions in South Africa

Historically there has never been just one form of trade unionism. Unions have varied in the way they have organized and the tactics that they have used. Some have been revolutionary, others reformist, and some even conservative or right wing. Unfortunately, today the vast majority of unions in South Africa are highly bureaucratized, patriarchal, and are often deeply embedded in capitalism through the investment companies they own (Moussouris, 2017). They tend to largely recruit permanent workers, most within the state sector, as members.

Workers that are employed through labor brokers, and contract workers, casual workers, outsourced workers, or unemployed are, for the most part, ignored by trade unions. In many cases shop stewards no longer work alongside their members but are rather full time officials that are paid by the companies that they have members in, and often attempt to explicitly

implement amiable relations between workers and employers. The workers in the worker committees and forums that have arisen since 2009 have been organizing outside of these types of trade unions.

To understand why thousands of workers have embarked on new forms of self-organization outside of trade unions we have to understand the forces and processes that have led to the demise of the once militant trade union movement in South Africa, which includes how the working class has been decomposed under neoliberalism.

Internationally, much of the early industrial unionism of the late nineteenth and early twentieth century were influenced by revolutionary syndicalism or anarcho-syndicalism that used direct democracy and radical actions, and aimed for a social revolution in which the working class would eradicate the state and capitalism, replacing these with structures of working class self-governance and a socialized and worker self-managed society (van der Walt, 2016).

South Africa too has a history of such unions, notably in the early part of the twentieth century. The first union that targeted black workers in the country, the Industrial Workers' of Africa was founded along anarcho-syndicalist and revolutionary syndicalist lines in 1918. It used militant and innovative tactics to pressure the state and capital to provide concessions to workers (van der Walt, 2011).

In the 1970s and early 1980s another form of militant trade unionism arose in South Africa. In 1973, black workers in the city of Durban embarked on wildcat strikes that shook the country to its core. At the time, unions for black workers were illegal under the apartheid state's laws. Out of these wildcat strikes independent unions emerged, and in 1979 some of these formed the Federation of South African Trade Unions (FOSATU) (Ulrich, 2005).

By the time of FOSATU's formation a large part of the black working class had been urbanized. Migrant labor still defined the mining sector, but most of the black working class lived in townships permanently, which tended to be adjacent to large industrial areas. The bulk of the black working class in South Africa by the 1970s tended to be employed on a permanent basis centered around the manufacturing sector. FOSATU's membership reflected this configuration of the working class.

FOSATU was a left-wing radical grassroots organization. It stood for worker control of unions and was explicitly not aligned to any political party. It built a working class identity, culture, and counter-power amongst its members. Its' fight was not just to defeat apartheid, but it also aimed to end capitalism. FOSATU, therefore, aimed to use struggles to win reforms and to build on these as steps towards socialism. The socialism that FOSATU envisioned should not be confused with that of the Soviet Union (which in reality was state capitalism)—it rather wanted a redistribution of wealth and power through workers directly controlling workplaces, the economy, and society (Byrne, Ulrich & van der Walt, 2017).

The Political Reasons for the Decline of Worker Controlled Unions

Before outlining how the working class was decomposed under neoliberalism and how this has led to the decline of unions in South Africa, it is important to first understand the political forces that led to the decline of FOSATU and ushered in an era of bureaucratic unionism in South Africa.

By 1985, FOSATU merged with other unions which were largely either influenced by Black Consciousness or the African National Congress (ANC)—to form the Congress of South Africa Trade Unions (COSATU). In 1987, the National Union of Mine Workers (NUM) proposed that COSATU adopt the guiding document of the ANC, the Freedom Charter. After much debate this was accepted by the majority of affiliates and was adopted, marking a distinct point at which the largest trade unions in the country began to openly align with the politics of the ANC and its partner the South African Communist Party (SACP). In 1990, COSATU entered into a formal alliance with the ANC and SACP (Twala & Konpi, 2012).

This saw a political shift that marked the idea of the two stage revolution becoming the guiding policy in unions in COSATU. The idea was that the first stage of the revolution — which became 1994 in this paradigm—marked a democratic revolution of people winning political rights. In the aftermath, the aim would be to alter the racial structure of capitalism in South Africa. This would involve the state using its power to break up monopolies in the South African economy and through this open up opportunities to black capitalists to gain access to the top echelons of capitalism. It was also argued that although capitalism would remain, during the first stage the state would provide benefits to the working class. The role of the SACP and trade unions in this thinking would be to contest space within the first stage of the revolution and push the country into a second stage. In the second stage a system of socialism (but in reality a form of state capitalism similar to the Soviet Union) would be implemented according to its proponents in the SACP such as Joe Slovo (Slovo, 1988). With the adoption of the ideology of the two stage revolution and the consequent entering into an alliance with the SACP and ANC, the COSATU unions became ever more dogmatic and formulaic, killing political debates that had been the life blood of the unions in the 1970s and early 1980s. It is here the slide towards bureaucratization began (Moussouris, 2017).

The close alignment with the ANC and SACP saw many of the leaders within COSATU joining these parties, which had a detrimental impact on unions. These included people such as Cyril Ramaphosa, Gwede Mantashe, Sbu Dlamini, Irvin Jim, Sam Shilowa, and John Gomomo who rose through the ranks of the ANC and became prominent politicians, and in the case of Ramaphosa the head of state in 2017. The unions, therefore, were transformed into stepping stones of ambitious leaders to embark on political careers in the ANC and SACP from 1990 onwards. This negatively impacted on the unions and began to reverse the traditions of workers' control. Linked to this process, the worst of the ANC and SACP practices, in terms of so-called democratic centralism and at times outright authoritarianism, began to filter into the unions (Moussouris, 2017).

The consequences were that the unions began a long path towards bureaucratization. When 1994 dawned and apartheid officially ended with the ANC gaining state power, many of the top leaders of COSATU left the organization and went into the state—either as parliamentarians or as executives in the various state departments. The mass exodus of top leaders saw remaining officials and leaders demanding comparable salaries to parliamentarians. From 1994 onwards, a gulf opened between what members of the unions earned and what officials earned. Leaders of unions, including those in COSATU, entered into the middle class and some even moved into exclusive suburbs such as Sandton in Johannesburg. Perhaps the best example to highlight this point was that in 2009—a year when workers in the platinum mining sector began to rebel against the NUM—the NUM General Secretary Frans Baleni was earning R 1.4 million a year when the average salary for a mine worker was between R 48 000 to R 60 000 a year (Good, 2014).

Feeding into this was the fact that in the mid to late 1990s some of the largest unions in the country, including the so-called left leaning National Union of Metalworkers of South Africa (NUMSA), began forming investment companies. These were sold to members on the basis that the profits made by these companies would be used for the benefit of union members and their families. The reality was very different. Union investment companies soon became behemoths that sought, like any other company, to maximize profits. Many, such as the NUM investment company, even provided loans through finance institutions it owned to workers at loan shark rates. Consequently, leadership battles emerged in many unions to gain personal access to the wealth of the investment companies and all unions with investment arms have been mired in corruption scandals (Mahlakoana, 2017).

After 1994, unions also began entering into institutions and initiatives that were established by the post-apartheid state under the ANC that explicitly promoted so-called social harmony between the state and capital on one side; and the working class on the other. Notably, the National Economic Development and Labour Council (NEDLAC) was established as a forum for the state, big business, and unions to develop labor, trade, and investment policies to supposedly benefit all South Africans. A new layer of bureaucrats was employed by the unions to engage in NEDLAC, which further increased the gap between members and union officials and employees. Even with this, unions were unable to really influence policies within NEDLAC and business and the state continuously out maneuvered them. What entering into NEDLAC did do, however, was essentially begin to bring unions directly into the fold of the state and further bureaucratize them (van der Walt, 2010).

While many workers celebrated the introduction of the Labour Relations Act (LRA) and the Basic Conditions of Employment Act (BCEA) by the state after 1994, in practice these acts also negatively impacted the power of unions and fed into why many workers eventually became disillusioned with them. The LRA stipulated that employers only need to recognize unions that are registered with the state. There is no obligation for employers to recognize non-registered unions or other worker organizations.

The state also set out how unions should be structured under the LRA. They must, for instance, have an executive and shop stewards. By doing so, the state ensured that any registered trade union would have a hierarchical structure feeding into the model of bureaucratized unions. The LRA further established lengthy procedures for unions to follow should they want to embark on a protected strike. In reality, this provides ample time for employers to implement plans to limit the impact of strikes. The LRA stipulated that workers could be dismissed for embarking on wildcat strikes—effectively blunting the most successful weapon that the militant unions of the 1970s and early 1980s had to build their power (Gentle, 2012).

In the 1990s and 2000s unions also began concluding multi-year deals with employers. This was promoted by industry wide bargaining councils in many sectors. Rather than pressure from the shop floor, it was union officials in boardrooms that began to be the center of wage negotiations. Workers' control of the unions, and even the bargaining process, was largely ended by this practice. As we shall see, this was one of the drivers for many workers breaking with trade unions.

One labor practice of the biggest companies that emerged in the 2000s was the provision that full time shop stewards would be paid by employers to do union work. What appeared at first

as a victory for workers turned into a curse. Full time shop stewards were drawn out of the shop floor and given office space. The companies paid their salaries and even provided perks such as motor vehicles which meant they were paid well above the salaries of their members. Not only was there a gulf between members and union officials, but one also developed between shop stewards and workers. Many workers, as we will see in the following section, began to perceive shop stewards as agents of employers rather than defenders of workers' interests (Gentle, 2012).

By the late 1990s and early 2000s the form of politics that unions in South Africa adopted, along with how their structures changed due to outside forces such as NEDLAC and the LRA, saw unions in South Africa becoming highly bureaucratized. Gone were the militant shop floor led unions of the 1970s and early 1980s. Mandates now came from above and general secretaries began to wield power. Leadership within unions could and did manipulate congresses and elections through the resources that they had at their disposal.

Trade Unions (Non)Response to the Restructuring of Capitalism

As in many parts of the world, South Africa was severely impacted by the capitalist crisis that began in the 1970s. One of the central responses of South African capitalists was to try and maintain profits by decomposing the working class and work, thereby changing the composition of the class by introducing casual and contract labor on a large scale. This made it hard for the restructured class to build unity and to organize collectively due to greater fragmentation—a process that has now been underway for three and a half decades.

When trade liberalization begun in the late 1980s, and was fully entrenched in the 1990s, South Africa's manufacturing sector came under increasing pressure from imports. Capital responded to this in a number of ways. Increasingly, the largest manufacturers, such as those in automotive manufacturing, began to mechanize, thereby reducing the size of their workforces to remain competitive and increase profits. Others shifted from manufacturing to importing and distribution, using precarious workers in the warehouses that have sprung up across South Africa's industrial areas. Along with such shifts, sections of capital also shifted into the service sector, also implementing a system of precarious work when doing so.

Another tactic used by capital that remained in manufacturing and mining was to restructure their workforces. By the 1990s companies in the manufacturing and mining sectors began a process of employing casual, contract, and labor broker workers on a large scale. This was done to maintain and increase profits in the neoliberal era. Such employers could pay casual, contract, and labor broker workers less than permanent workers. They also further reduced labor costs because they did not have to provide such workers with pensions, provident funds (which is similar to a pension fund but a worker receives a lump sum in full on retirement) or medical coverage, gains that had been won by workers through trade unions in the late 1970s and early 1980s. Using casual and contract labor meant that capital could also fluctuate the size of its workforce more easily according to an increase or a decline in the demand for goods in the market.

Capital too used the threat of replacing permanent workers with casual or contract workers as a way to discipline workers and to keep the wages low. Indeed, wages for the restructured working class since the neoliberal era began in South Africa have stagnated. The result is that the decomposed working class in South Africa has become indebted to offset stagnant wages in order to maintain any semblance of a decent living standard. In the last two decades a

plethora of companies, including ones owned by trade unions, have sprung up pushing loans onto casual, contract and labor broker workers and even South Africa's growing unemployed (Bond, 2019).

All of this has resulted in a decline in permanent workers as a percentage of the workforce and the rise of contract, casual, outsourced, and labor broker workers in South Africa (Kapp, 2013). Unions in the country have been totally ineffective at recruiting or organizing these workers. Part of the reason is that the dues from these workers are unreliable and unions feel it does not pay them to recruit precarious workers. Rather, unions continue to focus on the decreasing number of permanent workers as this offers a steady income stream. They have also shifted to increasingly focusing on permanent workers in the state sector, such as the police, nurses and teachers as opposed to the growing number of precarious workers in the private sector. The result is that unions in South Africa have alienated large sections of the restructured working class engaged in casual, contract, outsourced and labor broker employment, as well as the unemployed workforce.

The credibility of unions among the South African working class has, therefore, taken a severe dent in the last 15 years and union membership has declined. Indeed, union membership peaked in 1997 with 45 percent of the workforce belonging to unions, by 2012 this had declined to 25 percent (Steyn, 2014).

The Case of the NUM and Worker Committees in the Platinum Mines

In 2009, the frustration that workers, in particular labor broker, contract, and outsourced workers, had been feeling towards unions—and the close relationship many had with corporations—began to break out into open rebellion in the country's platinum mines. That year, workers in a number of platinum mines began self-organizing and embarked on underground sit-in wildcat strikes without formal unions and even at times in the face of open union hostility.

The reasons for these sit-in wildcat strikes were many and often interrelated. Many workers were unhappy with the multi-year wage agreements their unions—NUM and the Association of Mineworkers and Construction Union (AMCU)—had signed. They felt that, in particular, NUM had not heeded their mandates and that the leadership and shop stewards sold them out and sided with the employers by agreeing to cap salary increases. The mandates that were given to NUM largely involved workers demanding above inflation increases and that outsourced and contract workers be made permanent. One militant worker summed up this perspective when he was interviewed in 2012: "...as time went on, it became a perception of workers to say the relationship between NUM and management in the mines is too close...they were becoming cosy at the expense of the majority of workers" (Sinwell & Mbata, 2016:90). Many participating in the wildcat strikes and sit-ins also demanded an end to contract work, labor brokering, and outsourcing.

At least six underground sit-ins, occupations and wildcat strikes, collectively involving thousands of mineworkers, occurred in the platinum mining sector between 2009 and 2011. These included sit-ins at Eastern Platinum's Crocodile River Mine (De Bruyn, 2009a); Aquarius Platinum's Kroondal Mine (De Bruyn, 2009b); Impala Platinum's Rustenburg Mine (Hattingh, 2010a); Anooraq Resources' Bokoni Mine (Hattingh, 2012); African Rainbow Mineral and Impala Platinum's Two Rivers Mine (Pringle, 2009); and Australia Platinum's Limpopo mine (Hattingh, 2010b).

In each case, the workers involved were militant and the sit-ins were preceded by wildcat strikes. Many of the workers that undertook these actions also tended, but certainly not exclusively so, to be contract workers or workers hired through labor brokers. All of these actions were planned and carried out outside of the two main unions, NUM and AMCU, through worker self-organizing. In each and every case, NUM officials distanced themselves from and condemned the actions of workers. What became apparent, however, was that the wildcat strikes and sit-ins were highly effective. They caught the mining companies completely off guard and in most cases their demands were often won (Hattingh, 2010b).

The platinum mine workers' next phase of the struggle began in early 2012 at Impala Platinum. General and mass meetings of workers, unhappy with the multiyear wage agreements that NUM had signed, started to take place. Through these meetings, workers undertook a decision to embark on a wildcat strike for a minimum wage of R 9,000 a month. Part of the reason why workers were demanding such an increase is that due to the restructuring of the class under neoliberalism, a vast majority of them were heavily indebted and under financial pressure as wages had been stagnating (Bond, 2012).

The strike began on January 20th, 2012 and soon spread to all of Impala's operations. While the demands were written and the strike was organized using direct democracy in mass meetings, the workers elected a committee of five to negotiate with management if need be. The committee members were mandated by workers to put forward their demands to the company and were directly accountable to the mass meetings. The committee had no decision making power, only the mass meetings did. The strike was marked by militancy and it was met by force by Impala's security guards and the police. The power of the collective actions of workers, however, was evident and by March 3rd management at the mine conceded to the demands of workers and raised the minimum salary of workers to R 9,000 (Munshi, 2017).

The NUM, for its part, condemned the workers' wildcat strike. The consequence of this is that NUM lost the vast majority of its members at Impala - 11,000 workers had resigned from the NUM by March 31st. In fact, the NUM became despised by workers. While the management had conceded to the demands of R 9,000 a month, they had attempted to dismiss 17,500 workers during the strike, an action which NUM backed. Eventually in the face of pressure, 15,000 workers were reinstated, but 2,500 of those identified as the most militant workers were not. It was clear from the reaction of the NUM that it feared workers self-organizing and saw its power waning as workers went outside of the framework of the LRA and formal bargaining procedures.

The way the Impala Platinum workers had organized outside unions, and the victory they had scored, inspired workers at two other companies in the platinum sector, Amplats and Lonmin. At these two companies, workers began independently meetings in *ad hoc* committees outside of the unions in April and May of 2012.

While there was no link between workers at Lonmin and Amplats, workers similarly formed committees and began formulating their demands and planning actions to pressure the two companies to concede. At Lonmin, workers demanded a R 12,500 basic monthly salary. At Amplats, workers demanded R 16,070 a month, which were both higher than the R 4,500 to R 5,000 a month, respectively, that the NUM had settled for in multi-year wage agreements for both mines. The workers calculated these demands on the basis of what would be needed to provide decent housing, food, and education for themselves and their families.

Independently of each other, the worker committees at both Lonmin and Amplats approached the management of the two respective companies on a number of occasions with their demands. Each time they were rejected and management at both companies insisted workers approach them through the NUM. The NUM again condemned the self-organizing of workers.

On August 9, 2012, workers at Lonmin Eastern and Western Operations held a mass meeting to decide on a way forward given the continuous rejection of their demands by the management and their refusal to negotiate directly with them as workers. At that meeting, workers democratically decided to embark on wildcat strike. The next day, thousands of workers marched to Lonmin's offices at Marikana to once again directly put their demands to management. They were informed yet again they could only raise such demands through the largest union, the NUM.

On August 11th, Lonmin workers—many of them still NUM members—marched to the NUM offices at Marikana hoping to pressure the union to take up their demands with management. NUM officials at the office were not willing to engage with the workers and had clearly decided their own members were a threat. The NUM officials had armed themselves and as workers approached their office they opened fire, severely wounding two workers. With this, open hostilities broke out between the NUM officials and workers. Workers armed themselves with spears, sticks and blades in the aftermath, fearing another attack by the NUM officials. The police then attempted the next day to disarm the workers and clashes took place. Over the next few days, eight people were killed (four mine workers, two policemen and two security guards).

By August 16th, Cyril Ramaphosa (who is now the State President and former General Secretary of the NUM in the 1980s)—then a shareholder in Lonmin—contacted the police commissioner and told them the strike must be ended. It was clear that the state and Lonmin now intended to violently crush the strike. That day, workers had gathered on a hill near Marikana and were demanding negotiations with management. Management had refused and in the afternoon police moved in with automatic weapons to end the strike. That day is now infamous as 34 workers were massacred by the police (Ntswana, 2014).

The Lonmin workers, however, continued the strike and a workers' committee was elected and mandated to again take their demands to management. On September 18th, the Lonmin strike ended with workers agreeing to a 22 percent wage increase. By then, wildcat strikes had spread across the country and as many as 100,000 workers were out on strike.

On September 12th, 2012, workers held mass meetings and decided to embark on a wildcat strike at Amplats to force the company to agree to their demand of R 16,070. During this strike, worker self-organizing through democratic mass meetings and mandated worker committees reached its zenith on the platinum belt. There was an attempt by workers—with the assistance of progressive activists in the Democratic Left Front and Democratic Socialist Movement—to even establish a national coordinating strike committee. In fact, the self-organizing at Amplats was particularly powerful and many workers felt that the worker committees could become a lasting alternative to trade unions in the platinum sector. This, however, was not to be. After two months on strike the workers won a concession of a slight increase and soon abandoned the worker committees they had created (Sinwell & Mbatha, 2016).

Workers Driven Back into Trade Unions

The mass worker meetings and worker committees that defined the wildcat strikes of 2012 were based on a form of direct democracy and held the potential for spreading workers struggles across South Africa. Their strikes were an attempt to recompose the working class by uniting the very active and militant casual, contract, labor broker, and even permanent workers. For this reason, the ruling class (capitalists and top state officials/politicians) unleashed the full might of the police and military against them.

During and after the wildcat strikes on the platinum belt, the military was deployed along with a massive police presence. In Marikana alone, 1,000 troops were stationed in the area after the massacre. Curfews were established and people caught on the streets at night in townships in the platinum belt were fired at with rubber bullets. People's houses were raided and collective punishment was meted out to the residents of working class areas where the miners resided. Numerous worker leaders involved the committees were tortured by the police and activists feared for their lives. Fellow workers of the Marikana martyrs were even charged under the apartheid era "common purpose" law claiming that the striking workers, not the police, had been guilty of murder due to the police shootings.

The net result is that many workers decided that it was safer to partake in the existing labor relations through the established unions. They feared that if they continued to embark on wildcat strikes through worker committees the state would unleash increasing amounts of violence against them.

At the same time, the companies simply refused to recognize the worker committees. Their position was that to be recognized going forward worker committees either had to register as unions or workers had to re-join unions to be able to negotiate or to be formally recognized. The AMCU had offered solidarity to the workers at Marikana and due to the pressure of bosses and the state, workers elected to join AMCU in order to be recognized. Essentially, workers were traumatized by the state's response and retreated back into a union such as AMCU once the wildcat strikes were over. So while the NUM's membership declined from 300,000 to 185,000 in the aftermath of the 2012 strikes (Modjadji, 2018), AMCU's membership grew from 60,000 members before Marikana to 150,000 members by 2014 (Botiveau, 2014). The change in membership was mostly due to mine workers leaving the NUM for the worker committees in 2012 and subsequently joining the AMCU. Some attempts were made to try and maintain the worker committees, but these lost traction as AMCU gained momentum into 2013.

The reality is that AMCU is no different than NUM. It is a bureaucratic union that has had the same leader since its founding almost two decades ago and whose members have at times raised issues about a lack of internal democracy (Whittles, 2016). AMCU's leadership insisted that the workers' committees needed be dissolved before joining AMCU. The reason for this is that the AMCU leadership explicitly said that the committees were a threat to their authority. If they remained intact they felt that the worker committees could challenge the existing AMCU leadership, which they expressly did not want. Indeed, some workers who raised issues about the lack of internal democracy in the union after joining the AMCU were soon expelled (Sinwell & Mbatha, 2016).

In 2013, it looked as though workers' experiments with directly democratic methods of organizing had ended in South Africa in the face of massive state repression and hostility from capitalists and the unions. By the end of 2013 there were no active worker committees left on the platinum belt.

Yet, new struggles began to emerge in the industrial heartland of South Africa, Johannesburg. These soon began to organize outside of unions, and with the assistance of the Casual Workers Advice Office (CWAO), galvanized into the Simunye Workers Forum (SWF) in 2015.

The Casual Workers Advice Office and the Simunye Workers Forum

The CWAO was founded in 2011 “as a non-profit, independent organization to provide advice and support to workers, privileging casual, contract, labour broker and other precarious workers.” Precisely because “the traditional labour movement appears incapable or unwilling to organize the new kinds of workers created by neoliberalism,” CWAO’s core focus has been on catalyzing self-organization amongst precarious workers. For CWAO, there is no predetermined organizational “model” or approach. Rather, “new organisational forms...will be determined by workers through struggle (in order to)...best defend their rights, improve upon those rights, and connect with broader struggles for social justice and an egalitarian society” (CWAO. 2017).

After an initial period of CWAO outreach and consolidation, involving identifying and meeting with precarious workers along with offering educational and legal advice and support, a group of the precarious workers formed the Simunye Workers Forum (SWF) as a direct expression of self-organization and a non-union organizational and mobilizing alternative. It has been through the activities of the SWF, alongside the advice and support from CWAO that precarious workers have practically taken forward the defense of their labor rights as well as new forms of organizing and struggle in the neoliberal era.

The SWF was formed when labor broker, outsourced and contract workers, who had been holding mass meetings at CWAO every second Saturday, decided to launch an organization to take their struggles forward. Many had been mobilizing for labor broker and contract workers to win the right to permanent work that had been legislated in the wake of the platinum sector strikes in 2012 and 2013 through an amendment to the LRA.

In the run up to forming the SWF, workers held mass meetings to discuss their struggles, address issues faced at work, and plan how to fight for permanent status at work. The meetings were defined by a form of direct democracy where anyone could speak and where there were no formal leaders. In these meetings workers debated forming a union, but decided to instead try a new way of organizing as a Forum, launching SWF in 2015.

Hundreds of workplaces on Johannesburg’s East Rand now participate in SWF by sending delegates to SWF mass meetings held at CWAO’s office. There are no paid officials or organizers—rather workers organize themselves. SWF aligned workers have established workplace councils and committees through which workers engage, negotiate, and defend each other against their employers and organize new workers into SWF.

At each central meeting of the SWF at CWAO, workers make voluntary contributions of any amount in an open meeting to the Forum for a strike fund and any legal costs that may be incurred. Should there be a strike, all people in the SWF meeting vote on how much of the fund should be distributed to the strikers (Dor, 2017).

The SWF has adopted a constitution, which in some ways echoes the sentiment of the militancy and politics of workers in South Africa in the 1970s and early 1980s. It states:

The purpose of the Simuye Workers Forum is to build unity and solidarity amongst workers across all workplaces. It is a democratic organisation that values openness, accountability, respect, study/education and cultural life, non-racialism and non-sexism (Dor, 2017:9).

The SWF in the last few years has been engaged in a number of new battles. A prime example has been the CWAO/SWF “Big New Rights Campaign,” which was instituted after the Constitutional Court ruled in July 2018 that labor broker workers become the workers of only the client company after three months and must be treated “not less favourably” than the client’s other permanent workers. When worker groups engaged in coordinated pamphleteering in Johannesburg’s industrial areas, it “led to 117 new workplaces approaching the CWAO and SWF between August 2018 and February 2019” (Schroeder, 2019:1).

As the CWAO has noted, such a response suggests,

that workers are now moving beyond just being hostile to trade unions and are now actively organising themselves outside of these dying organisations. We see this in the number of workplaces that are organising themselves, in how they are organising other workplaces within their companies, and in the growth nationally of worker initiatives outside of the trade unions (Schroeder, 2019:1).

The CWAO/SWF model of worker self-organization has spread to other parts of the country. Examples of such growth include the Workers Assembly in Harrismith, the Thoyandou Unemployed Teachers Forum, and the Mossel Bay Independent Workers Advice Centre. Numerous community health workers’ forums have sprung up around the country, such as the Gauteng Health Workers’ Forum (GHWF), “a provincial based forum with a flat leadership structure that avoids having union-like bureaucratic structures” (Hlatshwayo, 2017: 755).

Further confirmation of the uptick in worker self-organization and coordination of struggles is evident in the case of labor broker workers at the Sedibeng brewery of Dutch beer conglomerate Heineken. Having been effectively abandoned by the dominant union, the Food and Allied Workers Union (FAWU), the workers then formed an independent Heineken Workers Council demanding that they be employed directly by Heineken. With legal and procedural assistance from the CWAO, the workers were able to win the right to a protected strike and have now taken up their ongoing struggles in the national and international media and labor arena (Brandt, 2018).

Another example of how precarious workers, both through and with the CWAO and SWF, have taken the lead in forging new and creative ways of building solidarity and organizing can be found in the case of workers from two different Pioneer Foods workplaces. After approaching the CWAO in 2018, the group of workers joined SWF and “decided to coordinate the struggles at the two workplaces through a Whatsapp group” and to then use this new

collective to reach out to organize fellow workers at other Pioneer Foods plants (Hlungwani, 2019).

These efforts are all the more significant given the current class composition characterized by systemic insecurity, impermanency and vulnerability faced by precarious workers. As SWF members have clearly pointed out, the very nature of precarious work sets workers against each other. The cumulative result is that workers are constantly kept guessing whether or not they will have a job, for how long, and if so under what conditions? In turn, this then creates a permanent instability and significant barriers to be able to organize and mobilize all the workers (Schroeder, 2018). The fact that many manufacturers run on a 24-hour basis also complicates matters and makes organizing difficult. The reason is that there are three eight hour shifts in such workplaces and workers of different shifts find it hard or even impossible to attend the same organizing meeting for any length of time because there is always a group of workers on a shift who cannot attend. These are the very practical challenges the decomposed working class face under neoliberalism.

Additionally, workers relate how this fragmentation sets workers against each other. For example, when precarious workers do start to organize they are often faced with “leaders” selling them out again when the employers offer them a permanent position. The consequent challenges in bringing workers together are made all the more difficult because of the common perception that “the unions are f**ked up...they come to get our monies but then when we need them to represent us they are not there.” According to a SWF activist, “when we were struggling to become permanents (at Simba Chips) FAWU [Food and Allied Workers Union] never helped us but now that we are permanent workers (thanks to CWAO) they come to us and say that we must join FAWU...if you can see how unions are working right now, it is all about the money” (SWF members, 2018).

In light of these realities, precarious workers have filled the “gap,” leaving behind old organizational forms and methods that no longer serve their individual or collective interests. “Now that we are organised ourselves (with the help of CWAO) we do not have to rely on shop stewards to go and negotiate with management, we can go negotiate for ourselves...we know the other workers and what they are going through” (SWF members, 2018)

As a result of the collective coming together of workers through the “vehicles” of the CWAO and SWF on the basis of practical workplace needs and struggles, there is an added impetus and desire to go out and get others to join the collective, to be part of non-union forms of self-organizing. This allows workers to lead struggles and new forms of organization that do not revolve around rigidly defined legal, organizational, political and/or ideological status, identity or affiliation.

For SWF members, the road so far travelled is representative of a simple yet profoundly different approach. It is an approach that is focused on the majority of contemporary workers—i.e. precarious workers—and their struggles in the workplace. Subsequent organization and struggle can be seen by other workers in other workplaces and then reproduced and expanded.

In this, there is a very distinct recognition that the roles of the CWAO and SWF has been to catalyze more confident workers who now not only have the ability and capacity to represent, organize, and advocate on their own but also have the possibility of building something larger. The CWAO/SWF are the incipient “homes” for bigger battles and for the forging of a national workers’ movement that can engage in larger-scale complementary struggles on a more class

wide basis. Indeed, SWF's experiment with a new form of organizing is an attempt to recompose working class power in order for contract, casual and labor broker workers to find their own collective ways to organize and confront the challenges they face in the neoliberal period.

Conclusion

Since 2009, sections of the restructured working class in South Africa have begun to self-organize at the point of production through mass meetings, worker committees, and now worker forums and councils. The reason for this is due to the dissatisfaction with the bureaucratic form unions have taken in the country. Workers started breaking with trade unions they perceived as being too close to the ANC ruling party, the state, and corporations.

These new forms of workers' self-organization have also been a reaction to the failure of unions to deal with the fragmentation of workers' power and the rise of precarious work, which have been part and parcel of the changing composition of the working class under neoliberalism. What the experiments with forums, committees, and councils in South Africa by mostly casual, contract, labor broker, and outsourced workers show is that workers themselves can effectively self-organize against neoliberalism, rebuild their own power, and even win gains.

The task now is to spread alternative, new, and directly democratic ways of organizing in South Africa. Indeed, the decomposed and restructured working class under neoliberalism needs such new ways of organizing through which they themselves can begin to collectively forge unity and fight the challenges they face at the hands of capitalists and state. In doing so, workers will also need to be willing to go outside of the LRA. Strategies for effective self-defense against the inevitable onslaught of the state and ruling class will also have to be developed to avoid the trauma that platinum workers were subjected to. If the experiments with formations such as SWF can be built on, spread, and maintained, a better world based on working class power can be won by the working class itself.

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