

Of dialogue, compromise, space and other things

In the Transport & General Workers Union where Premier Mbhazima Shilowa was president in the early 1990s he was nicknamed 'Setimela sa lebelo seyetya' or 'fast train coming' (no reference to the Gautrain) because of his energetic approach to organising in the union. He now applies this energy to governing the Gauteng Province, but he took time out to talk to the *South African Labour Bulletin* and reflect on the period when he was deputy general secretary of Cosatu from July 1991, and then its general secretary from September 1993 to April 1999.



What were the biggest issues and main challenges during your time in Cosatu?

I think I would divide this into two phases. In the first, in the early 1990s we were dealing with questions of how to establish the ANC and SACP on the ground. How could we do this in the context of the violence in Natal and Gauteng.

We had to begin to understand the institutions of government such as the National Manpower Commission, the National Economic Forum (NEF), later Nedlac (National Economic Development and Labour Council), whilst linking these to developments in Codesa political negotiations.

In the second phase, we had to prepare for a new government which meant having to discuss the release of people to government who had become institutions in the union movement. It was important to release people but it was a risky strategy. We knew there would be capacity problems and that we were sending our leadership into the unknown, the untried.

Here was the progressive trade union movement engaging with a new democratic government which was trying to find its feet. It was full of possibility. Cosatu had pushed for

the RDP (Reconstruction & Development Programme) which government had adopted and Jay [Naidoo] was minister without portfolio in the President's Office. There was an Interim Constitution which still had to be drafted into a final Constitution.

We had to make compromises also. The strike lockout clause was a compromise made by Cosatu. We agreed to have it in the Interim Constitution, but not in the final Constitution. Different parties were wanting to insert their own perspectives into the final Constitution and Cosatu was doing the same. We wanted a strong emphasis on worker's rights and we had to fight for this as other parties would balk at such clauses.

The Constitution was being negotiated at the same time as the new Labour Relations Act. All of these were battles both within the



ANC and in the new legislature by parties such as the DP, the New Nationalists, and the IFP.

There was a battle particularly around the lockout clause in 1995. Cosatu went out in defence of worker's rights, to protest the lockout clause, around the Constitution and the LRA. Settlement was reached in the context of mass power on the ground and in talks with the ANC. The NNP [New National Party] would not agree to many things but the ANC agreed not to compromise over certain workers' rights.

Many things were happening at the same time and were interlinked. We were negotiating the new LRA, the Basic Conditions of Employment Act around such issues as working hours, maternity leave, health and safety laws and so on. We were building Nedlac. In truth the agenda was too long, and there

were too many expectations. This meant we lost sight of some issues such as certain economic and industrial issues.

What were Cosatu's failures in this period?

The adoption of Gear (Growth, Employment and Redistribution strategy) by government in 1996 was a different phase and I think that it could have been managed better by us in Cosatu. We should have managed it better once it was in place although we were concerned always to open up space.

At the ANC conference in Mafekeng we came together as ANC NEC, SACP and Cosatu executives in a two day summit and one of our aims was simply how to make the conference manageable. Even if the issue of Gear was not resolved we needed to open up space. We

should have looked to opening up space around Gear rather than fighting around it to the bitter end.

Space opened up at different moments. It would open on one front and close on another. For example, in 1996 the issue of the privatisation of Telkom and Transnet was announced by government. Cosatu was angry that there was no discussion although the minister said we had been consulted. We met with the deputy president who agreed to listen to us and out of these discussions came the National Framework Agreement to guide privatisation discussions. This was opening up space. We lost some, won some and some were the result of compromises.

I think it is important to always dialogue as there is no doubt government and Cosatu will always have differences. I think all parties have been to blame for not talking with each other enough. The main thing about dialoguing is to understand where the other party is coming from so that even when you don't agree you don't start doubting each others integrity.

We tended to have a crisis summit then go our own ways for the next 6 or 12 months then we'd have to have another crisis summit. This way of operating was very problematic. Every time we had a summit we felt closer and more co-operative but the inability to sustain this was a problem.

We relied too much on former labour leaders who were ministers. Jay (Naidoo) and Alec (Erwin) for