

“To build a just and fair society”: Fosatu and the vision of a new South Africa, ca.1970s-1980s

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Abstract

In 1989 and 1994, Desmond Tutu and Nelson Mandela advanced and popularised the utopia of building a rainbow nation. The idea was to bring together all people of South Africa, in all their diversity, to work towards a new, common, non-racial and equal society. Indeed, the vision of these two struggle heroes was codified and became a core value of South Africa’s 1996 Constitution. Using the case of the Federation of South African Trade Unions (Fosatu) active in the period 1979-1985, this article demonstrates that the notion of the rainbow nation has a long history predating the Tutu and Mandela moments. Among other objectives, Fosatu sought to create a just, fair, non-racial and apolitical society, albeit led by workers. This article, therefore, argues that rather than seeing Fosatu as an orthodox trade union underpinned by a “workerist” tradition and “economism” as is advanced in the existing literature, it can also be seen as an antecedent and advocate of a free society, creating and expanding the “public sphere” and realm of freedom and democracy in South Africa during apartheid. In emphasising worker control or giving power to members of a union, Fosatu sowed the seeds of participatory democracy that came to characterise South Africa, epitomised by a post-1994 parliamentary democracy. In this way, Fosatu foreshadowed the aspirations of the new, just and fair South Africa envisioned by Tutu and Mandela. Broadly speaking, the story of Fosatu’s aspirations and struggles has a wider and comparative significance in understanding the makings and role of civil society in the democratic struggle from a global south perspective. This article relies on narratives, correspondence and debates extracted from Fosatu papers and archives.

Keywords: Fosatu; Rainbow Nation; Non-racial; Workerism; Apartheid; Democracy; South Africa.

Introduction

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The ultimate goal of the anti-apartheid struggle in South Africa was to create a free, equal, diversified but united country and a democratic society. What that exactly meant was epitomised by the statements made by two of the foremost struggle heroes, namely Desmond Tutu and Nelson Mandela. While addressing a gathering following a march against police brutality in Cape Town in 1989, Archbishop Tutu made a passionate plea to the apartheid government to join them in creating a new South Africa devoid of all colour lines:²

Mr. de Klerk please come here! We are inviting you, Mr. de Klerk, we invite you, Mr. Vlok, we invite all the cabinet. We say come here, and can you see the people of this country? Come and see, what this country is going to become. This country is a rainbow country! This country is Technicolor. You can come and see the new South Africa.

This march had been attended by people of all races from Cape Town. Tutu’s call to De Klerk was to demonstrate that people of South Africa, of all races, longed to be together and given the opportunity to create one diversified yet united (rainbow) society.

Five years after Tutu’s remarks, Mandela, at his inauguration as president, gave a speech that set the tone for the future of South Africa:³

The time for the healing of the wounds has come. The moment to bridge the chasms that divide us has come. The time to build is upon us. We have, at last, achieved our political emancipation. We pledge ourselves to liberate all our people from the continuing bondage of poverty, deprivation, suffering, gender, and other discrimination. ... We enter into a covenant that we shall build the society in which all South Africans, both black and white, will be able to walk tall, without any fear in their hearts, assured of their inalienable right to human dignity – a rainbow nation at peace with itself and the world ...

Both Tutu and Mandela were calling on the people of South Africa to look beyond the colour of their skin and the malice and prejudices of the past and to focus on building a new nation united in its diversity. A new nation entailed the establishment of equality, justice, non-racism, non-sexism and above all, democratic practices. Indeed, the multi-racial elections of 1994, the adoption of a new constitution with a Bill of Rights and the instigation of the Truth and Reconciliation Commission to deal with the crimes of the apartheid era were testimony to the commitment of creating a just, equal and democratic society. This was a manifestation of the utopia of a rainbow nation.

2 D Tutu, *The rainbow people of God: The making of a peaceful revolution* (New York, Doubleday, 1994), p. 187.

3 Statement of the president of the African National Congress, Nelson Mandela, at his Inauguration as president of the Democratic Republic of South Africa, Union Buildings, Pretoria, 10 May 1994 available at https://www.africa.upenn.edu/Articles_Gen/Inaugural_Speech_17984.html (accessed on 16 Sept 2022).

While the new democratic dispensation was putting its aspirations into motion, it is worth mentioning that the idea of a “Rainbow Nation” had long existed in apartheid South Africa before Tutu and Mandela amplified its call. For example, the Freedom Charter of 1955 had already called for a non-racial society.⁴ At the same time, the experience of one labour centre, the Federation of South African Trade Unions (Fosatu), was also a case in point. This article demonstrates how, during its short-lived six-year existence from 1979 to 1985, Fosatu exhibited the possibilities and all the utopianism of a rainbow nation. It argues that Fosatu was a symbol of a future democratic South Africa. The article relies on a broad textual analysis of existing scholarship on South African trade unions, and Fosatu in particular. This is augmented by a reading of Fosatu’s mouthpiece, the *Fosatu Worker News*, an informative monthly news bulletin on developments in the labour market and the national body politic. In particular, the article highlights specific actions undertaken by the organisation or its constituent elements that advanced the ethos of a free democratic society.

The paper is structured into three sections. The opening segment discusses the literature on trade unionism in South Africa, and is then followed by an account of the historical development of Fosatu. The last part focusses on the objectives and aims of Fosatu, its practice and how this advanced and concretised its vision of democracy and a free society. It closes with a conclusion that draws out the salient points of Fosatu’s modus operandi, re-emphasising its legacy and significance as a precursor of a free democratic society.

The historiography on trade unions in South Africa

The history of trade unionism in South Africa has received considerable scholarly investigation. The focus has ranged from the evolution of unionism, its nature and organisational tactics and the principles and approaches of unions. The role of trade unions in the broader democratic struggle received special attention from scholars who analysed what they termed political or social movement unionism, which linked shopfloor and production struggles to wider political matters.⁵ Our understanding of unions’ struggles was deepened by Sakhela Buhlungu and Edward Webster who surveyed the emergence of trade unions, showing as they do, the divergences and convergences that characterised that evolution since the end of the Second World War and the impact this had on both the trade union terrain and national politics.⁶ The

4 South African Government Department of Education, “Final Freedom Charter”, 2005, 12, available at https://www.dffe.gov.za/sites/default/files/docs/publications/history_freedomcharter.pdf (accessed on 20 Sept 2022), p. 12.

5 R Lambert and E Webster, “The re-emergence of political unionism in contemporary South Africa”, W Cobbett and R Cohen, *Popular struggles in South Africa* (London, James Currey, 1988), pp. 20–41.

6 S Buhlungu and E Webster, “Workers divided, workers uniting: South African unions since 1945”, C Phelan and P Lang, *Trade unions, past, present and future: Trade unionism since 1945, towards a global history, Volume 1: Western Europe, Eastern Europe, Africa and the Middle East* (Auflage, Taschenbuch, 2009), pp. 387–412.

values, practices and decisions that shaped and undermined the trade union terrain were illuminated in the autobiographical narration of the “story of a trade union in the ending of apartheid” by Jan Theron, who was instrumental in the formation of Fosatu’s successor, the Congress of South African Trade Unions (COSATU).⁷

Trade union organisation and its fight for democracy came under scrutiny when other scholars re-examined the structural features and approaches of the various successive trade unions to workers’ democracy, political autonomy, organisation and its assistance in the classification, labelling and identity of these organisations.⁸ Since 1985, another labour centre, Cosatu, emerged which entered into a tripartite alliance with the African National Congress (ANC) and the South African Communist Party (SACP). Together with other national organisations such as churches, operating under the United Democratic Front (UDF), an umbrella body for anti-apartheid groups, Cosatu was central in leading mass protests against the apartheid state in the turbulent 1980s and early 1990s.⁹

Fosatu itself has also attracted scholarly interest. Formed in 1979, Fosatu existed until 1985 when it metamorphosed into Cosatu. A number of scholars conducted research and produced many pages which chronicle Fosatu’s history.¹⁰ Sian Byrne and Nicole Ulrich emphasise Fosatu’s workerist tradition and obsession with workers’ control, positing this approach as a prefiguration of a democratic revolution in South Africa.¹¹ Fosatu’s history, its politics and its workerism, was also the focus of analysis in the discourse on the National Question.¹² In the South African context, the “National Question” refers to the continuing conversations about the challenges of race, inequality, nationality, ethnicity, belonging and identity, and how to resolve these issues. That analysis demonstrates two linked key points. Firstly, it shows the centrality of Fosatu’s approach in shaping the democratic struggle in South Africa. Secondly, it debunks the notion that Fosatu restricted its struggle to production politics and economic affairs to the exclusion of the national struggle. What Fosatu

7 J Theron, *The solidarity road: The story of a trade union in the ending of apartheid* (Johannesburg, Jacana Media, 2016).

8 C Ludwig, “Trade union organising during apartheid: A divided labour movement in a divided country”, D de la Fontaine et al. (Hrsg.), *Das politische system Südafrikas* (Springer, Fachmedien Wiesbaden GmbH, 2017), pp. 201-219; N Ulrich, “The wheel is turning: Fighting apartheid with workers’ democracy, 1950-1990”, D Azzellini, *If not us, who? Workers worldwide against authoritarianism, fascism and dictatorship* (Hamburg, Rosa-Luxemburg-Stiftung, 2021), pp. 82-88.

9 M Budeli, “Trade unionism and politics in Africa: The South African experience”, *Comparative and International Law Journal of Southern Africa*, 45(3), 2012, pp. 454-481; S Buhlungu and M Tsholedi (eds.), *Cosatu’s contested legacy* (Cape Town, Human Sciences Research Council Press, 2012).

10 M Friedman, *The future is in the hands of the workers?: A history of Fosatu* (Johannesburg, Wits University Press, 2011). Note that the Fosatu Archives are housed in the Wits University Historical Papers Collection (hereafter WHP).

11 S Byrne and N Ulrich, “Prefiguring democratic revolution? ‘Workers’ control’ and ‘workerist’ traditions of radical South African labour, 1970–1985”, *Journal of Contemporary African Studies*, 34(3), 2016, pp. 368-387.

12 S Byrne, N Ulrich and L van der Walt, “Red, black and gold: Fosatu, South African ‘workerism’, ‘syndicalism’ and the nation”, E Webster and K Pampillas, *The unresolved national question in South Africa: Left thinking under apartheid* (Johannesburg, Wits University Press, 2017), pp. 251-273.

stood for and its objectives were spelt out by its then general secretary, Joe Foster, in the published and now widely cited 1982 Second Congress speech of the federation. On that occasion, Foster stressed the imperative of Fosatu to create a “working class movement” that would lead the anti-apartheid struggle.¹³ Since then, an analysis of Fosatu’s mission has been anchored on this speech, its constitutional provisions and *modus operandi* notwithstanding.

What is clear is that Fosatu was a workerist organisation, deploying working class politics to fight for the workers’ struggle and against the oppression of apartheid. Devan Pillay rehashes this point in an analysis of the “intellectual roots of the notion of workers’ control” in the labour movement when he shows the revival of working class politics in South Africa’s trade unions following NUMSA’s breakaway from the Tripartite Alliance in the aftermath of the Marikana massacre in 2012.¹⁴ Pillay credits Richard Turner, the slain lecturer from the University of Natal, as the protagonist of workers’ control of unions. It was hardly surprising, therefore, that the future workerist federation, Fosatu, was based largely in Durban (Natal). While the significance of Fosatu’s workerism and its peculiarity in advancing democracy is acknowledged, it is imperative to draw a connection between its practices and the genesis of a broader civil society movement, autonomous from the state or a central authority that pushed for the ethos of a democratic society in South Africa. While this paper acknowledges the characterisation of Fosatu as a “union-centred working-class movement ... a key site for the creation, from below, *of a new nation* – a nation reconstituted by the working class, where workers’ control, in the broadest sense, was to be implemented”, Fosatu embodied and exhibited more than just workerism.¹⁵ This article, then, shows the other dimensions and attributes of the federation that signified what a possible future democratic South Africa could look like.

What is common about both Fosatu’s predecessors and successors is that they all engaged in high politics and had corporatist relations with political parties. Therein lies the distinction and uniqueness of Fosatu. Its *modus operandi* and approach demonstrated the multiple ways of advancing the democratic agenda autonomously. Its approach can be regarded as a peaceful revolution. While Byrne and Ulrich’s notion of “prefiguring a democratic revolution” is a good start towards that understanding, it falls short in enumerating the specificities of how Fosatu’s tactics reflected the makings of a nascent civil society advancing the ideals of a free society. Therefore, it is crucial to demonstrate the significance of these possibilities to develop an autonomous and common society of equals.

13 J Foster, “The workers’ struggle: Where does Fosatu stand?”, *Review of African Political Economy*, 24, 1982, pp. 99-114.

14 D Pillay, “Workers’ control, Marxist-Leninism and the revitalisation of working class politics in South Africa”, *Labour, Capital and Society*, 45(2), 2012, pp. 5-31.

15 S Byrne, N Ulrich and L van der Walt, “Red, black and gold...”, E Webster and K Pampillas, *The unresolved national question in South Africa...*, p. 268.

On the backdrop of this observation, this article argues and demonstrates that Fosatu was an antecedent for a twenty-first century civil movement, pushing for an equal society, underpinned by all human freedoms possible. Fosatu’s modus operandi also represented a kind of a “public sphere” wherein individuals and groups congregated and discussed matters of mutual interest and, often, reached a common decision by way of rational-critical debate.¹⁶ By anchoring its values in non-racism, workers’ control, shopfloor unionism premised on worker education and autonomy from political parties, this paper contends that Fosatu created conditions which enabled it to discuss and identify societal problems with little or no inhibitions and interference from party politics and the state, and in doing so, made contributions that led to political action. In this way, Fosatu created a realm of a free society. Its objectives and values carried the democratic vision, while the execution of its strategy represented its practice. In Fosatu’s activities, we see the early efforts at practising democratic values. Even more, the pride of place that Cosatu has today is founded in Fosatu. As Michelle Friedman observes:¹⁷

COSATU drew directly on Fosatu’s traditions, practices and direction [yet]
... those six important years of Fosatu’s existence are barely acknowledged.

In part, this article recovers and acknowledges this Fosatu’s significant contribution.

The historical development of Fosatu

A cursory look at the history of trade unionism in South Africa is necessary to give context to the emergence of Fosatu and to gain an appreciation of the environment that informed its approach. Traced from the early 1920s, trade unions emerged already racialised before the advent of official apartheid in 1948 and for the most part they remained so until the formation of the Trade Union Advisory Coordinating Council (TUACC) and Fosatu in the 1970s. The earliest labour organisations to be formed were the Trades and Labour Council (T&LC), composed largely of white workers, and the Industrial and Commercial Workers Union (ICU), predominantly of black workers.¹⁸ The existence and operations of the ICU was proscribed by the enactment of the Industrial Conciliation Act of 1924 (ICA) that formed the basis of South Africa’s industrial relations. The ICA stripped African workers of any rights by excluding them from the statutory definition of an employee. Although they could form or join trade unions, these were not legally recognised and neither did employers have any obligation to negotiate with them.¹⁹ This was in addition to the banning of strikes

16 J Habermas, *The structural transformation of the public sphere* (Cambridge, Polity, 1989), p. 104.

17 M Friedman, “*The future is in the hands of the workers*”: ..., p. 9.

18 S Buhlungu and E Webster, “Workers divided, workers uniting ...”, C Phelan and P Lang, *Trade unions, past, present and future 1...*, p. 390.

19 S Byrne and N Ulrich, “Prefiguring democratic revolution? ...”, *Journal of Contemporary African Studies*, 34(3), 2016, p. 369.

by African workers. Such rights were the preserve of white workers, and, to a limited extent, Indian and Coloured workers. In an effort to overcome the legal barrier of the ICA, some of the legally recognised unions created what were called parallel African unions. Parallel unions existed in name only, for all negotiations and representations were done by the rights-bearing unions on behalf of the African unions.

Simultaneously, other forms of African-orientated trade unions emerged. For instance, the Federation of Non-European Trade Unions (FNETU) and the Council of Non-European Trade Unions (CNETU) came into existence in the 1920s and 1940s respectively, which all morphed progressively into the South African Congress of Trade Unions (SACTU) in the 1950s and early 1960s. The proliferation of these trade union organisations was broadly necessitated by two crucial factors. The first, was the growth and expansion of the mining industry and its attendant urbanisation and this was soon followed by Second World War-induced industrialisation which consolidated the economic restructuring already underway. In particular, industrial growth during the war brought many African workers into urban areas, proletarianising them in the process. As Foster aptly puts it: “Capital was greatly concentrated and so were the workers. Concentration of workers in Industry meant that they became more urbanized”.²⁰ Secondly, the National Party electoral victory in 1948 and its ascendance to power saw the legal institutionalisation of apartheid and with it the legal racialisation of trade union organising.

The economic restructuring and the new political landscape altered the trade union terrain. At the political level, there was the introduction of a coterie of apartheid laws that racialised all spheres of life – the workplace, residential areas, the cities, educational institutions, churches, cultural and interpersonal relations. This evoked the militancy in African political parties, notably the African National Congress (ANC) and the Communist Party of South Africa (CPSA), latterly known as the South African Communist Party (SACP). At the same time, workers as members of the broader community impacted by the weight of segregation and apartheid shared in the concerns of political parties. This commonality of concerns between parties and workers fostered a closer cooperation and co-option of labour.

By the 1950s, trade unions began creating synergies with the political parties. Politically, for example, the revitalised ANC launched the defiance campaign in 1952, attracting huge masses including the industrial working class. There was a realignment of forces as labour aligned with the nationalist movement to respond to the social engineering intended and imposed by the apartheid regime. The convergence culminated in the formation of SACTU in 1955 which apparently drew its support from the defunct CNETU. Constituted predominantly by unregistered black unions, SACTU was, however, non-racial in its organising. This was in part

20 J Foster, “Fosatu: The workers’ struggle; where does Fosatu stand?”, keynote address by the General Secretary at the Fosatu Second Congress, Occasional Publication No. 5, 1982, p. 17.

a reflection of its proximity to the Congress Alliance which also adopted a similar principle the same year through the Freedom Charter. Lambert and Webster have described SACTU’s organizing principle:²¹

... political or social movement unionism ... a form of union organisation that facilitates an active engagement in factory-based, production politics and in community and state power issues ... it engages in alliances in order to establish relationships with political organisations on a systematic basis.

This explains SACTU’s close working relationship with the Congress Alliance. At the same time, the white-dominated T&LC realigned itself into the South African Confederation of Labour which in essence was the Afrikaner trade union arm of the National Party.²² In the extreme, political unionism subordinated a trade union to a political party.²³ To be sure, this was the case with SACTU and its political unionism became perilous to its existence.

The end of the 1950s and the beginning of the 1960s saw an increase in political activity by nationalist movements that culminated in the Sharpeville massacre in 1960 following the protests inspired by the recently formed Pan-Africanist Congress (PAC) and the ANC.²⁴ Because SACTU drew its membership from Congress Alliance supporters, it was caught up in the state repression that followed in the aftermath of Sharpeville. The ANC, alongside the PAC, were both banned by the apartheid government and with it SACTU was also clamped down. By the middle of the decade, it had ceased operating in the country.²⁵ According to Byrne and Ulrich, SACTU “increasingly focused on aiding the ANC/SACP guerrilla campaign that started in 1961, rather than union work”.²⁶ Trade union activity subsided in the 1960s but the atmosphere for its potential existed. The economic conditions of the time allowed for deepening trade unionism. There was a huge boom in the manufacturing industries during the 1960s that had resulted in the growth of an industrial working class. To meet the corresponding demand for semi-skilled workforce in factories, employers looked to African workers because the white labour force was inadequate and expensive. In this regard, African workers became “indispensable to industry and their bargaining position improved substantially”.²⁷ For this reason, black trade unions re-emerged more revitalised in the decade of the 1970s.

21 R Lambert and E Webster, “The re-emergence of political unionism...”, W Cobbett and R Cohen, *Popular struggles in South Africa ...*, p. 21.

22 S Buhlungu and E Webster, “Workers divided, workers uniting ...”, C Phelan and P Lang, *Trade unions: ...*, p. 393.

23 S Buhlungu and E Webster, “Workers divided, workers uniting ...”, C Phelan and P Lang, *Trade unions: ...*, p. 392.

24 T Lodge, *Black politics in South Africa since 1945* (Johannesburg, Ravan Press, 1983), pp. 201-224.

25 R Fine (with D Davis), *Beyond apartheid: Labour and liberation in South Africa* (Johannesburg, Ravan Press, 1990), pp. 212-216.

26 S Byrne and N Ulrich, “Prefiguring democratic revolution? ...”, *Journal of Contemporary African Studies*, 34(3), 2016, p. 371.

27 M Friedman, “*The future is in the hands of the workers*”: ..., p. 21.

The 1970s began with a hive of political and trade union activity. The actions of this period set trade union organising on a new trajectory altogether. The explosion of wild-cat strikes in Natal and Durban between 1972 and 1973 attracted state and police repression as well as employer reprisals. This response left many workers vulnerable to dismissals and for the time being, unions were deserted. At the same time, however, spontaneous and simultaneous strikes showed the potential and possibilities of workers' power. The new climate necessitated rethinking in trade union organising strategy. This began with the setting up of the Urban Training Project (UTP) in Johannesburg which aimed at publicising the existing rights of African workers under the then labour legislation that could assist them in forming a trade union or any other form of workers organisation.²⁸ The UTP itself was not a worker or worker-controlled organisation. At the end of 1973, yet another organisation emerged. Known as the Black Consultative and constituted with 11 African trade unions, it had the object of coordinating matters of common interest among affiliated African unions in the Transvaal. Because it was merely a consultative body, it did not achieve much because it lacked any binding decisions or rules.

In May 1972, various trade unions in Durban established a General Workers Benefit Fund (GWBF). As the name suggests, it was a benefit society to fund the activities of workers and worker organisations. The GWBF publicised African workers' rights through its newspaper *Isisebenzi* and also made representations to Wage Boards. The ultimate objective of the fund was to form industrial unions once there were sufficient members in a particular sector. Following the strikes, the GWBF began forming trade unions as the membership in different sectors increased. It was on this basis that unions like the Metal and Allied Workers' Union and the National Union of Textile Workers were formed in 1973. As unions proliferated, GWBF suggested that a coordinating body was necessary to manage the formation of new unions.

Consequently, the Trade Union Advisory Coordinating Council (TUACC) was formed in October 1973. Unions such as the Transport and General Workers' Union and the Chemical Workers' Industrial Union became affiliated to TUACC. The TUACC vowed to operate on the basis:²⁹

... of open unions, nationally organised according to industrial sectors, and based on strong factory floor organisation and to a strong coordinating body which comprised at each level of a majority of worker representative, which decided policy for the affiliates and controlled the resources they jointly pooled.

Scholars concur that the formation of TUACC ushered in a new kind of unionism that placed workers' democracy and workers' control at the pinnacle of organising.

28 WHP, Fosatu Archives, AH1999/C.1.1.1, Fosatu formation, Minutes of feasibility committee, March 1979-April 1979.

29 S Byrne and N Ulrich, "Prefiguring democratic revolution? ...", *Journal of Contemporary African Studies*, 34(3), 2016, p. 372.

On the strength of the GWBF, TUACC was in a position to set its own agenda and propel a number of unions that from the onset embraced the principle and practice of workers’ control. In addition, TUACC demanded that only “open” trade unions, which it defined as those that accepted all workers, “... regardless of race, religion or sex”, should affiliate to it, thereby “challenging the widespread practice of organising black and white workers into separate ‘parallel’ trade unions”.³⁰

Organisations continued to emerge. Their aim was “to assist workers with their complaints and advice on factory organisation”.³¹ For example, the Industrial Aid Society was formed in the Transvaal in 1974. This organisation, together with the Transvaal branch of the Metal and Allied Workers’ Union joined yet another body, the Council of Industrial Workers of the Witwatersrand in 1976, which also worked closely with the TUACC. In the Western Cape, similar organisations, namely the Western Province Workers’ Advice Bureau and the African Food and Canning Workers’ Union were mobilising workers, although at a slower pace. This was because of the particular conditions in the region. To begin with, African workers accounted for a small fraction, 15 percent, of all the workforce in 1975. At the same time, the intensification of the influx control regulation in 1966 resulted in a highly mobile workforce which made mobilising difficult.

However, the existence of coordinating bodies created a fertile environment for the formation of a national labour federation. The Port Elizabeth-based National Union of Motor Assembly and Rubber Workers of South Africa (NUMARWOSA) initiated talks towards a national body in 1977. These talks led to the formation of a feasibility committee which comprised of TUACC, NUMARWOSA, the United Automobile Workers Union and three unions that had broken away from the Transvaal-based Consultative Committee of Black Trade Unions.³² Numerous exploratory meetings took place between 1977 and March 1979 which culminated in an inaugural congress of 150 delegates at Hammanskraal near Pretoria in April 1979, marking the formation of Fosatu. In all these processes, it is crucial to recognise the role played by intellectuals in encouraging African workers to organise. Individuals such as Rick Turner, Alec Erwin (both at the University of Natal) and Phillip Bonner (Wits University) were key in coordinating the processes. Unfortunately, Turner was assassinated by the apartheid regime in 1978, while Erwin and Bonner became founding members of Fosatu. Erwin was elected as the inaugural General Secretary of Fosatu.³³

30 M Friedman, *“The future is in the hands of the workers”*: ..., p. 24.

31 WHP, Fosatu Archives, AH1999/C.1.1.1, Fosatu formation, minutes of feasibility committee, March 1979-April 1979.

32 WHP, Fosatu Archives, AH1999/C.1.1.1, “An introduction to the Federation of South African Trade Unions”, June 1983.

33 M Friedman, *“The future is in the hands of the workers”*: ..., p. 35.

In this 1970s milieu, the apartheid government established the Wiehahn Commission in 1977 to investigate industrial relations. Out of this commission, a recommendation was made to amend the Industrial Conciliation Act to allow for the recognition of black trade unions for the first time in the labour history of the country.³⁴ Although gaining recognition and participating in collective bargaining was at one level a huge achievement, Lambert and Webster make the point that it was something of a paradox, because collective bargaining restricted unions to issues of an economic nature and immediate production at the expense of wider political matters.³⁵ Even more, the commission also insisted that trade union registration should be on a racial basis and in the process there was a division in the growing black labour movement.³⁶ Instead, the suspicion with which the African trade unions viewed the commission's report fostered even stronger the desire to unite. The establishment of Fosatu and its meteoric rise in the aftermath of the Wiehahn Commission bore testimony to such desire. With African trade unions officially allowed to exist, NUMARWOSA-led talks towards creating a tight federation culminated in the inauguration of Fosatu. The policy positions and activities of Fosatu form the discussion of what follows.

Fosatu: Creating and extending tentacles of democracy during apartheid

To appreciate and understand how Fosatu was an antecedent of a democratic South Africa, it is crucial to outline its policy position and guiding principles. It is from these values that the democratic aspirations of the federation become apparent. Fosatu was guided by five broad principles, namely: non-racialism, worker control and independence, shop floor organisation, international worker solidarity and trade union unity.³⁷ By adopting a non-racial stance, Fosatu had a fundamental opposition to racism in the worker movement and society broadly, although for the most part it advanced the needs and aspirations of oppressed workers, the majority of whom happened to be black because of South Africa's abhorrent apartheid policies. Through workers' control and independence, Fosatu vested the powers of decision making in the membership. This took place via shopfloor organisation led by shop stewards. Defined as an individual "who is elected by the fellow workers with whom they work daily to represent them in dealings with management and in their union committees", shop stewards were important because:³⁸

34 R Lambert and E Webster, "The re-emergence of political unionism...", W Cobbett and R Cohen, *Popular struggles in South Africa...*, p. 23.

35 R Lambert and E Webster, "The re-emergence of political unionism...", W Cobbett & R Cohen, *Popular struggles in South Africa ...*, p. 25.

36 M Friedman, "*The future is in the hands of the workers*": ..., p. 28.

36 WHP, Fosatu Archives, AH1999/C.1.1.1, "An introduction to the Federation of South African Trade Unions, June 1983".

38 Fosatu, *The Shop Steward* (Durban, Fosatu, 1980), p. 1.

... they are the worker leaders who have the greatest contact with workers since they meet daily with them. This makes them the leadership that is most aware of worker needs and views since they must answer to their fellow workers each day.

The presence of shop stewards allowed for worker participation in the union activities. The implementation of these operative principles by Fosatu is what this article argues to be the precursor of a possible democratic South Africa. This becomes apparent when juxtaposed to basic tenets of democracy. In a public lecture delivered at Hilla University in 2004, Larry Diamond explained democracy in the following terms: [It is] a system of government with four key elements: i) A system for choosing and replacing the government through free and fair elections; ii) Active participation of the people, as citizens, in politics and civic life; iii) Protection of the human rights of all citizens; and iv) A rule of law in which the laws and procedures apply equally to all citizens.³⁹ Examined within the context of these elements of democracy, it is argued, Fosatu exhibited and pursued all of these elements during apartheid, albeit at a micro-level. In the paragraphs that follow, I show how the execution of Fosatu's principles was indeed a foreshadowing of a democratic future.

In its six-year existence from 1979 to 1985, "Fosatu organised over 120 000 workers in 11 affiliated unions, becoming the largest non-racial, independent trade union federation of its time".⁴⁰ But as Byrne and Ulrich advance, Fosatu's major significance was not in its size but lay instead "in its innovative ideas and organisational approach".⁴¹ Like the TUACC, Fosatu anchored its organising and practice on workers' control and workers' democracy. Pivoting its operations around, workers' control and participatory democracy built ground-up from the shop floor was akin to the notion of "people's power" which is so entrenched in popular democracies. These Fosatu value systems:⁴²

... demonstrate[d] the possibility of very different kinds of anti-colonial and anti-apartheid struggles, ones that embraced a broader vision of political freedom, beyond the franchise and far beyond the simple capture of a colonial or apartheid state by a nationalist party or elite.

Beyond this acclaimed significance, this section shows specific actions by Fosatu and its constituent elements that extended the possibility and set the tone of what a rainbow nation or new South Africa could be.

39 L Diamond, "What is democracy?", Lecture at Hilla University for Humanistic Studies, 21 January 2004 available at <https://diamond-democracy.stanford.edu/speaking/lectures/what-democracy> (accessed on 28 Apr 2022).

40 M Friedman, "The future is in the hands of the workers": ..., p. 18.

41 S Byrne and N Ulrich, "Prefiguring democratic revolution? ...", *Journal of Contemporary African Studies*, 34(3), 2016, p. 376.

42 S Byrne and N Ulrich, "Prefiguring democratic revolution? ...", *Journal of Contemporary African Studies*, 34(3), 2016, p. 368.

The significance of Fosatu's principles were first acknowledged by the general secretary of its successor federation, Cosatu, in 2011. In a foreword to a book on the history of Fosatu, Zwelinzima Vavi acknowledged that:⁴³

COSATU inherited from Fosatu in particular the great tradition of worker control, which still today ensures that the union's power lies in the hands of the workers on the shopfloor. Fosatu emphasised, as we do still today, the central role of the shop steward, as the key figure in all our bargaining and negotiating structures.

Apart from advocating workers' control and democracy within unions, Fosatu championed non-racialism and the independence of trade unions from political parties. The former was codified in its constitution which spelt out that it aimed:⁴⁴

... to secure justice for all workers and to strive for the building of a united labour movement, independent of race, colour, creed or sex.

The latter was informed by hindsight, having seen the earlier mistakes of SACTU that suffered at the hands of a repressive state in the 1960s, and was forced into exile if not oblivion together with its alliance partners, the ANC and SACP. Even more:⁴⁵

Fosatu feared that involvement in national politics would subsume workers' interests in the name of a nationalist agenda, and thus compromise workers' democracy and control.

The alternative was, therefore, to build its own:⁴⁶

... effective and powerful organisation even as they were part of the wider popular struggle. This was a sure way to secure worker interests and ensure that the popular movement is not hijacked by elements who may, in the end have to turn against their worker supporters.

By taking this approach and executing it successfully, Fosatu showed that it was possible to create a realm of freedom and autonomous society, unfettered by a central authority's interference.

To be sure, Fosatu made this principle clear in its first edition of the *Fosatu Worker News* when it emphasised that: "...we are against government interference and control of trade unions".⁴⁷ This bold stand exuded the spirit of civil society practice. However, Fosatu's approach attracted criticism from other trade union organisations, essentially creating a binary classification of unionism between what

43 M Friedman, "*The future is in the hands of the workers*": ..., p. 11.

44 M Friedman, "*The future is in the hands of the workers*": ..., p. 35.

44 M Friedman, "*The future is in the hands of the workers*": ..., p. 49.

46 J Foster, "Fosatu: The workers struggle; where does Fosatu stand?", keynote address by the General Secretary at the Fosatu Second Congress, Occasional Publication No. 5, 1982, pp. 23-24.

47 *Fosatu Worker News*, November 1979.

scholars have termed “populists versus workerists”.⁴⁸ The risk with these binaries was that it inhibited unity in the labour movement and undermined the idea of a common society united in diversity. Ludwig describes it fittingly as a “divided labour movement in a divided country”, when she analysed how the organisational tactics of trade unions fuelled their own classification.⁴⁹

Also, worthy of mention is what Fosatu’s attitude towards political parties meant politically. By avoiding an alliance with nationalist movements and political parties, Fosatu was taking an apolitical stance. However, in its apoliticism, the trade union federation was actually being political. For instance, by adopting non-racialism as its mobilising principle, it delved into the political space. From 1948 onwards, South African society became racialised after the formal introduction and legalisation of apartheid. The population was characterised as either white, Indian, coloured or black. By characterising itself as non-racial, Fosatu was in fact challenging the existing legal political socio-order. In the context of the times, nothing could be more political than challenging the status quo. To this extent, the federation was always entangled in national politics despite its indifference to national political parties.

But even more significant, the principle of worker control and worker independence also became the reason for its wind down. Fosatu had justified its non-involvement in national politics but the general membership held otherwise. As Friedman explains:⁵⁰

... while workers in the workplace recognised the strength of a focused union, many found it difficult to divorce themselves from the political struggles raging outside the factory floor. Inside the factory, they were workers; but outside, they were oppressed victims of the apartheid regime. Their identities did not begin and end as workers at the factory gates.

It was for this reason that workers demanded that Fosatu support politics. In the words of one worker:

You are a worker here at Volkswagen. When you come out there, something is going to happen. Maybe they beat you with the batons. So how can you not support politics? So, they ought to support politics.

The demand was even more pronounced during the mass insurrection of 1983 when the state responded with such blatant, brutal repression. It became “increasingly evident that the rank-and-file (and shop stewards) desired their unions to be allied with like-minded political organisations, and ... not remain aloof from the broader

48 S Byrne and N Ulrich, “Refiguring democratic revolution? ...”, *Journal of Contemporary African Studies*, 34(3), 2016, p. 369; S Byrne, N Ulrich and L van der Walt, “Red, black and gold...”, E Webster and K Pampillas, *The unresolved national question in South Africa...*, pp. 266-267.

49 C Ludwig, “Trade union organising during apartheid ...”, D de la Fontaine et al. (Hrsg.), *Das politische system Südafrikas ...*, pp. 201-219.

50 M Friedman, “*The future is in the hands of the workers*”: ..., p. 49.

struggle”.⁵¹ When the time came for workers to choose between apoliticism and political unionism, they chose the latter. This forced Fosatu to rethink its political position, eventually causing its morphing into Cosatu. This move reveals two important points. First, that workers indeed had the control of the unions and their decisions carried the day. Second, that there was accountability within Fosatu. All of it, ultimately, reflected the existence of democratic unionism.

While indeed the broad objectives of Fosatu showed its aspiration of creating a common society, it was in the programmes and the daily struggles that Fosatu fought which best represented the effort towards a new public sphere that was so necessary for a free society. Central to establishing a free society is the flow of information. Realising that the national press seldom covered worker issues, Fosatu founded the *Fosatu Worker News (FWN)* to report on what the workers were saying themselves. The first edition of the newsletter appeared in July 1979. It was published in three languages: English, isiZulu and Afrikaans. Its circulation was nationwide, but with a concentration in Durban, the Transvaal and the Western Cape. It reached a circulation capacity of 72 000 copies per month, 35 000 of which were in English and 37 000 in isiZulu.⁵²

The newsletter reported on activities and developments in the labour sector and other cognate matters. In particular, the section headed “Factory Reports” gave updates on struggles and progress recorded across the country and in factories where Fosatu was represented. It also carried the voice of workers in its reportage of strikes and protests that they undertook. The importance of this mouthpiece was that it created a space where a community of workers interacted, negotiated and created a common position from which they were able to challenge the state. A workers’ position galvanised through the *FWN* became a “public opinion” that caused political action. The *FWN* therefore entrenched and extended a core tenet of a free society by enabling the freedom of expression and the right of workers to be heard.

Another feature of a common equal society is the empowerment and access to opportunities for members. Fosatu offered these possibilities to its rank and file through an educational programme and the introduction of shop stewards. The importance of shop stewards was crucial for workers’ participatory democracy but beyond, the educational role of shop stewards was significant in the creation of a micro-public sphere at the factory level, industrial stage and by extension, also throughout the nation.⁵³ The introduction of the shop stewards’ council was lauded as a democratic and effective tactic because these became central to the decision-

51 G Wood, “Solidarity, representativity and accountability: The origins, state and implications of shopfloor democracy within the Congress of South African Trade Unions”, *Journal of Industrial Relations*, 45(3), 2003, p. 328.

52 WHP, Fosatu Archives, AH1999/C1.7.3.5.1, NEDCOM Reports: Fosatu Worker News Report to the National Education Committee meeting held on 21 and 22 September 1984.

52 *Fosatu Worker News*, November 1979.

making processes of Fosatu, and even more in the democratic participation of rank and file members of the federation.⁵⁴ The whole point was to show the rewards of giving workers the power to determine their affairs and in that way to expand democracy through their participation.

Fosatu also signed a unique contract with the University of the Witwatersrand to provide courses on labour relations and politics for members of their unions. According to Fosatu, “this was a breakthrough for workers as university resources which have so far been reserved for the sons and daughters of management will now be available to workers”.⁵⁵ Two crucial points are worth noting with regard to Fosatu’s Education Programme. First, at its inaugural congress in April 1979, Fosatu accepted a resolution that:⁵⁶

... this Congress mandates the Central Committee to formulate and coordinate a common education programme for Fosatu affiliates, the aim of which shall be to develop the knowledge and abilities of all workers within Fosatu, to train and develop effective shop stewards and organisers and to facilitate the effective negotiation of all affiliates.

By entering into a contract with Wits, Fosatu was fulfilling one of its founding resolutions. Second, Wits was ideal to offer such a course to predominantly black trade unionists because of its characteristic as being viewed as a liberal and “open university” which was essentially a challenge to the enactment of the Extension of University Education Act (1959) that entrenched apartheid.⁵⁷ But even more so, with its origins lying in the mining sector, its proximity to the labour market is intelligible.

Courses covered at Wits varied from year to year. For instance, in collaboration with the university, members undertook a Labour Studies course that covered topics such as worker organisation; the state, repression and reform; trade unions and popular movements; and an even wider course on industrial relations under capitalism. Between 1980 and 1984, renowned scholars of labour history including Phil Bonner, Duncan Innes, Halton Cheadle and Eddie Webster, delivered lectures. By July 1984, 127 participants (12 women and 115 men) had attended the course.⁵⁸ Through such initiatives, Fosatu opened access for its members to university education, which as proletarians, they would not otherwise have acquired. As Phil Bonner remarked, education programmes “helped endow that organic intellectual shop steward leadership with a capacity for analytical reflection and ability to strategise its way into

54 *Fosatu Worker News*, May 1982.

55 *Fosatu Worker News*, August 1981.

56 WHP, Fosatu Archives, AH1999/C1.7.3.5.1.1, “Fosatu education report, November 1980”.

57 BK Murray, “Wits as an ‘open’ university 1939–1959: black admissions to the university of the Witwatersrand”, *Journal of Southern African Studies*, 16(4), 1990, pp. 649-676.

58 WHP, Fosatu Archives, AH1999/C1.7.3.5.2.10, “Labour Studies Course, report to NEDCOM”, 21 September 1984.

a better future”.⁵⁹ Armed with knowledge of the worker world, members became involved in the decision-making process of their unions as informed participants. This was empowering for workers because it instilled an ethos of participatory democracy which was later epitomised by the adoption of parliamentary democracy in a new democratic South Africa post-1994.

In its bid to establish a just and fair society, Fosatu pushed for women’s rights and the principle of equal work, equal pay before this gained traction in the global south. Through its affiliate, the Sweet, Food and Allied Workers’ Union (SFAWU), Fosatu advocated the recognition of the rights of women at the workplace, particularly the right to be granted maternity leave.⁶⁰ After the Wiehahn Commission paved the way for African trade unions to participate in collective bargaining, Fosatu adopted a system of agreements with employers. It was through this avenue that SFAWU secured this victory for the women workers in 1981 at Kellogg’s, an American multinational food manufacturing company operating a factory in Springs. Previously women at this factory had no maternity rights but under the new agreement, a pregnant woman would receive a lump sum payment equal to 33 percent of wages for a period of 12 weeks and the first chance at any vacancy that arose once she was ready to return to work. In the context of the time, this was a huge victory in the struggle for women’s rights.

Following on the heels of this score, yet another milestone was reached in women’s emancipatory struggle when a discriminatory pay system was tackled. On this front, another Fosatu trade union, the National Union of Textile Workers, reached an agreement with the firm South African Fabrics “that differences in wages between male and female workers would disappear by 1982”. An arbitration award gave an increase of 15 percent to all workers regardless of their gender. Such agreements could be replicated at other firms within the same industrial sector. Admittedly, Fosatu championed these through the labour dispute resolution platform. Nonetheless, these victories were milestones in the women’s rights movement and broader framework of safeguarding citizens’ human rights.

Demonstrating yet another possibility of creating a just and equal society, in 1982 Fosatu tested the idea of state accountability to its citizens. Fosatu assisted the workers of Rely Precision Castings of Boksburg in suing the Minister of Police for damages for the assault inflicted by the police on the 33 workers of this company.⁶¹ They were awarded R9 575. This victory had two important implications. One, the court outcome certainly changed the way in which workers were treated by the police as evidenced by the way the police force handled the East Rand strike that followed in the aftermath of the court decision. Workers in the metal industry in East Rand

59 M Friedman, “*The future is in the hands of the workers*”: . . . , p. 14.

60 *Fosatu Worker News*, August 1981.

61 *Fosatu Worker News*, May 1982.

area, led by MAWU, went on a strike for better wages. Unlike in the past when the police would have intervened, this strike continued unhindered. Second, Fosatu demonstrated that despite the unjust apartheid laws and the prejudices thereof, they could still be used successfully and effectively in workers' struggles and also holding the state accountable for its inequities. To this extent, Fosatu showed the possibilities of using the law to achieve a sense of justice among the oppressed and the weak. All these values were imperative in attaining a democratic society.

While these Fosatu initiatives may have occurred at a micro level, their reverberance was national and they helped to entrench the ethos of democracy and a just society. The epitome of a free society or democracy is the involvement of the public in the governmental system. Fosatu championed this value on a consistent basis. Any doubt of its stand on this was allayed at its second congress held in April 1982. Through its general secretary, Joe Foster, Fosatu made it clear that it was contributing to the wider political struggle. Fosatu believed that all the people of South Africa should take part in decision-making about the country's affairs and reiterated its support for a democracy based on one man, one vote and majority rule. Accordingly, it also rejected the homeland policy of the South African government which stripped South Africans of their citizenship and turned them into foreigners in the country of their birth. Fosatu also believed that wealth should be democratically produced and equally distributed. The existing situation was deplorable because "workers were forced to live and work in conditions that were neither politically democratic nor economically equal, resulting in poverty, hardship and social deprivation".⁶² Precisely because of this, Fosatu, was engaged in struggles to secure a better standard of living, social justice and the political emancipation of workers in the community where members of its affiliates lived. The bar of fighting for a just and fair society could not have been taken any higher.

Conclusion

Although operating conventionally and identified as a trade union, Fosatu, was essentially a manifestation of a civil society. Its traditions foreshadowed the aspirations of a new South Africa, a rainbow nation, united in its diversity as envisaged by Tutu and Mandela. Fosatu's practice of non-racial and democratic unionism anchored in workers' control and workers' democracy, autonomous from party politics was the hallmark of a free society. By pursuing this ethos meticulously and working towards democracy, accountability, women's rights, empowerment, access to equal pay for equal work and worker education, Fosatu laid the base for a just and fair society. In making this claim, this article has extended Byrne and Ulrich's idea of prefiguring a democratic revolution and showing the possibilities of creating a free society. This significant contribution was acknowledged by Cosatu when it remarked

⁶² *Fosatu Worker News*, April 1982.

that in addition to “building the firm foundations for democracy in Cosatu, Fosatu helped indirectly to establish the foundations for today’s vibrant democracy in the country as whole”.⁶³ Geoffrey Wood concludes that there was vibrant internal worker democracy, solidarity, representativity and accountability in Cosatu and that the “local shop steward councils became the backbone of Cosatu...”.⁶⁴ Fosatu incubated the idea of shop stewards and bequeathed it to Cosatu. That Cosatu blossomed on the strength of the principles propagated in Fosatu, cements the forerunner status of Fosatu.

The effort and victories registered by Fosatu in its six-year existence demonstrate that democratising South African society and ending apartheid oppression was not limited to or the preserve of political parties alone. Fosatu’s *modus operandi* further shows that there were multiple ways of fighting for democracy and that progress and victories could be achieved without being anarchist or militant and confrontational. Fighting within the legal realm, workers’ education and emancipation were equally effective alternative spaces to wage a war against the apartheid regime. As Friedman observes “the democratic traditions established by early trade unions made a significant contribution in the form, content and structure of civil society organs”.⁶⁵ No trade union epitomised this ethos better than Fosatu. Through its peculiar approach, Fosatu was an antecedent of a democratic South Africa. It was already an embodiment of the utopia of a “Rainbow Nation”. The latter-day adoption and implementation of such elements of democracy as the rule of law, protection of a citizen’s human rights, and participation in the decision-making process, equality and non-discrimination, were given full expression in Fosatu. While the apartheid years were certainly a difficult period for blacks broadly, and workers in particular, Fosatu showed that the possibilities of a new South Africa were fathomable and attainable.

63 M Friedman, “*The future is in the hands of the workers*”: ..., p. 11.

64 G Wood, “Solidarity, representativity and accountability...”, *Journal of Industrial Relations*, 45(3), 2003, p. 329.

65 M Friedman, “*The future is in the hands of the workers*”: ..., p. 39.