

Straight Talk (34), 3-9 December 2012

When Unions go to court ...

Prepared by Herbert Jauch for The Villager newspaper

The last few months saw the national focus largely on the race for the vice presidency of the SWAPO party. This overshadowed many other events, one of them being the continuous internal conflicts taking place within the National Union of Namibian Workers. This is tragic because over many years the NUNW played a very progressive and prominent role as Namibia's largest trade union federation that actively organised workers not only at the shopfloor but also for the broader anti-colonial struggle. This proud and brave history, however, has become nothing but a memory, far removed from the current realities facing the union federation and its affiliates.

Several key factors contributed to the decline such as the loss of key leaders to government after independence, the difficulties of defining a new post-independence role as a movement capable of spearheading the struggle for redistribution in favour of the poor and a very poorly defined union investment strategy that opened the door to blatant self-enrichment of some union leaders. In addition, the issue of the NUNW's continued affiliation to the ruling party was repeatedly questioned with proponents finding it hard to point to concrete benefits that Namibian workers and their unions derive from the political affiliation.

Internally, most trade unions have adopted increasingly hierarchical ways of operations with several union leaders behaving (and dressing) like CEOs of corporations, forgetting that they are supposed to be workers' representatives and to operate on the basis of workers' mandates. Open debate within unions is frequently discouraged as some union leaders do not want to be questioned and dismiss all criticism as divisive. This may serve personal interests but it destroys the internal vibrancy and workers' democracy that is essential for building strong trade unions based on unity of purpose. The NUNW's own calendar of 1988 stated "workers control grows out of many, many meetings" but this seems to have been forgotten by many of today's unionists.

There is no doubt that the political differences over the question of leadership of the ruling SWAPO party made matters worse. In 2006, this question divided the NUNW into camps supporting Nujoma and Pohambo against those who supported Hamutenya. Similar divisions were visible ahead of the recent SWAPO congress and these divisions are likely to linger on, weakening the NUNW further. As a result, the key issues confronting Namibia's working class today like a living wage, mass unemployment and obscene levels of socio-economic inequalities are hardly addressed by the federation.

The sad culmination of the NUNW's decline was the recent trend of union leaders taking each other to court. Ahead of the congress of the Namibia Food and Allied Workers Union (NAFAU), the former president suspended the general secretary and then went to court, trying to obtain an interdict to stop the congress from taking place. National

leaders of the Mineworkers Union of Namibia (MUN) suspended each other and then went to court to obtain a decision who is entitled to run the union and who is not. These two examples involve two of the oldest and most prominent NUNW affiliates which were established under trying conditions in the 1980s but today have to ask courts to rule on their internal divisions! Likewise, the NUNW itself recently dismissed its secretary general and suspended its president as well as one its affiliated unions, the Namibia Financial Institutions Union (NAFINU). Arbitration over the question of an unfair dismissal and possible further court action is likely to follow as unions seem to have lost the ability to build a coherent unity of purpose within their own ranks. For union members this can only mean that their unions will become even less effective in defending and advancing workers' rights and interests. To many, especially young and female workers, unions may even seem irrelevant to serving their needs and thus they may turn their backs on trade unions altogether.

Regaining workers' confidence, spearheading struggles for economic justice and becoming effective organisations to effect progressive change at workplaces and beyond are monumental challenges for the NUNW and its affiliates today. Taking each other to court, delegating power to judges over union matters instead of vesting all power in members will not help unions to rise to the current challenges. Instead, such court cases are a sign of failure when unions are no longer operating on the basis of mandates from their members. Several unions have become platforms for power struggles between leaders while collective working class interests were sacrificed in the process. It will thus require far-reaching and fundamental changes, including a re-dedication to the principle of workers' control if the NUNW wants to stop its decline.

Herbert Jauch is a labour researcher and educator, based in Windhoek.