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Worker power:

The Congress of South African Trade Unions
and its impact on governance
and democracy

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CONTENTS

| | |
|--|-----------|
| Introduction | 5 |
| Method | 5 |
| Research hypothesis | 6 |
| COSATU's role in South Africa's democratisation | 6 |
| Principles and organisational structure | 10 |
| Principles | 10 |
| Officials and office-bearers | 13 |
| Grass-roots activity | 14 |
| COSATU and the state | 18 |
| Proximity to government | 23 |
| Internal democracy and accountability | 27 |
| Gender issues | 28 |
| Funding | 30 |
| Ability to influence policy | 35 |
| Conclusion | 37 |
| APPENDIX 1 | 40 |
| Objectives | 40 |
| Affiliates | 40 |

Introduction

This paper forms part of a larger study on foreign political aid, democratisation, and civil society in South Africa which examines the extent to which civil society contributes to democratic pluralism by creating the space for groups that would otherwise have difficulty in accessing the formal system. It looks at how civil society bridges the limitations of formal democracy or representative government, and how donor funding contributes towards or obstructs this.

Specifically, this paper examines the Congress of South African Trade Unions (COSATU), its influence on government policy and legislation, and its role in ensuring enhanced government accountability. It furthermore examines whether the congress's practices and values have contributed to the consolidation of democracy, and how donor aid has influenced its activities and impacted upon democracy.

The paper pays particular attention to the nature of the relationship among COSATU (and its affiliates) and government institutions, as well as the role of rank-and-file union members in COSATU.

Method

The brief for this paper required a study not only of COSATU but of its rank and file members as well. However, as COSATU is a trade union co-ordinating body and therefore does not have individual workers as members, we elected to study three affiliates: the National Union of Mineworkers (NUM); the South African Democratic Teachers Union (SADTU); and the South African Transport and Allied Workers Union (SATAWU). The NUM was chosen because it is the largest and one of the most influential trade unions in the country, and SADTU because its members identify themselves as both workers and professionals. Also, SADTU is a public sector union affiliated to a trade union co-ordinating body that forms part of an alliance with the ruling party, the ANC. This provides for interesting perspectives and dichotomies within the union. Lastly, SATAWU was chosen because the Transport and General Worker's Union was amalgamated with it during the research period, and we thought this would provide some important perspectives.

This approach enabled us to probe the relationship between the COSATU, its affiliates, and their members. It also gave us a flavour of what union members think about the close relationship between COSATU and the ruling party. We conducted interviews with union members and office bearers, and attended union meetings, in Gauteng, KwaZulu-Natal, Mpumalanga, Northern Province, and the Western Cape.

We also consulted literature on COSATU and its affiliates, including conference papers and resolutions. We also held four focus group sessions – one each with members of the aforementioned affiliates, and one with COSATU shop stewards. Participants were selected at random, but resulted in a mix male and female participants. Because our visits to the Western Cape revealed that the dynamics within SADTU in that province were somewhat different than in other parts of the country, we sought to confirm this by staging the SADTU focus group session in the Western Cape.

Research hypothesis

The following research hypotheses were formulated:

1. Civil society organisations that are internally democratic and have broader social concerns rather than merely promoting the narrow interests of their members can contribute to democratic consolidation by fostering pluralism, promoting democratic values, and enhancing political participation.
2. Donor aid can strengthen the organisation and political efficacy of civil society organisations by providing resources for infrastructural, organisational, and human development and by exerting an influence over the domestic policy environment.

These hypotheses have been tested by examining the following questions:

- What role has COSATU played in democratising South Africa, including its influence on government policy and legislation?
- What has COSATU's role been in ensuring that the government and its machinery are accountable to its members and society at large?
- What is the level of participation of rank-and-file members in COSATU's activities and decision-making processes?
- What strategies has COSATU used in engaging with the state, and how successful have its efforts been? What is its relationship with the ruling party?
- How has donor funding advanced or retarded COSATU's efficacy, and its ability to play a role in democratisation and influence government policy?
- How democratic is COSATU internally?

COSATU's role in South Africa's democratisation

COSATU was officially launched in November 1985 during a state of emergency characterised by civic unrest in many black townships. Its formation was preceded by four years of unity talks between unions opposed to apartheid. Cyril Ramaphosa, then general secretary of the National Union of Mineworkers (NUM), convened the launching congress. COSATU's guiding slogan then, as now, was 'one country, one federation'. The launch was attended by 760 delegates representing some 500 000 workers in 33 unions. By September 2000 COSATU had 19 affiliates with some 1,8 million paid-members.¹ Elijah Barayi was elected as COSATU's first president, and Jay Naidoo as secretary-general.

While many resolutions were adopted pertaining to workers' rights, others called for the lifting of the state of emergency, the withdrawal of troops from the townships, the release of political prisoners, and the unbanning of individuals and organisations. COSATU also came out in support of international pressure against apartheid (including disinvestment), despite that fact that this was illegal.²

¹ COSATU, 7th national congress, book 1: secretariat report, 18-21 September, 2000.

² Jeremy Baskin, *Striking back – a history of COSATU*, Johannesburg: Ravan Press, 1991.

The most controversy at the founding congress revolved around registration, participation in industrial councils, and involvement in community and political struggles.³ Barayi confirmed the federation's political alignment when he addressed the South African government as follows: 'I say your time is over ... we do not apologise for being black. We are proud of it. As from today, Mandela and all political prisoners should be released. P W Botha, you have failed in your duties so release Mandela.'⁴ So COSATU was launched with an unambiguous political stamp. Although the details still had to be finalised, it was clear that the federation intended to adopt a militant political profile.⁵ In its first year of operation, 1986, its executive met with the leadership of the United Democratic Front (UDF) in South Africa, and the then banned African National Congress (ANC) in Harare.⁶

One of the early milestones in COSATU's history was reached on 5 and 6 May 1987 when more than 1 million people heeded a joint call by the federation and the UDF for a two-day stayaway in response to the whites-only elections on 6 May 1987.⁷ In that same year, COSATU adopted the Freedom Charter (which called for the nationalisation of certain private companies, including the mines) as a guiding document. In February 1988 the government restricted COSATU's political activities.⁸ COSATU's political stance resulted from a battle between the 'workerist' and 'populist' groups in its ranks. The argument was over independent worker organisation versus one explicitly allied to the ANC tradition via the UDF. Essentially, those who argued for independence lost the battle – the symbolic pulling power of the ANC was too strong. The 'workerists' feared, among other things, that an overt alliance with the ANC tradition would result in the unions' internal democracy being eroded, as strategic decisions would be taken inside the political movement rather than by COSATU members.

Many argue that, after the 1994 elections, COSATU contributed to democratisation by providing new leaders in government, the state bureaucracy, and related agencies. However, others argue that, while it contributed to the ANC alliance in government, democracy would have been better served had the unionists remained independent. The former general secretary of COSATU, Jay Naidoo, the national president of COSATU, Membathisi Mdladlana, and many other COSATU officials were elected to parliament under the banner of the ANC alliance. Naidoo later became minister without portfolio charged with implementing the Reconstruction and Development Programme (RDP), that had originated with the union federation. COSATU claimed at the time that its former office bearers who had been elected to parliament would in fact represent the congress. But, as will be seen later

³ Jay Naidoo and Sydney Mufamadi, Reflections on the past, *The Shopsteward*, 9 (5), December 2000.

⁴ Baskin, *Striking back – a history of COSATU*.

⁵ Ibid.

⁶ Naidoo and Mufamadi, Reflections on the past.

⁷ South African Institute of Race Relations, *Race Relations Survey 1987-8*, Braamfontein, South Africa, 1988, p 105.

⁸ Ibid.

in the paper, and much to COSATU's chagrin, they quickly became ANC representatives. While this might have been inevitable, it does confirm that attempts to ensure that independent worker perspectives are represented have often run up against the influence of the ANC tradition. The exodus of COSATU leaders to the government led some analysts to predict that the federation would be left rudderless, as its second-string leadership was left to hastily step into the vacuum. However, according to COSATU's current general secretary, Zwelinzima Vavi, a new layer of highly effective national and regional worker leaders who had organically developed from the shop floor over the previous 20 years (particularly from the ranks of about 30 000 shop stewards) emerged. Despite Vavi's analysis, many labour specialists still argue that COSATU was severely depleted of leaders with the ability to creatively and strategically.

At any rate, COSATU's internal democratic culture has played an important role in popularising the notion that democracy needs to go beyond periodic elections in order to embrace more substantive participatory democracy. Worker leadership and control has been a cornerstone of COSATU's democratic tradition. At the same time, this tradition has had to adapt and evolve itself, as unions have grown and the labour movement's environment has changed. The increasingly complex challenges confronting trade unions require sophisticated strategies for empowering worker leaders to participate effectively in areas such as workplace transformation and political engagement.⁹ But there are strong reservations about whether such strategies are being generated.

By the mid- to late 1980s the influence of the independent trade union movement, particularly COSATU, had grown to such an extent that neither employers nor the state could ignore it.¹⁰ COSATU's organising strategy of factory-by-factory recruiting, building structures from the factory floor upwards, building accountable leaderships, winning incremental victories for members on shop floor issues, and mass mobilisation strategies produced one of the strongest civil society movements in this country's history and indeed in the developing world.¹¹ So the particular strategic challenges facing the union movement forced it to adopt a strategy that was extremely conducive to grass roots democracy; for some time, unions were arguably a model of the sorts of democratic practices which associations are supposed to inculcate in citizens. However, it appears as if COSATU's emphasis on participation and the strict accountability of representatives to members has been eroded by, for example, its participation in forums such as NEDLAC, the Millennium Council (a non-statutory forum for business and labour), and even its interaction with parliamentary standing committees.

COSATU was formed at a time of heightened political activity and unrest in the black townships as residents protested against the system of apartheid and its attendant injustices. It was also a time when blacks were excluded from exercising any meaningful political power. The liberation movements had been banned, and many of popular leaders

⁹ COSATU, 7th national congress, book 1: secretariat report.

¹⁰ Glenn Adler and Eddie Webster, *Trade unions and democratisation in South Africa*, Hampshire: Macmillan Press, 2000.

¹¹ *Ibid.*

were behind bars. The UDF had just emerged, and was gaining momentum in the run-up to the first elections in 1994 for the tricameral parliament, which excluded African people and was seen to entrench political segregation for coloured and Indian people. The UDF used social networks such as churches, youth and sports clubs, and student movements to mobilise popular resistance to the system. This coincided with a spate of student uprisings around the country, and massive strikes in the Vaal Triangle over rent and service charges. A wave of strikes followed the launch of COSATU, which galvanised workers across all sectors further and put them out on the streets. Rank and file union members were thus involved in COSATU's activities, not only as workers but also as marginalised citizens fighting for political rights.

It was under these circumstances that COSATU offered an alternative vehicle for these marginalised members of society to engage in public life and to push for political and other gains. It provided an avenue for claim-making against the state. However, it also empowered its members and the various communities in which they were active in the struggle against apartheid. As such, COSATU had a much wider political focus than it is generally perceived to have today.

Because the racial wage gap and the working conditions of black workers were intricately interlinked with the apartheid system, COSATU had to tackle the very foundations on which these discrepancies were based to advance workers' rights. Moreover, as Friedman says:

COSATU offered a way for powerless black workers to wield political power for the first time in their lives.¹²

(While this is true in respect of workers wielding political power, it is important to remember that members of unions affiliated to FOSATU – the main forerunner to COSATU, who fought employers and the state for recognition as unions outside the official labour relations system in the late 1970s and early 1980s were also exercising some kind of power.)

Indeed, at the time of COSATU's launch the UDF declared that 'through COSATU, workers will take their rightful place in the liberation movement to free our people from oppression and exploitation'.¹³ Therefore, organising COSATU structures and affiliates involved more than just organising for the pursuit of workers' rights; it also involved a large measure of political organisation and mobilisation.

It was under these circumstances that the COSATU locals (local shop stewards' councils) became centres of political organisation, and forged links between the various sectors and affiliates at that level. Generally, the interviews and focus group sessions conducted for this project indicate that coercion was not a significant tool in the union's efforts to mobilise members. But there were instances where coercion was used. For instance, some members of the Westbury and Lenasia branches of SADTU said sjambok-

¹² Steven Friedman, *Building tomorrow today: African workers in trade unions, 1970-84*, Johannesburg: Ravan Press, 1987

¹³ Baskin, *Striking back*.

wielding members from Soweto branches had come around to their schools to force them into participating in the march called by COSATU in May 2000. Clearly, these are not the kind of actions that enhance democracy, either in the organisation or in broader society. But it does not seem as if these kinds of actions were widespread.

As will be seen, the situation changed with the advent of democracy in 1994. A legitimate government led by the ANC came to power, and members of COSATU affiliates were consequently not as reliant on their union co-ordinating body to exercise their political power and represent their political aspirations as they were in its formative years. Legal political parties and organisations offered workers new avenues for exercising political power. While it is not known exactly how many members of COSATU affiliates are members or supporters of the ANC, officials nevertheless estimate that the ‘vast majority’ union members are ANC supporters.¹⁴

Principles and organisational structure

Principles

The federation is based on the following core principles: non-racialism; worker control (COSATU believes that workers must control its structures and committees); paid-up membership; one industry, one union, one country, one federation; and international worker solidarity. COSATU is a trade union co-ordinating body, not a trade union, and its affiliates are trade unions. Individuals do not join COSATU directly; they are members of its affiliates. And although COSATU is an example of how a component of civil society in South Africa has managed to expand, this can come at a price if not properly managed; this kind of umbrella structure can become distanced from members of its affiliates. This, in turn, can have consequences for internal democracy and communication, as will be discussed later.

At present COSATU’s 19 affiliates have 1,8 million paid-up members; it remains the largest and most organised component of South African civil society. Despite growing levels of unemployment, and negligible economic growth, COSATU has managed to increase its membership base. It has largely done so by continuing to organise new sectors, including workers in former ‘homeland’ areas where unions were prohibited from operating prior to 1994.

Affiliates retain their autonomy, and continue to be governed by their own constitutions, provided that these do not conflict with that of the federation.

COSATU’s national structure comprises a national congress (NC); central committee (CC); central executive committee (CEC); and executive committee (EXCO). Structures at the regional level comprise regional congresses (RCs); regional executive committees (RECs); and regional shop stewards’ councils (RSSCs). Structures at the local level comprise local shop stewards’ councils (locals); and local executive committees (LECs).

¹⁴ Interview, Anthony Dietrich, regional education officer, COSATU, Western Cape, 16 August 2000.

The NC elects the six national office bearers (NOBS) of the Federation: the president, 1st and 2nd vice presidents, national treasurer, general secretary and deputy general secretary. Full-time COSATU officials and full-time office bearers of any of its affiliates are not eligible for election to the positions of president, vice-president, second vice-president, and treasurer. This means the general secretary and deputy general secretary (being full time officials of COSATU) can only contest their incumbent positions and cannot stand for any NOB positions. Moreover, officials have speaking rights but no voting rights. This is meant to ensure that officials do not wield too much influence, and that the organisation is controlled by workers.

Elections are conducted by an independent body -- usually the Electoral Institute of Southern Africa (EISA), and effected by secret ballot as mandated by the constitution. All structures must contain a majority of workers as opposed to paid officials. Again, this is aimed at preventing union officials from dominating structures, and is central to ensuring worker participation in decision-making.

COSATU's 7th national congress showed that, despite interaction between the state and the co-ordinating body, and its affiliates becoming increasingly technocratised (see below for details), control of its direction and policies was a highly contested issue. However, during the interviews conducted for this project, researchers were told that much of the bargaining had already occurred on the night before the congress, when delegates and officials moved from 'room to room' canvassing support and horse-trading.¹⁵ By contrast, officials at SATAWU's merger congress in May 2000, played a more prominent role, and appeared to have canvassed for strong support among some delegations; those delegates always seemed to come to the defence of those officials, or defend positions they had put forward. While input from delegates was not discouraged, it was curtailed on some issues. This was partly due to the fact that this was a founding congress, and many issues had to be debated in a short time. Nevertheless, workers at this merger conference displayed a far greater tolerance of leaders' attempts to curtail discussion than workers at COSATU's 7th congress were prepared to countenance. In fact, certain delegations at the latter congress protested against the presence of the minister of labour and only sat down after a protracted period of pleading from COSATU and their own unions' officials. Therefore, the participation of rank-and-file members in COSATU congresses continues to be lively and unrestrained,

COSATU's national congress (NC) meets at least once every three years. It is the highest decision-making body in the organisation, and retains exclusive power to change its constitution. The central committee is the second highest decision-making structure, and meets annually between congresses to formulate policy and adopt resolutions to supplement those adopted at the national congress. The leadership of the federation also meets twice a year in the central executive committee (CEC) to consider policy matters, and monthly in the executive committee (EXCO) to consider operational and administrative

¹⁵ Confidential interview, NUM delegate to cosatu's 7th national congress.

issues and to drive COSATU's negotiations strategy on national policy issues. These meetings are normally closed.¹⁶

National office bearers (NOBs), supplemented by representatives of affiliates in accordance with formulae prescribed by the constitution, serve in all the national structures. The upshot is that affiliates mandate their members to serve on these structures with the NOBs; in all cases, representatives from the affiliates are in the majority. The CC adopts policy measures between NC meetings, while the CEC manages the affairs of the federation, including approving its budget and establishing substructures. The EXCO assists the CEC, effectively running the federation from one month to the next, and overseeing the work of the secretariat.

Each of the nine regions (roughly corresponding to the nine provinces) holds a regional congress (RC), each of which is subordinate to the CEC. RCs are held at least once a year; delegates consist of the regional chairperson and vice-chairperson, secretary, treasurer, and union representatives, according to a constitutionally prescribed formula. The RC elects office bearers for a three-year term. But the election of the regional secretary, a full-time post, has to be ratified by the CEC.

A regional executive committee (REC) consisting of regional office bearers and delegates of the affiliated unions determined according to a constitutionally prescribed formula complements this regional structure. The REC meets at least once every two months.

COSATU locals unite workers from particular towns or townships. The meetings are open to all shop stewards living or working in the area, and are COSATU's basic unit of organisation to advance its interests at the grass roots. Most unions follow the same approach.

The NC is the most democratic structure in the organisation. At its 7th national congress, held in September 2000, 2 417 voting delegates representing 1 806 158 workers energetically and confidently tackled issues that sometimes put them in direct contradiction with government policy and their alliance partner, the ANC. Apart from making policy, and endorsing policy and other resolutions from the federation's other structures, the NC is the only body empowered to change the federation's constitution. Delegates are mandated to vote on behalf of the affiliated trade unions. Delegates are elected by their unions in turn.

A system roughly based on proportional representation is used to determine the number of representatives of affiliates on COSATU's various structures; for instance, each affiliate is entitled to send one delegate to the NC for every 750 members or part thereof.

COSATU's constitution ensures that, at every level, proper procedures for the election of office bearers prevail. For instance, nominations for NOBs are submitted to an independent body appointed for this purpose. These nominations have to be seconded; when positions are contested, the NC votes by secret ballot. This, COSATU officials argue, prepared workers for exercising their democratic right to vote prior to South Africa's first national democratic elections in 1994, and familiarised them with the notion of electing leaders via a secret ballot.

¹⁶ COSATU website, <http://www.cosatu.org.za/structures.html>.

COSATU's members are predominantly black, but whites have begun to join as well as they become more familiar with affiliated unions. This is particularly occurring in certain SADTU branches, as more black teachers move to former model C schools, taking their union activities with them. Also, SADTU is trying to recruit more white educators; its Alexandra branch, for instance, also covers parts of Randburg and Sandton. SADTU membership has begun to pick up in these areas; thus the union is helping to build networks beyond the confines of traditional communities. In so doing it is performing a public good; it is building worker solidarity that cuts across racial divides, and creates more political tolerance.¹⁷

Moreover, the president of both SADTU and COSATU, Willie Madisha, recently sent out clear signals that he favoured a union of teacher interests via the amalgamation of SADTU and NAPTOSA (a union operating in a number of predominantly white schools, but also beginning to acquire members in black schools). He said he was prepared to relinquish his leadership of SADTU if this would help to facilitate the amalgamation. The ball is now in NAPTOSA's court.

Officials and office-bearers

Positions in COSATU are divided between full-time officials and part-time officer-bearers, in this case elected worker representatives with other jobs. Of the six NOBs only two are full time - the general Secretary and the deputy general secretary. The other NOBs are workers elected from within the membership of the unions affiliated to COSATU, and remain available for the work of the federation, with their wages paid by their respective workplaces.¹⁸ Slightly unusually, is the fact that the two most important full-time officials at the national level – its general secretary and deputy general secretary – are also elected; other full time paid officials are appointed.

COSATU officials generally say their offices are underresourced. The ubiquitous division between full-time officials and part-time office bearers creates the equally ubiquitous danger of the organisation being controlled by its officials rather than its office bearers; in this case, the latter are worker representatives who have a job to hold down while being burdened by COSATU duties. They often come to meetings without having had the time to read through background documents, and yet decisions have to be made. So it is often up to full-time officials to brief these office-bearers at the start of a meeting. Depending on the length of the document, this can cut considerably into time that could have been spent discussing the issues. Furthermore, there is a danger that those officials summarising and presenting the background information to worker representatives may interpret and present it in a particular way. It raises the question of whether elected worker representatives are really able to control union affairs. However, the trend is to ensure that national office bearers are made full-time shop stewards so that they are able to attend more easily to

¹⁷ Interview, Dan Mametse, chairperson of the Alexandra branch of SADTU, 30 July 2000.

¹⁸ <http://www.cosatu.org.za/leaders.htm>

union business. This often requires negotiations between the union and the company concerned.

Grass-roots activity

According to Vavi, the organisation was ‘forced to operate like a fire extinguisher’ during the apartheid years, particularly during the period when the liberation movements were banned and political leaders were imprisoned; ‘to us, it made no sense to concentrate on shop floor issues when we knew very well that most of those battles could not be won without first destroying the apartheid system itself.’¹⁹ He continues, ‘we had to lead community struggles, ranging from protests against the latrine toilet system, through peasant demands for more land, to rural communities crying out for roads and other infrastructure and student struggles for dynamic, free and compulsory education’.²⁰ While Vavi’s claims about COSATU leading the struggle might be exaggerated, COSATU did influence the strategies employed in these struggles.

This resulted in COSATU members becoming involved in leading and participating in community struggles; by day they were involved in fighting for workers’ issues on the shop floor, while after work they were involved in the struggles of the communities in which they lived. Vavi says this situation ‘helped the federation to develop all-round capacity and cadres’.²¹

As a consequence of the changed political landscape since 1994, COSATU has become more involved in ‘bread and butter issues’ - such as wage increases and privatisation - than it had been in the mid-1980s and early 1990s. Some say this has led to a decline in worker participation at the grass roots. Others, however, charge that the change in focus should not have affected worker participation in union activities – there is no reason, they argue, why workers should not fight as energetically to defend workers’ rights as they did to end apartheid. These analysts argue that the ebb in enthusiasm is a result of poor leadership, and not an inevitable consequence of the change in focus.

In its 1997 report, COSATU’s September commission said it had met ‘many local office bearers at worker forums and other meetings. All complained of poor attendance at local meetings ...’ Interviews with union officials confirm that this trend is continuing.

COSATU’s structures appear to function unevenly at various levels, but it is the national structures that command the most public attention; COSATU locals, which were the most dynamic structures in the federation during the apartheid days, are less active now, and some no longer operate. This has reduced the federation’s presence in the townships, and its ability to connect with community interests and concerns. This situation is mirrored in the affiliates, where there is less enthusiasm for participation at the grass-roots level than before 1994, when rank-and-file members came to union meetings in great

¹⁹ Zwelinzima Vavi, Engaging the democratic transition, *The Shopsteward*, 9 (5), December 2000.

²⁰ Ibid.

²¹ Ibid.

numbers. A resolution at the 7th congress noted that locals were weak and that there were no criteria in COSATU's constitution for establishing them.²²

This is generally the case in SADTU: members are unenthusiastic about issues other than those that directly affect them as workers. If they were to be mobilised against poor salary increases, they would come out in numbers. But they do not readily attend meetings on routine union affairs. This is partly the effect of the union having grown so tremendously that it has become far removed from the grass roots. But it is not realistic to expect workers to participate continually; most only get involved when their interests are affected. Overall, SADTU members tend to participate when they need to ensure that their interest as workers are assured. And, while several schools, particularly in some of the former Indian and coloured areas, reported a lack of support for the last march called by COSATU, SADTU is still capable of putting teachers out on the street for mass demonstrations. But members of this union seem increasingly reluctant to go out on strikes called by COSATU which do not directly affect their working conditions. This has partly to do with the fact that the national department of education cracked down on teachers who participated in the last COSATU march, and withheld their pay for that day. Teachers felt it was unfair to be docked with a day's pay while other strikers were not. As a result, fewer teachers may participate in future protest marches and stayaways called by the federation.

However, the disaffection of teachers with COSATU-called strikes is not universal. In the Western Cape, for instance, several teachers said they understood that other workers' struggles were intertwined with their own. For instance, they recognised that the parents of the pupils they taught were fighting for better working conditions so that they would be able to improve the conditions under which they raised their children, which the teachers, in turn, were seeking to educate.

Indeed, SADTU officials concede members are less enthusiastic about meetings at branch and site level (schools) than before 1994. The inland region in the Western Cape used to attract more than 3 000 educators to its teachers' forums, where important policy issues requiring educators' input were discussed. Today, they barely attract 450 educators, according to the chairperson, Bernie Tataw.²³ The same is true in respect of SADTU's coastal region in the Western Cape.²⁴

Members and officials of several Gauteng branches said members had relinquished their responsibilities and involvement and were content to let site stewards and officials run the union. But the provincial secretary in Gauteng says the involvement of members depends on the commitment and involvement of the officials running a branch. If they are activists, members will be drawn into the structure, and they will raise broader social issues that will become part of these branches' agendas.²⁵ A SADTU member in Lenasia

²² COSATU, 7th national congress, second draft of organisational resolutions, 18-21 September 2000.

²³ Interview, Bernie Tataw, regional chairperson, SADTU Western Cape inland region, 15 August 2000.

²⁴ Interview, Johan Josiats, regional chairperson, SADTU Western Cape coastal region, 16 August 2000.

²⁵ Interview, Faizel Lachpuria, SADTU Westbury branch chairperson, 6 June 2000; Nazene Adam, SADTU Lenasia branch chairperson, 5 June 2000; Vincent Ngcobo, Soweto West branch chairperson, 14 June 2000.

who wished to remain anonymous said most members in his branch were not enthusiastic and did not attend meetings or workshops unless they had to do with remuneration issues.²⁶

Membership of the union has increased since 1994, but members only seem to attend meetings in numbers when issues affecting their material welfare, such as salary increases or improved conditions of service, are discussed. They no longer come out in numbers to listen to political speeches or discuss proposed policy changes, as they did in the past. This was confirmed in interviews with SADTU leaders and members in KwaZulu, Mpumalanga, and Gauteng. Indeed, the SADTU focus group in Cape Town also confirmed this trend despite the fact that members were more positive about the relationship among SADTU, COSATU, and the ANC.²⁷

There is another major reason for the decline in motivation. Those who do not join a union are effectively (though not deliberately) disadvantaged as they end up paying up to R60 a month into union coffers, as opposed to unionised educators who only pay a monthly membership fee of R20. South Africa's labour legislation allows for a central bargaining council for a specific sector (in SADTU's case, the public sector) to extend agreements to non-parties – and in this case the unions and employers have struck a deal that non-unionised freeloaders who benefit from the outcome of collective bargaining should be made to pay a flat rate of 1 per cent of salary, up to a maximum of R60 a month. Many educators earn more than R6 000 a month, so a maximum of R60 applies. As a result, many educators have joined SADTU merely to avoid paying the extra R40. So they are not committed to the principles or vision of the union; they simply join to avoid being penalised. SADTU has found it difficult to mobilise these individuals, and a large amount of political education is needed in this regard. However, given the prevalence of 'closed shop' agreements, people who join a union for reasons other than commitment is not unusual. But SADTU leaders have complained about the effort needed to mobilise such people. And the more such people there are in the union, the lower levels of participation will be. This, in turn, means that grass roots members effectively turn over their decision-making power to union leaders and officials. In such a scenario, internal democracy is easily compromised.

Grass-roots participation in the NUM is at a higher level than it is in SADTU. Members interviewed in Newcastle (KwaZulu-Natal) say they are happy with the way in which the union is advancing their interests, and that they attend union meetings as often as they can, as very important issues affecting them are discussed.²⁸ This level of participation could simply be a function of the fact that the mining industry is facing massive cutbacks, so that there are increased levels of union activity and member participation around this 'bread and butter' issue. Also, most miners live on mine premises, and so the union has

²⁶ Confidential Interview, SADTU member, Lenasia, 26 July 2000.

²⁷ SADTU focus group, Cape Town, 23 November 2000.

²⁸ Interview, Sifiso Myeni, secretary, Newcastle NUM branch, 31 July 2000; James Ngobeni, mineworker at Durnacor Coal Mine and member of the COSATU local in the area, 31 July 2000; Joseph Mijali, worker at Durnacor Coal Mine, Newcastle, 31 July 2001.

virtually a captive audience. On the other hand, the NUM has always been a vigorous union; for example, it hosted the founding congress of COSATU. This study reveals that its members remain robustly involved in its activities; indeed, interviews with miners in Gauteng, KwaZulu-Natal, and Mpumalanga indicate that they continue to participate in the activities of the organisation at all levels. But even in this instance the levels of participation are not the same as they were during the heyday of apartheid, when the union was also used as a conduit for political action. NUM remains the biggest union in COSATU, and as such continues to take an active interest in the activities of the federation. Of the three unions studied, NUM members seem the closest to COSATU, and the most committed to it. They clearly identify with it and see themselves as members of COSATU – in contrast to the situation surrounding SADTU, many of whose members only reluctantly admitted a connection between themselves and COSATU (and when they did were often critical of the federation). Thus NUM members were more enthusiastic about COSATU, and indicated that they supported its programmes and actions and were kept updated on them.

SATAWU leaders also said that participation in union activities had waned. Meetings addressing bread and butter issues are better attended than those involving other activities such as the strategic direction of the union, or political education. But workers continue to participate in union activities at the branch level.²⁹

It therefore appears as if COSATU has been affected by the fact that the political situation in South Africa has been normalised, and that all political parties are now freely able to articulate and pursue the political aspirations of workers. So workers look to political organisations instead of COSATU for political input into the system. Moreover, COSATU's public profile has waned, as it has been forced to engage in new methods of demand-making from the state as a result of the changed political opportunity structure, as well as the ANC's electoral dominance. But it has not entirely abandoned the sometimes crippling (for employers) mass action that was a trademark of its interaction with the apartheid government. Despite the changed political environment, COSATU has (though very infrequently) used its members as a resource in making demands on the state. In one of its mass marches (in May 2000), COSATU claims to have pulled some 4 million people across the country from their workplaces and on to the streets, despite predictions that civil society would not come out on a mass march in the numbers that they had prior to the 1994 elections. Calling for these actions is important, since the leadership cannot force members to stop work for a day. How and whether they are able to persuade them to follow these actions is an important gauge of leadership strength, particularly as this is a key COSATU strategy. Clearly, if COSATU indeed managed to call out 4 million people on a mass march, this represents an important indicator that it is still capable of pulling in more than its own 1,8 million members.

²⁹ Interview, Nicholas Maziya, SATAWU regional secretary in the Western Cape, 17 August 2000

COSATU and the state

COSATU was one of the state's fiercest antagonists during the anti-apartheid struggle. Its chief mode of interaction with a state that it regarded as illegitimate and immoral was via protest action, resistance, and mass mobilisation.

Post-liberation politics -- including a legitimate government led by its alliance partner, the ANC -- has forced COSATU and other civil society organisations to redefine and modify the way in which they interact with the state. This is complicated by the fact that COSATU belongs to a formal alliance with the ANC and the South African Communist Party (SACP), which predates the 1994 elections. This affords it privileged access to government, the bureaucracy, and corporatist structures such as NEDLAC.

Furthermore, COSATU is regularly consulted on all kinds of legislation before parliament. As a consequence, the federation has opened a parliamentary office in Cape Town to monitor legislation and lobby in the various forums, including the parliamentary portfolio committees. These are modes of interaction that COSATU has had to adapt to with speed, given its previous modes of interaction with the government. It appears to have done this with varying degrees of success. It has lost some of the big battles, including that over the government's macroeconomic growth, employment and redistribution (GEAR) strategy, which calls, among others, for privatisation (see below). But it has also managed to win some battles, including better working conditions through the Labour Relations Act. COSATU still lacks the capacity to properly tackle the issues it wishes to address -- for instance, its parliamentary office is small and unable to monitor the activities of all the portfolio committees to the extent it would like to, and make an informed input into them. For example, an interview with a staffer at the federation's parliamentary office had to be postponed because she had been called away to another urgent meeting and could not find someone to stand in for her. But COSATU is learning to engage with and lobby government in formal forums as well as via the networks offered by the alliance.³⁰ Its access to resources such as finance (mostly membership subscriptions) and expertise (by way of trade unions abroad) is helping to facilitate this process. Today, COSATU leaders are becoming more professional and are skilled negotiators and lobbyists; they are learning to navigate the system.

During the ANC's first term of government, COSATU's access to government via the alliance gave it considerable advantages. The government accepted the RDP -- a brainchild of the federation -- as its own, and the plethora of new labour legislation was lobbied and negotiated with government via the alliance and forums such as NEDLAC and the parliamentary portfolio committees. The privatisation GEAR called for also materialised very slowly, as the government seemed wary of alienating its labour constituency.

But the federation's influence seems to have waned during the ANC's second term of office. The government is seeking to reverse some of the gains made by labour in labour legislation, and the RDP has been comprehensively supplanted by GEAR (said to be the brainchild of president Thabo Mbeki).

³⁰ Interview, Oupa Bodibe, co-ordinator of COSATU's secretariat, 11 January 2001.

Labour has therefore had to adapt to a changing political opportunity structure; because it has had the necessary resources, it has been able to do this with reasonable success. According to the chairperson of the parliamentary portfolio committee on labour, Salie Manie, COSATU has been more successful than most other organs of civil society in learning to deal with complex legislation and parliamentary standing committees. But he cautions that, as the demands become more complex, the federation has had to employ people with special skills. This means that COSATU's head office is being run by technocrats, who are interacting with the government on behalf of the federation. Often decisions have to be made very quickly, which militates against consulting the grass roots. If not managed properly, this tendency could result in the organisation increasingly being run by technocrats. He believes this is inevitable as the organisation engages the new methods of demand-making, and the issues before parliament and the various national departments become more complex and technical.³¹

But this is not to say that COSATU has abandoned some of the other methods in its repertoire of demand-making, such as marches and the protest politics of pre-1994. These actions are not undertaken as routinely as they were in the past; however, stayaways have been staged almost annually since 1994. Some critics argue that this is a limited tactic, as COSATU is no longer capable of organising more than one major stay-away a year, and it is therefore not an effective bargaining counter. This is because of new ways of interacting with a legitimate ANC-led government which is also an alliance partner. Given the expanded range of opportunities through corporatist structures such as NEDLAC, parliamentary committees, and the alliance itself, to influence government policy and legislation, labour could be easily construed as being deliberately obstructionist.

Despite this, COSATU leaders say it is not contemplating breaking its ties with the alliance. They consistently argue that the alliance continues to be the vanguard of the national democratic revolution (NDR) in the country, and is the best vehicle for advancing workers' interests. The leaders say the alliance gives it access to government that would not ordinarily be available to a trade union. They argue that draft legislation is made available to them for comment prior to being referred to other organs of civil society. What is more, COSATU is able to call for private meetings with ANC members of parliament and portfolio committees to lobby for a particular position on legislation. This gives them an opportunity to influence the party in a less adversarial atmosphere, which Manie confirms. If a union representative wishes to see a cabinet minister, this is always made easier through the alliance, and more specifically through the ANC. For instance, a SATAWU official said he had been unable to secure meetings with cabinet ministers when he approached them directly, but managed to secure them when he made the approach via the regional or national offices of the ANC. However, even though this mechanism is available, union representatives say they often do not get what they want out of the process.³²

³¹ Telephonic Interview, Salie Manie, chairperson of the parliament's standing committee on labour, 24 February 2001.

³² Interview, Maziya.

During the apartheid era COSATU was at the forefront of the anti-apartheid struggle, particularly in those periods when political organisations and their leaders were banned and incarcerated. It became such a central pillar of the democratic movement that its public profile was almost always seen as deeply political. COSATU and/or its affiliates had a presence in a wide range of community structures in the black townships, and were consequently involved in a wide range of community issues. But its influence as a leader in South African civil society appears to be waning from those heady days of struggle against an oppressive system. Indeed, its influence over government seems to be particularly declining under the Mbeki government, and some of the provisions of the labour legislation passed during the ANC's first term are now under threat.

But COSATU, more than most other components of civil society, is still able to influence the government – if not to the same extent -- because of its formal alliance with the ANC and the SACP. Also, a number of parliamentarians and cabinet ministers have come from the ranks of COSATU and its affiliates. In theory at least, these ex-unionists provide the federation with influence within the inner sanctums of government. In practice, however, they become members of government and balance the needs of a wide variety of South Africans, not just those of COSATU members. Some union leaders argue that these ex-unionists now in government cannot possibly be expected to be partisan and favour only COSATU; they are now servants of the South African public as a whole, and will have to balance all their interests. But they can also provide a buffer between the state and the federation; ex-unionists now in political office can be used, in a similar manner to Mdladlana, to push through unpopular legislation and try to convince unions of the need for such legislation.

However, despite all this, tensions between COSATU and the ANC-led government are running high, and for the first time some leaders of COSATU affiliates openly acknowledge that the time may come when their unions will have to break away from the alliance.³³

Despite the strains in the alliance, COSATU continues to be a critical part of South African civil society and one which is in a unique position to hold government to account and enhance democracy. Its tradition of engaging with wider social issues rather than confining itself to narrower workers' interests continues, albeit in a much reduced way. The RDP -- designed to develop disadvantaged areas and uplift the poorest of the poor -- was fashioned by the union federation. But it has been superseded by GEAR, a more liberal macroeconomic policy which, along the lines of the so-called 'Washington Consensus', called for more liberal markets, a reduction in state expenditure, and export-led growth. COSATU's internal organisation and its methods of election (see below) serve to reinforce democratic practice within its ranks.

At present there is no other force that can challenge the dominant position of the ANC in South African electoral politics. Despite its alliance with the New National Party (NNP), the Democratic Party (DP) remains a lesser force with limited potential for attract-

³³ Interview, Simone Geyer, assistant provincial secretary, SADTU (Western Cape), 18 August 2000; interview, Maziya.

ing black voters, which is the backbone of ANC support. In a situation where electoral support for political parties continues to be largely along racial lines, the fact that the official opposition continues to be widely viewed as an essentially 'white' party restricts its potential to challenge the ANC. At the same time, all the opposition parties viewed as 'black' lack the critical mass to challenge the ANC (none of them could muster enough black support to become the official opposition in the 1999 elections). It is the labour movement, and COSATU in particular, that presents the most comprehensive organised force capable of offering any real opposition to an ANC-led government. Playing this role would not be altogether unfamiliar to the organisation; this was part of the role it played during the apartheid years, particularly when the liberation movements were banned. Events in Zimbabwe, where the trade unions have led the emerging opposition movement, also indicate the potential for labour in South Africa. But COSATU does not provide 'opposition', particularly electoral opposition -- indeed, it is a formal ally of the government.

Given that South Africa has a democratically elected government, there is little need for the federation to engage in representative politics; indeed, it forms part of a structured alliance with the party in power. As pointed out elsewhere in this paper, this relationship has definitely benefited the organisation, but there has also been a downside to it as labour and government have engaged as employer and employee rather than as alliance partners. Many workers have interpreted this as a hostile reaction from COSATU's alliance partners. Moreover, many members of public sector affiliates such as SADTU and NEHAWU believe the alliance with a party leading the government is not a good idea, as it appears to have compromised the independence of union leaders involved in the negotiations. This view is not confined to the public sector unions only; NUM and SATAWU members expressed similar sentiments during the focus group sessions. It is unclear how widespread this sentiment is in the many other affiliated unions. Critics cite the 1999 round of wage negotiations for the public sector where the government, after failing to reach an agreement with labour, unilaterally instituted a salary increase. This, and COSATU's limp-wristed response, they say, shows how the government takes COSATU for granted because it is an alliance partner.³⁴

The alliance has also not been without other disadvantages for the trade union federation and its affiliates. A major source of discontent among the alliance partners has been the government's GEAR strategy, which, as noted earlier, involves reducing government spending, privatising state assets, and promoting export-oriented growth. COSATU says the policy will result in increased job losses, which in turn means a drop in membership. The latest round of privatisation initiatives - including the privatisation of certain services and utilities in South Africa's major cities such as Johannesburg and Cape Town - have also exacerbated the tensions between some COSATU affiliates and the ANC. SATAWU's provincial secretary in the Western Cape, Nicholas Maziya, says his members are questioning the value of an alliance in a situation where the ANC is responsible for privatisa-

³⁴ Interviews, SADTU members in Gauteng, KwaZulu-Natal, the Western Cape, Mpumalanga, and Northern Province, 2 May 2000—18 October 2000.

tion initiatives in Johannesburg, which will see them out of jobs. Workers point out that the former general secretary of COSATU and current premier of Gauteng, Mbhazima Shilowa, is at the forefront of moves to sell off municipal services and utilities. They do not understand why they need to continue a relationship that they see as detrimental to their interests.

According to Maziya, many SATAWU members in the Western Cape have called for the relationship to come to an end, and for the SACP and COSATU to form a workers' party. Several SADTU members interviewed accused COSATU and SADTU of being 'sweet-heart unions', and said the unions' closeness to the government had led to them being treated with disdain. A motion was tabled at a recent NUM congress calling for the ANC to be removed from leading the alliance, as it had failed workers, and handing the leadership to the SACP instead. This is peculiar, since Alec Erwin, Essop Pahad and Jeff Radebe – all proponents of Mbeki policies that the unions reject -- are all SACP members. In the event, the motion failed.

But while this type of thinking is widespread among members of the three unions studied, it has not reached a critical mass. Most workers, and indeed all COSATU affiliates are calling for a strengthening of ties between the alliance partners, as they see the ANC as the only vehicle for advancing the democratic revolution and workers' rights at present. Ultimately it is ordinary members who will determine which way this issue goes, and the ANC still occupies a dominant position in black society as the liberation movement. It continues to hold the moral high ground, and there are no viable alternatives in sight. There is considerable dissatisfaction, but the alliance seems in little danger of fracturing.

The 7th COSATU national congress (see below) closely examined the alliance and its ramifications for the federation. COSATU says the alliance hardly ever meets, and when it does take a decision the ANC seems unwilling or unable to get agreements implemented by the government. It is thus trying to find a way of ensuring that the government becomes more accountable to the ANC.

This reasoning fits in with the constant refrain from COSATU leaders that there are certain 'problem' cabinet ministers who are no longer under the ANC's control. It is they and not the ANC alliance who are responsible for the friction between the unions and the alliance, they claim.

Because of the alliance, COSATU and its affiliates are allocated a quota of seats on the ANC's list for election to parliament and other legislatures. A growing fear is developing within COSATU that this has led to 'careerism' in the union movement. Some union leaders are clearly using their unions to get on to the ANC list or some other position of influence in government. In such a situation, promoting workers' interests are a secondary consideration. Questions are now being raised about how COSATU can continue to act in the best interests of workers, given the careerism that has developed among some leaders. And the critics are concerned that this will impact on the union's ability to act independently of government in securing workers' best interests where the two hold divergent viewpoints. The prospect of a cushy job within government - already the reward of several of the federation's past leaders - is causing some to modulate their response to government in the pursuance of workers interests, some union members claim.

As a result, even some of the union's leaders are calling for reservation of seats to be reviewed. Indeed, some, such as those in SATAWU, suggest that union members should get on to the ANC list via ANC branches.³⁵

But these sentiments are not uniform, and many leaders point to the way in which COSATU has repeatedly attacked government's GEAR policy to illustrate that the federation's leaders will not hesitate to openly criticise government where they perceive it or its policies to work at cross purposes to the interests of workers.

Proximity to government

SADTU, via its affiliation to COSATU, is also a part of the ANC/SACP/COSATU alliance. But how does the alliance affect the autonomy of the organisation and its accountability to SADTU members? If it affects these factors negatively, then the alliance and the proximity this provides to government cannot be good for the organisation and indeed civil society at large.

As with COSATU, SADTU leaders at all levels appear to support the alliance, but all freely admit that the relationship is not any easy one as the ANC is both SADTU's 'employer' and its ally. A trade union essentially bargains for better conditions for its workers, and its adversary in this process is usually its employer. This is the dilemma that confronts SADTU. At branch level most of the chairpersons tended to try to paper over the cracks that were appearing in SADTU's edifice. But closer examination among ordinary members confirmed that disillusionment was setting in. In part the failed wage negotiations and subsequent unilateral institution of a government-defined wage increase was the catalyst for this. But the same challenges that confronted COSATU after 1994 also confronted its affiliates.

Officials say the alliance does not compromise the union's independence. Instead, they say it facilitates access to government officials such as a minister or MEC for education.³⁶ Talks with these individuals can then be conducted in a more sympathetic atmosphere, which can be used to benefit members. They point to the considerable strides made for workers in labour legislation sponsored and lobbied for by the unions; according to them, the legislation concerned is among the most progressive labour legislation in the world. In this sense the alliance and the proximity it allows to the ruling ANC is a definite advantage to COSATU affiliates and their members. The networks that the alliance taps into (MECs, local councillors, etc) benefit their members directly. Thus the ANC as a ruling party does seem to hold benefits for COSATU and its affiliates.

But some affiliates such as SADTU have some difficulty in realising these benefits from its relationship with the ANC. SADTU has to relate to the ANC-led government as an employer and extract benefits for members from it as employer, while being a part of the alliance partnership via COSATU at the same time. It is here that the difficulty lies. SADTU says its strategic vision is for the country to be led by the ANC. So, while it would fight

³⁵ Interviews Maziya, Geyer.

³⁶ Interviews with COSATU regional general secretaries in Gauteng, the Western Cape, and KwaZulu-Natal.

the ANC in government as employer, it would continue to encourage its members to vote for the ANC as a party, so that the broad vision of the NDR remains intact.³⁷

For many ordinary SADTU members, however, the alliance has failed to deliver. The 1999 wage negotiations between government and the public sector unions has in large part been to blame for this. After failing to reach consensus over a protracted period, the government simply imposed what it said was its final offer on the unions. It did this because it felt it could get away with such a move, as SADTU was a member of the alliance. The perception of members then becomes that proximity to government becomes a liability, especially in SADTU's case. By extension, the SADTU members say COSATU as one of the leading forces for citizenship participation and change could well find itself emasculated if the trend continues.

Some union members also feel the alliance has engendered a culture of self-interest among some SADTU officials. Instead of looking to the best interests of members, they have been looking to their own interests and will not 'rock the boat too much' for fear of jeopardising their prospects in the government. Some officials see SADTU and COSATU merely as a means of obtaining a position in government. While it is difficult to say with certainty how many former COSATU officials are now ANC MPs or hold some or other government office, there are many. In part this is because of a deliberate policy by COSATU to ensure that its membership leads transformation by being in a leading position within the ANC itself. Mostly, it is part of an alliance agreement to reserve places on the ANC's election lists for alliance partners. Mbhazima Shilowa's ascendancy to the premiership of Gauteng is cited as a reward for loyalty to president Thabo Mbeki. Others in the organisation eyeing similar appointments might not push the interests of the union as hard as they should, these critics say.

A group of Soweto teachers at a site containing 36 teachers said all the teachers there had been active members of SADTU until recently. The disdain with which SADTU was dealt with by the ANC-led government in the 1999 wage negotiations, and the way in which SADTU tended to 'ignore' ordinary members' grievances, had resulted in the site becoming inactive, they said. One teacher even referred to SADTU as a 'sweetheart union', and added that members were 'disappointed' with SADTU specifically and COSATU in general, as it had been co-opted by government. She said she felt the allocation of significant government posts to former SADTU members had not benefited members in any way. These were the same people who had taught them as teachers how to 'toyi toyi' and defy government during the struggle. But these same people were now being used by the government to crush any opposition from SADTU. These people did not consult, she said; they simply walked into the schools and dictated how things would be done regardless of teacher's views. She even went so far as to say that she wished another union would begin to organise in the school so that SADTU could 'get a fright and wake up'.

The chairpersons of the Lenasia and Westbury branches of SADTU said they had lost members as a result of the wage negotiations. The Westbury branch was having a problem at the time of writing in trying to keep its executive intact. And even among the five

³⁷ Interview, Geyer.

members (out of 10) who continued to serve, some did not turn up for executive meetings on a regular basis. The chairperson confided that he was 'tired' of trying alone, and that he would soon resign. In Lenasia, one of the oldest and strongest branches of SADTU, the chairperson said he constantly had to defend the alliance; he estimated that some 5 per cent of members had been lost because of the continued alliance.

Generally, the strike called by COSATU seems to have been poorly supported by SADTU members across Gauteng. This is because members do not readily recognise that COSATU's campaigns are also campaigns that involve them as educators. A typical response from educators was, 'that's not a SADTU campaign, it's a COSATU campaign', even though it had been discussed within SADTU and the latter had agreed to support it. This illustrates that there is still some distance between COSATU and at least some of its affiliates.

But the federation's 7th national congress held in September 2000 gave some very public displays of COSATU's ability to distance itself from government, despite the alliance, and assert its independence. During the congress, controversial issues around the labour federation's tripartite alliance with the ANC and SACP were not avoided, despite an approaching local government election and, one would have thought, a need for a show of unity from an alliance that would be contesting these elections. The united front was indeed presented, but only after the issues had been aired by the congress. A remark by the general secretary of the SACP, Blade Nzimande, that the alliance was not a 'love affair' was picked up by several speakers, including COSATU leaders, who said this was not the first disagreement that COSATU had had with the ANC. Despite this, they said the alliance had and would survive. Indeed, they stressed that the alliance should be strengthened as it was the only vehicle that could lead the NDR at this particular juncture in South Africa's history.³⁸ This sentiment was echoed by Mbeki.³⁹ Nzimande said it was a strategic alliance based on 'historical realities and imperatives of a people's revolution at specific moments in time. Alliances by their very nature are made up of different class forces organised to achieve certain objectives guided by a common programme.'⁴⁰ The challenge, Nzimande said to loud applause, was to strike the correct balance between independence and unity in action among the partners.⁴¹

If anything, the union federation has managed to maintain a respectable degree of independence from the government, despite the alliance, and pressures for conformity and the presentation of a united front. COSATU, via the alliance, has been given a unique opportunity to make interventions and influence policy through the special access that the alliance and former COSATU members who are now members of the legislature and the

³⁸ W M Madisha, presidential address to COSATU's 7th national congress, 18 September 2000.

³⁹ Thabo Mbeki, president of the ANC and the Republic of South Africa, address to COSATU'S 7th national congress, 18 September 2000

⁴⁰ Blade Nzimande, Building working class power for a people's economy: address to COSATU congress, 19 September 2000.

⁴¹ Ibid.

bureaucracy offers. The organisation has done this with a fair degree of success, particularly in respect of labour legislation. But it has also had to guard against being co-opted by the government, or against uncritical engagement. As an organ of civil society, COSATU has had to engage with both government and civil society and maintain a degree of independence. As its most recent protest march in May 2000 has shown, COSATU is also able to use its relationship with other organs of civil society (such as SANGOCO) as a strategic resource to back up and consolidate its demand-making. So, as Nzimande and others have stressed, it needs to balance the need for independence with a need to achieve the 'NDR' through the united action of the alliance.

But the main focus of attention at this congress was the alliance and its future direction. It was clear, despite protests to the contrary, that there was a sense of an increasing distance between COSATU and its main alliance partner, the ANC. COSATU was beginning to publicly interrogate the utility of the alliance. The congress sought to achieve clarity on the place of the alliance in the political system. It wanted to ensure that the alliance would become an instrument for driving government policy and implementation. It wanted to ensure that it was not reduced to a mere paper alliance to be 'dusted out and brought out only with the approach of an election', as one of the delegates put it. This has been driven in part by perceptions by union members that they are getting a raw deal from the ANC. These members say they are being kicked around in bargaining councils by the very government they are allied to, and are being threatened with a rollback of hard-won gains in labour regulations by the very people they are allied to.

A measure of the growing distance between the ANC and union members, largely ignored by the media, was a resolution calling for a 'conference of the left'. Much argument ensued on who exactly the left was, as delegates argued that an open-ended definition could result in all kinds of 'undesirable' organisations attending the conference. Delegate after delegate then argued that the 'left' should include COSATU and the SACP. It was left to the premier of North West and an ANC representative at the congress, Popo Molefe, to take the floor and argue the ANC's case for being part of the 'left' and the 'leader of the working class' in the country. A delegate who took part in the discussions later confided that the original resolution had specified who the 'left' were, and that this had been removed by consensus to avoid embarrassment to the ANC.⁴² NUMSA was undoubtedly the most vociferous union at the congress, and some of its delegates were barely restrained in displaying the growing distance between themselves and the ANC. It will be recalled that a resolution at NUMSA's congress (predating the COSATU congress by about a month), which was defeated, called for the SACP instead of the ANC to lead the alliance.

The congress also reaffirmed COSATU's independence as an organ of civil society. In part this show of independence was a response to increasing impatience with alliance members by some union members and a perception that some COSATU leaders had been co-opted by the government. The congress did this admirably. In the presence of Mbeki, COSATU's president, Willie Madisha, launched an attack from the podium on the ANC-led

⁴² Confidential interview with delegate to COSATU's 7th national congress, 21 September 2000.

government and its policies - particularly GEAR - and its vacillations on the issue of anti-retrovirals for pregnant women and rape victims.⁴³

Internal democracy and accountability

MOST COSATU structures are fully elected; the rest have union representatives seconded to them according to set formulae. As noted earlier, COSATU offices are largely staffed by paid officials. These offices tend to be undercapacitated. While COSATU has been criticised for this by the September Commission (a COSATU commission on the future of the federation), it has not increased the number of full-time officials, arguing that it wants the organisation to stay in the hands of workers rather than bureaucrats. So it has adopted the principle of limiting full-time officials so that workers keep their fingers on the federation's pulse.

While most union leaders deny this, members say it is difficult to go beyond the first layer of leadership (local) unless one is clearly identified as siding with the alliance. In this way, the alliance has strengthened its hold over the unions.

But there are differences among the affiliates being studied here. For instance, a large proportion of SADTU executives are managers (headmasters). In the Western Cape, the eight-member provincial executive consists of only two post level one teachers (ordinary teachers) - the rest are level three and above (mostly headmasters). Significantly, the provincial secretary and deputy secretary are post level one teachers. However, the bias towards school management in SADTU executive structures can be explained by the fact many of the union's post level one teachers were promoted to higher posts in the place of old headmasters who took voluntary severance packages. SATAWU and the NUM tend to be controlled by workers at all levels.

Shop stewards are the engine of COSATU, and they meet at the locals - the lowest level of organisation in the federation. This is where the organisation ensures that its decisions are implemented by the various affiliates. Shop stewards are supposed to take back these decisions to their union branches. They are generally more committed and involved than ordinary members, although both SADTU and SATAWU complain that some shop stewards fail to report back to members on COSATU activities. This results in a distance being created between the federation and rank-and-file members. For instance, a large number of SADTU members interviewed did not acknowledge that they were part of COSATU. When asked why they did not join the recent COSATU jobs march, they said the march was a COSATU march and not a SADTU march, even though SADTU's leadership had committed the union to the march. There is a particularly large gap between SADTU members and COSATU. Many question the wisdom of being part of COSATU, saying it is more detrimental to them as they have lost pay after going on sympathy strikes with other COSATU affiliates.

But this communication gap is not as wide for SATAWU and the NUM. The NUM seems to be the closest to the federation, with rank-and-file members readily identifying with

⁴³ Madisha, presidential address.

COSATU, and some even identifying themselves as members of the federation rather than of the affiliate. This seems to be a consequence of COSATU's visibility within the NUM, and also the ties that the NUM traditionally has with the federation. It was a NUM general secretary -- Cyril Ramaphosa -- who convened the COSATU founding congress. And the NUM is COSATU's biggest union, and so has the most representatives in its various structures. Besides, retrenchment is staring a lot of NUM mineworkers in the face. In times like these, miners have turned to the union, and the NUM has readily been intervening on their behalf. This has increased both the federation's visibility in the organisation and the activity levels of mineworkers in the union.

COSATU held its 7th national congress in September 2000; 2 174 voting delegates representing 1 806 158 workers energetically and confidently tackled issues that sometimes put them in direct contradiction with government policy and the ANC.

The congress was an example of a people's parliament in action; delegates (many of them holding no official positions in their unions) traded their positions on the shop floor for engagement with leaders and other workers over issues of policy. They had been empowered to engage in the debates at the congress through workshops and a popularisation of the issues by COSATU. This awareness and understanding of the issues were not confined to delegates who spoke on them: other representatives also displayed at least a rudimentary understanding of these issues, and had opinions on them. This was not the preserve of an informed and empowered leadership that was going to lead a docile congress of worker representatives by the nose. On the contrary, workers engaged enthusiastically with one another over the issues and resolutions before them, often arguing and bargaining despite the fact that some sort of consensus had been sought on many of the issues before the congress.

The rules of engagement were, for the most part, strictly adhered to, and workers made points of order, followed strict meeting protocol and engaging in democratic engagement as if it were second nature. Indeed, workers successfully challenged leaders on a constitutional issue. This ability to interact seamlessly with the top leadership during the congress could well be a consequence of the fact that COSATU continues to be run by workers. COSATU's leaders are people who have worked their way up from the shop floor. This has not always been the case; in the past, some union leaders were academics and activists with a political agenda. Today, perhaps more than at any other time, COSATU is led by people who have actually worked in factories for a living, rather than people who have targeted the unions as vehicles for a particular agenda.

Gender issues

In order to promote the full and equal participation of women at all levels of union organisation, COSATU introduced a policy on gender at its most recent congress. This encourages the promotion of gender equality in union structures and staffing by building women leaders; electing women as shop stewards; eliminating the gender division of labour in trade unions; education and empowerment; exposing sexual harassment; organising women workers; building the national women's movement; gender equality in the labour market; parental rights and child care; equal pay for equal work and work of equal

value; employment equity agreements; health and safety; the participation of women in the collective bargaining process; fighting discrimination on the basis of sexual orientation; and gender equity in broader society.

COSATU also introduced a national gender committee (NGC), positioned as a subcommittee of the central executive committee. Other structures linked to the NGC are a coordinating committee and a strategising committee (consisting of all gender co-ordinators of affiliated unions, as well as COSATU regional co-ordinators).

Gender representation is a particular challenge for COSATU and its affiliates, and they are addressing this by introducing special gender convenors. Some 37 per cent of members of COSATU affiliates are women; however, women are still significantly underrepresented at leadership level in COSATU and its affiliates. Table 1 shows that most influential positions in the unions are held by males. It is only as research/legal/media officers that women approximate their level of membership of COSATU affiliates. Less influential administrative posts are largely filled by women.

SADTU, which operates in a sector dominated by women (about 65 per cent of all educators) fails - with a few notable exceptions - to reflect this in the composition of its structures. Most executive positions at all levels are still held by men. The union's Western Cape region is an exception: the provincial executive is 50 per cent female - and this was achieved in the absence of any quotas or other special provisions. Also, four of eight regional secretaries in the Western Cape are female.

Table 1: Percentage of women in posts in COSATU

| Position | Male | Female |
|---------------------------------|------|--------|
| Administration | 6% | 94% |
| Organisers | 78% | 12% |
| Branch and regional secretaries | 89% | 11% |
| General secretary | 100% | 0% |
| Research/legal/media officers | 75% | 25% |
| Education officers | 90% | 10% |

SOURCE: COSATU, 7th national congress, Book 4, Draft gender policy.

Some 74 per cent of members of the Clothing and Textile Workers Union are women; COSATU wants 65 per cent of national office bearers to be female. About 64 per cent of educators affiliated to SADTU are female, and the target for national office bearers in this instance is 50 per cent. Some 4 per cent of miners are female; the target for national office bearers in this instance is 5 per cent.

Only eight unions had gender co-ordinators at the time of the 7th congress. Gender education on its own has not led to an increase in the number of women leaders in the

federation. It is widely argued that it is of no use for the gender co-ordinators to perform their roles if they are not represented on constitutional structures and if no separate budgets are allocated.

Funding

Several sources within the federation leadership have confirmed that donor funding played a crucial role in establishing COSATU during its formative years, and formed the bulk of the organisation's funding at that time. This provided COSATU with the means and space to grow into a self-sufficient organisation. Without it the federation would not have been able to build the capacity needed to organise internally and interact with the state and society externally that was necessary for it to grow and expand. Agreements to deduct union dues via stop-orders led to the stream of income from affiliates growing and becoming more reliable.⁴⁴ Also, COSATU's membership profile changed as more public sector unions began to join; this has been a big factor in improving union income, given the relatively higher income of some of the public sector officials such as teachers.

COSATU was launched in an environment where employees were hostile to it, the apartheid government was oppressing its affiliates, and its financial position was weak. The federation did not have adequate systems in place to ensure that its affiliates would be able to collect membership fees from all their members on a monthly basis. In these circumstances COSATU came to rely heavily on funding from international donors, mainly sister unions in other countries as well as socialist-inclined unions in the Netherlands and Nordic countries which identified with and supported the union federation's socialist leanings.⁴⁵

International donor assistance to COSATU took many forms. Firstly, there was assistance in building internal organisation. This took the form of direct monetary grants for unions' educational and legal programmes, and seconding experts on complex bargaining issues such as productivity, training and grading, and industrial restructuring. Numerous trade union co-ordinating bodies abroad, including the Scandinavians, the British Trades Union Congress, and the Australian Congress of Trade Unions, invited South African unionists for extended periods of study. The Dutch federation of unions, the *Federatie Nederlandse Vakbeweging* (FNV), has given money for COSATU's operational expenses, while the three Italian federations (the GCIL, CISL, and IBM SEMEA) have supported computerisation and media projects. The Friedrich Ebert Stiftung (FES) of Germany continues to support COSATU projects, including those on gender and policy development. In addition, unionists around the world took up the call for the international isolation of the apartheid state via sanctions and disinvestment.⁴⁶

Patterns of funding in 1996—9 are shown in table 2.

⁴⁴ Interview, Bodibe.

⁴⁵ Ibid.

⁴⁶ Baskin, *Striking back*.

Table 2: COSATU'S income, 1996-9 (rands)

| Year | Affiliation fees | Grants | Affiliation fees as % of total income | Grants as % of total | Sundry Income | Total |
|------|------------------|-----------|---------------------------------------|----------------------|---------------|------------|
| 1996 | 10 671 338 | 4 350 419 | 67% | 27% | 917 246 | 15 939 003 |
| 1997 | 15 995 604 | 3 089 557 | 83% | 16% | 109 990 | 19 195 151 |
| 1998 | 20 398 488 | 454 948 | 92% | 2% | 1 249 931 | 22 103 367 |
| 1999 | 20 972 203 | 988 004 | 85% | 4% | 2 764 095 | 24 724 302 |

The income statements for 1996 and 1997 show that the FNV (Holland), LO/TCO (Sweden), LO (Norway), TUSC (Finland), EC, ILO, and the African American Labor Centre were COSATU's primary donors.⁴⁷ In 1996 and 1997 the FNV gave R1 991 852 and R1 728 960 respectively. In 1998 the Commonwealth TUC and the ILO were the union's primary donors.⁴⁸ In 1999 the main donors were SALDT, LO/TCO (Sweden), LO (Norway), and the African American Labor Centre. The LO gave R324 528 for voter education in 1999. It is clear from these statements that COSATU's major donors are fellow trade union federations and unions. Most of these are from the Netherlands and the Nordic countries, although unions in both the United States and Britain have also contributed.⁴⁹

The table shows clearly that the federation's reliance on donor funding decreased significantly during the period under review (it did, however, rise slightly from 1998 to 1999). COSATU is increasingly being funded by affiliate fees, with this contribution peaking at 92 per cent in 1998. COSATU says it is capable of funding its operational activities from affiliate fees, but some of its projects – including its AIDS educational programmes – could benefit from additional donor funding. Some analysts argue, however, that the federation could use the profits being realised by its investment companies to fund these programmes.

But what do these donors believe they are helping the federation to achieve? The FES says it provides funding for COSATU's internal intellectual work, which is often done through the National Labour and Economic Development Institute (NALEDI). The FES also funds policy development and gender initiatives.⁵⁰ The FES – one of several foundations funded by the German government in line with electoral support gained by associated parties) describes itself as 'committed to the ideas and basic values of social democracy and the labour movement'. Its says its mission is to 'promote democracy and social

⁴⁷ COSATU, 7th national congress, 18-21 September 2000, book 2: financial statements.

⁴⁸ Ibid.

⁴⁹ COSATU, 7th national congress, book 2: financial statements.

⁵⁰ Interview, Bodibe.

justice through capacity-building, policy development and dialogue'.⁵¹ Its major focus is to help the labour movement to participate effectively in NEDLAC and to liaise effectively with parliament. The FES lists among its partners in South Africa the South African government, the ANC, and COSATU.⁵² The director of the FES in South Africa, Dr Ulrich Golaszinski, says that it is hoping to help promote a democratic system in South Africa marked by values and goals such as freedom, solidarity, justice, pluralism, human rights, the welfare state, private property with social control, peace and security, a fair world economic order, social equality, quantitative and qualitative progress, social dialogue, and citizens' initiatives.

Despite the fact that its alliance partner, the ANC, is increasingly leaning towards an open market and the privatisation of state assets, COSATU continues to insist that socialism is the only system that will ensure a more equitable share of the country's wealth and services for workers.⁵³ In a political discussion paper endorsed by its 7th national congress, it states: 'For COSATU and the SACP, socialism is not just a vision, an ideal located in some distant future that we can only dream of. We seek actively to build capacity for socialism, momentum toward socialism, and elements of socialism, here and now.' The federation says socialism is characterised by four core features: democratisation, equality, freedom, and the socialisation (social ownership) of the dominant part of the economy.⁵⁴ But it sees socialism as merely a transitional stage towards a fully classless communist society.

According to Hassen Ebrahim, a senior researcher at NALEDI, the FES also funds some of its research programmes on behalf of COSATU affiliates.⁵⁵ NALEDI is largely funded by donor organisations but COSATU also contributes towards its operational costs (some R1,35 million in 1999).⁵⁶

The FNV and several other Nordic unions have a common charter on aid to foreign countries and organisations. It states that the overall aim behind their international development co-operation programme is to alleviate poverty and inequality by supporting trade unions that strive to improve the working and living conditions of workers and develop democratic and independent organisations that represent their members at work and in civil society.⁵⁷ The FNV seeks to support the development of strong, democratic, and politically and financially independent trade unions and organisations that defend the interests of the working class. It argues that democratic organisations are a prerequisite

⁵¹ <http://www.fes.org.za>.

⁵² *Ibid.*

⁵³ Interview, Dietrich.

⁵⁴ Advancing social transformation in the era of globalisation, political discussion paper, COSATU 7th national congress, 18–21 September 2000

⁵⁵ Interview, Hassen Ebrahim, 10 February 2001.

⁵⁶ *Ibid.*

⁵⁷ <http://www.fnv.nl>.

for the evolution of democratic social systems, and that the trade union movement can play a decisive role in this area. It therefore seeks to develop democratic unions, thereby promoting democratic societies. The organisation stresses that it is vital to ensure that its goals are consistent with the goals and priorities of the organisations it supports. Furthermore, it requires that all funded projects take gender issues into account.⁵⁸ According to Oupa Bodile, the co-ordinator of COSATU's secretariat, most of COSATU's donor funding 'is now directed at specific projects or programmes and does not go towards the core activities of the federation, such as bargaining or its other operational activities.'⁵⁹ The FNV sponsors some of the federation's gender programmes (see below) and also some of its HIV/AIDS programmes. As indicated above, however, the federation's gender project has not been successful. Women continue to be significantly underrepresented on elected bodies, even in those unions (such as SADTU) where they are in the majority.

COSATU's education officer in the Western Cape, Anthony Dietrich, says its AIDS education programme is not adequately funded, and it therefore has to skim money off other programmes to keep it going. It desperately needs additional funding to expend its efforts, as AIDS has become a major challenge not only in the workplace but also in the wider community. COSATU reckons its efforts at educating workers on HIV/AIDS will have a cumulative effect in the communities in which they live, as they in turn pass this information and practices on to siblings, children, and partners. At the end of the day, the result is a public good that will benefit not just workers but all of society. COSATU would therefore take donor funding for its HIV/AIDS education programme rather than for its political education programme.⁶⁰

But the union federation has always jealously guarded its independence and has therefore been wary of the possible impact of donor funding on its activities. Most donor funding received at present is dedicated to specific projects. According to Dietrich, the union will not accept funding for political education, for instance; the union teaches socialism, and does not want donors to dictate what it can teach. It will, however, accept funding for training shop stewards in labour legislation such as the Labour Relations Act (LRA). Bodile concurs with this saying that most donor funding is dedicated to specific projects, such as advancing information technology. He adds that COSATU has never really had a problem with donor organisations trying to dictate its political direction. Many of these donor organisations began funding it during the apartheid years, and did not make many demands then. Where demands were made, COSATU stated firmly that that it would not accept funds if they were encumbered by conditions that detracted from its programmes and principles. COSATU is now in a position where it can afford to discard donors which wish to push a specific line that may be contrary to its policies and programmes. He adds, however, that while not all donors that have supported the federation share its socialist

⁵⁸ Ibid.

⁵⁹ Interview with Mr Oupa Bodile, Co-ordinator of COSATU's secretariat, 11 January 2001

⁶⁰ Interview, Dietrich.

ideology, they have supported the organisation since the mid-1980s and are aware of its stand on these matters.⁶¹

COSATU is now largely financially self-sufficient, and is able to perform its core functions with membership fees from affiliates.⁶² Most affiliates charge dues of 1 per cent of members' pay a month, of which R1,05 goes to COSATU. As mentioned above, the federation does not have many international donors funding it at present, and it derives most of its funding from this share of members' union dues. COSATU has achieved a degree of financial independence. Moreover, the federation and its affiliates have consciously decided to follow this route in order to ensure that donors do not unduly influence union activity. This is important for two reasons. Firstly, it allows COSATU to decide which route to take in relation to its programmes and activities, including its political programmes. Secondly, it allows COSATU to maintain a degree of independence from the ANC-led government, as it is not reliant on it for its sustenance as a civil society organisation such as the South African National Civics Organisation (SANCO) appears to be. Perhaps this is one of the main differences between SANCO and COSATU. COSATU's steady flow of membership fees gives it the possibility of an exit strategy should it need to break away from the ANC at some point. This also provides it with a greater sense of independence than would have been the case had it been more reliant on donor funding and government largesse.

In addition, both COSATU and several of its affiliates (including SADTU and the NUM) have invested in the private sector (and privatised parastatals) through special union investment vehicles. COSATU's vehicle, Kopano Ke Matla, was worth some R131 809 000 (real value without debt) at the end of August 2000.⁶³ But Vavi complained at the COSATU congress that the federation was not 'in full control of Kopano's strategic direction. The original trustees appointed by COSATU did not exert sufficient control over Kopano, and in return Kopano's accountability is far from desirable.'⁶⁴ COSATU is now seeking to rectify this situation, and has appointed new trustees. Kopano was not created to provide funding for the union but to impact upon ownership patterns in the economy as well as on patterns of investment. It was to be a vehicle for creating social capital to be invested in job creation and the restructuring of the economy, including the injection of resources in economic and social infrastructure.⁶⁵ COSATU's general secretary, Zwelinzima Vavi, said after the congress that the organisation would not hesitate to review its participation in these investment vehicles if its control over them was insufficient.⁶⁶

⁶¹ Interview, Bodibe

⁶² Ibid.

⁶³ Supplementary documents, COSATU 7th national congress, September 2000

⁶⁴ COSATU, 7th national congress, 18-21 September 2000, book 2: financial statements.

⁶⁵ Ibid.

⁶⁶ Media briefing by Zwelinzima Vavi, 21 September 2000.

It is apparent that the union investment vehicles can become problematic as they place the unions in the position of being both bosses and workers. The need to realise a profit appears to have diverted funds in directions that do not fit in with COSATU's investment objectives. For example, what will happen if labour disputes break out at companies controlled by these investment companies? Will the workers be given free rein to demand higher wages at the expense of the bottom line?

Ability to influence policy

As stated above, COSATU has had mixed success in influencing government policy post 1994. This has been partly due to its size (1,8 million members) and its strategic worth to the governing party; COSATU, through its continued support of the ANC, could deliver more than double its membership as ANC voters if family members are considered). It is difficult to say whether COSATU does actually deliver this number of votes, since it is not possible to disaggregate votes for the ANC by civic formation. But the federation routinely exhorts its members to vote for the ANC. Its last congress was no exception, despite the differences it had with the party. Moreover, the ANC's infrastructure appears to be deteriorating, while COSATU's remains strong. The ANC is therefore able to use COSATU's infrastructure during elections.

COSATU has influenced the policy-making process through various forums and institutions, including:

- the tripartite alliance;
- advocacy in parliament (particularly parliamentary committees);
- engaging government departments and ministries;
- NEDLAC;
- national initiatives such as the presidential jobs summit, and the national framework agreement on state-owned enterprises; and
- engaging local and provincial government.⁶⁷

The labour federation's parliamentary office has been at the forefront of attempts to influence policy at the national level. COSATU says its interventions have been informed by:

1. 'bread and butter' issues which involve the concerns of workers;
2. 'strategic engagement', which entails pursuing a strategy of strategic social unionism, including engaging with structures of policy and law-making, with the aim of promoting progressive social and economic policies;
3. '*Democratisation and social transformation*' through social mobilisation and political engagement, to advance democratisation and social transformation.⁶⁸

COSATU's first major victory in this regard came when the ANC adopted the RDP as its platform for post-1994 government. As a result, a host of policy interfaces between the

⁶⁷ Accelerating transformation, first-term report of the COSATU parliamentary office, August 2000

⁶⁸ Ibid.

government and the public emanated during white and green paper policy processes. COSATU provided input into these documents.

The labour federation's policy of constructive engagement with the government rather than abstaining from engagement or 'militant action' has resulted in some significant gains, but also some notable setbacks. Its first engagement with influencing policy post 1994 came during the negotiations over a final constitution in the constitutional assembly. COSATU participated in the public policy process and also via the tripartite alliance in order to advance its position and influence the outcome of the constitution-making process. Its strategy also involved the mass mobilisation of its members around workers' rights, such as the right to strike and the entrenchment of second-generation (socio-economic) rights. Both of these initiatives were entrenched. But it failed to deny employers the lock-out right. COSATU also intervened in legislation affecting the labour market, including discriminatory labour laws. Legislation such as the Labour Relations Act of 1995, the Amendments to the Compensation for Occupational Injuries and Diseases Act of 1997, the Basic Conditions of Employment Act of 1997, the Employment Equity Act of 1998, and the Skills Development Act were heavily influenced by COSATU's input and lobbying both in parliament and in NEDLAC.⁶⁹ This is confirmed by the chairperson of the parliamentary standing committee on labour, Salie Manie. He says COSATU is regularly consulted by the standing committee, and is able to state its case in NEDLAC. He confirms that the committee takes COSATU's input seriously, perhaps more so than that of other components of society because it is in alliance with the ruling ANC. But he adds that members of parliament are constantly aware that there are many other components of society that make the labour market and the economy work; COSATU is but one of them. And so the views and considerations of the other elements such as business have to be taken into account as well. Manie likens this process to making a cup of tea. Tea, he says cannot be made without a teabag, water, and cup. So it is with good labour legislation; while he may not be available to listen to suggestions and engage in discussions by leaders of other civil society organisations, he goes out of his way to listen to COSATU because it is part of the alliance. COSATU, of course, also has the option of taking to the streets when it feels its demands are not being heeded.

Furthermore, COSATU says it has made inputs on social welfare policy in respect of social security, unemployment insurance, and retirement funds. The federation has also made inputs on policies and initiatives aimed at transforming the state. Much of this was articulated in the RDP. COSATU also influenced the state's programme for downsizing the public service, reducing its original target of 300 000 to just more than 60 000. Despite this agreement, the government shed some 170 000 jobs in the public sector between 1994 and 1999.

COSATU also tried to influence macroeconomic policy by objecting against GEAR and the privatisation of state assets. These initiatives were less successful; the government eventually adopted GEAR, while privatisation – which was stalled for a while because of the objections from organised labour – now seems to be proceeding apace. Also, the gov-

⁶⁹ Ibid.

ernment is seeking to roll back some of the gains made by labour in new labour legislation in order to reduce perceived ‘rigidities’ in the labour market and thereby encourage foreign and domestic investment. COSATU is adamant that it will not allow the government to push through these amendments, and resolved at its 7th national congress to develop a campaign against them. This was to include a one-day general strike in each quarter of 2001 until the proposed amendments are scrapped.⁷⁰

Conclusion

This study suggests that trade unions have the potential to contribute towards both a transition to democracy and its consolidation; but the nature of its interaction with the state during these stages tends to differ. During South Africa’s transition to democracy, COSATU interacted with the government primarily in an adversarial way via strikes and mass marches (although labour did negotiate with the government in the National Economic Council prior to 1994). After the transition the union federation had to find a different mode of interacting with the government; it could no longer rely only its displays of power by mobilising workers. Formal channels of interaction between civil society and government have been created, and the organisation has had to learn how to use these to its advantage. But COSATU has realised that it would be unwise to use only one of these strategies. Furthermore, the organisation is in a formal alliance with the ruling ANC and the SACP – an alliance the organisation thought would provide it with a considerable degree of influence over government. But it has quickly come to realise that such structures can be used to constrain a trade union federation when it is used merely to discuss the ratification or modalities of implementation on decisions that have already been taken by the various ministries.

One of the challenges facing COSATU is to ensure that it is able to retain ‘power’ while exercising influence in forums such as NEDLAC and the parliamentary portfolio committees that regularly consult it. The two concepts are not the same, and COSATU could be gaining influence at the cost of decreasing its ability to wield power through, for instance, the strikes that it employed so effectively against the apartheid governments. So labour needs to be able to find a balance between the two. It is not clear that it has. And, as some analysts have argued, the new ways of engaging with the government can have consequences for democracy within the federation. As COSATU begins to scale up to enable it to engage with the government in a more formal way via these forums, it may be tempted to lose sight of the concept of consultation and grass roots participation that has been a trademark of its activities in the past. Those required to interact with government will find that they are increasingly required to become involved in analysing highly technical policy and legislation. The danger here is that the organisation could find itself increasingly being led by technocrats if it does not take steps to ensure that its tradition of being controlled by democratically elected worker leaders is vigorously upheld.

⁷⁰ COSATU programme of action, media briefing, 21 September 2000.

And it is apparent that, while it may be advantageous in some ways to form an alliance with the ruling party, this can be debilitating for a trade union, particularly when it has to negotiate with it as an employer. Such a relationship can engender rent-seeking and encourage 'careerism', thus weakening the willingness and ability of the organisation to challenge the government and advance workers' rights. This problem would have been compounded had COSATU not had the independent financial base provided by its share of membership fees. This, in great part, has allowed the organisation both to be an ally of the ANC and to remain relatively independent from it. This relative independence of COSATU from donor funding may be replicable by other trade union organisations.

This study has shown that COSATU has helped to strengthen democracy in South Africa, both in its engagement with the government and in its internal workings. Firstly, few will argue that it was a major contributor to the liberation struggle during the apartheid era. Secondly COSATU was able to contribute towards the democratic transition by contributing skilled personnel to government departments, thus helping to strengthen governance. But the organisation and its affiliates have paid a price for this in that their own structures have been weakened and their capacities diminished.

Although some distance has developed between COSATU and the members of some of its affiliates, the organisation continues to improve its internal organisation in an attempt to move away from the 'Skoro Skoro' model described by the September commission, in which the federation becomes battered and barely functions. By COSATU's own admission, 'the gap between the grass roots and leadership at various levels is worrying. It appears in the growing gap between participation in COSATU constitutional structures by part-time and full-time office bearers. Elected full-time worker leaders dominate these structures ...'⁷¹ And where full time officials dominate these structures worker control over important policy-making decisions will be diminished. Furthermore, the organisation says most of its regions tend to concentrate on locals within the larger centres, and neglect others. These locals need to be revived, and more resources focused on them. But, in general, the organisation's leaders are chosen by democratic means, and its decision-making processes are dominated by workers rather than officials.

There is a real sense among rank and file workers that COSATU can and has delivered real advances for workers, but there is also concern, particularly among union members, that its alliance with the governing ANC will compromise its independence and blunt its watchdog role. COSATU's leadership appears to be aware of this and, in public at least, appears to be ensuring that its differences with the ANC and the government are spelled out. In particular, policies that have the potential to negatively affect jobs are vigorously interrogated and opposed. Some of GEAR's tenets, including privatisation, and the proposed rollback of some labour regulations continue to be debated on public platforms.

The debate on who the 'left' were was also pointed to a deterioration in the relationship between the ANC and some of COSATU's affiliates. For the first time, some members of the federation were seriously questioning the ANC's credentials, despite its long history of struggle. In part this reflected the growing distance between the ANC and members of some COSATU affiliates. It confirmed what the interviews with rank-and-file members

⁷¹ COSATU 7th national congress: secretarial report, 18-21 September 2000.

had revealed, namely that they were widely questioning the value of the alliance between the ANC and COSATU. But the congress also revealed that critical mass had not been reached and that the leadership was able to plaster over the cracks while attacking the ANC on specific issues. COSATU's leadership then reasserted that the alliance was the only viable vehicle for driving the NDR, and called on union members to support the ANC in the local government elections scheduled for December 2000.

Furthermore, the relationship between COSATU, the ANC, and the government needs to be resolved. Many union officials argue that the latter two are distinctly separate entities. The general secretary of the NUM in Northern Province referred to the government as a 'horse' and the ANC as its 'rider', in order to distinguish between the two. The rider has to be able to impose its will on the horse, or else the horse will not go where it is supposed to go, he argued. COSATU argues that the ANC is failing to exercise decisive control over policy development and implementation by the state, with the result that the executive has become the dominant voice in deciding on government actions.⁷² It wants the ANC to exert more control so that members of the alliance can influence policy via the alliance structures. The federation claims that there have been instances where it has agreed on policy matters with representatives of the ANC, but that cabinet ministers have then blocked these decisions. It argues that, instead, the alliance has often been used as a vehicle for extracting agreement from the union movement to policies that originated in the bureaucracy or in business.⁷³ Indeed, the alliance and its continued utility were the focus of much attention at the congress.

COSATU continues to be accountable to its affiliates' members. Regular report-back meetings are held, where members are briefed by shop stewards on the latest happenings in the federation. Focus group sessions with members all three of the unions concerned confirm that report-back meetings do take place. But the level of member participation in these groups appears to have diminished.

Finally, other union federations should attempt to replicate the relative financial independence from donors that COSATU enjoys. The most important ingredient of this seems to be its affiliates' ability to negotiate the payment of union dues via stop-orders, thus ensuring a steady flow of income. Trade unions in Uganda, for instance, have not been able to introduce such a system, and have found that membership dues, if paid at all, come in drips and drabs; hardly the kind of situation that can sustain a trade union movement that is planning to expand. But this form of income may not be replicable among other civil society organisations, particularly those that are not membership-based. This is because the organisations may have difficulty in convincing their members to sign stop-orders.

⁷² *Advancing social transformation in the era of globalisation*, political discussion paper, COSATU 7th national congress, 18 –21 September 2000.

⁷³ *Ibid.*

APPENDIX 1

Objectives

COSATU lists its objectives as the improvement of the material conditions of its members and the working people as a whole; and organising the unorganised in order to ensure worker participation in the struggle for peace and democracy.

Affiliates

The following trade unions are COSATU affiliates:

- *Chemical, Energy, Paper, Printing, Wood and Allied Worker's Union* - organising petrochemical, consumer chemicals, rubber, plastic products, glass and ceramics, printing, pulp and paper, and furniture and woodworking;
- *Communication Workers Union* - organising communications, telecommunications, postal, autpage, data, computing and broadcast workers;
- *Food and Allied Workers Union* - organising milling, baking, biscuit and confectionery, poultry, eggs, meat, diary, sweets and chocolates, cold drinks, breweries, beverages and wine, fruit and vegetables, snacks and nuts, cold storage, distribution and fresh markets, fishing, salt, sugar and tobacco;
- *National Education Health and Allied Workers Union* - organising state, health, education and welfare;
- *National Union of Mineworkers* - organising mining and energy;
- *National Union of Metalworkers of South Africa* - organising engineering, motor, tyre and auto assembly;
- *Performing Arts Workers' Equity* - organising performance arts;
- *Police and Prisons Civil Rights Movement* - organising SAPS, correctional services, and traffic departments;
- *Retail and Agricultural Processing Workers' Union* - organising retail, agriculture and food processing;
- *South African Agricultural Plantation and Allied Workers Union* - organising farming, plantation and forestry, livestock, poultry, vine, fruit, vegetables, fish, forestry, tea plantations and nurseries;
- *South African Commercial, Catering and Allied Workers Union* - organising service industry; commercial (wholesale, distributive and retail), catering, hospitality, and finance;
- *South African Clothing and Textile Workers Union* - organising garment manufacturing, textile production, wool/mohair processing and trade, leather and footwear, knitting, tanning, wool pulling and fell-mongering, canvas and rope-working, laundry, dyeing and dry-cleaning, farming, retail, commercial and distributive trade or textile, clothing and leather;
- *South African Democratic Nurses' Union* - organising the nursing sector;

- *South African Democratic Teachers Union* - organising primary and secondary schools, technikons and teacher training colleges;
- South African Football Players' Union – organising football players;
- South African Municipal Workers Union - organising municipal workers;
- South African State and Allied Workers Union - organising public servants;
- *SASBO* - organising the financial industry, banks, and insurance;
- *South African Transport and Allied Workers Union* - organising railways, harbours, other Transnet (the state railway company) business units, aviation, and airports.