

## Struggling to quorate and 33 days to go

13 November 2017

First the deadline was the end of October; then it was moved to 15 November; now some ANC members are asking for 19 November. These are the deadlines set by the ANC for when the organisation's branches country-wide must have concluded their Branch General Meetings.

On Saturday 11 November, ANC General-secretary Gwede Mantashe stated that there was one province with 90% of branches having completed branch general meetings; one with 76%; one with 71% and one with 29%. He did not disclose which province had achieved what, but added, "Many are not yet in the 70%. Many are at about 50%." He also said that country-wide 60% of branches had held their branch general meetings.

He stated firmly that no more extensions would be granted after Wednesday 15 November, but what else can he really say ...? The NEC (National Executive Council) met over the weekend and it would presumably have taken a final decision on the matter.

## Quorums

The biggest problem seems to be that branches do not quorate – 50% plus 1 of paid-up members form a quorum, which is a requirement for a properly constituted branch general meeting. The ANC constitution requires a minimum of 100 members per branch (the provincial leadership can authorise smaller branches where local conditions necessitate it).

Failure to quorate may be explained by failure to give proper notice of a meeting; paid up members that were not allowed to attend; changes in the venue without notice and the like. There may be genuine mistakes, but there is also no doubt that shenanigans are going on in attempts to advance one faction over another.

In Pietermaritzburg the names of ANC Top 6 member Zweli Mkhize and his wife were not on the list of paid-up members – clearly a suspicious occurrence. Pietermaritzburg is in the Moses Mabhida region of the ANC and is strongly pro-Zuma.

Bigger branches obviously need more members in attendance to meet the requirement of 50% plus 1. Reports surfaced over the weekend that several 1000+ member branches in the North West and Free State, both strong Zuma areas, could not curate because they could not meet the minimum attendance requirement.

Unhappy members with complaints about how the branch general meetings were conducted, have lodged those complaints with head office at Luthuli House, who then dispatched teams to various parts of the country to try and deal with them.

Given the intense divisions and contestation inside the ANC it is only logical that contesting groups will watch one another like hawks to make sure that the "other side" does not score surreptitious gains. Paradoxically, this is healthy and may in itself help to ensure the integrity of the process. If that results in a slower tempo of branch meetings, beyond the original end-October due date, it may well be a good trade-off.

## Why branches are important

Branches are the basic building blocks of the ANC and branch general meetings have three tasks:

- **Nominate** candidates for the Top 6 positions in the ANC as well as for the 80 positions on the NEC (National Executive Council). Both the Top 6 and the NEC will be elected at the ANC conference to be held from 16 to 20 December in Gauteng.

- **Select** delegates who will attend the December conference. There is one delegate for the first 100 paid-up branch members and thereafter one delegate for every 250 branch members. (This arrangement obviously undercuts bigger branches of say 400 or 1 000 members – there are several reports that such branches have been formed in some provinces to inflate membership numbers.)
- **Discuss** policy proposals from the July policy conference and formulate a view on it.

Cumulatively these three decisions by branches will determine the future trajectory of the ANC and by extension SA. The stakes could not be higher.

According to the ANC constitution, branches must constitute 90% of the December conference. They will contribute 4723 of the delegates to conference. The remaining 10%, or 525 delegates, will be the 80 members of the NEC, the members of the nine provincial executive committees and members of the three leagues – the Veterans' League, the Youth League and the Women's League. In total there will be 5248 delegates at conference, more than previous conferences.

### So how far are we?

At the time of writing the ANC has kept a firm lid on branch nominations. Information seeps out in drips and drabs. Journalists cover few of the branch meetings; and the attention tends to fall on disputes. Forecasts made so far as based on thumb sucks about what percentage of a province will support a candidate – that is not really helpful. We do not really know what is going on.

Ten days ago the Mail & Guardian published a report in which it claimed that about one third of branches had concluded their branch general meetings; and that Cyril Ramaphosa was leading in about two-thirds of them, with Nkosazana Dlamini-Zuma leading in one-third. However, the newspaper neither revealed its sources nor whether the data had been confirmed by Luthuli House. Even if the information is solid, one should be careful to jump to conclusions on the basis of one-third of branches – there are still two-thirds to go.

Better to be disciplined and sit on our hands and wait for the branch nomination process to be completed....hard as that may be!

### Disputes at provincial level

Branches are the basic building blocks of the ANC but provinces, however, also have a role to play. In terms of Rule 12 of the ANC constitution, provinces must propose candidates for election to the Top 6 and the NEC.

So squaring branches as the basic building blocks of the ANC with Rule 12 means provinces have to take the branch nominations and, without interference, consolidate the provincial position reflecting the branches' preference. Of course, interference can and does take place. That makes control of provincial executive committees very important – and explains why they are so hotly contested.

Provincial executive committees also make up some of that 10% of conference delegates that do not come from the branches – another reason to have them on one's side.

Currently, disputes prevail in 4 of the 9 provinces.

#### KZN:

The provincial conference took place in September 2015 and it was a clean sweep for the Zuma camp, but the validity of the conference was challenged in the High Court. In September 2017 the KZN High Court declared the conference invalid. However, that decision is being appealed and as a result the leadership elected at the invalid conference is still in office. The faction that lost at conference but won in the High Court has now applied for a court order that the provincial leadership should vacate their offices whilst the appeal is being heard. That case will be heard on Monday 13 November.

### Northern Cape:

The provincial conference took place in May and was a clean sweep for the Ramaphosa camp. That result is now being challenged in the High Court by the Zuma group. The group's lawyer, Eric Khotseng, sporting a Dlamini-Zuma T-shirt, said the legal action was funded by "business people close to the ANC". The newly elected provincial executive committee will oppose the application and will file answering affidavits. The court date is not known.

### Eastern Cape:

The ANC conference in the province took place on 30 September. It was a clean sweep for the Ramaphosa camp, but only after Zuma-supporting members left the hall. An urgent application to challenge the result was brought in the High Court, but it was struck from the roll. The unhappy members appealed to the national executive committee (NEC) who sent the Top 6 to the Eastern Cape to investigate. The NEC meeting taking place this weekend (11 and 12 November) reportedly could not resolve the issue. The unhappy members have initiated court proceedings.

### Free State:

The province had its last conference in 2013 (after a court judgement then) and the term of office of the provincial executive expired in May 2017. A conference had to be held by August, but this has not happened. The conference is now scheduled for early December. The province is firmly under control of Zuma supporters, although they will be challenged in December. Unhappy ANC members have now launched a court application to have the current provincial executive committee dissolved and chairperson Ace Magashule removed. The court date is not known.

### So What?

- 60% of ANC branches have held their branch general meetings to, inter alia, nominate candidates for the top 6 positions in the ANC. By the time the current deadline is reached, Wednesday 15 November, two thirds to 70% of branches may very well have dispensed with their general meetings.
- Further extensions to the deadline for another week or so will push that number higher.
- With such level of participation, it would be very difficult not to proceed with the conference in December.
- The biggest factor slowing down branch nominations is that branches struggle to quorate – 50% plus 1 of paid-up members. So branches often have to postpone and meet again to try and quorate.
- Provincial executive committees (PECs) play a key role in consolidating branch nominations; consequently there is a fierce contestation for control of PECs. Disputes are currently raging in 4 provinces of the 9 provinces.
- Making predictions about the outcome is fruitless until we know how the branch nominations went. That will become clearer over the 33 days to conference.