

# **Immigrant Workers and COSATU: Solidarity versus National Chauvinism?**

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## **Abstract**

The literature on xenophobia in South Africa is comprehensive and covers various issues ranging from describing the nature and form of xenophobia and responses to xenophobic outbreaks. However, this literature has tended to focus on xenophobia at places of residence and trade like townships, cities and towns. While this is understandable as xenophobic outbreaks take place in these mentioned spaces, little is known about xenophobia and the relationship between immigrant workers and trade unions at the workplace where immigrant workers spend most of their time. By extension, there have not been adequate scholarly debates on how the Congress of South African Trade Unions (COSATU) which has over 2 million members and 19 affiliates has responded to xenophobia. Based on 50-in-depth interviews and documentary analysis, I argue that COSATU's policies on immigrant workers and xenophobia are contradictory in the sense that the federation claims to be opposed to xenophobia, but some of its policy utterances belong to what can be regarded as xenophobic discourse and national chauvinism. This perhaps partly explains why the federation has not been part of visible campaigns against xenophobia. Some immigrants also contend that COSATU has not used its public standing and relationship with the governing party – the African National Congress - to advance the cause of immigrants. Some immigrant workers interviewed argue that like the South African government, COSATU is only concerned about defending the rights of South African workers and this contradicts the federations' principles of international solidarity and a need to defend the rights of all workers. On the other hand, a tiny minority within COSATU and its affiliates has been seeking to forge links with immigrants by trying to organise immigrant

workers and provide humanitarian aid to immigrants during xenophobic attacks.

**Keywords:** national chauvinism, xenophobia, solidarity, organising, immigrant workers

## **Introduction**

With more than 2 million members and 19 affiliates organising various sectors and being in an alliance with the ruling party – the African National Congress (ANC) - COSATU remains a key player in the South African political and economic landscape. Formed in 1985, COSATU exclaims,

Racism, sexism, tribalism and xenophobia divide the working class (workers and the poor). ... Working class solidarity must transcend these divisive tendencies (COSATU 2009: 15).

One of the principles of COSATU is ‘solidarity’ which basically calls for the unity of the workers regardless of their nationalities. The principle of solidarity seeks to unite workers against the employers and all those who stand on the way of workers realising workers’ rights inside and outside the borders of South Africa (Baskin 1991; COSATU 2013).

Based on document-based evidence and interviews, I submit that while COSATU states that it supports the principles of international solidarity, solidarity with immigrant workers within South African borders and is opposed to xenophobia, the federation in general has not been able to actively campaign against xenophobia, especially during the xenophobic attacks of May 2008. I argue that the unions have to accept that the phenomenon of the rise of immigrant workers is going to be a permanent feature of the South African economy and this largely has to do with the policies of the South African state and its multinational corporations acting as an economic power on the continent.

Despite an increase in the number of immigrant workers located within the South African borders, the union movement has not been able to pledge ‘solidarity within the South Africa borders’ with immigrant workers (Hlatshwayo 2011). It appears as if one of the main sources of the strain

between COSATU and immigrant workers is national chauvinism which seems to be based on COSATU's privileging the interests of South African workers at the expense of immigrant workers. As I will show in the article the belief that the unions and the South African state should prioritise the interests of South African workers and South African citizens is also held by shop stewards and COSATU members in general. In contrast, there is a tiny minority comprised of trade union leaders and shop stewards located in COSATU and its affiliates which is organised humanitarian support for immigrants during the xenophobic attacks of May 2008 which led to massive displacement of immigrants and killings. This minority also tried to help immigrant workers to access their rights.

### **Locating this Article within the Literature on Xenophobia**

The literature on xenophobia in South African has exposed the violation of human rights of immigrant communities extensively (e.g. Crush 2001; Hawabibi 2008; Sigsworth *et al.* 2008; Verryn 2008; Landau 2008; Everatt 2011; Landau *et al.* 2011). Most of the exposition of xenophobia and violation of rights of immigrants in the literature is about violation of the rights of immigrants in places of residence, towns, cities and place of trade (Bruce 2002; Everatt 2010; Landau 2011 *et al.*; Sinwell 2011; Amisi *et al.* 2011).

Another strand of literature which seeks to examine social agency among immigrants in places of residence and trade is also emerging (Amisi 2010). For example, Polzer and Segatti (2011) have examined social agency of organisation of immigrant organisation in the Gauteng Province after May 2008. While the two authors conducted an excellent study document on various strategies used by immigrant organisations to push back the frontiers of xenophobia, they did not look at the relationship between immigrant workers and trade unions in a context of the workplace where immigrant workers spend most of their time. The investigations into the specific conditions of immigrant workers and the relationship between these workers and trade unions, especially COSATU have lagged (despite some notable exceptions; e.g. Hlatshwayo 2011; Di Paola 2013). Therefore this article is a contribution to the thin literature on the relationship between immigrant workers and trade unions at the workplaces – a space that plays an important

role in determining survival of immigrants in South Africa. I seek to understand how COSATU responded to xenophobia and the increased presence of immigrant workers, especially in the post-apartheid era. For the sake of seeking some balance, the article also provides immigrant communities, their organisations and immigrant workers with a space to evaluate COSATU's responses to xenophobia<sup>1</sup>.

### **The Evolution of Immigrant Labour: A Synopsis**

Migration in Africa and southern Africa predates colonialism, capitalism and apartheid and the presence of immigrants in South Africa has its roots in the development of capitalism in South Africa. In southern Africa colonial conquest, land grabbing, early commercial agriculture, mining and the discovery of gold on the Witwatersrand in the late 1800s were violent processes which led to the creation of the working class. People who had access to land and lived on it were largely alienated from it and turned into workers working for a wage in order to survive (Callinicos 1980). South Africa has an extensive literature on production process in the mining sectors, the migrant labour, the role of violence in the mining sector, and the compound system (Abrahams 1946; Allen 2003; Callinicos 1980; Gordon 1978; Crush 1992; Dunbar 1994).

This scholarship also shows that the mining sector and the Witwatersrand in particular played an important role in the generalisation of the migrant labour system and the Witwatersrand became a 'pole of attraction' for migrant workers from South Africa and southern Africa. Later the other sectors of the economy such as the manufacturing sector employed workers from other parts of South Africa as well as other countries in southern Africa (Hlatshwayo 2012).

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<sup>1</sup> The research methodology adopted in this article is qualitative and includes 50 in-depth interviews conducted between 2009 and 2013 with COSATU officials, shop stewards, representatives of COSATU affiliates, labour commentators, immigrant workers and representatives of immigrant communities. The research was funded by the Atlantic Philanthropists.

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Some of these workers became worker leaders in the trade union movement. For instance, Clements Kadalie who originally came from the then Nyasaland became the leader of the Industrial and Commercial Workers Union (ICU) in the 1920s and 1930s (South African History Online 2009). According to Dominic Tweedie, a former COSATU's *Shopsteward* magazine editor, two current national office bearers of COSATU are originally from the neighbouring states (Tweedie 2009, interview).

In other words, the development of the South Africa and its 'economy' is directly tied to other countries in southern Africa. So, the history of immigrant workers from other southern African countries is inextricably linked to the development of the South African industries and the economy.

## **Post-apartheid South Africa and Migration**

In post-apartheid South Africa immigration to South Africa is an issue that COSATU will have to navigate courteously as Crush (2008:1) argues that 'South Africa is increasingly seen by Zimbabweans as a place to try to build a new life, rather than a place of temporary respite and quick income'. The presence of immigrants and immigrant workers has increased since the dawn of democracy in the 1990s. South Africa's population is said to have increased to just below 53 million by the middle of 2013. According to South Africa's Statistician General Pali Lehohla, an inflow of migrants is the cause of the 1.2 million population increase since the 2011 Census. The South African Government News Agency said,

The population is expected to have grown from just under 51.8 million in 2011, to an estimated 52 981 991 next month. However, driven by a net inflow of migrants, the population grew slightly faster per year in 2013 than over a decade a year – having increased by 1.34% between 2012 and 2013, up from a 1.3% increase between 2002 and 2003 (South African Government News Agency 2013:1).

The agency states that the increase of inflow of migrants is not a new development. The agency argues,

An estimated 864 000 African migrants entered South Africa between 2001 and 2005, and this increased to an inflow of 974 000 between 2006 and 2010. An estimated 998 000 African migrants are expected to enter the country between 2011 and 2015 (South African Government News Agency 2013:1).

Writing about xenophobia in South Africa, Crush argues, ‘South Africa prides itself on having one of the most progressive constitutions in the world. The Bill of Rights guarantees a host of basic political, cultural and socio-economic rights to all who are resident in the country. Yet there have been persistent reports that citizen intolerance of non-citizens, refugees and migrants has escalated dramatically since 1994 (Crush 2001:103). Migration to South Africa has also been accompanied by a violation of the rights of immigrants and immigrant workers in particular. Women immigrant workers from Zimbabwe tend to work under precarious conditions in places like Johannesburg. For example, these women are involved in sex work, domestic work and hospitality work (Hlatshwayo 2010). The Zimbabwean economic and political crisis has also contributed to the inflow of Zimbabwean immigrant workers into South African farming areas near the Zimbabwean borders. Again, these immigrant workers work under poor working conditions and earn low wages. Rutherforda (2008:4010), argues, ‘Many of the border zone farmers are keen to employ them as their desperation for work typically predisposes them to work harder and often for lower wages than South Africans’.

South Africa’s positioning as a dominant economic power house, the political and economic situation in Zimbabwe, the economic liberalisation of African economies and wars on the continent are related causes of migration towards South Africa. All these factors are not caused by immigrants and immigrant workers. It is the South African state, some of its corporations which are multinational in character and the developed countries and their institutions that are responsible for these migration patterns in southern Africa and Africa. Bond and Manyanya (2002) indicate that South Africa also played a role in the de-industrialisation of Zimbabwe and by implication South Africa is also part of the cause of a flow of immigrants from Zimbabwe to South Africa. They argue,

All took advantage of the ESAP [Economic Structural Adjustment Programmes] years by opening shops in what was then a forex-rich Zimbabwe, and importing mass-produced consumer goods from their own South African supplier networks, to replace goods which were previously made locally in Harare or Bulawayo. But Zimbabwe's de-industrialisation meant that when forex began to dry up in 2000, it became more difficult to source those same goods as no local alternatives were available (Bond & Manyanya 2002:132).

In line with Bond & Manyanya's (2002) argument, Lehulere states,

On the contrary, it is the actions of the South African state that ensure that immigration into South Africa will continue with or without the Zimbabwean crisis. As an agent of South African capital, the South African state is responsible for policies that undermine African economies, it is responsible for policies that extract wealth from Africa into South Africa, and it is responsible for policies that are concentrating the capital of the continent – both human and financial – into South Africa (Lehulere 2008:36).

Lehulere further argues that South Africa's role and policies in Zimbabwe and other countries in the region are contributing factors to migration towards South Africa. He contends,

As sure as day follows night, the movement of people will always follow the movement of capital. The direction of migration in the Africa continent will be towards South Africa, and can only be changed once South Africa loses its position of hegemony on the continent (Lehulere 2008:36).

According to van Driel, economies of other African countries have also been weakened by the World Bank and International Monetary Fund's (IMF)-imposed Structural Adjustment Programmes. The destruction of jobs and services which were provided by the state in terms of these and their related adjustment policies in a context of a relatively stronger South African economy, makes South Africa to be a pole of attraction for immigrants from

other African countries. She expands on this point,

By the 1980s the so-called debt crisis hit Africa; and the World Bank and the IMF imposed economic structural adjustment programmes (ESAPs) on Africa. This deepened the social economic and political crisis in Africa. The repayment of the debt resulted in the transfer of wealth from the south to the north just to repay the interest on the debt. The ESAPs curtailed state expenditure, especially cuts on basic social services, introduced privatisation and user fees. This impoverished the working population even more (van Driel 2008:4).

Van Driel also states that South African state corporations and companies are dominant in Kenya, Tanzania and Nigeria, and these companies export despotic apartheid labour regimes and destroy local industries. She further states that in 2008 'the trade imbalance between South Africa and the region is estimated as 7:1. South African companies' profits are between 2-3 times higher than those earned in operations at home' (van Driel 2008:7). In other words, the transfer of values or wealth from other African countries to South Africa leads to the decline of these economies and also makes South Africa to be attractive to immigrants from these other African countries which have fewer economic opportunities compared to South Africa.

Another factor that leads to migration towards South Africa is that countries such as Rwanda, Burundi, the Democratic republic of Congo and Somalia, for instance, are confronted with civil wars and wars. This leads to displacement of people in these countries. The economic strength of South Africa on the continent and the perceived culture of human rights in South Africa are factors which make immigrants from these countries to end up residing in South Africa (Hlatshwayo & Vally forthcoming).

Deducing from the works of the abovementioned scholars, one of the realities of post-apartheid South Africa is that immigrants and immigrant workers are 'here to stay'. Consistent with Lehlere's (2008) contention is that the presence of immigrant workers from other African countries is going to be a permanent feature of the South African economy, Gordon reflects, '... there is a distinct probability that illegal migration will continue and even increase (Gordon 2005:76)'. Given that immigrant communities and immigrant workers seem to be a permanent feature of post-apartheid South



Africa, how has COSATU responded to xenophobia and the increased presence of immigrant communities and immigrant workers in post-apartheid South Africa?

## **COSATU's Policy Positions on Xenophobia and Immigrant Workers**

The September Commission of COSATU had a task of developing long-term policies for COSATU, its affiliates and the labour movement in general. The commission's report released in 1997 made a call for trade unions in southern Africa to work jointly in exchanging ideas and practical suggestions on issues of migration. In the same report of the commission COSATU espouses positions which undermine the freedom of movement of people and right to choose a country of work. COSATU is a member of the Southern African Trade Union Co-ordinating Council (SATUCC) which adopted a social charter which says, 'Freedom of movement, residence and employment for workers throughout the region' (Jauch 2001:21). The contradiction in the commission's report is the fact that it calls for the South African government to implement 'voluntary repatriation and fair and proper control of entry of migrant workers into host countries' (COSATU 1997:30).

In 2000, COSATU made a parliamentary submission on the White Paper on International Migration. In line with the September Commission's report, COSATU proposes that the South African Development Community countries impose a quota system on the number of immigrant workers to be accepted by each country. The submission further calls for 'the state to impose heavy penalties' on those companies that 'illegal' immigrants (COSATU 2000). COSATU's statement published during the United Nations World Conference Against Racism and Xenophobia (WCAR) in Durban in 2001 stated that the federation is opposed to xenophobia and all forms of discrimination. Like the submission to the White Paper, the federation also argued that 'unscrupulous employers that are taking advantage of the situation' (COSATU 2001). Criticising COSATU for just blaming employers and not organising immigrant workers, Mike Abrahams, the spokesperson of SAACAWU, said, 'We cannot expect our enemy to do the job for us. We

have to organise and unite all workers regardless of their country of origin' (Abrahams 2009, interview).

COSATU is part of the 'Proudly South African Campaign'. Founded in 2001, the campaign promotes the purchase of local goods and services so that jobs can be created in South Africa (Proudly South African Campaign 2001). According to Malecki (1999), this campaign entrenched national chauvinism in the sense that it projects South Africans as important people who should be prioritised in employment and other economic opportunities at the expense of building African unity and workers' solidarity regardless of countries of origins. It does not also take into account the fact that people from other Southern African countries contributed to the building of the South African economy and the fact that South Africa continues to extract wealth from the rest of the continent. He explains national chauvinism in the unions,

The National Union of Mineworkers in Rustenburg called for a moratorium on hiring Mozambicans during wage negotiations. Meanwhile, the SACTWU has organised rallies protesting Chinese imports. At the COSATU congress, the bureaucrats raised a furore because some of the caps made for congress delegates had been produced in China (Malceki 1999:1).

Anele Selekwa, a social movement activist in the Western Cape, further talked about this South African chauvinism and saw it as obstacle to building solidarity, African unity and combating xenophobia. He reflects,

They treat it [South Africa] like a small island that does not belong in the continent. Personally I do believe they should not be talking *proudly South African* but about solidarity in the continent, doing away with the borders and inheritance of colonial names like South Africa. We are stepping in a wrong step (Selekwa 2009, interview).

Perhaps Fanon (1990) is worth quoting here. He said,

From nationalism we have passed to ultra-nationalism, to chauvi-

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nism, and finally to racism. These foreigners are called on to leave; their shops are burned, their street stalls are wrecked ... (Fanon 1990: 125).

Fanon (1990) remarks that nationalism which defined struggles against colonialism in Africa can end up being national chauvinism in the post-independence period. Immigrants are then blamed for all the ills and sufferings of working and poor people in a country. In that context the African elite tied to powerful economies and corporations of the North which also calibrates and reinforces national chauvinism is absolved from any form of responsibility and accountability.

In post-apartheid South Africa, the corrupt elite which loots state resources in various forms and has presided over poverty and inequality uses the immigrants a scapegoat for its lack of delivering its promises to the poor and workers. Neocosmos explains,

Government departments, parliamentarians, the police, the Lindela detention centre, the law itself have all been reinforcing a one way message since the 1990s: We are being invaded by illegal immigrants who are a threat to national stability, the RDP, development, our social services, and the very fabric of our society (Neocosmos 2008:1).

Lehulere comments on COSATU statement released in May 2008 during the xenophobia attacks of May 2008. He identifies what could be interpreted as national chauvinism in COSATU's policy statement. He argues,

Cosatu blames employers for 'employing foreign immigrants, especially the illegal ones', and calls on 'employers to stop taking advantage of the desperate situation of foreign nationals'. No mention of the need to organise the workers (especially the 'illegal ones'!) into unions, but rather a call on employers to fire 'the illegal ones' (Lehulere 2008:34).

It seems as if COSATU faces a policy tension between solidarity with im-

migrant workers and what appears to be national chauvinism which has a pre-eminence and the privileging of South African workers over immigrant workers, especially the so called illegal immigrants. Some of the statements and the discourse used by COSATU in its policy positions borders along the lines of a xenophobic discourse and the ‘othering’ of immigrant workers. The use of words like the ‘illegal ones’ undermines any notion of solidarity as Lehulere (2008) suggests. The ‘othering’ of immigrant workers is also at the lower levels of union leadership. Moses Makhanya, a Provincial Secretary of SACCAWU in KwaZulu-Natal, shared his views on organising migrants by saying,

The problem we have as a union [is that] for starters they employ them at a very low salary scale. Our South Africans end up not getting jobs because jobs are taken by those people who the employer regards as cheap labourers. I think that is the first point. The second difficulty is that it becomes extremely difficult to organise those people because some of them get paid, eat and enjoy themselves and think that it is the end of the world.

Makhulwe Ndwandwe, the COSATU Durban Central Local Secretary, interpreted COSATU’s policy to be meaning that the unions are not supposed to organise ‘illegal’ immigrant workers. She indicated,

We only organise those who are here legally and having proper documents .... No, that is not the policy but the LRA [Labour Relations Act] demands that only the people with documents must be employed, so we organise those who are employed.

The importance of education on xenophobia and the need to liquidate the notion of ‘us’ and ‘them’ was emphasised by Phillip Nkosi, a South African Commercial, Catering and Allied Workers’ Union (SACCAWU) full-time shop steward at Southern Sun. He said, ‘As long as there is distance between ‘us’ and ‘them’, there will always be these differences. Education and education!

One of the responses of COSATU in the Western Cape and the Western Cape based Labour Research Service, the International Labour Research

and Information Group, and the Ogoni Solidarity Forum to the xenophobic attacks of May 2008 was the formation of the Migrant Workers Committee (MWC) – ‘a group of migrants and refugees which acts as an organizing platform for migrant workers and refugees’ (Imbula-Bofale 2010:1). Consistent with Nkosi’s advice on a need for education, the MWC organised a number of workshops bringing together immigrants workers, immigrant organisations, COSATU and NGOs with the view to raise awareness about the rights of immigrant workers and organise these workers into trade unions (COSATU *et al.* 2008). Perhaps the initiative can be seen to be ‘Pan Africanism from below’ because it also argues, ‘The partners also agreed to provide a referral and resource centre that will educate and empower a core group of migrants and refugees that would contribute to a pan-African migrant workers and African refugee support and advocacy structure’ and also states that ‘the country’s trade unions would serve as a home for workers from different part of the continent and a platform from where activists could challenge capitalism and oppression in the continent’ (Imbula-Bofale 2010:1). This initiative is not led by leaders of African countries and politicians, but has been established by immigrant workers, trade unionists and activists in the Western Cape.

In September 2009, almost a year-and-a-half after the xenophobic attacks of May 2008, the Tenth Congress of COSATU adopted a resolution on xenophobia and the organising of migrants. As a positive development from previous positions, it argues that the capitalist crisis is the cause of xenophobia. It also noted that some shop stewards and members of COSATU affiliates were also killed during the xenophobic attacks of May 2008. In addition, the resolutions call for labour laws to cover all migrants. In order to raise consciousness among workers and the South African public about the continent, COSATU proposes that Africa Day be declared as a public holiday (COSATU 2009).

As part of attempts to develop its policies in a post-May 2008 period, in 2010 COSATU together with the United National High Commission for Refugee (UNHRC) hosted a policy seminar on xenophobia. A declaration of the seminar states,

Xenophobia is largely a scapegoat for frustrations arising from persisting socio-economic ills and lack of profound understanding of the

root causes of the crisis facing people from other countries and how they relate to our internal situation. This begins to shape social relations in a way that takes the form of them and us or ‘outsiders’ (COSATU & UNHCR 2010:1).

COSATU then committed itself to addressing xenophobia and also spoke about a need to organise immigrant workers,

We set ourselves the following tasks in pursuit of our common commitment to the fundamental eradication of xenophobia and its causes:-

- Review of migration dispensation to care for foreigners; and
- Organising migrant workers to fight for and defend their rights (COSATU & UNHCR 2010:1).

Perhaps some of the policy positions adopted after the xenophobic attacks of May 2008, especially at its 2009 national congress, are beginning to indicate some policy shifts which are beginning to engage the question of immigrant workers positively. Of course, the limitation of policies is that they do not always translate into concrete actions.

## **COSATU and Campaigns against Xenophobia**

Having examined COSATU’s policy position on xenophobia and immigrant communities and immigrant workers, I am now examining COSATU’s practical campaigns against xenophobia. Based on the interviews and documentary evidence, I argue that COSATU’s practical campaigns against xenophobia were lukewarm if not cold and this perhaps had to do with fact that the trade union federation, as stated earlier in this article, was ambivalent on how to relate to immigrants. On one hand, the union saw a need to defend immigrant communities against xenophobic attacks. On the other, the union had problems with the so called illegal immigrants and immigrants in general who were seen to be responsible for the lowering of

labour standards. For the sake of completeness, it has to be mentioned that a tiny minority within COSATU and its affiliates has been able to provide solidarity with immigrant communities, especially during the xenophobic attacks of May 2008 (Di Poala 2012).

### **Humanitarian Assistance to Immigrants during the Xenophobic Attacks of May 2008**

As part of providing practical solidarity, some COSATU affiliates, provinces, and individuals provided humanitarian assistance ranging from food, clothing to shelter to immigrants who were under attack in May 2008. Western Cape COSATU's Mike Louw said, 'We quickly got together as various organisations and as civil society we were able to pull humanitarian resource together and reached the ground' (Louw 2009, interview).

Thulani Mabaso, the Chairperson of the COSATU local in Boksburg, spoke about how the local structure of COSATU with the assistance of the Gauteng Province of federation provided clothes, blankets and food to displaced immigrant communities in May 2008 and stated that it had to be noted that the East Rand was 'hard hit' by the xenophobic attacks of May 2008 (Mabaso 2009, interview).

Besides providing shelter to immigrants on the East Rand (Falkner 2009, interview), the South African Municipal Workers Union's (SAMWU) statement on xenophobia also highlighted the gender, women and children's dimensions of the violence. The statement read also said, 'We especially condemn the attacks that have been made on women, and the use of gender based violence to intimidate working class communities'.

In 2009, Mandela Day as a platform for pledging solidarity with immigrants from Zimbabwe. Momberg reported,

Cosatu Gauteng officials swapped their placards and protest boots for brooms and gloves to clean the Central Methodist Church and its surrounds in the Johannesburg inner city. This was done through dedicating 67 minutes - reflecting the 67 years of selfless service Mandela had given to the nation - to community work (Momberg 2009:1).

## **Awareness Raising and Mobilisation against Xenophobia**

For the National Union of Metalworkers of South Africa (NUMSA), the xenophobic attacks of May 2008 were not just catastrophic events requiring general workers' solidarity. The union lost one of its leading shops stewards during the xenophobic attacks of May 2008. The union issued a statement seeking to highlight that it had lost one of its leaders and also raised awareness about the ferocious nature of xenophobia. The union said,

Walter Ntombela, a Mozambican national who has been a shop steward for the past 10 years, was killed in his shack at the squalid Madelakufa Squatter camp, outside Tembisa township in Germiston (NUMSA 2008:1).

The NUMSA region on the East Rand to which the late Walter Ntombela belonged sent Mlungisi Rapolile, a NUMSA Regional Educator in Ekurhuleni, to a course on humanitarian disaster management (Rapolile 2009, interview).

Other COSATU affiliates such as the SAMWU and South African Transport Workers Union spread the anti-xenophobia message by printing T-shirts and posters. In KwaZulu Natal COSATU spread the message against xenophobia by convening meetings of the unions. According to Zet Luzipho, the KwaZulu Natal Provincial Secretary of COSATU, 'We used our structures such as shop stewards council and the alliance in KwaZulu Natal to stop it' (Luzipho 2009, interview).

Despite its sheer size, influence and history of active mobilisation, COSATU's campaign against the xenophobic attacks of May 2008 did not translate into active mobilisation in the streets. The only visible mass mobilisation against xenophobia was organised by the Coalition Against Xenophobia, a coalition of Gauteng-based social movements, immigrant organisation and Non-Governmental Organisations (NGOs). With about 5 000 participants, the march was the noticeable public demonstration against the action of those who violated the rights of immigrant communities. In 2009, a follow up public event which sought to highlight the abuse of the rights of immigrants was held at the Lindela Repatriation Centre near Johannesburg. According to the Coalition, Lindela is known for being a centre that detains, tortures and deports those who are suspected of being the



so-called illegal immigrants. A number of South Africans have also been detained and were accused of being 'illegal' immigrants (Hlatshwayo 2011).

Stephen Faulkner of SAMWU reflects on COSATU's lack of participation in the march,

Because the organisers were very clearly associated to the social movements on the far left, that time there was still antagonism on the leadership of social movements and COSATU unions. This dated back to two marches at WSSD [World Summit on Sustainable Development] and marches on Palestinian solidarity. I think that SAMWU was unusual to a certain point and clear about the need to have a working relationship with the Social Movements. Sometimes, despite sectarianism of COSATU and Social Movements themselves, we were very upset with the two WSSD marches. It is a really wasted opportunity and antagonism that is out there. Both sides have turned to focus on extreme polarised arguments around selling out and bankrupting of the alliance.

Faulkner had an optimistic outlook in as far the relationship between COSATU, social movements and an immigrant worker is concerned. He remarked, 'I think the imbalance between that and xenophobia is because we have an undeveloped position [on xenophobia]. But trade unions are slowly addressing that'.

### **Organising Immigrant Workers?**

Despite calls for solidarity and a need to unite all workers, COSATU and its affiliates have not had a strategic discussion on how to organise immigrant workers (Luhelere 2008). Perhaps the question of organising precarious workers in general such as casual workers, workers working for labour brokers including immigrants is an issue that has not been taken seriously by the trade union movement (Buhlungu 2010).

What seems to have happened is that COSATU and its affiliates have been fixated with 'palace politics' which entails focussing most of the energies to power battles and positioning in the African National Congress (ANC) led alliance (COSATU 2012). This perhaps can be explained by the

fact that some of the leaders of COSATU have been able to use the alliance as a platform for upward social mobility which enables leaders of unions to leave the unions and occupy strategic positions in government and business (Masondo 2012). Put differently, immigrant workers are not the only section of workers that is not organised properly by COSATU and its affiliates. Be that as it may. For the sake of focus, the article is only looking at immigrant workers.

There are very isolated instances where union organisers and shop stewards have tried to organise these sections of workers, but these practices have not been generalised. Even these isolated instances tend to be accidental. Put differently, COSATU and its affiliates do not have an active campaign for recruiting and organising immigrant workers.

For example, COSATU affiliates such as SACCAWU, the South African Transport and Allied Workers Union (SATAWU), and the National Union of Mineworkers (NUM) have been involved in a number of isolated attempts at organising immigrant workers (Hlatshwayo 2012). For example, Honest Sinama, a Provincial Secretary of SATAWU in the Eastern Cape, spoke about how the union is grappling with organising migrants and diffusing xenophobia in the security and transport sectors. He said,

As SATAWU we are able to explain to our members to say even ourselves we can be regarded as migrants because we have our drivers who travel as far [as] Zambia, Mozambique etc. So how would we feel if those people are treated with [the] same attitude as South Africans are showing to other people? .... In the security [sector] we have people who are from other countries who are also our members (Sinama 2009, interview).

In an interview with Glenn Mpufane of NUM he indicated that the NUM has always been organising migrants. He explained, ‘Concerning organising, we have organised irrespective of language or country of origin. At one stage NUM had a large membership from the neighbouring countries’ (Mpufane 2009, interview). The union demographics changed in post-apartheid South Africa. NUM’s inability to champion the needs and aspirations of migrant workers led to drill operators who are largely migrants from the Eastern Cape, Lesotho and Swaziland forming an independent workers’ committee

which took a direct mandates from striking mine workers in Marikana, a platinum mining area in the North West province. The workers were demanding a wage increase and felt that the union was no longer championing the needs of migrant workers. NUM lost credibility because it was seen by the striking workers as a union that defends the interest of the bosses and the state. In August 2012, during the strike, 34 workers were massacred by the police in Marikana (Jika *et al.* 2012; Vundla 2012). Given that some of workers killed during the massacre were from Lesotho, the Lesotho government held a memorial service for the victims of the Marikana massacre in 2012 (South African Broadcasting Corporation (SABC) 2012:1).

Maybe De Lange made a more fundamental discovery with regard to a changing profile of immigrant workers. From what he argues, it seems as if NUM has really been transformed from a union which catered for immigrant workers to a union that caters for supervisors, technicians and lower levels of management who are regarded as South Africans in the mining sector. This is what de Lange said about the profile of NUM in 2012,

Secondly, and most importantly, a gradual change had taken place in the profile of the NUM membership over the last 15 years; one that nobody had taken notice of. The NUM was originally borne out of the lowest job categories of South African mineworkers, mainly from gold mines. More than 60% of its members were foreigners, mostly illiterate migrant labourers who were not interested in a career path. Nowadays that number has dropped to below 40%. On the other hand, an increasing portion of the NUM's membership comes from what can be described as white-collar mining staff ... (De Lange 2012:1).

### **‘Papers’ and the Question of ‘Illegal’ Immigrant Workers**

During the interviews the union interviewees were asked whether the unions do organise immigrant workers including those that do not have official documentation from the Home Affairs office. Documentation entail various ‘papers’ in possession of migrants and these range from work permits to refugee status documents.

Abrahamse, the Provincial Secretary of SATAWU in the Western Cape, said, ‘Most illegals (sic) outside our scope are not organisable’ (Abrahamse 2009, interview).

Judging from the abovementioned statement, one may assume that it is absolutely impossible for unions to organise the so-called illegal immigrant workers. However, in context of xenophobic attacks in De Doorns in the Western Cape in 2012 COSATU in the Western Cape called for the legalisation of ‘undocumented’ immigrant workers. COSATU in the Western Cape said,

We are shocked by dangerous attempts by farm owners to divide workers and to provoke xenophobia in cheap attempts to divide workers. We call for a documentation amnesty, to avoid bloodshed and mass displacement (Herron 2012:1).

### **Attitudes of Immigrants towards COSATU**

Immigrant communities and their representatives stated that COSATU was not visible during the xenophobic attacks of May 2008. It could have used its public profile to send a clear anti-xenophobia message to South Africa and the world. There was also a concern about a lack of COSATU’s participation in the anti-xenophobia march organised by CAX during the attacks of May 2008. Ahmed Dawlo, the former Director of the Somali Association of South Africa, said, ‘COSATU has to come out with a very strong message against xenophobia and the loss of innocent lives of migrants’ (Dawlo 2009, interview).

James Mhlanga, a Zimbabwean immigrant worker working at a university in Johannesburg, arrived in South Africa in 1990 and has been working under precarious conditions since then. He was concerned about the fact that COSATU and its affiliates did not organise immigrant workers because they would have been able to strengthen the union and access their rights in the process. He said, ‘COSATU should organise all workers so that they can access their rights’ (Mhlanga interview, 2013).

COSATU in the Western Cape seems to have developed a close relationship with immigrant communities in the area. Concerning the working relationship between migrant organisations and COSATU in the Western Cape, Barry Wuganaale of the Ogoni Solidarity Forum remarked, 'Their [COSATU Western Cape] leadership and the staff have welcomed the organisation that I represent .... This has been very encouraging' (Wuganaale 2009, interview).

## **Conclusion**

While COSATU has adopted resolutions against xenophobia, the federation as a whole has not used its numerical and political strengths to mobilise against xenophobia. Besides humanitarian aid provided during the xenophobia attacks of May 2008, COSATU has not been able to develop a strategy which sees the prevalence of immigrant workers in South Africa as a permanent feature of the South Africa economy. In fact, a policy approach that organises workers regardless of their country of origin seems to be plausible because immigration to South Africa appears to be unstoppable. While the Food and Allied Workers' Union (FAWU) and COSATU have adopted resolutions calling for the organisation of immigrant workers (COSATU 2012), only time will tell whether these resolutions will be implemented. Perhaps COSATU nationally and its affiliates have a lot to learn from COSATU in the Western Cape which has convened a number of discussions on organising immigrant workers. It has to be noted that these are not easy issues to resolve, but COSATU in the Western Cape is trying to subvert national chauvinism by emphasising solidarity 'within' the South African borders.

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