Article

(En)gendering the transition in South Africa: the role of COSATU women activists

Malehoko Tshoaedi
tshoacm@unisa.ac.za

Abstract
This article looks at the transition process in South Africa in the early 1990s with a specific focus on the role of COSATU women activists and their involvement in the Women’s National Coalition (WNC). I submit that COSATU women’s participation in this structure was critical and influential to the gendered outcomes of the South African transition. The article demonstrates that COSATU women’s history of struggle for gender equality within the labour movement throughout the apartheid era was fundamental to how they participated in the WNC and the issues they represented within this structure.

Contrary to views held by some feminist writers on the South African transition, this article shows that gender activism and feminist-oriented demands did not necessarily emerge as significant in the early 1990s. Throughout the 1980s, there were vibrant gender demands in the trade unions, though not necessarily framed in conventional feminist terms. Women workers’ interests and demands during the transition period were informed by their lived experiences of gender discrimination in the workplace and within the labour movement. COSATU women’s representation in the WNC, and their struggles within this structure for their voices to be heard as a working class formation, challenges the perception that the WNC and the gendered outcomes of the South African transition was a process mainly influenced by the ‘elite’.

Introduction
Over the past two decades, feminist writers have successfully highlighted the role of women in democratic transitions (see Alvarez 1990, Hassim 2006, Noonan 1995, Waylen 2007a and 2007b). Women in parts of Latin America, Eastern Europe and Africa participated in various activities to undermine
and overthrow autocratic regimes. They organised against human rights abuses, poor socioeconomic conditions as well as against gender discrimination in society. In Chile, El Salvador and Argentina women organised as mothers to protest against the disappearance of their children and demand for their safe return (Alvarez 1990, Noonan 1995, Waylen 2007a and 2007b). Using their roles as mothers, women challenged the authority of the state in abusing human rights. As political organisation in these countries was banned, women opened avenues for oppositional politics. In Argentina ‘…women’s protests formed the first organised and open opposition to authoritarian governments, helping to bring about the end of fear’ (Waylen 1994:339).

The repressive context and the social and economic hardships experienced under authoritarian regimes further created opportunities for women to organise various forms of activities initially aimed at dealing with their day-to-day concerns (Waylen 2007a and 2007b). In Chile for example, Noonan (1995:99) argues that the economic crises in the 1980s led to the emergence of organisations that addressed socio economic issues like hunger, health, housing, unemployment and declining standards of living. The rising organisation of women expanded women’s frame of mobilisation from simple survival issues to a broader frame of human rights, recognising their socio-economic needs as citizenship rights that should be afforded by the state.

In South Africa, women were central in the political struggles against colonial and apartheid domination. Some of the notable early struggles include opposition to the extension of the pass laws to women, which threatened women’s citizenship rights and access to centres of economic activity (Gasa 2007, Tshoaedi 2008). When the government announced its intention to extend the pass laws to African women in 1955, women engaged in various forms of protest. These culminated in the 1956 march to parliament in Pretoria, in which 20,000 women participated (see Walker 1991). Although these protests did not achieve their goals, they were significant in organising and mobilising women in the struggle against apartheid.

After the pass protests in the 1950s, government vigorously suppressed political organisations and arrested or banned most of the leaders, including women leaders (Walker 1991). For most of the 1960s there was no overt political organisation by African communities. Political organisational renewal was largely sparked by the workers’ organisations in the workplace in 1973 and also students’ mobilisation against apartheid education in 1976. With the emergence of community based organisations in the 1980s, women
were drawn into organisational politics. Women’s organisations were formed regionally and some of the major organisations included the Federation of Transvaal Women (FEDTRAW), United Women’s Organisation (UWO) in Cape Town, and Natal Organisation of Women (NOW) (Hassim 2006).

In examining literature on democratic transitions, the role of women as political activists is underrepresented. Feminist writers underscore the sexism and bias in political theory and its analysis of politics and political actors (Jones and Jonasdottir 1988, Pardo 1998, Phillips 1991, Scott 1988). The conceptualisations are dominated by male biases that obscure the role and participation of women as significant political actors (Jones and Jonasdottir 1988). Such conceptions have excluded the activities and involvement of women in grassroots social movements’ activities, including the trade unions (Briskin 1993, Fonow 2003). Nevertheless, women’s studies have not captured the activities of women in trade unions to demonstrate their active role in the demolition of the apartheid regime and democratic transition. In this article, I draw on South African women workers’ activism between 1973 and 2003 to illustrate the significant impact of trade union women in the democratic transition.

Women’s mobilisation into trade unions was initially motivated by racism or apartheid oppression and working class experiences within the workplace. This frame of mobilisation was useful in building solidarity between African women and men, but it did not make a distinction between their experiences within the apartheid context. It failed to take into account women’s intersecting and multiple experiences on the basis of their gender, race and working class status (Tshoaedi 2008).

Women’s activism in male dominated organisations enabled them to wage multi-layered struggles for gender equality. Firstly, as active participants in trade unions, women made demands for acknowledgement and recognition of their contributions in workplace struggles. For example, they challenged unions on the draft logo of COSATU which initially only had male figures. They also questioned the dominance of men in the leadership structures of unions, demanding representation of women. Secondly, they challenged the sexism and discrimination of workplace policies, challenging wage inequalities, lack of maternity leave rights, and sexual harassment. Lastly, their activism in trade unions enabled them to fight political domination and challenge the sexism inherent in apartheid policies at all levels of society, including the family. In this article, I argue that these struggles informed their involvement and demands made during the democratic transition.
As indicated earlier, this article draws from a broader study that looked at women’s mobilisation into trade union activities between 1973 and 2003 in South Africa. The study is based on life history interviews conducted with 28 African women unionists who were active members of COSATU in the Gauteng region. This article focuses on the perceptions and experiences of COSATU women in the Women’s National Coalition and the democratic transition.

The role of trade unions in struggles for democratic transition

The role of the elites in the dissolution of authoritarian regimes is often given significant focus in analyses of transitions. Scholars argue that transitions often take place as a result of divisions between elites within the authoritarian regime, the hardliners and soft-liners (see O’Donnell and Schmitter 1986, Jones and Jonasdottir 1988). The hardliners on the one hand push for the maintenance of the status quo while the soft-liners on the other hand appeal for some concessions to democratic reform to circumvent a political stalemate or even worse a civil war (see O’Donnell and Schmitter 1986, Przeworski 1991). The dominance of the soft-liners may result in some limited form of political liberalisation such as the unbanning of political organisations and initiation of political negotiations on reforms. In this process of liberalisation, consultations and negotiations on political reform take place between the elites within the authoritarian regime and the elites from the civil society or political organisations.

However, transitions in many parts of Latin America, Eastern Europe and Africa show that social movement organisations with grassroots membership are fundamental in the overthrow of autocratic regimes. Scholars such as Buhlungu (2010), Beckman et al (2010), and Adler and Webster (1995), have demonstrated the critical roles played by the labour movement in overthrowing authoritarian regimes and the institution of democratic transition. In his observations of trade unions in the African context, Buhlungu argues that challenging undemocratic regimes was central in the struggles of the labour movement.

The consciousness of the workers was thus shaped by the experience of economic exploitation and political subjection, more so because the two often appeared fused under an omnipotent system that was not accountable to local interest. (2010:10)

In addition to specific struggles over economic exploitation, workers joined national struggles for democracy and full citizenship rights. In South
Africa, workers’ protests in the early 1970s and 1980s led to mass political protests, coinciding with political events that led to transition and the eventual democratisation of South Africa in 1994. As a member of the tripartite alliance (with the dominant political party the African National Congress and the South African Communist Party), COSATU played an influential role even during the transition. The federation asserted its influence at the onset of the negotiations and made the following demands:

First, the constitution and the process of drawing it up should be as democratic as possible, allowing space for the widest political participation and consultation by all citizens. Second the constitution should enshrine worker and trade union rights. Finally, the constitution should facilitate worker participation in economic decision making and the sharing of the fruits of economic activity. (Adler and Webster 1995:93)

**Women workers’ struggles in South Africa**

The 1970s is one of the most significant eras in the history of workers’ struggles in the country. In 1973, workers engaged in strikes and work stoppages, demanding higher wages, better working conditions and recognition of trade union rights. The strikes began in the women-dominated textile sector in Durban and soon spread to Johannesburg and other industrial centres in the country (Sithole and Ndlovu 2006, Webster 1988). The framing of the demands raised by the striking workers resonated with many women workers who were largely affected by low wages and poor working conditions.

Although not highlighted in the history of the South African labour movement, large numbers of women actively participated in workplace struggles during this period. Describing the working conditions at a garment factory where women workers made up 70 per cent of the workforce, Mashinini (1989), the founder of Commercial Catering and Allied Workers Union of South Africa (CCAWUSA now known as South African Commercial, Catering and Allied Workers Union), discusses the low wages earned by African women, and management’s unilateral decisions over wages:

I think the strikes that meant the most to me were in the early 1970s when we fought to earn an extra cent, and also to narrow our hours … We were fighting for a forty hour week and in the course of the fight we did go out on strike. (1989:19)

She also explains that low wages for women meant they could not contribute
to the Unemployment Insurance Fund. As a result, when women were out of work they had no access to any income.

Although discontent over wages featured prominently in most of the strikes, gender discrimination suffered by women in the workplace often came under the spotlight. For instance the textile strike at Frame Factory (outside Durban, Natal) in 1980, where women composed about 60 per cent of the workforce draws attention to some of the gender specific concerns raised by women (*South African Labour Bulletin* 1980). The demand for a wage increase of 25 per cent which the workers won was the focal point. However, an in-depth analysis of the strike indicates that a significant number of women supported the strike to demonstrate their dissatisfaction with their working conditions. They further opposed the gendered occupational structure where men dominated the supervisory positions, while women were concentrated in the lower grades. Often, some of the men used their positions of power over women for sexual favours.

**Seizing the public space to raise gender issues**

The increasing participation of women in trade unions produced gender politics within these organisations. Women activists contested the agenda and goals of the unions, insisting on a gendered focus. Tshoaedi (2008) shows the centrality of women leaders in advancing the agenda of women’s rights within the labour federation. The presence of women in the unions and their active participation in trade union activities was central in persuading trade unions to acknowledge the experiences of women members in the workplace.

Women opposed the gendered power relations, unequal access to leadership positions and gender inequality within the trade unions. For example in the early 1980s during the negotiations for the launch of COSATU, women made demands for COSATU to recognise women’s presence and contribution to workers’ struggles in South Africa. They opposed the drafting of a logo that had images of men only. Voicing her disappointment about the proposed logos, Mashinini (1989:118) states ‘it means that our presence, our efforts, our work, our support was not even recognised’. The COSATU logo that was eventually adopted, after heavy criticisms from many of the women activists, included an image of a woman carrying a baby on her back with one fist raised.

When COSATU was launched in 1985, women activists demanded that the federation acknowledge women’s experiences in the workplace, and
commit itself to fighting against all forms of discrimination against women (COSATU Resolutions 1985). COSATU adopted a resolution to fight against all forms of gender oppression in the workplace, society and the trade unions. This was significant in women’s campaigns for equality, as they have made reference to this resolution in their demands.

In 1988, COSATU held its first women’s conference, bringing together women in trade unions, women’s community organisations, local women activists, and some university intellectuals. The conference provided a comprehensive overview of the problems faced by women under a patriarchal society and it allowed women to exchange knowledge and ideas on broader issues of inequality. The conference was significant in boosting women’s struggles within the unions. It was a historic moment in the liberation battle. For the first time women had a national gathering where the debates focused ‘specifically into the problems facing women in our organisation and to forge a decisive programme of action’ (Chris Seopesengwe, COSATU Women’s Conference, 1988).

The conference came up with resolutions including to fight for equality in the workplace in terms of wages and occupations, maternity and childcare leave, sharing of responsibilities between women and men, women’s right to safe, free and legal abortion, fighting sexual violence against women and the failure of police to treat such cases as serious offences. The conference further noted sexual harassment as a problem that affects women at work, in the unions, and in their communities and resolved to fight against these at all levels.¹ (COSATU Women’s Conference 1988).

In 1989, women raised sexual harassment at the COSATU national congress and demanded that the congress adopt a resolution on the code of conduct. Sexual harassment in the unions was an issue that was perceived as a personal and private matter and therefore inappropriate for debate at a national congress. Hence, most male delegates dismissed it and ‘... proposed that the issue be closed... so that the congress can talk about serious political issues’ (Patricia Khumalo, former SACCAWU Shopsteward, Interview 2004).

Raising sexual harassment at the national congress was a crucial moment in the history of women’s struggles against gender inequality within the trade unions. It highlighted male dominance and their abuse of power over women. In raising this issue, women claimed the public space and put the spotlight on gendered personal experiences. The debate on sexual harassment in COSATU is regarded as the ‘longest debate ever … in the COSATU congress and there has never been another like it’ (Jane Barret, Interview
2004). Although the male dominated congress rejected the proposal, women gained the public space to debate an issue that was specifically about them. For the first time in the history of the labour federation delegates spent hours debating sexual harassment and how it affected women. This was a victory in their fight for the public space: ‘they [men] began to realise that we could speak up for ourselves’ (Themba Kgasi, Interview 2004).

The challenge against sexual harassment was also linked to women’s struggles for access to leadership position in the labour movement. Many women leaders argued that sexual harassment hampered efforts to increase women leadership. Often, women activists who experienced sexual harassment withdrew from union activities. By not participating in the main activities of trade unions fewer women have opportunities of accessing powerful positions.

**COSATU women’s organisation in the early 1990s**
The transition in the early 1990s constituted an important political opportunity for women’s mobilisation in the trade union movement. The political language and discourse of democracy, justice, and equal rights were significant in influencing women’s demands for the inclusion of women workers’ rights in COSATU’s national demands for a democratic constitution, as well as in their participation within the Women’s National Coalition.

Women in COSATU investigated new approaches and strategies on how effectively to influence the political process. This also involved a critical assessment of their role as working-class women during the transition phase and in a future democratic South Africa. Women re-evaluated their gender programmes within the trade unions and strengthened the organisation and mobilisation of working-class women (Mathapelo Makgoba, Interview 2005). The gender programmes and activities within the unions were aligned with the political changes and the dominant political discourses. Gender activists mobilised women workers and framed their demands within the dominant discourse of democratic rights, making connections between democracy and rights to gender equality.

COSATU women relied on various strategies to strengthen their position within the new political context and to raise consciousness amongst working-class women. This involved engaging in broad based campaigns against the tabled Bill to amend the Labour Relations Act in 1988, aimed at curbing union power and militancy and a general strike against Value Added Tax in November 1991, which linked women’s financial responsibilities in the
household with the impact of the introduction of the tax system (Tshoaedi 2008). By explaining the impact of the proposed government legislation on the household, trade unions attempted to motivate women to be involved in the broader struggle against the apartheid regime.

The third opportunity that women used to position themselves strategically during the transition was the Workers’ Charter campaign, which began in 1990. The resolution on the Workers’ Charter was adopted in 1987, with the objective of building:

> A common understanding of workers’ rights and the entrenchment of these under a future government … This should articulate the basic rights of workers and be guaranteed by the constitution of a people’s government. (Baskin 1991:353)

The campaign involved identifying workers’ demands through workshops and discussions in affiliate and COSATU structures. Women activists discussed the Charter during women’s workshops and in the gender structures within COSATU in preparation for the Workers’ Charter national conference. At the conference in November 1990, women challenged the content of the demands made in the Workers’ Charter, which excluded the rights and demands of women workers. They insisted on a commission on women workers’ rights, which initially were opposed by male delegates. ‘This commission came up with a range of demands which were agreed to by the conference’. According to one gender activist:

> The first draft of the questionnaire had three lines on women. Now two sections have been added and it is not only women discussing these rights. Men and women in COSATU are discussing women’s rights in talks on the Workers’ Charter.

The revised draft of the Workers’ Charter included women’s call for a family code, advocating gender equality laws within the domestic sphere or private relations. Through the family code, women further demanded that the state should take responsibility for provision of childcare facilities and adequate paternity and maternity leave. Their demands also included protection from and tougher laws against rape, battery and abuse of women, the legalisation of abortion on demand and the recognition of gay rights.

Women further demanded equal access to labour markets and employment opportunities, equal opportunities to education and training not only in the workplace, but also for schoolgirls. Affirmative action laws and laws against all forms of gender discrimination were also included. Reporting back to the national women’s conference in 1992, the commission on workers’ rights
described the following:

Workers’ Charter will be a manifesto setting out all the long and short-term demands of workers... The Workers’ Charter will set out our demands, which we want included in the law, and the constitution of a democratic South Africa. The demands of women workers are an important part of the Workers’ Charter.5

The Workers’ Charter was used by COSATU as a base document in negotiating workers’ rights during the transition. It was therefore vital for women to emphasise the inclusion of women workers’ rights in the campaign.

COSATU women’s awareness of the centrality of mobilising women to participate in the democratisation process in South Africa was greatly influenced by their gendered experiences within the male dominated labour federation. Their experiences and struggles within trade unions exposed them to the politics of male domination and marginalisation of women’s interest in trade union politics. These drew attention to the imperatives of collectively organising on gender specific interests.

The struggle for control of the women’s movement

In January 1990 the exiled African National Congress Women’s League (ANCWL) organised the Malibongwe women’s conference in Amsterdam, in the Netherlands, which was attended by locally based South African women in the trade unions as well as women’s community organisations. The theme of the conference ‘women united for a democratic South Africa’6 centred on unity and non-racialism in fighting against gender inequalities in a future democratized South Africa. Suggestions on the formation of a national women’s movement for effective involvement in the transition process were raised at this forum.

Women’s organisation during the apartheid era was mostly regional and community based. Thus during the transition, one of the challenges for women was consolidating their power to impact effectively on the drafting of the new constitution and the democratisation of the country. There was a need for a women’s movement that would unite women and articulate the collective interests and demands of women. The opening of the political space raised stakes for leadership and control of the constitution-making process among women.7

In February 1990 the ban on political organisations was lifted and the apartheid government began the process of negotiating a democratic
transition. The ANCWL was re-launched in August 1990. Following this, it sought to reclaim the political space and gain control of the women’s organisation in South Africa. In 1991 most of the women’s organisations that had affiliated to the United Democratic Front (UDF) during the apartheid period merged into the ANCWL. This made the ANCWL the largest women’s organisation, with a considerable working-class constituency.

COSATU women’s structures, however, could not be disbanded easily or merged into the ANCWL because of their organisation in the workplace. The organisation of women within COSATU was therefore a challenge for the centralisation of power within the ANCWL. Women’s organisation in the workplace meant that they also represented a significant portion of the working-class. COSATU women’s structures were organised nationally, and held women’s conferences annually. This provided the opportunity to meet at the national level and develop a national plan for women’s activities within the labour federation.

COSATU women’s organisation in the workplace and their representation of the same constituency as the ANCWL frustrated the League’s efforts to achieve full control of the women’s movement. According to Rachmat Omar, the educational officer in COSATU in the 1990s and a participant of the COSATU women’s delegation at the coalition, the ANCWL proposed disbanding the women’s forums since they (ANCWL) represented women. However, ‘As you can imagine that was a position that was not supported in COSATU women’s structures’ (Rachmat Omar, Interview 2005).

Omar asserts that the ANCWL was not cognisant of the political developments, which had taken place over the years while they were in exile. One of which was the growth of the trade unions and its strong presence within the workplace. According to Mathapelo Makgoba, COSATU was ‘organised, we had power, and we were recognised by people on the ground’ (Interview 2005). Omar adds that:

The ANC did have a strong representation of working-class women… [But] the women’s structures have grown as part of the process of building the trade unions and the struggle for workers’ rights, under conditions of extreme repression. And so there was a need for COSATU’s sub-committee to exist to represent women in the workplace and also in the unions and in COSATU structures. (Rachmat Omar, Interview 2005)

COSATU women’s structures were more than about representation of women workers’ rights within the workplace. These structures represented
the history of women’s organisation within the workplace and trade unions. They symbolised their struggles against male domination of working-class politics, and consequently access to the public political space. The women’s structures had a symbolic value and women were proud of this significant achievement. Therefore ‘they were not about to throw away a victory, a gain, which they earned through hard struggles’ (Rachmat Omar, Interview 2005).

COSATU women’s resistance to disbanding their structures was also about maintaining their autonomy and access to the public political sphere. The transition period presented opportunities for women to be involved in political issues at the macro level. It presented opportunities for influencing political decision-making processes at a level from which women had previously been denied access. The possibility of influencing the drafting of the country’s constitution was a significant opportunity in the history of South African women’s political struggles. According to Makgoba:

We realised that we need to be on par with what the ANC was doing to avoid being swallowed by them ... Basically I think that’s what was in our minds then, to really push a line where we would have a say in the government that would be elected. (Mathapelo Makgoba, Interview 2005)

The struggles between COSATU women and the ANCWL over who would dominate the political space also underlined issues of legitimacy (who can speak on working-class issues or who can best represent working-class women) and the extent to which women’s interests can be unanimously articulated in a single chorus. Although the ANCWL had a large working-class constituency, it was not necessarily homogeneous (Rachmat Omar, Interview 2005). The ANCWL was perceived as a multi-class organisation representing diverse interest groups, within which women workers’ voices could be muted if they were not organised. COSATU women believed that their structures were critical for the representation of women workers’ interests during the transition period. In short, according to Makgoba, ‘COSATU represented workers, and the ANC represented the political structures’ (Mathapelo Makgoba, Interview 2005).

Omar (Interview 2005) argues that COSATU’s decision to retain their women’s structures remained a source of tension between COSATU and the ANCWL. These tensions are noted in some of the women’s workshops where COSATU women made attempts to discuss their working relationship with the ANCWL as well as the campaign for the Women’s Charter. On several occasions, speakers from the ANCWL were invited to lead
discussions on these issues, but they never participated in these forums. Such tendencies led COSATU women to question the relationship with the ANCWL and to express ‘concern that the Women’s League appears to have other priorities which do not give importance to establishing a structural relationship with COSATU...’.

**Differences within the Women’s National Coalition**

When the WNC was launched in April 1992, it brought together organisations from different racial groups, classes, geographical locations and political ideologies. Its theme was acknowledging the differences and building unity. According to Sibongile Masangwane, the WNC ‘had a mandate of uniting all women under one platform, irrespective of political affiliation, with the purpose of drafting the Women’s Charter. That was the mandate of the WNC’ (Interview 2007).

According to the women interviewed, the first meeting of the WNC was attended in large numbers by women from various organisations and backgrounds. For COSATU women, this was their first experience of being in a forum with white women’s organisations. Masangwane points out that:

> …Our first impressions were ‘will this work?’ We are not used to working with women from the National Party (NP then apartheid ruling party), Democratic Party (DP) or other white women’s organisations. It was broad. (Sibongile Masangwane, Interview 2007)

The broad base of the WNC however was not only in terms of race or political ideology, but also in terms of socio-economic and educational status. These differences were also observed within organisations that were predominantly black and represented working-class women, like the ANCWL and the Inkatha Freedom Party (IFP). According to Makgoba:

> We had women like Sheila Camerer, Faith Gasa, and Frene. And COSATU women, we were just working-class … you could just imagine Frene Ginwala is one of the top lawyers, one of the most respected women in the ANC; we had Sheila Camerer from DP… we had Dene Smuts from the NP; Faith Gasa from the IFP … they were talking big jargon law language. (Mathapelo Makgoba, Interview 2005)

These differences were highlighted several times during the meetings. Firstly language differences raised tensions in the coalition. According to Omar (Interview 2005), ‘it was insisted that the meetings should be held in English. That also became a [source of] contestation’. The lack of flexibility on the language of communication at the coalition created barriers for many...
women from working-class backgrounds who had difficulties expressing themselves in English. COSATU therefore insisted on the availability of translators for its members and ‘white women complained that there was no need for such as it would drag the meetings, and we were supposed to finish at a particular time’ (Maggie Magubane, Interview 2004). Having lost on the issue, Omar recalls that:

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\text{COSATU made its own arrangements to make its own members available for the meetings to act as translators... There would be women who were not confident in articulating in English and so, on the spot they would have to find interpreters (Rachmat Omar, Interview 2005).}
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This contradicted the WNC’s notion of unity based on difference and the extent to which these differences were accommodated. It also highlighted the gap in women’s different social backgrounds (working-class and middle/upper class) and social status in terms of understanding each other’s social reality. The middle/upper class women (both black and white) who were confident and articulate in English regarded this language as an obvious choice for communication in a formal public arena like the WNC. However, for most working-class women, their interactions in the political arena were still dominated by the use of their home languages (these include women from seSotho, isiZulu, isiXhosa, sePedi as well as Afrikaans language backgrounds who were part of the delegations).

The second issue that highlighted the divisions within the WNC was the conflict over the times set for the meetings and the venues for these meetings.

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\text{Meetings would be called at the time when we would be at work and venues would be at places suitable for them. They had the advantage of not working and having access to cars, and so they felt they could call meetings any time they felt like it. (Joyce Pekani, Interview 2004).}
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COSATU representatives proposed that meetings be held after working hours (these were the times which local branch union meetings used to be held). This was however opposed by the middle-class dominated WNC ‘because most of the white women did not have jobs and those who did have jobs they had flexibility’ (Rachmat Omar, Interview 2005). According to Omar, even women within the ANCWL failed to support COSATU on this issue, since most of them were full-time officials in the ANC and their positions within the organisation enabled them to fully concentrate on the WNC.
Thirdly, the differences were also highlighted in the issues that were raised and in how these were prioritised in the WNC. The socio-economic disparities were more apparent in the concerns of the working-class women. For instance you would suggest that ‘as women, we want each house to have fridges, washing machines and cooking stoves to make it easy for us.’ This is the Women’s Charter right? A white woman will stand up … she doesn’t see the need for me. She will argue ‘Hayi (no) you can’t include this here, that this is not suitable for the Women’s Charter. You can buy your own washing machine.’ Remember we are coming from different levels. (Sibongile Masangwane, Interview 2007)

These kind of differences easily raised tensions in the WNC, especially in a context where white women have black women employed as domestic workers. Using the metaphor of ‘Mrs and a girl [madam and eve] …’ to highlight the hierarchical power relations in the coalition, Themba Kgasi (Interview, 2004) argues that there were fundamental disagreements on issues to be prioritised. Cooperation in the WNC ‘… was not an easy thing because we had women … who had never been exposed to poverty … Because of the class differences … we had different interests’ (Elizabeth Thabethe, Interview 2004).

The WNC faced major difficulties in reconciling these differences, particularly when it came to raising issues of basic needs. Women like Masangwane who are based in the urban areas brought up fridges, cooking-stoves and washing machines as basic needs, while women from the rural areas were still struggling for basics such as access to clean water, sanitation and electricity to ‘make their lives easier.’ Lydia Kompe, who represented the Rural Women’s Movement (and also has a trade union background) at the WNC, pointed out these differences:

It’s not going to be easy to be on par with the urban women because some of the basic needs for rural women are not an issue to urban-based women. Like when we talk about water, electricity, it’s not an issue for them ... So we are still very, very different. (Lydia Kompe, Interview 2005)

The differences were not only in terms of class or race, but also geographical background. Rural women faced the most challenges since the ‘urban-based women dominated the WNC’. According to Kompe:

It was very difficult at times because you can’t deny the fact that the urban-based women dominated the WNC, and that they are more informed than us. They are more assertive and articulate compared to
rural women. And they also wanted to pursue their issues first ... It was a struggle to really put our issues on the agenda. They were always at the bottom of the agenda. (Lydia Kompe, Interview 2005)

The diversity of the organisations within the coalition meant that women had to compete for their interests to be represented on the agenda. Women’s experiences of gender oppression varied and these were largely informed by their social location within an apartheid society. ‘So the kinds of demands, kinds of clauses and kinds of rights that women wanted to see in the constitution were not always the same’ (Rachmat Omar, Interview 2005).

Struggles over process and content of the Women’s Charter
WNC also faced another hurdle in accommodating the different practices and traditions in decision-making processes. COSATU’s tradition of decision-making was a bottom-up approach of mandates and consultation with the workers, who are considered the core of the trade unions. For COSATU women, the traditions of participatory democracy (mandates, report backs and consultation) were central to their participation at the WNC. Masangwane explains that:

> [o]ur method of working differed from the WNC. We participated with a mandate and … from the WNC we had to take information to our gender office, and from there it had to be taken to the affiliates and discussed there ... So we were always relying on our members and mandates …While the process at the WNC was moving very fast and we were being left behind. (Sibongile Masangwane, Interview 2007)

Although they acknowledged that their method was a long process, COSATU still considered mandates and consultations with membership as crucial in the whole process of drafting the Women’s Charter. Their emphasis was inclusiveness and the representation of the actual interests of their constituencies. Trade unionists observed ‘intellectuals … who just get up and say anything they wanted and that would be noted’ (Masangwane, Interview 2007).

> We were bound to consult... These other organisations were just talking and these were causing tensions. We were concerned with the mandates as COSATU (Sibongile Masangwane, Interview 2007)

COSATU women were also critical of the methods used in drafting the charter, arguing that it should be open and involve the broader spectrum of working-class women. ‘At times we were not really happy with the WNC
because it left out some people on the ground, particularly those who were not organised’ (Elizabeth Thabethe, Interview 2004). Masangwane explains that:

[O]ur feeling was that, yes we are participating in the WNC. But if you want to draw a Women’s Charter in South Africa, the method that was used in the drafting of the Freedom Charter is the best … we were of that thinking that the Women’s Charter should not be drafted only on the table. You should go out to the people and hear their views. (Sibongile Masangwane, 2007)

COSATU’s assertion was that the drafting process (through ‘little committee discussions’) was ‘elitist’ and exclusionary (Omar, Interview 2005). Decision-making powers were confined to a small group of individuals, while the majority of working class women were denied the opportunity to directly influence the charter process. A door-to-door campaign to collect the views and demands from unorganised working class women was then proposed. This was initially opposed by other organisations (mainly white middle-class) within the coalition. Reasons such as feasibility and the limited time available for drafting the charter were raised (Omar, Interview 2005; Makgoba, Interview 2005; and Masangwane, Interview 2007). Omar argues that ‘it was a battle to get agreements that workshops should be held in the township’ (Rachmat Omar, Interview 2005). With the push from COSATU and other working-class women’s organisations, the WNC agreed to have workshops and focus group meetings in the townships. Organisations were further asked to collect the views and demands of women in their communities and surrounding areas (Masangwane, Interview 2007).

Disagreements over the methods of operation at the WNC underline differences in the principles, traditions and practices, which are influenced by the contexts within which these different organisations emerged and operated. Firstly, COSATU’s core foundation principles are participatory democracy, whereby the unions negotiate and make decisions on the basis of mandates from their constituency. Throughout the years of trade union mobilisation these principles have been fundamental in building up membership and strengthening trade unions.

Secondly, COSATU’s emphasis in their organisation of the working-class has been about ownership (of trade unions by the workers) and empowerment of the workers through decision-making processes. This has been particularly critical in the apartheid context in which black people were excluded and disempowered. The challenge by COSATU for participatory
meetings in townships further indicates power struggles within the WNC. It was a struggle for control and ownership of the process, chiefly conducted by organisations that had been in the country during the apartheid struggle and felt that they had more legitimacy in representing working-class interests.

    We fought for this liberation because we were in South Africa. We are the ones who were chasing the mellow yellows [Yellow police vehicles]. We did not leave the country in 1976. We stayed behind and we fought. (Sibongile Masangwane, Interview 2007)

**Does the Women’s Charter reflect working class women’s demands?**

During the interviews I raised questions concerning the extent to which COSATU women were able to articulate their issues within a structure heavily dominated by educated middle class women. Some of the women pointed out the occasions where they ‘felt personally that we were undermined’.

    We were undermined because we were workers, most of us were not educated, and most of us had never travelled. Some of the people were brilliant, you know when you are educated you are able to put things in a particular way. (Mathapelo Makgoba, Interview 2005)

Some interviewees however talked about the power and influence that COSATU women had in the WNC. They argue, ‘COSATU was very strong… COSATU fought for freedom, it was respected for its commitment’ (Elizabeth Thabethe, Interview 2004). ‘COSATU women were very strong… we had very strong representatives’ (Rachmat Omar, Interview 2005) who were able to engage in the debates at the WNC:

    COSATU women were highly experienced unionists and they had fought many, many battles in the workplace and in the unions … and in many ways they could assert themselves, and they did fight … So in that sense I think they had a big impact in influencing the content of the constitution. (Rachmat Omar, Interview 2005)

The Charter reflects the Coalition’s attempts at redefining women’s issues based on the local context, taking into consideration the direct experiences and needs of women. And this is supported by article five of the Charter on *Development, Infrastructure and the Environment*. Article five states:

    Adequate, accessible and safe water supplies and sanitation should be made available to all communities, including those in rural areas and
informal settlements; women must have equal access to land and security of tenure, including women living under customary law.\textsuperscript{12}

The contents of the Women’s Charter do indeed reflect working-class women’s demands. It has also included demands from some of the campaigns and struggles for gender equality within the workplace, society and the trade unions. These include redefinition of the family to incorporate single parent households, equality within the family, marriages and intimate relationships, and the intervention of the state in the regulation of private relationships (article eight).

Article eleven of the Charter notes women’s inadequate access to health care services and information on health issues. It states that ‘women have the right of control over their bodies which includes the right to reproductive decisions; access to information and knowledge to enable women to make informed choices about their bodies and about health care should be provided’. In 1988 when COSATU women had their first women’s conference, similar resolutions were adopted at the congress.

The WNC’s effort to avoid racial tensions and build racial harmony is noticeable in the emphasis it places on patriarchal subordination, and limited reference to explicit racial differences in women’s experiences.\textsuperscript{13} The Charter emphasises patriarchal subordination. It states ‘if democracy and human rights are to be meaningful for women, they must address our historic subordination and oppression’. Article one on \textit{Equality} states further:

\begin{quote}
Our struggle for equality involves recognition of the disadvantage that women suffer in all spheres of our lives. As a result similar treatment of women and men may not result in true equality. Therefore the promotion of true equality will sometimes require distinctions to be made. No distinctions, however, should be made that will disadvantage women.\textsuperscript{14}
\end{quote}

Race and racial discrimination in South Africa is a deep rooted challenge that has far reaching consequences, which continue to plague the democratic South African society (see Buhlunugu 2000:9). African women constitute the majority of the working-class and the poor sections of the population. Failure to take cognisance of this fact further disadvantages African women, particularly those from working class background. The affirmative action policy has for instance largely benefited white women who had privileged access to education and training during the apartheid period (Tshoaedi and Hlela 2006).
The WNC’s emphasis on racial unity failed to prioritise measures to address these inequalities among women. To effectively transform a society like South Africa, with a history of colonialism, racism and sexism, as acknowledged in the Charter’s preamble, it is not enough to put emphasis on gender inequality at the expense of race. Emphasis should be placed on both and that should be reflected in policy measures.

Certainly, not all the concerns of working-class women were incorporated in the Women’s Charter. For instance while article three on the economy addresses the demands made by women for protection against gender discrimination in the workplace and the economy, the Charter does not specify women’s maternity and childcare rights, which has been one of the core demands for women workers. At the 1994 conference of the WNC where the Women’s Charter was approved as a women’s document, COSATU raised its objection to the lack of specification on maternity leave for women workers. It also pointed out gaps in the economy, unemployed women, living wage, and access for women to business opportunities.15

Since COSATU women were still organised within the labour federation, maternity issues and women workers’ rights were pursued through COSATU. Their resistance to disbanding their women’s structures proved useful when the WNC mission reached a conclusion. It was through these structures that COSATU women continued to make the demands for maternity rights and some of the issues on workplace rights that were not adequately addressed at the WNC. According to Omar, then, ‘COSATU women made certain demands and positions known through the positions COSATU was taking [in tripartite alliance structures]’ (Rachmat Omar, Interview 2005). This ensured that women workers’ rights were also raised in broader forums (constitutional level) that focused on general workers’ rights in a democratised South Africa.

Maternity rights are currently covered under the Basic Conditions of Employment Act 1997, which was negotiated at the National Economic, Development and Labour Council (NEDLAC, a tripartite structure that includes government, labour and business sector) after the democratic elections. Initially COSATU demanded six months paid maternity leave, and went out on marches and protests to reinforce this demand. However, this was unsuccessful and the Act currently provides women four months maternity leave and protection of their jobs after this period. The agreement does not make it compulsory for employers to pay wages during maternity leave, but has left it to the unions and employers to negotiate a suitable
agreement. The Unemployment Insurance Fund (UIF) covers maternity leave payment in instances where there is no agreement between employers and workers. Even in cases where the employers pay only a portion of the salary, the UIF pays the balance.

**Conclusion: women’s rights in a democratic South Africa**

COSATU women have indeed been influential in struggles for gender equality during the apartheid period and in ensuring that the transition to a democratic South Africa takes into consideration women’s rights to equality, particularly in the workplace and the broader economy. However, like in most Latin-American countries, the consolidation of democracy and realisation of gender equality has been limited. In so far as economic redistribution and access to full-time employment, the majority of the poor (with low educational levels and no specialised skills) have not benefited (see Sitas 2010).

The adoption of neo-liberal policies and thus the liberalisation of the economy and deregulation of the labour market have severely impacted women’s right to full employment and economic security. Women continue to face discrimination in the South African labour market. Accessing employment opportunities is still a challenge for women. Statistics South Africa (2010) estimated the labour absorption rate of women at 36.3 per cent, while for men it was 49.2 per cent. The unemployment rate for women, particularly Africans remains high. Most women are employed in casual jobs and the informal sector, characterised by low wages, poor working conditions and poor union organisation if it exists. The Quarterly Labour Force Survey estimates that 41.2 per cent of employed women lacked decent employment conditions, compared to 31.6 per cent of men (StatsSA 2008:6).

Research conducted by Kenny (2004) in the retail sector, which is predominantly women, demonstrates growing casualisation, a result of flexible labour laws. With casualisation, many workers have lost their identity as full-time workers with job security, employment benefits and protections provided by the labour legislation. Similarly, Mosoetsa (2001 and 2011) argues that trade liberalisation policies and workplace restructuring in the textile and footwear industry in Kwa-Zulu Natal have resulted in the in-formalisation of work. The sector which is predominantly women has seen scores of workers (mostly African) pushed into informal work in sweatshops and on the streets. The working conditions in the informal sector are characterised by long working hours, low wages and no protection by the
labour legislation. As the informalisation of work and the informal sector increases, the majority of women continue to be outside the labour legislation protections (Mosoetsa 2001 and 2011).

The pressures exerted by neo-liberal global capital are having varied effects on trade unions’ support for their potentially diverse members, including women (Franzway and Fonow 2011:4). Strained by the burdens of globalisation and workplace restructuring which has resulted in massive retrenchments, unemployment and erosion of workers’ rights, unions have been in a defensive mode. The agenda of the unions in recent years has largely been defined by the neo-liberal onslaught. Unions have invested their time and resources largely on measures aimed at defending the surviving job opportunities and demanding decent work and wages.

Thus globalisation has not only reversed gains made by the general working class, but it has also overturned the limited victories by women in trade unions. Women’s struggles to insert a feminist agenda in trade unions and working class struggles are undermined by globalisation. As trade unions commit most of their resources on addressing its consequences, union programmes that focus on women and gender inequalities in the workplace or the labour market, have been under strain. The budget or funding for women’s forums in the unions for example has been diverted to other programmes in the unions, which are deemed more urgent. This has major consequences not only for the organisation of women within trade unions, but also the representation of their gendered interests within the male dominated trade unions.

Notes
1. COSATU Women’s Conference, 1988
2. COSATU second National Women’s Conference, August 6-8, 1992 (COSATU Archives).
3. Speak Magazine 1990, 29
4. Speak Magazine 1990, 29
7. See Hassim (2006) for a detailed discussion on the tensions between internal women activists and the returning exiles.
8. The UDF was formed in 1983. Until the transition, UDF was central in mobilising and coordinating campaigns against apartheid. In 1991 it was merged into the ANC (Seekings 2000).

9. COSATU 2nd National Campaigns Conference, September 7-9, 1990 (SAHA Archives) and Minutes of NEDCOM Women’s Sub-committee, February 1, 1992 (SAHA Archives).

10. Minutes of NEDCOM Women’s Sub-committee meeting, February 1, 1992 (SAHA Archives).

11. The Freedom Charter was adopted in 1955 and it involved a collection of people’s demands from door to door approaches which were then compiled into the Freedom Charter.


13. The Charter actually has one sentence with specific reference to ‘racism and apartheid’ (see preamble of the Charter).


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Barret, Jane – is the Policy Research Officer at the South African Transport and Allied Workers’ Union (SATAWU). She initially was the organiser for Transport and General Workers’ Union (TGWU).

Kgasi, Themba – is the former gender coordinator at Paper, Printing and Allied Workers’ Union (PPAWU).

Khumalo, Patricia – is a former SACCAWU shop steward. At the time of the interview she was the director of the Sexual Harassment Education Programme (SHEP)

Kompe, Lydia – is the former Transport and General Workers Union organiser TGWU organiser.

Magubane, Maggie – is former general secretary of Sweet Food and Allied workers Union.

Makgoba, Mathapelo – was the secretary to Jay Naidoo, the former COSATU General Secretary.

Masangwane, Sibongile – former Transport and General Workers’ Union (TGWU) shop steward.

Omar, Rachmat – was the educational officer in COSATU in the 1990s.

Pekani, Joyce – at the time of the interview she was the second deputy president of Chemical Paper, Printing, Wood and Allied Workers Union (CEPPWAWU).
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Thabethe, Elizabeth – is the former Chemical Workers Industrial Union (CWIU) shop steward.

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