

Pay, Pensions, Workloads and Equality: Industrial Strategy and the UCU Democratic Crisis

Remarkable scenes have unfolded at UCU Congress. Both morning and afternoon sessions on Wednesday were brought to a halt by a walkout of UCU employees. What on earth is going on?

The ‘War of Jenkins’ Ear’

History repeats itself, the first time as tragedy, and the second time as farce. You don’t have to agree with Marx on everything to see the acuity of the observation.

In 1731, the ear of one Captain Robert Jenkins of the ship *Rebecca* was allegedly severed from his head by a Spanish coast guard in the seas off the Florida coast. Some years later, this incident was used by British politicians acting for the South Sea Company as the outrage against national pride that would justify a prolonged war with Spain that, it was hoped, would improve Britain’s trading position.

This form of confection was then repeated for the first time in 1982 when the then most unpopular Prime Minister in British history, Margaret Thatcher, used the Argentinian invasion of the Falkland Islands as the basis for a victorious and short war that would restore her political credibility at home.

Now, in a distinctly minor and internecine key by comparison, we have a replication of the process at the UCU Congress of 2018 in Manchester.

A War for Sally’s Face?

The issue at stake on Wednesday was the right of UCU Congress delegates to represent members’ criticisms of the conduct of the General Secretary in the recent USS dispute. Unite, the staff union, claims that such criticisms, voiced on the floor of Congress as part of debates on motions 10 and 11, would infringe the employment rights of the General Secretary. It has declared a formal dispute. Motion 10 expressed ‘no confidence’ in the General Secretary; motion 11 sought to censure her for her allegedly inappropriate intervention in securing suspension of the dispute.

Delegates were presented on Wednesday with the *absurd spectacle* of the Union’s supreme policy-making body, its national Congress, being told that it could not debate motions that were critical of the General Secretary’s performance. This despite widespread criticism amongst members and branches, particularly in the pre-92 universities.

In fact, there was no infringement of the General Secretary’s contractual terms since she is technically an employee of the NEC. Hence the first motion would have been advisory, and merely an invitation to Sally Hunt to consider her position. The second would have been an expression of disapproval, and a reaffirmation of the need for all officials to follow procedures and protocols. In other words, a sharp slap on the wrist for this official, the staff union’s *new* member, the General Secretary.

Instead, we witnessed the loss of over three hours of Congress business. This included all of the business of the Equality Committee of the Union. The lost motions addressed the problems of gender inequality in the workplace, disciplinary procedures and mental health, Islamophobia and dress discrimination against Muslim staff and students, sexual harassment, domestic violence, motions on the conditions of disabled members, LGTB+ and educational materials, and alleged antisemitism in the Labour Party. It also included part of the business of the Strategy and Finance Committee.

All of this was sacrificed to protect the General Secretary from criticism. The word ‘farce’ barely approaches what we witnessed on Wednesday.

Context

These events could simply be treated as farcical were it not for their context. FE members of UCU are in the midst of their most dramatic battle over pay for decades, and HE members have just emerged from a dramatically successful dispute with the UUK over USS pensions that stopped the employers from immediate implementation of their pension cuts. The UCU is now, for the first time since the formation of the union, on the front foot, ... or it *should* be.

Distraction?

This issue of union democracy is not a distraction, of course. It is critical to maintaining commitment to winning the struggles in which the UCU will be forced to engage during the next year.

Both sectors need now to consider their strategies for winning the coming disputes over pay. They need to consider how local and national action can address the manifest inequalities of treatment of staff on the basis of sex and gender, and

discrimination against minorities in each sector. They need to confront what to do about academic governance of our institutions, the issue of performance management techniques, problems of recruitment and access, casualization and precarious contracts for staff, workloads, and the enormous pay differentials between Principals and VCs as against the rest of the staff, etc.

None of these battles can be fought successfully without the commitment and engagement of members in every branch. That commitment and engagement will not be forthcoming if members think that their efforts in protracted industrial action, with all of its attendant stress, can be squandered by tactical misjudgments by a leadership over which they have no control, and which they are not even permitted to voice criticism. The idea of a union that is led by its members, as opposed to being controlled by the union's full-time, national officials, is not a piety or an indulgence. It is a practical necessity – as the suspension of the recent USS dispute demonstrates.

Rules, Procedures and Processes

These exist for a purpose. That purpose is to ensure that the members who constitute the union (the union is ultimately nothing other than the collective endeavor of its members), are in control. They ensure that everyone has the opportunity to speak, even if they are in a small minority. They seek to ensure that meetings are not manipulated.

What did we see yesterday? We witnessed an attempt by some UCU staff, supported by the majority faction on the National Executive Committee, to force off the agenda a number of motions of whose content they disapproved. We witnessed the Chair of the Congress *reinterpret a point of information as a motion* to remove two offending motions, and then put it to a vote of Congress. This despite the clear rule that if a *sponsoring branch* wishes to withdraw its own motion then it needs the approval of Congress. There is **no rule** that allows Congress to discard without debate a properly submitted motion, approved and ordered onto the agenda by the Congress Business Committee, much less two motions, of which some of the staff and a section of Congress disapproves.

Standing Orders and Reservations

We saw the Chair suspend Congress business under Standing Order 33 for over two hours in one case, and for over 45 minutes in a second, during which opponents of the motions (staff and the

minority of delegates) organized their strategy and prepared their arguments, ensuring thereby that the sessions were timed out. This despite the fact that the power of the Chair to suspend business under Standing Order 33 is limited to 30 minutes maximum, and only in circumstances of "grave disorder", of which there was none.

The proposal to withdraw both motions of criticism fell by 144 votes to 123. Those delegates who voted against withdrawal included many delegates who had reservations about one or both of the critical motions but who insisted on their right to debate them, and to vote on them, and on the right of the members of the branches that had proposed them to have them heard by delegates. Given yesterday's behavior, it is highly likely that some of those delegates with such reservations will now have lost those reservations.

Where do we go from here?

In effect, depriving Congress of the right to censure the General Secretary, or the elected leadership as a whole, would render them immune from criticism by the sovereign body of the union. This and future General Secretaries would then be at liberty to act in defiance of democratic decisions taken by members' delegates at Congress. It would also silence the voices of all those UCU members in branches who have expressed their disapproval of the handling of the biggest dispute thus far in the union's history.

However much an offence this would be to the democracy in the Union, and to the idea of a 'member-led union', its gravest effect would be practical: if allowed and entrenched, this manipulation and distortion of the union's constitution would render the mobilization of members for protracted industrial action almost impossible.

Today, we have the opportunity in the HE and the FE Sector Conferences to commit the union to building on its recent successes, and extending them to ensure effective and victorious campaigns over pay in both sectors, and over equality, workloads and casualization. To build such campaigns we will need to preserve and extend the Union's democratic processes. Yet to preserve that democracy will equally entail motivation of the membership of the union, and its belief that such campaigns can win. It is in this sense that union democracy and industrial strategy are two sides of the same coin.

On Thursday, the HE and FE Sector Conferences determined coherent strategies for fighting against inequalities, for recouping the cuts in pay suffered over that last decade, and for dealing with impossible workloads, etc. We should not fool ourselves, however, that passing paper motions on the most effective strategies is the same as delivering effective action or maintaining an effective and escalating campaign over an extended period. Hence, we cannot simply ignore this new democratic deficit in the UCU. The issue will go away. Union democracy and effective campaigning are inextricably linked.

SUPPORT THE EMERGENCY MOTION ON THE RIGHT OF CONGRESS TO HEAR THE MOTIONS