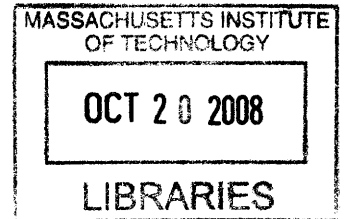**Strategic Unionism: The Political Role of the Congress of South African Trade Unions (COSATU) in South Africa and What it Means for Black Workers**

by

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Submitted to the Department of Urban Studies and Planning
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Strategic Unionism: The Political Role of the Congress of South African Trade Unions (COSATU) in South Africa and What it Means for Black Workers

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Abstract

This dissertation looks at the political role of trade unions in developing countries. Trade unions and particularly their engagement in political unionism have been absent from the development literature in recent decades. However, recently there has been a renewed interest in the role of trade unions and particularly in their political role as trade union movements in Argentina, Venezuela and Brazil have effectuated regime change by assisting labour based political parties to rise to power. I contribute to this trend by studying the role of the Congress of South African Trade unions (COSATU) and their role in shaping South Africa's transition to democracy. I use the story of COSATU to build on a theory of political unionism that is encompasses the various economic, social and political roles of trade unions and their strategic capability in capturing gains for workers.

I examine COSATUs political role by creating five analytical categories to study the federations' experience; a historical review of the Black trade union movement that led to the creation of COSATU, forming alliances with political parties and civil society, building institutions for tripartism and consultation with business and government, mass mobilisation and membership and finally, shaping economic policy.

I find that most of COSATUs achievements resulted from the federation's ability to engage in and find the right balance between economic and political unionism and to engage in strategic unionism in either sphere. The federation's unique participatory and democratic shop steward system also facilitated worker militancy and cohesiveness. The federation has failed and faces challenges to both membership and organisation because it has inadequately confronted the material conditions of capitalism which have resulted in structural issues such as the informalisation and casualisation of the work force. Political engagement has had costs for COSATU, the most significant of which have been the class mobility of unionists into government and the opportunism that comes with the possibility for class mobility. The union is also drawn into the internal politics of the ANC government and likewise has seen its own internal leadership battles affected by this relationship. The federation has also failed in being adequately strategic and independent in its relationship with the ANC and risks getting consumed and distracted from its strategic and tactical goals through cooptation by the ANC.

Thesis Supervisor: Alice Amsden
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LIST OF ABBREVIATIONS

ANC African National Congress
ANCWL ANC Women's League
ANCYL ANC Youth League
APF Anti-Privatization Forum
ASGISA Accelerated Skills Growth Initiative South Africa
AZACTU Azanian Congress of Trade Unions
BSA Business South Africa
BUSA Business unity South Africa
CAWU Construction and Allied Workers' Union
CCAWUSA Commercial Catering and Allied Workers' Union
CCMA Commission for Conciliation Mediation and Arbitration
CODESA Convention for a Democratic South Africa
COSATU Congress of South African Trade Unions
CUSA Council of Unions of South Africa
CWIU Chemical Workers' Industrial Union
DITSELA Development Institute for Training Support and Education of Labour
FAWU Food and Allied Workers' Union
FEDUSA Federation of Unions of South Africa
FOSATU Federation of South African Trade Unions
GAWU Garment and Allied Workers' Union
GEAR Growth Employment and Redistribution
LPM Landless People's Movement
LRA Labour Relations Act
LRAA Labour Relations Amendment Act
MAWU Metal and Allied Workers' Union
MLC Millennium Labour Council
MWU Mine Workers' Union
NACTU National Council of Trade Unions
NEDLAC National Economic and Development Labour Council
NEF National Economic Forum
NEHAWU National Education, Health and Allied Workers' Union
NMC National Manpower Commission
NSF National Skills Fund
NUM National Union of Mineworkers
NUMSA National Union of Metalworkers of South Africa
PAC Pan-Africanist Congress of Azania
RDP Reconstruction and Development Programme
SACCOLA South African Employers' Consultative Committee on Labour Affairs
SACCAWU South African Commercial, Catering and Allied Workers' Union
SACOTU South African Federation of Trade Unions
SACP South African Communist Party
SACTU South African Congress of Trade Unions
SACTWU South African Clothing and Textile Workers' Union
SETA Sectoral Educational Training Authority
TBVC Transkei, Bophuthatswana, Venda, Ciskei

TEC Transitional Executive Council
TUCSA Trade Union Council of South Africa
UDF United Democratic Front
UWUSA United Workers' Union of South Africa
WMU White Mineworkers' Union

Acknowledgements

To Phillip I owe an immeasurable debt for this thesis. He embodies the core of this thesis through his experiences in the '20', at NEDLAC and in his roles within the ANC, SACP and NEHAWU. He inspired me take on the issues arising from South Africa's transition and the country's development. I have woken him up in the middle of the night pressing him with questions on the transition and the unions in particular and he has borne the process with patience and solidarity. He has provided me with love and companionship, and encouraged me every step of the way in the endeavour to obtain my PhD.

Although many people have contributed to this thesis, I alone am responsible for work presented here. All errors and commissions belong to me.

CHAPTER 1: Introduction

1.1 The Subject

Whither Unions?

In the late 1980s the Black South African[1] trade union movement was preparing

for its greatest challenge, the overthrow of the apartheid regime followed by the creation

of a new democratic government, which the unions hoped to engage over various socio-

economic and political issues. This thesis is the story of the Black trade union movement

in South Africa and its role in shaping the countries transition to democracy. Generally,

the South African story is seen as a successful one (Webster and Adler, 1997; Baskin,

1991; Seidman, 1995) and the question that this dissertation poses is; what factors were

behind the successes of the Black South African unions and how does the South African

case illuminate contemporary issues facing trade union movements in developing

countries? The dissertation also considers what the weaknesses and shortcomings of the

trade unions were during this period and how this will affect the union movements'

ability to continue to secure gains for workers.

The South African case coincides with a renewed interest in the role of trade unions

in developing countries. After a long absence from the political scene and the academic

discourse, trade unions in the developing world have made come back in the past few

decades. Trade unions in countries such as Venezuela, Brazil and Argentina rose in

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[1] The category Black was a political tool to unite people classified as African, Coloured and Indian by various independence organisations and parties. I use the word Black here as it was used in the South African context by the liberation movement to differentiate between white and non-white unions, which include African, Indian and Coloured workers. Henceforth in this proposal, I alternate between the Black trade union movement and the trade union movement, which both refer to the same thing.

prominence when they cooperated with political parties to put into power labour based

political regimes. Although these alliances were contentious, with labour both gaining

and acquiescing on specific issues around privatisation and liberalisation, they point to

the political saliency of trade unions (Murillo, 2003). Today trade unions are active in the

developing world, forming alliances to overthrow authoritarian regimes, such as in

Zimbabwe and Swaziland and taking up social issues such as rising food prices.

The academic literature has been slow to accept the renewed prominence of trade

unions within developing countries. There are multiple reasons for this. First,

ideological shifts in economic development buoyed by the poor performances of

developing countries in 70s and 80s led to a critique of the developmental state as a rent-

seeking, over burdened protectionist elephant that needed to be streamlined and

restructured (Krueger, 1974 and 1990; Bhagwati, 1982). Trade unions, which have

historically been enmeshed with the state in developing countries, were seen as being part

of the problem (Srinivasan, 1985; Van de Walle, 2001).[2] Unions were also considered a

distorting factor through their efforts to set wages at levels which did not to respond to

the free market actions and were also seen to create inefficiencies at the organizational

and industrial level, affecting macroeconomic outcomes such as inflation and

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[2] The reasons for this enmeshment are both historical and structural. Trade unions have historically formed alliances, created labour regimes or labour-based coalitions with the state. These relationships are often a result of pre-colonial alliances leading into independence movements and a post-colonial labour regime between labour, the government and capital (Galenson, 1969). Structurally trade unions were restricted by a relatively small urbanised formal sector workforce limiting the economic power of the unions and forcing them to engage in political unionism (Bates, 1981). Srinivasan, is critical of the role of unions in India where re-distribution policies, which were created towards alleviating poverty, tended to increase the "power" of rent seeking coalitions one of which he describes as the unions. He states the example of the union representing the employees of the nationalized banks in India, "a decidedly privileged group compared with the mass of workers in the unorganised sectors of the economy, including agriculture. It is plausible that the emergence of distributional coalitions to protect and enhance the rents created by these policies had their toll on the economy whether or not they helped the poor" (Srinivasan pg 58, 1985).

unemployment (Flanagan, 1999). Moreover, according to this school of thought, unions stifled the necessary structural adjustment of economies through costly strikes protesting the contraction of the public sector and the necessary privatization and public sector employment cut-backs that went with it (Freeman, 1993). Under increasing attack, trade unions have been further hindered by declining membership[3], accusations of corruption and urban bias (Bates, 1981). These factors have combined to exacerbate the tendency amongst liberalizing governments, financial institutions and academics to view trade unions as an institution of the past.

Belying their absence from the academic literature, trade unions continue to exist and play an important role in the developing world in spite of surviving in a diminished form. This role ranges from engaging the state and capital on various economic and political issues to managing the day to day work related to issues of their members, to taking up the dominant socio-economic and political interests of the masses through protest action (Jose, 2002). The case of the Black South African unions tells the story of how a trade union movement politically engages the state and represents the masses, whilst continuing to function as an organization that lobbies for its members economic needs. The case contributes to the debate on the economic and political role of trade unions in developing societies and asserts the prominence of the role of the trade union as an organisation capable of protecting and advancing workers rights while also consolidating democracy.

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[3] Between 1985 and 1995 several developing countries saw a significant dip in union density – Kenya - 25%, Argentina -28.7%, Costa Rica -12.5%, Mexico -16.8%, Venezuela -12.7%, India -11.3% . (Source: ILO, 2000. Note: Data for many African and South American countries was not available for 1985)

1.2 The South African case

By the late 1980's, the Black South African trade unions as represented by the

Congress of South African Trade Unions (COSATU) had reached their organizational

pinnacle and were rising to their most significant challenge –the strategic overthrow of

the apartheid government and the formation of a new government that would represent

the interests of the Black majority.[4] As one of the few organizations barely tolerated by

the apartheid state, which had banned the African National Congress (ANC), the South

African Communist Party (SACP) and other political parties/organizations, COSATU

came to represent much more than just workers issues and was an integral part of the

broader liberation movement. As a result of this, COSATU's ranks were populated with

a wide range of scholars, radicals and nationalists who buoyed the unions with their

intellectual and organizational capacity. COSATU, together with the United Democratic

Front (UDF), an ANC initiated broad front of civil society organizations, fostered a home

grown, worker and community based movement that mobilized the nation against

apartheid (Baskin, 1991; Friedman, 1987).

COSATU also collaborated with the underground and exiled ANC and SACP, many

of whose members populated the federations' ranks. Whilst the ANC and SACP

leadership in exile and underground in South Africa maintained the international pressure

on the apartheid state, and formed a political leadership for the take over of the country,

COSATU and the UDF kept the pressure on the apartheid state through rolling work

stoppages and protest action. COSATU strategically intervened in the economy to cause

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[4] In addition to COSATU there are two major federations FEDUSA and NACTU, I discuss these in greater detail in the methodology section.

disruption with an eye as much on economic gain for workers as on debilitating the apartheid regime.

The federation's accomplishments are impressive. COSATU circumvented almost 25 pieces of anti-union legislation and along with the UDF, brought an industrialized economy to a virtual standstill. They, and their allies, compelled an illegal and militarised state to transfer power, showing that trade unions have the capacity to exert power over the state and capital. This accomplishment was achieved in spite of extremely repressive conditions for workers and under the constant threat and use of force and violence by the apartheid regime (Baskin, 1991). Internally the federation strove to contain differing strands of ideology, contradictory agendas within the four organizations to ensure that the anti-apartheid movement was united in its effort to overthrow the apartheid regime.

The road to liberation was theoretically described by the ANC, the SACP and COSATU as being a National Democratic Revolution (NDR). The NDR, a project initially conceived of by the ANC, SACP and SACTU, formulated the socio-economic, political and ideological framework necessary for the overthrow the apartheid regime, the installation of democracy and the transformation of South Africa to become a non-racial, non-sexist and democratic society.[5] National emancipation from colonialism and racialism was to be coupled with a drive to redress historic economic inequalities suffered by Black people. (ANC, 2002). The moment of liberation was achieved through a relatively peaceful negotiated transition to democracy. The existing tri-partite alliance

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[5] SACTU was federation of Black workers in the 1950s, which dissolved with many of its leaders going into exile or underground with the ANC and SACP.

between the ANC, SACP and COSATU remained intact and coalesced behind the ANC to govern the country.

When the ANC and its allies began to negotiate the political transition to democracy with the apartheid regime, the unions began to engage the outgoing and incoming government on a host of issues ranging from macro-economic policy, creating a new constitution, formulating labour market laws and building institutions for social dialogue in society such as the National Economic Development and Labour Council (NEDLAC) a corporatist institution under which organized labour, the state, capital and civil society consult and attempt to reach consensus on social and economic policy. The unions organized the masses around both the overthrow of the old regime and around ensuring specific issues such as taxation, the bill of rights and the negotiations around the transition to democracy all conformed to a pro-worker vision. In 1994, the first democratic general election was held in South Africa and the ANC government took power.

The euphoria of the electoral in 1994 did not last long. As the trade unions shifted from militant resistance to institutional regimen, they were faced with an ANC leadership whose interests and ideological goals were increasingly and rapidly diverging from those of the trade unions and shifting from a pre-liberation vision of socialism as espoused in the NDR, to a more conservative and even arguably neo-liberal socio-economic agenda. These ideological differences became accentuated and more public when the ANC adopted the fiscally austere macro-economic Growth Employment and Redistribution (GEAR) policy in 1996 (Webster and Adler, 1999). Other aspects of the transition affected the unions. Underlying processes of class mobility and cooptation meant that the

union movement saw the exodus of trained cadres into government and business (Baskin, 1993). A global order of trade liberalization, market deregulation, privatization and casualization meant that the union movements' base of formal sector workers was threatened (Standing et al, 1994). As a result of this new order COSATU saw its membership base shift from traditional unionised sectors such as mining and manufacturing to sectors such as the service industry which are more difficult to unionise (Horton, 1999).[6]

Adding to these challenges were economic and social legacies of apartheid; a racialised workplace, a dysfunctional labour market and spatial segregation amongst others. A brief look at the labour market in South Africa today captures some of these dyfunctionalities. South Africa has a population of almost 48 million of which almost 80 % are African, 9% White, 9% Colored and 2% Asian/Indian. The country has a real unemployment rate of 38% and unemployment is structural, spatial and gendered.[7] Skewed apartheid area planning has meant that poverty and unemployment are concentrated in pockets of urban and rural areas. Africans make up 63.8% of the unemployed and White's 4%. Within these groups African women face an unemployment rate of 37% versus African males at 25%. African women have an unemployment rate that is 10 times higher than their white counterparts and almost 60% of discouraged workers are Black women (LFS, March, 2007). Employment is largely centred around the formal sector (66%) however recent trends in employment show that

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[6]Table 2 in the appendix shows that between 1996 and 1999 the mining sector saw an almost 30% decrease in employment and the manufacturing saw an almost 8% decrease whilst services saw a 12 % increase. For the 2000 to 2006 period mining continued to decrease with manufacturing and services leveling off (Table 2.1).

[7] The real rate includes discouraged workers which the official rate leaves out making official unemployment 25%.

industries that are contributing the most to employment (construction and finance) are sectors which are prone towards informal (33% in construction) and atypical employment such as casual, part-time and contract work (LFS Sept. 2007; Naledi, 2008 pg 10-11). Employment patterns in management reflect the racial disparities of apartheid; White's hold 81.5% of top management positions whilst Africans hold 10%. Similarly, within senior management positions, White's account for almost 78% of all positions, while Africans just 11% (Naledi, 2008 pg 12-13). For the trade unions, structural changes within the workplace continue to be a priority. The unions are also a major force for re-distribution within such an unequal society.

Today, in spite of these challenges, COSATU remains a potent force in the South African economic and political landscape. It has 21 affiliate unions, with a membership of 1.8 million workers or 21% of the total labour force, 36% of the formal labour force and continues to lobby for workers issues both in and out of government (COSATU, 2006; Naledi, 2008). The federation is able to exert influence over the government through its alliance with the ANC and the SACP. COSATU also uses its position within NEDLAC to lobby government and business on whole range of macro-economic issues. It has forged relationships with civil society groups and takes stands on social-development issues such as a basic income grant, HIV/AIDS and land reform (SALB, 1995 -2007). The federation is well institutionalized within South African society and is seen as the legitimate representative of Black workers (Marais, 1998). It also has a larger number of members than the ANC (600,000), the SACP (50,000) and the largest opposition, the Democratic Alliance (DA) (50,000), which increases the federation moral

mandate as it speaks on behalf of a larger constituency than any other political or social formation.[8]

The federation's challenges include trying to maintain membership, influencing the policy of a centrist government which has pursued privatization and a fiscal policy which promotes a strong rand. Internally the federation strives to curtail the more politically radical tendency within some affiliates which are eager to part ways with the ANC and pursue a more independent path.[9] Internal organizational issues threaten the health of COSATU and the organisation main challenges are; dealing with corruption, a weakening of COSATUs trade mark democratic shop steward system through a centralization of decision making, poor and uneven servicing of members, an inability to organise unemployed COSATU members and the burgeoning informal sector into its ranks (Baskin, 2000; Macun, 2000). The COSATU leadership has also been accused of being astrategic and complacent in capturing the ideological vacuum created by infighting within the ANC, which has distracted the political party and left it in organizationally weakened. In a moment when the federation should be broadening its hegemonic reach within society the leadership of the federation seem pre-occupied with the federations' relationship with the ANC and its leaders (Nondwangu, 2007).

COSATU is more recently pre-occupied with securing its position within the ANC. The alliance has taken centre stage of many central committee meetings (COSATU, 2006). The federation is focused on ensuring that their "chosen" ANC candidate for the

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[8] The membership numbers are taken from the various parties websites, www.anc.org.za, www.sacp.org.za, www.da.org.za.
[9] The affiliates that are pushing for greater independence are NUMSA, SATAWU, and SACTWU but there are sections within most COSATU affiliates that push for greater independence from the alliance. It is also worthwhile differentiating here between politically radical unions and militant unions for example NUM and NEHAWU one of the more militant unions in terms of strike action are more acquiescent towards the alliance (interview with Jay Naidoo former General Secretary of COSATU).

next presidency of South Africa is elected. COSATU is attempting what can be described as an entryist approach to securing power, having felt that it has failed at shifting the ANC led government towards adopting a more socialist or even a more welfarist approach towards development. COSATU has been preoccupied with creating cohesion within its ranks to rally behind the chosen political candidate, which is a highly contested issue and the federation has been criticized for what is perceived as opportunism within the ranks of the COSATU leadership in trying to secure themselves through installing their chosen leader in power.[10] The leadership struggle is also seen as detracting from the federations' day to day organizing activities and economic issues (ibid).

Will COSATU survive these challenges and manage to constantly re-shape itself and strategize around innovative ways to secure workers or will it follow the path of many African trade union movements that have watched their membership and political capacity dwindle? This is the biggest challenge facing COSATU today. Of the various scenarios facing the federation, which one will they pick and what will be the outcome? Only history can give us the answer but studying their journey affords us a chance to formulate concepts around why certain union movements behave the way they do.

1.3 Research Question, Hypothesis and Methodology

Research Question

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[10] The most frequent criticism the federation faces over their candidate, Mr. Zuma, is that he has repeatedly stated that he will not change current ANC economic policy (Business Day, 25th Oct. 2007, http://www.businessday.co.za/articles/topstories.aspx?ID=BD4A595750). He is also seen as a populist, who has used his Zulu tribal identity to rally supporters.

Although the COSATU story is a largely positive one it is peppered with significant failures. Any research question must take into account this variance. Therefore, the primary research question my dissertation poses is: Why has COSATU been successful in certain areas of its political engagement and why has it failed at others? Since the goal of the thesis is to contribute towards the understanding of the factors that allow unions to engage successfully in political activity, I ask an overarching question: Can trade unions engage in political unionism, extract gains for workers and maintain their independence? There is an additional related question that my thesis answers: COSATUs political engagement with the state has resulted in the federation itself being transformed. How does this affect their capacity to drive change?

Hypothesis

In answering these questions, I posit a set of hypothesis:

1. Trade unions in developing countries that engage in political unionism are better off than those that adopt a purely workerist approach.

2. Trade unions that can engage political parties or movements both in and out of government and or civic organisations and NGOs, civil society associations, are better positioned to extract gains for workers than those that do not form any or limited alliances.

3. Trade unions that engage in political unionism need a strong workerist/economistic culture to survive organisationally. Those that do not have this culture are worse off than those that do.

4. For trade unions to maximize their capacity to extract gains for workers, a relationship with capital and the state is necessary ie. Tripartism.

These hypotheses are based on theories of union political behaviour. The first hypothesis states that trade unions need to engage in political activity. It is formulated on the belief that in order to promote the socio-economic welfare of its members and society in general, trade unions cannot simply restrict themselves to workerism and need to embrace political unionism. Due to the structural limitations that developing countries place on trade union membership, unions need to appeal to a broader base of the masses than simply their members. Liberalisation and globalisation have further eroded this base of potential unionised workers and as unions lose their economic clout they must draw on their political abilities to secure popularity and membership. The political activity of unions falls under a broad rubric of action where unions engage political parties, civil society formations and mass movements. Unions must engage a range of issues dealing with employment creation, land redistribution, HIV/AIDS, poverty alleviation, issues around service delivery and corruption. This affords the unions a chance to become a legitimate representative of the majority of the oppressed and not narrowly represent a shrinking base. Engaging in political unionism will also allow trade unions to increase their base by attracting a larger constituency behind its programme. This a general hypothesis that covers all details of the three hypotheses listed below it, which are more pointed in their prescriptions for political unionism.

The Second hypothesis is based on the theory that within political unionism building alliances are critical for unions with political parties/liberation movements and with civil society. Alliances with political parties allow unions to influence decision

making within government towards a working class agenda. Although unions may not have access to macro economic policy making, they can persuade the political party on following a particular path either through participating in party structures and formations and by offering concession that the political party seeks from the unions. However, unions need to be strategic in their alliances and more importantly they need to remain independent of the political party ensuring that the union leadership is able to formulate decisions that are in the best interests of the workers. Independence is a key as it allows the unions to exit alliances and form new ones. Civil society alliances are as important as political party alliances for trade unions as they allow unions to broaden the base of people who support their programme and they also allow the unions to build hegemony over sections of society and therefore remain independent. Alliances may be formal or informal depending on the context within which they occur.

The third hypothesis states that economic and political unionisms go hand in hand. Unions cannot make inroads within the political arena if they don't have the requisite membership. Without a critical mass of members no political party or government will take unions seriously. Similarly, in order to find a strong foothold in society trade unions need the social legitimacy that membership brings with it. Membership, organisational strength and mass mobilization are interdependent on each other. To successfully engage in economic unionism trade unions must ensure that all three are balanced and built simultaneously.

Finally, in the fourth hypothesis I argue that trade unions are better off engaging in tripartism because this allows them to form an institutionalised relationship and access to business and government through which they can legitimately push for legislation,

attempt to shape economic policy and push social issues on the agenda. Tripartism on its own will not secure a federations' influence over government or business, it must be shored up with militant action to force the partners to negotiate.

The Case Studies

The period of transition and the strategies employed by COSATU in trying to influence and shape it form the foci of my research and are the basis for answering the research questions posed above. The scope of the federations' engagement was multifaceted and ambitious. It participated in the liberation movement, in negotiations with the apartheid regime, in the formation of a new government and its socio-economic policies, in the creation of the constitution and specific workers laws, and the creation of institutions through which labour could engage the state and capital. All the while it negotiated, it used its power on the ground through strikes and demonstrations to exert pressure on these processes. In order to asses COSATUs involvement in these various processes I categorize the federations political actions in five ways; historical evaluation; alliances with political parties/movements and civil society; building worker institutions; influencing policy and finally membership and mass mobilization, through strikes, work stoppages, 'stay aways' and political rallies.

A historical overview of the formation of Black trade unions allows us to understand the general environment imposed by the apartheid regime and how this shaped the trade union movement. I highlight the various strategies employed by the Black unions to deal with the regime. The section on the alliance studies the relationship between the ANC and SACP focusing more specifically on the relationship between COSATU and the ANC. I break up this section into three parts dealing with the pre-

democracy, the negotiations and the post-democratic election periods. I also study the

federations' relationship with the UDF and then following 1994 its relationship with

various civil society organizations. The third section looks at building an institution

through which the unions can engage the state and business in corporatism. I study both

the creation of NEDLAC and its role in the post-election period. The fourth section is for

analyzing COSATUs various attempts at influencing policy from the creation of the

Industrial Strategy Project (ISP), to the unionists' participation in the ANC created Macro

Economic Research Group (MERG), to the promotion of the Reconstruction and

Development Project (RDP) as an overarching economic policy for the new government.

I also study the decision by the trade unions to send 20 senior unionists into the first

democratic parliament of South Africa and the opening of a parliamentary office to

influence policy making. COSATU also used its alliance with the ANC and NEDLAC to

influence policy and I evaluate these endeavours in this section. Finally, Finally, I

evaluate the federations' membership trends and organizational issues along with its

capacity for mass mobilization around both economic and political issues.

How did COSATU manage all of the processes outlined above, how did the

federation decide which aspects of the transition it would strategically prioritize over

others and how this would happen? What happened to the leaders of COSATU and the

decision makers within the federation? What types of organizationally capacity permitted

the federation to intervene in various processes? These are many of the questions I

address within the framework of the cases outlined above.

The story of COSATUs involvement in South Africa's transition to democracy is

one interwoven with personal relationships, institutional rivalry, racialism, mass

mobilization, capitalist projects and the struggle for political power, all of which formed the background to the South African story. As any trade union movement engages in such a process, it invariably gets transformed itself and this in turn affects the way in which it functions. Broadly, four underlying dynamics impacted on COSATU's behaviour and decision making. First, the internal dynamic of class mobility and the opportunism it created, enabling some unionists to find a role within government and business. Second, inter- organizational tensions between the ANC, the SACP and COSATU over the meaning and progress of the National Democratic Revolution. The third was the internal leadership battles within the ANC for control of resources and state power. Finally, the class based shifts within the ANC, which saw the party shift from a classical liberation movement to functioning as a political party, with the power to dole out patronage and a tendency for centralizing power. These underlying processes form the backdrop against which I present my analysis of COSATU.

Methodology

The nature of the role of the trade unions in South African transition to democracy makes it particularly rich for study in that it represents three types of transitions occurring simultaneously; from a colonial system of institutionalized racism to post-colonial independence, a transition to democracy and a transition to an open market economy. Moreover, the scope of COSATUs engagement from mass action, to policy formation, to shaping the constitution allows for a diverse set of examples of the ways in which unions can participate in politics and interact with the state. Not only does the case lend itself to provide historical reference to South African trade unions in the future but it is also a

multifarious case that can be of benefit to other union movements in developing countries.

The story of the South African liberation movement and COSATU involvement in it resembles many of its counterparts on the African continent. South Africans can find many similarities when they look at the history of Namibia, Zambia, Kenya, Ghana, and Zimbabwe both pre-colonial and in post-colonial regime changes. What is unique about the South African case is the size and the scope of the union movement, the extent of its participation in the transition and the continuing role of the unions as a formidable player in the South African political landscape.

The methodology I employ is that of the single case-study. There are several pitfalls associated with the single-case study the most obvious of these is that you rely completely on one case to prove, disprove or further a theory (Yin, 2003 pg 53). Also, multiple cases offer obvious analytical benefits. However, there are certain circumstances under which single case studies are preferable and Yin lays out five conditions under which a single-case study method is justifiable. Two of these conditions, which apply to my research, state that single-case studies are appropriate when the when the case is "unique" and contradictorily a "representative" case (ibid pg 40). Yin also argues that "embedded" single-case studies, where the case has sub units of analysis, allows for a more extensive and in depth analysis and for comparisons and assessments within an event.

I have discussed why COSATU is an interesting case because of both its similarities with other African countries and its uniqueness from other countries in its size and scope. These aspects make it suitable to apply the single-case study approach to the

analysis of COSATU. Each area that COSATU participated in becomes a sub case study. It would be difficult to compare strategies as each one had such varied goals and circumstances. What is more realistic is an assessment of each sub-case. The sub-cases have been grouped according to the hypothesis listed above.

A study on COSATUs political involvement does not lend itself to quantification and predictions. What is possible is to observe key objectives that the leadership of COSATU set prior to the transition and study whether these were achieved, the final outcome can only be evaluated after a longer period of time. It has only been thirteen years since the establishment of democracy and the implementation of many of the policies and programs of the new government and COSATU. I attempt to capture this moment in time by evaluating COSATUs programmes in this period and what this possibly means for their viability in the future.

Political outcomes cannot be neatly packaged and often there are many competing legitimate explanations for a particular event. Additionally, union political engagement and its outcomes are a dynamic process which cannot be easily nailed down. In the frenetic post-independence South Africa, political events often occur at a break neck speed with the political terrain shifting almost daily. In order to step back and to attempt to present a more clinical view of the proceedings, I have had to ignore the almost daily machinations within the unions both internally and around the alliance. For this reason I have excluded many of the details concerning individual trade unionists and their presumed allegiances towards particular factions of the ANC. Furthermore, the internal dynamics of COSATU are very similar to those of other federations' world wide. The federation has factional fighting for leadership positions, with militant rhetoric on the part

of leaders that is designed as much for effect within the internal structures of the unions as for effect on the state and capital. There is also evidence of financial corruption within some of the unions. COSATU in that manner at least, is similar to all other trade union movements worldwide and the readers of this dissertation should assume that COSATUs internal workings are similar to those of other trade union federations. I don't detail these internal issues within COSATU that deal with the daily functioning of the federation, or why certain unionists rise to power within the organisation and the reader should take these processes as given. If I indulged in such detail I would digress from the broad aims of this dissertation.

A third issue regarding political unionism is the difficulty I faced in establishing a clear line of questioning around political issues. Although I started off with similar questionnaires for many of my interviewees, I found that few allowed me to stick to the format. Interviews often meandered into the terrain of political conspiracy. Several of the people I interviewed changed their positions over the span of two years and contacted me to ensure I would not misquote them. Others in government refused to speak other than in the vaguest form and refused to embrace any particular viewpoint. I found it easier and more reliable to use the South African Labour Bulletin which documents views from broad spectrum of COSATU-ANC-SACP members and activists over three decades.

Finally, of the five case studies listed above the historical role and economic policy allow for a value judgement of COSATUs performance. Measuring which policies the unions effected and how can be scientifically managed. However, measuring

the impact of the political alliance creates issues, as much of the analysis is subjective, dependent on who says what and the veracity of the interviewee.

Why COSATU?

COSATU is the largest most dominant federation of trade unions in South Africa (See Table 1.1 below for membership). Since it's inception in 1985, it has continued to dominate the trade union movement in South Africa and is widely seen as the representative voice for the majority of Black workers (Friedman 1987; Maree 1994, Baskin, 1991; Webster and Adler, 1997)

The history of the Black trade union movement detailed in Table 1.2 in the appendix shows the historical link between COSATU and its predecessors FOSATU and

Table 1.1: Membership of Largest Federations, 2004

Federation	Membership
COSATU	1,864,121
FEDUSA	527,628
NACTU	300,000
SOLIDARITY	130,000
CONSAWU	290,000 (200,000)*

Source: Buhlungu and Webster, 2004; www.solidarity.co.za

*Figures for CONSAWU are unverifiable the figure in brackets represent what the majority of unionists I interviewed agreed upon as viable membership.

SACTU. The political alliances that COSATU formed attest to its political power and finally the membership rates show clearly that COSATU represents by far the largest number of workers and especially Black workers, of whom 80% belong to COSATU (Naledi, 2008).

In addition to COSATU, four additional major federations exist, the Federation of Unions of South Africa (FEDUSA) having 24 affiliates with a claimed membership of 500,000. FEDUSA claims to be non-politically aligned and its membership base is changing from being mostly professional workers to public sector workers.[11] The National Council of Trade Unions (NACTU) with 20 affiliates and a claimed membership of almost 400,000 used to be politically aligned with the Pan African Congress (PAC) and embodied the ideology of the Black consciousness movement, it has subsequently also become non-politically aligned.[12] Whilst the last two federations claim to be non-political a more appropriate classification would be that of being non-ANC leaning trade unions (Buhlungu and Webster, 2004). A third grouping of unions falls under Solidarity a predominantly white and Afrikaans trade union for mainly professional workers. Although solidarity is not technically a federation, rather it is a collection of various union workers across industries under a common name – it refers to itself as 'the largest independent trade union in South Africa', it has its roots in the colonial era mynewerkersunie, which was solely made up of white workers in the mining industry. Post-liberation these workers grouped with other White union members to form Solidarity.[13] Although the union claims to be unaligned it has ties to the right wing Freedom Front party. Finally, in 2005 a new federation was created, CONSAWU, that claims to be non-political or non-politically aligned to any party and having 24 affiliates and a growing membership claimed to be at over 500,000 has made overtures to the other federations for the formation of a confederation which poses threat to COSATU's

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[11] http://www.fedusa.org.za/
[12] http://www.nactu.org.za/
[13] http://www.solidarity.co.za

dominance of the union movement (Business Day, Front Page December 1st2005).[14]

CONSAWU is clearly the 'dark horse' among the federations, since no one is certain as to their real membership or the relative racial make up of its members.

For the past three years NACTU, FEDUSA and CONSAWU have held talks over mergers and the creation of a superfederation. However, CONSAWUs close ties to Solidarity was the breaking point in the talks and most recently FEDUSA and NACTU have merged their two federations in a confederation named SACOTU (City Press, Nov. 11th 2007). With a joint membership at close to 800,000 they are the greatest threat to COSATUs dominance of the trade union movement. It is worth noting that NACTU has a long history of collaborations with COSATU where the federation piggy backed on many COSATU initiatives. NACTU, FEDUSA and COSATU currently collaborate within NEDLAC and also on an initiative named the 'Job Creation Trust' aimed at employment creation through the funding of small-scale labour intensive businesses.[15] They have also collaborated with COSATU around the Millenium Labour Council (MLC) a council that engages in bipartism between labour and capital. In terms of strike activity, COSATU unions dominate the strike scene with the various other federations piggy backing onto COSATU strikes. The quarterly wage settlement survey published by Andrew Levy shows that since 1994, the bulk of strike activity can be attributed to COSATU unions. In addition to these four large federations the South African labour movement also has a number of smaller federations and hundreds of independent unions that are unaffiliated. It is difficult to gauge the number of and efficacy of the independents in the absence of any studies on them, however, anecdotal evidence

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[14] The CONSAWWU membership number is not verifiable and several trade unionists I interviewed believe the membership to be significantly lower.
[15] http://www.cosatu.org.za/shop/shop0903/shop0903-06.htm

points towards an increasing trend in the formation of independent unions.[16]

Table 1.3: Racial, Organizational and Political Classification of Unions

	COSATU	NACTU	FEDUSA	SOLIDARITY	CONSAWU
Race	Predominantly Black 80% of all Black trade union members are COSATU members	Black	Majority White	White	Mixed
Occupational Categories	Predominantly Blue Collar	Blue Collar	White Collar	White Collar	Blue and White Collar
Politics	Aligned to ANC and the SACP	Origins in Pan Africanism and Black Consciousness but non-aligned	Non-Aligned	Economistic used to be apartheid era right -wing Mynwerkersunie Relationships with right wing Freedom Front	Economistic non-aligned
Strategy	Mobilization and lobbying	Mobilization	Mobilization	Mobilization	Mobilization

Source: Adapted from Buhlungu and Webster, 2004; Naledi 2008

The Tri-partite Alliance

In 1990, when the ANC and SACP were unbanned COSATU and the two organizations were able to formally and legally work together in alliance. However, a tacit alliance between these three institutions has existed in various forms and with a variety of transmutations since the 1950s. What this meant was that often unionists or communists held membership and both formal and informal links to all three organizations. These affiliations and more importantly loyalties changed over time. To

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[16] Conversations with Jan Theron, former Secretary General of FAWU.

ensure that I adequately covered each organization I interviewed members of both the

SACP and the ANC past and present along with the leadership of COSATU.

Interviewees were selected based on their participation in one or more of three arenas: 1.

being generally involved in the struggle to democracy 2. Specifically participating in

strategies outlines in this proposal 3. Current and active members for each of the

organizations. I did this to get a cross section of views on the alliance over time.

In order to capture the dynamic of the alliance I used the following strategy. First

in each of these organizations, I interviewed a cross section of three types of people.

Those who were current members of one of the organizations and who saw themselves as

being primarily a unionists, an ANC member or a communist. Second, those who

currently held membership in two or all three of the organizations. Third former

unionists who now are exclusively members of the ANC or SACP or have left politics

and are currently in business.

To take into account shifting alliances and the problem of revisionism amongst

interviewees I factually checked interviews with archival materials from COSATU, the

ANC (Mayibuye Center) and the SACP archives. These materials included minutes from

COSATU central executive committee meetings, organizational reviews, special

congresses and sub-committee meetings. In addition, I reviewed the archives in

parliament to cross check information given to me by former and current MPs on sub-

committees they had participated in and specific bills they were involved in. I also did a

review of the South African Labour Bulletin (SALB) from 1970 to present which carries

articles written by many of the individuals at the forefront of negotiating the transition.

Articles written in the SALB are a more reliable gauge of individuals opinions than the

interviews I conducted as many individuals had shifted alliances and had altered their view of history base don the current position they held within any one of the alliance organisations.

A Note on the SACP

The SACP does not feature prominently in my dissertation but this should not be equated to the role it played in the liberation movement and the period after democracy was won. I have not focused on the role of the SACP because it has been closely aligned to COSATU since the 1980s. Currently, the two organizations collaborate and support each other on a range of economic and social issues and COSATU funds the SACP to a significant degree.

It is without dispute that the Communist Party played a critical role in the liberation movement. Many of its leaders are prominent players in the folklore of the movement. The Party was regarded as providing intellectual coherence to the movement and shaping the ideological characterisation of the National Democratic Revolution. Its leaders were involved in the formation of Umkhonto We Sizwe (MK), the armed wing of the ANC and worked closely with the ANC and unions in and out of the country. Many communist leaders were responsible for early attempts to organize African workers. Many have held cross membership in all three alliance organizations. The list below is an incomplete portrayal of the extent of cross membership between the three organizations amongst senior leaders of all three alliance members historically:

Ray Alexander: Was the General Secretary of the Food and Allied Workers Unions; she was on the Central Committee of the SACP and a member of the ANC.

Moses Kotane: Was General Secretary of the SACP and National Treasurer of the ANC. He was a trade unionist.

Joe Slovo: The General Secretary then Chairman of the SACP, served as the Chief of Staff for MK, was the first White person to be elected to the Revolutionary Council and was a member of the ANC, NEC from 1985. As an attorney, he acted for leaders of the ANC and for the trade unions.

Moses Mabhida: Was the president of COSATU, General Secretary of the SACP and a member of the ANC National Executive Council (NEC).

Sydney Mufamadi: The General Secretary of the General and Allied Workers Union held concurrent membership in the ANC, MK and the SACP and is currently the Minister of Local Development.

Kgalema Mothlante: An organizer in the National Union of Mineworkers and later General Secretary of the union was a member of MK and currently is a member of the SACP and the Deputy-President of the ANC. He served two terms as Secretary General of the ANC.

Duma Nkosi: Was in SA Commercial Catering and Allied Workers union was a member of MK, is a member of the SACP and is currently mayor of Ekhurleni City.

Jacob Zuma: Was in the Laundry Workers Union was the head of the ANCs intelligence structures and a senior member of MK, was on the central committee of the SACP and is currently the President of the ANC.

Thabo Mbeki: A former central committee member of the SACP, currently president of the country.

Gwede Mantashe: Former general secretary of National Union of Mineworkers, current

chair of the SACP and secretary general of the ANC.

Briefly I will cover some of the issues facing the SACP here. Since 1990, the

Communist Party has faced many of the dilemmas confronting the unions. Although the

ANC has described its alliance with the SACP as one of 'critical engagement', party

members have questioned what this means.[17] The Party was forced to accept the neo-

liberal styled policies of GEAR and has seen its influence wane within the alliance over

the past two decades. Many senior Party members have taken up positions within

government and the cabinet leading to contradictions that have not been well managed.

The Party however does not have a large membership base such as the unions and

although they currently claim a membership of almost 50,000, the paid up membership is

estimated at a far lower number (Dexter, 2007). The Party has not been immune to the

outcomes of class formation and mobility and is largely dependent on donations from

trade unions and from individuals who have benefited from Black Economic

Empowerment (BEE), creating a conflict in the theoretical framework of the Party's post-

apartheid class analysis and the practical realities of being financially dependent on the

same. The Party is divided between staying within the alliance and going at it alone, with

the assistance of the unions. Following the path of the unions, the SACP has become

entrenched into the current political tussle within the ANC over the succession battle for

the next president of the ANC and country. The current leadership of the Party has been

central in building an alliance with those that support Jacob Zuma within the ANC. The

major issues affecting the Party today centre around promoting socialism within an

alliance led by a conservative policy making ANC, limited financial capacity, a high level

[17] Described by Mandela at the 1995 congress of the SACP (Collins, 1995).

of cross membership between the ANC and SACP[18] causing concern for co-optation. The SACP, in spite of these problems is widely regarded as the voice of the poor and its historical role in the liberation movement guarantees it some institutional legitimacy.

Some Data Issues

The ANC government was only able to update and reformulate data collection methods by 2000. This means that all data collected before this period was determined by apartheid era stipulations. It is difficult to judge to what extent the regime may or may not have re-stated data to suit their needs. Generally, I have relied on data pre-2000 that was widely accepted by academics and sited within papers. Many questions remain about these data and as a general rule one must accept data presented by the government during this period as a trend rather than an absolute. Some of the data provided by the government on membership and strikes can be cross referenced through individual reports from trade unions and by private labour consultancies.

Another issue around data is that individual federation often overstate their membership. Many academics estimate that the real memberships of COSATU, NACTU and FEDUSA are lower than the ones listed.[19] For example, COSATUs accounting of NUM membership does not reflect any of the massive retrenchments that took place during the late 1990s. One explanation is that the retrenched workers were re-hired as casual workers. My attempts to get an explanation for this inconsistency were unsuccessful both at the NUM and COSATU offices. Another reason for inflated

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[18] Every member of the current SACP leadership holds a senior position within the ANC with some slated to become ministers in the next cabinet. The current general secretary of the SACP is a member of both the National Executive Council (NEC) and National Working Committee (NWC) of the ANC and all the leaders hold similar positions.

[19] Discussion with Sakhela Buhlungu and Karl von Holdt.

membership numbers is that many workers register within unions across several different federations. They switch in between depending on the quality of services being offered to them.[20] The total number of unionised workers is calculated by the Statistical South Africa, a government agency through its September Labour force Survey (LFS). However the LFS does not disaggregate this membership and leaving the only source of membership as the federations themselves. Of the three federations COSATU is believed to have the smallest margin of error, a large number of studies have been conducted on COSATU unions that can corroborate individual affiliate numbers (Macun, 2000).

1.4 Chapter Outline

The following chapters are formatted as follows.

- Chapter two provides a theoretical framework for understanding the political role of trade unions in developing countries. I also conduct a review of the development literature on the political role of trade unions. I include at the end some case studies of trade union experiences in Africa as a backdrop for the South African experience.

- Chapter three delves deeper into the South African case. In the first section I provide a history of South African apartheid and what this meant for trade unionism. Following this I detail the experience of COSATU using analytical categories of history, alliances, building institution, mass mobilization and membership and finally influencing policy.

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[20] Discussion with Thomas Poese a labour consultant for several COSATU unions and the Job Creation Trust a joint initiative between COSATU, NACTU and FEDUSA..

- Chapter four is a post-script to chapter three. I discuss recent developments vis a vis the alliance and COSATUs relationship with the ANC given the outcome of the succession battle within the ANC.

- Chapter five is the conclusion. I re-visit the hypothesis from chapter one and make predictions for the future of COSATUs political engagements along with prescriptions for what the federation should do.

CHAPTER 2: Defining Political Unionism

2.1 Introduction

This chapter is divided into three parts. The first part looks at the political nature of trade unions, drawing on the theory of trade unions developed by Marx, Lenin and Gramsci (M-L-G), towards a building a framework for understanding and studying the political behaviour of trade unions in developing societies. The M-L-G formulations on trade unions continue to be salient today in capturing the essential issues around political unionism. In the second part I review the development literature on the political role of trade unions in developing countries. I highlight the reasons why trade unions have lost popularity as a topic of analysis and why this trend may be changing. In the third part, I look at the experiences of selected African trade unions movements to contextualise the South African story.

2.2 The Political Nature of Trade Unions
2.21 Introduction

The formative theories on the political nature and role of trade unions are based on ideas formulated by Marx, Lenin and Gramsci. I look at some of the salient ideas from these three theorists as they relate to political unionism in developing countries. Many contemporary notions on the political nature of trade unions have grown from the theories that M-L-G formulated.

The political role of trade unions was first clearly articulated by Marx, who saw unions as the vehicle through which the working class would channel its discontent with and demands against capitalism into a revolutionary force to build socialism. Marx stated

that "every class struggle is a political struggle" (Tucker, 1978 pg 481) and hence unions were inherently political. Lenin, developed Marx's ideas on trade unions and provided a more strategic and comprehensive analysis of the role of trade unions.

Lenin believed that trade unions played a fundamental role for the working class in the early stages of capitalism in that they provided a platform for workers to mobilize, unite and express their class interest. He believed that "...the development of the proletariat did not, and could not, proceed anywhere in the world otherwise than through the trade unions, through reciprocal action between them and the party of the working class (Lenin, 1920)".

Lenin saw unions as a breeding ground for political cadres, "a school of administration, a school of economic management, a school of communism" (Lenin, Collected Works Vol 32, pg 20). As a political force, the trade unions had to encompass more than simply the struggle for emancipation from an employer and embrace a larger struggle against the capitalist system by launching a systematic political struggle. Although Lenin believed that unions were political, he saw them as being naturally limited in their range of political consciousness. He believed that unions were susceptible towards turning economistic and only prone to spontaneous radical action. An intelligentsia, which was organized and revolutionary needed to be at the helm of the unions to inject trade unions with radical politicization.

Accordingly, Lenin defined unions as taking two possible forms; revolutionary or reformist/reactionary. The former being when the trade unions took the spontaneous struggles of the oppressed working class and generated from these spontaneous actions a clear program to overthrow the existing order. The second, was when the trade unions

limited the potential of the working class for political action and took on *"certain reactionary features, a certain craft narrow-mindedness, a certain tendency to be non-political, a certain inertness, etc"* (ibid) where unions behaved in a reformist way, fighting only for incremental changes to wages and working conditions, divorced from broader political struggles. Reactionary unions also included those unions where the leadership acted as the 'labour lieutenants of capital' and was part of a 'bourgeois labour party', for a privileged minority, manifesting in opportunism.

Opportunism is our principal enemy. Opportunism in the upper ranks of the working class movement is not proletarian socialism but bourgeois socialism. Practice has shown that the active people in the working class movement who adhere to the opportunist trend are better defenders of the bourgeoisie than the bourgeoisie itself. Without the leadership of the workers, the bourgeoisie could not remain in power (Lenin, Collected Works Volume 21 pg. 241)

To win and retain the allegiance of this 'opportunistic layer', the capitalist state had to offer the 'opportunists' a political and economic stake in the capitalist society. Without this support and the ability of the opportunists to control the organizations of the working class, capitalism could only maintain its rule through violent means, through its control of the apparatus of the capitalist state, by military rule of fascism. In the case of colonial countries and imperialism, this violence was dictated from a more developed centre to a less developed periphery. In spite of his critique of reactionary unions, Lenin was in favour of transforming such unions from within and transforming the leadership from reformist/reactionary to a revolutionary one. He was against the communist party forming its own unions against reformist/reactionary unions and saw trade unions within capitalism as being the primary structure housing the working class in spite of these unions being co-opted into a reactionary framework (Lenin, 1920).

Lenin identified within the working class, the urban labour force, the proletariat, whose struggles were quite distinct from the peasantry. Within this urban labour force existed a "labour aristocracy" a thin upper stratum of the working class forming a workers 'aristocracy' along with certain leaders of the trade unions and workers movements. This segment according to Lenin represents "an infinitesimal minority of the proletariat and the working masses" whose "adherence... with the bourgeoisie against the mass of the proletariat" would create the social basis of reformism (Lenin, 1915)[21].

Lenin's conception of a labour aristocracy arose from a comparison of urban labour movements in Germany and England versus those in Russia. Although he believed that such an urban labour aristocracy would be nurtured into the third world through imperialism, he essentially saw third world urban labour forces, under imperialism, as being interlocked in a dependent and extractive relationship with the capitalist system in the first world. Accordingly, Lenin believed that through imperialism and colonialism, the capitalist system in the first world extracts a super-profit from the periphery (the third world). In order to maintain industrial peace, the capitalist system then shares and distributes a portion of the super-profit with metropolitan workers in the first world through the welfare state and by allowing such workers to enjoy higher wages and standards of living. As a consequence of this system, workers in the first world have no need or desire to cultivate solidarity with workers in developing societies and are co-opted into the capitalist system where they lobby for their narrow self-interests.

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[21]http://www.marxists.org/archive/lenin/works/1915/csi/index.htm; Lenin did not originate the idea of a labour aristocracy, this was done prior to his utilization of the phrase by Engels, Bukhanin, and Kautsky, however, Lenin popularised the phrase through his writings.

Lenin's analysis of trade unions and their urban and third world forms provided an early framework to understand the political aspects of trade union movements. In the case of developing countries his analysis of the fostering of trade unions by the capitalist systems of the first world to ensure the smooth functioning of extraction was played out in many developing countries, particularly on the African continent. The union movements in many developing countries were precisely as Lenin had predicted, political schools which fostered and trained 'cadres' who then went on to hold government positions. His theories on opportunism and the cooptation of the leaders of the working class are applied today in debates around labour regimes, and labour alliances with governments.

Lenin's arguments on urban labour aristocracies persist today as an analytical tool for understanding the working class and as a theory to understand trade union membership and political interests. Although the use of the term "labour aristocracy" was used by him in the context of European workers the phrase has been appropriated to describe the relative wealth of urban organized workers compared with marginalized or casual workers, peasants and the rural worker in developing countries. This argument has been subverted from its original context into two basic strands. One strand looks at the labour aristocracy debate through a class conflict analysis of developing states. Here Wallerstein (1967), Arrighi (1970), Saul (1975) and Amin (1977) posit that the proletariat in developing countries is segmented and that within the proletariat exists a stratum of urban, sometimes industrial workers, who are co-opted by expatriate companies and governments post colonization to create a permanent, skilled and stable labour force whose leaders are more reformist than revolutionary. Thus, rather than the bourgeoisie

and proletariat being alienated, in urban areas their economic interests and political ideologies become complementary over time. As a result, the Marxist model of exploitation within one mode of production is expanded to include two modes of production within which class exploitation occurs. Within this analysis trade unions become the repository of the political and economic aspirations of these sub-elite and higher wage earning workers and thus the union movement colludes with the government and capital to extract gains for these workers.

Whilst Arrighi, Amin and Saul were right to point out the fractures in the proletariat their use of the phrase "labour aristocracy" is a misnomer. Although urban workers earn more than their rural counterparts in real terms, urban organized workers such as mine workers rarely earn above subsistence wages and there are vast inequalities between unionized urban workers and the political and business classes, leading to a substantial gap in life chances and opportunities at all socio-economic levels (Peace, 1975). Thus urban unionized workers may be more likely to hold populist sentiments in common with other urban workers, rather than collude with the political and business classes (Sandbrook, 1975; Cohen and Sandbrook 1975 pg 3-4). Additionally, many urban workers/migrant workers send at least part of their wage to their families in the rural areas and the generalized debate on labour aristocracies does not factor in this important aspect of wage distribution remittances into its debate (Cohen and Sandbrook, 1975 pg 4-5). Pappart (1984) in her testing of the labour aristocracy thesis in relation to unionized Zambian mine workers, differentiating between unskilled and skilled workers, makes an additional point. She states that there is often a range of behaviours on the part of skilled workers where they might behave as aristocrats and side with management or

conversely resort to radical action and lead worker protests in different instances. Here she contends that the simplistic notion of class position and behaviour as posed by the labour aristocracy thesis is inadequate and other ideological, social and political factors interplay and determine workers behaviour.

Furthermore, the extrapolation of the labour aristocracy thesis to the political and economic motives of trade unions contains similar flaws. Whilst some trade union members such as the upper echelon of civil servants may earn wages that are high enough to aspire towards the bourgeoisie class, the balance of trade union membership particularly in African states falls within mining, manufacturing and the lower strata of civil servants earning meager or subsistence wages, although relative to peasants, these wages are higher (Beckman and Sachikonye, 2001). Whilst trade unions in African countries do have an urban bias and their membership is concentrated within the industrial and manufacturing sectors, the idea that these workers are elitist or aspire to collude with the elite is misleading. Whilst opportunism exists within trade union ranks and particularly amongst its leadership, it cannot be uniformly applied to a trade union movement or a strata of a union movement. The labour aristocracy thesis as applied in this strand requires a case by case analysis to understand the specific wage differentials between urban and rural workers and amongst unionized and non-unionised urban workers . Additionally, the membership of individual trade unions need to be studied in order to determine what fraction the sub elite and elite workers constitute and their wages relative to the elite ruling class. It also needs to consider the actual strategic and tactical decisions taken by these organisations from time to time.

The "labour aristocracy" thesis was also subverted and used by neo-classical theorists when analyzing the efficacy of trade unions in developing countries. As with the dependency group, the neo-classical analysis was based on the thesis that trade unions in developing countries represent a small group of urban "elite" workers and that these unions lobby the state to the detriment of other workers (Bates, 1981). Governments require the support of this block of workers for various reasons; votes, acquiescence to government policies, etc., which creates a dynamic allowing for union-government collusion and leads to rent –seeking behaviour (Van de Walle, 2001; Flanagan, 1999). For neo-classicists, this labour aristocracy is particularly damaging in that they thwart attempts to restructure the state and the economy through strikes and work stoppages (Freeman, 1993). In his analysis of Indian trade unions T. N. Srinivasan states:

A tiny labour aristocracy… is employed in the public and organized private sector. They do not represent the interests of the overwhelming majority of India's workers, who are either self-employed or work as casual labour and who do not enjoy job protection or any other myriad of benefits conferred on the aristocracy by the labour laws…the aristocracy also consists of members of one or the other of the labour unions affiliated with ruling and opposition parties. The recent one day strike by this aristocracy against privatisation is an egregious example of its political salience…the political clout of the labour unions has been particularly effective in preventing privatization of public sector enterprise (PSE) (Srinivasan, 2001).

Accordingly, because unions and other interest groups are able to dominate urban policy making by behaving in a selfish or predatory manner to the detriment of other section of society, the neo-liberals solution is the Structural Adjustment Programmes (SAPs), which break up urban coalitions by weakening them through budget cuts, price and tariff liberalization, privatization and the requisite labour deregulation. The rationale behind these policies is that in the long run a larger proportion of society; the peasants, the unemployed and the informal sector will benefit from SAPs and the break up of powerful

coalitions, mainly trade unions that are described as being able to distort the "free market" (Walton and Seddon, 1994).

Here again the application of the "labour aristocracy" is misleading for many of the reasons stated above. Although unions in developing countries do represent urban workers who earn a higher wage than their non-unionized urban and rural counterparts, these workers rarely represent an 'aristocracy'. Labour leaders may collude with the state for personal gain or to win gains for their constituencies. They also halt economic restructuring through strike action. However; any of these actions can have a number of potentially positive or negative outcomes for unionized and non-unionized workers depending on the circumstances and context within which they occur.

Although subverted from its original context by both dependency theorists and neo-liberals, this argument persists in classifying trade union members and urban industrial workers as a group of elite workers who benefit at the expense of the rest of the peasants and the proletariat through their collusion of interests with the political and economic elite. These two strands of thoughts on labour aristocracies and their impact on trade unions and their subsequent actions have successfully created a perception of trade unions in developing countries as being narrow, interest based, urban biased organizations, incapable of being the voice of the larger working class or of acting in the general interest of the poor. Aside from the empirical problems in assessing workers real living conditions, another issue is the simplistic division of workers into 'urban coalition' and 'rural peasantry'. The history of trade unions in developing countries shows that at various periods, unions have appealed, successfully, to the populace in general. The most salient examples would be the Peronist unions in Argentina, the pre-liberation union

movements in Kenya and Ghana and various trade union movements under military rule such as Nigeria and Ghana, forming opposition movements in the one-party state such Zambia and Zimbabwe. The institutional longevity of trade unions themselves speaks to some attribute deeper than a narrow interest based group that speaks for a minority of workers. It speaks to the capacity of trade unions to create broad-based support for its mission beyond the confines of membership. If trade unions are able to appeal to non-members at various moments in time over social issues, then this disproves the general impression of trade unions as being confined to a labour aristocracy.

Both Marx and Lenin presented a mechanical notion of trade union behaviour, which assigns unions behaviour but presents unions as a rigid social organisation. Gramsci however, describes unions as dynamic social organisations and provides a more nuanced and complex explanation for the role of trade unions. Gramsci saw the ruling class dominating society through two forms of control, physical and ideological, the latter of which he termed hegemony. The ruling class were able to control society through the successful spread of their ideology in a manner that portrayed their class interest as being in the general interest of society, which in turn afforded the rulers consent of the masses. Gramsci saw this ideological control as a hegemonic force that needed to be understood and defeated through counter-hegemony. Trade unions were a critical component of civil society, poised to create counter-hegemony to the ruling class through the spread of an alternative, working class ideology and appealing to a broad base of civil society. Although, unions could not presume this role rather they had to earn the right to speak for the masses. Gramsci understood that in order to create this counter-hegemony, the unions had to manoeuvre through a complex and nuanced set of relations with the state, civil

society and political parties. Such a position avoided either the simplistic notion Marx held of trade unions as simply repositories of revolutionary capacity, or the mechanical notion Lenin held, of trade unions as either reactionary or revolutionary (Buci-Glucksmann, 1980).

This Gramscian view allows for the possibility of trade unions, political parties, the state and capital of entering into a complex set of relationships that can either prove advantageous or not for workers depending on the strategies they deploy and the relative power of each of these actors in a specific context. In such a view, for trade unions to act politically and make positive gains, they should have a sophisticated leadership that both understands the economic role of trade unions as well as the political context within which they find themselves. This leadership, and its membership, should be able to devise complex strategies to advance the interests of the members of the union by taking advantage of possibilities that occur in either the economic, social or political sphere.

This framework allows an analysis of trade union behaviour where unions engage in both economic and political unionism, increasing or decreasing political activity depending on the possibility of gains in a moment in time. The political activity could be strategic, for survival, for increasing gains for workers or for spreading the ideological message and goals of the trade unions. However, Gramsci illuminates the point that no matter how strategic a leadership a trade union has, its efforts will be thwarted if it is unable to find a symbiotic relationship with a revolutionary or politically conscious leadership of a political party who can be trusted with political power. Even in the case of a symbiotic match unions must be prepared for unpredictability and cyclical patterns to the relationship.

It is the unpredictability and context specificity of this relationship which has forced theoreticians to shy away from hypothesizing about political unionism or limiting their analysis to relatively stable political systems such as those of the Scandinavian countries or social democratic models in Western Europe. Political unionism in developing countries has been a largely unexplored issue I pose, precisely because of the unpredictability of political parties and national liberation movements and their variable commitment to any single development path.

If we take broadly the typical cases of the developed world where, as in the case of the Scandinavian countries with close consultative ties to government and the case of Western European social democratic model of engaging unions (barring the UK) and compare it to American unions that have been less politically involved, without presenting any empirical evidence, one can deduce that the workers in the former are clearly better off in relative terms than workers in America because of the political engagement of the unions and the state in the former. Here political engagement takes on the form of a dance between partners; at times one pulls the other in close moving in synergy, or the dance can shift to following formal etiquette or a partner can release the partner, thereby cutting contact. In developing countries the political conditions and environment create many different scenarios. The primary question is can unions in developing countries afford to not be partners in the dance? Historically, colonialism and the structure of the economy points towards this answer being no.

> (in regards to African trade unions) The adverse labour market conditions, as well as uncertainties regarding feasible directions of processes of restructuring and industrialization , form an unfavourable backdrop for trade unions which are anchored to the public sector. Informalization of economies and casualization of labour relations form such daunting challenges that the very survival of trade unions in a number of situations is at stake (Thomas, 1999 pg 6).

How then do unions engage in this dance and is it a solo with the state or is it more like a maypole dance, where there are many dancers weaving ribbons which combine after some time to form an intricate pattern as the centrepiece? The political activity of trade unions in developing countries needs to be formulated within a broad framework that looks at political unionism as not simply relationships with the state, but also with opposition parties, other worker based associations, civil society organizations such as churches and community based organizations as well as business itself. The political role of a trade union can be defined as one that falls out of the rubric of traditional workerist trade unions. When trade unions form alliances with student organizations, church groups, political parties or the government, they are engaging in political unionism. When unions take up issues such as services, land reform, elections and international trade and economic policy they are doing the same. Conversely when trade unions leave alliances, form new ones or create opposition movements to government, they are also engaging in political unionism. Broadly, any activity that falls outside of the shop floor; collective bargaining and related strike action, health and safety and the labour relations system is the political activity of trade unions. These activities have sometimes been labelled as social unionism, but I argue that they are inherently political in nature. The ultimate goal for every union is to improve the terms and conditions of their members and to transform the relationships between employers and employees. The reality is that state power is an inevitable factor that all unions must consider in these endeavours and therefore so to is their relationship with political parties. Whether unions choose to access and impact state power through government and political parties, or outside of it through alliances with civil society, ultimately the goal is the same.

2.12 The Theory

I pose that the political behaviour of trade unions in developing countries needs to be understood through a broad framework which accommodates the diverse roles that unions play; economic, social, and political. These activities are taken up through a set of complex and dynamic relationships with business, other labour formations, government, political parties, and generally with civil society in its various forms. Trade unions are inherently political entities and the shape of their political action is determined by a number of factors and the context within which the unions exist, the structure of the economy, the structure of civil society and the presence of political parties ready to collaborate with the unions. Without a strategic leadership that understands that unions operate on a political terrain but that they must successfully organise workers and deal with their workplace needs, unions can end up engaging in political activity which leads to their demise or to putting them on a reformist path. This leadership needs to strategise around the intensity of political engagement and how it will control the ebb and flow of political action to forward the interests of the trade unions.

2.13 Conclusion

The Marx-Lenin-Gramsci ideas on trade unions have contributed significantly to the formation of theories on the political nature of trade unions and the potential for unions to shape the political scene. Modern day ideas on unions in the form of 'labour aristocracies', 'opportunism', 'cooptation' , 'labour regimes' and 'social pacting' originate from M-L-G.

The broad theory for understanding the political role of unions' permits the question I ask in this dissertation, which is why are some trade union movements more

successful than others at balancing these relationships, forging alliances and surviving repression to create an institutional space for them selves to extract gains for workers? This is the question that the South African case contributes towards.

2.3 The Development Literature
The Beginning

The political role of trade unions was brought to prominence within the field of development in the 1960s by a group of theoreticians studying the role of labour in post-colonial Africa. Prior to this the dominant paradigm for understanding the role of trade unions was a purely economistic one focusing on a theory of unions which drew from the theory of a firm and consumers, applying the maximization principle to unions, where unions typically acted in a way that 'maximized' the interest of their members (Dunlop, 1950). Although Ross (1950) proposed a 'political' approach towards understanding union behaviour he weighed in on inter and intra-union rivalry as the primary political context. However, he was the first within the field of economics to point out that factors other than maximizing the money interests of its members affected union decision making. He saw the overall well being of the union affecting decision making and being affected by three spheres of attitudes, the members, the employers and the broader community at large including government (Reder, 1960 pg 4).

His ideas influenced a group of academics studying the role of trade unions in developing societies particularly in Africa in the early 1960s. These academics sought to understand the external political influences that shaped trade unions and theorized trade union behaviour by distinguishing political influences on trade union activity. Many African countries were emerging from colonialism and there was widespread interest

over the role of organised labour in the industrialization and economic development of these countries (Galenson, 1959 and 1968).

What Role for Unions?

In his review of the approaches to the study of labour and development Bates (1969) characterizes this strand of enquiry into the role of unions in development as the "political unionism" group. He lists two additional strands of enquiry into the role of labour in development which are labour and industrialization and labour and development.

The first group, Walter Galenson, James Coleman, Martin Kilson and David Apter, based on empirical studies, wrote about the experiences of newly independent states in developing countries and distinguished between the economic and political role of unions. While acknowledging the need for an economic role, Galenson, et al theorized that trade unions in developing societies grew out of racial and colonial oppression rather than a process of industrialization and class formation as in Western Europe. In the struggle to expel colonial oppressors, unions worked closely with emerging national liberation movements, political parties and structures. As such, the unions in these newly independent states were inherently political in nature. Moreover, these academics proposed that given the over-supply of labour and low rates of unionized workers, unions lacked the stable membership needed to accumulate bargaining power (Bates, 1969). Hence, unions sought political power as their preferred route to garnering advances for workers and themselves, "(F)aced with seemingly insuperable barriers to the pursuit of a conservative course of conduct the new trade unions are drawn irresistibly to radical political action" (Galenson, 1968 pg 14).

This strand of literature came under attack most noticeably by Berg and Butler (1964) and Weeks (1968) who published a series of papers countering the claim that African unions had the capacity to successfully engage in political unionism. They postulated that trade unions across Africa had little power because the number of wage-earners was low and consisted of migrants who had no interest in unions. As a result of this trade unions had low membership, poor financial resources, weak solidarity and a leadership with poor qualifications. These authors attributed gains made for African workers, such as an increase in real wages in the 40s and 50s in many African countries, to employers attempting to maintain labour force stability and factoring the increasing costs of urban living. These authors also saw unions as becoming completely subordinated to political parties and or government post-colonialism (Berg, 1964 pg 366).

The rebuttal to this line of reasoning was that the role of trade unions in garnering gains for workers could not be dismissed, because in spite of their weaknesses, unions had certain advantages. They were located in strategic urban hubs, their membership although small was in key areas of the economy such as the public service, they attracted support for their causes from unions in England and America, in moments of discontent they were able to mobilize union and non-union members around social issues and hold strikes and rallies that were impressive in size and threatening to the state (Warren 1966, Kilby 1968, Cohen 1971). Another criticism of the Berg thesis was that it simplified and reduced the political activity of a union down to its relationship with a political party:

The political role of a union or its members is simply not reducible to the intensity of its activity with a political party. Especially in political systems where class, party or government seeks to monopolize political prerogatives and the distribution of scarce resources, status and power, major attempts by unions to maintain or assert their role in such prerogatives and distributions is clearly a political action, and recognized as such by many union members and leaders and all African governments (Kraus, 1976 pg 105).

A second grouping that Bates (1969) identifies is the labour and industrialization group. This group was lead by Clark Kerr, John T. Dunlop, Fredrick Harbinson and Charles Meyer for whom development consisted of a rapid process of industrialization. The role of trade unions in developing societies was studied in relation to their ability to influence the course of industrialization through revolutionary organized labour protest (Marxian school) or patterns of business unionism (Wisconsin School) . The major findings of this group were that trade unions in developing countries lacked the capacity to either frustrate or exercise a major influence over patterns of industrialization. In order to understand development one had to study labours relationship to the "surrounding society" including the elites, management and government, viewing labour as one of the mechanisms within a greater system of industrialization (Bates, 1969 pg 4).

A final strand of theorists, William Friedland, Carl Rosberg and David Morris combined the two approaches under the "labour and economic development" heading (Bates, 1969). This approach to the role of trade unions combined the approaches of the first two strands and saw the role of unions as both economic and political in nature. In order to attain rapid economic growth unions were to function as an arm of the state and become part of the nation building project. As such the unions were to be "productionist" rather than "consumptionist" (ibid pg 13). This meant that the unions had to restrain wage demands so as to promote capital formation. Keeping wages low also increases employment opportunity, reduces the imbalance between urban and rural areas. Strikes also needed to be curtailed so as prevent the disruption of the organized sectors which tended to be the most important sectors of the economy such as the railways, government

services etc. Finally, unions were to allow managers considerable leeway in disciplining workers so as to prevent absenteeism etc. and maintain high levels or productivity (ibid pg 26). These academics envisioned unions assisting in development through a top down, state imposed system of labour relations where unions assist the government in regulating conflict.

The Downfall

None of these three approaches individually captured the actual dynamics of trade unions in developing countries and all three were to eventually recede as individual strands on studying the role of trade unions in developing societies. By the 1970s the political potential of trade unions came under review again based on a merging of the three strands of literature listed above. This literature pointed out that trade unions in the post-colonial era had either gotten so enmeshed with the state so as to become ineffectual and corrupt, or been smashed by authoritarian regimes and left decapitated and ineffectual. These two different scenarios, sometimes classified as "patronage" where the state and unions became enmeshed partly as a strategy by the leaders of the government to incorporate the unions into the state machinery making them part of the nation building project such as appointing union officials to government positions and boards, the central committees of governing parties, or "obstructionist", where the state restrained the unions through legislation and/or brute force – these became the commonly applied scheme to understand the relationship between unions and the state and the role of unions in developing countries (Kraus, 1976; Bates, 1971; Nelson 1979 ; Pencavel, 1995).

The Regime

The capacity of trade unions to assist in rapid industrialization never panned out partly because of the economic stagnation across African countries and partly because trade union movements in many of these countries were brutally suppressed. What developed instead was a system of labour relations which involved an often asymmetrical relationship between with the government, business and labour, this relationship was defined as a 'labour regime'. Burawoy (1985) describes such labour regime's as a political and economic system for regulating production and ensuring its re-production. Burawoy looks at the organization of work and the ideological and political dimensions that frame the organization of "production regimes". When applied to the trade unions he posits that a Gramscian style arrangement exists between institutions to facilitate the organization of work and that the economic, political and ideological dimensions of work interact to influence the regime. Within this regime there is an unequal balance of power between the actors and a constant tension and struggle over power. Burawoy contends that the regime provides governments the opportunity to implement policies that may result in widespread discontent and uses other partners within the regime to mute resistance against such policies. Thus labour regimes become a vehicle for manufacturing consent (Burawoy, 1985; Akwetey, 1994). The regime also allows for government to contain the radical militancy of unions (Nelson, 1991).

This type of arrangement between unions, government and capital presents a dualism for unions. On one hand incorporation leads to opportunism with the ranks of the unions and on the other hand unions are able to gain access to national decision making processes and engage in consultative processes. Here unions will often agree to measures seen to hurt their constituency such as privatization, or a strong currency in order to be

able to mitigate the effects of such policies by negotiating with the government to diminish the 'shock' of such measures for workers (ibid). The shifting balance of power within such arrangements depends on the strength of the union, the level of democracy in the country and the capacity of the unions to have trained leadership to forward the workers agenda (Valenzuela, 1989).

What arose in post-colonial Africa was a 'dysfunctional' labour regime. Here, coercion rather than consent defined the relationship between the state and labour and particularly where there were authoritarian and despotic governments (Akwetey, 2001). Here, state domination of the market and civil society was pronounced by the absence of formal markets, healthy opposition parties and state ownership of the major means of production (ibid. pg 28). Military force and general repression, with nationalist ideology as the justification were used to justify and suppress worker militancy. In countries such as Zambia, Tanzania and Ghana where a form of 'despot socialism' developed, or Kenya and Cote d' Ivoire where a form of 'despot capitalism' prevailed, the labour regimes were imbalanced towards promoting the development interests of the state rather than maintaining some equilibrium between workers employers and the state (Akwetey, 1989). In his review of the literature on African trade unions Jon Kraus states:

It is widely believed that African unions have nothing to lose but their subordination to the state, are weak, inactive, ineffective on behalf of members, their leaders have been coopted by the state, while rank and file members are seen to have little consciousness of their interests, but, nonetheless to have benefited disproportionately in income relative to other wage workers and peasant farmers (Kraus, 1976 pg 95)

Kraus finds however that there is a dearth of detailed analysis of union-state relationships, focusing on specific variables which would explain the outcomes of such relationships. "(M)ost attempts to develop generalizations regarding trade-union state

relations have been rather gross and involved static descriptions rather than major

variable factors with the power to explain probable outcomes and encompass possibilities

of change" (Kraus, 1976 pg 106). He points to a gap in this literature when he suggests

that more studies are needed understand the nature of union autonomy and whether

autonomous unions actually deliver better than politically entrenched ones. He also

points out that a critical variable in union-state relationships involves factors within a

"social and political system – such as elite economic values and strength of union

organization—which enhance or deter a regime's actual use of coercion" (ibid. pg 107).

Krause is suggesting that we determine the factors that decide whether a

government will chose to co-opt unions through corporatism or social pacting or destroy

unions. These ideas were further develop by Przeworski who investigated why a

government would choose one over the other and has found that it depends on various

factors such as the strength of the unions, the existing political system within which the

social pacting occurs and additionally the reformist role of the government. For

government, cooperation with unions involves a level of incorporation of the trade unions

into government through which the government hopes to use union leaders to rein in

workers demands and allow government to pursue reformist policies without facing a

backlash from workers (Przeworski, 1991 pg 180-182). This type of arrangement also

allows unions to participate in government policy making processes and access to

government structures. Aside from the variables listed above, the nature of the pacting

and what unions are able to draw from it are dependent on the specific historical

conditions of the country in question (Przeworksi, 1998). Dissecting union-state relations

requires a dynamic approach, which is country specific and perhaps union – party

specific.

An Aristocracy

Returning to the historical relaying of the political role of trade unions, in spite

of and somewhat contradictory to the general belief that unions were weak and

ineffective, some theoreticians pointed to the political power of trade unions as an interest

group that could not be ignored. Robert Bates who is largely critical of unions as being

urban biased, nevertheless acknowledges their power in keeping the state in check:

Direct attacks on labour movements are open to reprisals; in moments of economic stress, labour movements can join hands with their urban constituents, paralyze cities and create the conditions under which ambitious rivals can displace those in power. And attempts at co-optation still leave open the chance for wildcat action; during moments of economic crises in the cities, workers can and have acted on their own, and elite level champions have been willing to come forward and lead them (Bates, 1981 pg 33).

The various strands on trade unions ultimately coalesced within the field of

development economics and two dominant theories on trade unions in developing

countries emerged, the dependency theorists and the liberal theorists. For the dependency

theorists trade unions in developing countries exacerbated the problems of inequality by

colluding with the government to the benefit of a small percentage of the labour force a

form of 'labour aristocracy' (Arrighi, 1970; Amin, 1976). For the liberal theorists trade

unions were perceived to be "normal" only when they behaved in an economistic manner.

These theorists were critical of post-colonial 'national development' and the unions' role

in it as they saw this system as skewed towards benefiting urban interest groups at the

expense of the rural population. Trade unions were an intrinsic part of this problem

(Lipton, 1977; Bates, 1981). Political unionism was seen as an aberration to the intrinsic

role of trade unions and thought to be the result of nationalistic trends or the product of a populist leader. It was also seen as failure on the part of government to fully incorporate trade unions into a labour regime (Berg and Butler, 1964; Bates, 1981).

The Neo-liberal Death Knell

By the 1980s and the rise and dominance of neo-liberalism within the field of development economics the role of trade unions in developing countries was perceived to be a largely a negative one. According to neo-liberal ideology trade unions in general have a largely negative impact on the labour markets by creating wage distortions. Workers are bound by collective agreements and are therefore unable to negotiate higher wages individually. Conversely, unskilled workers cannot negotiate for lower wages where there is a collective agreement or legislation such as a minimum wage and this leads to greater unemployment. Thus unions also create income inequality between members and non-members through the union wage premium and the effect on the employment prospects of non-union members (Lee, 1989). Industry wide, unions distort wages to make them higher than they should be and thus create unemployment. Promotion and placements within unionized firms are based on seniority rather than qualifications impeding productivity. Furthermore, unions make it exceedingly difficult for employers to fire unproductive workers also impeding productivity. Where a trade union finds itself in a closed shop scenario the union becomes a monopoly and then is encumbered with all of the distorting effects of monopolies (Freeman and Medoff, 1984; Lee, 1998; Stiglitz 2001). All of these distortionary effects of trade unions impact macroeconomic outcomes such as inflation, unemployment, the aggregate real wage level and pay dispersion (Flanagan, 1999; Freeman 1993).

Milton Friedman surmises on unions:

If unions raise wage rates in a particular occupation or industry, they necessarily make the amount of employment available in that occupation or industry less than it otherwise would be-just as any higher price cuts down the amount purchased. The effect is an increased number of persons seeking other jobs, which forces down wages in other occupations. Since unions have generally been strongest among groups that would have been high-paid anyway, their effect has been to make high-paid workers higher paid at the expense of lower-paid workers. Unions have therefore not only harmed the public at large and workers as a whole by distorting the use of labor; they have also made the incomes of the working class more unequal by reducing the opportunities available to the most disadvantaged workers. (Friedman, 1962 pg 124)

These criticisms when applied to developing countries take on added dimensions. Trade unions are perceived to be elitist in that they represent a small fraction of 'well off' workers sometimes referred to as the "labour aristocracy", who lobby for gains which work in detriment to the opportunities and wages of the rest of the labour force (Lee, 1989 pg 2). The relationship between the state, often the largest employer of formalized workers in developing countries and trade unions, is seen as incestuous. Alliances between unions and the state and political parties viewed from a purely efficiency based perspective, along with the view that the state itself is a rent-seeking, over burdened entity, led to the unions being labelled as inefficient, rent-seeking, corporatist, etc. (Srinivasan, 1985, 2001; Freeman 1993). Given the incestuous nature of unions in this view and the fact that the state and unions are seen to spend an inordinate amount of time on political unionism, this is seen as largely deviating from the unions' intrinsic work of economic unionism. Political unionism is seen as a waste of union resources (Pencavel, 1995). In addition, all of the distortionary effects of unions apply particularly in relation to the capacity of a developing country to re-structure or overhaul its economy. Here trade unions impede the adjustment of industries or organizations to raise productivity

and lower costs; create macro-economic instability through inflationary wage agreements and disrupt industrial peace (Lee, 1989 pg 2).

The Left Death Knell

In conjunction to the rise of neo-liberalism, a whole body of literature arose dealing with worker issues in the informal sector, in the rise of social movements and around labour standards. This literature sidelined the role of trade unions in defending workers rights. A host of alternative ideas and organisations such as NGOs and corporate governance structures were elaborated on as a replacement for unions. A whole body of literature emerged on the informal sector and the problems of representations of such workers. Here trade unions had fallen spectacularly short in trying to organize such workers (Portes et al 1989; De Soto 1989; ILO 1999). Some of the prominent cases sited in this literature were the role of NGOs such as the Self Employed Women's Association (SEWA) in India, in filling the gaps of unorganized workers shut out by the union movement. There were other examples, for example the Self Employed Women's Unions (SEWU) in South Africa was hailed as a model for organizing workers in the informal sector. Additionally, the debate on workers rights began to get funnelled through a discourse on labour standards in developing countries and how to manage and supervise minimum standards within a global production system (Freeman, 1998; Kucera, 2002; Sengenberger, 2002). The major players mentioned within this debate were the state, NGOs, corporations and their capacity for corporate governance. Trade unions in developing countries were once again deemed ineffectual and rarely figured in this discourse. Manuel Castells captured this discontent with trade unions within a different set of literature dealing with technological change and civil society, when he

declared that unions had lost their relevance in society and were being replaced by new forms of organizations such as social movements and NGOs. Castell believed that the failure of unions to respond to globalization and to continue to lobby for the narrow interests of their members meant a transfer of moral authority from the unions to such organizations to represent workers interests (Castells, 2004).

According to this literature trade unions are relegated to being just another formation within civil society and cannot claim to represent the interests of the working class any more than any other civil society formations such as NGOs, churches and other community organisations. The vast literature on civil society organisation exacerbates this perception by omitting any clear empirical analysis comparing the capacity of trade unions to other civil society organisations. They lump trade unions into the mix and leave many questions unanswered, such as do NGOs have sustained national capacity to coordinate and organise; and what are the political constraints on NGOs imposed through funding conditionality etc.? Mark Warren (2002) in his analysis of democracy and civil society notes that democracy itself has proved to be less inclusive and participatory than expected and in order for citizens to participate and impact on decision making they need to devise strategies to use civil society formations to participate and impact on decision making and asses the viability of voluntary and non-voluntary associations as vehicles for participation. Here trade unions are one way to promote political equality within such associations. However, he does not provide empirical evidence for this although it is clear that normatively he does not lump together civil society in one group and makes distinctions based on equality, access and representation of trade unions vis a vis other civil society formations. Warren builds on the Gramscian notion that although the

relationship between the state and the political party is a privileged one, the fluidity and independence of 'civil society'; business, labour, the churches, allows these formations to manoeuvre between this relationship.

A New Role for Unions?

Two additional variants appear in the development literature, incorporating trade unions. The first is a set of literature looking at transitions and the role that trade unions play in pacting process, which leads to democratization. These authors, (Przerworski, 1995; Rueschemeyer, et. al 1992) suggest that transitions to democracy, occurring in conditions of economic decline and liberalization, run the risk of degenerating into authoritarianism or collective violence. Liberalization more often than not leads to stagnation and imposes high economic and social costs on people whilst simultaneously weakening the state. In the critical moment of post-transition these forces combine to force governments to abandon democratic processes and adopt authoritarian ones. Przerworski (1995) suggests that in order to avoid these scenarios new democracies should adopt a social democratic framework that balances liberalization with social policies to minimize the social impact of liberalization policies. Moreover, government must design social policy with an eye towards attaining growth and finally, these policies must vetted and adopted through a corporatist arrangement between the state, and various interest groups including unions, employers and other interest groups. Unions play a particularly significant role in pacting and negotiating agreements with the state and capital. However, Prezworski finds that unions cannot step up to this role because they are weak and decentralised.

The role of unions in pacting has been attacked by Webster and Adler (2000) on the basis that it is not grounded in any empirical evidence of trade union experiences and that it reduces the unions' role to a purely functionalist one, ignoring the possibility that unions can drive these processes rather than simply serving up constituencies.

What is striking about the conclusion (that unions are too weak to engage in corporatism) is that it is not base on any sustained analysis of trade unions actual involvement in consolidation, nor is the gap remedied in the growing literature in the field. This shortcoming is not simply empirical –that unions have been overlooked as subjects of investigation – it is, more importantly methodological. In the literature on both the transition to democracy and democratic consolidation unions are grasped from a functionalist perspective as collective organisations with the power to restrain their members' wage demands, a necessary condition for liberalization. In this approach transition and consolidation are seen as outcomes of pacts between elite's: labour is assessed in terms of its capacity to deliver its constituency to the pact (ibid. pg 3).

Valenzuela adds to this point of view by looking at the role of unions in bringing about the transition to democracy itself. He sees unions as particularly well positioned within authoritarian regimes to drive political reform. He states that a dimension of the labour regime is that trade unions often have a democratizing effect within such an arrangement. Unions are sometimes able to infiltrate government and over time nurture leaders and shape processes to ensure a movement towards democracy particularly in the case of authoritarian regimes.

…occasionally labour and other social actors are drawn into formal or informal pacts – whose effects may be more important symbolically than in terms of their overt content – that facilitate transitions. Moreover, at some point virtually all processes of re-democratisation include a sharp increase in labour movement activation through strikes and demonstrations, usually in conjunction with a broader upsurge of mobilization by a wide variety of groups (Valenzuela, 1989 pg 445).

This aspect of trade unionism within corporatist arrangements has often been overlooked. The focus of much of the literature on corporatism and labour regimes has always disproportionately focused on the impact of the state on the trade union. Valenzuela states

that trade unions are particularly well situated especially when faced with an authoritarian regime. Here an authoritarian regime will resist smashing unions completely because they view this as counterproductive. Rather they encumber such organization with rules and the law. Because of organizations such as the ILO, an authoritarian regime will allow some semblance of a union to exist and also unions are seen as being useful in being able to channel the grievances of workers, thereby preventing large scale upheaval. As such trade unions are particularly well poised in society to engineer change compared to other groups such as churches, NGOs neighbourhood associations. Unions have a greater capacity than other social groups to mobilize effectively and extensively at critical moments. They have an organized network which can coordinate series of simultaneous demonstrations. Unions can mobilize their masses with relative ease because their base has specific shared interests and a 'politically tinged collective identity rooted in a lived history' (ibid pg 447). Finally trade unions have the capacity to harm the economy through work stoppages and its demands cannot be dismissed or ignored completely. Accordingly, trade unions then come into a democratizing pact making arrangement having facilitated the transition itself and bring to the pact a rich experience and knowledge, which allows them to play a role beyond serving up their constituencies.

Another variant on the literature on pacts between unions and the state was presented at an ILO held conference in the 1990s on the state of organized labour in developing countries, which summarized that globally organized labour was presented with a new environment brought on by the adoption of neo-liberal or market friendly policies and the retreat of the state as a major player in employment creation. The authors saw "liberalization/globalization bringing formidable challenges to unions but also

providing them with opportunities to play a far more effective and politically important role in society" (Jose, 1999 pg 1) by forming pacts with the state around social and economic policies. Although these authors concur with Przerworski, they state that even in countries where transitions to democracy are not taking place, a different form of re-pacting is occurring to accommodate the shifting economic and political climate. They situate this debate within the broader debate on the impact of liberalization and globalization on trade unions. They paint a new scenario confronting unions where open market polices have led to intense competition in product markets, accelerating the mobility of capital and these have created a higher vulnerability for labour. Moreover, there is a shift towards small scale enterprises, high skills differentiation and technological innovations requiring fewer labourers. Flexible labour market policies have gained favour and workplaces have been restructured to accommodate sub contracting, outsourcing and part-time work, previously considered atypical work have become common leading to greater segmentation of the workplace. As the state has retreated from being the driver of employment and income policies, the social pact that existed between organized labour and the state collapsed and has led to huge union led protests in developing countries (Jose, 1999 pg 3-7).

For trade unions this means their bread and butter unionism is under attack with possibly little recourse to ever save the gains that organized labour made in the past vis a vis legislation and centralized bargaining and trade unions need to reformulate strategies around organizing and retaining members. Part of this strategy involves being innovative in finding solutions to organizing informal workers. The other part of the strategy involves engaging in strategic political unionism to broaden the reach of trade unions and

gain broader support outside of its membership base. Part of this strategy involves the unions pressuring the state on policy making issues to prevent a further erosion of legislation protecting workers (Henk, 1999). Many within the development field have coined this shift towards broader political and social issues and alliances as 'social movement unionism'. (Henk, 1999).

Thus a second variant within the development literature emerged to explain and study union behaviour, 'social movement unionism' (SMU). SMU emerged within the field of sociology as an attempt to capture the phenomena of trade unions engaging in a type of political unionism that involved issue based mobilization, which extended beyond the factory gates. SMU is based on the Marxist notion that wages and living standards are based on the reproduction of labour and that these are historically determined through class struggles. SMU represents these class struggles over wages, working conditions, but also over living conditions such as housing, access to health care, infrastructure etc., which allow trade unions to extend their reach beyond the factory and into the community creating broad based coalitions (Seidman, 1994). SMU is situated within the larger context of the resurgence of social movements within developing countries, known as New Social Movements (NSM) where such movements are hailed as a new form of political organizing around issues, identity, tactics and constituency rather than the 'old social movements' such as labour movements which mobilized around class (Calhoun, 1993). However, theorists have argued that the types of organizing and mobilizing attributed to New Social Movements and thereby the Social Movement Unionism field are not new -- as far back as Marx and the Workers Internationale there is evidence of unions, aside from wages and working conditions, taking up issues around clean drinking

water and other issues affecting living standards (Offe, 1985; Calhoun, 1993). These theorists argue that social movement unionism is simply another way to re-package political unionism and obfuscate old practices by trade unions. This is partly due to the negative connotations around the political activity of trade unions which beget the promoting of new types of political organizing. It is also partly motivated by the relative success of several social movements in developing countries to extract gains for workers (Von Holdt, 2003). What the SMU did highlight was the strategy of the trade unions to begin prioritizing this type of political unionism. Community based organizing and mobilizations have become an important strategic mode of organizing within trade union movements (Seidman, 1994).

The Fight Back

By the 1990s, counterpoints and critiques of the neo-liberal approach to trade unions appeared. A comprehensive study of the impact of structural adjustment on labour markets in developing countries found that "labour market institutions are often symptoms of underlying political and economic difficulties, which makes adjustment difficult, and the institutions are unfairly blamed for causing problems" (Horton and Kanbur, 1994 pg 43) and "contrasting, for example, the relatively successful adjustment of Costa Rica and the problematic one in Bolivia evidently dismantling labour institutions is neither necessary (Costa Rica) nor sufficient (Bolivia) for successful adjustment" (ibid. pg 44-45). The argument that trade unions were a barrier to adjustment and stabilization of economies was also refuted by some labour economists who argued that the role of trade unions was never conceived for allocative efficiency. Trade unions can promote stabilization, "they can serve to increase dynamic efficiency through building up social

stability through augmenting human capital, through providing a minimum living wage, and achieving a certain amount of equity in the society" (Van der Hoeven and Taylor, 2000).[22]

Additionally, neo-liberalism began to be contested both in academics but also in practice. The failure of countries where stringent neo-liberal policy had been applied especially in Latin America and Africa and the success of countries such as India and China which had taken a more tempered approached towards opening their economies was cause for a re-evaluation of such policies. The mechanistic approach of neo-liberal policies were questioned within a broader debate on the goals of development and costs of neo-liberal policies on workers (Rodrik 1997; Stiglitz 2001).

Within the field of economics the macro-economic approach to understanding growth and development began to lose to steam and by the late 1990s there was a shift towards a labour market approach:

In any case, for better or worse, for right or wrong, labour economics and the institutions and rules that govern labour markets have moved from the periphery to the centre of economic discourse. Issues that we study—wage differentials and earnings inequality; the structure of unemployment and unemployment insurance; centralised and decentralised collective bargaining; labour mobility; modes of compensation—lie at the heart of current thinking about economic policy (Freeman, 1997 pg 2).

In particular labour market institutions, their structures and functioning were highlighted. Buoyed by a general interest in the role of institutions[23] and their capacity for facilitating growth, labour market institutions were highlighted and expanded to include,

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[22] Hoeven, Rolph van der and Taylor, Lance (2000) Employment and Labour Market Policies in an era of Structural Adjustment in The Handbook on Development Policy and Management http://www2.ilo.org/public/english/employment/strat/publ/hoeven1.htm#N_1_

[23] Over the past two decades the role of institutions has gained prominence within the field of economics to explain development or underdevelopment. Institutions are defined as sets of rules and norms in the functioning of society which may take the form of property rights, legal tender (money), legal systems and the organization of firms. In this resurgence of institutions, they are often described as the "missing

Whatever your preferred precise definition, you surely know what I mean by labour institutions: the unions and works councils, employee involvement committees, government regulations and agencies, firms and employer associations that abound in modern economies and that influence decisions regarding work life. Labour-relations experts often call labour institutions 'industrial relations systems', whose constituent elements are the actors, rules, and ideologies.(ibid)

In 2002, there was a significant development at the World Bank which has historically been critical of trade unions and sees them as an impediment towards the re-structuring of economies in developing countries. A Bank commissioned study on trade unionism found that trade union members and workers covered by collective agreements had longer tenure, higher wages, fewer hours and more training across developed and developing countries. Moreover, higher unionization rates were associated with lower income inequality and higher economic performance in firms. Additionally, firms which have good industrial relations and high union membership experienced increased productivity (World Bank, 2002). In 2004, the World Bank and the IMF met with almost 80 trade union leaders from across the world. During this conference the IMF Managing Director Rodrigo de Rato remarked that "unions, like the IMF, had an important role to play in informing the debate on national economic policy choices, and in many countries were important and sometimes indispensable instruments for social change."[24]

This turn around is important because it signals a departure from a traditionally hostile view of the role of trade union in developing countries, it is also significant because De Rato's statement acknowledges the political role that trade unions play and opens up a dialogue to explore the role that trade unions can play in the development process. It also opens up the academic debate over the importance of unions in

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ingredient" hindering the progress of developing countries (Stiglitz, 2001;Bhagwati 2002, Mustapha and Nugent, 1989).

[24] http://www.imf.org/external/np/sec/pr/2004/pr04212.htm

understanding development processes. The questions that development theoreticians asked in the 60s have never fully been addressed and Galenson's questions on the role of trade unions in developing societies are as salient today given the resurgence and renewal of trade unions in practice and in academic debate. The resilience of trade unions as an institution even in their most watered down and ineffectual forms stands testament to their ability to withstand military dictatorships (Nigeria and Ghana), despot rulers (Zimbabwe), internal corruption and organisational disarray. The political role of trade unions is brought to the forefront because of their democratizing role within societies and their capacity to form a range of alliances from the government to civil society organisations and communities suggesting a versatility that is critical for unions to successfully engage in political action. This political role is all the more important to explore as labour struggles re-shape itself to adapt to a milieu of globalisation and liberalisation. Whilst access to state power remains a critical issue for unions the path towards gaining that power cannot be limited to union-party interaction but towards looking at a complex interaction between capital, civil society, political parties and the state.

The Way Forward

What is clear from the development literature is that the early debates on the functionalist versus political roles of unions have never been adequately resolved. This stems from a discomfort in accepting the various roles that unions play and not being able to nail down union activity within a tidy framework. If one accepts Marx's notion that unions are inherently political organisations and cannot avoid being drawn into political activity then the real issue is not whether unions should play a political role in addition to

their economic one, but rather what that role should be. Secondly, how do unions balance their economic and political role, which are mutually shaped and beneficial to be adequately successful in both endeavours? Finally, political unionism is context specific it cannot be easily theorised or modelled across cases, however this must not pose as a deterrent towards its academic study and analysis.

I aim to contribute to the academic literature that re-visits the role of trade union movements in developing countries. The idea that trade unions are an institution that promotes the interests of workers and thereby contributes to the process of economic development by promoting social development and managing productivity is defensible. While South Africa's experience cannot be extrapolated to make sweeping generalisations about union movements in developing countries the case allows us to understand both the complex nature of political engagement by unions and the strategic potential of unions in shaping the economic development path of a country.

In the section below I highlight the issues around context specificity of political unionism, by broadly looking at how colonialism shaped trade unions and their participation in liberation movements in Africa. The emergence of one-party states resulted from pre-colonial liberation movements and shaped union-party relationship in the post-colonial era.

2.4 The African Experience

The Global context

There are countless examples of trade unions engaging in political unionism and impacting national development strategy in Latin America and Asia. These range from

the Peronist unions in Argentina acting as the labour arm of the Peron regime to contemporary examples of unions in Venezuela, Colombia, Costa Rica, Colombia and Jamaica where the unions have links to both dominant political parties but do not share a close relationship with either party in power (Nelson, 1991). Even in the most extreme case of subordination and incorporation of labour, such as Singapore and South Korea studies have shown that trade unions, as in the Korean case, used their organizational space to create a institutional changes which allowed for the political space to push for larger reforms and thereby influencing the transition to democracy (Song, 1999). Unions in developing countries present many instances of political engagement with some success, however, in this section I focus on African trade union experiences which are by and large cautionary. I have selected these country studies based on their relative similarity to the South African experience. There are two reasons for this focus on the African experience; first the shared colonial history of the continent provides a broader context for the South African experience, second, the South African union movement developed within the milieu of African unionism and the union movement was keenly aware of the missteps and failures of those around it. The largely cautionary tales of African unions listed below are not to reveal some commonality but rather to lay out the very different trajectories that trade unions took in their political engagement with the state.

The Colonisation of Africa

The rapid spread and enduring character of colonialism across Africa can be attributed to several pre-colonial development factors such as geography (Diamond, 1997), international trade (Alpers, 1975), abundant natural resources (Auty, 1994). The

common factor across the continent was that colonialism, in whatever form it took, was premised on a process of extraction of resources from the colonized countries back to the dominant colonizing metropolis.

Economic colonialism in the early 1900s focused on the expansion of peasant economies for the export of primary goods. In regions such as West Africa what emerged was a peasant based export economy based on primary commodities (Myint, 1964; Hopkins, 1973). This process of extraction led to two major types of foreign occupation in countries, "settlement" and "foreign enclave". In the first instance, large mainly white populations re-located to the colonized country set up businesses and began to farm the land. In the second instance the colonialists created temporary enclaves where they lived and worked separated from the rest of the country. Early colonialism also led to the emergence of major cities to facilitate export growth and trade (ibid). This dynamic of economic and social colonialism could only be maintained through a supply of cheap labour, on the farms, in public works projects and in the colonial civil service and was eventually accompanied by a political colonization, by the creation of colonial govern ment (Cohen and Sandbrook, 1975 pg 1-8).

The discovery of precious metals and minerals created the impetus for a well managed, stable supply of male labour to the mines. First, mining for such resources required considerable infrastructure and a good supply of primarily male laborers to work in the mines. Initially white workers were brought from England, Belgium and France. Even Chinese and Indian workers were brought to build the railways, for example. However, steady supplies of African male workers were needed to ensure the smooth functioning of the mines and maintain stability within the system. In order to ensure this,

colonial governments created a system through which they could control the supply of labour from rural areas to cities and towns which grew around the mines. Taxes such as a hut or poll tax were created for rural families making it inevitable that the male workers from a household would migrate to the city looking for wage employment. The mobility of workers was restricted through pass laws or legislation restricting the movement of Africans. This system included creating homelands to separate Africans from the colonisers so as to contain them, and ensure that tribal divisions remained intact, thereby preventing Africans from uniting and organizing against colonial rule. Thus the creation of a wage labour force in Africa was both a product of settlement, colonization and the subsequent forms of economic activity. It was within this economic and political system that the first African trade unions arose (Myint, 1964).

African Trade Unions

Trade unions in Western Europe grew out of an emerging class consciousness and a history of craft guilds in response to capitalism and industrialization. Marx (1872) explained the creation of the working class as being a product of the mode of production and the social relations that arose within this particular mode. Perlman (1928) posits that it was the "consciousness of scarcity of opportunity" in the labor market, which caused workers to practice solidarity (page 6). Alternatively, distinct classes arose when workers with varying skills intersected with the power of capitalists in the production process (Webb, 1897). In Africa these processes, while similar in the general sense, were mediated through the experiences of colonialism, imperialism and racism.

As with their European counterparts, African unions arose in relation to production relations between employee and employer, however this relationship was

tempered by the underlying racial and super-exploitative relationship between the colonizer and the colonized and as such, class consciousness was a product of the intersection of production with racialism (Cohen and Sandbrook 1975, Wolpe, 1988). Most African unions arose as a need to mediate on issues of wage rates, hours and working conditions between labor (generally in the mines) and a racist and authoritarian regime. There was never enough continuity between migrant workers, and the small number of permanent workers for the creation of a comprehensive working class consciousness based on relations of production. Working class consciousness and cohesiveness was also limited by racial divisions separating white and Black workers, and tribal divisions (Cohen and Sandbrook, 1975; Mamdani, 1995).[25] Black workers were subjected to a daily regimen that was shaped by racial discrimination. Although these workers were also exploited economically, their day to day experiences created a consciousness around colonialism and mobilized them on nationalistic lines (Wolpe, 1988).

Trade unions almost always arose in the context of working conditions and lobbying around them, but the broader context of colonialism and racialism was impossible to ignore because it pervaded almost every facet of the African workers life. They were paid lower wages for performing the same work as other workers, a system of job reservation meant that they were excluded from working in certain sectors and geographical areas. Taxes were imposed on African workers to ensure that they left the rural areas in search of work either in the mines or in the cities. African workers were offered a very meagre set of possibilities both politically, socially and economically.

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[25] These natural points of difference were actively fostered and encouraged by colonial governments for example by separating African mine workers in hostels based on tribal affiliation.

Colonial governments tolerated and in some cases encouraged trade unions as they saw the unions as a way to curtail and manage worker militancy (Damachi, 1975). In most instances this strategy on the part of the colonial governments failed. The trade unions attracted to their ranks intellectuals and activists advocating independence from colonialism. Furthermore, as trade unions were often the only organization permitted by the colonial government, they often became the primary vehicle for liberation movements (Davies, 1966; Mboya, 1970; Galenson 1969).[26]

Thus the primary characteristics of African trade unions under colonial rule were that they were urban based unions organizing workers usually in the mines and other resource based economic centers employing mostly African men. Their membership base relative to the entire workforce was often marginal and they almost never represented agricultural workers or peasants. Most African unions invariably sought to ally themselves with broader anti-colonial forces and political parties to ensure that their unions were able to address broader issues of colonialism and racism and to guarantee the unions a seat at the post-liberation negotiations around a new state.

The Nature of Pre-Colonial Alliances

The extent to which a trade union movement participated in an and formed alliances with political parties and liberation movements differed across nations based on

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[26] This generalization applies most clearly to the cases of Kenya, South Africa, Ghana, Zimbabwe, Nigeria. Trade union movements in these countries saw intellectuals, academics; independence fighters join their ranks many of these individuals would go on to hold positions in government after independence. A host of writers determine the social background of union leaders as a major determinant of their political activism. As Galenson states "The leaders of the new unions are rarely drawn from the working class itself. They are almost always middle class in origin, either professional, intellectual or clerical worker. …Many (of these) middle-class professionals and intellectuals have gone into the labour movement out of political idealism… "(Galenson, 1968)

certain variables, such as the extent of settler resistance to the development of Africans, the extent of tribal/ethnic groupings, the size and cohesion of the wage-earning force, the manner in which the main political party was created (through mergers or a efforts of a central organization) and the degree of external trade union affiliation. Within Africa examples of colonial alliances with political parties which continued to do so up to liberation are Guinea, Ghana, Tanzania, Kenya, Tunisia, Algeria, Mali and the Ivory Coast. Within this group Guinea, Ghana, Kenya and Tanzania saw an inter-relationship between union and party officials and within this group only in Kenya and Tunisia did the unions act as nationalist movement when political parties were banned. Other countries such as Nigeria, Morocco, French Cameroon and parts of French West Africa the unions collaborated with the nationalist campaign but then moved into an oppositionary role prior to liberation (Davies, 1960 pg 96-98).[27]

Davies (1960) argues that the nature of colonial rule impacted the relationship between unions and the political parties they allied with. She allocates the experiences of trade unions vis a vis political parties prior to liberation into three categories. The first was where a large European settler population existed and there was one dominant political organization opposing colonialism. The countries that best fit this description are Kenya, Algeria, Zimbabwe (formerly Southern Rhodesia) and South Africa. Because the settlers controlled the government machinery and economy they were able to ban or outlaw political parties and or trade unions. In Kenya, when the British settler government in 1952 declared an emergency, they banned the nationalist party Kenya African Party (KAU). The major trade union, the Kenyan Federation of Labour (KFL)

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[27] Davies was writing in 1960, following this period, Zambia, Zimbabwe and South Africa can also be categorized as countries where unions formed links with national parties prior to independence.

headed by Tom Mboya took over the role of the KAU and "became the voice of the African people in the absence of any other organization to speak for them" (Mboya, 1960 pg 30).

The KFL took on the settler government in response to emergency measures such as the mass eviction of the rift valley, introduction of pass book laws and the lack of provision for destitute children. As a result of these activities the KFL in turn were targeted, union members were detained and their offices ransacked. In spite of this the KFL was able to survive and this was partly due to the fact that Mboya was always astute at creating alliances with British and American trade unions. Moreover, in spite of KLFs political involvement it was also a conciliatory industrial body that continued to negotiate with the government around strikes such as the dockworkers strike in Mombassa in 1955, where a breakthrough agreement was brokered by Mboya.

By the 1950s the Kenyan unions were in a powerful position buoyed by their political role and the fact that the KFL was the only national organization without traces of ethnic and tribal conflict. As liberation approached Mboya argued for the union movement to remain independent of political parties:

If the movement must be free and independent of government and employers, the movement must be capable of formulating its own policies on those problems that effect workers either as employees or as a class that lives and occupies a certain position in the society and community in which it exists (Mboya 1960 pg 3)

However, by liberation when the Kenya African National Union (KANU) under Jomo Kenyatta formed the government, Mboya was moving towards assimilation with the government and by the time he was appointed Minister of Labour he was cautioning that

the unions that their liberation might have to be curtailed in the interest of economic growth (Mboya, 1960).

The case of Kenya's pre-colonial union-political party relationship most closely resembles the South African experience. South Africa in its evolving geographical boundaries since the mid 1600s was first colonized by the British and then by the Dutch where a significant settler population emerged and was to eventually lay down roots in South Africa and fight for liberation from the British colonial state. The Dutch settlers were to fight several wars with the British colonialists for control of South Africa. Both the Dutch and British oversaw the expansion of the settler population, which initially expropriated land, but later settled in urban areas and diversified their economic interests into mining and financial services (Davies, O Meara and Dlamini, 1982).

As in the case of Kenya, because the settlers controlled the state machinery, they were able to constrict the development of unions and also outlaw political parties when they appeared to be gain strength and capacity. In this scenario the trade unions became the only large scale membership based organization representing Africans in existence. Unions became both the repository of political leadership and to varying extents took over the political struggles that political parties had led. I detail this history later in the thesis. Similarly, the South African unions were to form an alliance with the newly independent ANC led government, which saw many unionists assimilate into government, many of whom adopted reformist policies. (But the alliance was formed before the ANC became the governing party.)

The two additional experiences Davies mentions are; where no large settler population existed. Here often there were several competing political parties and this

scenario was further complicated by strong tribal/ ethnic divisions. Unions were often confronted with either traditionalist leaders considered as the rural elite or a small urban bourgeoisie. Although many of the unions campaigns for better working conditions made the unions part of the nationalist movement in most cases the unions ended up allying themselves with minority political parties or becoming an independent opposition to the programs of the political parties whose agenda was seen as detrimental to the working class. The countries that fit in this category are Dahomey, Nigeria, the Sudan, Senegal, Sierra Leone, the Congo and in the Ivory Coast (pg 104-107).

The third model was where there was also no major settler population and the union and party assimilated into a single party rule post-liberation. Several factors were at play here, the unions had a clear nationalist agenda which coincided with the dominant political party, they were both outspoken against imperialism and supported African unity. These countries lacked serious regionalism and there was an acceptance on the part of the colonialists that liberation was a foregone conclusion and hence resistance was muted or was re-directed into non-violent or subversive forms. The countries that best fit this mold are Ghana, Tanzania and Guinea (pg 107-112).

These grouping provide a very broad brush stroke across the continent and mask the fact that in each of these cases the relationships were contentious and disputed. The salient characteristics of trade unions prior to liberation were that they engaged in some form of political unionism, though not necessarily successfully. They aligned with political parties or remained in opposition to them. In some instances they were incorporated into political systems prior to liberation in others they remained aligned but independent. The attempt to better workers conditions was in every case enmeshed with

the struggle for general workers emancipation from the conditions afflicted by colonialism (ibid.; Lynd, 1968).

Conclusion

Undoubtedly, colonialism had a profound impact on the formation and ideology of trade unions in developing African countries. It shaped and determined union decision making, organizing, bargaining. It also pointed to the role the unions that trade unions would play. Unlike their Western counterparts who were simply fighting for better working conditions and wages, trade unions in Africa were combating two different forms of exploitation and oppression, working conditions and workplace related issues but unions were also fighting for national liberation and this naturally politicized the trade unions. Understanding this pre-colonial history of unions is critical to exploring the various trajectories union movements took. As such the political role of trade unions arose organically in response to the environment rather than necessarily a strategic action.

The pre-colonial relationship between the union movement and liberation parties determined the post-liberation formations of union-party relationships. For those that chose to align pre-liberation the transition was relatively smooth and the unions were co-opted into the nationalist agenda. Here the greatest challenge was to avoid subversion, retain independence and maintain influence over policy making. Where unions were not in an alliance with the liberation movement they took an oppositionary role sometimes in collaboration with the political opposition. Here the unions were shut out of policy making and had to rely on only strike action to impact government processes. Below, I look at four cases of trade unions that allied with liberation movements to varying degrees and the outcome of these alliances for the union movements.

Four Case Studies

In Ghana, the major trade union federation (GCTUC) formed an alliance with the Convention People's Party (CPP) to overthrow the British colonialists.[28] In 1957, post-liberation, the federation aligned with the Nkrumah led CPP government, initially the relationship between party and federation was close leading the general secretary of GCTUC to describe the relation between the two as being "that of Siamese twins" (Damachi, 1975 pg 28). The CPP government in its attempt to suppress more radical trade unions in Ghana passed regulation requiring mandatory union membership with the TUC (the re-named GCTUC) ie. In order to be recognized as a trade union, unions had to register as an affiliate with the TUC. The government also required compulsory union membership for all civil servants. This fit in with TUCs post-colonial mandate of consolidating the trade unions into a single strong centralized body with a common purpose (Damachi, 1975 pg 21). This allowed the TUC to boast a membership of almost 600,000 members in the early 1960s, which made up almost 70% of the formal labour force and 22% of the total labour force (ALRN, 2003 pg 15, Table 11). At their peak the trade unions represented 80% of the total labour force in 1961 (Damachi, 1975 pg 29).

Although its leaders initially shared a close relationship with the CPP leaders, with union leaders sitting on the CPP central executive, as Nkrumah consolidated his power following the 1960 elections, the federation was unable to penetrate rapidly centralizing decision making processes within the government. TUC overestimated its political influence and found itself left out of major policy making. As the Nkrumah led

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[28] Similar to may Africna trade union movements, unions in Ghana formed under British colonialism as a result of pressure form African workers organisations, workers demonstrations and a desire by the colonists to pacify workers, cull resistance to colonialism and ensure a smoothly functioning industrial relations system ensuring continuous production (Damachi, 1975 pg 17, Myint, 1964).

government moved towards authoritarianism the federation saw its close relationship with the CPP deteriorate the federation resisted methods to co-opt the unions through appointments to leadership positions and took an increasingly oppositionary role and resorted to strike action as a way to push back (Damachi, 1975; Anyemedu, 2000). Nkrumah's rule proved to be short lived and after a coup in 1966, the CPP was replaced by the National Liberation Council (NLC) which repealed mandatory membership to TUC and federations' membership fell to 300,000 because many members had become suspicious of the federations close relationship to the CPP.

The post-Nkrumah period was the beginning of a long and rocky relationship between the various governments of Ghana and the federation. Since liberation Ghana has had three military coups. Where democratic elections occurred, mostly center-right governments have come into power favoring neo-liberal policies and adopting a hostile stance towards the trade unions. In 1969, the elected government of Kofi Busia, angered by TUC's criticism at a proposed development tax on Ghanians, froze all TUCs assets and dissolved the federation. In spite of continuing political unrest created by two military coups in 1972 and 1976, by the early 1970s TUCs membership remained around 467,000 members. It was the military coup by populist dictator Rawlings that posed the greatest threat to the federation. Rawlings pursued an aggressive neo-liberal agenda sought to conform the federation in two ways. First he created a parallel structure, a workers organization, the Workers Defence Committees (WDC), which tried to coopt union members into its structures and when this failed the WDC resorted to violence, taking over TUC offices and vandalizing them. Concurrently Rawlings attempted to influence the outcome of TUC leadership battles having his supporters run for union

leadership positions. The combined effect of this strategy was a cooptation of union leadership and the weakening of the federation through violence and intimidation. Rawlings economic policies resulted in massive public sector retrenchments in historically strong union areas such as the coffee boards where almost 100,000 workers were retrenched during the 80s and 90s and 73,000 other public sector workers over the same period (ALRN, 2003 pg 13-16).

After a failed and disastrous attempt to install its own candidate in government in 1968, TUC decided at the subsequent to abstain from political alliances with government or political parties (Damachi, 1975). However, this should not be construed as a move to shun political unionism. In his study of Ghanaian unions Richard Jeffrey's notes the political overtones of strike action:

The Sekondi-Takoradi railway strikes of 1950, 1961 and 1971 were all highly political in conception. That is to say, they were consciously directed against the government rather than management, and were expressions of protest at general policies and characteristics of the regime in general than narrowly occupational grievances (Jeffries, 1978 pg 197)

He adds that strike action often mobilized the whole community, where market women and the unemployed joined in the strikes to show their unhappiness with the Nkrumah government. Another study of Ghanain trade unions found that in the late 60s and 70s strike action was often the impetus for broader social unrest and that the unions took up issues that affected their lowest wage earners and found common cause with a broader section of society (Kraus, 1979).

The trade union movement did go through periods of cooptation, particularly during the Rawlings era, and this had several repercussions for the movement, loss of membership as members began to join other federations and associations. Legislatively, certain public sector workers such as teachers, nurses, civil servants and judicial staff

cannot form unions but may form associations. It took many years for these associations

to overcome their suspicions of TUC and form a tacit alliance with the federation in 1985

under the National Consultative Forum of Ghana Labour. During the 80s TUC also

resuscitated a tri-partite wage negotiation committee to open a dialogue between

business, government and labour.

Due to the centre-right orientation of elected governments, there was never any

interest from government in forming alliances with the unions. Most overtures to TUC

were barely masked attempts to co-opt the federation and dilute its militancy. The

federation chose rather to create alliances with civil society organization in an attempt to

counter the erosion of institutions under several military rules. TUC formed alliances

with the bar association, journalist organizations and student groups to promote the

freedom of the judiciary, freedom of expression and free and fair elections.

In 1992, when Ghana transitioned to a democracy TUC chose to remain

politically non-aligned to any Party and pressured the civilianized Rawlings government

on retrenchments through strike action and colluded with other civil society formations to

increase pressure. Although the combined effect of a dysfunctional and despotic labour

regime and structural adjustment programs left the TUC weakened with low membership

and dues, the union used the courts, the ILO and threats of solidarity strike to fight back

on the government's decision to unilaterally retrench workers in the mid-1990s. The

federation went on a serious organizing drive organizing management in the commercial

and industrial sectors and adding 27,568 members in between 1993 and 1996 (Akwetey,

2001 pg 43). It spearheaded a "Labour Owned Enterprises" project to create jobs in the

economy and allow unions to have some say in the management of the economy. By

1996, the federation used the tripartite forum, brought in additional civil society groups such as the bar association and pressured the government to start a dialogue on the economy through a 'National Economic Forum'. None of these measures secured TUC an institutionalized seat at the policy- making table however, they represented in roads for labour which had survived decades of military rule.

Today, TUC has almost 350,000 members and comprises of 25% of the formal labour force and 3.5% of the total labour force. The total Ghanian labour force stands at 10 million people of which, 14% fall into the formal sector and 86% into the informal sector. The health of the trade unions has been closely linked to the industrialization patterns in Ghana, which have been largely unsustainable. Followed by a trend of informalization of Ghanaian employment, the trade unions are faced with significant barriers to expand their formal non-government base of members. Although the unions would prefer to engage the government and negotiate around policy, they have not been afforded such a chance by governments that are hostile to organized workers, so they have opted to form alliances within civil society to pressure government on economic and social issues.

In spite of these barriers trade unions in Ghana and TUC are sufficiently embedded into Ghanaian society. TUC is accepted by Ghanaians as the legitimate representative and spokesman of workers and plays an institutional role in society. The cost of such institutionalization has meant that the unions have sacrificed a radical militant role towards redistribution in society and pursued an incrementalist approach for gains for members and workers in general (Gray, 1981). The incrementalist approach has included creating alliances with the various workers associations representing nurses,

teachers and the judiciary, which broadens TUCs membership base to include 200,000

workers in these associations. Additionally, the federation has created various programs

to incorporate and create links with NGOs and associations representing informal

workers providing them with services and legal support (Anyemedu, 2000 pg 8-10).

Another instance where trade unions were significantly involved in the pre-

liberation nationalist struggle was the case of Kenya. Although the British colonial

government acquiesced to the creation of unions they generally adopted a hostile

approach towards unions, banning general workers unions, suppressing and censoring

union leaders and specific militant unions.

Thus censorship, aided by the racial social structure of colonial society, helped to
determine that African unionists would continue to see their oppression as arising from
colonialism rather than from capitalism. (Stichter, 1978 pg 171)

I have already outlined part of the Kenyan experience above. A decade prior to

liberation, the Kenyan union movement split, with the militant section opting to support

the Mau Mau rebellion and the more workerist unions forming the KFL with Mboya as

their General Secretary, who was also active in the KAU. The Mau Mau rebellion was

crushed by the British and with its most of the union movements' militant leaders. In the

1960s Tom Mboya would join forces with other left leaning politicians such as Odinga

Odinga to form the new political party, the Kenya African National Union (KANU)

which formed the first post-liberation government, with Jomo Kenyatta at its head. In

spite of its trade union links KANU was dominated by a leadership that was inherently

middle class and bourgeoisie in its make up and at the time of liberation the KFL was

confronted with the inevitable contradictions of an alliance with a nationalist political

party which was 'elite' in character. As the Kenyatta government moved towards

authoritarianism post-liberation the KFL split with its more radical unions forming the Kenyan African Workers Congress (KAWC), who adopted a socialist and independent stance to KFL (ILRIG, 1989).

By the mid 1960s the KANU government wanted to ensure the unions compliance with economic development plans and formed legislation and labour regulation limiting the creation of new unions and placing controls on the unions' right to strike (ILRIG, 1989 pg 61). In order to reign in KAWC the government passed a law forcing KAC to merge with the KFL forming a new federation, the Central Organization of Trade unions (COTU).

Over the years COTU was stripped of its militancy and basic trade union rights to re-shape it into a friendly partner to KANU and the government. Some of the trade union laws passed to accomplish this include one that specifies that the president of Kenya elects the top three officials of COTU from a list of names suggested by COTU. He can also reject any candidate on the list. Affiliations to international trade union organizations must be approved by the president of Kenya. All CTU elections are supervised by government officials (ibid. pg 62).

The Kenyan union movement experience showed how the unions were rapidly assimilated into an authoritarian single-party regime through laws and regulations. Aside from regulation COTU leaders were co-opted through employment opportunities in both business and government. Union leaders were permitted to hold concurrent positions in government wage boards and committees and take up employment in leadership positions with multinational companies (ILRIG, pg 63). The cumulative effect of these decisions was the muted response of COTU to union unfriendly decisions by government and

business. Any hopes of reforming KANU internally were dashed when Tom Mboya was assassinated in 1969. Odinga Odinga left KANU to form his own political party.

There are two additional experiences that I will touch on briefly, that of Zambia and Zimbabwe. Both are neighbours of South Africa and were influenced by and influenced the South African liberation movement. Prior to liberation Zambia made up Northern Rhodesia and Zimbabwe Southern Rhodesia. In Zambia, two dominant nationalist parties existed in opposition to British colonial rule, the ANC and UNIP. The overarching federation for the traded union was the Trade Union Congress (TUC). Whilst the TUC supported and collaborated both the ANC and UNIP in the drive to end colonization, the all powerful mineworkers union (MUZ) within the TUC was cautious and against engaging in political activity, which forced the union to join and leave TUC several times pre-liberation (Bates, 1969 (b)).

Following liberation in 1964, the TUC re-named the Zambian Trade Union Congress created an alliance with UNIPs Kaunda led government. UNIP was keen to control the unions and particularly the mining union as copper was a strategic resource with Zambia ranking as the third largest copper producer in the world. The government sought to implement a 'development labour policy' through which it would limit strike activity, constrain wages and improve industrial discipline (Bates, 1969 (b) pg 3). Another facet of the labour policy was to reign in militant unions and UNIP sought to insert its members into key posts of the MUZ. The early post-colonial years were characterized by cooperative relations between the government and ZTUC, but hostile relations between MUZ and affiliate of the federation and government (Bates, 1969 (b)). As a result of this Zambian unions never got fully incorporated into a labour regime with

the UNIP government as the militancy and independence of some of its unions forced a distance between the federation and government. By the 1970s ZTUC was the leading working class organization, representing almost 80% of the formal sector.

In the post-colonial phase, ZTUC benefited from Kaunda's regime in the form of organizational re-structuring towards an industrial unionism with mandatory membership and monopoly representation. The unions entered into a form of social contract with the state where they gave up organizational autonomy and democratic participation in the government for state sponsored gains in material living conditions. This relationship was a mutually re-enforcing one with relatively good relations between union-state sustained through the countries positive economic performance. In the post-colonial phase Zambia was one of the fastest growing economies in the world with a per capita income that was the envy of its neighbors, as a result of higher copper prices (ALRN, 2003 pg 2). The UNIP government was also hostile to investment by private capital and fuelled much of the investment within the country through social spending (ibid.).

In the 1970s, two events put the unions on a collision course with the UNIP government. First in 1972, the Kaunda government revised the constitution and declared Zambia to be a one-party state moving towards central planning and greater state control. In the late 1970s after the first oil shock Zambia faced falling copper prices and higher oil prices. The government turned to the World Bank and the IMF and the prescribed SAPs, which were ultimately abandoned in 1987 after 'food riots' erupted in the copper belt.

By the 1980s the militant unions ZTUC began to push for a more independent role for federation from the state (ibid.) The unions began to search for alternative political alliances to end Zambia's single-party rule, particularly when Kaunda's

government announced their aim for electoral reform towards democracy in 1988. By 1989, ZTUC allied with other social groups to initiate a reform of Zambia's one-party system pushing for a pluralistic political democracy. Largely with the backing of the unions the Movement for Multi-party Democracy (MMD) was formed. Within a very short period of time, three years, the MMD rose to overthrow 27 years of Kaunda rule and replace it with an elected government.

The ZTUC joined the MMD in a formal alliance aimed at building a common platform for mobilizing mass support for democratic reforms and in doing so ZCTU brought into that fold its considerable organizational and financial resources. Not only did it provide the MMD with a presidential candidate in the person of Frederick Chiluba, then Chairman-General of the ZTUC but also put a nation wide network of activists loyal to Chiluba at the diposal of the MMD (Akwetey, 2001 pg 35).

ZTUC was targeted by the outgoing UNIP regime for their activities. A new Labour Relations Act passed in 1990 sought to break up central organization. ZCTU was determined to ensure that they had a seat at the new policy making table of the MMD and they had reason to confident as Fredrick Chiluba, their Chairman-general was elected president and the secretary general of ZTUC, Newstead Zimba was appointed Minister of Information, there was widespread belief that these unionists would enhance job security (ibid.)

The election of Chiluba turned out to be a great blow to the union movement. Chiluba initially asked the unions to assist in the national recovery programme by muting their resistance to austere measures that needed to be followed to heal the economy. These measures included the removal of food subsidies, cut backs on health care,

transport and education and devaluating the currency. By 1993, the Chiluba government

introduced the Labour and Industrial Relations Act (LIR) to extend a ban on striking in

essential areas (electricity, medical services, police army etc.) to mines and banking.

Additionally, the LIR made cross-sector solidarity strikes illegal. The act also abolished

mandatory union membership and mandatory dues check off allowing workers make an

easy exit from the unions.

Initially union acquiescence to these measures by Chiluba and his government

created a legitimacy issue for the federation as affiliate's began to leave. As the

federation adopted a harder stance towards Chiluba, he retaliated by denying them access

to government and failing to convene tri-partite labour meetings. By 1999, ZTUC was a

mere shadow of its former self.

The ZTUC of 1999 looked merely a shadow of the ZTUC of 1990-91, divided without an
effective unified leadership, drained of membership and financial resources and
increasingly battered and irrelevant to Zambia's post-transition democratization politics.
The labour regime in Zambia had been reformed in accordance with the interests of the
MMD government, not those of ZTUC (ibid. pg 41).

After leaving office in 2001, Chiluba was charged with corruption and is currently on

trial for these charges.

In Zimbabwe, a similar union tale emerged. The Zimbabwe Congress of Trade

Unions (ZCTU) the major federation aligned with the pre-colonial nationalist party

ZAPU. When ZAPU merged with another nationalist part, ZANU to become ZANU (PF)

it took the unions into an alliance with the new party. Post-liberation in 1980, the ZCTU

was weary of the merged ZANU (PF) and although they formed a strategic alliance with

the ruling party, they were reserved in throwing their weight completely behind the government.

Initially ZCTU was able to collaborate with the government and fashion a whole set of legislation and rules governing workers through a Labour Relations Act. However, by 1990 the Zimbabwean government borrowed heavily from the IMF and instituted a whole range of policies which were hostile to organized labour. The government also began to chip away at basic union rights making legal strikes almost impossible even though they were guaranteed in the constitution, by extending a prohibition on striking in essential services to almost all sectors in the economy (Keet, 1990 pg 57).

As the government deepened its attack against the unions, de-registering the more radical ones, ZCTU began to debate its options. Initially the federation opted to attempt to transform the ZANU (PF) from within and draw it away from the 'right wing' (ibid. pg 60). However, as the Mugabe government became more draconian ZCTU began to strengthen its links with other mass organization within the country developing alliances with an organization of cooperatives, student and women's groups, association of teachers and public servants, grassroots NGOs and community based groups.

In 1999, a new opposition party, the Movement for Democratic Change was formed driven primarily by the unions in alliance with various civil society groups. Many of its leaders either came from or had some connection to ZCTU, and Morgan Tsvangarai. The general secretary of ZCTU became the president of the MDC.

The experiences of these African union movements show that while unions were successful in driving and fuelling regime change they were unable to guarantee that the union would be influential in the post-transition government. Political alliances did not

always parlay into institutional representation for the unions. In the Ghanaian case the unions ultimately chose to avoid alliances with political parties and chose instead to form alliances with civil society organizations and try to pressure government through multi-party forums. Their independence also meant that were able to use strike action against the government to force issues. In this respect they fared better than the Zambian unions. The Zambian unions were never completely enmeshed with Kaunda's one party state as a result of more militant affiliates and this allowed the federation to carve out a more independent role for itself. When the Kaunda regime moved towards democratization the unions were able to rapidly seize the moment and form a political alternative which was voted into power. However, the unions miscalculated by trusting 'one of their own' Chiluba to deliver the unions a consultative relationship with government. The Chiluba government reigned in the unions' militancy and weakened the unions to make them ineffective. In the Kenyan case the political alliance with the government led to the unions becoming the labour arm of government and losing their independence and militancy all together. In Zimbabwe, the unions independence from the ZANU (PF) also allowed them to break away from their alliance with the Mugabe led government and form an alternate and viable opposition movement. Whether the Zimbabwean unions will go down the paths of their Zambian neighbours or learn from their mistakes is yet to be seen.

What this means for South Africa

For South African unions the lessons from these experiences are that unions must not take the form of their relationship with a political party as a fait accompli. Political alliances may be strategic in moments of facilitating transitions and extracting gains for

workers. However, unions must retain enough independence to be able to withdraw from such alliances. The Zambian case also highlights the perils of 'syndicalism' where the trade union and its leaders become a political party and seek to gain power through control and management of the state.

The unpredictability of political relationships between unions and political parties means that they need to have easy exit and strategise various scenarios around an exit strategy (Hirschman, 1970). The exit is complicated when union leaders are co-opted into a set of relationships with the party. Union independence under this scenario must be a key goal of any trade union movement. Trade unions can tackle this issue in a number of ways by regulating behaviour of its leaders vis a vis the state, structuring formal pacts where unions are guaranteed various positions and demands within a formal alliance. Unions need to be particularly adept at gauging the class based interests within political parties and how and when they gain prominence.

Additionally unions need to maintain strong relationships with non-state organisations which infuse the unions with an independent ideological base. Rather than focusing crudely on state power, unions need to forge a hegemonic role in society. As unions lose their economic power in society through informalisation and liberalisation, rallying workers around political issues allows unions to pursue this hegemony in spite of weakening membership. This role is a natural one for unions, to take up issues of basic livelihood and survival are as natural to unions as managing relations between employers and employees. The broader social context within which workers live, affects workers and their capacity to perform in the workplace. Similarly, the political context of a

country is just as important in affecting workplace conditions. Skyrocketing inflation in Zimbabwe has reduced workers wages to a pittance.

The South African case contributes to the African trade union story by providing an alternative to their cautionary tales. The depth of its experiences and size of the movement allows for an in depth analysis on varying fronts, allowing us to unpack the factors that allow unions to succeed and fail. Will the South African trade union movement follow the destructive paths of many trade unions in Africa or will they chart out a different path for themselves?

CHAPTER 3: The story of COSATU

3.1 Introduction

This chapter has six sections to it. The first is a brief history of apartheid in South Africa towards understanding and the challenges it posed for non-white's, impacting all facets of their lives, distorting the labour market and creating lasting inequalities between the races. The second part deals with the history of the Black trade union movement leading up to 1990. In the third section I look at the various alliances that the Black union movement has formed and the nature and consequences of these alliances. The fourth section looks at the role of the unions in shaping labour related institutions and using them to further workers demands. The fifth section analyses the unions various attempts at influencing policy making and their relative success or failure at doing so. Finally, the sixth section looks membership, organisational issues and mass mobilization for COSATU.

3.2 Apartheid

Early History

...it must never be forgotten that Apartheid and racial discrimination in South Africa, like everywhere else, has an aim far more important than discrimination itself: *the aim is economic exploitation.* The root and fruit of apartheid and racial discrimination is profit (Eric Mtshali, Garment Workers Unions, 1956)

In the early 1900s South Africa was under various colonized governments, within four provinces held by the British and the Afrikaaners, descendants of the Dutch settlers. The British and the Afrikaaners engaged each other in a serious of battles for the control of the territory currently known as South Africa. By 1911, the British and the Afrikaaners had reached a compromise and the union of South Africa was created with four provinces

having autonomous powers from Britain. Of these four provinces, only the Cape

Province allowed non-white property owners voting rights. Both the British and the

Afrikaaners had instituted economic and social racially based systems to favour Whites

over Africans and Coloureds. This system differed in scope and severity between regions

and between races. With a still small Asian population and the beginnings of mass Asian

indentured labour, the 1880s and early 1900s were marked with contestations between

Africans and Whites and some people of mixed race over land and power (Simon and

Simon, 1968).

The single biggest impact on labour and the creation of relations of production

was the discovery or precious stones and gold. The discovery of precious stones and

minerals, diamonds in the 1860s and gold on a large scale in the 1880s set into motion a

series of effects (ibid). The mining industry created capitalist production on a large scale

setting into motion a wage labour system of production and exploitation.[29] Through its

huge labour force, the mining industry also created the conditions for the early

development of capitalist production in agriculture and manufacturing. Broadly the years

1870 to 1920 saw the development of agriculture on a large scale and 1910-40 saw the

industrialization of South Africa. It was in the mining industry that many of the

institutions that formed South Africa's exploitative labour relations system were first

instituted, such as the migrant labour system, pass laws, colour bars, racial division of

labour. These practices would later be adopted in agriculture and industry (Simon and

Simon, 1968; Davies, et al 1985).

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[29] The first gold field in 1886, the Witswatersrand Gold Fields employed over 17,000 Africans and 11,000 whites. By 1906 200,000 Black workers and 23,000 whites (Davies, OMeara and Dlamini, 1985 pg 8).

The mines needed cheap labour and African men who had been displaced by various wars with the Boers and the British came in search of work. They left behind families and land in the rural areas whom they hoped to support with wages. However, the white mine owners envisioned a system of migrant labour which would work on contract with very low wages and return to the rural areas once the workers contract ended. Families in the rural areas were expected to support themselves through production on the land. Mine wages suppressed to support just the mineworker. An official of the mining company explained this policy to a commission on Mine Wages in 1944:

It is clearly to the advantage of the mines that native labourers should be encouraged to return to their homes after the completion of the ordinary period of service. The maintenance of the system under which the mines are able to obtain unskilled labour at a rate less than ordinarily paid in the industry depends on this, for otherwise the subsidiary means of subsistence would disappear and the labourer would tend to become a permanent resident upon the Witswatersrand with increased requirements (Davies et al, 1984 pg 9).

To support the mining industry a system of coercive and exploitative social relations of production were set up to ensure and control a steady supply of rural migrant workers to the mines. Laws were passed, such as the 1913 Natives Land Act, which prohibited Africans from owning land outside of the native reserve areas which made up about 7% of the total land area of the country. Furthermore, the law restricted the number of African families that could remain on white owned land as rent paying tenants. The consequences of the Act were that Africans were either forced to work for white farmers as 'labour tenants', a type of wage labour, or forced to go to the reserves where conditions were so bad that Africans were compelled to seek work as migrant labourers

(Davies et al, 1984 pg 169-170). In order to control the supply of labour pass laws were instituted to control the influx of Africans into towns.

As the mining industry grew it consolidated and formed the Chamber of Mines through which mine owners were able to create a monopoly around the recruitment of labour. Two recruitment agencies, the Native Recruiting Corporation and the Witswatersrand Native Labour Association provided most of the migrant labour to the mines. Workers were bound by fixed contracts and forced to live in tribally divided compounds which were guarded and enclosed (ibid). Through their monopolies the Chamber of Mines was able to slash African mine wages in 1897 and hold them at these levels in real terms until 1970 (ibid, pg 9). Eventually, permission to work in white areas generally was managed through several state-licensed agencies which recruited workers and guided them to areas where work was available. The majority of these sorts of jobs were in mining, construction, forestry and domestic work (ibid).

The First Trade Unions

Like many colonized countries in Africa, South Africa's first trade unions were formed by white immigrant workers who were organizing around low wages and dismal working conditions. White workers in the colonies that made up what is today South Africa (Cape Colony, The Transvaal Republic, The Free State Republic) were ascribed a Western style trade union movement by its then colonizers the English and the Boers, who in 1883, allowed the first trade unions to be formed in order to appease growing unrest amongst white miners. The legal powers and modes of negotiation for these first unions were replicated from their European counterparts albeit with limited powers. The primary demands of these early white unions were to organize around wages and

conditions, and to suppress and prevent the advancement of African and Coloured workers (Simon and Simon, 1968). In 1892, J. Seddon, the first secretary of the Witwatersrand Mine Employees' and Mechanics' Union, consisting of immigrants from Cornwall, Lancashire and Scotland, listed the grievances of the unions members as: unsafe and unsanitary working conditions, excessive hours, low wages. But he would not pick a fight with capital. "If any wages had to be reduced," he appealed, "let the wages of Black labour be cut down" (Simon and Simon, 1968 pg 54). The union worked closely with government and lobbied the government of the Traansval to successfully amend its first mining law in 1893 to include the first explicit industrial colour bar. The law prevented any African, Coloured or Asian from performing higher paid work such as preparing charges, loading drill holes or setting fire to fuses (ibid).

Prior to the formation of the South African union there was no national policy determining labour and racial discrimination. The provinces instituted individual laws discriminating against non-white's. Post 1911, pact government saw the creation of national policy towards the establishment of "petty apartheid". Laws were passed restricting the ownership of land such as the Native Reserves Act of 1913 which I have outlined above restricted land ownership for Africans. The Cape was the only province excluded from this act. Later the Natives Urban Areas Act of 1923 laid the foundation for residential segregation in urban areas. Similarly laws were passed to control the mobility and settlement of Blacks in White areas such as the pass laws. Laws were instituted governing the relations between capital and Black workers and job reservation laws were instituted to protect white workers such as the 1937 Amendment to the Industrial

Conciliation Act which set minimum educational levels for apprenticeship training,

which were not normally attainable for Blacks (Davies, et al, 1985 pg 170 to 175).

The Rise of Grand Apartheid

In 1948, when the National Party consisting of the Afrikaaners came to power the

system of "apartheid" was officially instituted, although a system of racial segregation

had long since been put in place. The National Party was committed to rigid race

segregation and the new government merged the old colonial autocracy with industrial

capitalism in a programme of racial totalitarianism (Simon and Simon, 1968). The

cornerstone of the apartheid policy was the segregation and classification of South

Africans into four categories, White, Coloured, Indian and African. The objective of the

apartheid policy was to facilitate racial capitalism and ideological, genetic and religious

arguments were used to suppress, exploit and oppress non-white South Africans to

varying degrees within a social and economic system within which whites controlled and

benefited at the expense of the others. It is universally accepted that Africans were at the

lowest rung of this system bearing the brunt of the apartheid policies (Davies, O Meara

and Dlamini, 1985). This programme was envisioned as "grand apartheid" and soon after

their election, the National Party instituted a dual strategy of suppression through brute

force and legislation (see Table 6), and co-opting both whites and non-whites into the

system of apartheid. The strategy was set to ensure that Africans, Coloureds and Indians

were shut out or separated from the white's economically, socially and politically.

A system of patronage was created to co-opt the Afrikaner base into the grand

scheme of apartheid. The National party identified four major groups critical towards

creating an Afrikaner nationalist alliance; Afrikaner farm owners,[30] white workers in the

mining, metal and building industries, the Afrikaner petty bourgeoisie and the fourth was

the Afrikaner finance, commercial and manufacturing capital. Emerging Afrikaner

capital was to be buoyed by the profits from agriculture and savings of the Afrikaner

labour and petty bougeoise. The national party sought to break the monopoly that the

largely British capital has over the state economic apparatus and cater to the needs of

aspiring Afrikaner capital. In order to accomplish these goals a system of laws and

legislation was put into place to ensure a steady supply of labour on one hand, keeping

white wages up, the incorporation of Afrikaners into the bureaucracy of the state

apparatus and stemming any resistance against apartheid (Davies et al 1985 pg 18-19).

Co-optation and Separation

The regime understood that creating class distinctions based on racial divisions

was the key to managing and maintaining the apartheid system. Table 3.1 in the appendix

shows the various laws instituted by the regime to discriminate between whites and the

"others" and between Africans and Coloured and Indians. For example the group areas

act was used to remove and re-locate all non whites from areas they were living in. It was

also used economically for example to remove Asian traders from where they competing

with Afrikaner shopkeepers (Davies et al pg 25). The prohibition of mixed marriages Act

of 1959 prevented intermarriage within races. Economic restrictions were placed on non

–whites such as the type of skilled work non-whites could perform, making it illegal for

non-whites to engage in skilled labour outside of their designated industry. Table 3.1 also

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[30] Other than Natal most of the agriculture was dominated by Afrikaners (Davies et al pg 18).

shows that laws were passed to consolidate political power for the National Party such as the removal of coloured voters from the voting roll.

The National Party also used the racially hierarchical system of classifying South Africans to co-opt South Africans through patronage of specific racial and ethnic groups. By making one group of people feel they were 'better off' than the other the regime actively forged cleavages within racial and tribal groups (Simon, 1968). For example, in 1955, the government of the Western Cape Province passed the Coloured Labour Preference Area policy, which stated that no job could be given to an African as long as a Coloured person was available to fill it. The effect of the policy was that the population of the Western Cape Province became skewed towards Coloureds and Whites making a region where they were numerically dominant, it also helped the apartheid regime co-opt the majority of the coloured population against resisting apartheid. In keeping with grand apartheid, the policy was also designed to control the influx of Africans into the Western Cape from the homelands. Furthermore, the government in the province provided no skills training for Africans ensuring that most of the African workers in the province were migrant unskilled labourers (Humphries, 1994).

Within the African population tribal divisions were fostered through the creation of the African only areas along tribal identity. These areas were first created in the early 1900s in the form of native reserves and laid the foundation for the later segregation of Africans into homelands by creating tribally based political institutions for Africans (sponsored by the apartheid state) and a system of influx control of workers from the reserves to the cities. Later under grand apartheid, the Afrikaaners renamed these reserves Bantustans or homelands and in the 1950s, began to push for autonomous administration

within the Bantustans, which were envisioned as African fiefdoms ruled by a chief. The Bantu Authorities Act of 1951 provided for the establishment of African homelands. In spite of considerable resistance by peasants and even some chiefs to this undemocratic tribal system of governance, the Bantu system was imposed onto the Africans by military force. Tribal chiefs were given the option of agreeing to the creation of Bantustans or being deposed. Some such as Chief Albert Luthuli, then president of the ANC chose to be deposed. In other instances such as Zululand, Gatsha Buthelezi was 'chosen' over his elder brother for chieftaincy, allegiance and compliance with the apartheid regime was the mitigating factor in his selection (Mzala, 1988).

By the 70s and 80s the regime was pushing for autonomous homelands and finally in the 1980s for independent homelands. What emerged in the 1980s were ten Bantustans covering 13% of the land, of which four, Ciskei, Transkeei, Venda and Baputustwana were "independent" recognized only by the South African apartheid regime. Of the remaining KwaZulu, Lebowa and Qwa Qwa were granted autonomy (ibid).

The South African government claimed that the Bantustans would provide African people with self determination within their separate nation's based on their distinctive language, culture lifestyle and traditions (Davies et al, 1985). However, in reality the Bantustans were a strategy by the regime to denationalize the African population and consequently quell unrest. Puppet regimes made up of a stratum of the African bourgeoisie were installed in the Bantustans, the Matanzine brothers in the Transkei, the Sebe brothers in the Ciskei, the Mpephu of the Venda became the real and most visible policemen of the apartheid state (ibid). In instances such as the case of the

Transkeei in when the regime got close to the ANC it was removed by a military coup

engineered by the apartheid regime. Although the regime pushed for autonomy and

independence of the homelands, in reality the homelands were almost completely

dependent on subsidies from Pretoria. For example between 1975 and 76 the homeland

of Baputhatswana received over 80% of its revenue from South Africa, and the Ciskei

received almost 85% (Davies et al 1985, pg 218).

The Bantustans ended up being overcrowded, impoverished reservoirs of labour.

Living and employment conditions were meagre enough to encourage African workers to

seek work without permits, hence illegally in white only areas. In 1978, a study found

that African workers, who sought work illegally in white only areas for nine months and

spent three months in prison a consequence of it, nevertheless increased their income by

707.7 percent over their potential Bantustan earnings (Seidman, 1994 pg 236). The

economies of many Bantustans were supported by industry such as pornography,

gambling and prostitution banned in white only areas. The puppet regimes governed over

a corrupt and rent-seeking bureaucracy that misappropriated social welfare funds,

resources rarely ever trickled down to the general populace and a Bantustan education

system was devised by the regime to limit the skills and educational levels of the African

population. Outside of the Bantustans the Indian, Coloured and African populations

living in White areas were forced to live in racially distinct and designated townships.

Africans living in these townships continued to hold passes which identified their

'homeland' of origin (Friedman 1987; Mzala 1985; Davies et al 1985).

The Black Trade Unions

This social and economic re-engineering of society by the apartheid state and its predecessors had a profound impact on the formation of trade unions in South Africa. Over the years as the labour market developed several characteristics appeared. First, White, Indian and Coloured unions were allocated different rights and legitimacy than their African counterparts. What emerged was a dual system where Whites, Indian and Coloured workers enjoyed legally recognized unions (registered) with bargaining powers and African workers were permitted councils and work groups with no legal rights to form unions or negotiate wages. The white unions opted to enmesh with the apartheid state and capital and lobbied for the betterment of white workers to the detriment of Black workers. Any successful attempt at unionizing Black workers led to a back lash through a web of laws, decrees, sanctions and police force by the colonial state. Table 3.2 in the appendix provides a chronological summary of the various laws and decrees passed to limit and prohibit African and other non-white workers from organizing into unions. For example African workers were subjected to the "pass laws" which limited their mobility and the scope of their employment, which was determined in 1922, by the Stallard Commission to "minister to the needs of the white man" (Freidman, 1987 pg. 13).

When "grand apartheid" came into effect a full frontal attack was launched against the African unions by the apartheid regime. By the 1950s pass laws were tightened, and Africans were denied access to skilled work. Every attempt at emancipation or every act of resistance by the Black majority was met with new legislation, brute force and a general clamping down on the freedoms of African people. Some of the significant legislation enacted against the unions was; In 1950, the

Suppression of Communism Act was used to ban the Communist party and outlaw union activities and arrest union leaders under the Act (ibid)[31]; the 1953 Native Labour (Settlements of Dispute) Act excluded African unions from the industrial relations system and was described by the then Minister of Labour as "bleeding the Black trade unions to death" (ibid pg 21). The act eliminated the wage board as a point of negotiation for African workers and ensured that the board only interacted with labour officials (who were white) and employers, not workers. In 1956, the Labour Relations Act (LRA) re-enforced the exclusion of African unions by explicitly denying them collective bargaining rights and disqualified mixed race unions. The LRA also codified a system of job reservations whereby occupations were classified as belonging to a particular race (Friedman, 1987).

At the shop floor level unions encountered the complexities of organizing migrant workers who were employed on contract. The apartheid regime, through the creation of the Bantustans, the various pass laws and limits on urban living for Black workers was effective in creating, both legally and socially, a culture of workers as 'temporary visitors'. Pass laws were critical to ensuring there was no surplus of labour in the urban areas. Africans who were unemployed were forced to return to their rural homeland. Employers were given far reaching authority in determining a workers urban residence rights. Until 1979, Africans required a permit that allowed them to remain in urban area which made them dependent on their employers who provided such permits.

In order to allow a continued supply of rurally based migrant African labour, the state developed a complex system of labour recruiters and contracts, allowing employers and the state to maintain the fiction that even long term workers were only temporary:

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[31] The law was phrased broadly to include any kind of political activity as "communist" allowing the government considerable freedom in ascertaining who might be a communist. In fact the law was applied liberally to arrest and harass many trade union members (Simon, 1968).

employers could recruit workers on renewable annual contracts. These contracts removed the possibility of long term workers gaining permanent urban residence, even if they were continuously employed in the same job. Most employers cooperated actively with the state labour officials ...the system was flexible enough to allow employers to develop a permanent industrial labour force without running into conflict with state efforts to denationalize Black South Africans (Seidman, 1994 pg 236).

There are instances where faced with striking workers employers did invoke their power

to return workers to their homelands. In 1980, striking municipal workers in

Johannesburg and striking flour mill workers in Cape Town were bussed back to their

Bantustans (ibid. pg 237).

Trade unions in the Bantustans faced a number of difficulties. First, the apartheid

regime created a complex web of rules around how Bantustans in various stages of self

governance and independence were incumbent on applying South African statues and

laws. The crux of these rules was that until independence all Bantustans were beholden to

the rules and laws laid out in South Africa. Upon liberation the homelands could revise

and create new laws, in the absence of doing so South African law at the time the

homeland became independent was 'frozen' and applied thereon in spite until they were

repealed by the self-government of the homeland. The complexity of the rules created a

real confusion for trade unions over their legality and rights to organize and negotiate

legally binding agreements with employers within the Bantustans. A lawyer conducting

an analysis of the legality of trade unions in the homelands listed the following examples

of problems unions faced:

As the South African independent trade union movement grows it is increasingly coming into contact with the policies and legislation of the homeland governments. In Ciskei, for instance, SAAWU has faced constant harassment from the Security Police and has recently been banned there. In Boputhatswana a FOSATU organizer was charged last year under the security laws for his trade union activities, although the charges were ultimately withdrawn. When the African Food and Canning Workers Union approached a company in Boputhatswana regarding a recognition agreement the company was reticent

to enter into any agreement, arguing to do so could be illegal in terms of Boputhatswana law (SALB, Vol. 8.8 and 9.9 Sept./Oct. 1982 pg 65).

Bantustans leaders used security laws that were at time more draconian than the apartheid regime to ban and suppress union activity. In both Boputhatswana and Ciskei, the Bantu regimes took a South African law which prohibited persons from holding meetings of more than twenty persons without prior permission of a magistrate (allowing unions to legally hold meetings of workers indoors) and extended the rule for all areas (ibid pg 71).

This brief history of colonial rule allows us to understand the complexities of apartheid and the challenges it posed for Black trade unionism. In the 1980s, when the regime was faced with growing unrest it devised the 'Total Strategy' as a means of saving the apartheid system from the "total onslaught' by the anti-apartheid forces.

The Total and Final Onslaught

The goal of the total strategy was broadly two-fold. First the regime sought to collude with capital to incorporate not only the white capital class but also the Black petty bourgeoisie. Secondly, it sought to militarize white South African society from expanding the military down to arming civilians in an attempt to repel anti-apartheid forces.

The implementation of the total strategy resulted in an intensive militarization of the state and the white population in general. It also resulted in highly covert military projects such as assassinations and attempted assassinations of PAC, ANC, SACP and trade union and community leaders and members both inside South Africa and within the exile community. Politically the Afrikaaner government tried to co-opt the Indians and Coloureds by creating a tri-cameral parliament through which these groups had political representation. The Bantustans continued to be the major mechanism to coopt the

Africans. Some attempts were made to coopt the petty African bourgeoisie in the townships but these largely failed. In attempts to woo white capital the National Party began to privatize state enterprises. The grand effect of these strategies on the unions was the intensification of the states attention on the trade union movement. The apartheid regime tap danced between 'bringing in' the unions and allowing them small concessions whilst all the while trying to disband the leadership through infiltrations, house arrests, police brutality, raids and assassinations. As the regime sought to exert its control and prevent the anti-colonial organizations from seizing power they in the late 1980s resorted to states of emergency, allowing for detentions of unionists on the suspicion that they were also members of the banned ANC and SACP. The period from 1985 to 1990, on the eve of liberation, was a particularly repressive period for unionists and activists, and COSATU was born within this tumultuous period for labour (Marais, 2001; Baskin 1991).

The Consequences

The colonial history of South Africa is similar to many African countries; a settler population, extraction of resources and a system of labour relations which permitted the relatively smooth and continuous extraction by the colonial regime. However, South Africa differed in a significant manner from other African countries in that the large settler population became permanent and saw themselves as South Africans. Thus rather than the surplus being removed form the country it was expropriated by the settler community which behaved as if it lived in a separate country from the labourers that produced the surplus. This dynamic is often referred to as "colonialism of a special type" within the South African liberation discourse (Davies, 1966; ANC, 1990) As a result of

this type of internal colonialism there is a large and permanent non-African population in South Africa. In 1991, White's made up about 14% of the population at 10 million people, who controlled the majority of the wealth in South Africa (Terreblanche, 2002).

South Africa had a trade union movement that was formed within the colonial context that saw the end of colonialism as a requisite for securing workers rights. South Africa also had an alliance between the unions and the national liberation movement to overthrow the colonial regime. The special type of colonialism that South Africa endured, created an additional post-liberation dimension for the trade unions that had to address the racial imbalances within the workplace and fight for their transformation.

By 1994, with the election of the first democratic government of South Africa, the nation was confronted with the legacy of apartheid which created a lasting inequality between the races and disadvantaged the African and other non-white population in almost every facet of life. This affected not just access to employment, housing and health but extended to human capital. Africans were allocated less money for services, quality of education, entrepreneurial opportunities and training (ibid.). For example, the amount spent on African secondary education in 1990 was half that for whites (ILO, 1999 pg 6), and the volume of vocational training was "low, declining and maldistributed" (Standing et al, 1996 pg 66).

In 1991 50% of South Africans were classified as below the poverty line, of these 95% were African, 4% coloured and 1% Indian or white (Bond, 2000 pg 19). Table 3.3 below shows that the real wages for Blacks were calculated to be a fifth of those of whites by the mid 1970s, and still only a third by the early 1990s when apartheid laws were being abandoned. Similarly, by 1994, unemployment stood at 30% of the

population with whites accounting for a mere 6% of the unemployed (Standing et al, 1996 pg 116 table 4.9). The system of apartheid produced a highly skewed job

Table 3.3: African Wages as a Percent of White Wages 1911 – 1990

Years	Mining*	Manufacturing and Construction
1911	8.6	
1930	8.8	19.7
1940	8.3	18.6
1944	8.6	24
1950	7.4	21.5
1955	7	18.5
1960	5.9	18.6
1970	4.8	16.7
1975	12	20.7
1980	17	21
1985	19	22
1990		29.5

* Cash wages only

Source: Terreblanche, 2002 pg 262

market with a burgeoning informal employment sector that accounted for anything between a fifth to well over a third of all economic activity (Standing et al. 1996 pg 83–5).

Apartheid also ensured that capital formation was concentrated in the hands of an economically powerful white business community. In fact, just five 'white-owned' corporations controlled more than 80 per cent of quoted shares on the Johannesburg stock exchange by the mid-1990s (Michie, 1997 pg 156). By 1994, with a gini co-efficient of .65 South Africa was one of the most unequal countries in the world with a strong racial dimension to poverty and inequality (Ministry of Social Development, 2000).

3.3 The Historical Role of Black Trade Unions

Introduction

The history of COSATU forms an analytical case study to evaluate the creation

and progress of COSATU unions through the history of South Africa leading up to 1990.

I focus on the early part of the century as later sections of this chapter analyse the events

of the 1980s and 90s in greater detail. The majority of COSATU unions are a product of

union activity starting in fits and bursts since the 1920s. Each effort to organise African

workers left behind a slew of experiences from which new unions would learn and grow.

The federation today is built on the foundations of its predecessors.

The 1973 Strike Wave

Upto the 1970s, in spite of international condemnation of apartheid and the

political and militant work of the ANC and SACP and other political organisations in

exile and underground and within South Africa, the apartheid regime was firmly

entrenched and showed no signs of caving to external pressures to end colonial rule. The

first major challenge to the regime's grand plans for apartheid came in 1973. A series of

spontaneous strikes erupted amongst African workers in Durban. It began in a brick and

tile factory and quickly spread to other sectors, ship painters and cleaners, drivers, mills,

sugar cane workers, rubber and textiles (Friedman, 1987 pg 37-67). The strikes spread

nationally, to Johannesburg, East London and other regions. In every instance, the

impetus for the strikes was low wages. By the end of 1973, almost 100,000 Black

workers had gone on strike and this sporadic and widespread striking would last until

1976 (Table 3.4 below). From 1966 to 1972, the number of annual average strikers was

below 4,000, in contrast between 1974 and 1979 almost 27,000 workers went on strike

annually and of this number white workers made up 5,000 strikers annually (Baskin,

1991 pg 18-19). Historically, these strikes were to mark the first major blow to the

apartheid regime.

Table 3.4 Strikes and Trade Unionism of African Workers 1971-1981

Year	Number of Strikes by Black Workers	Estimated Number of Workers Involved	Estimated Number of Black Workers Organised in Trade Unions
1971	69	4,067	
1972	71	8,711	
1973	370	90,000	
1974	384	58,000	
1975	274	22,000	40,000
1976	245	26,000	
1977	90	14,000	
1978	106	13,578	
1979	104	15,000	
1980	207	42,000	100,000
1981	342	85,000	247,000

Source: South Africa Institute of Race Relation, Survey of Race
Relations in Africa, 1981 in Davies, O Meara and Dlamini 1985

While the close proximity of factories played some role in the spread of the

strikes the major factor was the economic crises within the South African economy.

During the Second World War, the manufacturing base grew in response to both local

demand and exports. With many skilled white's leaving to fight in the way Black workers

were put into skilled and semi-skilled positions within the manufacturing sector. In the

1960s, import-substitution policies pushed a second wave of industrialization that

required yet more skilled Black workers. Africans were largely confined to the various

Bantustans created by the regime. The urban African population thus indicates Africans who left the Bantustans to work in white urban areas. In 1946, the urban African population was 23.2% of total African population and this rose to 29% in 1970.[32]

The onset of the world economic crises in the 1970s, increased international competition after the war and decreasing demand forced South African firms to push workers wages to an abysmal level in order to retain profits. In 1970, the average monthly wage paid to African workers was Rand 24, which was lower in real terms than the amount paid in 1889 (Davies et. al 1985, pg 31). In industry, the highest paid sector, the average wages for an African worker were Rand 70, well below the minimum required to sustain a family's nutritional needs (ibid). Mining the highest employment sector for Africans showed abysmally low wages from 1965 to 1970 (See Table 3.5 below) and when contrasted with white wages revealed the extreme prejudice African workers faced in mining. The reluctance of employers to address the wage issues of workers, rising inflation and general social conditions imposed on Africans through apartheid led to a pressure cooker effect in small and large factories where workers saw no other recourse than to take to the streets. As word of the strikes spread through the country it acted as a spark to ignite workers in various parts of the country to strike for wages.

These strikes were of particular importance as they heralded a new era of militancy for African trade unions which were unaffiliated. They followed almost 13 years of dormant trade union activity and resurrected the union movement by proving that African unions, in spite of all the limitations put on them by the regime, could organize and revolt against poor working conditions. The Durban strikes came on the heel of a

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[32] Almost 24% resided in 'white' rural areas and 47% in Bantustans (Davies et. Al 1985 pg 31).

Table 3.5: Average Nominal Wages for Manufacturing and Mining 1965-70 in Rands

Year	African Mining	African Manufacturing	White Manufacturing
1965	175	488	2509
1966	185	515	2709
1967	192	531	2876
1968	198	574	3061
1969	206	624	3215
1970	216	730	3498

Source: Seidman, 1994 calculated from South Africa Statistics 1982

particularly repressive and violent decade where most political and workers organisations in opposition to the regime were disbanded or made illegal. In 1960, the ANC and PAC were banned. The primary African trade union federation, SACTU saw 160 of its officials banned and many of its leaders and members detained forcing most of the SACTU leadership to go into exile or underground along with the ANC and SACP. The apartheid government implemented some of its most totalitarian measures during this time, pass laws were tightened and labour legislation extended to crush African unionism. Thousands of people were arrested and sent to Robben Island, SACTU activists were murdered and legislation gave the security police a free hand to unleash violence (Baskin, 1991 pg 16-17).

The strikes were the first major sign to the apartheid regime that Africans could not be contained within the 13% of land that had been allocated to them and that they must negotiate with African workers. It also proved to the regime that the labour dispensation allocated to African workers, which excluded them form the Labour Relations Act was unsustainable. Unlike the previous instances of African workers striking, where the regime had used violence or simply dismissed the striking workers the 1973 strikes were on too large a geographical scale for such tactics to work. There was

also broad consensus following the strikes amongst whites in general that African wages were too low and needed to be raised. White capital was increasingly nervous about the capacity of African workers to resort to militant behaviour and many international firms such as Clover and Coca-Cola felt pressures from trade unions and civic groups in their home countries to improve the conditions of their workers as a result of international union solidarity (Labour Research Services, 2003)

Another remarkable feature of the 1973 strikes was the cross racial collaboration of workers. The influx of African workers into import industries also saw African workers for the first time performing some skilled, semi –skilled and low skilled work. African workers were now working in closer contact to their coloured and Indian counterparts along the assembly line. This dynamic had two important consequences, first African workers mobilized because they were being paid less than the non-African workers for the same work on the assembly line and they witnessed that non-African workers had legitimate channels through which they could articulate their grievances. Second, the coloured and Indian workers saw common cause in the demands of the African workers and strengthened workers solidarity across racial lines. In 1975, in a Defy appliances plant Indian and African assembly line workers went on strike to demand a non –racial negotiating system. Seidman (1995) argues that it was these types of cross-racial collaborations that paved the way for the non-racial unions which emerged by the end of the 1970s and changed the history of segregated unionism in South Africa. In his study of the 1973 strikes Friedman also reaches a similar conclusion.

...Indian workers frequently joined their African counterparts during the 1973 strikes. Employers suggested that they were prompted by fear of further riots, but a survey conducted after the strikes suggests that they did identify with African demands – three

quarters agreed that Africans should be allowed to join their unions (Friedman, 1985 pg 65).

This show of inter-racial solidarity was an important moment in trade union history. It was the first time in twenty years that the apartheid regime was faced with the potential of a united workforce. This breakdown of the regime's segregated labour policy was a significant cornerstone in that it forced the colonialists to re-evaluate the labour relations system. The 1973 strikes and events that followed would lead to the first major breakthrough for African unions, legal recognition in 1979.

The History of the 1973 Strike Wave

It would however, be egregious to speak of the 1973 strikes in isolation without situating them in the broader history of African trade unionism in South Africa. The roots of the striking workers and the rise of African unionism in the 1970s were set in the 1920s.

The union tide (of the 70s) should not have been unexpected as it was not the first. Waves of African unionism had been gathering for sixty years: they too had threatened to bowl over all in their path. But they all broke harmlessly on the shore and were swept out to sea. Despite this, all left traces in the sand behind them: all taught lessons from which later unions were to learn. The failures of the past helped created the success of the future because they showed the later unions the tactics they would have to use to strengthen and grow. The earlier unions all failed because they operated in a climate which was too hostile (Friedman, 1985 pg 11).

Table 1.2 in the appendix details the rise and fall of various unions and federations prior to the 1970s. Each of these attempts to organise African workers were weakened, constrained and ultimately doomed by the various laws and decrees that the regime passed to limit the movement and employment of African workers and to exclude African unions from the labour relations system, denying them the right to strike or negotiate with

employers or the state. I outline the experiences of a few of these attempts to highlight the difficulties early African unionism faced.

The very first African federation of unions was the Industrial and Commercial Workers Union (ICU) started by Clements Kadalie Muwumba in the 1920s, an omnibus political-social -industrial union (Davies, 1966). Started in Cape Town it spread nationally attracting to it workers of all types, teachers, farmers, factory workers etc. For these Africans the ICU represented more of a mass movement, a place where Africans could voice their concerns and be heard, a place where African resistance could be formed. An ICU member describes this phenomenon:

Although the (organisation's) initials stood for a fancy title, to us it meant basically: when you ill treat the African people, I see you; if you kick them off the pavements and say they must go together with the cars and oxcarts, I see you...You kick my brother, I see you (quoted in Baskin, 1991 pg 8).

The ICUs was promoted on the principles of "raising the African workers dignity along with his standard of living" (ibid. pg 60). At its peak the federation had almost 100,000 members across the country. Many famous communists such as Govan Mbeki and La Guma were active in the ICU and helped build it although later they would be purged from the leadership. The ICU ultimately failed, however it bred a whole generation of cadres who went on to form and organise unions. It also revealed the potential of the working class to build a mass movement.

By 1930 the ICU had all but disappeared. One of the reasons behind its demise was that it focused excessively on political issues to the expense of building organizationally capacity within the union through workplace organizing. Moreover, its membership was spread over too disparate occupations. The union struggled to stay in touch with its members and lacked the resources to actively involve members, especially

in the rural areas. Ideological differences amongst the leadership further created divisions

and instability. When the inevitable suppression came from the regime the union was

unable to stave it off and organisationally fell apart (Friedman, 1985 13-16).

The 1930s saw a rise in union activity by the Communist party cadres.

Concurrently in the late 1930s the Joint Committee of African Trade Unions (JCATU)

was formed by a Trotskite Max Gordon took a surprisingly pragmatic approach to the

regime and saw that the moment was ripe for negotiation with Department of Labour and

their wage boards , which had originally been created for white workers. The colonial

government, concerned by the activities of the Communist Party and the experience of

the ICU was keen to control the unions through government channels (ibid pg 18). This

dynamic allowed a space for JCATU and Gordon to create a mechanism between the

wage boards and the unions and provided the union some mobility and freedom to

organise. Centralised leadership and the inability to foster a next generation of leaders led

to the unions demise when Gordon was interned, the union could not maintain its

relationship with the government and fell apart (ibid pg 18-19).

The conditions created by war in the 1940s provided African unions a real

opportunity to make headway with the colonial government. The onset of the war meant

that Africans workers were needed to replace white skilled workers who were away in the

war and the government became dependent on African workers to ensure a smooth

production process.[33] Pass laws were relaxed and barriers to African workers

organisations removed. In 1942, a loose coalition of industrial African unions formed the

Council of Non-European Unions (CNETU). Many of the unions were weak and poorly

organised. One of the stronger ones was the ANC inspired African Mineworkers Union

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[33] Africans were not allowed to take up arms, even to fight in the war (Baskin, 1991 pg.10).

(AMWU). CNETU grew rapidly, within three years the federation claimed a membership of 158,000 members or 40% of African workers in commerce and industry. CNETU also actively fostered local leaders and grassroots support.

A series of strikes by CNETU unions in 1942, led to retaliation by the regime in the form of War Measure 145, which outlawed all strikes by African workers and illegal strikes were dealt with forcefully. However, the strikes did lead to wage increases and between 1941 and 1946 real wages increased by 50% (Baskin, 1991 pg11). The federation attempted to foster relations with government, even getting reassurances from the government over future union recognition (ibid). However, this period in the 1940s was to be a brief respite for the unions, "an Indian summer to be followed by one of the harshest winter's African unionism had to follow" (Friedman, 1985 pg 23).

The first blow came when 76,000 AMWU workers went on strike in 1946 and were brutally crushed by the police using massive force, 12 workers died and 1,200 were injured. Fifty communist party and union leaders arrested and charged with sedition. CNETU never recovered fully and its mistake of allowing numerous weak unions, spread over a diverse occupations rather than fostering a few strong national ones aided in its demise. Moreover, its members were spread over 119 unions with several overlapping unions within the same industry. Like the ICU, the federation found managing so many disparate interests a drain on resources (Baskin, 1991 pg 11 -12). By 1950, many CNETU unions broke away and membership fell to 2000 (Friedman, 1985 pg 23).

CNETU also failed to build factory based organizing capacity, rather focusing on wage boards and negotiations with government over various clauses in War Measure 145. Employers in factories were not bound down by agreements and when the government

turned hostile and employers withdrew from agreements the unions found themselves

rudderless. The experiences of both the ICU and CNETU showed that a fast growing

membership was not indicative of the durability of these unions (Friedman, 1985 pg 26).

The post-war economic downturn gave rise to an economic environment that

created the conditions for the rise of the National Party and the onset of 'grand apartheid'.

White's returning from the war wanted to regain their jobs. Africans were leaving the

rural areas coming in search of work, the pressures created by this drove the white

community to vote in the conservative Boer party into power in 1948. By 1950, laws

were tightened and created to restrict movement and employment of Africans. The

government began to crack down on the Communists Party and "robbed the unions of

many of its leaders" (Friedman, 1987 pg 23). By 1950, the Communist party was banned

and the unions lost many of their prominent leaders such as Ray Alexander, E. S. Sachs

and Piet Huyser who were at the forefront in shaping the union movements' ideological

linkages between working class issues and the liberation struggle and were innovators in

tactics to organise African workers (Davies, 1966 pg 23).

The banning of the Communist Party was a critical moment for the trade unions.

Aside from providing leadership, the Communist Party along with the ANC had provided

the ideological foundations for the anti-apartheid struggles. Many of the educated cadres

with degrees in law and labour came from the Communist Party and had been critical to

preparing the unions in battles with the apartheid regime. The unions understood the need

to align themselves with these organizations (the SACP and the ANC) in a formalized

manner that would ensure the flow of human capital into the union movement.

Ideologically the three organizations found a synergy around fighting apartheid and

membership in all three organizations was commonplace. For the Communist Party, after they were banned and began to operate covertly, the unions presented an outlet for their members to continue their work. The Party strove to ensure that at least one Communist was in the leadership structure of every ANC aligned African union.[34]

Political Unionism is no Longer Optional

It was these circumstances which led to in 1955, the creation of the South African Congress of Trade unions (SACTU). Prior to the formation of SACTU several African unions had affiliated (operated as parallel unions) with the white federation, the Trade Union Council of South Africa. (TUCSA). TUCSA had a history of vacillating between completely rejecting African unions or trying to control them. African unions affiliated with TUCSA, hoped that the affiliation would yield some benefits, however TUCSA was never interested in improving conditions for African unions (Baskin, 1991 pg 12-13). SACTU was formed when 14 unions broke from TUCSA and joined CNETU to form the South African Congress of Trade Unions (SACTU) creating the first alliance of unions of all races. The split in TUCSA occurred over the issue of whether to allow African unions to join the Trades and Labour Council (TLC) the umbrella organization for the non-African unions, but the split was also motivated by the fact that African unions saw no way forward within TUCSA and saw political engagement against the apartheid state as a necessary step towards furthering interests (ibid).

SACTU had a clear political mandate and shortly after its inception the federation aligned itself with the Congress Alliance which was led by the ANC and included the S.A. Indian Congress, the S. A. Coloured Peoples Organization and the S.A. Congress of

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[34] Interview with Leon Levy the first President of SACTU.

Democrats which was made up of white's opposed to apartheid (Friedman, 1987).[35] The

SACTU leadership saw their alliance with the ANC and SACP as strategic as the ANC

leadership committed itself to ensuring that every ANC member would become a

SACTU member.[36] The federations political mandate was clear from the onset.

SACTU argued that to ignore politics was to accept the racial laws which controlled
workers lives. African unions, its leaders said, also had no choice but to seek political
change, for these laws so hampered them that, until they were changed, African unions
could make no real gains in factories (Friedman, 1987 pg 27)

In addition to joining the ANC Congress Alliance, SACTU participated in the drafting of

the ANC freedom charter along with participating in several mass political campaigns in

the 1950s such as the 'pound a day campaign', a living wage campaign and 'the Nats

must go' to remove the apartheid regime (Baskin, 1991 pg 14). In the 1960s the ANC

and PAC were banned and went into exile or went underground most of SACTUs

leadership had cross membership in these organizations and followed. In 1961 the ANC

and SACP formed Umkhonto We Sizwe (MK), a new tactic of armed struggle against the

apartheid regime. Many of SACTU leaders joined MK and were subsequently detained

or harassed by the government. By 1965 SACTU had lost most of its leadership and

operated primarily from exile (Baskin, 1991).

SACTUs focus on political activities and alliances clearly had consequences for

the federation. One line of reasoning was that SACTU focused predominantly on

political unionism to the detriment of the federations' economic activities and eventually

this eroded shop floor power and the ability of the federation to take on the government

successfully (Friedman, 1987). Moreover, the political alliances SACTU formed made it

an open target of the apartheid police leading to the suppression of trade union leaders

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[35] The ANC was an African only organization upto 1969.
[36] Interview with Leon Levy.

(ibid). However others have argued that SACTU had no choice but to engage politically given the repressive condition under which trade unions functioned. What is undeniable is that SACTU can be credited with two milestones in the South African union's movement; they were the first federation to adopt a policy of non-racial unionism and the first to openly commit to the struggle to end apartheid as one of its primary goal. It was also the first federation to try and establish international solidarity for its causes engaging the British and American Union movements.[37] After SACTU was banned its leaders were also active in the ANC in exile and strove to ensure that the unions' interests were represented within the ANC debates. SACTU in exile maintained relations with unions within the country financially assisting unionists who had been targeted by the regime. Later in the 1980s they supported and encouraged the formation of COSATU and its alliances with the ANC and SACP.[38]

The 1960's and particularly the decade following it were generally considered to be a very repressive period for the trade unions (Friedman 1987, Baskin, Davies et al 1985). With the intensification of grand apartheid legislation was used to suppress the growth of African unions. The increased hostility from the regime had a dampening effect on the political activities of African unions. Fearful of meeting the fate of SACTU many of the African unions post SACTU advocated economic unionism over political. The example of SACTU was often used to highlight the perils of politically aligning the trade union movement (Baskin, 1991). However, SACTU unionists and activists did not disappear, they lay dormant and during the strike wave of 1973 they emerged to harness the rise in workers militancy and spread it across industries (Seidman, 1994 pg 176). The

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[37] Interview with Leon Levy the first President of SACTU.
[38] Interview with Leon Levy.

effects of SACTU's political activity were clear, a 1974 Metal and Allied Workers Union report stated that the "high degree of consciousness" amongst Natal workers could be attributed to the work done by SACTU (Seidman, 1995 pg 175). The next major non-racial federation to form would be FOSATU in 1979.

Conclusion

Prior to 1970 African unionism grew and then faded unable to sustain itself. What eluded most of these experiments with organizing workers, was a balance between economic organization and negotiation with the state. More often than not unions and federations fell apart when put under pressure by the regime because their members within factories and workplaces were poorly organised. This was sometimes a result of trying to unionize too many workers across disparate occupations, without the financial or administrative capacity to service and mobilize their membership. It was also a function of focusing on political activity to the detriment of economic ones.

Union Recognition

The period following the Durban strikes saw an upsurge in union activity. In spite of being short of funds, lacking legal status, experiencing regular harassment and arrest of labour leaders, trade unions began to organize, educate, engage in wildcat strikes and debate internally strategies for bringing Black workers into unions (Seidman, 1994 pg 177). Although the unions faced obstacles, often watched membership ebb and flow depending on the severity of repression by the state, faced legal barriers, they continued to organize, create networks, training programs and a labour press. Two of the currently

more militant trade unions SAAWU and MAWU have their roots in the Durban strikes and the period following it (Baskin, 1991 pg 18-19).

Union recognition was a major barrier to organizing and unions found innovative ways to get around the recognition issue. Some targeted heavy industry and consumer durables which operated large plants in the belief that workers in large plants were safer from victimization when they tried to unionize compared to smaller enterprises and that large plants tended to be subsidiaries of foreign firms, which were vulnerable to pressure from foreign unions and their home political party's. Union organizers found creative ways to get around recognition, if an employer refused recognition then union officials would run for election as delegates to employer controlled liaison committees, where their role limited as it was gave these leaders a platform to air worker grievances (Seidman, 1994 pg 178).

By the mid seventies African union organizers in many parts of South Africa were struggling to keep up with the pace of workers demands and needs (Sediman, 1994 pg 178 -179).[39] This increase in worker interest, accompanied by widespread organizing and strike activity in the 1970s put the apartheid government under pressure to reform the dual labour relations system and incorporate Africans into a more stable and manageable mode of labour relations. Moreover, South African capital was fearful of increasing and unregulated workers action on the shop floor and began to pressure the government to regulate African workers (Webster and Adler, 1999 pg 359). After the Soweto uprising in 1976, the apartheid government which was concerned by the resurgence of militancy both within and outside of the union movement set up the Wiehahn Commission to investigate the state of the industrial relations system. The recommendations of the commission were

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[39] Seidman refers to the Black metal workers unions in the Natal, the Eastern Cape and the Transvaal.

among the most significant events affecting the trade union movement in South Africa. The major findings of the commission were that the state could no longer suppress unions and suggest the incorporation of Black unions into the labour relations system by allowing them to register with the Industrial Council as a more effective way of dealing and managing worker militancy by limiting the scope of unions to collective bargaining issues. Another outcome of the Wiehahn Commission was the creation of the National Manpower Commission (NMC) a racially exclusive tri-partite structure to deal with labour market issues (SALB, August 1979). In the early 1990s COSATU would use the NMC to extract a tri-partite agreement -- the Laboria Minute. Both the Soweto uprising and the Wiehahn commission opened a new territories for Black trade unions.

The Rise of Black Consciousness

During the 1970s several significant events occurred that would significantly impact Black unionism. The first major occurrence was the strikes of 1973. Concurrently the Black Consciousness Movement (BCM) was sweeping through the townships and was used by student organizations to mobilize Africans against apartheid. The unions were for the most part absent from the events in the townships, primarily because they were politically cautious from the post-SACTU era. Moreover, the BCM used townships rather than the factory as the locus for organizing student and community groups (Baskin, 1995 pg 23). In 1976, students mobilized by BCM protesting the Bantu education system was massacred in what has come to be known as the Soweto uprising. This incident resulted in a country wide uprising where hundreds of thousands of members of student and community groups demanded political rights, the end to police brutality and the compulsory use of Afrikaans as a medium of instruction in schools. The apartheid

regime responded by initiating a state of emergence, which led to a crackdown on protest action, arrests, detention and the murder of many BCM activists including Steve Biko. The effect of the Soweto uprising on the regime was significant, coming on the heels of the 1973 strikes it forced the regime to accept that Africans could no longer be contained and forcefully made to accept the conditions of apartheid.

The Soweto uprising had three important consequences for the unions—first, although the unions were largely absent from the uprisings the regime used the opportunity to suppress and detain many unionists in the aftermath. Second, because of the international and public outcry and against the brutality of the Soweto uprising business began to pressure the regime to reform labour law and bring African workers into the industrial relations system. Thirdly, many unionists and workers felt that the unions had failed by not lending assistance to the BCM revolt and remaining politically uninvolved. The Soweto uprisings politicized the unions into motivated a re-evaluation of the non-political stance within the unions. The unions also saw the discontent amongst the masses evident in the Soweto uprising as an opportunity to capture, mobilize and organize workers into the unions (Seidman, 1994 pg 180).

After the brutal suppression of BCM activists, many of these activists saw the unions as a safe outlet through which to channel their ideologies and following the Soweto uprising the unions saw an influx of a significant number of BCM activists into their ranks. The influx of BCM activists into the unions in turn had an effect on the BCM movement, as these activists were forced to confront non-racialism in the trade union movement which recruited members based on economic position rather than race. Eventually the BCM activists in many unions rejected ethnic and racial divisions and saw

them as a barrier to organizing workers whilst some stayed true to the BCM ideology and

formed African only unions (Seidman, 1994 pg 181-182).

What Does Legal Recognition Mean?

Once the trade unions were given the right to register, the debate within African

trade unions was whether registration would lead to a decline in militancy in the unions

that registered. The basic argument centered on incorporation versus independence from

the Industrial Council (IC). Those against incorporation argued that the original IC act in

1924 which had allowed registration of the non-African unions had been accompanied by

restrictions on free association, political affiliation, strike action and shop floor

negotiations which had resulted in shaping these unions into manageable organizations

which cooperated with the state.

Since the Act was first passed in 1924 the state has been spectacularly successful in
securing the incorporation of most of the registered unions. The existence today of an
organized white, coloured and Indian labour movement dominated by tame and
bureaucratized registered unions which are closely tied to state institutions and isolated
from their own rank and file, *seems* to provide conclusive evidence of the way in which
registration under the IC act almost inevitably leads to incorporation by the state (Fine, de
Clercq and Innes, 1981 pg 44)

Many ANC leaders and the SACTU leadership in exile also rejected registration and

called for a boycott of it on the grounds that reform was not possible under the system of

apartheid and any attempt at it was simply window dressing (ibid).

The counter argument was that registration afforded African workers state

recognition, a firmer legal basis with the courts and official bargaining councils.

Proponents of the incorporation strand further pointed to the fact that not all registered

unions had succumbed to incorporation by the state and that some such as the Garment

Workers Union in the 20s and 30s and the Food and Canning and Textile workers unions

in the 40s and 50s had managed to campaign against racially discriminating provisions

and bureaucratic controls within the IC act. All the while these unions used their status to

access and maneuver through the official bargaining rules (ibid).

It turned out, as the histories of the various individual unions illustrates, that

registration had a no effect on the militancy of the majority of unions that registered.

Registration however, did allow unions to grow and reform the industrial relations

system:

> ...these reforms opened up a process through which the unions were able to transform the system from within. Initially by registering they were able to legitimize their presence and rapidly expand their membership. By demanding the right of recommendation at the shop floor level-- backed by the disciplined use of collective power—they were able to win extensive bargaining rights that encroached on existing managerial prerogatives: wage setting, discipline and dismissal, retrenchment, and work reorganization. Organizational power enabled unions to shift the 'frontier of control' at the plant level, thereby providing a base from which to demand industry-level bargaining, which was slowly won in key sectors (Webster and Adler, 1999 pg 359).

The organizing efforts of the African unions during the 70's coalesced into the

creation of the "independent unions" towards the end of that decade. These unions strove

for freedom from the state, white unions and management. Many of these unions

propagated and adopted non-racial policies. They were industry based militant unions

focused on shop floor organizing (Maree, 1998). Registration was a key issue for these

unions that sought to gain industry wide bargaining power. In the late 70s and early 80s

unemployment was also on the rise due to a recession and the independent unions were

concerned about retrenchments and their effectiveness in preventing employers from

firing workers. Ultimately many of these unions registered for tactical reasons rather than

political ones (Seidman, 1994). The growth of unions led to the formation of trade union

centres or federations. The main ones were CUSA and FOSATU and these later became

COSATU and NACTU.

The Independent Unions

In 1979, thirteen of the independent unions, with almost 20,000 paid up members,

primarily from the metal and auto industries formed first non-racial federation since

SACTU, named the Federation of South African Trade Unions (FOSATU), with Alec

Erwin as its general secretary.[40] The federations marked the first era of legalized Black

unionism, where under the recommendations of the Wiehan Commission, Black unions

were allowed to register. From the onset FOSATU rejected political alliances for a

number of reasons.

Unionists in the Natal often avoided political alliances because they sought to avoid the
influence of Chief Buthelezi...Some unionists feared that the community of political
groups might subsume workers interests under broader populists slogans, reducing the
class content of unions campaigns; other argued that community leaders might overlook
shop floor demands, weakening workers support for the unions; still others feared that
ties to overtly political groups might invite state repression of still fragile shop floor
organizations, or divide workers according to political loyalties (Seidman, 1994 pg 186).

The federation also saw an opportunity to exploit changes in the labour processes

within the metal industry caused by the rapid expansion of the industry over the past two

decades. The expansion had resulted in a shift of Black workers into semi-skilled and

skilled jobs within the auto and metal industries. For example in 1975, the Metal and

Allied Workers Union (MAWU) classified nearly 70% of its 5,000 members as unskilled

or lower semi-skilled but by 1980 its 30,000 members had moved into production critical

positions (Seidman, 1994 pg 185). The leadership of FOSATU saw these advances within

these industries as an opportunity to build a factory –based shop floor unions which

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[40] Mr. Erwin would play a significant role in the transition and then as a cabinet minister under successive
ANC presidents.

focused on developing and nurturing workers leadership. Shop-floor organizing became the hallmark of the federation, and a shop steward system where workers were elected and then united through a shop steward council became the federations' basic organizing structure. FOSATU remained impassive in its resolve to avoid political alliances and involvement. In 1982, Joe Foster, the second general secretary of FOSATU continued to advocate the building of factory based unions and avoid participation in political campaigns by this time FOSATUs membership had increased to 95,000 members in 387 factories (Foster, 1982).

The independent unions that stayed out of FOSATU fell into several categories. Some preferred to be African only unions and thus stayed away from non-racial federations. Others became involved in a second trajectory of the union movement – community based organizing.

The Community Based-Unions

Following the Soweto uprising these unions had sought to align themselves with political issues affecting workers and saw it necessary to link the issues affecting workers in the factory with those affecting them in the townships. The most significant of these unions were the South African Allied Workers Unions (SAAWU) in East London which appealed to workers through community meetings rather than factories.[41] Other notable community based unions were the Black Municipality Workers Union (BMWU) in the Transvaal and the Garment Workers Union of South Africa (GWUSA).[42] As these community unions were rapidly rising, all over South Africa community organizations

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[41] SAAWU was formed in March 1980 in East London and by October of that year the union had grown to 15,000 (Baskin, 1991 pg 29).
[42] The BMWU was launched in June 1980 and a month later led a strike of 10,000 workers (Baskin, 1991 pg 28).

began springing up in the Black townships to deal with local issues such as bus fares, rent

and municipal issues. These organizations often began mobilizing people in the

townships around specific community based issues gradually growing into a broad based

coalition. The ANC in exile and underground actively strategized around the formation

of this coalition which coalesced in 1983, into the United Democratic Front (UDF)

comprising of 85 groups, which included civic organizations, community groups,

churches, NGOs, sports bodies and other formations opposed to apartheid. Within six

months of its formation the number of member groups jumped to 320 (Seidman, 1995 pg

228). Most of the community based unions openly supported the ANCs political mandate

and found a common purpose with the UDF, joining its ranks and adopted a "charterist"

philosophy which saw the ANCs Freedom Charter as an equally important goal for the

trade union movement.[43] Many of these community unions also rekindled or developed

links with SACTU in exile (Baskin, 1991 pg 29).

The community based unions operated in stark contrast to FOSATU unions. They

mobilized quickly across broad front and were reliant on mass campaigning and intense

organizing rather than FOSATU's focus on building the shop floor. The community

unions preferred mass rallies and demonstrations to the shop floor system of consultation

and building organizational consensus and capacity. These unions showed a capacity for

rapid growth and militant action. Ultimately the community unions were confronted with

two major obstacles, state action and organizational weaknesses which left them weak

and precipitated their equally rapid descent (Baskin, 1991 pg 29).

Most of the African only unions in the late 1970's formed the Council of Unions

of South Africa (CUSA) which, at its inception in 1980 had nine affiliates and 30,000

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[43] Interview with Jay Naidoo first General Secretary of COSATU.

members. CUSA rejected non-racialism and looked to foster African leadership within its affiliates. The federations' major accomplishment was the launch of the National Union of Mineworkers (NUM) in 1982 with a membership of 20,000 members, by June 1983 NUM had 110,000 workers (Baskin, 1991 pg 30). Cyril Ramaphosa, who was to play a pivotal role in the transition to democracy, was hired by NUM at its launch, in its legal department to provide the resources necessary to push organizing forward.

Merging the Workerists and Charterists

By the early 1980s many FOSATU affiliates were uneasy with the federations' non-political stance. Unions within FOSATU often collaborated with community groups during strikes and to assist with boycotts of products. In 1984, the Sweet Food and Allied Workers Union (SFAWU) successful strike against Simba products was made possible through the mobilization of a consumer boycott by township based youth groups and members of COSAS. The secretary of SFAWU, Jay Naidoo began to push for an alliance with political groups. Other FOSATU leaders, such as Chris Dlamini who was made president of the federation in 1982 began to push for greater union involvement with the community and student groups such as COSAS (SALB, 1982-83). These leaders had participated in the ANC prior to its banning or had flirted with Black Consciousness ideology. Some continued to hold membership in the banned ANC and SACP and participated in their underground activities. Some such as Moses Mayekiso the general secretary of MAAWU spoke of the need to shift from a workerist to a more political approach. Defending the earlier focus on shop floor issues he stated:

We (the union movement generally) believed that we needed to build worker strength and to build that strength we needed to concentrate on issues that we could win—bread and

butter issues like wages and working conditions. That s not to say that we were against politics or political issues- in fact we were paving the way to get involved in politics.

Later in 1984 I began to argue for greater worker participation in community issues. This was not a change from my previous position. I had just come to the conclusion that working class leadership had developed to such an extent that workers were able to sufficiently argue their position in community politics and to assert a worker position on issues. I argued quite forcefully for a change in policy towards greater involvement in community politics…I encouraged [union] participation in community organizations to make sure that they were democratic and represented worker interests.

I emphasized that one could not separate community issues from factory issues. An issue like higher rent was directly linked to the fact that people were earning lower wages (quoted in Seidman, 1994 pg 232)

By 1982 the FOSATU leadership reflected the change in the federations' mood towards political involvement. Joe Foster, who had advocated workerism was no longer general secretary and a new leadership was put in place which advocated that the federation should participate and support political action. By 1984, FOSATU was part of a joint union committee with CUSA and the UDF unions in the PWV areas and sanctioned stayaway action to support the Congress of South African Students (COSAS). Concurrently, FOSATU along with other federations and individual unions began to participate in talks towards forming a 'superfederation'. The independent unions had realized that in order to take on the repression of the apartheid state they needed the strength of numbers both within industries and nationally. The underlying bases for this new federation were the need to use mass mobilization to disrupt the apartheid state. Industry wide union coalitions were also necessary to extract demands from employers.

In the early 1980s, the independent trade unions including those in FOSATU, CUSA, AZACTU[44] the UDF and smaller federations from the Cape region such as the General Workers Union (GWU), the Inkatha Freedom Party (IFP) began to hold unity talks. The backdrop of the talks was the increased militarization of the apartheid state and

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[44] AZACTU was formed in the early 1980s and was made up unions from the Black Consciousness Movement who had stayed out of CUSA.

an increase in mass mobilization and resistance against the regime by the UDF. This

combination led to a highly violent and brutal environment for activists of all allegiances

protesting apartheid. In 1985, the regime declared a state of emergency that was to

essentially remain in effect on and off until 1990. The unity talks were fraught with

conflict over differences in interest, political ideology, organization tactics and

differences in personalities. Because the unions were attempting to fuse many strands of

economic and political ideology from the onset the hallmark of the unity talks was an

emphasis on democratic process. It took four years, between 1981 and 1984, for the talks

to culminate into the formation of a new federation COSATU (Baskin, 1991). This new

federation sought to fuse the workerist tradition of participatory worker democracy

combining it with the community tradition, which emphasized the connection between

shop floor and political struggles (Southall, 2001).

Political differences were in the forefront around the formation of the new federation:

It was political differences that stood in the way of worker unity. While the debates were
not always easy, at least it was a start and there were debates. COSATU is alive today
because we all aired our suspicions then. It was worth it because most of our suspicions
were over nothing (Moses Mayekiso a few years after COSATU's launch).[45]

Some of the participants were unable to reconcile political differences, the IFP leader

Buthelezi declared COSATU nothing more than a front for the ANC and left the talks.

The IFP unions were to form their federation named UWUSA. Several unions from

CUSA joined COSATU including the all powerful National Union of Mineworkers

which at the launch of COSATU had more members than all other unions in FOSATU.[46]

The balance of the unions in CUSA and AZACTU felt shut out at the talks especially

over the drafting of the constitution and were uneasy with the non-racial tradition of the

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[45] Baskin, 1991 pg 51
[46] At COSATUs launch the NUM member ship was estimated at 100,000 (Baskin 1991 pg 86).

ANC and the UDF, these unions were unable to compromise their Black Consciousness ideologies and accept the dominance of the non-racial tradition (Baskin, 1991). These unions combined to form the BCM leaning federation of NACTU.

COSATU is Born

In 1985, COSATU was formed with a clear mandate of securing workers interests on the shop floor and opposing apartheid. At COSATUs launch Cyril Ramaphosa from NUM surmised on the political role of the new federation:

If workers are to lead the struggle for liberation we have to win the confidence of other sectors of society. But if we are to get into alliances with other progressive organizations, it must be on the terms that favourable to us as workers...When we do plunge into political activity, we must make sure that the unions under COSATU have a strong shop floor base not only to take on employers but the state as well...In the next few days we will be putting our heads together not only to make sure that we reach Pretoria but also to make a better life for us workers in this country. What we have to make clear is that a giant has risen and will confront all that stand in its way (Baskin, 1991 pg 54).

COSATU benefited from the flow of African workers into the trade unions during the 1980s. Table 3.6 below shows that the number of unionized African workers jumped from almost 260,000 in 1981 to 470,000 in 1983 and then 820,000 in 1986.

Table 3.6: Trade Union Membership by Racial Group, 1981 -1988

Year	White	Coloured and Asian	African
1981	468 029	326 794	259 582
1982	488 044	343 900	394 510
1983	474 454	330 176	469 260
1984	470 672	338 314	578 064
1985	458 110	295 987	511 171
1986	487 002	333 829	823 620
1987	446 779	310 196	835 122
1988	439 679	262 613	956 969

Source: Macun, 2002 pg 18 from Dept. of Labour, Annual Reports

At COSATU's formation in 1985 the federations paid up membership was

450,000 by mid 1986 the figure was 650,000 (Baskin, 1991 pg 86). COSATUs politics

was seen as a boost to its membership. Workers often came to join COSATU the

federation and not individual unions. For African workers the federation represented a

legitimate yet militant channel through which they could voice their discontent over a

variety of factors affecting their lives (Wolpe, 1988).

COSATUs politics attracted membership to its affiliates in almost every sector and
region. Intense political involvement did, sometimes, lead to neglect of factory issues, or,
more often, to a decline in the standard of union service'. But this was neither and
inevitable result of of COSATUs political involvements, nor did it occur in all affiliates
and regions. Declining standards of service were usually attributable to other factor and
COSATUs politics generally boosted its membership and status amongst the working
class (Baskin, 1991 pg 86).

The inclusion of the National Union of Mineworkers (NUM) in 1984 was another factor.

The NUM grew rapidly showing a total of 227, 586 paid up members just two years after

its inception (Baskin 1991, pg 86). Additionally, organised workers left their unions and

moved into COSATU unions, for example many came from CUSA and others from

individual unions.

Affiliates within COSATU continued to debate the workerist versus

populist/charterist stance and these were later to re-surface within the federation during a

period of upheaval from 1987-88 (Baskin, 1991 pg 3). In fact this debate was never

sufficiently resolved and continued to simmer amongst the affiliates of COSATU who

never completely embraced the ANC alliance. Moreover, the workerists themselves were

divided into broadly two groups, the revolutionary socialists who saw the unions as a way

to establish a Marxist Party, and the other was a form of syndicalism where work place

and union struggles were the most important facet of working class political activity

(Baskin, 1991 pg 95 -96). Beneath this simplistic characterization of ideological

differences within COSATU and aside from the organizational issues around mandate,

debates over one industry one unions and democratic processes, lay a more complex set

of interwoven political strands which Baskin narrows down to three issues – the

federations relationship with the ANC, differing routes to socialism and the breadth of the

federations alliances both in terms of ideology and class (Baskin, 1991 pg 101).

The internal struggle for COSATU to follow a particular trajectory was

manipulated and cajoled through the various alignments within the federation. Broadly

there were three alignments within the federation; the UDF bloc with 19 affiliates,

106,761 members (23% of the membership) and 49% of the voting delegate seats on the

CEC; the Centre bloc with 168, 907 members (37% of COSATU membership) with 19%

of the voting delegate seats on the CEC; the independent bloc with 121,068 members

with 23% of the voting seats on the CEC. As their names indicate the UDF bloc was the

most political and closely aligned with the ANC. The centrists were sympathetic to the

UDF and the ANC to varying degrees. The emphasis within this group was on grassroots

organization and democratic processes, many of these unions came from the FOSATU

tradition of economic unionism. The independent bloc also stressed democratic grassroots

organizing and structures but were wary of the ANC/UDF politics which the groups

tended to view as populist and nationalist. Outside of these three blocs were a number of

unions who did not comfortable fit into any of the three categories and whose political

leaning ranged from UDF/ANC sympathizers, to being Africanist or apolitical (Baskin

1991 pg 101-104).

As COSATU geared up to take on the apartheid regime in the 1980s and 90s its

internal structures and internal political factions would determine the path of the

federation.

Conclusion

COSATU cannot be divorced from the history and struggles of the union

federations that came before it. The creation of COSATU was facilitated through the

fostering of many ideological strands of unionism, which created a vibrant trade union

movement that accommodated varying viewpoints and permitted a broad base of unions.

The primary lessons that the federation learnt from its predecessors was that the singular

pursuit of either economic or political unionism was unviable what the Black trade unions

needed was to develop its own hybrid unionism that was a manifestation of both.

COSATUs hybrid unionism meant that the state needed to be engaged through

negotiations with wage boards and industrial councils and repelled through mass action

and the unions needed to be flexible and strong to vacillate between strategies when

necessary. Alliances were critical; they fused the union movement with intellectuals,

organisational capacity, political support and international recognition. Most importantly,

the trade union movement needed to navigate through these strategies and assess the

constantly shifting dynamic. This required a leadership that was astute and conscious and

flexible enough to adjust decision making depending on new scenarios presented to them.

On the eve of liberation the unions were in a strong position. They had a longer and a

more direct history of negotiating and dealing with the regime than either the ANC or the

SACP. They had also cultivated other relationships with white capital, the churches,

NGOs, community organisations, etc. How would the unions parlay this into concrete

gains fro the working class during the negotiations? This strategic issue was central to COSATU in the lead up to liberation.

There is also a more general point that arises from the history of the Black unions, its capacity to play an institutional role in society. In spite of the severe repression the unions were always able to re-plant themselves and grow. The apartheid regime, although crippling and limiting the unions never outright banned them, as result of international pressure and the desire to contain militancy amongst workers. Trade unions in this respect have greater prospects of survival within such a hostile environment than an opposition political party. Unions also have the capacity to play multifarious roles, from negotiator, pacifier, around both political and economic issues, and obviously, the mass mobilization of people. Within civil society they play a critical role of lending organisational support to individual civic organisations and groups and protest movements. In particularly repressive moments unions offer workers and an outlet to voice their concerns and to collaborate in harnessing working class power over not just economic but political and social issues. The primary issue facing unions engaging in political activity is the sustainability of their endeavours. Trade unions are clearly capable of facilitating change, whether they can sustain this change and their role in it is the major conundrum for unions. Problems of cooptation, organizational weaknesses and imbalances in pursuing one type of unionism ie. political or economic all present challenges which unions must overcome to ensure a continued presence in the economic and political milieu within which they operate. Time again union movements in Kenya, Ghana, Zambia and Zimbabwe have shown that they are the instigators and drivers of social and political transformation, yet post transformation the unions cannot follow

through to significantly capture the benefits they sought and which brought about the transformation in the first place.

For South African unions this is ultimate challenge, to carve out an independent role for themselves post-transformation and avoid the pitfalls that unions in Africa have fallen into. South African trade unionists were sure, at the eve of liberation that they would not allow their unions to follow the slippery road that others had taken before them, getting co-opted into the state post-liberation, or getting crushed. Keenly aware of the fate that had met unions in Kenya, Zimbabwe, Zambia and Ghana South African unionists set out to eke an alternative path for themselves.

3.4 Creating Alliances

Introduction

Forming alliances have been an important strategy for COSATU. There are broadly two types of alliances the unions have entered into, one with political parties and the other with civil society organisations such as mass movements, NGO's and student organisations. These alliances have both benefits and costs for the unions and I trace how these changed both pre-liberation and post. There are two sections here, the first deal with political alliances and the second with civil society alliances.

3.41 The Tripartite Alliance

The formal tri-partite alliance between the ANC, SACP and the Black trade union movement has its origins in relationships that go back to the 1920s (see Table 1.2 in the appendix) and is a by product of an organic relationship which grew between the three organisations. The ANC (1912), SACP (1921) and the first African unions (1920) were

all formed in the early 1900s. As activists and unionists engaged one another over issues of exploitation and repression of the African majority under colonialism a symbiotic relationship developed between the three organisations. Although, historically the trade union movement has collaborated with various political organizations, which ranged from Trotskyite organizations, the Indian National Congress, organizations of the Black Consciousness Movement, the Pan Africanist Congress (PAC), the most enduring and developed relationship was between the Black trade unions and the ANC and the SACP. In the 1950's, with the launching of the South African Confederation of Trade Unions (SACTU) this relationship solidified and has endured in various degrees since that period, culminating in the formalization of it in the period following the unbanning of the ANC and the SACP. In the following section I trace the roots of the tripartite alliance and how it evolved into formal alliance between the three organisations.

From the early 1920s both SACP and the ANC were involved in the trade union movement. Within the very first African trade union, five out of eleven of the ICUs National Council were members of the Communist Party. When they were expelled from the ICU these communists went on to form their own trade unions. The Communist Party in the 1930s, formed the African Federation of Trade Unions, (AFTU) and one its trade unions, The Food and Canning Workers Unions (FCWU), through its militant struggles and focus on shop floor organizing survived many repressive decades to become one of the founding unions of COSATU (Baskin, 1995 pg 9).

Similarly, the African Mineworkers Union (AMWU) was initiated by the ANC and headed by JB Marks a member of the ANC and the Communist party (Baskin, 1995). The leadership of CNETU the federation to which AMWU belonged included several

political leaders and its vice-president Dan Tloome was a member of the ANC (ibid).

Although strike action was ultimately to lead to AMWUs demise, the union had a

significant impact on Chief Albert Luthuli the president of the ANC who was impressed

by the unions' ability to mobilize and resist. He saw the unions as an integral part of the

freedom struggle:

The strategic alliance between the Black labour movement, the Communist Party and the ANC was institutionalized during Luthuli's watch. He himself became so committed to it that he lent his voice to trade union mobilization, virtually instructing ANC branches to take an active interest in the unions (Jordan, 2007).

The creation of SACTU in the 1950s, which saw activists from all three

organisations participate in joint mass action was the natural outcome of the

collaborations between the three historically. [47] It was also a result of cross-leadership as

many individuals held posts in all three organisations and recognition amongst the leaders

that this was a mutually beneficial collaboration.[48] As a result of the cross-membership,

many unionists joined the military wing of the ANC, UmKhonto We Sizwe (MK).[49]

When the ANC was banned and SACTU crushed in the 1960s, the alliance took

on two characteristics. One was the alliance in exile between the ANC, the SACP and

SACTU, where SACTU was broadly viewed as the labour arm of the ANC. The other

was the internal or domestic relationship between the three organisations. Here many

unionists maintained a secret relationship and membership with the ANC, SACP and MK

underground. Trade unions participated in the alliance subversively and often the

alliance functioned through individuals rather than at an organisational level.

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[47] Since the ANC was an African only organization, when I speak of it I am referring to the ANC led 'congress alliance' which included, the S.A. Indian Congress, the S. A. Coloured Peoples Organization and the S.A. Congress of Democrats. The congress alliance merged into the ANC once it permitted non-racial membership.
[48] Interview with Leon Levy.
[49] I have mentioned some of these in the methodology section.

The collaboration with the ANC and SACP had costs and benefits for the unions. The cross fertilization of membership between the three organisations allowed for the intellectual and organizational building of the unions and helped strengthen links with communities. It gave the unions' access to an audience, a platform to sow the seeds of counter-hegemony to the apartheid regime. Part of this counter-hegemony was the infusion of class and workers issues into a national liberation struggle. The fluidity of the tacit alliance between the three groups meant that theoretical, intellectual and academic support flowed back and forth between the organizations.

The South African Labour Bulletin is an example of one such platform for both the unions and the liberation movement. A journal founded in the 1970s saw articles written by lawyers, activists, unionists, communists and academics of all races on workers issues and broader related apartheid issues. Its audience was wide and the publishers often joked about how the regime would read the bulletin to stay abreast of the latest happenings in the labour movement. The bulletin disseminated information about the various acts and laws, strikes and mobilizations, to all corners of South Africa and during the harshest periods of the regime was an invaluable tool for the anti-apartheid movement.

The banning of the ANC and SACP meant that the members of these organisations within the unions' ranks were able to devote their attention to the unions. One could surmise that the political alliance between the organizations added to the political consciousness and militancy of the federation and conversely allowed the unions to inject the liberation movement with issues around class consciousness and allowed a working class leadership to emerge within the liberation movement.

COSATUs outlook and organisational approach made a deep impact on the entire democratic movement. This could be seen in almost universal acknowledgement of the importance of 'worker leadership of the struggle'; in the growing talk of 'socialism'; in the widespread use of African languages; in the style and content of cultural work; and the increasing presence of unionists and workers within non-union structures (Baskin, 1991 pg 451).

Baskin adds that COSATU contributed significantly to widely accepted theories around which the liberation movement was constructed; democratic accountability of mass organisation, the importance of organisational strength, a post-liberation vision for South Africa that sought a fundamental transformation of the economic and social conditions of the majority and well-organised mass action (ibid.). Although these principles may not have always been practiced their existence and widespread acceptance spoke to COSATUs hegemonic role within the liberation movement.

Thus collaborating with the SACP and the ANC allowed the unions to benefit from the strengths of these organisations and also push forward a working class ideology into a liberation movement. The costs of the collaboration with the ANC and SACP meant the violent targeting of the unions by the apartheid regime. Aside from the physical targeting of the unionists by the regime, many unionists were also concerned about the role of the alliance once liberation was achieved and on the effects of the alliance within the trade union movement, pushing the unions towards a charterist agenda, or diluting the militancy of the unions through corporatism, social pacting, or even the danger of COSATU becoming the labour arm of the ANC. I re-visit these concerns later in this section.

When COSATU was formed, its unions comprised of disparate strands of unionism and differing strands of ideologies such as workerists versus populists, resulting in varied commitments to the alliance. Although there was a lot of cross fertilization

between COSATU, ANC and SACP members, the COSATU leadership made decisions independent of those of the leadership of the ANC and the SACP. COSATU was an autonomous organisation at its formation, although it benefited from its members holding membership with the ANC and SACP, it functioned under its own mandate. The first formal attempt to unify the leadership of the three organisations occurred in mid 1986, when the leaders of COSATU, the ANC, SACP and SACTU met in Harare. The meeting was critical in bringing the organizations closer at an institutional level. The unions leaders who had gone to the meeting with trepidation were buoyed by the discussions where:

The ANC delegation had stated it had no economic blueprints and called on organized workers to help conceive of the economic future. The ANC also noted that it did not foresee that any negotiations with government would involve it alone. Internal representatives of COSATU would have to be part of any negotiating team (Baskin, 1991 pg 94).

The relationship between the three organizations was further solidified when the newly formed COSATU adopted the ANCs Freedom Charter as its guiding principle during the federations' second congress in 1987 (The Shopsteward, 1995). Even at this stage there was dissent and concern emanating from COSATU affiliates over the alliance. Although many of the affiliates had already adopted the freedom charter there was concern amongst some affiliates that COSATU needed to develop a workers charter and that the freedom charter was not enough to build on towards socialism, "These unions were not against participation in the anti-apartheid struggle. However, the fear was that, without its own clearly defined programme, the working class would be overwhelmed by other class forces" (The Shopsteward, 1995 pg 3).

In 1990, with the unbanning of the ANC and SACP, and their imminent return to the country a decision was made by SACTU and COSATU leadership that in support of the 'one country one federation' goal of the unions, SACTU would be phased out and its cadres be absorbed in to COSATU. It was assumed that COSATU would replace SACTU in the alliance. On 9th May 1990, the ANC-SACP-COSATU tri-partite alliance is formally constituted at a meeting with the following guidelines:

- Each organisation is independent and will develop its own positions on various issues and campaigns.

- The task of the alliance is to formulate a joint programme on agreed issues.

- The alliance is a strategic alliance with a central objective of dismantling apartheid and building a non-racial, democratic and unitary South Africa.

- The alliance must take on a structured form at national, regional and local level with mandated representatives from each organisation.

- The alliance must work out how it relates to a range of organisations and different class forces outside it.

- The ANC was the 'leader of the alliance'.

- The alliance would be base don democratic principles and practices with consultation and consensus as the basis of decision making (Baskin, 1991 pg 432).

Although this programme for the alliance sets out independent paths for the three organisations, there were tensions within the unions movement as to the nature of the alliance. COSATU was independent and no one could caricature it as the 'labour arm of the ANC' however, historically no trade union in Africa had managed to maintain an

equal footing with any political party it allied with for any significant period of time (Buhlungu, 1997). Furthermore, not all unionists were comfortable with multiple memberships, there were those that considered themselves to be primarily unionists and struggled with wearing two or more hats. Some were also wary of the political and economic motives of the incoming ANC as the Transvaal regional secretary of FAWU stated in 1991, "I am not too optimistic that the ANC will protect the interests of workers and that it will be in favour of socialism when it is in government" (Von Holdt, 1991 pg 17). Another union activist writing in the Labour Bulletin laid out some of the concerns of unionists around the alliance with the ANC:

The problem for the trade union movement and COSATU in particular, is not only how, in this phase to keep on developing their own organisational strength's and maintain their political independence while cooperating with the national liberation movement. The danger is that -- once in a relationship and having built up a certain modus operandi— there are always so many 'tactical reasons', there are always so many arguments that can be presented for maintaining it. It is going to be extremely important –and extremely difficult – for the unions to agree when, precisely to take the strategic decision to part company with a future national democratic ruling party (Keet, 1990 pg 62).

The Workers Organisation for Socialist Action (WOSA) which enjoyed some support within COSATU wrote an article in which it argued that union independence was not possible when the federation gave its support to one single political party, and that since the ANC was a multi class organisation, it would compromise the socialist goals of COSATU. Their primary criticism was that the alliance would mean that COSATU would have to endorse the policies of the ANC and would need the ANCs agreement to defend working class issues (Baskin, 1991 pg 433).

Another discomfort within the unions was the issue of wearing too many hats and what this would mean in terms of capacity. Many unionists were worried that cross-leadership position would place an undue strain on union leaders' capacity to devote the

necessary time to the movement. They also touched on the issue of loyalty in the pre-liberation phase allegiance to all three organisations was uncomplicated because the common goal of ending apartheid cut across the organisations, however, this would change post-liberation – how would cadres reconcile the differences and contradictions between the three organisations (Baskin, 1991)?

Discomfort with the alliance also stemmed from a broader tension which existed between the federation and the leadership of the ANC in exile. Some leaders in the union movement were wary of receiving a mandate from a leadership in exile that they had either never met or had had limited interaction with. It was also indicative of tensions that existed between ANC members who were in exile and those who remained in the country either underground or functioning overtly. This was part of a struggle within the ANC for leadership in anticipation of an independent South Africa. By the late 1980s as liberation loomed, in spite of the euphoria that was to come, this dynamic remained brewing under the surface.

By the time of liberation and the institution of the first election of South Africa the three organizations within the alliance began to adopt their institutional roles within society. The ANC became the dominant political party and formed the first independent government of South Africa which included processes and members of the SACP and COSATU. The SACP began to re-define itself post-liberation to take up issues of socialism and re-distribution once again but within a new social-economic and political system. They adopted the dual role of both critic and partner within the alliance. COSATU similarly began to position it self within the alliance to engage and influence the government on workers issues (Holdt, 1991).

Early collaboration between the ANC, SACP and the union movement grew out of a "common cause" against apartheid. There was also an ideological overlap between the three organisations and the ANC and SACP recognised that the unions were important locations to develop and nurture a movement against colonial rule. The alliance in its embryonic stages developed painlessly and was first formalised with the formation of SACTU. The 'alliance' in that moment was a result of a natural evolution rather than any strategic intervention by the unions. This dynamic changed as liberation approached and real differences, ideological and structural between the organisations began to manifest themselves.

Liberation Looms

As the negotiations for the transition of power began in 1990, COSATU was pre-occupied with ensuring that they significant role in shaping the economic policy of both the outgoing and incoming governments. The federations' relationship with the ANC and SACP ensured that it would have unprecedented access to the negotiating process. It was clear however that COSATU harboured a vision of social and economic transformation that was more radical than its anti-apartheid alliance partners. The ANC impressed upon the unions, through the Communist Party, the need to abandon or defer its goals of socialism and as a result the unions adopted a position of 'militant abstentionism' (Friedman and Shaw, 2001 pg 192). This meant that COSATU would adopt a reformist role fighting for incremental changes rather than a revolutionary position for the transformation of society. The federation insisted however, that the reformist role was strategic existed within a broader revolutionary path that the union movement was on.

Between 1990 and 1994 there was an intense period of negotiation around the transition of power from the National Party to the ANC. Broadly the negotiations were split into two forums the political negotiations centred within the Convention for a Democratic South Africa (CODESA) [50] and the negotiations around the economy were concentrated within the National Economic Forum (NEF).

The trade unions chose to participate more intensely in the NEF and took a back seat during CODESA although some of its former leaders such as Cyril Ramaphosa the former General Secretary of the National Union of Mineworkers were intensely involved in the CODESA negotiations. This decision to take a backseat at CODESA was a contentious one. The federation was offered two seats at the negotiating table by the ANC and the unions opted against taking the seats and chose to play an informal behind the scenes role during the political negotiations. A variety of reasons have been offered for this. One version states that the unions wanted parity with the ANC in the number of seats (representation) in CODESA, and they were slighted by the ANCs offer to be a minor player and chose instead to work in back rooms and informally to influence and participate in the processes. Another explanation is whilst CODESA focused on political

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[50] CODESA began in December 1991 following a period during which the ANC, SACP, PAC and other political parties were unbanned and Nelson Mandela was freed by the then president De Klerk. The convention was set up to formally negotiate the transition from an apartheid state to democratically elected done. Nineteen groups were represented and participated in CODESA including the apartheid regime, political parties and organizations, traditional leaders and leaders of the four Bantustans or independent homelands. The primary issues for negotiation within CODESA was the political transformation of the state and included negotiation over the two-phase transition being pushed for by De Klerk which would have entailed a transitional government and a rotating presidency versus a ANC supported single stage transition to majority rule. Additional issues were the creation of democratic state which was based on equality, participation freedom and emancipation. Other issues were minority rights, decisions a unitary or federal state, property rights, indemnity from prosecution for politically motivated crimes, and the end of the ANC's armed struggle and the negotiations around the issue of MK's disarming. Negotiations around CODESA occurred during a tense and sometimes violent period. There were accusations against the current De Klerk government of sponsoring violence to de-rail the negotiations and the mainly Zulu Inkatha Freedom Party walked out of CODESA because they felt their interests were being sidelined and together with traditional leaders, homeland leaders and white right-wing groups formed the Concerned South Africans Group (COSAG).

processes the unions were keen to focus their energies on the economic processes and

negotiate with the outgoing national party and capital around economic policy through

the National Economic Forum.[51]

Ultimately CODESA disbanded in 1991 because it failed to create a consensus

amongst its participants. The political negotiations were reformulated within the Multi

Forum Negotiating Process (MFNP) and taken forward. The MFNP formed the

Transitional Executive Council (TEC) in 1993 as a complimentary structure to existing

parliament, which would function alongside it. Within the TEC, seven sub committees

were formed with executive powers to form policy on key areas of government. Each of

the major political parties nominated to the TEC at least one member. The ANC

nominees reveals amongst them only one trade unionist amongst all the sub-committees,

Sydney Mufamadi, in Law and Order. The ANC members of the sub-committees

reported back to an ANC coordinating structure. COSATU lobbied hard to get one of its

members onto the coordinating structure and was successful after much hard work.

There were already signs that the alliance did not guarantee COSATU a seat at every

level of the negotiations.[52] The decision to refuse the two seats offered to the federation,

in hindsight should be analysed by the fact that there were no guarantees and formal

arrangements for COSATU to participate in the transition other than the two seats offered

to them in CODESA, which would have automatically parlayed into the next round

within the MFNP. Although there is some indication of COSATUs informal and

backroom successes during the negotiations, they were forced to fall back on mass

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[51] Interviews with Jayendra Naidoo, chief negotiator for COSATU and Ebrahim Patel the general secretary
of SACTWU.
[52] Interview with Neil Coleman, former head of communications for COSATU in the 1990s.

mobilization to pressure not just the outgoing regime but the ANC itself on the path it should follow (Friedman, 1993 pg 139-143).

The ANC was dependent on COSATU for several reasons. First, upon its unbanning the organisation clearly had mass support, yet struggled with establishing official structures and building organisational capacity. In the lead up to the first elections it was reliant on the COSATU membership and the federation's structures to roll out the election machinery and organise workers for the vote. This was in stark contrast to the days of SACTU where the unions were dependent on the ANC for membership.

Second, the federations unions and their leaders had a long history of dealing with the regime and union leaders were utilized in the negotiations. Some of these leaders also held ANC membership, but for many their primary organisational home had been the trade unions. The ANC drew on this experience to assist the organisation with the negotiations and this was to have a profound impact on the union movement. When union leaders participated in the negotiations and the creation of a new government it opened the door for a possible role for these individuals in the new government. This in turn affected the manner in which unionists engaged in the transition and the possibility of a future position in government undoubtedly had an impact on the radicalism of union leaders during the negotiations. Repeatedly, the union adopted or agreed to positions that were contrary to their stated goal of socialism and went beyond their self-defined limited reformism. Some examples of these is acceptance of GATT during the National Economic Forum and equating the 'right to strike' with the 'lock out clause' in the interim constitution, which was initially agreed upon by then General Secretary of

COSATU, Mbhazima Shilowa. Pressure from the union structures would ultimately

remove the 'lock out clause' from the final constitution but the incident was instructive in

pointing out the inter-playing forces at work.[53]

The alliance also allowed for the class mobility of unionists. Had the unions stayed

out of the alliance, its leaders may yet have gone into government and ANC positions,

however, the alliance facilitated the easy assimilation of union leaders into the ANC

because its existence justified cross membership. It also squelched the debate within the

unions over the brewing dynamic of unionists going into government. Table 3.7 on the

following page looks at the employment trajectories of the federations' leadership post-

COSATU, and it's clear that up to 1999, most COSATU leaders went into parliament

after their stay at COSATU was over. However, following this period the leadership

positions within the federation have settled down into longer tenure and it is difficult to

judge whether this trend will continue in the future. Next year COSATU holds elections

for its office bearer positions and speculation is rife that the current General Secretary

will exit into government:

It is a fait accompli within the labour movement that he will join the Zuma government
next year. In anticipation of his appointment, trusted Cosatu leaders know that Vavi will
not be available for re-election at Cosatu's next congress, but Zuma's statements on the
economy are Vavi's dilemma.[54]

It would be incorrect however, to classify all union leaders' movement into

parliament as a crude cooptation. In the case of Sydney Mufamadi, and Chris Dlamini,

both had close ties to the ANC and SACP underground pre-1990 and were considered

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[53] Interview with Jay Naidoo.
[54] "Whither ANC-COSATU links" http://www.sowetan.co.za/News/Article.aspx?id=822612

Table 3.7: Employment Trajectories of COSATU leaders

Position	Names	Parliament	Government	Business	Union
1st Leadership elected 1988, re-elected 1991 upto 1994					
President	Elijah Barayi	yes but died before he could go			
Vice President	Chris Dlamini	yes until 1997 then appointed ambassador to China		yes	CEO of FAWU investment co. until 2003
Second-Vice President	Makhulu Ledwaba			yes	SACCAWU investment co. until 2000
Treasurer	Maxwell Xulu/Ronald Mofokeng	re-elected to COSATU in 1994			
Secretary General	Jay Naidoo	yes	Minster of RDP and Telecommunications shut out for 1999	yes	chairman of Development Bank South Africa (DBSA) has some connection
Asst. Secretary General	Sydney Mufamadi		Minster of Safety 1994 and Local govt. 1999 to present		
2nd Leadership elected 1994 and re-elected in 1997* upto 1999					
President	John Gomomo	yes/died 2008			
Vice President	Connie September	Yes to present			
Second-Vice President	Joseph Nkosi/Peter Malepe			yes	
Treasurer	Ronald Mofokeng	Yes			
Secretary General	Mbhazima Shilowa	Provincial legislature	Premier of Gauteng Province		
Asst. Secretary General	Zvelinzima Vavi	Current Secretary General			

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equally committed to those organisations as they were to their unions. Their appointment

to leadership positions within the ANC and government was a result of their

seniority within the two political parties.[55] In the case of Jay Naidoo, the first General

Secretary of COSATU who was a self-described unionist who supported the ANC and

BCM movement at various moments, but avoided membership in either a more textured

picture emerges. Various reasons have been given for Jay Naidoo's departure from the

unions into government; a voluntary desire to move on, the need for the pre-liberation

leadership (of which he was part of) to be replaced with a new generation of trade

unionists; a desire by the ANC to incorporate the unions into the national project and to

send a message to the unions that the alliance was being taken seriously (Von Holdt,

1993). Once in government Naidoo acted as an agent between the members of COSATU

and government, negotiating with the unions around acquiescence to various government

policies. What did the unions gain from his position? Naidoo was initially minister of

the RDP and when the RDP office closed down he was transferred over to

telecommunications where he over saw the semi-privatisation of the state owned

telephone company, Telkom. Privatisation was a contentious issue for the unions over

both job loss and a deviation from agreed development strategy. Naidoo conducted

negotiations with the Communications Workers Union (CWU) from COSATU and the

South African Communications Union (SACU) from FEDUSA. Eventually a 60 (public)

40 (private) deal was agreed on with the acquiescence of the unions. Naidoo, did attempt

to retain cross subsidies within the new arrangement where large operators subsidized

smaller ones in the rural areas and the townships areas, however ultimately the managers

from the private sector were able to fight the cross subsidies (Bond, 2000 pg 81). The

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[55] Both were on the central committee of the SACP and the NEC of the ANC.

unions were able to exert pressure and prevent the complete privatisation of Telkom, however, in the end they also acquiesced on the partial privatisation and the retrenchments that went along with it. Symbolically, it was a watershed moment when Jay Naidoo the former militant leader of COSATU negotiated with the unions over privatisation, an issue that COSATU was firmly against.

Naidoo was not appointed into the cabinet in 1999 and remains out of parliament and government. It is widely believed within the trade union movement that the government used Naidoo to make its policies more palatable to the unions and subsequently released him from the cabinet.[56] There were other instances such as the appointment of Alec Erwin, the educational coordinator for NUMSA to both the Mandela and Mbeki cabinets where he supported neo-liberal policies. It was clear that once unionists went into cabinet they were beholden to the policies of the ANC and functioned at the behest of the president, there wasn't much scope for holding onto individual identity and action.[57]

Aside from the national level the union movement lost its trained cadres to almost every level in government. In 1994, COSATU decided to send 20 union leaders into national parliament. By 1996, it is estimated that over 60 unionists left COSATU to take up positions in the provincial legislatures (Buhlungu, 2001). Of those that remained in COSATU hundreds chose to stand for various positions in the local government elections creating an overload of work for unionists wearing too many hats.

Hundreds of unionists, both full time officials and worker leaders, stood as candidates in their communities. In NUM alone, 101 of its members and officials were elected as local councillors, six of them as mayors! While local councillors are not full time politicians

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[56] Interviews with Johhny Copelyn, Marcel Golding, Neil Coleman.
[57] Interview with Jayendra Naidoo.

and not all those elected held senior positions, the demands of office will undoubtedly place strain on their ability to continue being active members (Baskin, 1996 pg 34-35)

In addition to unionists leaving for government almost 300-400 union leaders left to take up posts in the private sector.[58] The cumulative effect of these departures and pressures on those playing dual or triple roles in COSATU, the ANC and SACP created a crisis of capacity within the unions (Baskin, 1991).

The alliance presented the federation access to negotiations, to shape the constitution, labour regulation and economic policies. It is undeniable that federation could not have done this without its relationship with the ANC and SACP. However the alliance also created the possibility of class mobility for trade unionists and created a dichotomy for the federation forcing them to accept the costs and gains of engaging in the alliance. In the post-liberation scenario this dichotomy became more pronounced and began to push COSATU towards making a choice.

The Rupture

In 1996, the first major public rupture occurred between COSATU and the ANC. The overarching economic policy of the ANC, the RDP which had been in existence for less than two years was trumped with a more fiscally austere policy the Growth Employment and Redistribution (GEAR) which was premised on the theory that economic growth would lead to redistribution. The ANC tried to soften the impact of GEAR, arguing that it was merely the macro-economic vehicle through which the RDP would be realized.[59]

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[58] Interview with Jayendra Naidoo.
[59] The main argument from the Department of Finance justifying the creation of GEAR was that the then current set of economic policies would result in 3.3 % growth and the creation of 134,000 jobs in the year

We are not pursuing macro balances for their own sake, but to create the conditions for sustainable growth, development and reconstruction. The strategy for Growth, Employment and Redistribution (GEAR) is aimed at giving effect to the realization of the RDP through the maintenance of macro balances and elaborates a set of mutually reinforcing policy instruments (Trevor Manuel, Minister of Finance, 1996)[60]

The ANC also stressed that they had failed to consult the other two alliance partners

because of a foreign exchange crises leading to a balance of payments crises. In 1995,

net capital inflows dropped from R11.2 billion to R2.7 billion in the first half of 1996, the

depreciation of the nominal exchange rate to 18% made devaluation pointless (Gelb,

2006 pg 4). On the eve of the announcement of GEAR the government alerted COSATU

and SACP leaders about the policy shift. The trade unions meanwhile, had been pushing

an alternative policy framework to the watered down version of the RDP that the ANC

adopted, named Social Equity and Job Creation (SEJC), which was based on the theory

that redistribution of economic wealth would lead to economic growth (SEJC, 1996).[61]

The leadership of COSATU were incensed, not only had the trade unions failed in

ensuring the adoption of the SEJC, but the ANC had broken its tradition of consultation

with the federation and 'surprised' the unionists with the policy declaration. Secondly,

GEAR was a clear deviation from the welfarist policy state that the federation had

envisioned (COSATU, 2002). COSATU saw the introduction of GEAR as nailing the

coffin of the RDP shut, as the policy had never found firm footing within the government.

2000. Between 1996 and 2000 an average of 2.8% growth and an average of 104,000 jobs would be created. The policy document outlining GEAR argued that the South African economy needed to boost employment, growth, exports and investment to allow for increased social expenditures as outlined in the RDP and hence a medium tern strategy was necessary in the form of GEAR. The predictions were that by 2000 GEAR would produce 6.1% growth and 409,000 jobs or an average of 4.2% growth and 270,000 over the four year period (Department of Finance, 1996, pg 4-9)

[60] Quoted from an article Trevor Manuel wrote in the Sunday Times, titled, "A Delicate Balancing Act" 13th August 2006.
[61] The RDP that the ANC adopted was significantly watered down from its original welfarist approach and I deal with this in greater detail in the policy section of my analysis.

They were right, by late 1996 the policy drifted into oblivion with specific policy

recommendations assimilated into respective ministries, the RDP office in Johannesburg

was shut down (Bond, 2000). As incensed as the leadership of COSATU was over

GEAR it never threatened to leave the alliance and strike action against GEAR was

muted when the policy was initially unveiled. The ANC government was unapologetic

over the adoption of GEAR. Nelson Mandela, the president under whom GEAR was

introduced made the following statement to the SACP and COSATU congresses:

GEAR, as I have said before, is the fundamental policy of the ANC. We will not change
it because of your pressure. If you feel you cannot get your way, then go out and shout
like the opposition parties. Prepare to face the full implications of that line (quoted in
Webster and Adler, 1999 pg 369).

In 1997, COSATU commissioned an internal review of the future of the trade

union movement in the September Commission. The review presented the federation

with various scenarios of where current government policy would lead the country and

the subsequent questions of what this meant for COSATU. The federation was clearly at

a crossroads in its alliance with the ANC and the formation of the September Commission

was fuelled by a realization by COSATU that its interests and paths were diverging from

those of the ANC and that the federation needed to conduct a scenario planning exercise.
[62] One of the more significant recommendations of the commission was that COSATU

needed to carve out a more independent position for itself within the alliance, and

"support the ANC when it adopts progressive policies, influence it wherever possible,

and oppose the ANC when it adopts anti-worker position" (September Commission,

1997)[63]

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[62] http://www.cosatu.org.za/congress/septcomm.htm#intro
[63] http://www.cosatu.org.za/congress/sept-ch10.htm

Adding to its political woes, on the economic front COSATU was grappling with a severe recession in the economy during the 1990s, caused by a combination of skewed economic policies of the apartheid regimes and the insertion of South Africa into the global economy, making sectors of the economy vulnerable to competition, global shocks and downturns. The recession led to massive job loss especially in mining. Between 1996 and 1997, 40,000 jobs were shed in the public sector alone, and in 1997 50,000 workers in the mining industry lost their jobs. By 1999, the South African economy had lost 500, 000 jobs with over 200,000 of these in mining (Cottle, 1999 pg 76). The unemployment rate was almost 31% in 1994, by 1997 it had risen to 37% and remained at that figure in 2001 (Labour Force Survey, 1997; 2001).

In spite of the tensions within the alliance COSATU actively participated in the 1999 elections. Particularly, in the Western Cape Province, where the ANC had lost the previous elections to the National Party in 1994, the federation played a key role in ensuring that the ANC was given a major boost of organisational capacity. Tony Ehrenreich a key COSATU official involved in the campaign pointed out that coming into the election, the ANC was weak with a membership of 20,000 in 1999 compared to 70,000 in 1994 and was organisationally weak within branches with a lack of communication between the ANC on the ground and in the legislature and executive (Ehrenreich, 1999 pg 50). The COSATU leadership in the province devised a multifaceted strategy for the elections which consisted of a 'dream team' of 500 shop stewards and officials who canvassed fulltime on behalf of the ANC; regional election teams which coordinated the election efforts within branches of COSATU and the ANC; factory meetings in almost 300 of the most strategic companies; special events including

workshops for over 6,500 shopstewards advising them of key policy issues and these

shopstewards in turn held almost 6,000 factory meetings to spread the ANC election

manifesto back into the workers communities (ibid. pg 48). Ultimately the ANC, which

got 40% of the vote lost the election because of an alliance between the two major white

parties, however, the election signified major gains for the ANC over its 1994

performance and in 2004 the ANC won the province with the assistance of COSATU. In

return for this assistance the provincial leaders of COSATU demanded that the ANC

consult with them on policy issues and leadership appointments.[64]

In spite of COSATUs role in the elections, by the early 2000s, the economic

pressures on the trade unions and the deviation from the agreed economic policies of the

government from those formulated within the alliance forced both COSATU and the

SACP to take an increasingly antagonistic approach towards its ANC partner.

Speculating the end of the alliance between the ruling African National Congress (ANC), South African Communist party (SACP) and COSATU has become a favourite pastime amongst many across the political spectrum. There are individuals both on the right and left who would like to see an end to the alliance (SALB, 26 (5) October, 2002 pg 8).

There were two primary difficulties these organisations were facing in regards to

the alliance. First, there was a disconnect between the ANC party policy and government

policy. Thus, although leaders of the three organizations would meet and discuss policies

and actions and come to agreement on them, these were ignored by government. The

ANC was unable to pressure its members in government to adopt alliance agreements. A

good example of this was the ANC-COSATU bilateral alliance meeting held in 2001,

where it was agreed that all future privatisation would be debated on agreed by the

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[64] Interview with Neil Coleman, head of COSATUs parliamentary office.

alliance. Following this meeting there was an announcement from the Department of

Public Enterprise to pursue privatisation of some of its assets.[65]

Secondly, the alliance was malfunctioning at various levels. Sporadic interaction

at the various levels meant that a decision that was taken locally never saw fruition

because national leaders failed to meet. For example, in 1996, COSATU opened a

parliamentary office to provide input and support to the MPs over legislation. The

COSATU parliamentary group were invited to various study groups in parliament to

provide their input on particular issues or legislation. These invitations however were

inconsistent and usually up to the 'whim' of the ANC MP chairing the study group.

When the parliamentary office did get access and a line of reasoning agreed upon, the

process sometimes failed because it never made it beyond the study group level to be

vetted by provincial and national alliance leaders.[66] A COSATU document on the state of

the alliance in 1996 lays out some of these concerns:

In the pre-election period, the alliance partners consulted one another on major issues.
Since 1994, there have been very few substantial meetings of the alliance. Even those that
have taken place have been ad hoc, sporadic or crises meetings. Further, issues agreed on
at those meetings have largely not been followed through (quoted in Buhlungu, 1997 pg
72).

By 2000, the debate between the ANC and its alliance partners COSATU and the

SACP took on a very public adversarial tone. The political fissures in the alliance were

also becoming greater, with mobilization by groupings against one another in leadership

battles and over policy. COSATU and the SACP were characterized as ultra-left as

strikes took place against privatization and wage disputes began to mount. Debates also

became personalized, with various former union cadres being labelled as "neo-liberals"

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[65] Interview with Neil Coleman, head of COSATU parliamentary office.
[66] Ibid.

and "sellouts" because of governments increasingly centrist and arguably rightward shifts

(COSATU, 2002).[67]

By 2002, tensions between COSATU and the ANC within the alliance had

reached such a head that in a bilateral meeting held between the two organizations that

year COSATU was openly questioning the alliance and challenging the ANC on its

policies and program for the transition (COSATU, 2002). Aside from the macro-

economic policies of the ANC the federation was concerned over ANC policies over re-

distribution, particularly the Black Economic Empowerment (BEE) policy which was

aimed at getting majority white owned companies to sell or share a percentage of their

companies with Blacks. The federation was critical of the way in which BEE had been

implemented, with a select few individuals getting the lion's share of BEE deals.

COSATU questioned this shift in the goals of the National Democratic Revolution where

the upliftment of the working class and the peasantry was becoming subordinate to the

creation of a Black middle class and the accommodation of capital. For the federation it

was clear that the ANC led government and unions were diverging in their views of the

NDR (ibid).

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[67]"The project of steering the National Democratic Revolution away from its radical nature has been systematically and carefully driven through with military precision. In fact, conservative economic policy was part of the project driven in the state and its main trophy was the introduction of GEAR ...There were earlier attempts to mobilise and hoodwink COSATU and the SACP into supporting this project. We saw this attempt in arguments that the National Democratic Revolution can only produce a capitalist outcome and that the Black bourgeoisie constitute a motive force surfacing within the movement...When this ideological brainwashing failed, COSATU and the SACP were brutally attacked as ultra-left, for example in the *Briefing Notes of 2001*. This was followed by a huge campaign to present COSATU and the SACP as spoilers who lack leadership to drive these formations to the acceptance of the new line. This was a move calculated to provoke a walk out by COSATU and the SACP. But this strategy backfired as ANC structures called upon the leadership to resolve the issues, strengthen the Tripartite Alliance and refused to endorse the line that COSATU and the SACP were a problem" (COSATU, 2006 pg 6-7)

The federation lobbied openly and hard against GEAR within the alliance and its

discourse was now openly critical of the government. As the relationship between the

leadership of the three alliance partners became tense and hostile the SACP and

COSATU leadership began to collude with the left leaning members of the ANC to

ensure that the ANC economic policy remained in line with the objectives of the National

Democratic Revolution. Thus, the federation managed to not unsuccessfully influence

the internal politics of the ANC. In both the ANC's 2005 National General Council

(NGC), and at the ANC's 2007 National Policy Conference (NPC), COSATU, the SACP

along with sections of the ANC colluded to ensure that attempts to introduce dual labour

market into the ANC policy making framework were quashed, with the majority

consensus arguing for the ANC to follow the spirit of the National Democratic

Revolution (NDR) goals of redistribution and development (Cronin, 2007).

By 2006, when the ANC announced its new initiative for economic growth,

Accelerated and Shared Growth Initiative for South Africa (ASGISA) aimed at

accelerating infrastructure development and boosting specific economic sectors, there

was no pretence of consultation with the unions. COSATU objected to ASGISA on the

grounds that it did not deal with the structural problems that the economy had inherited

from the previous regime and amounted to putting a Band-Aid on a festering sore. The

economic policy gap between the government and the federation widened and debates

around the role of the alliance took centre stage.

The debate within COSATU around the alliance have taken two broad

approaches, break the alliance and form a progressive labour-based party of opposition

with the SACP, or remain in the alliance and fight marginalization. The argument for the

first option lies in the fact that the ANC had become the dominant party and this had led it to take an arrogant non-consultative approach towards its alliance partners and towards policy making. COSATUs influence on the government is clearly waning. Additionally because of the lack of delivery of basic services and continuing high unemployment and poverty rates large sections of the working class are lukewarm in their support of the ANC. Roger Southhall encapsulates this argument for breaking the alliance:

The ANC still used radical rhetoric yet actions speak louder than words and in practice the party is becoming increasingly anti-working class. Voter surveys indicate that the level of commitment to the ANC amongst the African working poor is waning. This constituency is increasingly available for capture by any party prepared to advocate their class interests (Southall, 2001 pg 37).

The counter argument is that despite COSATUs decreasing influence within the alliance it has managed to secure major gains from the alliance such as NEDLAC, the LRA, the CCMA and other institutions along with the ability to pressure the government internally to support pro-worker initiatives and policies. COSATUs departure from the alliance would leave the ANC unfettered to pursue economic policies of its choice. Those within the unions arguing against breaking the alliance further caution that:

Although surveys indicate that African working class voters are increasingly concerned with issues rather than simply identifying with the ANC as the party of the liberation, most feel that the alliance should continue. In other words, there is very limited support for the creation of a workers party. Anyway, if COSATU and the ANC did split from the ANC could they do so in a coherent fashion? Would the union rank and file follow them? Could they sway those in informal jobs? Could a socialist or urban party be able to appeal to rural voters?...the launch of a workers party would be extremely risky especially considering the difficulties it would face in competing with the ANC for election funding (Southhall, 2001 pg 38).

Ultimately if the paths of the ANC and COSATU keep diverging dramatically a radical break would be necessary, however many within the union movement believe that moment has not yet arrived. If COSATU remains within the alliance it must fight

marginalization, which is made all the more difficult by the dominant party status of the ANC and global and national support for the economic policies of the ANC.

As COSATU feels cornered within the alliance these debates heated have heated up and gained urgency. Whilst in previous internal ANC elections COSATU has attempted to influence selection processes by creating 'lists' of individuals the federation would prefer in the top ANC positions including members for the National Executive Council (NEC) of the ANC, by the early 2000s the federation began to support and lobby openly for one particular candidate, Jacob Zuma to replace Thabo Mbeki. They were supported by sections of the SACP. Mr. Zuma himself is a controversial figure and an odd choice for the unions. Having once belonged to the laundry workers union and a member of the Central Committee of the Communist Party he left both organizations and was a firm supporter of the ANC's policies post-liberation. He is a traditionalist and a populist and most of his supporters coalesce around his Zulu identity. He has recently been investigated and exonerated for rape and a corruption trial looms on the horizon. Many believe that the fervour around support for him by sections of the unions and the SACP is in part fuelled by discontent in COSATU and the SACP over being sidelined by the current ANC leadership. Mr. Zuma, once part of this leadership is now on the sidelines and has been 'taken in from the cold' by many within the unions. Other have accused the leaderships of these organizations of being purely opportunistic as Mr. Zuma has publicly stated many times that he would not change ANC policy if he were elected president.

One of the major outcomes of the alliance between COSATU and the ANC is the involvement of the federation in the internal politicking of the ANC and vice versa. The

decision by some of leaders within COSATU to support Mr. Zuma has been a contentious

one within the federation pitting affiliates against each other and unions splitting

internally over support for or against him. Internal leadership battles within the

federation have been split into pro-Zuma and pro-Mbeki camps. An article in the

Business Day describes these battles vis a vis their alliance to particular leaders:

Congress of South African Trade Unions (Cosatu) president Willie Madisha's chances of re-election have been dealt a heavy blow following Jacob Zuma's victory in his corruption trial, which was struck off the roll yesterday. Madisha is being challenged by Eastern Cape Cosatu chairman Zanoxolo Wayile, who is backed by the federation's most powerful affiliate, the National Union of Mineworkers (NUM)....Madisha has had to fight off accusations that he is pro-President Thabo Mbeki, who Cosatu blames for economic policies that have led to massive job losses....

S'dmo Dlamini, the chairman of Cosatu in KwaZulu-Natal, and a Zuma man, is set to be the new first deputy president of the federation. He will replace Joe Nkosi, who resigned dramatically on the eve of the congress amid allegations that he had spied on South African Communist Party general secretary Blade Nzimande....

Cosatu's congress has been plagued by leadership divisions over the federation's backing for Zuma. It adopted a resolution last year after Zuma was sacked as deputy president of SA to call for his reinstatement and for corruption charges levelled against him to be dropped.[68]

In their quest to incorporate Mr.Zuma and make him beholden to the unions the leaders

of COSATU have frequently resorted to populist rhetoric and have even threatened to

take to arms to defend him. All the while Mr. Zuma has continued to insist that he whilst

he is a friend of the workers he has no intention of changing ANC economic policies,

such double speak presents interesting possible scenarios for the future of the alliance

should Zuma come to power.

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[68] K. Brown and A. Musgrave "Zuma victory deals Madisha's chances of re-election a blow." The Business Day. Updated 21st September 2006, Cited August 24th 2008.
http://www.businessday.co.za/articles/specialreports.aspx?ID=BD4A275616

In its latest policy document (COSATU, 2007) the federation is candid of its relations with the ANC, however there is more of an emphasis to co-opt the ANC and work from within rather than to separate from the alliance and be independent.

The CEC Political Commission that prepared for the February 2007 CEC noted that the resolution marks a departure from COSATU's historical position that it would not get involved in internal ANC leadership questions.

The Ninth Congress set key tasks for the federation to be reviewed in June 2008. These include restructuring the Alliance and arriving at an Alliance Pact for Development.

The Congress resolution means that the political choices facing the Federation are not comfortable but have to be confronted. Otherwise we risk continued weakening of the Alliance and the ANC itself. The mandate emerging out of the COSATU Congress is a tough one signalling an end to open-ended debate about the nature of the Alliance and its minimum programme (ibid. pg 2).

The federation has publicly presented the ANC with a list of demands which include the inclusion of COSATU and SACP cadres in the governing structures of the ANC and government, demands for consultation and implementation of COSATU and SACP policy demands, including a list of candidates the federation would like to see elected to the ANCs governing structure. The general secretary of the federation has alluded that should COSATU's demands not be met and their chosen candidate not elected, the federation will withdraw its support of the ANC pending the outcome of the ANC conference in 2007 and "go at it alone" albeit with the Communist Party.[69]

Conclusion

The 13 years following liberation have been a disconcerting and chaotic period for COSATU. The federation has been criticized for taking almost 10 years to accept what was becoming apparent from the onset of the transition – that it could no longer

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[69] Comments made by COSATU General Secretary Zwelinzima Vavi, at a COSATU rally in October 2007. http://www.iol.co.za/index.php?set_id=1&click_id=3054&art_id=nw20071028181138250C614966

count on the ANC to promote a pro-worker agenda (Webster and Adler, 1999). One of

the reasons this process took so long was the historical and personal relationship between

the alliance partners. The alliance was often compared to a large dysfunctional family

where arguments and differences would eventually work themselves out as they always

had over the past 90 years. Inter-personal relationships played a large part in these.

Comrades who had worked in MK, the underground and in exile together were now

confronted with having to make choices over political allegiances, development

trajectories and supporting specific leaders and factions within the ANC, unions and the

SACP. For many this sudden and dramatic shift was a deeply painful and personal one

and marked a disjuncture with the history of their involvement with the liberation

struggle. This was compounded by the fact that the revolutionary goals of many

comrades had been compromised and let down by the negotiated transition which was

vastly different from the radical revolution envisioned by many leaders of the liberation

movement. For some, the absence of the revolution meant a dramatic re-adjustment into

a new vision for South Africa. Many unionists left the union movement demoralized and

shifted into government and business; others saw the opportunity for career advancement

and did the same. Many comrades felt personally betrayed when union leaders left the

unions to join business and take up posts in government. It took years for unionists to

accept that people they had fought side by side with in the liberation movement were now

their adversaries in government. As successive generations of unionists took over the

COSATU leadership the disjuncture between the unions and its alliance partners and

between unionists and their former comrades became formalized and clear.[70]

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[70] Interviews with Jay Naidoo, Marcel Golding, Johhny Copling who formed part of the twenty going into
parliament. Interviews with Raymond Suttner, member of the ANC and SACP and an MP in the first

It is clear from my interviews with members of the SACP, the ANC and COSATU that the unions and their leadership were naïve about the role the ANC would take post-liberation. As Moeletsi Mbeki, the former head of communications for COSATU during the transition stated "the ANC set out to change the state but it was the state that changed the ANC". This dynamic was mostly lost on the leadership of COSATU as they navigated through the alliance. They were unable to gauge class base shifts within the ANC and the consequences of these for the unions. Although unionists had discussed and debated these issues in a normative manner this did not translate into a realistic framework for understanding and managing the ANC. They unions were also naïve about their own leadership and the manner in which unionists went into government and business, and naïve about capital formation and the impact of that on all three institutions.

How naïve were the leadership of the unions? This naiveté seems misplaced for such an ideologically and intellectually advanced liberation movement that had the benefit of learning from other trade union movements all over Africa. It is all the more surprising given the words of caution expressed internally by COSATU members and activists in the late 1980s. Perhaps, what this naiveté masks is the trends within the federation towards opportunism. Each generation of COSATU leaders blames the past one for naiveté as they themselves are in danger of being drawn into new set of compromising relationships with the ANC.

COSATU did attempt to influence the ANC policy by sending people into parliament and by hoping union leaders in the cabinet would lobby for workers however, the federation were unable to be adequately strategic in these endeavours. With trade

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independent parliament of South Africa.

unionists occupying posts in many government positions from the cabinet, to parliament, to the provincial and local level the federation was able to informally engage these former "comrades" but never developed or articulated a strategy to utilize these relationships with individuals in government towards achieving the federations' goals.

Another significant issue for the federation was the 'informality' of the alliance. Although the ANC agrees to collaborate with COSATU and the SACP it is not committed to specific structures, which would facilitate such collaboration. The unions believe that this was a strategic error in the early 1990s, the omission of a formal pact that would allow both the SACP and COSATU a role in appointing people to government, a veto on policy making etc. [71] Hence the latest decision by the COSATU CEC for the creation of a social pact laying down concrete parameters for the alliance.

Clearly the alliance in the pre-liberation period offered COSATU many advantages and broadly was to the federations benefit. During the negotiating phase the federation was clearly able to use its relationship with the ANC to engage both the government and capital in various forums and advance its interests. COSATUs role during the transition was broadened through its alliance with the ANC and SACP, the absence of any of the other federations during the negotiations is a testament to this fact.[72] The federation used the alliance to push through the creation of a regulatory framework for the protection and advancement of workers interests which included keeping the 'right to strike' in the final constitution, removing the 'lock out clause' which would have negated the right to strike, infiltrating the department of labour and through it creating NEDLAC and the Labour Relations Act and various other workers related

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[71] Interview with Neil Coleman.
[72] NACTU was present at some of the negotiations but this was as a result of piggy backing on COSATU initiatives.

regulation. The costs of being in the alliance was compromising on militancy, a growing

gap between the base and the leaders of the federation who are drawn into a new set of

relationships with the political elite (Webster and Adler, 2000), and the loss of key cadres

which left the unions short of skilled cadres (Buhlungu, 1994). The alliance also meant

that the federation got drawn into the internal factional fighting within the ANC

particularly round the issue of succession for the president of the organisation and hence

the country. This created divisions and fissures within the federation based on support

for one of the two candidates vying for ANC president and resulted in expulsion and

disciplinary action against those purported to be against the candidate, Mr. Zuma

supported by the majority of COSATU leaders.

3.42 Alliances with Civil Society

The first major collaboration between Black unions and civil society was between

COSATU and the UDF. As I mentioned earlier, the UDF was a broad grouping of

locally based organisations taking up a variety of social and economic issues in the

townships. These groups formed as a response to the ongoing recession in the early

1980s, compounded by a withdrawal of subsidies and inflation at almost 17%, creating

severe economic pressures on township dwellers. These local organisations focused on

the daily hardships of township residents stemming from issues over housing, rents,

transport and services and took up these issues through locally based marches and

boycotts. (Marais, 1998, pg 51). In 1983, when the regime proposed local municipal

elections for Black localities and a new constitution which created a tricameral

parliament for white's, coloureds and Indians these various community groups united

under the United Democratic Front, which at its peak saw membership exceed 500 member organisations nationally (ibid.).

Both the unions and the UDF were cautious of each other. Within the unions this caution was representative of divisions between workerists and charterists (supporting the ANC freedom charter). The leadership of the front was made up of largely senior ANC members and broadly the front was thought to represent radical middle class intellectuals and professionals. The charterists within the unions particularly within community based unions were eager to support the UDF. The workerists were suspicious of the UDF and worried that it did not represent class based issues and that these would be drowned out in the din of nationalism. A competitiveness existed between the two organizations, with each believing they spoke for the majority of oppressed Blacks.

Although the federation was enthusiastic about political engagement it was also cautious over the nature of the engagement. At its launch in 1986, the Central Executive Committee (CEC) of COSATU met and spent some time over resolutions regarding political involvement which were shaped to promote 'disciplined alliances' with organizations that were compatible with 'the interest of the workers'. An alliance with the UDF was contentious for several reasons. The UDF was seen as a bourgeoisie movement and unionists warned against engaging in populist fronts that would dilute the class content of the union movement (Mlambo, 1989)[73]. Many unionists also believed that some UDF organizations were undemocratic and decisions were often taken without any mandate from a constituency. COSATU at its launch opted not to affiliate with any specific organization although affiliates were allowed to maintain alliances with the UDF (Baskin, 1991 pg 93). By the next year the federation would all but abandon this stance

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[73] In the South African Labour Bulletin, Vol. 13 No. 8 1989.

and although it never entered into any formal alliance with the UDF it began to collaborate with the front on national mass action.

I won't delve into the characteristics of the UDF in great detail other than to say that the UDF started off in the early 1980s as a broad national front with host of ideologies and structures to implement action. As militancy grew within the townships the UDF abandoned much of its structure and slogans to take up a position of rendering South Africa "ungovernable" and was caught up in the insurrections that were sweeping the liberation movement (Marais, 1998 pg 53). By 1985 the apartheid regime began to clamp down on the UDF and in spite of innovative ways to counter the regime the front was increasingly on retreat. In 1986, a series of emergencies were imposed by the apartheid regime, which became consecutively more draconian and repressive lasting until 1990. By late 1987, most of the UDF leadership was in jail, underground or had been killed and the UDF was eventually banned in 1988. The UDF made two significant and lasting contributions to the liberation movement; symbolically it was the first organisation to introduce the idea of 'ungovernability' and a 'people's war'. Secondly, it created an ideological framework which postulated that the grand system of apartheid was oppressive, thus the entire system had to be dismantled and piecemeal offering by the regime could not solve the inequities imposed by the system (ibid.)

The unions survived the late 1980s in spite of a deep recession, repression by the state and being strained by its participation in several mass stayaways and strikes. With the UDF and other organisations forced underground after they were banned in 1988, the liberation movement re-grouped under the leadership of the trade unions and church leaders and re-formed itself under the moniker Mass Democratic Movement (MDM),

which called upon the masses to engage in 'mass disobedience' and render South Africa ungovernable. The unions ensured that the energy, momentum and mass mobilization, which had been built up during the 1980s was sustained in spite of all the regime's last ditch efforts to quell the uprising against it. Many have surmised that the creation of the MDM was the straw that broke the camels back and led to the negotiations of the early 1990s over the transition to democracy (Baskin, 1991; Marais, 1998).

Post-liberation, the nature of civil society organisations shifted from radical anti-apartheid militancy to broadly two categories of formations; more structured forms of NGOs and associations and the militant social movements that arose over service delivery and other social issues such as land. Former UDF activists are active within some of the NGOs and associations, however the new social movements are notable for new activists who were not part of the struggles of the 70s and 80s (Gentle, 2002). Early on in the period following liberation, COSATU grappled with forming alliances with civil society formations largely due to its alliance with the ANC. The federation was worried about aligning itself with organisations that were openly critical of the new government. The ANC was quick to adopt an adversarial role towards those who criticised it. This pattern was broken over the ANC stance over HIV/AIDS during the late 1990s. The Mbeki stance of denialism over the HIV issue forced the unions to break out of their inertia and COSATU took up the issue of HIV/AIDS by forming a relationship with the dominant HIV/AIDS related NGO named the Treatment Action Campaign (TAC). This was an important symbolic step for the unions and it allowed the

unions to create a broad based strategy around dealing with HIV issues both within the

workplace and generally in shaping policy around the issue (Mantashe, 2003).[74]

However, COSATU has generally struggled with forming a coherent policy

around forging relationships with civil society. Many activists complain that the

COSATU leadership behaves in paternalistic manner towards NGOs pushing a mandate

on them rather than attempting to collaborate with them. An example of this is

COSATUs relationship with an NGO that organises informal workers the Self-Employed

Women's Union (SEWU). Rather than collaborating with SEWU and providing

organisational support, the federation has viewed SEWUs activities with consternation

and has refused to engage the leadership of SEWU to share information or tactics on

organising in the informal sector.[75]

With regards to the social movements a more complex picture emerges. Social

movements in South Africa post-1994, are comprised of three groupings of activists. One

grouping comes from within the alliance, and comprises of activists who were frustrated

by the ANCs unilateral adoption of GEAR. The second grouping is from young activists

outside of the alliance who are drawn to anti-globalisation movements world wide and

the third come from communities, which have been hit by retrenchments and cost

recovery of services, a mostly working class based movement (Buhlungu, 2006 pg 212-

213). The unions were naturally linked to many of the social movements that sprung up

within communities. Movements such as the Landless People's Movement (LPM), the

Anti-privatisation Forum (APF) and the Soweto Electricity Crises Committee (SECC)

saw both COSATU and SACP members at the forefront in the creation of these

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[74] Interview with Jay Naidoo.
[75] Interview with Neva Makhgetla, former economist within COSATU.

movements, some such as the Anti-Privatisation Forum were even housed in 'COSATU house' in Johannesburg. COSATU as a federation has vacillated between cooperating with these movements and distancing themselves from the movements as the rhetoric of their militant leaders increasingly threatens violence or action against the ANC. These contradictions were evident when COSATU evicted the APF from its headquarters for not paying rent and yet the APF had a significant presence in the 2002 mass action against privatisation organised by COSATU (ibid.)

The COSATU leadership increasingly recognises the importance of collaborating with social movements and at its 8th Congress in 2003 voted to deepened collaboration with movements that had a common political agenda. A presented at the conference noted that "vast common ground exists between the social movements and organised labour, in which they should collaborate autonomously and horizontally between grassroots affiliates and rank-and-file members to build working class unity" (quoted in Buhlungu, 2006 pg 213). These relationships with the social movements set up obvious contradictions within COSATUs alliance members and those outside of it weakening the strength of the alliance within the federation. This could be a healthy outcome for the federation depending on the state of the alliance.

Conclusion

COSATU has a history of collaboration with civil society beginning with the UDF where the federation used this relationship position itself into the Mass Democratic Movement and head the formation. This collaboration clearly benefited the federation, saw its base expand and allowed the federation to spread its message beyond the confines

of its members. In the post-liberation period the federation has struggled with forming a coherent strategy with civil society formations impeded by its alliance with the ANC.

3.5 Institutionalization of Union Objectives

Introduction

By the early 1990s, the trade unions began to focus on creating labour market institutions that would define and protect workers rights and interests. The scope of their project was ambitious and broad. It covered every facet of worker legislation, from the creation of an institution for social dialogue, to the minutiae of regulations around employment, dismissal and even sexual harassment in the work place. To assist in this project a team of senior trade unionists, policy advisors and legal experts were deployed. During this time, the trade unions through their leaders were simultaneously involved in negotiating the political aspects of the transition through their involvement in CODESA and economic issues through the NEF. Their involvement in these negotiations created a synergy for advocating socio-economic rights in for example the constitution, by insisting on the insertion of the specific clause of 'the right to strike' to the creation of institutions which would safeguard such rights. The list of institutions created through this strategy is impressive, and includes; a socio-economic council, the National Economic and Development Labour Council (NEDLAC), a reformed Labour Relations Act (LRA), DITSELA (A government -- labour initiative to give union member's skills training) and the Labour Courts. Aside from the LRA, several other worker regulations were negotiated through NEDLAC, including the creation of the Commission for Conciliation, Mediation and Arbitration (CCMA), the Employment Equity Act (EEA) and the Occupational Health and Safety Act (OHSA).

...in the first five years of democracy a whole new regime of labour laws were introduced which is widely considered to be one of the most progressive and labour friendly dispensations in the world (Buhlungu and Psoulis, 1999 pg 129).

In the proceeding sections I look at the creation of NEDLAC and how it became a vehicle for re-shaping labour regulation. I look first at the creation of NEDLAC and then at its role in the post-liberation period.

Creation of NEDLAC

By the end of the 1980s it had become apparent to the apartheid regime that the system of apartheid was untenable and that they needed to negotiate with the ANC led alliance. Whilst quite negotiations began in the mid 1980s with the ANC leaders in exile and within the country, the unions were gearing up for their own negotiations with the regime. The unions saw the LRA as the major barrier that prevented the unions from participating fully in the economy. COSATU embarked on an anti-LRA campaign in 1988 which included a once off stayaway action in 1988, which was largely considered unsuccessful. However, by 1989, COSATU re-grouped on its LRA strategy and decided to ratchet up the pressure by adopting a plan of action which included work stoppages, stayaways, a month long boycott of white shops and an indefinite overtime ban which would be reviewed on a monthly basis (Jansen, 1989 pg 53). Many of these campaigns had mixed results but the cumulative effect of the campaigns, the pressured they placed on business combined with the realities facing the apartheid regime over manageability of African workers paved the way for the first major agreement between the regime, business and labour, the Laboria Minute.

In 1990, a tripartite forum was set up by the regime, which included all labour representatives to restructure labour relations in South Africa towards an inclusive and

participatory mode. The Minute was a tacit admission on the part of the national party

that labour repression was no longer an option and it led to the restructuring of the

Labour Relations Act and the National Manpower Commission. It was signed into effect

in 1990 by the minister of Manpower, the trade unions including those representing Black

workers and employer representatives. One of its cornerstones was that "no future

legislations of labour relations shall be put before parliament unless considered by a

(restructured) National Manpower Commission broadly representative of all the major

actors in the labour relations area" (quoted in Baskin, 1993 pg 1). The minute signalled

the moment of infiltration by the unions' into the historically repressive National

Manpower Commission.

During the early 1990s the power of organised labour led to the transformation of the
National Manpower Commission (NMC) from a toothless advisory board into a forum
where business and labour interests could negotiate with government (Baskin, 1996 pg
30)

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The Minute gave fruition to a long held belief within the labour movement that

negotiations and forums were the appropriate channels through which labour would gain

influence, a strategy to engage in conflict by other means. Within the unions the both

streams of radical and reformist unions understood the value of negotiations. Rather than

being viewed crudely as a cooptation mechanism for the established powers to

incorporate the up and coming labour movement, these forums were an opportunity for

those shut out of or denied access to power to gain tactical strength and to be part of

decisions that ordinarily would have been taken without them (Friedman and Shaw, 2001

pg 191).

Importantly, in terms of the transition as a whole, the Laboria Minute was the first

example of a major labour policy issue being addressed through a negotiated

compromise, where a major conflict ands deadlock was processed through institutions namely the NMC and the LRA. It set precedence for tripartism giving all trade unions an institutionalized voice, enabling them to shape the broader transition agenda. It also prevented labour's fate from being solely determined through the constitution and negotiations between political parties. In practice, political parties could not justify overturning tripartite agreements. Most of the leaders involved in the Laboria Minute negotiations went on to represent the interests of the Black majority in the ensuing negotiations.

The Laboria Minute also created a space for Black unions to form alliances with the white business interest group SACCOLA. Within the Minute, a clause stipulated that the concerned parties would continue talks (Friedman and Shaw, 2001 pg 194). The unions would use this relationship in trying to form pacts with business during the transition, when the negotiations in CODESA reached a stalemate and COSATU and its allies announced its plan for mass rolling action, the unions and SACCOLA tried to form a charter, a 'social contract' between labour and business to weaken the impact of the mass action on the economy and the workers by negotiating around the stayaways.[76] Although both sides came within a 'hairs breadth' of an accord ultimately none was reached as SACCOLA's members, a broad and loose federation of businesses, could not coalesce around the unions offer for a 24 hour shutdown of the economy rather than the proposed three days action (Friedman, 1993 pg 148-149).

As early as 1990, the unions had begun to call for an economic forum to discuss policy issues. The major concern amongst the labour movement was that the outgoing

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[76] Business was also keen to overcome the political stale mate within CODESA and avoid the costly prospects of unending economic unrest.

regime would rush to implement policies that would be hard to undo. Labour fears were confirmed when the De Klerk government proposed and then implemented a Value Added Tax in 1991. Although labour retaliated with massive strike action, ultimately they saw negotiations as the way to prevent the apartheid regime from creating policy on its own. The forum also provided the unions a foothold in the transition process, without it being exclusively reliant on its alliance partners.

In 1991 the Black unions (COSATU and NACTU) began to negotiate around industrial transformation through the National Manpower Commission and economic policy through the National Economic Forum. In their evaluation of these processes Friedman and Shaw (2001) find that whilst the unions spearheaded both processes business was equally eager to negotiate, the apartheid government was reticent and was strong armed into these processes by the other partners. Although not a monolithic group business understood the importance of negotiating with labour particularly because of the racial dynamic of the workplace with white ownership and management and Black workers, where the unions were the sole representative of Black workers, particularly in the absence of formal African political parties. The government however, saw the forums as "interim government by stealth" and their ultimate acquiescence to participating was a result of accepting the inevitable although they sought to derail efforts within the forums once they joined. (ibid. pg 195)

Although labours gains were far from COSATU stated aims at the beginning of the process, labour did manage to negotiate around economic issues during the transition such as a revised offering on GATT, overturning government decisions to raise petrol prices and agreeing on parameters for public works programmes and some commitment

to centralised bargaining agreements. What turned out to be labour's primary achievement was the prevention of selling of state assets which were planned by the outgoing regime in an effort to leave the state weak and resource less.[77] Moreover, "labour, as a well defined and well organised constituency, acted more effectively than any other popular interest to block unilateral government decisions" (Friedman and Shaw, 2001 pg 199). In regards to restructuring industrial policy within the NMC, although progress was made, the parliament of the outgoing regime never implemented any of the proposed legislation (ibid. pg 196)

The major drawbacks of the unions participation that these authors point to are lack of strategy, resources and the time consuming nature of the forums which tied up unionists in negotiations, making them neglect their constituencies. As the elections approached in 1994, only a small core of unionists were 'keeping the clock ticking' by focusing on technocratic issues (ibid. pg 201). Another issue was that the unions ultimately negotiated for the liberation movement as a whole rather than narrowly focusing on labour issues and this watered down the capacity of labour to hone in on labour related issues. The absence of the ANC was major concern, because although the ANC supported union participation in the forums, their absence meant that they were not part of any of the agreements that were formed. Jayandera Naidoo, the chief negotiator for COSATU pointed to this as a major weakness on the part of the unions as post-election the ANC became more hostile towards unions participation in decision making, the NEF offered a moment for the unions to incorporate the ANC into its economic decision making.

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[77] Interview with Jayendra Naidoo chief negotiator for COSATU during the transition.

The unions also had to work harder and drive the forums as the other two partners as they were the engine of change and the other partners were comfortable with the status quo, putting additional pressures on the labour contingency that were looking for radical reform form the forums. In many instances labour took hard line stances, for example on Foreign Direct Investment and the need for controls on foreigners and then were forced to back off revealing a disconnect between the rhetoric and reality of radical action. Another facet of the forums were that the unions ultimately negotiated for the liberation movement as a whole rather than narrowly focusing on labour issues and this watered down the capacity of labour to hone in on labour related issues. However, as one commentator notes:

The view that labour unwittingly used forums to advance its political allies interests is far too crude. A senior employer negotiator argues a contrary view: that the transition presented labour and business with a unique opportunity to influence events – which they took. He argues that those successes which the NEF did achieve – the GATT agreement for example –were possible because the transition created a unique "window period" in which the old order lacked legitimacy to govern and the new one lacked the formal power or preparation to do so (ibid. pg 202).

Ultimately these forums would draw attention to the need for an institutionalised body which would allow three parties to voice their concerns on a host of socio-economic issues and reach a compromise settlement. By 1994, on the eve of the first democratic election of South Africa, negotiations were underway for the formation of a council that would incorporate the NEF and NMC and expand these roles within the context of the new democracy. In February 1995, the NMC and NEF were integrated into the National Economic Development and Labour Council (NEDLAC) through an Act of the new parliament of democratic South Africa. The cornerstone of NEDLACs power lay in the clause that stated "the council shall consider all proposed labour legislation, i.e.

legislation affecting the world of work, as well as all significant changes to social and

economic policy before it is implemented or introduced to parliament" (NEDLAC, 1995).

Although parliament is a sovereign body, it would be difficult if not impossible for

parliament to ignore a decision made by a consultative forum (Webster and Adler, 1996).

The consultative forum was made up of four actors, business made up of representatives

of business, organised labour, government and community and development

organisations. Organised labour is represented in NEDLAC by COSATU, FEDUSA and

NACTU, which combined in 1995 made up almost 70% of all unionised workers and of

the three COSATU dominates the labour debates (Baskin, 2000 pg 76).[78]

Several models of socio-economic councils served as examples of how NEDLAC

might be constructed, but ultimately its unique South African form was influenced by

experiences in the NEF and the NMC, as well as in the political negotiations. Because of

the historically negative connotations associated with corporatism, South Africans chose

to label the processes within NEDLAC as "concertation", where as corporatism may have

been imposed from above in other countries, in South Africa it was seen as emerging

from below from the unions (Baskin, 2000). It was widely accepted that NEDLAC was a

labour driven initiative, although business participated, there were many within the

business coalition that predicted a short life span fro NEDLAC as they saw both labour

and business circumventing the council to lobby government from the outside (Friedman

and Shaw, 2001 pg 203).

Briefly, NEDLAC is structured with an executive council at the top receiving

reports from chambers which hash out a report which is then given to the executive,

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[78] Interview with Jayendra Naidoo, the first executive-director of NEDLAC who spoke about COSATUs domination of the organized labour caucus.

which turns it into an agreement. A third structure, the management committee coordinates the work of the chambers. The chambers comprise of four groups dealing with trade and industry, development, labour market and the public finance and monetary policy chamber. The rules and regulations governing the chambers are set out in the constitution of NEDLAC which means that the chambers must follow a formal set of procedures including the recording of minutes of the proceedings. Of the four constituencies within NEDLAC, the civil society one is permitted to raise issues within only the 'development' chamber and is excluded from the rest.

The creation of NEDLAC was a culmination of the efforts of COSATU to create an institution through which corporatism could be pursued. To this effect the unions successfully utilised both he NEF and NMC to transform these forums into NEDLAC. However, simply creating NEDLAC does not mean that the unions are guaranteed that their issues will be addressed. Does corporatism lead to social transformation? I deal with this issue in the next section.

What has NEDLAC delivered for Labour?
Legislation, Skills Training, Judicial Representation

In the years following NEDLACs creation labour used the council to push through major worker legislation such as the LRA, the CCMA, the Basic Conditions of Employment Act (BCEA), the Employment Equity Act and Occupational Health and Safety Act (OHSA). In addition to these broad legislation the council has also reached agreement on a whole range of acts relating to workplace issues such as overtime, compensation for injuries, pay structures and corporate accountability. In addition to legislation NEDLAC was used by labour to push for the creation of the Labour Court.

Labour has also managed to extract two important job creation programmes; the first is the Sector Education and Training Authority (SETA), which allocates funds for and implements training programs in almost 25 sectors of the economy and is funded through a tax on private sector workers collected by the revenue services which holds the funds in a trust. The second is a National Skills Fund which also draws its' funding from the same tax and is aimed at targeting individual projects and broad based initiatives to train the youth and previously disadvantaged communities in practical skills.[79] Although labour did not get everything they wanted by the creation of these legislations, courts and funds, these are considered to be skewed predominantly towards labour and not business (Maree, 1998 49-50). When drafting of these legislation were deadlocked within NEDLAC labour used mass mobilization to pressure the negotiations not unsuccessfully (ibid.)

Over the past thirteen years many of the worker legislations have been challenged by government and business. In 2000, the government sough to amend the LRA and BCEA to make it more business friendly. COSATU responded by going outside of NEDLAC and forming the Millennium Labour Council (MLC), with business around key legislation. The federation saw the MLC as the foundation for a social accord with business. COSATU and the business lobby hammered out an agreement over LRA amendments in which each side made gains, COSATU won the right to strike against retrenchments and the right to hold solidarity strikes (Buhlungu, 2006 pg 146). Business did not get tangible results in the form of amendments to the LRA, however business was looking to form an accord with labour of the types found in Ireland and Holland where government takes a back seat and business and labour engage within a social accord

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[79] http://www.nedlac.gov.za

(SALB, 2002 pg 17-18). The agreement from the MLC was taken back to NEDLAC and presented to government and the LRA amendments were hammered out in a manner that was favourable to labour. COSATU was successfully able to escape the rigidities of NEDLAC processes to form a consultative process with business outside of NEDLAC and return to the council with a successful and united proposal for amendments with business.

Labour has had less success in shoring up the Labour Courts which were created in 1995 as parallel courts to the High Court to deal with labour disputes expeditiously. The government has been trying to merge the courts within the High Court system and the issue has been deadlocked within NEDLAC for almost six years and has created a crisis within the Labour Courts over issues around the status and tenure of the courts judges. This uncertainty has created instability and a crises of capacity within the Labour Courts as judges are leaving for greener pastures (SALB, 2002 26(5) pg 6). Similarly the SETAs are floundering. A recent report on the SETA's reveals that the system is flawed with weaknesses ranging from mismanagement and wastefulness of resources, lack of timely decision making because of the tri-partite structure of the SETA's, corruption and lack of planning (Dexter et al, 2007). Whilst labour was successful in establishing the SETA's it has been less so in ensuring their smooth functioning.

Economic Policy

The first major challenge to the power of NEDLAC came with the implementation of GEAR without consultation with NEDLAC constituencies. Although the NEDLAC act stated that "the council shall consider all proposed labour legislation, i.e. legislation affecting the world of work, as well as all significant changes to social and

economic policy before it is implemented or introduced to parliament", however Maria

Ramos, within the treasury argued that consultation and the phrase 'consider' were

general statements and guidelines and the treasury was not compelled to consult with

NEDLAC, through its public finance and monetary chamber, such as budgetary issues,

over which the treasury believed it had sovereign rights. The effect of this was a giant

blow to the monetary chamber which effectively stopped functioning properly as

government was not beholden to the consultative mandate of NEDLAC. The adoption of

GEAR outside of NEDLAC created a crisis for the institution. Moreover, both business

and labour had gone outside of NEDLAC to lobby the government on various issues

(Gostner and Joffe, 2000).[80] These events led to both government and business calling for

the closure of NEDLAC in 1997. Labour fought back and re-iterated the need for

NEDLAC to develop rather than be removed.[81]

The by passing of NEDLAC over macro-economic policy was a major blow to the

unions. Many in the labour movement had envisioned an organization that would be at

the centre of policy making and were disappointed when government monopolized

decision making processes over the budget and social spending. NEDLAC was seen to

have failed to capture such processes within the organization.[82] Others argued that

NEDLAC was never intended for that purpose, especially over issues such as budget and

economic spending rather the institution main purpose was consensus building with its

social partners which included government, labour, business and civil society.[83]

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[80] The authors refer to labour negotiating with the government through the ANC-COSATU alliance over the restructuring of state assets. Labour wanted to exclude business from these discussions to prevent them from buying up state assets or perpetuating apartheid era problems (pg 87).
[81] Interview with Jayendra Naidoo.
[82] Interview with Jayendra Naidoo first executive director of NEDLAC.
[83] Interview with Raymond Parsons head of the Business within NEDLAC

Labour may not have been able to shape macro-economic policy however it was able to incrementally impact economic policy. For example in 1997-78 labour was able to extract a commitment from government within NEDLAC that it not sacrifice social spending to finance the reduction of the budget, they were even able to secure a Rand 8 billion increase in social spending and ensure that social spending as a percent of GDP did not drop (Gostner and Joffe, 2000 pg 86). Social spending has turned out to be one of the arenas in which labour has asserted its influence judiciously. The constituency has repeatedly pressed the ANC government on this issue through NEDLAC and as a result of which social spending takes up over 50% of the non debt budget.

As labour felt increasingly cornered by the government over economic policy it began to use NEDLAC to negotiate back some of the losses it had suffered at the hand of GEAR. Three major summits were held within NEDLAC at the insistence of labour and over the threat of strike action; the Job Creation Summit in 1998, the Growth and Development Summit in 2003 and more recently the Financial Sector Summit over reforming the banking sector in South Africa whose negotiations are still underway.

In the late 1990s the unions began to pressure government within NEDLAC to address their concerns over economic policy. After COSATU threatened strike action over job losses a Job Creation Summit was agreed upon between labour and government in 1998. A short recession in 1998 increased the hardships workers were facing and formed the backdrop to the summit. With the rand falling and job shedding in manufacturing and mining, the unions hoped to use the summit to roll back some of the austere policies of GEAR and reel in the ANC government into a job creation programme. The unions were overly optimistic, the summit failed to produce much for

the unions. Many of the projects agreed upon within the summit failed to get off the

ground and labour by participating in the summit was seen as acquiescing to the

governments over all policy of GEAR. The leadership of COSATU also seemed out of

synch with its membership, who wanted the federation to take a hard a stance at the

summit and if it failed, to resort to strike action (Cottle, 1999).

The ruling class has not moved an inch from its GEAR policy, but rather it has been able
to convince the COSATU leadership that that its own path is not viable.

While the COSATU Central Committee set out a militant programme of struggle, the
leadership chose to ignore the mandate. Not a single campaign, including anti-
privatisation, anti-demutualization and jobs at a living wage ever got off the ground.

By committing labour to simply 'tinkering' with the system, the ruling class has
politically reduced labour to dealing with collective bargaining issues. This movement
away from dealing with the broader socio-economic challenges, such as explicitly
fighting GEAR, is in line with the ruling class strategy to make labour toothless (Cottle,
1998 pg 78).

Many believe that the timing of the Job Summit was wrong, the economy was in

recession, the global economy was sliding and there was political change occurring

within the ANC with Nelson Mandela getting ready to hand over the reigns to Thabo

Mbeki. The ANC was in flux moving towards a more conservative Mbeki regime and it

was the wrong time to try and extract gains from government.[84] Internal union factors

also may have played a role. Two of the federations' top leaders were getting ready to

leave COSATU and move into government. In the year following the summit the

General Secretary of COSATU, Sam Shilowa, left the unions and was appointed premier

of Gauteng by Mbeki who was president of the ANC at the time. The President of

COSATU John Gomomo also left COSATU and was made a Member of Parliament. It

would be difficult to apportion the failure of the jobs summit on Shilowa and Gomomo,

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Interview with Jayendra Naidoo.

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who were both very popular within the unions. Moreover, they were accompanied by a whole host of seasoned union leaders in the summit, however, this might explain for some of the disconnect between the militant policies of the CEC and feeble implementation of them by the leadership.

By 1999, labour began to discuss the need for a summit between the government, labour and business. The culmination of these discussions was the formation of the Growth and Development Summit (GDS) in 2003. Although COSATU hoped that this summit would pave the way for a social accord between the major NEDLAC constituencies, such an accord failed to materialise. However, the GDS was considerably more successful than its predecessor the Jobs Summit and labour was able to extract real commitments from government over job creation and poverty reduction (Buhlungu, 2003 pg 147).

Conclusion

Whilst NEDLAC has not delivered the jewel in the crown – shaping macro-economic policy -- for COSATU, the federation has been able to impact on economic policy in an incremental manner lobbying successfully over social spending amongst other policy issues. Labour has also used the council to form and protect legislation with relative success. The primary achievement of NEDLAC for labour has been the shaping of various worker legislation and the continue defence of this legislation. Labour has been unable to shore up all legislation, for example its problems in securing the future of the labour courts, however, the key worker legislation, the LRA remains largely true to its original conceptualisation and labour has managed to extract further concession from business and government around it.

The major constrain on COSATU within NEDLAC is capacity. Consultation within NEDLAC requires labour to have a large team of experienced cadres who are capable of standing up to business and government. The council is also encumbered with a bureaucracy and time consuming processes which make consultation between union representatives and the Central Executive Committee of COSATU unrealistic. There fore the rank and file members of COSATU have little impact or say in how COSATU negotiates within NEDLAC and this allows the power of the federations' decision making to be concentrated in the hands of a few individuals.[85]

The summits convened within NEDLAC have produced uneven results and many within COSATU believe that they are biased towards government, which gets a chance to portray itself as cooperative with labour without giving up much more than it would through normal channels within NEDLAC. Summits also draw on the already limited capacity of union federations.

Although labour occasionally bypasses NEDLAC to consult with business (through the MLC) or government on the outside, as does business, in the long run this will damage NEDLAC and weaken it as its constituencies by pass the council on specific issues. COSATU needs to strengthen NEDLAC and ensure its institutional viability as it provides labour an important structured forum through which it can encourage government and business to consult.

3.6 Membership, Mass mobilization and Organizational issues

This section deals with COSATUs 'workerist' capacity that is the federations ability to organise and mobilise workers and to flex its militancy through strike action

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[85] Interview with Jayendra Naidoo.

and mass action and ensure organisational renewal. These activities form the backbone of the trade union and are essential for COSATU to play a political role.

Membership

Membership is an important variable of determining unions' strength though by no means the only significant one. Patterns of union growth are important in identifying expansionary phases of unions and the causes behind them. It clear from looking at Table 3.8 on the following page that that union growth shot up in the late 1970s, coinciding with the Wiehahn Commissions decisions to allow African unions to register with Industrial Councils and continued through the 80s and 90s. Between 1979 and 1996 almost 2.5 million new workers joined trade unions.

The South African trade union movement has a number of characteristics, first the majority of South African unions are artisan or open industrial (as opposed to exclusive industrial) and non-manual unions. The open –industrial unions dominate the union movement and have grown the most rapidly. Although they are 'open' they primarily represent Black low skilled workers within industries. Macun believes that this is a result of apartheid created race based dysfunctionalities:

These are not true industrial unions in the sense of being vertical in character and encompassing the entire organizational hierarchy within a certain industry. The hybrid form of open industrial unionism that dominates South Africa's union structure has, thus, not transcended the racial division of labour (Macun, 2000 pg 67).

Broadly, COSATU represents the open-industrial unions, NACTU the artisan ones and FEDUSA the non-manual unions. NACTU and thereby the artisan unions have been the most successful at adapting internally to accommodate a racially mixed membership (ibid.)

Table 3.8: Registered Union Membership, Density and Rate of Change 1970 - 1996

Year	Union Membership	Density	Rate of Change
1970	573,373	15.3	0
1971	625,253	16	0.7
1972	637,480	16.1	0.1
1973	624,863	14.8	-1.3
1974	646,863	14.6	-0.2
1975	660,712	14.6	0
1976	685,287	14.8	0.2
1977	678,158	15	0.2
1978	692,102	15.3	0.3
1979	701,758	15.3	0
1980	808,053	17.1	1.8
1981	1,054,405	21.6	4.5
1982	1,225,454	24.9	3.3
1983	1,273,890	26.3	1.4
1984	1,406,302	28.7	2.4
1985	1,391,423	27.6	-1.1
1986	1,698,157	33.3	5.7
1987	1,879,400	36.1	2.8
1988	2,084,323	39.3	3.2
1989	2,130,117	39.9	0.6
1990	2,458,712	46.3	6.4
1991	2,718,970	52.3	6
1992	2,905,735	57.1	4.8
1993	2,890,174	59	1.9
1994	2,470,481	47.2	-11.8
1995	2,690,727	51.5	4.3
1996	3,016,933	57.5	6

Source: Macun, 2002

Note: The total employment numbers used for density were provided by the apartheid regime and exclude the public service, the military, agriculture and domestic workers. The author does not mention whether the independent Bantustans, the Transkei, Bophuthatswana, Venda and Ciskei were included in total employment for the country. These numbers portray trends and are not for comparison with later unions figures on density.

A second point about South African unions is that the movement is highly fragmented. Between 1986 and 1996 there was an average of 10 federations representing an average of 200 unions (Macun, 2000 Table 3.3 pg 65). There are currently 16 federations representing almost 300 unions. Although these numbers mask a consolidation within COSATU of unions it alludes to the fact that there are a large number of independent unions given that the cumulative count of unions within COSATU, FEDUSA and NACTU does not exceed 75.[86] At its launch COSATU had 33 affiliates, and by 2000, that number reduced to 20 through mergers, currently it stands at 21 as the union has moved towards its goal of 'one industry one union' (COSATU, 2006) Although, there has been considerable movement towards racially mixed unions as shown in Table 3.9 below, between 1980 and 1990 racially exclusive unions declined from 146 to 65 and mixed unions increased from 42 to 109, racial dynamics play an important role within the trade union movement and the shape the relationship between various federations. COSATU has easily allied with NACTU over the federations previous collaborations with the PAC and their predominantly Black leadership and membership. [87]

Total trade union membership as represented in Table 3.10 has stabilised during the 2000s to about 36% of the formal workforce and roughly 25% of the total labour force. It is difficult to compare these trends with the union density numbers in Table 3.7 from the 80s and 90s as different calculation were used for total employment in both tables.

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[86] One factor that leads to the high number of unions is the creation of "shell" unions by labour brokers in an attempt to break up established unions, however these would not exceed more than a 100 at a time (Interview with Neil Coleman).
[87] Interview with Jayendra Naidoo.

Table 3.9: Registered Trade unions by Racial Composition 1980-1990

		Racially Exclusive		
Year	White	Asian and Coloured	African	Total
1980	80	54	12	146
1981	68	51	23	142
1982	57	46	26	129
1983	56	38	19	113
1984	46	34	19	99
1985	46	24	26	96
1986	46	17	23	86
1987	41	29	29	99
1988	40	26	28	94
1989	32	17	23	72
1990	29	16	20	65

	Mixed Unions				
Year	White Coloured and Asian	Coloured Asian and African	All Races	Unspecified	Total
1980	40		2		42
1981	36	7	6		49
1982	16	10	30		56
1983	23	13	43		79
1984	23	6	52		81
1985	11	20	53	12	96
1986	11	20	56	19	106
1987	11	15	55	20	101
1988	6	19	62	22	109
1989	7	32	66	31	136
1990			86	47	133

Source: Macun, 2002 pg 19-20 from Survey of Race Relations Annual Reports

Table 3.10: Registered Union Membership as a % of Formal and Total Employment

Year	Total Union Membership	Formal Sector	TU as % of Formal Sector	Total Employment	TU as % of Total Employment
2001	2,827,000	7,793,000	36	11,181,000	25
2002	2,750,000	7,845,000	35	11,029,000	25
2003	2,992,000	8,293,000	36	11,622,000	26
2004	2,735,000	8,318,000	33	11,643,000	23
2005	3,112,000	8,566,000	36	12,301,000	25
2006	2,969,000	8,999,000	33	12,800,000	23
2007	3,357,000	8,758,000	38	13,234,000	25

Source: Labour Force Survey, September, 2001; 2007

However, we can say that trade union membership has reached a plateau in the 2000s with not many gains or losses overall. From Table 3.11 we can see that mining continues to be the most densely unionised sector with overall union density increasing from 69% in 2001 to 74% in 2007. This followed by services, which includes government services, had a union density of 61% in 2001, has changed marginally to 57% in 2007. This is followed by manufacturing (33%) utilities (52%) and transport (37%). In 2007, utilities showed a marked decline to 33% caused by retrenchments at Eskom, the state owned utility company and manufacturing and transport remained roughly the same. The construction, finance and wholesale and retail trade sectors have the lowest unionization rates within them, with unions making some gain in the wholesale and retail sector in 2007.

Juxtaposing these numbers with the employment trends for South Africa between 2001 and 2007, we can see from Table 3.12 that the sectors that contributed to employment most significantly were construction, wholesale and retail trade, which are

Table 3.11: Trade Union Membership by Main Industry and Density 2001-2007 in 000s

Sector	2001			2007			2001-2007	
	Members	Employment	Density	Members	Employment	Density	000s	%
Agriculture	64	766	8%	87	852	10%	23	2%
Mining and quarrying	379	550	69%	343	453	76%	-39	7%
Manufacturing	515	1393	37%	563	1530	37%	49	
Utilities	48	93	52%	37	113	33%	-11	-18%
Construction	70	337	21%	77	829	9%	-7	-12%
Wholesale and retail trade	274	1431	19%	439	1891	23%	165	4%
Transport	161	430	37%	160	492	33%	-1	-4%
Finance	192	948	20%	314	1200	26%	122	6%
Service	1102	1805	61%	1304	2280	57%	202	-4%
Private households				26	1244	2%	26	
Total	2,805	7,753	36%	3,350	10,884	31%	545	

Source: Labour Force Survey, September, 2001; 2007

Total union density is lower than the widely accepted 36% because some informal workers are included in total employment here.

sectors within which the unions are the weakest. These are followed by services where unions have a strong foothold and finance where unionization rates are low.

Table 3.12: Employment Changes by Industry 2001--2007

| Sector | % of Total | | Net Jobs Created and Lost in 000s |
	2001	2007	2001-2007
Agriculture	10.5	8.8	-14
Mining and quarrying	5	3.4	-99
Manufacturing	14.5	13.6	178
Utilities	0.8	0.9	22
Construction	5.7	8.1	432
Wholesale and retail trade	21.9	22.3	498
Transport	4.9	4.5	49
Finance	9.3	10.1	305
Service	17.8	18.5	463
Private households	9.2	9.4	211
Unspecified/Other	0.4	0.4	9
Total	100	100	2,045

Source: LFS, Sept. 2001 and 2007

These patterns reveal that South Africa like many developing countries is experiencing its fastest growth within its tertiary sectors which also contribute significantly to overall employment creation. However, the largest numbers of informal workers are also found within these sectors, in 2007 33% of all jobs in construction, wholesale and retail were informal, 24% of jobs in manufacturing and 11% in the financial sector. By contrast only .6% of the jobs in mining are informal. Moreover, many of the new jobs created within services are atypical and short term (Naledi, 2008 pg 12). This clearly provides a challenge for union expansion within these sectors.

Two additional points need to be made about the South African labour market; first, there is high rate of unemployment amongst the youth (15-34 years) who make up 37% of South Africa's population. Almost 70% of the youth are unemployed with

unemployment hitting the 15-24 year cohort the hardest. The youth also make up almost 70% of the discouraged workers group. It is not surprising then that the youth only make up 15% of the total trade union membership and presents one of the greatest challenges for South African unions today who are have a membership that is aging.

When compared against the general backdrop of trade unionism in South Africa, Table 3.13 below shows us that COSATU has membership has steadily climbed to represent the majority of unionised workers. In 1985, the federation represented 35% of all unionised workers, this climbed to 45% in 1991 and 52% in 1997, and today COSATU represents 62% of the unionised work force.

Table 3.13: COSATU Membership as % of Total Membership

Year	Total	COSATU	% of
1985	1,392,423	450,000	32
1986	1,698,157	650,000	38
1991	2,718,970	1,212,000	45
1994	2,470,481	1,252,000	51
1997	3,412,645	1,791,400	52
2000	3,552,113	1,851,000	52
2003	2,992,000	1,750,000	58
2006	2,969,000	1,832,400	62

Source: Dept. of Labour; COSATU Secretariat Report 2006

There have been significant sectoral shifts within COSATU. Table 3.14 on the next page portrays COSATUs membership in the private and public sector between 1991 and 2006. In 1991, the private sector made up 94% of membership with a low 6% in the public sector reflecting the apartheid regime's policies excluding non-white's from the public service. By 2006, as the federation made inroads within the public sector, it also saw its private sector share drop as a result of retrenchments, particularly in mining and

Table 3.14: COSATU Membership Relative to Employment by Sector 1997,
2000 and 2003

Scope	Union	1991	Density	1994	Density	1997	Density	2000	Density	2003	Density	2006	Density
Mining and Construction	NUM	270,000	22%	311,000	25%	311,000	17%	290,000	16%	279,000	16%	262,000	14%
Metal industry	NUMSA	273,000	23%	170,000	14%	220,000	12%	200,000	11%	173,000	10%	217,000	12%
Clothing and textiles	SACTWU	186,000	15%	150,000	12%	150,000	8%	120,000	6%	105,000	6%	110,000	6%
Transportation	SATAWU	70,000	6%	74,000	6%	91,000	5%	103,000	6%	74,000	4%	133,000	7%
Communications	CWU	21,000	2%	23,000	2%	40,000	2%	35,000	2%	32,000	2%	25,000	1%
Retail	SACCAWU	97,000	8%	102,000	8%	102,000	6%	102,000	6%	102,000	6%	108,000	6%
Food processing	FAWU	129,000	11%	121,000	10%	140,000	8%	119,000	6%	119,000	7%	115,000	6%
Chemical, wood, paper	CEPPWAWU	88,000	7%	78,000	6%	94,400	5%	74,000	4%	65,000	4%	62,000	3%
Financial	SASBO	na		Na		70,000	4%	63,000	3%	63,000	4%	61,000	3%
Agriculture	SAAPAWU	na		Na		29,000	2%	22,000	1%	22,000	1%		
Performing Arts	PAWE	na		Na		na		na		na		400	0.02%
Musicians Union	MUSA	na		Na		na		na		na		1,000	0.05%
Football Players Assoc.	SAFPU	na		Na		na		na		na		1,000	0.05%
Total Private Sector		**1,134,000**	**94%**	**1,029,000**	**82%**	**1,247,400**	**70%**	**1,128,000**	**61%**	**1,034,000**	**59%**	**1,095,400**	**60%**
Total without agriculture						1,218,400		1,106,000		1,012,000		1,095,400	
State, health, education	NEHAWU	18,000	1%	64,000	5%	163,000	9%	235,000	13%	235,000	13%	204,000	11%
Medical Union	SAMA	na		Na		na		na		na		5,000	0.3%
Health, public and private	DENOSA	na		Na		73,000	4%	70,000	4%	71,000	4%	64,000	3%
Nursing	SADNU	na		Na		na		8,000	0.4%	8,000	0.5%	9,000	0.5%
Teachers public and private	SADTU	na		59,000	5%	146,000	8%	219,000	12%	215,000	12%	224,000	12%
Municipal workers union	SAMWU	60,000	5%	100,000	8%	117,000	7%	120,000	6%	120,000	7%	118,000	6%
Police, prisons, traffic	POPCRU	na		Na		45,000	3%	71,000	4%	67,000	4%	96,000	5%
Government, schools, hospitals	PAWUSA	na		Na		na		na		na		17,000	1%
Public Sector		**78,000**	**6%**	**223,000**	**18%**	**544,000**	**30%**	**723,000**	**39%**	**716,000**	**41%**	**737,000**	**40%**
Total		1,212,000		1,252,000		1,791,400		1,851,000		1,750,000		1,832,400	

Source: COSATU Secretariat Report 2006
Numbers have been rounded
In the public sector some of the unions include private sector workers but they make up less than 20% of those unions

Manufacturing. By 2006, the share of the private sector membership reduced to 60% and public sector increased to 40%.

Mining continues to contribute the largest number of members to COSATU. The number of members in mining includes construction workers, whose unions was collapsed into NUM, however, they only contribute about 30,000 members to the NUM. After mining the metal industry (NUMSA) contributes the largest number of members along with the teachers union followed by the public sector unions in health, the state and additional teachers unions. The federation has an extremely low number of agricultural workers within its ranks and by 2006, they comprised of less that 1% of total membership. Amongst its affiliates, NUMSA is considered to be COSATUs strongest federation organisationally, followed by NUM. The public sector unions are considered generally to be weak because of lack of organisational capacity within the union although they contribute a large number of members.[88]

A sectoral analysis of individual union membership as compared with the employment in the formal sector reveals that 72% of all mine workers belong to COSATU, 77% of public service workers (excluding the police and correctional services) belong to COSATU. Over 50% of all clothing, textile, transport and communication workers have membership in COSATU. Over 50% of various categories of teachers in South Africa hold membership in COSATU and almost 46% of the police force are COSATU members (COSATU, 2006 Appendix 2 page 43). This proves COSATUs dominance within the trade union movement.

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[88] Interview with Karl Von Holdt.

COSATUs shift towards the public sector is concerning for several reasons, it makes the federation overly reliant on the government maintaining a large public sector and historically this reliance has proved debilitating for unions when the governments restructure and outsource their public sectors. Secondly, there has been precedence within African countries for governments to remove the public sector from the labour relations system and prevent strike activity with the sector, using the 'general public interest' as a justification.

In its 2003 organisational review, the federation has identified several areas that it needs to strategically address, the recruitment of new members, servicing members needs, lobbying for a basic income grant, organising informal workers, building effective internal management, educating COSATU members, shop stewards and leaders and promoting gender equity (pg 8 –19). In spite of COSATUs acknowledgements of the need to build capacity in these various areas the leadership has been slow to implement concrete policies.

For example, since 2000, the leadership of COSATU has discussed the strategic importance of devising a plan to retain the membership of unemployed COSATU members. Currently when a worker becomes unemployed they cease to hold COSATU membership (COSATU, 2003). In spite of recognising that they, the federation, must retain links with former members and keep them within its fold, the federation seems moribund to implement a plan of action. Individual unions such as the NUM have used

development funds to assist unemployed workers, but this is yet to filter upwards into a comprehensive framework by the federation.[89]

Mass mobilization

Strike action is one measure of trade union militancy, however excessive and frequent striking points to a flaw within the labour relations system and bargaining weaknesses of unions where they are unable to negotiate wage increases simply through the threat of striking. In South Africa strikes are measured through the loss of working mandays reported to the department of labour.

Aside from traditional striking over shop floor issues, the unions in COSATU and its predecessors also took part in stayaways (where entire communities stayed at home), mass mobilizations, go slows or work by rule (on the factory floor) sit and sleep ins (during emergency periods), overtime bans and consumer boycotts to keep the pressure on the apartheid state including the puppet regimes installed in the Bantustans. Generally, a strike called by a union or unions within one industry were considered economistic strikes over wages and work place issues and federation strikes were political, this rule generally holds today although many workerist strikes were and continue to be shaped in their militancy by the overarching political relationships and demands of the federation.

I have already discussed the issues round striking in the 1970s and periods preceding that in the historical section. In this section, I will focus on strike action from the 1980s onwards. Table 3.15 below shows that through the 80s the strikers were

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[89] Interview with Karl Von Holdt.

predominantly African with some participation by Indian and Coloured workers and almost none by white workers.

Table 3.15: Racial Composition of striking employees

Year	White	Coloured	Asian	African
1978				
1979				
1980	0	5275	224	56286
1981	0	6271	1865	84706
1982	0	17920	1170	122481
1983	11	1415	1712	61331
1984	16	5304	1725	174897
1985	9	12883	1879	225045
1986	255	13944	1416	408775
1987	90	16359	2266	572706
1988	145	16573	6308	138653

Source: Department of Manpower 1989 pg 56

As Graph 1 on the following page shows the frequency of strikes increased after registration of African and non-racial unions were permitted.[90] In 1979, almost 100,000 mandays were lost to strikes. In 1982, South Africa witnessed a sharp increase in strikes with 394 strikes (the largest number in over twenty years) involving 141,571 Black workers (117,829 Africans, 17,745 Coloureds and 1,170 Indians no white workers were involved involved) (SALB, 1983 vol. 8 No. 5 pg 13).[91] This wave of strikes was prompted by rising inflation and a demand for an increase in wages and hit the industrial hubs of South Africa. For example in the East Rand, built on the gold mining

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[90] Graph 1 reflects the total number of workdays lost annually since 1970. These are not weighted for population changes, recently the department of labour has come up with a time loss ratio which converts working days lost into a strike rate that taken into account the size of total employment. The time loss ration between 2001 and 2006 concur with the patterns of the working days lost indicating that these are not being shaped by population increases (Department of Labour, 2006 pg 19-21).

[91] This number includes both strikes and work stoppages where as the graph portrays data from only strikes.

Graph 1: Working Days Lost to Strike Action 1979-2007
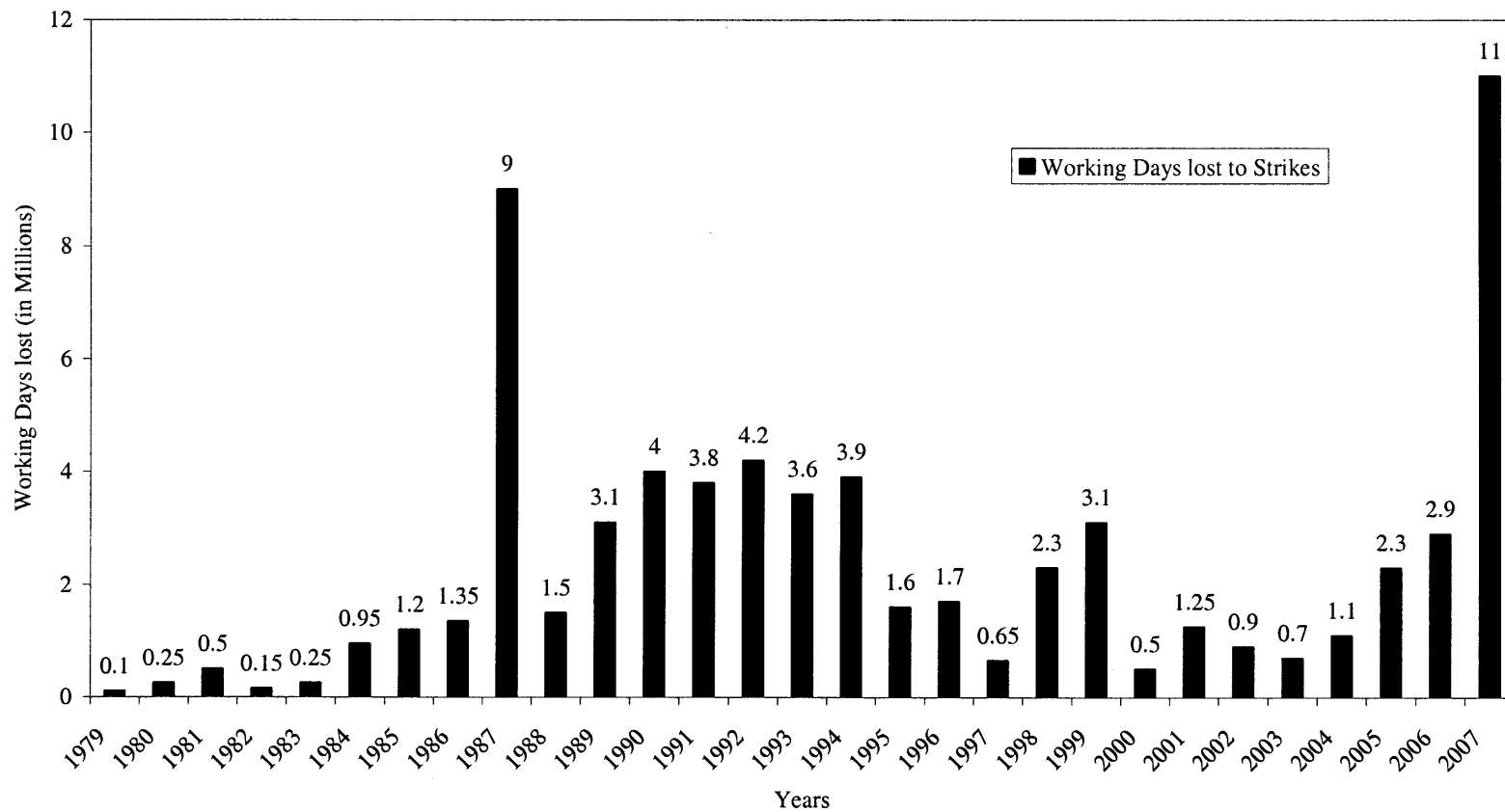
Source: Andrew Levy and Assoc. 1979-2007

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industry, and a major centre of metal and engineering industries, in 1981 between July and November the region saw 50 work stoppages involving 25,000 workers. The following year almost 20 work stoppages occurred in just the first three months of 1982 with workers demanding an increase of hourly wages from Rand 1 to 2 (SALB, 1982 Vol 7 No 8 pg 18-21). Although on the face of it the strikes were over economic issues other underlying factors increased worker militancy. One of these was additional pressures on contract workers, who made up 30% of workers in the area, who were supporting families in the rural areas (suffering from drought) and the pressures exerted on these workers by a rigid implementation of influx control laws cutting down on the number of jobs available to contract workers or forbidding workers to transfer work permits to other urban areas. As one worker described the situation, "the countryside is pushing you in the cities to survive, the cities are pushing you in the countryside to die" (Baskin, 1982 pg 23).

The political climate played a role in the strikes. First the apartheid regime's decision to recognise African unions pushed many unions to strike for recognition within their factories. The general environment of militancy within the townships where residents protested rents increases, and other issues injected areas with an air of political consciousness a round the right s of workers and residents saw workers flocking to the unions:

On the East Rand itself workers the Metal and Allied Workers Union (MAWU) a significant organisational force in the area claims a membership increase of 50% during 1981 with a total of 25,000 members signed up by the end of the year. One unionist said that the workers organise themselves and come to the union offices. "We don't have to go to factories to recruit these days"(Baskin, 1982 pg 24).

While the 70s were defined by various competing ideologies within the liberation movement, by the 1980s there was a consolidation towards a "progressive" movement as opposed to the Black Consciousness one. Baskin defines this progressive ideology as consisting of "working class leadership of the national liberation movement, mass mobilization /organisation and non-racialism" (ibid). The progressive ideology found commonality with the 'progressive' trade union movement and after many years there was a synergy; hegemony of union and political ideology.

The documented successes and failures of unions striking over wages and work conditions show that the factors that determined success broadly coalesced around, organisational capacity, level of representation of workers in a factory and level of general worker militancy in the area. In some cases unions were able exert pressure on firms to extract gains that not just recognised the unions but gave them bargaining rights beyond the limited scope of the Industrial Councils (Colgate-Palmolive strike of 1981 in the East Rand) in other instances striking workers were dismissed and replaced (Johnston Tiles 1981) (ibid.) In the case of Leyland strike in the Western Cape in 1982, where majority of coloured workers went on strike for the very first time, although all the workers demands were not met or later honoured the workers were re-instated and the strike had a unifying effect on the union and its membership forging a political consciousness amongst union members. Joe Foster the then general secretary of FOSATU commented on this issue:

...strikes are never lost – I mean the Leyland issue for example –you can say the strikes are lost in that we didn't achieve the objectives we originally set out to, for example higher wages. On the other hand you can say that we have certainly gained a helluva lot – I mean people have gained tremendous experience, not only workers at Leyland but the community at large (Evans, 1982 pg 41).

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In many instances such as the Leylands case, strike activity had a ripple effect in the surrounding communities. In some cases boycotts and stayaways were initiated by unions but were then spread into and were taken over by communities. The 1983 bus boycott of East London is an indicative example of such a process. The boycott was initially taken up by the South African Allied Workers Union (SAAWU) in 1980. The union was trying to negotiate with the homeland government of Ciskei around a proposed 11% increase in bus fare and other transportation issues such as lack of bus shelters, late busses and lack of convenient bus schedules and the poor condition of the busses. During the three years that SAAWU tried to negotiate with the homeland, the issue filtered into the communities affected, who decided to organize a boycott. Although SAAWU shop stewards formed committees for the boycott and participated in it, the boycott was driven by the community. The East London boycott like its counterparts across the country was dealt with by extreme brutality by the Sebe regime. The boycott lasted over 6 months and during this time almost 90 people were killed including a massacre by police of commuters at a train station. A state of emergency was declared over the Mdantsane township supporting the boycott and Sebe's vigilantes beat, harassed, and raped people in the township to intimidate the. Almost 1,000 people were detained without any charges being filed. SAAWU was banned and forbidden from operating in the Ciskei. Ultimately students joined in the boycott to support their families and stopped going to school (Swilling, 1984). As news of the boycott and atrocities spread the boycott transformed from a short term struggle over bus fare to a protracted political struggle over the Bantustan regime and the apartheid regime supporting it:

The forms of boycott that emerged during the boycott have important implications for the democratic movement in South Africa...In this context it is significant that these

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embryonic forms of organization seem to be leading towards a linking up of workplace and community struggles under the leadership of working class interests. Although this still needs to be worked in practice, it does contain the basic features of what may be called working class politics (Swilling, 1984 pg 70).

Strike action where it failed, came at a costly price to unions, it created immense pressure on unions and drained them of resources. In the cases where strikes were largely ineffectual they led to demoralisation of members and weakened the unions bargaining power. The consequences for workers were brutal, and usually resulted in workers being fired and forced to return to their homelands. The many documented failures showed that fledgling unions nationally strove to flex their power based on what they saw going on around them, but did so without the appropriate organizational foundation and without being strategic in assessing the ability of the firm to withstand the strike and replace workers (Baskin, 1991).

As the chart on the previous page shows, the workplace related strikes kept increasing through the 1980s. By 1984 the number of workdays lost to strikes was almost one million. In 1985, the year COSATU was launched and also the year that the regime declared a state of emergency which lasted for almost 9 months, the unions caused a loss of 1.2 million work days with 75% of these strikes attributed to COSATU affiliates. This was in spite of the brutal response of the regime to disobeyance of the emergency which led to over 12,000 people being detained (most of whom were linked to the UDF and the unions) and 850 people killed (Baskin, 1991 pg 77).

As the regime continued to increase repression, strike activity became overtly political. Workers began to down tools and protest the torture, detention and death of several worker leaders who were persecuted equally for being trade unionists and radical leaders with political affiliations to banned organisations. Some examples of these were

over the deaths of Neil Aggett (1982), Andries Raditsela (1985), over the proposed detention of Di Cooper (1986) and the detention of Moses Mayekiso, the organising secretary of MAWU and a community activist in Alexandra. On March 5th in 1986 workers in MAWU unions nationwide downed tools for between a half hour to a half day to protest the detention of Mayekiso. In the region surrounding where Mayekiso lived, Kempton Park and Johannesburg, between 80% to 100% of workers participated. Metal workers outside of MAWU stopped work in solidarity. Additionally, a number of employers acquiesced to the unions request and faxed requests to the Minster of Law and Order requesting Mayekiso's release. A survey of employers within the metal industry in 1986 revealed that although employers generally were against strike action for non-industrial reasons, the majority recognised the power of unions and their increasing involvement in political issues. Some employers were even sympathetic to the political issues that unions were fighting for particularly over state emergencies and the brutal treatment of union leaders (SALB, 1986 pg 11-12).

By 1986, both the frequency and length of protest action against the emergency and the subsequent detention of union leaders was on the rise. In 1986, Commercial, Cartering and Allied Workers of South Africa (Ccawusa) members stopped work in almost 100 retail outlets to demanding that detained union leaders be released. The action lasted almost two weeks. Similarly, when the vice-president of NUM was arrested, 5,000 miners in the Free State went on a go-slow, at Matla miners staged an underground sit-in and the union launched a national boycott of bars, liquor outlets and concession stores around the mines. The regime responded with harsher methods, banning organisations

including COSATU from indoor gatherings (outdoor ones were banned as a result of the emergency) (Baskin, 1991 pg 136-137).

The most formidable strike of the 1980s was the 'great miners strike' in 1987, the largest mineworkers strike in South African history, 340,000 miners were involved and almost 5 million work shifts were lost over the three weeks of strikes (Baskin, 1991 pg 224). The details of the mineworkers strike, lend a snapshot into the violent resistance trade unions faced when they struck under the apartheid regime. The NUM was the largest and perhaps the most powerful union within COSATU. Between 1985 and 1987 the unions' membership had increased from 100,000 to 227,586 paid up members. The NUM mineworkers strike was a milestone for the Black unions. Both the number of strikers and the length of the strike was unprecedented in the history of South Africa. It brought together miners from all areas irrespective of religious and cultural differences and took on the stalwarts of apartheid capital, the mining houses. For NUM pulling off a nationwide strike of this magnitude was a massive accomplishment of organizational capacity, determination and skill. However, NUM would eventually be forced to retreat and end the strike with a slight improvement over the employer's pre-strike offer and with a costly price tag both in terms of lost jobs, wages and human life:

...casualties were heavy. Eleven workers had been killed, 600 injured and over 500 arrested. Over 50,000 miners were dismissed by Anglo, Gencor, JCI and Goldfields, including the unions president James Motlatsi. The strike cost miners almost R5.5 million in lost wages per day. The employers refused to reveal their loses but COSATU and NUM estimated that these amounted to some R250 million (by contrast settlement of the miners demands would have added R34 million to that years wage bill). Production output, particularly at deep level mines, only recovered well into the fourth quarter of 1987 (Baskin, 1991 pg 235).

In spite of the failures of the strike it marked a moment in South African strike history and sent clear message to business, they could not afford sustained strikes of this nature

and that ruling regime could no longer contain and manage the majority of workers from engaging in militant action. Many of the mining houses would join SACCOLA, a grouping of businesses, who by the late 1980s began to negotiate with organised labour around the Labour Relations Act and other issues.

By the late 1980s however, the unions had understood that their power to mobilise was the penultimate tool to force the regime to the negotiation table, with additional pressure from capital which could no longer afford both the industrial action and political action that South Africa witnessed in the 1980s.

The experiences of trade unions striking on the 1980s show us that there was a fusion of economic and political issues around which strike activity was centred. The unions influenced the communities within which they were situated and were influenced by both the local and national political environment. As the unions got drawn towards the inevitable looming political battle between the apartheid regime and liberation forces they began to flex their muscle outside of the industrial relations system and colluded with the liberation movement around mass political action. While some of the methods used in mass political action such as boycotts and stayaways were not new to the national liberation struggle the 1980s saw a renewal and resurgence of these strategies as being both tactical and strategic, tactical in specific demands around issues such as removing roadblocks or the police from the townships, and strategic in politicising and mobilising the oppressed classes and particularly consolidating the various class fractures within the Black majority (White, 1986).

The early 80s saw an increase in political action against the regime, these stemmed from actions by communities, unions, the UDF and students organisations and

ranged from issues over rent hikes, services, prices of food, to the propose tri-cameral

parliament proposed by the regime to incorporate Indians and Coloureds into parliament.

The action took the form of boycotts and protest marches and spread throughout

townships and communities all over South Africa, ranging from public services to food

products. I have already discussed the tensions between the UDF and COSATU. This

was reflected in the manner and level of collaboration between COSATUs and the UDF

over mass mobilization. For example when the UDF organised a protest around the

creation of a tri-cameral parliament and local Black elections, the unions had a significant

presence in lending support and organisational assistance. Although affiliate unions and

their members took part in local stayaways the federations it self chose to openly

participate in and organise major national stayaway action shying away from many

smaller scale protests:

Following COSATUs launch, atleast 12 regional stayaways took place in the period
between November 1985 to February 1986. These actions affected main centres as well
as small towns and previously isolated areas. COSATU members participated in most, if
not all, of these stayaways , Often, however, COSATU as an organisation played little
part in the calling, planning or preparation of these actions (Baskin, 1991 pg 89).

As the state of emergency deepened COSATU began to rely on mass action such as

stayaways as their primary tool for fighting the regime. In general, when COSATU

collaborated with the UDF and other organisations such as SASCO it was assured a

greater degree of success than when it went at it alone. The July 14th stayaway in 1986 to

protest the state of emergency failed largely because COSATU was ill prepared and

pushed through the stayaway at its Central Executive Committee without collaborating

with the UDF or other organisations (Baskin, 1991 pg 95). By the late 1980s the

COSATU leadership found it easier to collaborate with the UDF, their shared histories of

the 80s allowed for an uncomfortable yet potent combination to fight the regime. When

the UDF and other organisations such as SASCO were banned in 1988 and forced to go

underground COSATU leaders stepped up and regrouped the liberation movement under

the moniker Mass Democratic Movement (MDM) and ratcheted up the pressure on the

regime through a series of mass action. Baskin describes this moment as one of

COSATUs primary accomplishments:

It was principally COSATU which kept the Mass Democratic Movement's torch alive
between mid-1986 and mid-1988. This does not underestimate the importance of Sayco
or civic structures, nor imply that the UDF died during this period. Popular resistance
continued but organisation was seriously crippled. COSATU acted as a centre in assisting
the Mass Democratic Movement to regroup its forces, and the unions organised strength
was central to the failure of the state of emergency (Baskin, 1991 pg 450).

Table 3.16 on the next page lists some of the major stayaways and mass mobilizations in

which the unions, the UDF and various other federations and organisations collaborated.

Stayaways were used by the various organisations to promote several agendas. For

example, the apartheid regime had refused to recognise the internationally observed May

Day on May 1st and reserved May 6th as a workers holiday. COSATU was adamant that

South Africa come in line with the international holiday and make May 1st a public

holiday, and held a two day stayaway on May 1st and 2nd in 1987 in observance of this

request. The UDF and the National Education Crises Committee (NECC) and COSATU

also used this stayaway as a platform to protest state brutality and repression of the

federation and the UDF. A two day stayaway was organized and almost 2.5 million

people participated. About a million were students and the rest workers. Although

subsequent to the stayway, COSATU's offices in Johannesburg were bombed, followed

by raids on the homes of the federations leadership, the regime eventually

Table 3.16: Chronology of Major Politically Motivated action by COSATU and other Formations.

Year	Type of Action	Reason	Organisations Involved	Duration	Outcome
1983	Stayaway/boycott	protesting the formation of tri-cameral parliament	COSATU/UDF		
1984	stayaway	Student demands around Afrikaaans medium and fees and related community issues	FOSATU, CUSA, UDF-unions, student organisation COSAS	2 days	800,000 workers stayed away
1986 May	stayaway	In support of making May Day a public holiday	COSATU with UDF support	1 day	1.2 million workers stayaway
1986 June	stayaway	In remembrance of SOWETO uprising	COSATU with UDF support	1 day	1.5 million workers stayaway
1987	stayaway	protest white's only elections	COSATU and UDF	2 days	2.5 million people
1988 June	stayaway	protest banning and restriction of organisations such as UDF and COSAS	COSATU/UDF/COSAS	3 days	2.5 to 3 million
1988 October	boycott	municipal elections	COSATU/UDF/COSAS	1 day	millions boycott only 10% of Blacks vote
1988	stayaway, demonstrations, overtime ban and consumer boycotts	protest the Labour Relations Act (LRA)	COSATU	rolling actions over months	100,000s
1989 sept.	stayaway	protesting white's ony vote	COSATU/UDF/COSAS	1 day	millions

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Table 3.16: Continued.

Year	Type of Action	Reason	Organisations Involved	Duration	Outcome
1990	stayaway, demonstrations, overtime ban and consumer boycotts	protest the Labour Relations Act (LRA)	COSATU	rolling actions over months	2 million
1990July	stayaway	violence by apaprtheid regime and Inkatha attacks	COSATU/UDF/ANC	1 day	3 million
1991	national strike	anti-VAT and call for a national economic forum	COSATU/UDF/NACTU/various civil society organisations	1 day	1 million
1992	stayaway	pressure apartheid regime to negotiate	COSATU/ANC/SACP	2 days	4 million
1992	marches demonstrations	pressure apartheid regime and Bantustan leaders to negotiate	COSATU/ANC/SACP	2 days	300,000
1992-1994	rolling mass action	pressure the regime and the ANC to negotiate favourably towards workers.	COSATU		
1995	mass action	New LRA	COSATU/NACTU		Hundreds of thousands
1996	mass action	final constituion	COSATU/NACTU/FEDUSA		Thousands
1997	mass action	GEAR	COSATU		20,000
1997	stayaway	Basic Conditions of Employment Act	COSATU	1 day	2 million
2002	staway	privatisation	COSATU/NACTU/FEDUSA/civil scoiety organisations	1 day	3 million

Source: Maree, 1998, Baskin, 1991, Various South African Labour Bulletins.

acquiesced and allowed May Day to be a celebrated as a public holiday a few years later (Baskin, 1991 pg186 -190). The stayaway was important for boosting mass militancy, flexing the strength of the liberation movement and keeping the pressure on both capital and the state. By the late 1980s the federation and its allies pressed forward with series of impressive mass actions. In 1991, a national strike was called by all labour federations in response to the creation of a Value Added Tax (VAT) by the regime. Although the action was unsuccessful in stopping the passing of the VAT tax, the broad coalition behind the action was a major success for organised labour as it was able to organise across races and classes and formed a broad coalition of South Africans concerned about VAT.

In 1992 with the CODESA talks in limbo COSATU, the ANC and the SACP announced a program of rolling mass action to force the regime back to negotiations and insist that they came up with a time frame within which the country would transition to majority rule to avoid getting trapped in a never ending interim government (Friedman, 1993 pg 140). Parallel to this process COSATU was negotiating with SACCOLA, which represented business over a solution to the impasse and ways in which business could pressure the regime back to negotiations. In return for SACCOLA's intervention COSATU was willing to negotiate around strike action and mass mobilization to minimise closes for business. Ultimately these talks failed as business was unable to form consensus over the types of limitations of mass mobilization they required from the federation (ibid. pg 148-149). Although COSATU, the ANC and SACP were collaborating over mass action, the unions also used the threat of radical mass action to send a message to the ANC over the negotiations. COSATU was unhappy at the way in which it had been sidelines during the negotiations and the ANC failure to adequately consult the federation over

important tactical and policy shifts during CODESA. They believed that mass action

would reconnect the grassroots with the negotiation processes and force the ANC to

consult with all the liberation constituencies. Union leaders also believed that the

ANC did not comprehend the negotiations climate in South Africa:

Unionists experienced in labour bargaining, where negotiation is often accompanied
by shows of strength (or the threat of them), believed the ANC negotiators did not
understand bargaining...they argued that mass mobilization was a key source of their
strength; by discarding it during negotiations they were fighting with an arm tied
behind their backs. Negotiation did not remove the need for mass mobilization; on the
contrary the tow complimented each other – 'by demobilising the masses', the ANC
was playing the game by the NPs rules (Friedman, 1993 pg 142).

Although there was an inconsistency in the levels of mass action, it would pressure

both the regime and business to push for a speedy resolution to the negotiations

(ibid.). CODESA was reconstituted under the Multi-Party Negotiating Forum and an

interim Government of National Unity was agreed upon after the first national

democratic election, which was held in 1994.

In the post-liberation period COSATU unions have continued to engage in a

robust strike activity. Mass mobilizations have declined. In 1995, COSATU and

NACTU staged a mass protest over the stalls within NEDLAC over the formation of

the new LRA. Thousands of workers marched and protested over weeks of

negotiations as part of the rolling mass action to keep the pressure on the negotiators.

The unions made significant gains following the mass action on centralised

bargaining, workplace co-determination and provisions for closed shop. They lost a

ban on scab labour and the right to strike on disputes (Maree, 1998 pg 48).

Similarly, when the final constitution was being hammered out between 1995

and 1996 COSATU engaged in rolling action for months involving millions of

workers to ensure that the lock out clause was removed from the final constitution and

the right to strike was entrenched within it. Aside form that major demand the

federation won almost all of its submissions to the drafting committee some of which were protection of sectoral bargaining and the right to picket (ibid.). Likewise when the Basic Conditions of Employment Act (BCEA) was negotiated through NEDLAC in 1997 the federation launched a mass mobilization to push for changes over the hours of the work week and issues such as the length of maternity leave (ibid.)

In 1998, there were protests over the adoption of GEAR following the failure of the Jobs Summit to deliver but these were poorly organised and attended. The largest mass mobilization initiated by COSATU has been its protests over privatisation in 2002, which I detail below.

In 2001, the government began to push an uncritical approach towards privatization. In the 2001 Budget Review, the treasury argued that restructuring state owned enterprises could 'broaden economic participation, recapitalize public and reduce state debt'. The treasury hoped to use privatization to raise funds in order to stick to GEAR targets. Through privatization of the major parastatals the treasury hoped to raise R 18 billion or 7.4% of the budget (Makgetla, 2001 pg 17). The federations' response was to undertake a national anti-privatization strike. Although affiliates of COSATU had been regularly striking since 1994 around wages and other issues, this was the first mass mobilization by the federation since the mass demonstrations around the drafting of the final constitution and the right to strike clause in 1996. Almost 3 million people supported the strike, a number larger than COSATU's membership, which can be significantly attributed to the broad coalition COSATU formed with other social forces such as the union federation of NACTU, the Congress of South African Students (COSAS), the South African Students Congress (SACO), the SACP and other civic and NGO federations (Hassen, 2001 pg 34).

Since the privatisation strike of 2002, the federation has held annual national protests over issues such as job losses and poverty. For example in 2005 the federation held one national protest over job losses and poverty and then a recurring strike on every Monday within the provinces for the month of October to protest the same. In 2006, COSATU held a one day national protest over the same issues. Both years saw high attendance (DOL, 2006).

Although the federation claims that the creation of the LRA and CCMA have on average reduced the need for union to strike at the rate they were prior to 1994 and period directly after:

On average, the number of person days lost has declined significantly since the LRA came into effect particularly if one compares this to the post 1994 period. One of the main contributing factors to the reduction of the strike actions as well as person days lost is the rights that now workers enjoy but which they were previously forced to take strike action to win. · Most wage negotiations are now settled without resorting to strike action. The CCMA increasing plays a crucial role in settling wage disputes. · The success rate of the CCMA in settling individual dismissal cases is particularly impressive. The labour market has now become a lot more efficient, thanks to the structures created in terms of the LRA. · The number of protracted strikes has declined significantly. This year's longest strike was the motor industry strike, which lasted six weeks. Under apartheid legislation, strikes used to last for months - many will remember the 1986 OK Bazaar strike which dragged on for more than 6 months as well as the Railway and Post Office strikes (COSATU, 1998).

In reality Graph 1 shows that strike action has remained high post-liberation, although predictably lower than the late 80s and early 90s. COSATU unions continued to be economically active post-1994 and initiate industry wide strikes over wages and other working conditions. Graph 1, which excludes strikes over socio-economic issues shows that strike activity fell after 1994 and then rose again in 1998 (as a result of a major public sector strike) and 1999, declined for the following years rising and peaking in 2007 as a result of a massive public sector strike over wages and other work related demands. The significant majority of these strikes were initiated by COSATU with some support from the other federations (Levy, 1990-2005).

Unions routinely negotiate wages on an annual or bi-annual basis to capture

inflationary trends within the economy. Graph 2 below shows that from 1990 through

2005 the average wage increase negotiated by the trade unions was on par or greater

than the CPI for the same period. (Andrew Levy and Associates, 1990 -- 2007).

Graph 2: Comparison Average Level of Settlement (LOS) Against Average CPI 1990-2005

Source: Andrew Levy and Associates, 2005
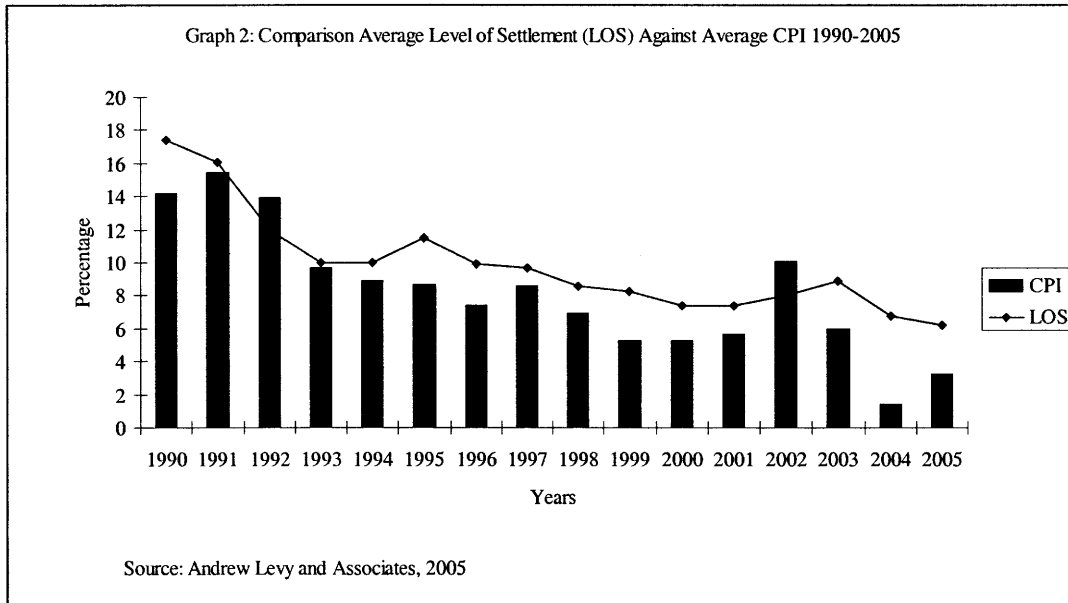
In spite of the absence of mass political action generally, the federations uses

sectoral strikes to push through political messages. This was apparent during the

recent public sector strike in 2007. The last two years have seen a dramatic increase in

inflation (as represented by the CPIX) from 4% in 2006 to 11% in 2007 and 12% in

2008 (Statistics SA, CPIX indicators, 2006, 2007, 2008)[92]. The public sector unions

were demanding a wage increase of 12% on par with inflation and the government

offered 6%. Although the unions settled for 7.25% on average, the strike lasted almost

a month causing massive disruption to government services, schools and health care

and resulting in huge financial losses for the state. Aside from their financial demands

the unions were flexing their muscle against their unhappiness with the government

over public policy and lack of consultation.

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[92] http://www.statssa.gov.za/publications/statsdownload.asp?PPN=P0141&SCH=4089

COSATUs strike action and mass mobilization cannot be divorced form the political context within which they occurred. Politics both fed the strikes and was fed by it. The capacity of the federation to organise and mobilise millions in collaboration with other formations, is a reflection of COSATUs broad appeal to those outside of its membership. In this sense the federation has successfully played a hegemonic role within the liberation movement and post-liberation within civil society. Can the federation sustain this hegemony as it struggles to balance the militancy of its members in relation to the new institutional role it plays within society?

With the creation of institutions representing workers concerns, such as the socio-economic council of NEDLAC, the re-structured Labour Relations Act (LRA), and structures within which the federation can moderate labour disputes such as the Commission for Conciliation, Mediation and Arbitration (CCMA), and the labour courts, COSATU relies less on militant action and more on militant rhetoric. The federation also has a more focused militancy against specific policies and actions rather than a general systematic opposition as it did during apartheid. Because COSATU is able to voice its concerns around such issues both within government through the structures of the alliance and outside of it through tripartism, the militancy of the federation is measured. However, South African workers continue to display an impressive level of militancy evident in the high levels of strike action over the past decade and COSATU must ensure that they harness this militancy and keep it alive to use in the future against the government, capital and even the ANC if necessary. Worker militancy is the federations' most formidable weapon against the ANC.

Organisational Issues

Membership and mobilization point to the fact that COSATU is growing and militant. However these do not paint the full picture of the state of COSATU. I delve into some of the organisational aspects of the federation.

From the onset COSATU derived its strength from its unions focus on building shop floor organizational capacity. The key factor in building capacity was a democratic system of elected shop stewards who took their mandate from the workers and presented it to higher structures of COSATU. Rather than simply receiving instructions from above the shopstewards also drove the agenda from below creating a two-way flow of information, which was mutually re-enforcing. This tradition, which was cultivated within the FOSATU unions, became a culture within COSATU after its formation. Chart 3 below depicts the shopsteward system during the 70s and 80s (excluding the right hand side of the column with the executives which came into effect in the 1990s). Here, within a workplace workers elected a shop steward committee whose size would vary depending on the size of the workplace and number of unionised workers. Unions would negotiate with employers around the number of shopstewards allowed and the rule of thumb was one shop steward for every 25 workers with a minimum of two shopstewards permitted in any workplace. Workers would elect a shop steward committee which would then elect one or two members to represent it in local/district /regional shop steward council. These councils then reported to the regional executive which reported on to the national executive. The councils, during the 70s and 80s developed into dynamic centres within which campaigning and mass action was located.

The local shop steward council, particularly since the mid-1970s, were the melting pot for ideas ands actions that later developed into major national campaigns. The local was a vibrant centre for worker education and activity and could not be ignored in the formulation of national union policy (Marie, 1992 pg 22).

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Chart 3: Shop Steward System within COSATU

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┌─────────────────────────────┐
│ National Executive Council   │
│ or the Executive Committee   │
│ of COSATU                    │
└─────────────────────────────┘
              ↑↓
┌─────────────────────────────┐
│ Regional/Provincial          │──────────┐
│ Executive Council            │          │
└─────────────────────────────┘          ↓
              ↑↓              ┌─────────────────────────┐
┌─────────────────────────────┐ │ District or local      │
│ Shop Steward council:        │ │ executive council      │
│ Regional/District/Local      │ └─────────────────────────┘
└─────────────────────────────┘          │
              ↑↓                          ↓
┌─────────────────────────────┐ ┌─────────────────────────┐
│ Workplace Shop Steward       │ │ Branch Executive        │
│ Committees elected by        │ │ Council                 │
│ workers, select members to   │ └─────────────────────────┘
│ represent in the council     │
└─────────────────────────────┘
              ↑↓
┌─────────────────────────────┐
│ Workers                      │
│                              │
└─────────────────────────────┘
```
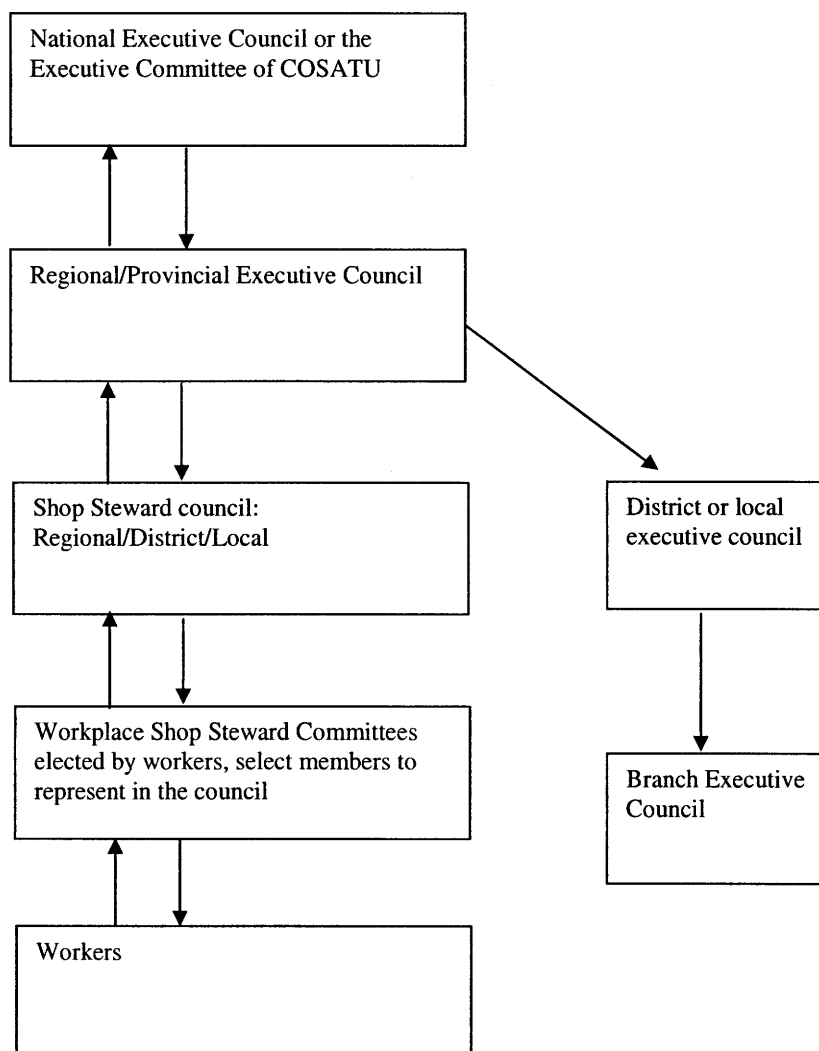
Baskin attributes this system of democratic consultation within the unions as one of

the key factors contributing to the unions' success during the 1980s emergencies and

revolt against the regime:

This achievement was possible because of COSATUs organised strength on the
shopfloor, and worker response to the wave of detentions in mid-1986 was a sign of
this. This strength protected much of COSATUs leadership from being detained, as it
was simply too costly, politically and economically, for the state to do so. In addition,
COSATUs focus on building local shop stewards councils was crucial. These were
COSATUs backbone. They assisted in organisational work and developed ordinary
leadership. The locals confronted the political issues of the day, and developed

resistance in practice. They were often the first line of defence against repression, giving workers practical leadership (Baskin, 1991 pg 450).

During the early 1990s as COSATU successfully moved towards its goal of 'one industry one union', unions were growing rapidly as a result of mergers and new members. The burgeoning membership required new challenges in servicing members and it required the creation of a bureaucracy to deal with the administrative issues of unions. The federation created regional, district and branch level executives to deal with the bureaucracy depicted in Chart 3. The bureaucratisation of the federations day to day activities have had a number of consequences. Due to the large amount of information and the complex nature of the organisation requiring issues, meetings and agendas the shop steward councils are often bypassed in favour of the executive committees (Baskin, 2000). This has limited the participation of rank and file members in participating in decision making. As early as 1992, union leaders were cautioning about worker control becoming more of a slogan than what was practiced (Vavi, 1992). The lack of worker participation has also impeded the federation in understanding the needs of its members and adequately servicing them. Servicing members is one of the biggest challenges facing COSATU today (Baskin, 2000).

The transition from liberation struggle to democracy also created a vacuum within trade union shop floors around identity and purpose. Following the negotiations of the early 1990s and post-liberation several organisational issues appeared. First, many union shop floors during the 1980s were characterised by "ungovernability". This ungovernability had been fostered during the around the dual role of unions being militant agents for workers rights and the liberation struggle and created an internal dualism for shopstewards as they acted as an agent for the union around negotiations and as an agent for the liberation struggle as sustaining ungovernability. This dualism naturally created a conflict within the many

constituencies within the union. Post-liberation as the unions strove to create a new coherent identity it was forced to deal with the repercussions of the 1980s and internal divisions created by it (Holdt, 2000). The union also had to contend with a management that has moved from crude forms of repression to more sophisticated forms of bargaining and negotiations using professional consultants many of whom were previously affiliated with the unions and are familiar and strategic in negotiating with unions.[93]

Others issues came to the forefront. From the early 1990s it became evident that COSATU was battling organizationally around capacity. First, there was the brain drain issue, which left the union movement short of skilled and experienced leaders. This issue was highlighted by the fact that after COSATU fought, through NEDLAC to getting govt. to allow labour a seat (representation) to the UNCTAD IX and the ministerial meetings of the WTO in 1996 it failed to send any members to the meeting because all the leaders were tied up in the mass mobilization against keeping the lock out clause in the constitution in 1996. Capacity and lack of adequate strategic planning have caused the federation to work in the moment. Baskin sums this up by stating:

The problem extends to the highest levels where the national centre/ federations frequently miss open opportunities to influence public policy and promote workers interests. A union movement running on the spot and not expanding the frontiers of its operations, is in fact going backwards (Baskin, 2000 pg 50).

As the federation has grown and become bureaucratised, the federation structure is unable to adequately service its members. Since the 1990s there has been a decline in both the quantity and quality of services delivered to members. Baskin states that cases are unattended, the manner in which collective negotiations are held is sloppy

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[93] Interview with Duncan Innes, May 2003.

and the general quality of mandates and report backs have deteriorated (ibid.)

COSATU has also fallen into the trap of its predecessors from the 1920s and 30s by

allowing indiscriminately unions to join the federation. This means that there are

considerable discrepancies between affiliates and the weak ones slowing the

federation down.

The federations' major organisational weaknesses can be attributed to lack of

trained staff, breakdown of the shop steward system in many factories, lack of

political education to allow members to grasp complex issues around the federations

involvement with government, lack of coordination and general management skills

from the branch, regional to the national level (Vavi, 1992; COSATU, 2006)

Organisational renewal has been a topic of much concern within COSATU however;

the leadership of the federation have been unable to implement a cohesive strategy to

effectuate such renewal.

3. 7 Influencing Policy

As the negotiations between the ANC and the Apartheid regime began in early

1990s, COSATU was keenly aware that shaping economic policy was a priority. The

federation launched the Industrial Strategy Group (ISP) in 1988, to form

industrialization strategies for a newly independent South Africa. This group was

headed by prominent unionists and academics such as Alec Erwin (NUMSA), Dave

Lewis, Stephen Gelb and Jay Naidoo (COSATU). In the early 1990s the ISP group

got sidelined within the alliance policy debate primarily because it heavily

represented the 'union' view and failed to incorporate other positions, "(I)n retrospect,

the ISP failed to engage critically with orthodoxy and was sidelined" (Fine, 1999 pg

3). By 1993, the ANC had put together a group of academics (international and

domestic), unionists and ANC policy advisors under the rubric of the Macroeconomic

Research Group (MERG). The majority of the COSATU/ANC economists within this group were Keynesians and differed on the issue of traditional Keynesian versus the open model for development. Unionists were actively involved in the MERG debates through the ANC. The overarching policy framework of MERG rested on a two phase development strategy, with the first phase involving a state led investment and social programme followed by a sustainable growth phase that saw private investment kicking in. The main priority of the policy was the creation of jobs, and the provision of housing, water, electricity, telecommunications, transport, health etc. MERG failed to get adopted by the ANC leadership. Some of the reasons put forth for this are that the ANC failed to adequately provide a concrete framework for MERG causing ideological battles within the policy forming process which created internal confusion as to the direction of the research. A second criticism is that MERG was too ambitious, trying to build research capacity (its original mandate was to strengthen the research capacity of Black economists) and formulate macroeconomic capacity at the same time (Fine, 1999 pg. 16). The third most potent criticism was that the MERG economists failed to gauge the ideological shifts within the ANC leadership which was moving towards the globally accepted neo-liberal parameters around policy making (Nkadimeng, 1999; Fine 1999).

The unionists within MERG however, used much of the theoretical framework of the project to put forth a new economic policy proposal named the Reconstruction and Development Project (RDP). The RDP had originally been conceptualised by NUMSA, which had formed a set of socio-economic goals through which to judge the performance of the ANC government. After the setbacks of MERG, this original conceptualisation was broadened to incorporate sections of the MERG policies and consultation was broadened across the various constituencies of the Mass Democratic

Movement. The unions saw the RDP as much more than an economic policy, the aim of the project was to re-shape the socio economic and political sphere of South Africa. The original RDP contained five broad goals; meeting basic needs, developing human resources, building the economy, democratizing the state, and implementing the RDP (Marais, 1998 pg 177-178).

In 1993, COSATU held a special congress at which promoting the RDP and ensuring its adoption by the ANC became the primary focus of the federation.[94] In this endeavour, the unions were successful, the ANC agreed to collaborate with COSATU in adopting the broad framework of the RDP. A drafting committee was formed comprised of unionists, economists and activists from COSATU, the SACP, the ANC and SANCO who borrowed from the ISP, MERG, an ANC document titled 'ready to govern' stating the broad transformative agenda of the ANC to put together the official RDP document in 1994, which was used by the alliance as an election manifesto (RDP, 1994; Marais, 1998). Following the 1994 elections the new ANC government created a ministry for the RDP and made Jay Naidoo, the former General Secretary of COSATU, minister at large, in charge of the RDP portfolio. However, this victory for the trade unions was short-lived. By 1995, as the ANC put out its first draft of the re-formulated RDP, the union leaders witnessed a watered down ands re-formulated version of their original conceptualisations. The government tried to merge the Keynesian framework of the original RDP with neo-liberal policies recommended by the IMF and business. Rather than the government funding the bulk of the RDP projects in the first phase, the re-formulated RDP emphasized a political and economic climate that would allow private capital to fund the RDP. Here

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[94] Interview with Jay Naidoo, the first General Secretary of COSATU.

government rather than driving the project would adopt the role of facilitator by creating the economic conditions necessary to attract capital.

In the departure from the Keynesian towards the neo-liberal framework, the White paper transformed the role of fiscal prudence from a means to achieve RDP objectives to an objective of the RDP; the goal of redistribution was dropped as a main objective; and the governments role in the economy was reduced to the task of managing the transformation (Adelzadeh, 1996 pg 66-67).

The project was ultimately broken down into a group of development projects around housing, public works and education initiatives and when the RDP was dissolved in favour of GEAR, these projects got assimilated into various government departments (Marais, 1998; Bond, 2000).

The union movements' inability to get the ANC to adopt any of their broad policy making frameworks occurred against a backdrop of rapid change within the ANC itself. The ANC over a very short span saw a shift amongst its policy makers and some of their partners in the alliance from the self-reliant, anti-imperialist, political-economic approach to development planning espoused as part of the National Democratic Revolution and the Freedom Charter, to a form of neo-liberal compadorism. In other African countries such as Zambia (25 years), Mozambique/Angola (15years) and Zimbabwe (10 years) this process had occurred over a much longer period through a protracted process, in South Africa it occurred over a span of four to five years (Bond, 2000). Some explanation for this shift lies in the nature of the state that the ANC inherited and the neo-liberal mode of development which dominated the global economic policy making milieu in the early 1990s.

The alliance had inherited a state that was debt ridden, corrupt and had been stripped of its assets. The neo-liberal outlook of the past regime had led to a significant debt with the IMF, intense de-regulation within the country of the banking

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sector and the loosening of corporate tax structures, all of which was eventually to

allow massive capital flight in the late 80s and early 90s (Bond, 2000 pg 25). State

assets such as SASOL (energy) ISCOR (steel) had been privatised in the 80s.

Generations of skewed economic policy had resulted in the over accumulation of

capital, productive sector stagnation and financial speculation:

By the late 1980s, not withstanding South Africa's state of semi-siege and hence some
residual interest in an inward-oriented economic strategy, neo-liberalism was
inexorably adopted as the basis for economic policy-making, and enhanced the
profitability of financiers while destroying industrial capacity. Uneven development
meant that if there was growth, it would not succeed in linking the production and
consumption sectors. Industrial development remained stymied by the limits of the
market the over accumulation problem) and by the extremely distorted productive
infrastructure in the country, through which linkages and articulations between
different sectors (capital goods and consumer goods for example) were perpetually
underdeveloped or bottlenecked. The route to profits under such conditions, wound its
way through financial speculation, capital flight, big but rare chunks of extremely
capital intensive investment and a desperate hope that South Africa could become
internationally competitive, not withstanding evidence to the contrary (Bond, 2000 pg
50)

To compound these problems in 1989 the economy slipped into a recession which

would last through most of the 1990s.

As the negotiations for the transition were began in the early 1990s, white

capital was active in promoting various scenarios and strategies for economic policies

such as the 'growth for all' document put together by a coalition of business headed

by Anglo-American the mining conglomerate, which wanted to ensure that the new

government would move towards an open market environment in policy making

(South Africa Foundation, 1991). These documents were actively marketed to ANC

and COSATU leaders and white capital was pushing for a model of corporatism

which pursued social development within a neo-liberal framework (Bond, 2000 pg

85). The unions were not immune to this environment. As South Africa normalized

economic relations with the rest of the world the country was confronted by dominant

ideologies of globalization and liberalization, which promoted the flexibilization of

the labour force, creating an 'open' economy with low tariffs and becoming competitive on a global scale. The federation was facing the pressures of globalization which meant the South African economy was competing within a global market and the pressures that put on the workforce (Webster and Adler, 2000). This acceptance of globalization and its pressures was evident when COSATU, one of the world's most militant trade unions accepted and endorsed the General Agreement on Trade and Tarriffs (GATT) in the National Economic Forum.

Having a second bite at the cherry

COSATU had five ways it could affect economic policy in the post-apartheid South Africa; through NEDLAC, the parliamentary office, the alliance, through mass mobilization and through the 20 unionists it sent into parliament. I have already discussed several of these initiatives previously dealing with the alliance and NEDLAC and mass mobilization. In the following section I will evaluate COSATUs strategy of sending twenty unionists into the first parliament of democratic South Africa and the opening of a parliamentary office.

The Twenty

In 1994, COSATU sent 20 trade unionists into the national parliament and at least 60 more left for the provincial parliaments. Although the federation promoted and marketed the 20 to raise its national profile during the elections, the 60 went through without much fanfare. By 1999, the COSATU leadership decided against this policy and stopped COSATU members from appearing on the ANC lists for parliament. Today, the federation has decided to resuscitate this policy and is seeking to have COSATU members enter parliament, albeit under different condition from the ones which prevailed in 1994.

In 1993, during a special congress of COSATU a proposal was tabled to send unionists into the national and provincial legislatures. The idea for union representation within parliament had been floated within the trade unions for about a year prior to this with many variants on how this proposal would take shape. But by one unionists' description of the process it was not the primary issue on the minds of the unions leaders, "we were pre-occupied with the RDP and that was our primary focus, the issue of sending unionists into parliament was low on our priorities and got pushed through without much discussion or planning".[95] The issue of sending COSATU members and SACP members into parliament was part of a broader debate on adequate representation of both organisations within the alliance and COSATU was determined to be involved in policy making and thereby sought to ensure that COSATU members held key staffing positions in key ministries such as trade and industry, labour, minerals and energy and within parliament (Holdt, 1993 pg 18).

Whilst the ANC acknowledged that having alliance member present in the legislature was important there was no official policy of the ANC that accommodated the alliance in this manner. Rather, COSATU and SACP members were added to the ANC lists for parliament. It was clear from the onset that once COSATU members were in parliament they were expected to don the ANC hat and function as ANC members:

One thing must be clear, while parliamentarians may originally have been nominated or held office in SANCO, COSATU or SADTU for instance, they do not represent those organisations in Parliament (ANC Speaker, quoted in Collins, 1994 pg 18).

The COSATU members going into parliament were clear that they were equally cognizant of their allegiance to the ANC (ibid.).

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[95] Neil Coleman.

When the federation was questioned about its decision to send twenty of its most seasoned and toughened leaders to parliament it responded by stating that many of these leaders would have left anyone, because of exhaustion or retirement, a need for new challenges or political ambition and the federation felt it was better to send these unionists with a mandate to parliament and envisioned a relationship with them whilst in parliament which would secure union representation there (Holdt, 1993 pg 19)[96]

The process involved in the selection of the twenty reveals many of the dynamics at play within the union movement in the early 1990s. Debates within COSATU vacillated between the potential benefit of having unionists in parliament to issues around class co-optation of union leaders and the need for unions' liberation (Maree, 1998). Internal union politics and personal politics played a prominent role in how and who got selected. For example, Johnny Copelyn who had held the post of General Secretary of SACTWU, was sent as a way to enable him to retire from the union. Phillip Dexter the General Secretary of NEHAWU was pushed out of the union as a result of leadership struggles within the unions, which saw rivals remove him to make way for their preferred candidate for General Secretary. Similarly, the NUM pushed out Marcel Golding into parliament as away to remove him from the union structures. Jay Naidoo as I have stated before was sent to make way for new leadership and also in the hope he would be given a ministerial position giving the unions access to the cabinet. The power of individual unions trumpeted that of the federation in whom and how individuals were selected for parliament.

COSATU did not formulate a strategy for using the twenty effectively. The twenty never met as a caucus or were never approached by the federation to meet as a

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[96] Interview with Phillip Dexter.

collective.[97] The lack of a structured relationship between the MPs and COSATU

meant that the federation was unable to direct the MPs towards policy formation and

rather took a defensive role calling upon individual MPs to defend workers issues or

remove worker unfriendly legislation as they occurred in an ad hoc manner.[98]

The circumstances surrounding how and why a person was selected for

parliament determined the type of relationship each of the twenty maintained with

their individual union. Generally most of the twenty maintained close ties with their

individual unions but not with the federation and many continue to maintain that

today in spite of having left parliament. However, none maintain close ties to the

federation or contribute to the collective in a structured manner. COSATU must

accept much of the blame for this outcome. The "20" were not an important strategy

for the federation and they gave it low priority in spite of the fact that the majority of

COSATU workers see it as an important mechanism for influencing government

policy.[99]

In 1995, COSATU opened a parliamentary office to monitor and engage

parliament on policy making. The federation perceived its strategy of sending the '20'

into parliament as a failure and saw the parliamentary office as an attempt to directly

liaise with government offices and parliamentary committees (Maree, 1998).

However, this perception on the part of COSATU leadership that the '20' failed is

misplaced. Of the twelve members of the 20 that I interviewed each spoke of their

enthusiasm for working on labour related issues in parliament. Many were actively

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[97] Interview with Jay Naidoo.
[98] Interview with Johnny Copelyn.
[99] In a national survey conducted in 1998 and 2004 of over 600 representative COSATU members nationwide, 430 (in 1998) and 571 (in 2004) that the federations decision to send representatives to parliament was the right one. 562 respondents in 2004 said that COSATU should send representatives to provincial parliament and 561 agreed on the same for local government. Moreover, 368 members said that if unionists in parliament do not follow the workers mandate then they should be removed in the next election or 200 said thye should be removed through mass action (Buhlungu, 2006 Table 53-56 pg 241).

involved in shaping specific regulation, such as the benchmark mining safety regulation passed in 1996 (Marcel Golding from the NUM was actively involved) of Johnny Copelyn who worked against the removal of tariffs outside acceptable parameters in consultation with his union SACTWU.

Many trade unionists also found it difficult to adjust to the new environment going from the "heat of the unions" to becoming a back bencher in parliament where in addition to limited access to government departments and cabinet there was a lack of "thinking process" rather parliament felt more like a "rubber stamp" simply implementing the presidents policies.[100]

There is no doubt that parliament was used a stepping stone by many of the unionists to move into either business. Johhny Copelyn and Marcel Golding left parliament early (after three years) to head up unions investment companies for their respective unions. Jay Naidoo, after being dismissed from cabinet was appointed chairman of the Development Bank of South Africa and ran a corporate business which benefited from BEE deals.[101] However, these unionists were 'pushed' out of the unions to make way for others and to analyse their class mobility as opportunism would be crude. A second point is that in spite of the opportunism these three former unionists were keen to preserve their relationship with their individual unions and COSATU was not strategic in capturing this dynamic.

In 1999, after the second elections were held, Thabo Mbeki replaced Nelson Mandela as the president of the ANC and the country. COSATU voted against sending union cadres into the second parliament and chose instead to influence policy making through its parliamentary office. Although the leaders of the federation expressed disappointment with the outcome of the initial twenty that went to

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[100] Interview with Johnny Copelyn.
[101] Interview with Jay Naidoo.

parliament in reality the experience of the twenty and what they accomplished for the workers was mixed. None of the twenty returned to the unions after their stint. Some stayed in parliament; others went into business or other sections of government. What was clear was that once these cadres had gone into parliament they had become accountable to the ANC, the parliamentary caucus, and beholden to their rules, they were however, no longer accountable to COSATU. Part of the problem lay in the fact that the federation had never clearly defined what roles these cadres would play and set into place any mechanisms that would allow the twenty to form a 'labour group' or retain links and accountability to COSATU with the federation.

The experiences of COSATU with the 20 are important because of recent shifts within COSATU over sending members into parliament. In its most recent policy paper (COSATU, 2007) the federations leadership speaks of creating a pact within COSATU and using the pact to send unionists into national and provincial parliament, and government positions. However, this time COSATU would like to structure the arrangement differently from 1994. The federation is busy conceptualising various scenarios under which unionists would go into parliament as 'labour MPs' and COSATU would have the right to recall those MPs that did not toe the line on implementing union policies.[102]

Parliamentary Office

Sensing that the federations' strategy of sending unionists into parliament was not working COSATU opened a parliamentary office in 1995. The office was begun on a shoe string budget with only two full time staff members but consequently has played an important role in keeping track of new legislation, submitting policy documents on impending legislation to all MPs, participating in sub-committees,

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[102] Interview with Neil Coleman May 2008.

committees and study groups, liaising with NEDLAC over legislation and facilitating communication between individual unions and MPs over specific legislation. The major obstacle facing the office is lack of capacity. In spite of its strategic importance, currently the office has only five full time personnel which deal with hundreds of policy submissions and must keep track of the government gazettes emanating from parliament over proposed legislation.

In spite of being understaffed the office has been effective in turning out policy recommendations; between 1995 and 2004 the office submitted 230 policy submissions over various proposed legislation (Parliamentary Office, 2004). One MP I interviewed stated that for many Members of Parliament, the submissions were the only coherent analysis they received on the reams of legislation before them and they often looked to the parliamentary office for guidance.[103]

The office has uneven and unstructured contact with MPs, which is in part due to the informality of the alliance between COSATU and the ANC. With MPs that are naturally sympathetic to COSATUs demands, the office will get invited to attend various parliamentary study groups formed the committees on specific sectors. Other MPs will shut the office out. In this sense the office functions in an ad hoc manner and is dependent on lobbying members whom it accesses through its alliance relationship.

Some of the important legislation the office has lobbied and won gains on the retirement funds legislation in 1995, where the office fought for 50-50 workers representation over dispensation of the funds. The office has also pushed against almost every piece of state privatisation legislation ranging from Telkom, to the state run abattoirs, Eskom which is the state owned electricity company and Transnet the

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[103] Interview with Rob Davies.

state owned management of the ports and transportation sector of South Africa. In many of these instances the office was unable to prevent privatisation, rather they were able to temper it , or in the case of Eskom they were unable to prevent the corporatisation of the company even though it remained state owned. The office also liaised with many of the 'twenty' in parliament although again in an ad hoc manner when it needed their assistance with specific legislation.

The federation has been slow to place importance on the parliamentary office even though it has arguably delivered concrete gains for COSATU. The office is understaffed and under funded and lacks the capacity to function at the levels it needs to, to keep abreast of parliamentary policy. Some of the offices publications and initiatives are funded externally by international donors taking up valuable time of its limited staff in writing and seeking grants.

Conclusion

Economic policy has been the most elusive of all the arenas that COSATU has tried to impact on. It has been difficult for the federation to secure at seat at the macro-economic policy table. The unions have had more success when they take an incrementalist approach to temper government policies they don't agree with. The federation has spread its options wide by giving itself many opportunities to have a 'bite at the cherry'. The obvious pitfalls of such a strategy are a lack of capacity to successfully engage in all strategies rather than honing in on one. The benefit of the strategy is that it allows the federation flexibility to move in between various forums to find the right one through which it can assert itself.

In sending the twenty into parliament the federation exhibited a lack of clear strategy not only to engage the twenty but the hundreds of other unionists that voluntary went into government. Co-optation of members does not need to be a

completely negative experience for the unions, not all leave under a shadow or end up having poor relations with their individual unions. COSATU needs to articulate a strategy to engage these unionists in a manner that would allow the federation to have networks within government. These may occur currently on an ad hoc basis however the possibility exists for a systematic relationship that would allow the federation an opportunity to access information and a seat within the internal processes of government.

CHAPTER 4: More of the Same?

Introduction

This chapter is a post-script to the events relayed in Chapter 3 concerning the COSATU-ANC-SACP alliance and its relationship to the succession battle within the ANC. I analyse the already evident and possible future effects of the outcome of the succession battle of the ANC and what this means for COSATU. I also discuss the outcome of the succession race in terms of what it means for the ANC and the changes within the party since its December 2007 conference in Polokwane. I present the most recent events regarding the COSATU-ANC-SACP alliance and what these will mean for the federation in the future.

The Pre-Polokwane situation

I have already discussed previously that in early 2000s the COSATU leadership began to involve itself directly and overtly in the ANC succession race, throwing its weight behind one candidate, Mr. Jacob Zuma. Although this was against the federations' policy of not interfering in ANC leadership issues and was a break with previous tradition in the Tri-Partite Alliance which always ensured no open lobbying by one organisation for leaders within another, COSATUs leadership were vociferous in their support of Mr. Zuma and vocally against any other ANC leader running for or holding the post of president of the ANC. In effect this means COSATU openly lobbied for the next president of the country.

The main points around Mr. Zuma's candidacy are that he was the most obvious heir apparent to Thabo Mbeki, until Zuma's financial advisor was found guilty of paying bribes to Zuma and jailed. Mr. Zuma is currently on trial for corruption. In November 2007 he won 60% of the vote at the ANC conference,

beating Mbeki and becoming the president of the ANC, largely due to the support

garnered for him by the ANC Youth League, Womens League and COSATU and the

SACP. Both COSATU and the SACP heralded Zuma's arrival as a new dawn for the

South African working class and the poor. South Africa holds general elections in

2009 and Mbeki is the current president of the country though not of the ANC.

Shifts within the ANC

Before I analyse the effect of these events, it is necessary to understand the

gradual trajectory that the ANC has been moving in since the 1990s. I have already

discussed this partly in the chapter before. I expand on that here. As the party has

moved from being a liberation movement in opposition and in exile to also now being

an institutionalised political party in power, it has adopted a policy of that can be best

as compadorist (Bond, 2000 pg 16). Here the ANC has shored up White capital by

allowing it to share its wealth with the Black majority through a policy called Black

Economic Empowerment (BEE), which was designed to have a broad distributive

base but has been unevenly and selectively applied to the benefit of a small Black

elite that was either involved in the liberation struggle or in business prior to 1994.

This policy has now arguably become a form of patronage. White capital chooses

those ANC members in business it thinks will have the ear of the powerful in the

ANC and state tenders are often awarded to powerful Black consortiums made up of

individuals with close relationships to the political elite. The trade unions are also on

the BEE bandwagon through Union Investment Companies (UIC) that vie for BEE

deals in both the private and public sector (Bond, 2004).

Underlying these changes within the ANC is a sociological process which

Marxists have described as the tendency of revolutions to Thermidor. This refers to

the French revolution in the month of Thermidor, where in the stage of decline within

the revolution, a number of the leaders of the revolution were arrested, charged, found

guilty and executed by other leaders. The revolutionaries turned on one another, a

process that culminated in the murder of Robespierre and Danton (Schama, 1989 pg

836-839). Trotsky applied the concept of the Thermidor to the Russian Revolution

where he used the phrase to describe the period of infighting within the revolution

which were characterised by internal drives to seize power through centralisation and

control over the management of state resources; a period of infighting to remove the

disparate and revolutionary factions of the revolution and replace them with a

bureaucracy. The Thermidor is an analytical tool for understanding why revolutions

deviate from their idealised outcomes and end up bureaucratised and disconnected

from their original revolutionary mandate (Trotsky, 1935 pg 116-119).

The ANC is undergoing its political Thermidor, which up to this moment has

been relatively non-violent and has occurred within the context of a liberal

democracy. The party is being purged of its disparate ideological leanings towards a

consolidation behind one particular class –based grouping within the ANC for

governing the country. This is a consolidation of power behind the one – party state

which is taking on an increasingly compadorist, centralised and authoritarian form.[104]

As a result the ANC under Mr. Zuma has begun to adopt policies geared towards

centralising and consolidating the Party's power over the state. Mr. Zuma's trial is

being used as a platform to weaken the judiciary, the Human Rights Commission and

the independence of the media. The party has launched an attack the crime fighting

unit, the Directorate of Special Operations or the Scorpions as they are known, which

[104] Although South Africa is a democracy within which several opposition parties exist, the electoral
dominance of the ANC and its continued prospects for such dominance allow the party to behave as if
it functions within a one-party state. A recent survey of voters around the 2009 elections sees the ANC
securing a comfortable two-thirds majority, with no opposition party securing more than 10% of the
vote, with voter turnout at around 80% the majority of those polled said they saw no strong alternative
to the ANC Roussow, M. "ANC Support Still Intact" *The Mail and Guardian*. Updated August 16[th]
2008, Cited August 24[th] 2008. http://www.mg.co.za/article/2008-08-16-anc-support-intact-survey

built the case against Mr. Zuma and the ANC is currently in the process of dissolving

them through parliament. The scorpions have an impressive record when it comes to

corruption and organised crime and are held in high esteem by the South African

public. The judiciary has similarly been attacked with the General Secretary of the

ANC, the former General Secretary of the NUM, calling the constitutional court

judges "counter-revolutionaries". The ANC has also proposed the creation of a media

tribunal, which would effectively police the media in South Africa (Gumede, 2008 pg

20-21). The party is also trying to consolidate its power over state institutions such as

the public broadcaster by pushing through legislation in parliament that would give

the Parliament of the country powers to fire and appoint interim boards, effectively

interfering with the Executive's powers.[105] There are also potentially violent aspects

to the ANCs thermidor. The General Secretary of the ANC Youth League has

ominously proclaimed that the organisation and he personally will "kill for Mr.

Zuma", he has also spoken of "eliminating the opposition" both remarks saw him

being hauled before the Human Rights Commission for inciting violence.[106]

Compounding this consolidation of power at the expense of civil society, are

worrying trends of criminalisation within the ANC. The most recent NEC of the

ANC contains a large number of members who have been investigated for, being

charged of or convicted of criminal conduct.[107]

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[105]Esnor, L. "Fury as SABC Bill lets MPs Axe Board." *The Business Day*. Updated August 14[th] 2008, Cited August 24[th] 2008.
http://www.businessday.co.za/articles/topstories.aspx?ID=BD4A822001
[106] Isaacson, M "We are no Toothless Bulldog Says HRC" *Cape Argus*. Updated July 22[nd] 2008, Cited August 24[th] 2008.
http://www.int.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080727084705758C849010
[107] 30% of the current NEC have either been convicted of a criminal matter, or are currently under investigation for corruption, at least two members aside form Mr. Zuma are being investigated by the 'scorpions' or corruption. Cited in Editorial. "ANC Rogues Gallery." *Mail and Guardian*. Updated January 17[th] 2008, Cited August 24[th] 2008.
www.mg.co.za/articlePage.aspx?area=/insight/insight__national/&articleid=329910

The ANCs Youth League conference, its Women's League conference and

many of its provincial congresses and local meetings are marred by violence ranging

from shootings to stabbings.[108] Factionalist support for Mr. Zuma has been the overt

reason however underlying this is a desire to align with the dominant faction within

the ANC and access state positions and resources.[109] Raymond Suttner a prominent

ANC leader and activist has hypothesised that the leadership struggle at Polokwane

was nothing more than a battle for "the loot":

> Personally, I sought and gained nothing from the Mbeki presidency — or should I say the MbekiZuma presidency for, until his dismissal, the Mbeki vision was simultaneously a Zuma project. One never heard a word in support of the poor emanating from Zuma, nor attempts to make the ANC government more people-driven, nor similar sentiments that might give credence to claims by South African Communist Party (SACP) and Congress of South African Trade Unions (Cosatu) leaders that Zuma's victory was a victory for the left, or a democratic gain.

> In truth no programme, linked to any plot, was defeated at Polokwane. It was a battle for loot, between those who sought to benefit from continued Mbeki rule and those who had been ditched by Mbeki or sought to benefit from a Zuma presidency. There was no programmatic difference; or what left inflection the Zuma election platform may have had was deflected by pictures of the Cosatu and SACP leaders dogging his heels to share the applause that greeted Zuma the "deliverer".[110]

This battle for the 'loot' has filtered down the structures of the ANC. Things have

gotten so bad that at the recent provincial conference of the ANC in Limpopo, the

Deputy-President of the ANC warned members that the ANC was in danger of going

the way of other liberation movements which lost their way after they succumbed to

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[108] Editorial "Another ANC Ouster Looms" *The Business Day.* Updated August 24th 2008, Cited August 24th 2008.
http://www.businessday.co.za/Articles/TarkArticle.aspx?ID=3272061
Omarjee, H. "Top ANC trio fell Northern Cape Chaos." *The Business Day.* Updated August 22nd 2008, Cited August 24th 2008.
http://www.businessday.co.za/articles/topstories.aspx?ID=BD4A827887
[109] Monare M. and M. Cahill. "Northern Cape Strongman Victorious." *The Star.* Updated August 30th 2008, Cited September 1st 2008.
http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20080830093039800C722346
[110] Suttner, R. "Where are the Alternative to these Harmful Voices?" *The Business Day.* Updated August 20th 2008, Cited August 24th 2008.
http://www.businessday.co.za/Articles/TarkArticle.aspx?ID=3260518

"division, factionalism, stagnation and patronage"(Quoted in the Economist, August 2008)[111].

In order to secure his victory at Polokwane, Mr. Zuma had to form alliances with particular fractions of the capitalist class. Among these are individuals such as Mr. Tokyo Sexwale, arguable a beneficiary of the ANCs compradorialist policies and until the eve of the conference a candidate for President of the ANC.

Should Workers kill for Zuma?

Why have the unions chosen the path of supporting a particular individual in the ANC? A number of reasons have been given by various commentators; frustration with the perceived conservative policies of the ANC and being shut out of the decision-making processes of the alliance; opportunism of the various political and union leaders; making Zuma beholden to the unions so that he will acquiesce to union demands and finally a genuine belief on the part of COSATU leaders that that Zuma is a working class leader who represents the interests of the poor. Zuma however, has not committed himself to changing ANC policies from their neo-liberal framework. In fact, he has gone on record several times, at the World Economic Forum and in meetings with politicians in the UK and investors in the USA to declare that the ANC will not deviate from the fiscally austere policies that were put in during Mbeki's term of office. Three months after winning the ANC presidency the Financial Times quoted Mr. Zuma as saying that he was in favour of dual labour market policies and South African legislation must move in this direction.[112] The unions responded sharply to this, but it is noticeable that no attack on Zuma followed.

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[111] Editorial. "A Future of Division, Factionalism, Stagnation and Patronage." *The Economist*. Updated August 7th 2008, Cited August 24th 2008.
http://www.economist.com/world/mideast-africa/displaystory.cfm?story_id=11893529
[112] Russel A. "Jacob Zuma Interview." *The Financial Times*. Updated March 6th 2008, Cited July 25th 2008. http://www.ft.com/cms/s/0/40a1dbea-ebab-11dc-9493-0000779fd2ac.html

Secondly, the unions have stated that they no longer want to give the ANC a blank cheque and want concrete policy concession from the ANC, which would be the outcome of a development pact between the three organisations in the Alliance. The pact will allow COSATU to send members into parliament as COSATU MPs and send COSATU members into key positions into government. COSATU also wanted some of its senior cadres represented within the new ANC NEC elected in December 2007. However, only one unionist was elected. Following the failure to accomplish this federation has informed the ANC that it would like to have two members act as ex-officio members. COSATU and the SACP have asked for voting rights at the ANCs lists conference where provincial and national parliamentary positions are determined.[113] The federation also wants to be consulted over all ANC leadership appointments to governments. However, recent leadership changes for the position of the Premier in the Eastern and Western Cape saw the federation shut out of decision making and their preferred candidate in either case was not elected.[114] Contradictions in policy making have also occurred, whilst the federation has pushed for a moratorium on privatisation, Mr. Sexwale, one of Mr. Zuma's erstwhile backers, has recently been mentioned as heading a bid to take over Telkom and transform it into a full privately owned enterprise.[115] This is despite the COSATU policy position that Telkom should be re-nationalised (COSATU, 2007).

The federation has begun to behave as a parallel political party to the ANC, veering towards syndicalism, which is a phenomenon that describes the shift within a

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[113] Omarjee, H. "Proposal to give ANC Allies More say on Poll Lists." *The Business Day*. Updated September 3rd 2008, Cited September 3rd 2008.
http://www.businessday.co.za/articles/topstories.aspx?ID=BD4A835550
[114] De Lange D. "SACP COSATU call for Pound of Flesh." *The Daily News*. Updated July 16th 2008, Cited August 2nd 2008.
http://www.int.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080716105915457C619129
[115] Reuters. "Sexwale in 90b Telkom bid Report." Updated June 1st 2008, Cited July 25th 2008.
http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080601133050473C885735

trade union towards acquiring the characteristics of a political party. The most well known example of this is Solidarity in Poland which launched its own candidate for the presidential position. It is important to differentiate between syndicalism and the unions' supporting or building a workers party, where the unions throw their organisational support behind the creation of a workers party and then support the party as a trade union movement. What are the consequences of COSATUs strategies for a pact with the ANC and what do their demands for representation within the ANC and the detailed monitoring of the ANCs every move mean for political unionism?

First, COSATU has begun to transition into syndicalism rather than political unionism. As COSATU inserts itself into internal politics of the ANC, selecting the president of the political party and publishing various lists of COSATU members it would like to see hold positions in provincial and local structures of the ANC, sending its members to hold positions in government and parliament, it is acting a s a shadow political party to the ANC. The federation should recede from this activity and return to political unionism, where they keep the ANC at an arms length.

In terms of the alliance, the key to successfully engaging in alliances is the independence of the trade union movement; however, overt support for the presidential candidate of the ANC compromises their independence and impedes their ability to forge new civil society alliances. Putting COSATU cadres into government positions creates a whole new set of class mobility and opportunism for this generation of union leaders. Whilst the federation may be able to recall members from parliament it cannot do so from government where COSATU cadres become part of the civil service.

The federations involvement in the presidential race has played a role in determining the internal leadership battles of affiliate unions. The recent national conference of the chemical workers union is instructive of how the support for Mr. Zuma has impacted the organisational capacity of the unions. A recent article on the conference states:

Supporters of the ANC president Jacob Zuma have seized control of COSATUs chemical affiliate CEPPWAWU winning all top six positions at the national congress next week.[116]

The backdrop to the conference is a chemical workers union which is in decline having lost over 10,000 members since 2000 and is facing stiff competition from other unions. In his address to delegates of the conference the General Secretary of COSATU warned the union that it risked marginalisation within the industry:

The signs include the fact that the union is losing membership constantly and is being outflanked by others such as Solidarity, United People's Union of South Africa, and individual unions...In addition there is no evidence that that the union has ideas about how to turn around the industry and support job creation...while job losses provide an explanation for the decline in membership, we must interrogate the other organisational reasons why CEPPWAWU is losing its foothold in some of its stronghold regions and companies (ibid.)

Reflective of what the union is prioritising, the article ends by stating "the conference dealt exclusively with the ANC election campaign and how it would support Zuma" (ibid.).

I have already pointed out in the previous chapter that the tri-partite alliance weakens NEDLAC because the unions engage government directly bypassing the council and weakening its strategic capacity to force its various constituencies to the negotiation table. Deepening of the alliance particularly by throwing populist support behind the ANCs presidential candidate could only serve to further weaken NEDLAC

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[116]Letsaolo M. "Zuma-ites Grab Union" *The Mail and Guardian* (Updated August 15th 2008, Cited August 20th 2008) http://www.mg.co.za/article/2008-08-17-zumaites-grab-union

which is an important forum for COSATU to engage government and business in a legitimate manner.

The federation is conflating social pacting with syndicalism. A social pact of the type COSATU seeks cannot be imposed on a political party through populist support for its compromised presidential candidate, waving such support as a carrot stick to force the ANC to comply with the federations demands. In order for the accord or pact to work there needs to be an ideological similarity within the partners, such as in the cases of successful pact making in Ireland and Holland, that places relevance on the need for the accord. Without this, the accord or pact would fail once the unions lose their importance to the ANC.

Conclusion

In concluding my analyses of syndicalism on various aspects of COSATUs engagement with workers, capital and government, whilst political unionism may result in many of the problems listed above, syndicalism only deepens these problems and distracts the trade unions from their working class agenda. It is pertinent to ask at this point, what can COSATU gain from its new alliance with the ANC leadership under Mr. Zuma? Economic policy has been the major bone of contention between the federation and the ANC since the 1990s. If Mr. Zuma is unwilling to change economic policy, as he has publicly stated, then what can COSATU hope to extract from him that they cannot from using NEDLAC and mass mobilization, along with its other structures such as a the parliamentary office?

If the ANC moves towards a more authoritarian regime to maintain cohesion within its ranks what will the unions do? I argue that this moment was arguably the right moment for the unions to at the very least maintain greater independence from the ANC and to position themselves for the eventuality that they may have to break

away and take a position in opposition to government in society. The unions have arguable extracted all that they can from the alliance and they must now consolidate their position with civil society organisations to act as a buffer against the conservative policies of the ANC if these are to continue.

With an ANC that is at best ambivalent and at worst confused about future policy, with rampant globalisation and a stronger, de-racialised capitalist class, it is hard to see what gains labour could extract from such an arrangement, if any. The crux of the post-Polokwane period is the following; COSATU and the SACP saw the removal of Thabo Mbeki as heralding an era of working class leadership of the Tri_Partite Alliance and the implementation of policies more favourable to the workers and the poor of the country. However, all the signs are that there is no clarity about such an agenda, with the President of the ANC giving mixed signals in this regard and with ominous signs of an attack on the Constitution, the Courts, and the policing capacity of the state and on the media instead.

It may well be that individual leaders of COSATU will be included in the new ANC government, but how will COSATU ensure that this time around its different 1994-1999 period under Mandela, where Jay Naidoo, Alec Erwin and others all occupied government positions?

CHAPTER 5: Conclusion

Are Black Workers Better Off?

What has COSATU delivered to Black workers? The federation has

contributed significantly to the transformation of society for Black workers. The end

of apartheid signified a quantum leap in access to basic socio-economic and human

rights for Black South Africans, particularly for the majority African population. In

spite of the challenges that remain, Black South Africans are better off today than

they were under apartheid in terms of suffrage and basic rights. Moreover, Black

workers today are covered by an umbrella of worker friendly legislation, which is

widely considered to be one of the most progressive in the world. COSATU has

played a dominant role in securing both these changes for workers.

COSATU has played a hegemonic role in bringing to the forefront workers

issues, within the liberation movement and post-liberation weaving class based issues

into the daily social discourse. The federation is the most well organized, nationally

based organization taking up a whole range of socio-economic issues affecting the

majority of South Africans. Through its various alliances with the ANC and civil

society organizations and by its mobilization on the streets and its engagement with

capital it is well institutionalized within South African society. In spite of these

achievements the federation has struggled on many fronts from shaping economic

policy to implementing organisational renewal. How do these successes and failures

hold up to the hypothesis I posed around successful political unionism in Chapter 1? I

take up this comparison below. Before I do so I must clarify that COSATU has

chosen an essentially reformist path settling for incremental changes rather than

taking over the government by force, sometimes referred to as the Leipzig option. My

evaluation of the federation therefore is within such parameters. Whilst COSATU

may have adopted a reformist role for pragmatic reasons the federation insists that it is

a momentary strategic move within a broader revolutionary path towards socialism.

Hypothesis 1

Trade unions in developing countries that engage in political unionism are better off

than those that adopt a purely workerist approach.

Clearly, during apartheid, COSATUs political activity benefited the

federation, in spite of the repression it attracted form the apartheid regime. The

federations' participation in the national liberation movement attracted members to its

ranks and allowed the federation a broader voice beyond its membership. Its broad

political agenda to overthrow the apartheid regime in collaboration with other anti-

apartheid forces allowed COSATU to weave working class issues into the ideology of

liberation. Its commitment to political engagement particularly when contrasted with

the other major federations in South Africa shows that not only did strategic political

unionism contribute to the membership of the federation, but allowed the federation

access to the negotiations and participation in the formulation of the constitution and

other important institutions such as NEDLAC and through it the LRA. COSATU has

created a political platform from which it can address issues concerning the daily lives

of its workers, over employment creation, food prices, HIV/AIDS and poverty

alleviation. By doing so it has widened its reach beyond its membership towards the

majority of South Africans.

Political unionism has also permitted the federation to act as a buffer against an

increasingly conservative ANC and business. It does this through various forums,

councils, alliances and offices. Engaging in political issues has allowed the federation

to mobilize millions of workers and non-workers to mass action. None of these accomplishments would have been possible without the federations' decision to engage in political unionism.

Political unionism also has costs. The major cost is the danger that the union movement will become syndicalist or get co-opted into a political party and through it the government. Political unionism that is syndicalist may consume a federation and distract it from its 'bread and butter' issues leading it to neglect membership building and organizational capacity. As such these costs impede the union from carrying out its duties and servicing its members. Any trade union movement must balance the costs of political activity against its gains and know when to intensify or disengage from a specific type of political engagement accordingly.

Broadly, in the post-liberation period the costs of engaging in political unionism have steadily increased for COSATU. The most significant of these is the co-optation of union leaders, who get caught up in a new set of relationships with the ruling elite, which has created opportunism within COSATU. Related to this is the mass exodus of unionists into government. This has created a dynamic of opportunism and shaped the way the leaders of the federation form decisions on engaging the ANC and the state. Opportunism has also impacted the federation internally as unionists fight for positions that may allow them to eventually enter government. Many of the costs of losing members to government could be used by the federation to its benefit if it clearly articulates a strategy to engage with and extract from its former members who are now in government. However, the leadership of COSATU has failed to articulate such a strategy and thus, the benefits of having unionists within government have to some extent eluded the federation.

As COSATU chooses a path of greater enmeshment with the ANC led government the costs of political unionism increase. Whilst the federation hopes to 'capture' the ANC and through it government, it also runs the risk of 'being captured' itself. The outcome of this manoeuvre by COSATU is purely speculative in this moment, however, based on the history of relationships between trade unions and political parties elsewhere in Africa there is enough cause to be pessimistic given the increasingly authoritarian path of the ANC.

Hypothesis 2

Trade unions that can engage political parties or movements both in and out of government and or civic organisations and NGOs, civil society associations, are better positioned to extract gains for workers than those that do not form any or limited alliances.

In the pre-liberation period COSATU unions and their predecessors successfully used informal alliances with the ANC and the SACP for building organizational strength, intellectual capacity and for ensuring that class based issues were injected into the liberation movement. The formation of COSATU in the mid-1980s afforded the Black unions a chance to re-enter into the historic alliance between unions, the ANC and the SACP in the form of the tri-partite alliance. Although unionists had to fight for their space within the alliance, the alliance afforded the unions a role within the negotiations. It also allowed the unions to manipulate the various forums and commissions to ensure a particular outcome as in the case of the NMC and NEF coalescing into NEDLAC through the new ANC government Department of Labour. The formation of COSATUs parliamentary office and its capacity to access Members of Parliament is facilitated through the alliance. No other South African labour federation has a parliamentary office or access to MPs in the

manner that COSATU does. The alliance has also allowed COSATU to impact on the internal functioning's of the ANC allowing it to shape some of the policies of the party.

The costs of the tri-partite alliance, post-liberation include a tempering of mass mobilizations and showing tacit support for or at least indifference to union unfriendly measures such as GEAR and privatization. The alliance has also facilitated an easy flow of union members into the ANC structures and government positions. The ANC has used the alliance to capture union leaders and use them to make ANC policies more palatable to the working class. However, in spite of these costs I argue that broadly COSATU has benefited from the tri-partite alliance although it continues to do so in a subjective and unstructured manner.

During the Mbeki years, where COSATU was on the defensive, it used the alliance to temper conservative forces within the ANC by mobilizing the 'left' within the ANC to defeat worker unfriendly measures such as the dual labour market proposal. Although COSATU felt sidelined by the government over economic policy, their role within the alliance was a healthy one; acting as a buffer against conservative policy making. The dialectic of the relationship between the unions and its partners both in the ANC and government prevented the cooptation of the federation into government and allowed the unions to retain their independence.

This dialectic will change with the ascension of Mr. Zuma to state power. With the general secretary of COSATU having declared his intention to "kill for Zuma", how will the federation re-position itself to be critical of his government when it

implements policies that are anti-union?[117] In a moment when the federation should

be forging an independent role for itself, its leaders are entangled personally in the

ANCs internal leadership struggles. COSATU may yet survive this current iteration

of political unionism but it will do so bruised and having lost considerable legitimacy

amongst its members and within the South African population at large.

In regards to civil society alliances, the federations' collaboration with the

UDF proved to be a judicious one and propelled COSATU into the leadership role for

the Mass Democratic Movement when a vacuum was created by the banning of the

UDF and other groups. This allowed COSATU to make the final push for democracy

on the ground and ensure its hegemonic role within the Mass Democratic Movement.

COSATU was strategic in its alliances with civil society, understanding the class

based contradictions between the union movement and the churches, the UDF, etc.

The trade unions were careful not to let the alliance with civil society overwhelm the

union movement and maintained its independence and ideological political

consciousness. It allowed a fusing of political activity at the meso-level but strove to

maintain the micro-level differences between the organisations. Rather, the union

strategically used their collaboration with the UDF to broaden its class-based ideology

within the liberation movement.

Post-liberation the federations' alliance with the ANC has partly impeded its

ability to collaborate with civil society organisations. COSATU has been slow to

embrace a clear strategic relationship with civil society, however, its collaboration

over the 2003 privatization strikes and its forging of close ties with the TAC are

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[117] Following in the footsteps of the Secretary of the ANC Youth League, Mr. Vavi, the General Secretary of COSATU also publicly declared that he would be willing to "kill for Zuma", following which he was also hauled before the Human Rights Commission and reprimanded.
Tao, P. "Vavi Charged over Kill for Zuma Remarks." *The Mercury*. Updated June 24th 2008, Cited August 24th 2008.
http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080624055312247C126341)

promising signs of the federations' recognition that it needs resuscitate such relationships. COSATUs tendency towards syndicalism will alienate the federation from its civil society partners, many of whom are mistrustful off and work in opposition to the ANC government.

Hypothesis 3

Trade unions that engage in political unionism need a strong workerist/economistic culture to survive organisationally. Those that do not have this culture are worse off than those that do.

COSATU could not have accomplished its political achievements without a commitment to building strong unions on the ground. This translates into organising worker into unions, servicing their needs and creating a democratic shop floor system that invigorates workers through participatory involvement in the federations day to day activities. This participatory involvement has also led to the militancy of the federation where workers are able to act on their grievances by having in say in mass mobilization.

Pre-liberation COSATUs predecessors understood the need to bypass apartheid-era restrictions to organise African workers. This was done in a strategic manner by selecting workplaces that were owned by international capital who were beholden to a higher set of labour standards in their home countries and likely to face pressure from the unions in their country of origin. Similarly, non-racialism was an important tool in uniting workers and attracting new members to the unions' ranks. The unions were also strategic in seizing the moment after the 1973 strike wave; they used the militancy of workers from the strikes as an impetus to build the African trade union movement onwards. The unions also used the legal recognition of African unions to

their advantage, rather than getting subsumed within the industrial relations system of the old regime, the union movement used it to change the workplace relations between African workers and their employers, strengthening the union movement and attracting new members.

The federations' membership and militancy are also linked to its political stance on a host of issues ranging from liberation and re-distribution. This was particularly apparent during the pre-liberation era where COSATU attracted large numbers of Black workers to its ranks by positioning itself as one of the few if not only organisation that would protect and enforce the rights of Black South Africans in the pre-liberation era. Whereas during the SACTU period and the formation of COSATU workers were drawn to these federations because of their political message, following 1994, the federation can no longer rely simply on political rhetoric to attract members.

Post-liberation the federation has had to re-position it self as an institutionalised trade union federation. Black workers now have a number of political parties and trade union federations to pick from for representation of their interests. In this context members are searching for tangible gains from membership, which include servicing their day to day workplace needs and lobbying for their socio-economic rights with government. Arguably, COSATU has been more successful at the latter and is struggling with servicing members' needs adequately. The federation continues to dominate the trade unions within South Africa but there are enough indications that if it does not solve it shortcomings in servicing, reverse trends of bureaucratisation which stymie its shop steward system and find innovative ways to include young workers and informal workers within its ranks it could face a reversal of fortunes regarding its membership gains within a decade.

In regards to strike action and mass mobilization, in the pre-liberation period, these were fundamental to the federations' success in forcing the regime to the negotiation table. COSATU unions used both strategies to pressure the apartheid state and capital, using economic loss to push for a political solution and negotiations over removing the apartheid regime. Here the federations' success was linked to its collaborations with the UDF and other civil society formations. During the negotiations the federation used mobilization to continue to pressure both the regime and the ANC with varied success. Post-1994, COSATU members retain their militancy, which is apparent through the frequency and length of strike action. This militancy has been critical to COSATUs efforts to negotiate with business and government as it can wield the potential threat of working days lost. However, failed attempts at mobilization such as the ones over GEAR weaken the federation and reveal its vulnerabilities to business and government. The federation must be strategic in how and when it harnesses its member's militancy and over which issues. Workers will not endlessly strike if the do not see real tangible results for their strike action. COSATUs 2002 anti-privatisation mobilization involving almost 3 million people proves that the unions are capable of bringing the economy to a halt over political issues. Successful mobilization is dependent on a strong membership base and COSATUs future mobilization capacity is dependent on its ability to shore up membership now.

Hypothesis 4

For trade unions to maximize their capacity to extract gains for workers, a relationship with capital and the state is necessary ie. Tripartism.

Although various COSATU leaders have expressed disappointment with the lack of NEDLAC to incorporate consultation over the shaping of macro-economic

policy making, the council has allowed the federation to make radical changes in workers legislation for Black workers as compared with the pre-apartheid period. Tripartism has also proved to be an invaluable tool for the unions to shape not just worker legislation but to create an institutional representation of the legal issues contested by workers and shore up employment creation through the SETA and NSF initiatives. COSATU has had a more varied success sustaining these initiatives once they were created and its major constrain is capacity to pay attention to the workings of the labour courts and SETA's for example.

The federation has also proved it self adroit at outmanoeuvring government and negotiating with business outside of NEDLAC. However, by doing so it weakens the forum in the long run and these are the costs that COSATU needs to factor against the specific gains accrued from by passing NEDLAC as its sets precedence for business and government to do the same. Successful tripartism is based on the will of the constituencies.

The Question

I revisit the question I posed in the beginning of this thesis; what factors contributed to COSATUs successes and failures. Clearly the successes relate to the federations capacity to balance economic and political unionism and the capacity of its leaders of its leaders to engage in strategic political unionism of varied kinds including alliances, taking up social issues and tripartism. The success is based on the federation finding the right balance between its economic and political roles. However this is a dynamic process which creates and is shaped by underlying processes such as class mobility amongst its members. If union movements accept class mobility as a fait accompli then they must no longer expect all unionists who move into government to continue to work in the unions best interests. Conversely,

not all unionists who enter government abandon their allegiances to the unions and unions can capture the benefits of having former or current members in government being strategic in maintaining links with unionists in government. Generally, trade unions can deflect the negative effects of opportunism on the movement by building hegemony amongst the masses and rather than focusing crudely on organisational strength.

Whilst COSATU was successful in creating hegemony and organisational strength in the pre-1994 period it has struggled with these dual strategies post-liberation. A predominant reason for the creation of hegemony within the liberation movement (or counter-hegemony to the apartheid regime) was COSATUs ability to forge ties with political parties and civil society formations through a common political consciousness around the overthrow of the apartheid regime. In the post 1994 period the federation has repeatedly ceased to find a common political mandate with the ANC and as the ANC drifts further away from the federations political and ideological consciousness the federation must look elsewhere to form hegemonic ties, such as civil society and or an alternate political party, such as a workers party, which the federation may need to encourage and throw its weight behind.

Another factor in COSATUs success is the federations' ability to utilise a Gramscian mode of political engagement with the state which has resulted in a dialectical relationship between COSATU and the ANC government and prior to that, with the apartheid regime. In this relationship COSATU at different times forced the state into various policy positions that favoured it and at other times accepted policy positions of the state, but consistently sought trade offs. Sometimes times the federation simply accepted defeat. Although this relationship constricted the union movements' stated revolutionary tendencies, often forcing it into a reformist role, it

nevertheless allowed the unions to exact compromises from the state and capital. COSATU engaged in a dance with the apartheid state successfully, however its dance with the ANC led government has been too complex for the unions to master, they are holding their partner in a close embrace when they really should be spinning it away.

Where and why has COSATU failed? It has failed to play a role in macroeconomic policy making and ex facto the federation must temper and undo policies that the ANC government institutes. COSATU plays a defensive role rather than an offensive one and this has eroded the federations' capacity to promote its own initiatives for development and industrialization. Although the federation has made inroads in influencing policy within NEDLAC, the parliamentary process through its office and even by sending unionists into parliament clearly the leadership of the federation was reticent to prioritise these initiatives, particularly the latter two. Rather, COSATU places an undue importance to its alliance with the ANC as a method of shaping economic policy and has circumvented structured organizational routes to opt for the murky and amorphous possibilities within the alliance. The alliance has always been a double edged sword for COSATU delivering benefits but whittling others away through class mobility. The federation has been un-strategic within the alliance. I argue that the social pact they now seek is something the unions should have negotiated with the ANC upon its return from exile. A second point is that the ANC may no longer the most likely candidate for such a pact and the unions must bide their time and wait to see what role the ANC takes and whether the possibility of aligning with additional political parties manifests itself.

COSATU is also constrained by the material conditions of capitalism, which has seen the South African economy, veer towards greater informalisation and casualisation. As capital roams the world freely in search of cheaper and more

flexible labour, the federation has had to expand its role and capacity for attracting new members into its ranks. Post-liberation the federation has had mixed results when it comes to broadening its scope and increasing membership. A major constraint is capacity at all levels of economic and political engagement and it continues to be the federation's greatest challenge and failure. Yet the current leadership show no sign of creating concrete proposals for reversing this trend. If COSATU does not address this shortcoming it will gradually hollow out its organisation. The lack of capacity also speaks to the federation overextending itself by engaging in too many initiatives. COSATU is better of limiting itself to a narrower set of strategic goals where it can focus its energies. The federation also needs to engage in the practical and political education of its leadership at all levels thereby strengthening their capacity for administration and deepening their grasp of politics.

Will COSATU survive its current political relationship with Mr. Zuma and emerge the victor? The federations' entryist approach to affecting the outcome of the ANC succession race is detrimental to the federations' goals of institutional independence from any political organization as stated in various central committee meetings since 1986. Will COSATU survive the authoritarian trends within the ANC and maintain its dominance within the union movement to continue securing gains for workers? This is purely speculative in this moment in time. Based on the historical evidence of African trade unions and the current trends within the ANC the federations current attempt to co-opt the ANC do not have promising prospects for success. In spite of this we cannot count the federation out just yet. Next year the federation hold national elections for office bearers which could see the current leaders leaving either for government or business and a new crop of COSATU leaders

taking the reign which can re-map the federation's political activity or keep it on its current course.

Prescriptions

- The federation should distance itself from the alliance.

- The federation must reconnect with the communities from which it was born, to build mass support and lobby for membership.

- The federation must rejuvenate the shop steward system.

- The federation need to devise ways of attracting informal workers though political engagement and needs to restructure membership guidelines to accommodate such workers.

- The federation must support the creation of a workers party but remain out of its leadership structures.

- Individual unions must establish their independence from the federation leadership.

- The federation must forge strategic links with civil society formations.

- The federation must create a comprehensive education programme for its leaders which includes administration, politics and community reach out.

Appendix

Table 1.2: History of the Black Trade Unions

Description	Period	Alliances	Achievements	Reason for demise/failure/absorption/success
Industrial and Commercial Workers Union of Africa (ICU)	1919 to 1930	Leaders were involved in early African nationalist struggles	Organized 100 000 workers at its peak	1. Government action-repression, intimidation Racial laws; e.g. Industrial Conciliation Act 1924-only registered unions could participate in industrial council and most Africans could not participate in such unions, pass laws, masters and servants laws. 2. Internal feuding over political strategies and tactics, anti-communism, membership not restricted to workers, e.g. small farmers could join, lack of resources, no democratic structures for members.
South African Federation of Non-European Trade Unions (SAFNETU), African Federation of Trade Unions (AFTU)	1920s to 1950s	Leadership were mainly Communist Party SA aligned	Established industrial based unions	Communist party banned in 1950
Joint Committee of African Trade Unions	1930s to 1940s	Leadership was Trotskyite but advocated non-political unionism	1. Industrial based unions 2. Organized 25000 workers 3. Used various aspects of legislation and the governments strategy to try to incorporate African unions to control them to fight for wage determinations	1. Leader interned 2. Increased Africanism removed skilled White intellectual leadership that had not reproduced itself among workers 3. Reliance on the wage boards

Table 1.2 Contd.

South African Trades and Labour Council (SATLC), Trade Union Council of South Africa (TUCSA) and parallel unions	1930s to 1970s		Mainly White unions but allowed Black unions to affiliate Also organized parallel unions to independent Black unions	Offered no real strategy to improve conditions of Black unions No militancy Sought to control Black unions
Council of Non-European Trade Unions (CNETU)	1942 to 1950s	Had relationship with political leaders and local grassroots	1. By 1945 had 158 000 workers in 119 unions 2. Won significant pay rises during WWII years 3. Government arbitration system introduced 4. Developed significant depths of leadership many of whom were political leaders	1. Defeat of African Mine Workers Union in 1946 strike 2. Economic recession after WWII 3. Competition for jobs between White and Black workers 4. General crackdown on Black political activity-1948 National Party election victory and increased action against unions 5. Arrest of many communist trade union leaders 6. No clear organizing and political strategy-no militancy 7. Fragmented membership-199 unions
South African Council of Trade Unions (SACTU)	1955 to 1990s but from 1960s essentially underground	Congress Alliance of ANC, COD, NIC, TIC and CPC	1. First non-racial trade union federation Organized 39000 workers 2. Developed strategy of non-registered unions forcing employers to bargain outside official channels 3. Strong emphasis on worker training and education 4. Used consumer boycotts against employers	1. Government action and repression against leaders 2. Political action led by the ANC brought measures against the union 3. Focus on political issues led to it being less effective on shop floor issues

Table 1.2 Contd.

Federation of Free Trade Unions of South Africa (FOFATUSA)		Cooperated with TUCSA	Organized 18000	Advocated non-political unionism Disbanded to join TUCSA in 1965
Advice offices, general unions, Trade Union Advisory and Coordinating Council (TUACC), Consultative Committee of Black Trade Unions (CCOBTU), industrial based unions	1970s	University students in NUSAS, SASO, intellectuals and academics	Shop floor organizing, factory by factory Training and development of Black trade union leaders Development of a culture of shop floor level, democratic control of unions	Either disbanded to form FOSATU, CUSA or became independent unions
Federation of South African Trade Unions (FOSATU)	1978 to 1985	Non-aligned	First significant non-racial trade union federation since 1950s Developed many of the activists, leaders and much of the institutional capacity that became the foundation of COSATU	Disbanded to form COSATU

Table 1.2 Contd.

	1979 to 1986-split when COSATU was formed. Those unions that did not join COSATU remained as CUSA and the together with the Azanian Congress of Trade Unions (AZACTU) formed NACTU		Significant presence in key sectors such as the mines Developed many of the activists, leaders and much of the institutional capacity that became the foundation of COSATU	Differences over the formation of COSATU, mainly around political alignment to the UDF, non-racialism versus pan-Africanism, led to many CUSA unions becoming part of NACTU
Council of Unions of South Africa (CUSA)				
South African Allied Workers Union (SAAWU)	1979 to 1985	Many of its leaders were political activists and members of the ANC, SACP and remained in contact with SACTU operating from exile	Remained a key union in the Eastern Cape until the formation of COSATU Developed many of the activists, leaders and much of the institutional capacity that became the foundation of COSATU	Affiliated to COSATU as a general union
Congress of South African Trade Unions (COSATU)	1985 to present	Tri-partite Alliance of ANC, SACP and COSATU	Represents almost 2 million workers Participates in all policy processes and institutions	

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Table 1.2 Contd.

National Council of Trade Unions (NACTU)	1986 to present	Loosely aligned to the PAC, AZAPO, SOPA but many of its leaders are pro-ANC	Represents about 400, 000 workers	
United Workers Union if South Africa (UWUSA)	1985 to 1994	Formed as a IFP aligned alternative to COSATU	Membership unclear	Failed to adequately represent workers Lost support as Inkatha did
The Federation of Unions of South Africa (FEDUSA)	1997 to present	Non-politically aligned	26 affiliates, Represents about 500,000 mostly white workers	
CONSAWU	2005 to present	Formed as a to be non-political alliance of unions	27 affiliates, Membership unclear represents across races but predominantly white	

Source: Friedman, 1985; Various South African Labour Bulletin 1971 – 2008.

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Table 3.1: Pre and Post Apartheid Era Laws Designed to Geographically, Economically and Socially Segregate Racial Groups.

Laws	Desired Result
The Natives Land Act, No 27 of 1913	Made it illegal for Blacks to purchase or lease land from whites except in reserves; this restricted Black occupancy to less than eight per cent of South Africa's land
The Natives (Urban Areas) Act of 1923.	Laid the foundations for residential segregation in urban areas
Prohibition of Mixed Marriages Act, Act No 55 of 1949	Prohibited marriages between white people and people of other races. Between 1946 and the enactment of this law, only 75 mixed marriages had been recorded, compared with some 28,000 white marriages.
Immorality Amendment Act, Act No 21 of 1950; amended in 1957 (Act 23)	Prohibited adultery, attempted adultery or related immoral acts (extra-marital sex) between white and Black people.
Population Registration Act, Act No 30 of 1950	Led to the creation of a national register in which every person's race was recorded. A Race Classification Board took the final decision on what a person's race was in disputed cases.
Group Areas Act, Act No 41 of 1950	Forced physical separation between races by creating different residential areas for different races. Led to forced removals of people living in "wrong" areas, for example Coloureds living in District Six in Cape Town.
Suppression of Communism Act, Act No 44 of 1950	Outlawed communism and the Community Party in South Africa. Communism was defined so broadly that it covered any call for radical change. Communists could be banned from participating in a political organization and restricted to a particular area.

Table 3.1. Contd.

Bantu Authorities Act, Act No of 1951	The Act was to provide for the establishment of certain Bantu authorities and to define their functions, to abolish the Natives Representative Council
Bantu Building Workers Act, Act No 27 of 1951	Allowed Black people to be trained as artisans in the building trade, something previously reserved for whites only, but they had to work within an area designated for Blacks. Made it a criminal offence for a Black person to perform any skilled work in urban areas except in those sections designated for Black occupation.
Separate Representation of Voters Act, Act No 46 of 1951	Together with the 1956 amendment, this act led to the removal of Coloureds from the common voters' roll.
Prevention of Illegal Squatting Act, Act No 52 of 1951	Gave the Minister of Native Affairs the power to remove Blacks from public or privately owned land and to establishment resettlement camps to house these displaced people.
Bantu Authorities Act, Act No 68 of 1951	Provided for the establishment of Black homelands and regional authorities and, with the aim of creating greater self-government in the homelands, abolished the Native Representative Council.
Natives Laws Amendment Act of 1952	Narrowed the definition of the category of Blacks who had the right of permanent residence in towns. Section 10 limited this to those who'd been born in a town and had lived there continuously for not less than 15 years, or who had been employed there continuously for at least 15 years, or who had worked continuously for the same employer for at least 10 years.

Table 3.1. Contd.

Natives (Abolition of Passes and Co-ordination of Documents) Act, Act No 67 of 1952	Commonly known as the Pass Laws, this ironically named act forced Black people to carry identification with them at all times. A pass included a photograph, details of place of origin, employment record, tax payments, and encounters with the police. It was a criminal offence to be unable to produce a pass when required to do so by the police. No Black person could leave a rural area for an urban one without a permit from the local authorities. On arrival in an urban area a permit to seek work had to be obtained within 72 hours.
Native Labour (Settlement of Disputes) Act of 1953	Prohibited strike action by Blacks.
Bantu Education Act, Act No 47 of 1953	Established a Black Education Department in the Department of Native Affairs which would compile a curriculum that suited the "nature and requirements of the Black people". The author of the legislation, Dr Hendrik Verwoerd (then Minister of Native Affairs, later Prime Minister), stated that its aim was to prevent Africans receiving an education that would lead them to aspire to positions they wouldn't be allowed to hold in society. Instead Africans were to receive an education designed to provide them with skills to serve their own people in the homelands or to work in labouring jobs under whites.
Reservation of Separate Amenities Act, Act No 49 of 1953	Forced segregation in all public amenities, public buildings, and public transport with the aim of eliminating contact between whites and other races. "Europeans Only" and "Non-Europeans Only" signs were put up. The act stated that facilities provided for different races need not be equal.

Table 3.1 Contd.

Natives Resettlement Act, Act No 19 of 1954	The act allowed for the removal of natives from any area or adjoining area in the magisterial district of Johananesburg.
Group Areas Development Act, Act No 69 of 1955	The Act allowed for the control of, the disposal of and for the acquisition of immovable property in group areas and other areas defined under the Group Areas Act, 1950, and for the proper development of such areas.
Natives (Prohibition of Interdicts) Act, Act No 64 of 1956	Denied Black people the option of appealing to the courts against forced removals.
Bantu Investment Corporation Act, Act No 34 of 1959	Provided for the creation of financial, commercial, and industrial schemes in areas designated for Black people.
Extension of University Education Act, Act 45 of 1959	Put an end to Black students attending white universities (mainly the universities of Cape Town and Witwatersrand). Created separate tertiary institutions for whites, Coloured, Blacks, and Asians.
Promotion of Bantu Self-Government Act, Act No 46 of 1959	Classified Black people into eight ethnic groups. Each group had a Commissioner-General who was tasked to develop a homeland for each, which would be allowed to govern itself independently without white intervention.
Coloured Persons Communal Reserves Act, Act No 3 of 1961	Updated and replaced the same act from 1930 which created segregated areas for coloured people in the Cape area.
Preservation of Coloured Areas Act, Act No 31 of 1961	
Urban Bantu Councils Act, Act No 79 of 1961	Created Black councils in urban areas that were suppoed to be tied to the authorities running the related ethnic homeland.

Table 3. 1 Contd.

Terrorism Act of 1967	Allowed for indefinite detention without trial and established BOSS, the Bureau of State Security, which was responsible for the internal security of South Africa.
Bantu Homelands Citizens Act of 1970	Compelled all Black people to become a citizen of the homeland that responded to their ethnic group, regardless of whether they'd ever lived there or not, and removed their South African citizenship.

Source: South African Labour Bulletin 1979 to 1990; Friedman 1987; http://aluka.org

Table 3.2: Various Laws, Decrees, Commissions, Measures Impacting African unions in South Africa

Year	Name of Measure	Intent	Impact on African Unions
1900	Pass laws	African men forced to carry passes to prove they were employed	To prevent any organization of African workers
1922	Stallard Commission proposal to amend Pass laws	Africans only allowed to "white" cities to "minister to the needs of the white man"	Removing the possibility that a worker may organize or strike against their employer
1924	Industrial Conciliation Act	Separated African unions from white coloured and Indian unions who were allowed to register and bargain for wages and work conditions for industries	Kept African unions non -registered and illegal
1927	Native Administration Act	Made it a crime to promote "hostility" between races	To charge union leaders with a crime in the even of a strike
1928	Masters and Servants Laws	Made it a crime for Africans to desert their employers	Strikers could be labeled as "deserters"
1929	Riotous Assemblies Act	Allowed the minister of Justice the authority to remove anyone who was causing 'hostilities: from an area	Remove trade union leaders from their provinces
1931	Riotous Assemblies Act	Allowed the minister of Justice the authority to remove anyone who was causing 'hostilities: from an area and had an anti-strike clause	Removed trade union leaders from their provinces and used against striking workers
1945	War Measure 1425	Required special permission for all meetings with over 20 people on mine property	Prevent any organizing in the mines and suppress the militancy of CNETU in the 1940s

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Table 3.2 Contd.

1945	War Measure 145	Made all strikes by African workers illegal but did not suppress them	To suppress worker militancy and strikes
1950	Result of 1946 and 1947 Sedition trials-Suppression of Communism Act	Outlaws Communism and the Communist Party and bans its members many of whom are trade union leaders. Communism is so broadly defined that it covers any call for radical change.	Robs trade unions of many of its leaders
1953	Bantu Labour Settlement of Disputes Act	To create Factory Works Committees, government officials and Bantu Labour Officers as African workers only representatives	To eliminate the wage board as a point of negotiation for African workers and ensure that the board only interacted with labour officials and not workers
1955	Changes to the wage Act	Gave the minister of labour the sole right to order wage board enquiries	Unions could no longer request the wage board to investigate wages or rely on it to make gains
1956	Industrial Conciliation Act Changed	Racially mixed unions not allowed to register and barring all Africans from belonging to registered unions	To circumvent the practice of collaboration between registered and non-registered unions and prevent racial mixing within unions
1960	African National Congress and Pan African Congress Banned	ANC and PAC declared illegal	Unions lose leaders and members who are members of the ANC and are forced underground SACTU goes underground and ceases to function effectively
1973	Black Labour Relations Regulation Act	Limited strike right, the setting up of new, weaker factory committees and liaison committees, and allowed some worker representatives from these to attend industrial council meetings	Competed with existing unions, created limited avenues for bargaining and engagement between employers and worker and because workers had been organised factory by factory to participate in the committees it unintentionally created a base for unions later

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Table 3.2 Contd.

1976	Wiehan Commission	Created to consider all labour laws administered by the Dept of Labour	Recommended the registration of Black unions, the extension of union rights to categories of workers (migrants and commuters) denied them and the limited removal of job reservation, the setting up of the NMC-government accepted only some of the recommendations and instead increased the powers of the Minister, veto of established unions in a bargaining council over new unions
1979	Industrial Conciliation Amendment Act	Bill passed to implement Wiehahn proposals	Unions begin to register, impacting on the positions held in the various unions
1980	Industrial Conciliation Amendment Act	Bill passed to define unfair labour practice	
1981	Labour Relations Act	Extended rights of membership, ended ban on mixed unions, removed reference to race and sex in official wage agreements and orders, scrapped provisional registration and ensured stop order rights to registered unions	Increased power of the registrar over registered and unregistered unions , increased political limitations, limited the rights to raise funds, prevented unions from opening offices in the homelands
1988	Proposed VAT increase and proposed amendments to the LRA	Apartheid regime gave notice of intention to increase VAT and to amend the LRA	
1990	Laboria Minute signed	Unions and then government settled on an agreement that provided for how issues of the labour market would be dealt with in future	Established the principle of consultation and negotiation over issues to do it the labour market and to a lesser extent for economic policy matters
1992	Public Sector Labour Relations Act	Recognized the right of public service workers to form and join trade unions	Brought a large number of workers previously excluded into the formal processes of bargaining and allowed for stop order deductions in the public service

Table 3.2 Contd.

1994	Interim Constitution Act	Established the Government of National Unity	Extended basic rights in the constitution to all South Africans and established the procedures and institutions for the first democratic elections to take place
1990/1991	National Economic Forum Established	A non-statutory body made up of government, business and labour representatives that sought to achieve consensus on socio-economic policy issues	Entrenched the principle of negotiation on key socio-economic policy issues
1995	Labour Relations Act	Put the current labour market dispensation in place	Ensured the universal extension of rights to associate, bargain and participate in processes of negotiation, except for those workers in the intelligence services and the armed forces, including a number of tri-partite institutions such as the CCMA, puts in place the right to take protected action on a socio-economic matter
1995	National Economic Development and Labour Council Act	Institutionalized the processes of negotiation on all matters to do with the labour market, monetary and fiscal policy, trade and industry policy and development policy	Increased the role of trade unions in policy making processes in general
1996	Employment Equity Act	Formalized the policy of affirmative action	Ensures the advancement of individual Black workers in the labour market
1996	National Skills Development Act	Sets up the tripartitie training and skills development structures (SETAs) in each sector of the economy	Increases the role of trade unions in all maters to do with skills development, training and accreditation
1996	National Skills Development Levy Act	Gives the SARS the right to levy a tax on all employers to pay towards the funding of the SETAs	

Table 3.2 Contd.

1996	Basic Conditions of Employment Act	Sets the floor of basic conditions of employment for all workers, except those in the intelligence services and the armed forces	Removes the need for unions to fight for basic conditions
1997	Occupational Health and Safety Act	Puts the universal standards for health and safety in the workplace for all workers	Removes the need for unions to fight for universal standards
1996	Constitution of the Republic of South Africa Act	Creates the democratic state institutions that currently exist	Ensures the protection of workers rights, the right to associate, the right to strike, the right to be consulted, access to information

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