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Editorial

The best is yet to come

by Martin Nicol

Celebrating *New Agenda* 100

In a world upended by war, genocide, climate catastrophes, pandemics, and dangerously unpredictable and autocratic leaders, the challenge is to seek creative ways to a new world order. *New Agenda* is primed to do exactly that. Its mission is to promote alternative ideas for social, ecological, and economic transformation. We aim to provide high-quality pertinent information and analysis for government, academia and civil society and bring solid, policy-relevant research to the public in an accessible and intelligible form. We celebrate the 100th issue of the journal; the best is yet to come.



100 issues of *New Agenda* is an amazing achievement. And the best is yet to come. With the assistance of our partners at the University of the Western Cape (UWC), we now have 'a journal for our times'.

Our principles and ideals and mission statement – all online and regularly updated on the [New Agenda page](#) of the OJS web portal managed by the Digital Scholarship unit of the University of the Western Cape (UWC) Main Library – are tuned for experiment and innovation. This is what we need in a world upended by globalism, war, social media, climate change, pandemics, financial crises, corruption, and artificial intelligence.

The 100th edition marks a milestone of achievement for any journal. *New Agenda* almost came to grief – Ben Turok, the founding editor, died in late 2019 and the journal was then hit by COVID-19 disruptions and a harsh evaluation of its academic quality by a review panel appointed by the Academy of Science of South Africa (ASSAf).

The Institute for African Alternatives (IFAA), as publishers of *New Agenda*, believed in the journal – and particularly in its character as both activist and academic. *New Agenda* seeks pathways between policy-making for development and the activism needed to defend South Africa's democratic Constitution and to promote African agendas.

The former acting director of IFAA, Zunaid Moolla, guided us towards a partnership with UWC and in particular with colleagues at the Institute for Social Development (ISD). In 2023, a formal memorandum of understanding (MOU) was signed. Amongst other features, this provided for UWC to serve as an 'academic home' for *New Agenda* as it strived to maintain the standards required for accreditation by the Department of Higher Education and Training. Two critical features of the MOU were the recruitment of a more representative editorial board and the migration to a digital journal management system. The MOU provided a platform to grow and to improve.

ASSAf has provided daunting, but clear and well-motivated, guidelines for journal improvement. The editorial collective has also benefitted from support in the form of funding and interaction with Electronic Information for Libraries (EIFL), an international non-profit organisation committed to providing free and open access to digital knowledge and information in the Global South. *New Agenda* is part of a three-year project to strengthen the quality and sustainability of African Diamond open access (OA) publishing. Diamond OA means that our authors and readers pay no fees to publish or read articles.



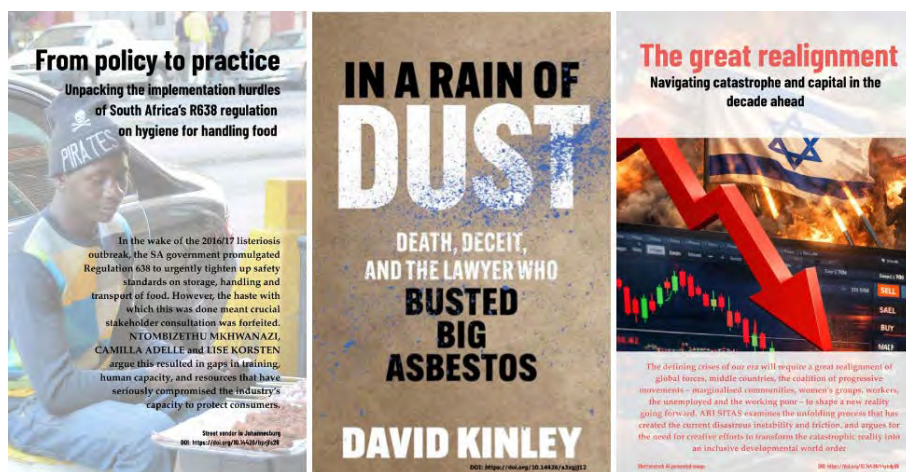
The patient and supportive EIFL staff balanced unrelenting criticism with frequent encouragement. *New Agenda* is grateful to EIFL for a 2025/26 [grant](#), and to the Rosa Luxemburg Foundation and UWC for their ongoing financial support.

New Agenda 100

New Agenda 100 contains two peer-reviewed academic research articles (on food safety and on the #FeesMustFall student movements), a substantial commentary on the Congress of South African Trade Unions (COSATU) – still the biggest trade union federation in South Africa – and contributions on national dialogues and international stresses. Paula Ensor introduces an oral and video history resource that recognises people who were banned and banished during the anti-apartheid struggles. Michal Singer reviews a new book on the successes and disappointments of a complex legal battle for worker compensation against toxic asbestos mining companies.

Peer reviewed articles

Consumers have a right to expect that the food they purchase and consume will be safe and of good quality. But that is often not the case in South Africa. The country has food safety standards in its law that are world class – but they can be difficult to implement in practice. Ntombizethu Mkhwanazi, Camilla Adelle, and Lise Korsten take a critical look at Regulation R638 which establishes compliance guidelines from farm to fork. They argue for proper stakeholder involvement in framing food safety rules that reflect the realities of South Africa. This all follows the tragic listeriosis outbreak in 2017/2018, which was described in [New Agenda 97](#) (Mkhwanazi et al., 2025).



See inside: From left, peer reviewed article on food safety regulation; book review by Michal Singer; commentary by Prof Ari Sitas on what is needed to deal with the decades ahead.

Their research shows that informal sector food suppliers (street vendors, spaza shops) generally operate outside formal regulation. But they are subject to inconsistent local bylaws and face discriminatory or erratic enforcement. Largely excluded from formal training and support, they are reliant on non-governmental organisations or rare municipal outreach for support in improving food safety. Their experience is of being penalised rather than supported into compliance. The results are unsafe foods and fewer jobs, in what should be a booming sector of the local economy (Jeffery, 2026).

The 2025 round of the South African Social Attitudes Survey (SASAS), conducted by the Human Sciences Research Council (HSRC), included a specially designed module on social movements. This was born from a youth-focused competition inviting young and emerging scholars to submit proposals for a survey focus in 2025. The winning entry suggested the #MustFall movements which had begun a decade before, in 2015. Nomkhosi Mbatha, Thierry Luescher, and Ben Roberts analyse the results of this opinion survey which interviewed a cross section of 3,119 South Africans. The survey findings showed that #FMF has been successful in achieving its goals. The legacy of the #MustFall movements emerges as significant because they have reshaped higher education policies and influenced fee increases. Half of the people surveyed believed that higher education in South Africa has been made free or more affordable (50% agreeing compared to 23% disagreeing).

The strongest agreement was found for the claim that universities now have more Black African and female students, lecturers, and professors (69% agreeing with 10% disagreeing). A majority also believed that the education system has been transformed to better reflect African identities, histories, and cultures (56% agreeing with 14% disagreeing).

The fact that the majority of South Africans support free higher education is, certainly in parts, due to #FMF. However, there is no sign from the university and education authorities – ten years later – of real solutions for the plight of the students in the ‘missing middle’. These are university students from households with annual incomes between R350,000 and R600,000, which makes them too wealthy to benefit from National Student Financial Aid Scheme (NSFAS) funding, but who struggle to afford higher education (NSFAS, 2026; Garrod & Wildschut, 2021). Leaders of many #FMF initiatives were Black students who fell into the ‘missing middle’ category (Cherry, 2017).



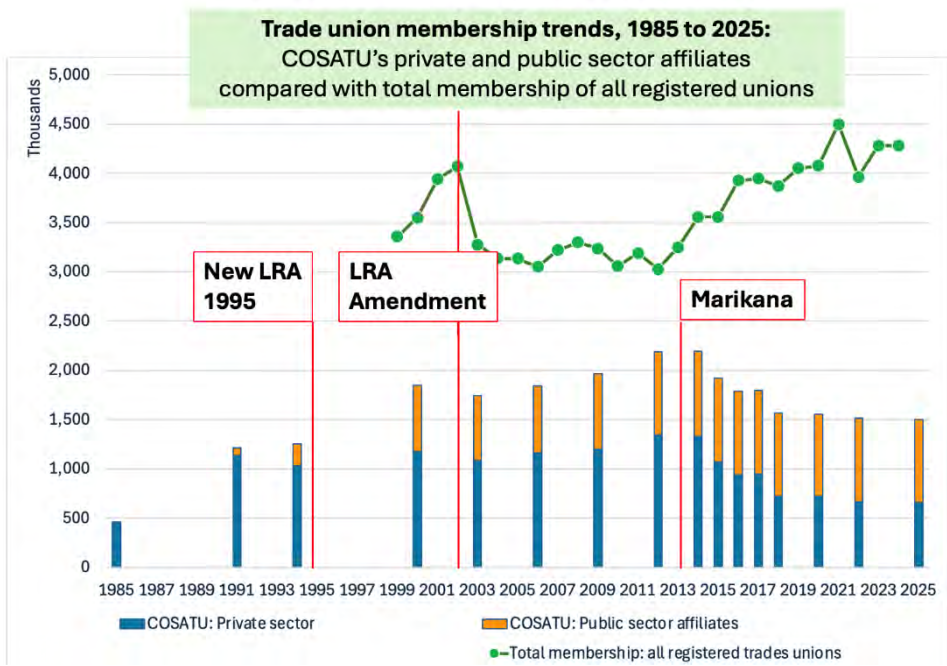
COSATU

The independent trade union movement was the backbone of the organised forces that toppled the apartheid regime. The unions also showed the people of South Africa that negotiation could be used as a powerful weapon to achieve the most ambitious goals.

Until 1995, COSATU grew rapidly. Ironically the new Labour Relations Act (LRA) – which was crafted by then-dominant union leaders in the forums of the National Economic Development and Labour Council [NEDLAC] and delivered to Parliament as a done deal – did not lead to a sustained expansion in COSATU organisation – except, and notably so, in the public sector.

In recent years COSATU's total membership has shrunk. Its affiliates had 2,193,965 million paid up members at its peak in 2014 (Supporting Information Tables 1 and 5).¹ “Over 1.5 million” was claimed in 2025, just before the 40-year celebrations – but this was not supported by a listing of affiliate membership figures.

Figure 1: COSATU vs national union membership



Source: Supporting information Tables 1 and 5.



See inside: Three-part special feature on COSATU, looking back and what lies ahead.

There was a great increase in the number of trade unions after 1995. Numbers doubled to more than 500, until an amendment to the LRA allowed the department to de-register unions that did not submit the required annual returns. This accounts for the drop in recorded membership after 2002. The number of unions subsided to a 'normal' level (of around 200) by 2010 (Supporting Information Table 5). The next major rise in union membership occurred after 2013. Perhaps it was coincidental that the wide labour unrest following Marikana was associated with a boost of one million new union members. This did not, however, assist COSATU. The membership of the federation fell drastically because of internal turmoil.

Public sector membership was 7% of COSATU in 1991 and 39% in 2012. After the expulsion and splits involving private sector affiliates, public sector membership was soon over half the total. Today COSATU's strength is in the organisation of employees in the public sector. In 2023, COSATU probably still represented half of all organised employees in the public sector (Supporting Information Tables 1 and 6). COSATU's influence as an alliance partner with the ANC now lies here, placing pressure on the public treasury, rather than as the hammer of the working class.² Gwede Mantashe, a former leader of the National Union of Mineworkers (NUM), told the NUM congress in 2015: "Once you have a federation dominated by the public sector, you are in trouble" (Quintal, 2015).

A hundred years ago, when the Industrial Conciliation Act held sway, the Department of Labour had a policy of never registering more than one union (or employer body) for an industry.³ This was to allow a new system to take root that would institutionalise the industrial conflict that had shaken the colonial state with the 1922 white miners' strike.

Such a framework was impossible with the new LRA and its principle of freedom of association. Public sector dominance, multiple unions, and multi-sectoralism *within* unions have become dominant features of the organising environment.

Shane Godfrey, Mario Jacobs, and Ian Macun analyse this new world and develop proposals for COSATU to consider. Organisationally, they argue, there needs to be a return to solidarity within the federation, where well-organised and financially-flush unions (now all in the public sector) assist weaker affiliates and support organisational campaigns that focus on the un-unionised 70% of employees. Second, they motivate for a shift from an industrial to a sectoral structure, which needs to be matched with a strategy to consolidate sectoral bargaining.

The founding slogan of the federation was "*one union, one industry; one federation, one country*". It is still repeated within COSATU as an aspiration. It does not describe even a remote possibility.

What chances for the best?

History has always had its optimists. From the sublime vision of Martin Luther King⁴ to the ridiculous delusions represented by Voltaire in his character, Dr Pangloss.⁵

Dr King spoke at the march in Montgomery, US, on 25 March 1965.

*... I know you are asking today, "How long will it take?" I come to say to you this afternoon, however difficult the moment, however frustrating the hour, it will not be long, because truth pressed to earth will rise again.
How long? Not long, because no lie can live forever.
How long? Not long, because you still reap what you sow.
How long? Not long. Because the arc of the moral universe is long but it bends toward justice.*

The African philosopher, St Augustine of Hippo (350-430 CE), did not believe historical progress towards peace and good order is inevitable.⁶

Your editor, pummeled by the 21st Century so far, has to take the African view here. Which is surely that better things are possible, if people combine to arrange it so. I remember an initially successful, but then struggling community organisation in the 1980s that held a workshop and decided to restructure by the following June. Then the staff just waited for June. And so surprised were they when they lost their jobs. The best is yet to come. But we have to make it better.



See inside: New UCT archive; National Dialogue latest; news from the continent.

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ENDNOTES

¹ Supporting information, available on the *New Agenda* website for this contribution comprises: COSATU – assembly of membership data 1985 to 2025; National trends in labour organisation 1980 to 2025; Sources.

² "...the public service wage bill has ballooned as a share of the economy: from 5.6% of GDP in 1995 to 10.4% last year" (Strydom, 2024).

³ This policy was applied regionally, so there could be more than one union nationally, but their areas of operation could not overlap.

⁴ "...the arc of the moral universe is long, but it bends towards justice", Dr Martin Luther King Jr, 25 March 1965.

<https://kinginstitute.stanford.edu/publications/autobiography-martin-luther-king-jr/chapter-26-selma>

⁵ "...Everything is for the best" Voltaire (1947, p. 35 *passim*).

⁶ A year after the death of Augustine, his city of Hippo (Annaba in modern day Algeria) was sacked and burned by the Vandals, who ousted the Roman colonisers. (Ryan, 2012).

SUPPORTING INFORMATION

Additional supporting information can be found online in the Supporting Information section.

Filename	Description
NA100supplemental.pdf	COSATU – assembly of membership data 1985 to 2025; National trends in labour organisation 1980 to 2025; Sources

Please note: The publisher is not responsible for the content or functionality of any supporting information supplied by authors. Any queries (other than missing content) should be directed to the corresponding author for the article, in this case the editor at NAeditor@gmail.com.

AI Declaration

Claude was asked to suggest references, but not used for any narrative content.



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#FeesMustFall

and the 2015/16 student movement in popular memory

*By Nomkhosi A. Mbatha, Thierry M. Luescher
& Benjamin J. Roberts*

An HSRC survey conducted a decade after the emergence of the Fallist movements shows that #FeesMustFall is the most widely recognised post-apartheid social movement in South Africa. Its call for free, decolonised higher education has firmly taken root in the public imagination; #FMF's abiding legacy is strikingly evident in the overwhelming 88% of South Africans who endorse some version of free access to university education.



#FeesMustFall and the 2015/16 student movement in popular memory

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Abstract

In 2015, the #FeesMustFall (#FMF) and #RhodesMustFall (#RMF) movements challenged the enduring structures of colonialism at South African universities and the legacy of apartheid. Through student-led activism, they advocated for social justice, the removal of colonial and apartheid-era statues, and for free and inclusive education. Students argued that despite two decades of democracy, universities remained sites of inequality, mirroring broader societal tensions and divisions relating to access to higher education, language, epistemology, and cultures of universities. Relevant literature identifies the #MustFall movements as catalysts in advancing a transformation agenda aimed at the 'Africanisation' or decolonisation of the South African university, while also confronting structural marginalisation, including class and gender disparities, patriarchy, heteronormativity, and so forth.

With 2025 marking the tenth anniversary of the start of the #MustFall movements, this article assesses their legacy by examining public awareness and perceptions using data from the 2025 round of the South African Social Attitudes Survey (SASAS), conducted by the Human Sciences Research Council (HSRC). Findings show that #FMF remains more recognised than any other movement, with 48% of South Africans aware of it, and 77% of this group at least somewhat knowledgeable. This articulates the lasting legacy that even prevails beyond the bounds of the university, driven by the principle of free education, and finds that the movement has been successful in achieving its goals. As a movement born out of student mobilisation and collective action to lay out the grievances of marginalised students, it still represents a living idea of what free decolonised African higher education is in the memories and expectations of South Africans.

Keywords: #MustFall movements; #FMF; #RMF; higher education; social justice; decolonisation; public attitudes; survey



Introduction

In 2025, we commemorated the tenth anniversary of South African students' calls for free decolonised higher education in the #RhodesMustFall (#RMF) and #FeesMustFall (#FMF) movements and campaigns. This historical milestone provides an opportunity to reflect on the impacts and enduring significance of the 2015-16 moment in South African higher education and beyond. The South African student movement provoked thinking and action around matters of transformation in higher education, fees, access for youth from disadvantaged backgrounds, and many related issues. The movement highlighted youth agency and political power to address inequalities created by the enduring legacy of apartheid and colonialism in higher education (and society) and amplified the students' voice in demanding the decolonisation of higher education.

Decolonisation is a violent phenomenon that challenges and disrupts the power/knowledge structures of oppression (Morrreira et al., 2020, p.2). As an act that includes the disruptions of classes and burning of statues in universities, it seeks to bring what is uncovered onto the global stage through violence and conflict and most of all disassociate these from the subjectivities of the coloniser (Chikane, 2024, p. 9).

South Africa is known for protests that allow people the freedom of expression, and the #MustFall-related protests marked the second biggest social movement (after the Treatment Action Campaign) since the end of apartheid (Bond, 2016; Heffernan, 2018). The movements' profound impact on higher education includes successfully challenging systemic inequalities, high tuition fees, institutional racism, and colonial legacies, while fostering equal access to education and conscientisation among students and workers (Mzileni, 2020; Pillay, 2016).

In this context, a group of researchers linked to the Human Sciences Research Council (HSRC) set out to determine whether ten years since the start of #RMF and #FMF, the South African public was still aware of and familiar with #FMF and the demands the student generation of 2015-16 made. Using the South African Social Attitudes Survey (SASAS), they further sought to appraise the South African public's attitudes towards the key demands (especially free higher education); the removal of the enduring barriers to access higher education; and the lasting policy change in the sector (e.g. improvements for disadvantaged groups, the relevance of #FMF to the current generation, the scope of future demands). These questions were developed as contributions towards a better understanding of the place of



social movements in bringing about positive social change in South Africa, with specific reference to the ten-year anniversary of #FMF.

The fact that they continue to linger on in the memories of the majority of South Africans amplifies their magnitude as student-led collective action that arose from framing what the future should be like for those who have been marginalised and oppressed by the past for so long. Both #FMF and #RMF were not spur-of-the-moment social movements; they emerged from the experiences of students and their understanding of what decolonisation, access to education, and other goals within a South African university should achieve.

#MustFall movements in South African higher education

Research on the South African student movement shows #FMF as a major campaign that originally started at the University of the Witwatersrand (Wits) and drew inspiration from the #RMF movement that had started six months earlier at the University of Cape Town (UCT). #FMF started as a campaign centred in the Wits Students' Representative Council (SRC) to express student opposition to a double-digit fee increment for 2016 (Hodes, 2016). Conversely, #RMF was initiated at UCT in March 2015. As the name indicates, it focused on the removal (fall) of the statue of Cecil John Rhodes – which represented a white hegemonic and anti-black history and culture – and the demand for its removal as well as the need to decolonise the institution (Pillay, 2017; Luescher et al., 2022). #RMF not only challenged colonial iconographies but also strongly advocated for social justice, systematic transformation, and a decolonised South African university (Ndlovu-Gatsheni, 2018).

The #MustFall movements have a special place in South Africa's student struggles. Ndlovu-Gatsheni (2018) notes that the past is linked to the present through a continuum from colonialism and apartheid to popular resistance and the shared decolonial struggles at the other end. During apartheid, students have recurrently played important roles in the struggle, most notably in the 1970s and culminating in the Soweto Uprising, and in their participation in the United Democratic Front in the 1980s (Badat, 1999). In the post-apartheid context, student activism's role in returning key issues and demands to the political agenda and seeking to transform and decolonise universities two decades into democracy is significant, with students having pushed for Africanised curricula, equitable access, and the dismantling of colonial legacies (Mzileni, 2020; Ndlovu-Gatsheni, 2018). Thus, the legacy of these movements represents a critical reimagining of higher education as a site for social justice and participatory parity, challenging neoliberal and Eurocentric paradigms



(Fraser, 2000; Booysen, 2016). However, their temporality is marked by the transient nature of student populations, which often limits sustained impact (Altbach, 1991).

Despite these challenges, their legacy is significant as they have reshaped higher education policies, halted fee increases, and advocated for spaces that promote intellectual and political dialogue (Mzileni, 2020; Luescher et al., 2016). Student-led social movements represent a broader struggle for social justice and the reimagining of universities as sites for transformative change (Fraser, 2000; Booysen, 2016).

#FeesMustFall

The #FMF campaign was initially sparked by proposed tuition fee increases at Wits and it quickly spread nation-wide as a social movement, under the influence of #RMF-related discourse, that expressed solidarity with university workers. It further evolved into a broader critique of systemic inequalities, institutional racism, the commodification of education, the outsourcing of university workers (especially cleaning, security, and catering staff), and the slow pace of transformation in universities. On the one hand, the movement achieved notable successes, such as blocking fee increases and halting and partly reversing the outsourcing of university workers; it also catalysed reforms in higher education funding and brought issues of decolonisation and social justice to the forefront of the national discourse (Booyesen, 2016; Habib, 2019). On the other hand, the movement also faced internal divisions (some caused by political party differences among students), leadership challenges, and the difficulty of sustaining the momentum, as well as increasing levels of violence, all of which limited its long-term impact (Hodes, 2016; Cini, 2019; Morwe, 2020).

Having grown into a nation-wide movement, #FMF presented an opportunity to reimagine higher education as a public good, accessible to all, and to challenge entrenched neoliberal and colonial paradigms, drawing on a Fanonian critique of post-colonial society and Freirean pedagogy to empower students and workers as agents of change (Mzileni, 2020). However, the crisis emerged as violent protests, fragmented leadership, and the inability to maintain public support led to the demobilisation of the movement and reinforced perceptions of universities as sites of instability rather than transformation (Morwe, 2020; Habib, 2022; Luescher, 2025). The movement's reliance on mass meetings and participatory governance, while initially democratic, often silenced pragmatic voices and exacerbated internal tensions (Habib, 2022). The legacy of #FMF is a complex and multifaceted step forward in the



struggle for social justice and the decolonisation of higher education. The discourse around higher education highlights the need for structural reforms and inclusive policies.

Methodology

The analysis in this article draws on data from the 2024/25 round of SASAS, which consists of a series of repeat cross-sectional surveys that have been undertaken annually by the HSRC since 2003. The survey is implemented using a probability-based, multi-stage stratified sampling design based on Statistics South Africa's (StatsSA's) 2011 Population Census and updated using official mid-year population estimates. The survey targets all individuals aged 16 years and older living in private households across the nine provinces. In the initial stage of sampling for each survey round, 500 Small Area Layers (SALs) were selected, stratified by province, type of geographic location, and majority population group, to ensure a representative population distribution. Within each SAL, seven dwelling units or occupied visiting points were randomly chosen. At each selected visiting point, a list of all individuals aged 16 or older residing at the premises for at least 15 days in the last month was generated, from which one person was randomly selected as a respondent using a programmed Kish Grid method.

For the 2024/25 survey round, fieldworkers visited a total of 3,500 randomly selected dwelling units, and the final realised sample was 3,119 people. All SASAS interviews were conducted face-to-face by fieldworkers using computer-assisted personal interviewing (CAPI) and, whenever possible, was carried out in the respondent's preferred language. Fieldwork was conducted by coordinated teams of provincial data collectors contracted by the HSRC. For data collection they used GPS-enabled devices for location verification and a suite of quality control measures, including back-checks, logic tests, and interview time validation. All study protocols, procedures, and instruments were reviewed and approved by the HSRC Research Ethics Committee prior to fieldwork commencement.

The 2024/25 SASAS questionnaire included both core and rotating modules, which were translated and administered in nine official languages (the exceptions being isiNdebele and siSwati) and supported by showcards and interviewer instructions. The survey included a specially designed module on social movements, which was selected as the winning entry in a youth-focused competition inviting young and emerging scholars to submit proposals for a funded SASAS module. The module explores public awareness and knowledge of key movements,



particularly #FMF and #RMF, perceptions of their main goals, evaluations of their success in achieving these aims, and broader attitudes towards the principle of free university education.

The fieldwork was carried out between February and March 2025. Prior to starting any interview, participants were asked to provide written informed consent. In situations where the respondent was a minor (aged 16 or 17), consent was required from both the minor and their parent or guardian through a dual consent process. To ensure national representativity, sampling weights were applied by benchmarking the data to StatsSA mid-year population estimates and, unless otherwise noted, all data presented has been weighted accordingly. The margin of error for national-level estimates is ± 2 percentage points at the 95% confidence level.

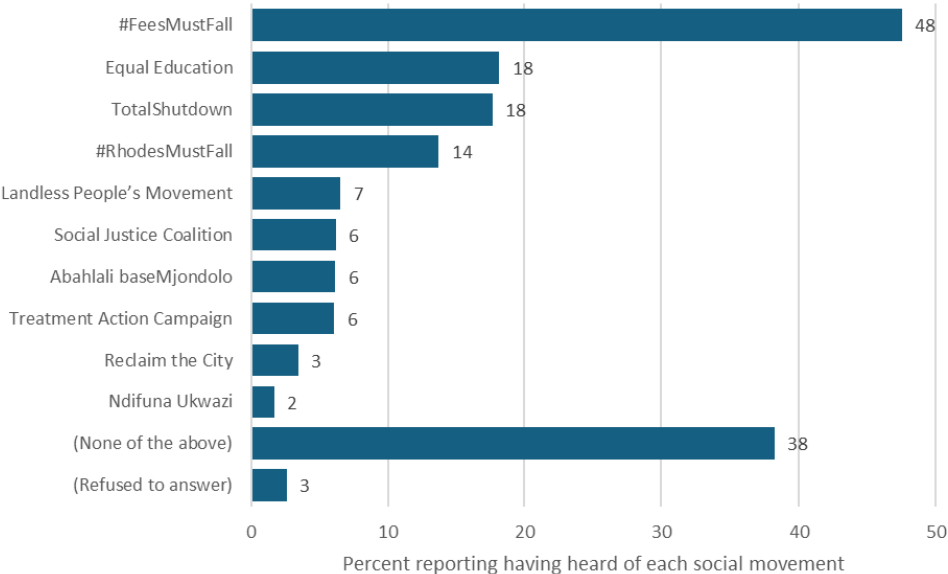
Familiarity with social movements in South Africa

The survey began with a multiple response question designed to establish the public's general familiarity with ten different social movements. The specific phrasing of the question was: "A social movement is a group of people working together to create change or promote a shared goal. Which of the following social movements in South Africa have you heard of?" Survey respondents could select as many of the ten social movements that they were aware of.

As shown in Figure 1, the #FMF movement was the most widely recognised social movement of the examples provided, with 48% of the public aged 16 years and older reporting that they had heard of this movement previously. By contrast, only 14% of the public were familiar with the #RMF movement, less than a third of the recognition level of #FMF. Compared to these Fallist movements, Equal Education and Total Shutdown were recognised by marginally less than a fifth of the public (both 18%). Awareness of the six remaining social movements was far more limited, with fewer than one in ten South Africans indicating familiarity. It is striking that more than a third (38%) stated that they did not know any of the 10 social movements.



Figure 1: Familiarity with different social movements in South Africa, 2025 (% mentioning each movement in descending rank order)



Source: HSRC SASAS 2024/25 social movements module.

Just under half of South Africans (49%) reported having heard of one or both #FMF and #RMF movements (38% know one and 12% know both), while 51% indicated no awareness of either.

Moving beyond the national average, awareness of the Fallist movements was found to be highest among younger South Africans, especially those aged 16-34 as well as Gen Z (born 1996-2016) and Born-Free Millennial (born 1980-95) cohorts, where more than half reported familiarity with one or both movements. In contrast, awareness declined sharply among older age groups, with fewer than three in ten of those aged 65 or above recognising the movements. Men were significantly more likely than women to know of the Fallist campaigns, while racial variation showed Black African adults at about the national average, White adults reporting the highest awareness, and Coloured adults the lowest. Socio-economic status (SES, measured using asset index quintiles) and education emerged as strong differentiators: knowledge rose steadily with wealth and educational attainment, ranging from only 19% among those with primary or no schooling to 74% among degree-holders, and



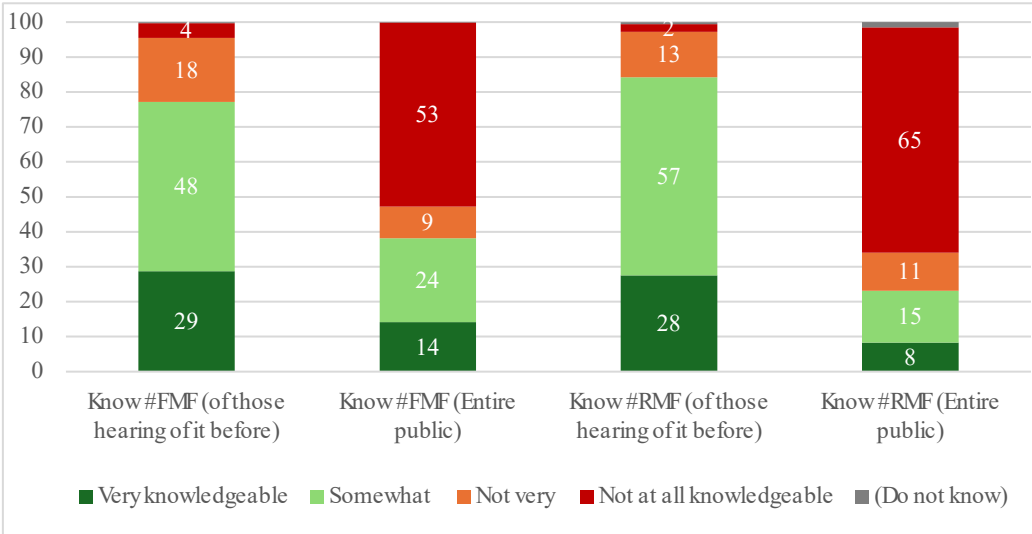
from about one-third (36%) in the poorest quintile to two-thirds (67%) in the wealthiest. Together, these results point to a generational, gendered, and class-based pattern underlying awareness, with the Fallist movements most strongly embedded in the consciousness of younger, better-educated, and more socio-economically advantaged South Africans.

To ascertain depth of familiarity with the two movements, survey respondents who knew of one or both the Fallist movements (i.e. 49% of the total respondents) were asked the question, “How knowledgeable are you about the #FeesMustFall student movement?”, followed by an identical question on the #RMF student movement. Responses were captured using a four-point scale, ranging from “very knowledgeable” to “not at all knowledgeable”. Among those who had heard of #FeesMustFall before, more than three-quarters (77%) described themselves as “very” or “somewhat” knowledgeable, while just 23% reported limited familiarity. However, when viewed across the entire public, this figure drops to 38%, with nearly two-thirds (62%) saying they are “not very” or “not at all” knowledgeable. A similar pattern holds for #RMF, with 84% of those aware of the movement reporting they were “very” or “somewhat” knowledgeable of it, but only 23% of the broader public did so, with 77% acknowledging little or no familiarity (see Figure 2). Regression analysis of these measures (results not shown) reveals that years of education is the predominant factor influencing depth of knowledge of the student movements, as well as being aged 25 to 34-years-old, the age cohort that would have most likely been exposed to the Fallist movements, either directly through campus-based exposure or indirectly through widespread student debates at the time.

... deeper knowledge of the Fallist movements is linked to broader recognition of their decolonisation, fight against gender-based violence, and social justice aims.



Figure 2: Depth of awareness of Fallist student movements in South Africa, 2025 (%)



Source: HSRC SASAS 2024/25 social movements module.

Perceived goals of the #FMF and RMF movements

To better understand the social representations of #FMF and #RMF, survey participants who were aware of these movements were asked the following question: “What were the main goals that the #FeesMustFall and #RhodesMustFall student movements wanted to achieve?” This was formulated and administered as a multiple responses question, with respondents able to select from a predefined list of seven possible goals they believed the movements sought to achieve. The options encompassed a wide range of transformative demands: labour justice in universities (insourcing workers), cultural and epistemic transformation (reflecting African identities and promoting African languages), structural and demographic change (expanding access and representation of Black African and female students and academics), addressing systemic inequalities (free higher education and tackling gender-based violence), as well as symbolic transformation (removing colonial and apartheid monuments). Respondents could select one or more of these goals, which are listed in Table 1.

The results show that ten years after their inception, the Fallist movements are most strongly associated with the demand for free university education, with 87% listing this as a key goal (Table 1). Beyond



this, the other six goals were mentioned by between only 19% and 27% of adults familiar with one or both movements. Slightly more than a quarter (27%) believed the purpose of these movements was to remove colonial and apartheid monuments, while 24% believed they aimed at ending gender-based violence. Around one in five linked the movements to promoting African languages in teaching and learning (22%), transforming the education system to reflect African identities (22%), increasing Black African and female representation in universities (21%), and insourcing workers (19%). Very few selected none of the above (2%) or refused to answer (0.5%). These findings underscore how the public primarily regards the Fallist movements as a struggle for free education, but also, as a secondary focus, as part of a broader project of decolonisation, inclusion, and social justice in higher education.



Students watch the removal of a Rhodes statue from their campus.

Photo: Flickr



Table 1: Perceived goals of the Fallist student movements in South Africa overall and based on self-reported knowledge of the movements, 2025 (% mentioning each goal, ranked highest to lowest based on national average)

	Views of those who have heard of #FeesMustFall and/or #RhodesMustFall before				
	National average	Knowledge of #FeesMustFall		Knowledge of #RhodesMustFall	
		Very or somewhat aware	Not very/ not at all (incl. Do not know -DK)	Very or somewhat aware	Not very/ not at all (incl. DK)
Free university education	87	88	85	85	89
Removing colonial and apartheid monuments, statues and symbols in universities	27	30	17	41	15
Ending gender-based violence at universities	24	26	14	37	12
Pushing for African languages to be used in teaching and learning at universities	22	26	7	34	11
Transforming the education system to better reflect African identities, histories, and cultures	22	25	10	35	10
Having more Black African and female students, lecturers and professors at universities.	21	25	7	33	10
Demanding universities hire their own gardeners, cleaners and security guards instead of using outside companies to do the job.	19	20	16	25	14
(None of the above)	2	1	3	0	3
(Refuse)	0	0	1	0	1
N	1,387	1,052	335	632	755

Source: HSRC SASAS 2024/25 social movements module.

Table 1 also examines the perceived goals and purposes of the student movements by self-reported knowledge levels. The results reaffirm free university education as the most recognised goal of the Fallist movements irrespective of the knowledge levels of respondents. This goal was mentioned by around 85-89% of adults regardless of whether they reported being “very” or “somewhat” knowledgeable, or “not very” or “not at all” knowledgeable of either #FMF or #RMF. Awareness levels did however influence recognition of the movements’ other goals. Those who reported higher levels of knowledge about #RMF were far more likely than the less knowledgeable to associate the movements with broader transformative and decolonial demands. For instance, 30% of those expressing deeper knowledge of #FMF and 41% of those reporting deeper knowledge of #RMF mentioned the removal of colonial and apartheid monuments, compared with only 17% and 15% of the less knowledgeable, respectively.

A similar pattern appears for ending gender-based violence, promoting African languages, transforming the education system, and improving Black African and female representation in universities. Even the more specific demand of insourcing university workers was more frequently recognised among the knowledgeable (20-25%) than among the less knowledgeable (14-16%). Therefore, while free higher education remains the more universally recognised objective, deeper knowledge of the Fallist movements is linked to broader recognition of their decolonisation, fight against gender-based violence, and social justice aims.



Students protest outside Parliament in Cape Town.

Photo: Wikimedia

Perceived effectiveness of the Fallist student movements

Having established the level of awareness and perceived purpose of the student movements, the survey then addressed evaluations of the extent to which the movements were successful in their objectives. Specifically, those who were aware of one or both the Fallist movements were asked: “How successful or unsuccessful do you think the #FeesMustFall and #RhodesMustFall student movements have been in achieving these main goals?” A five-point scale was used to capture these predispositions, with response categories ranging from “very successful” to “very unsuccessful”. Overall, evaluations of the Fallist movements’ achievements were mixed, but leaned modestly positive (Figure 3).

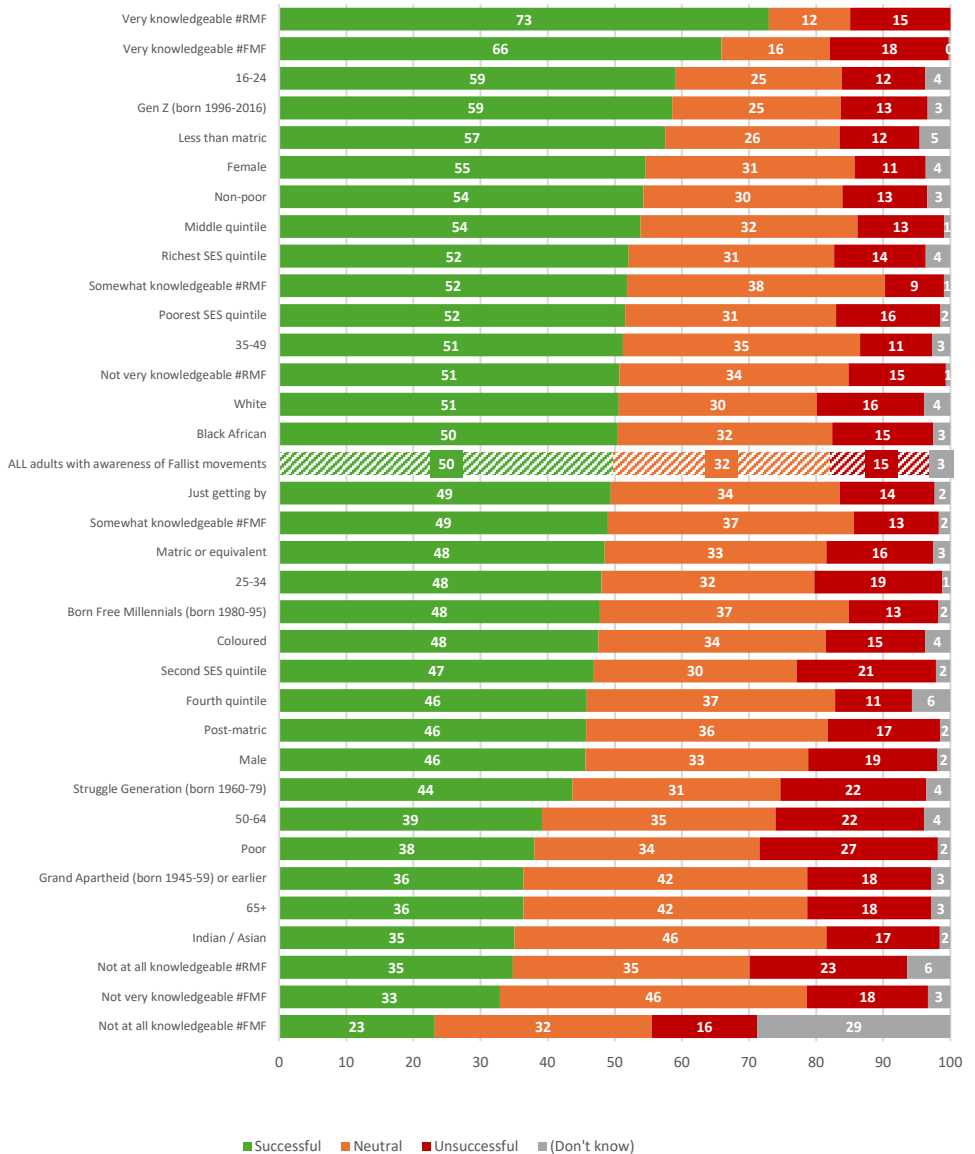


Students demand an end to end to racism.

Photo: Shutterstock



Figure 3: Perceived effectiveness of Fallist student movements in South Africa by personal attributes, 2025 (% , ranked highest to lowest based on 'successful' category)



Source: HSRC SASAS 2024/25 social movements module.



Half of adults with awareness of the #MustFall movements (50%) perceived them as successful (16% said they were “very successful” and 34% “quite successful”). A further 32% adopted a neutral stance, while 15% regarded the movements as “unsuccessful” (9% “somewhat unsuccessful” and 6% “very unsuccessful”), with a marginal share (3%) unable to provide an assessment. This distribution highlights that the public with familiarity of the student movements is divided on whether their objectives were meaningfully realised, with almost a third taking a neutral position and only one in six offering a strongly positive evaluation.

Subgroup analysis revealed clear divides exist among the public, based especially along knowledge, generational, and socio-economic lines. Higher levels of knowledge of both movements were strongly linked to more positive evaluations: two-thirds (66%) of those “very” knowledgeable about #FMF and nearly three-quarters (73%) of those “very” knowledgeable about #RMF regarded the movements as “successful”, compared to only 23% among those “not at all” knowledgeable about #FMF. Younger cohorts also stood out, with 59% of Gen Z and 16 to 24-year-olds reporting success, compared to 36% of those aged 65+. Socio-economic differences were more modest in character, with a majority of the self-rated non-poor (54%) regarding the movements as “successful”, compared to 38% among the poor. There was less consistency based on socio-economic status quintiles. Meanwhile, gender differences were evident, with 55% of women rating the movements as “successful” compared to 46% of men. Black African adults (50%) and White adults (51%) were more likely than Indian/Asian adults (35%) to give positive evaluations, while the views of Coloured adults (48%) approximated the overall average. Taken together, these findings suggest that perceptions of success are significantly shaped by depth of knowledge, age, and social position, with more informed and younger groups especially inclined to view the Fallist movements as having achieved their objectives.

The impact and legacy of #FMF and #RMF

The final part of the survey module focused on a set of questions intended to establish how the public viewed the impact of the #FMF and #RMF movements on South African higher education. Respondents were asked to reflect on whether they agreed or not that the movements succeeded in transforming the education system to better reflect African identities and histories, in advancing the use of African languages in teaching and learning, in making university education more affordable or



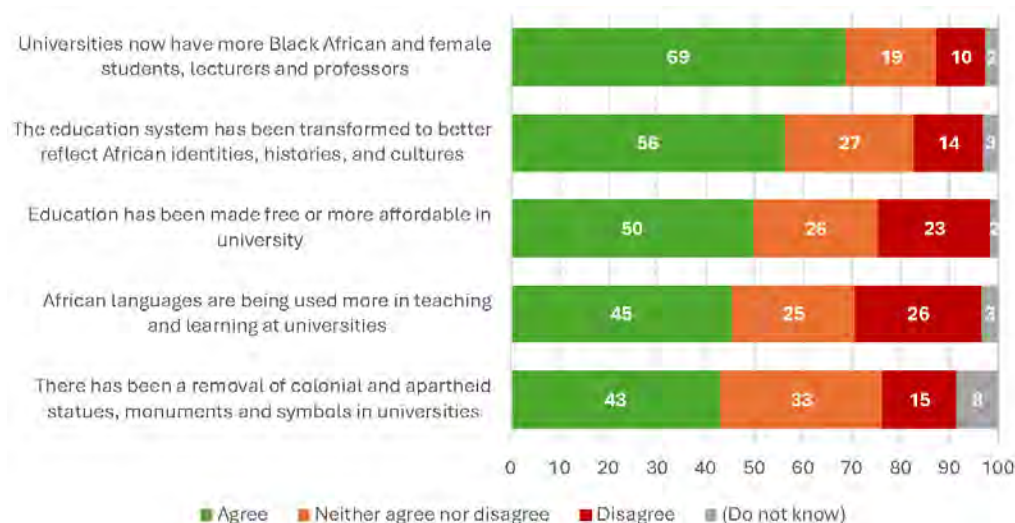
free, and in increasing the representation of Black African and female students, lecturers, and professors. The phrasing of these items mirrored the precoded options in the earlier goals question. Together, these items were designed to provide insight into how far people think the movements achieved their broader goals of decolonisation, inclusivity, and access within the higher education space.

Among those aware of the Fallist student movements, perceptions of their achievements vary considerably across different goals (Figure 4). The strongest agreement was found for the claim that universities now have more Black African and female students, lecturers, and professors, with 69% voicing agreement with this outcome and only 10% disagreeing. A majority also believed that the education system has been transformed to better reflect African identities, histories, and cultures (56% agreeing with 14% disagreeing), and half believed that education has been made free or more affordable (50% agreeing compared to 23% disagreeing). Views were more divided on cultural-symbolic and linguistic changes: 45% agreed that African languages are being used more in universities while 26% disagreed, and 43% felt colonial and apartheid statues and monuments had been removed, compared with 15% who disagreed and a notably high share of neutral responses (33%). These results suggest that the public most clearly associates the movements with expanded representation and transformation, while more ambivalent opinions are evident about progress on language use and the removal of colonial symbols.

The results show that while there are differences over the basis on which it should be applied, there is near universal consensus in the country around the principle of free higher education, with a clear majority leaning towards a universal entitlement.



Figure 4: Perceived outcomes of the Fallist student movements in South Africa among those familiar with the movements, 2025 (% , ranked highest to lowest based on 'agree' category)



Source: HSRC SASAS 2024/25 social movements module.

Perceptions of the Fallist movements' impact were found to vary appreciably by knowledge level, with those more familiar consistently more likely to view the movements as having achieved their goals (results not shown). The most striking differences in agreement were observed in relation to the removal of colonial and apartheid symbols (20 and 32 percentage point difference based on awareness of #FMF and #RMF respectively) and transforming the education system to reflect African identities (17 and 22 percentage point difference based on knowledge levels). These findings highlight that depth of knowledge about the movements strongly shapes perceptions of their success, particularly on issues of symbolic and cultural transformation.

The final question in the survey asked all respondents, irrespective of awareness of student movements, their opinion regarding the key demand of #FMF: "Do you think that university education in South Africa should be free?" The response options were "yes, but only for poor students", "yes, but only for restricting to Black, Coloured and Indian students", "yes, for all students", or "no, everyone should pay equally". This item was included to capture public attitudes toward the principle of free university education in South Africa (advocated by #FMF), probing both the extent of free access and the preferred basis on



which such free access should be provided. The response options enable differentiation between views grounded in poverty alleviation, race-based redress for historical injustice, universal right to higher education, in addition to individual liability.

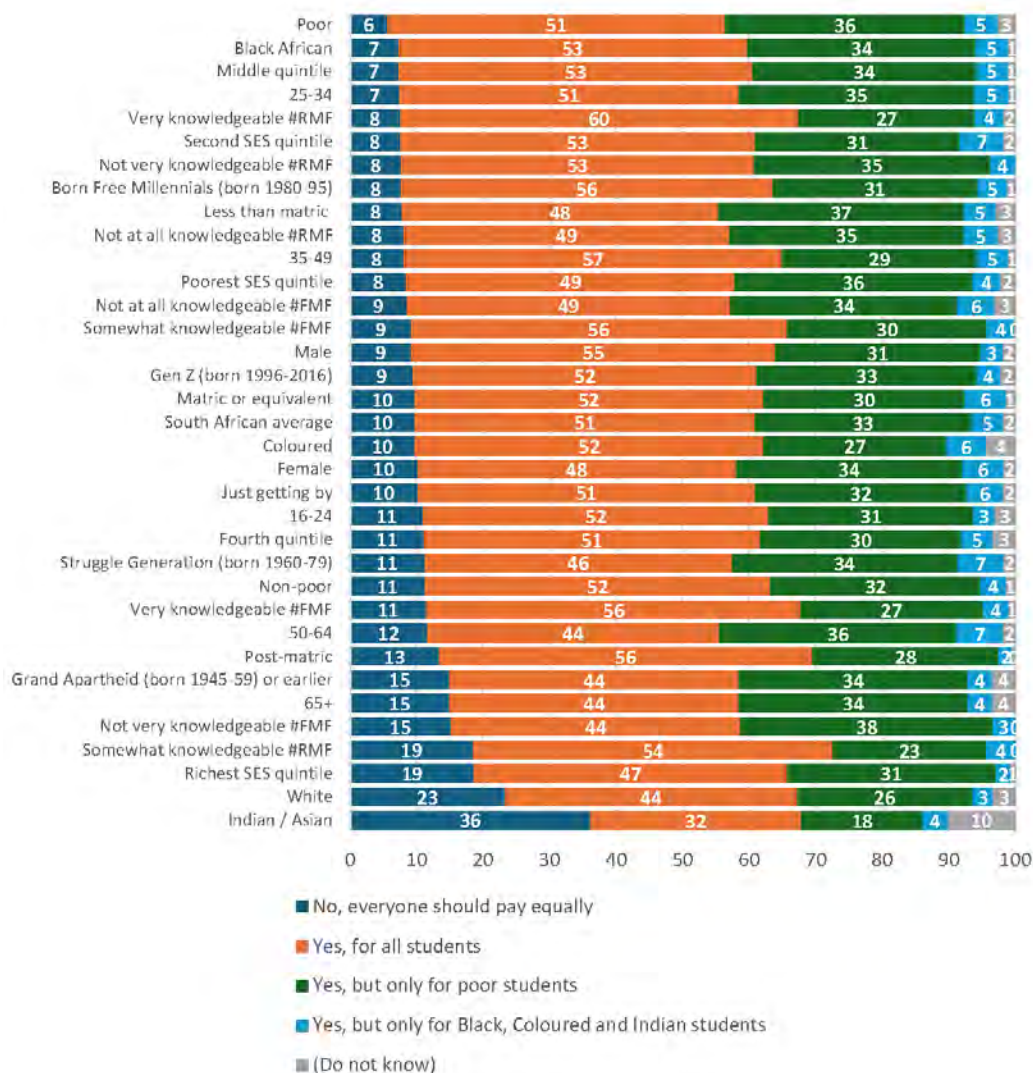
The national results show overwhelming public support for free university education, with a combined 88% of adults endorsing some form of free access. Just over half (51%) favour a universal model in which education is free for all students. Nearly a third (33%) prefer that university should only be free to poor students. A smaller share (5%) support limiting the benefit of free university education to students from historically disadvantaged population groups as a form of race-based redress. By contrast, 10% argue that everyone should pay equally, and just 2% were unsure. These results show that, while there are differences over the basis on which it should be applied, there is near universal consensus in the country around the principle of free higher education, with a clear majority leaning towards a universal entitlement.

The subgroup analysis of these preferences is presented in Figure 5 and shows strong overall endorsement of free university education across nearly all groups, even though preferences differ in degrees of emphasis. Support for universal free education is highest among those that are “very” knowledgeable about #RMF (60%) and #FMF (56%), born free millennials (56%), and those with a post-matric education (56%), and lowest among Indian/Asian adults (32%). By contrast, the option of targeting free education only to poor students was most commonly selected by those lacking knowledge of #FMF (38%), older cohorts (34-36% among those aged 50+), the self-rate poor (36%), and those with less than a matric education (37%). Very limited support was expressed for restricting free education only to those students from historically disadvantaged backgrounds (ranging between 2% and 7%). Opposition to free education altogether (“everyone should pay equally”) was generally low (between 6% and 15%), except for Indian/Asian and White adults (36% and 23% respectively).

Overall, while the “free higher education for all” option received majority support across most groups, poverty-targeted provision had substantial support among disadvantaged groups and older cohorts. This again draws attention to generational, racial, and socio-economic divides in beliefs about how free higher education should be implemented a decade after the #MustFall student movements.



Figure 5: Support for free university education in South Africa, 2025 (% , ranked highest to lowest based on 'no – everybody should pay equally' category)



Source: HSRC SASAS 2024/25 social movements module.



The legacy of the Fallist movements is most strikingly evident in public support for the principle of free higher education.

Concluding discussion

A decade after the eruption of #FMF and #RMF, the findings of the 2024/25 SASAS survey demonstrate that these movements continue to occupy a prominent place in South Africa's popular memory. Despite the transient nature of the student movement, the survey shows that the demands and imaginaries forged by the Fallist generation remain alive, even beyond campus boundaries, and continue to shape public understandings of higher education.

Strikingly, #FMF is the most recognisable social movement in post-apartheid South Africa: nearly half of all South Africans are familiar with the movement, making it more recognised than any other recent social mobilisation. While #RMF is less widely known, those who are familiar with it also tend to demonstrate deeper awareness of its transformative and decolonial aims. This indicates that #FMF's framing around affordability of university education and access has resonated broadly, while #RMF's symbolic and epistemic critiques remain particularly salient within informed and younger publics. Such findings underscore Fraser's (2000) argument that struggles for redistribution (in this case, free university education) often carry wider popular appeal than struggles for recognition and representation (cultural, linguistic, and symbolic transformation), even though all these dimensions are intertwined.

Public opinions of the effectiveness of the Fallist student movements are more ambivalent. While nearly half of respondents (who were also familiar with the movements) judged them successful, many adopted a neutral stance, and only a minority considered them very successful. Younger, better-educated South Africans are most likely to affirm the transformative achievements of #FMF and #RMF, whereas older cohorts are more sceptical. This generational divide reflects the different experiential proximities to the protests and highlights how collective memory is unevenly distributed across social groups.



The legacy of the Fallist movements is most strikingly evident in public support for the principle of free higher education. An overwhelming 88% of South Africans endorse some version of free access to university education, with a majority favouring a universal entitlement. This aligns with #FeesMustFall's central demand and illustrates how what began as a student protest has crystallised into a normative expectation among the broader population. Variation in support for universal free access versus race- or class-based redress reflects ongoing contestations about how equity in higher education should be pursued with less than 10% support for race-based redress across all groups; as in previous questions, it reflects a divide following levels of education and generation. These findings are also consistent with other survey-based evidence suggesting that there is greater support for class-based than race-preferential redress measures in the country (Roberts 2014; 2019).

The tenth anniversary of the #FeesMustFall movements is therefore marked by their enduring presence in South Africa's public consciousness, even if their institutional and policy outcomes may be contested. By embedding demands for redistribution, recognition, and representation into the popular imagination, the 2015-16 generation of Fallist student activists has changed how higher education is envisioned in South Africa – most strikingly with respect to popular majority support for free university education evident in the SASAS survey. The challenge for policymakers in a democracy is to give effect to popular will and find solutions to political demands. More broadly, the survey also prompts questions about how to bridge generational divides in South African society, address and redress persistent inequalities, and advance the broader project of building free, inclusive, and decolonised African universities.

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DECLARATION

Conflict of interest: The authors wish to confirm that there is no conflict of interest to declare.

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From policy to practice

Unpacking the implementation hurdles of South Africa's R638 regulation on hygiene for handling food

In the wake of the 2016/17 listeriosis outbreak, the SA government promulgated Regulation 638 to urgently tighten up safety standards on storage, handling and transport of food. However, the haste with which this was done meant crucial stakeholder consultation was forfeited.

NTOMBIZETHU MKHWANAZI, CAMILLA ADELLE and LISE KORSTEN argue this resulted in gaps in training, human capacity, and resources that have seriously compromised the industry's capacity to protect consumers.

**Street vendor in Johannesburg
DOI: <https://doi.org/10.14426/bprjfs28>**

From policy to practice

Unpacking the implementation hurdles of South Africa's R638 regulation on hygiene for handling food

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**Abstract**

This case study examines the implementation of Regulation R638, which outlines general hygiene requirements for food premises and the transport of food in South Africa. The regulation was introduced without stakeholder consultation due to the urgency of addressing public health concerns, particularly following the listeriosis outbreak across the country in 2017/18. This study explores the roles of various stakeholders, including government, industry, civil society, and research institutions, in the implementation of Regulation R638 and identifies significant challenges in enforcement. Key challenges include budgetary constraints, insufficient training, lack of institutional capacity, and non-compliance among food handlers. The findings highlight how the absence of stakeholder engagement during the regulation's formulation has hindered effective implementation. Additionally, the study underscores the complexities of policy networks at different levels of government and the impact of resource allocation on food safety governance. The results suggest that the top-down approach adopted by the Department of Health, although necessary in response to a public health crisis, has led to difficulties in practical enforcement, underscoring the need for more inclusive and well-planned regulatory processes.

Keywords: Stakeholders; Regulation R638; policy network; implementation; South Africa



Introduction

Food safety is a global concern impacting consumer confidence, economic stability, and public health (Hussain & Dawson, 2013). In South Africa, food safety regulations play a vital role in ensuring supply chain integrity and public well-being (Mkhwanazi, 2024; Mphaga et al., 2024). Central to this framework is Regulation R638 governing general hygiene requirements for food premises, transport, and related matters. Strict food safety laws are essential for meeting international standards, preventing contamination-related losses, and reducing foodborne illnesses (Abegaz, 2022; Hussain & Dawson, 2013). Regulation R638 establishes compliance guidelines from farm to fork (Mkhwanazi, 2024).

This case study examines Regulation R638's implementation, highlighting the roles of key stakeholders in enforcement. It reveals that limited stakeholder engagement, particularly with local enforcers and industry players, has weakened policy execution. The disconnect between policymakers and implementers has resulted in underfunded enforcement agencies and regulatory non-compliance (Braun & Busuoic, 2020). By critically analysing Regulation R638 and its enforcement dynamics, this study enhances understanding of South Africa's food safety governance. It underscores the need for integrated scientific insights, continuous regulatory improvements, and inclusive stakeholder collaboration to safeguard the food supply and strengthen public trust.

Background to Regulation R638

Regulation R638, issued under the Foodstuffs, Cosmetics, and Disinfectants Act 54, 1972, establishes general hygiene requirements for food premises, handling, and transport in South Africa. Gazetted in June 2018 and effective from July 1, 2018, it replaced Regulation R962 of 2012 (Department of Health, 2018). Due to public concerns following the listeriosis outbreak across the country in 2017/18, the regulation was published without stakeholder consultation, as permitted under the Act (WTO, 2018).

Regulation R638 is an entry-level regulation defining minimum hygiene requirements for food businesses, including structural standards and necessary facilities (Campbell, 2020). It is a prerequisite for implementing Regulation R908¹ and applies to all food premises except those governed by the Meat Safety Act, 2000. A key requirement is the Certificate of Acceptability (COA), issued by environmental health practitioners (EHPs) after inspection, legally binding the person in charge



to food safety compliance (ASC Consultants, 2021).

Significant amendments in Regulation R638 include replacing “shall” with “must” to emphasise compliance obligations, lowering the minimum display temperature for hot food from 65°C to 60°C, and enhancing sanitation standards, including new handwashing protocols for allergen handling (Department of Health, 2018; Campbell, 2020). The regulation also expands the responsibilities of the person in charge, requiring demonstrated competence in food safety, ongoing staff training, and record-keeping for processing, production, and distribution (Department of Health, 2018; Campbell, 2020).

New provisions mandate a traceability system and recall procedures, with officials reporting to local inspectors and the National Directorate: Food Control (Department of Health, 2018; Campbell, 2020). While the National Consumer Commission (NCC) oversees product recalls under the Consumer Protection Act 68, 2008, and follow up on consumer complaints, it lacks technical capacity and relies on other agencies, potentially causing delays (Republic of South Africa, 2009; Department of Trade and Industry, 2018). In essence, the NCC interacts with the National Directorate: Food Control and EHPs to manage product recalls by coordinating, monitoring, and enforcing safety regulations. Following consumer complaints and suspected risks, the NCC collaborates with these bodies to investigate and may demand new, targeted inspections to confirm compliance or identify hazards, particularly during food safety crises (NCC, 2025).

Material and methods

This case study was guided by two complementary theoretical frameworks: the Policy Network Approach and the Kaleidoscope Model. The Policy Network Approach, drawing on the work of Klijn and Koppenjan (2000), Rhodes (1997), and Borzel (1997), was used to analyse the interactions, dependencies, and power dynamics among stakeholders involved in food safety governance. The Kaleidoscope Model, developed by Resnick et al. (2018), is a policy cycle model used to identify determinants of policy change across five stages – agenda-setting, design, adoption, implementation, and evaluation – and was applied to pinpoint where governance weaknesses occurred in the policy process. Focusing on the adoption and implementation of the Regulation R638 under the Foodstuffs, Cosmetics, and Disinfectants Act, this case study examined the regulatory response following the 2017/2018 listeriosis outbreak, which highlighted the urgent need for stricter food safety regulations.



Keeping children safe and healthy.

Photo: Rawpixels

Stakeholders were identified through purposive sampling and stakeholder mapping based on their documented roles in food safety governance. Eligible sectors included government departments (the Department of Health [DoH], the Department of Agriculture, Land Reform and Rural Development [DALRRD], and the Department of Trade, Industry and Competition [DTIC]), food safety agencies (the National Regulator for Compulsory Specifications [NRCS], the South African Bureau of Standards [SABS], the South African National Accreditation System [SANAS]), industry representatives (processed meat manufacturers, retailers), civil society organisations, and research institutions.

A total of 15 key informants were interviewed between March and August 2022, comprising five government officials, four industry representatives, three agency staff, two civil society representatives, and one academic. The selection aimed to capture a range of perspectives, though participation was limited by availability and institutional constraints; for instance, access to DoH officials required high-level approval, and some identified experts declined or did not respond to invitations.

A semi-structured interview guide was developed based on the Kaleidoscope Model stages and policy network themes, covering stakeholder roles, coordination experiences, implementation challenges, and recommendations. The guide was pre-tested with two food safety



governance experts to ensure clarity and relevance. Interviews were conducted online via Zoom, recorded with consent, transcribed, and validated. Thematic analysis was conducted using ATLAS.ti 9 data analysis software, where an initial coding framework was developed from the research questions and iteratively refined to capture emergent categories from the data. Despite some recruitment challenges, data saturation was achieved on the core themes related to regulatory implementation and network dynamics.

*... the listeriosis outbreak originated
from a major formal business, a
processed meat manufacturer,
exposing critical failures in the
governance of large-scale, formal
operations.*

Findings

Stakeholder involvement in the implementation of Regulation R638

Government

Responsibility for implementation falls to municipalities. South Africa comprises 257 municipalities, categorised into eight metropolitan, 44 district, and 205 local municipalities. Metropolitan municipalities are major urban centres responsible for all local governance functions. It is important to note that not all municipalities operate Metro Police services; these specialised law enforcement units exist primarily within the eight largest cities to assist the national police force. Non-metropolitan areas are governed by a two-tier system of district and local councils (South African Government, 2026).

The distinction in capacity between municipalities is critical for understanding food safety enforcement, as their organisation, resources, and preparedness require different approaches to guidance and inspection. This is further complicated by the vastly different scales and natures of the food businesses they regulate. The formal food sector in South Africa is highly concentrated and dominated by large corporations and retail chains, contributing significantly to the economy and formal employment. In stark contrast, the informal sector is vast and fragmented,



comprising street vendors, spaza shops, and small-scale traders. It is estimated that over 50% of economically marginalised Black South Africans rely on the informal sector for food, with over 40% of households spending a majority of their food budget there.

Crucially, the 2017/2018 listeriosis outbreak – the largest globally in terms of fatalities – originated from a major formal business, a processed meat manufacturer, exposing critical failures in the governance of large-scale, formal operations.

Public institutional catering, such as the National School Nutrition Programme, represents another distinct channel with its own supply chains and safety challenges, separate from both the formal retail and informal market sectors.

The expectations, available guidance, and enforcement support differ profoundly between formal and informal businesses, as well as public institutional catering, as summarised in Table 1.

Table 1: The regulation, support, and enforcement environment for formal, informal, and public institutional catering

Aspect	Formal sector (large manufacturers, retail chains)	Informal sector (street vendors, spaza shops)	Public institutional catering (e.g. school meals)
Primary regulation	National standards (e.g. R638, Hazard Analysis and Critical Control Point), enforced by municipal EHPs with potential for detailed audit.	Often operates outside formal regulation; subject to inconsistent local bylaws and ad hoc enforcement.	Governed by specific programme guidelines and procurement policies, alongside basic food safety rules.
Guidance and support	Access to technical resources, industry associations, and private certification bodies.	Largely excluded from formal training and support; reliant on NGO or infrequent municipal outreach.	Directed by departmental guidelines; support varies by contractor and provincial capacity.
Enforcement reality	Subject to scheduled inspections, though capacity constraints may limit frequency.	Faces discriminatory or erratic enforcement; often penalised rather than supported to enforce compliance.	Monitoring depends on provincial and district official capacity; gaps in oversight are common.
Business scale and visibility	Large-scale, centralised, and highly visible in the supply chain.	Small-scale, decentralised, and often invisible in official data and governance structures.	Centralised procurement for decentralised preparation and serving.

Source: Authors' compilation.

In 2004, the DoH decentralised health inspections, transferring responsibility from the national level to municipalities. Health inspectors were renamed EHPs, who reported to the local MEC for Health under the DoH's jurisdiction (Department of Trade and Industry, 2018). According to the *Foodstuffs, Cosmetics, and Disinfectants Act 54*, Regulation R638 is enforced at the municipal or metro level by EHPs within municipal health



services. These practitioners conduct facility inspections, advise on compliance during construction, and issue COAs. EHPs are sometimes accompanied by Metro Police when issuing fines for non-compliance (Respondent 13).

In cases of food-borne illness outbreaks, the NCC, under Section 60(2) of the *Consumer Protection Act 68, 2008*, has the authority to mandate food manufacturers to investigate and, if necessary, recall affected products (Department of Trade and Industry, 2018).

Civil society/consumers

The study found that civil society and consumers are marginalised within South Africa's food safety governance, which operates as a closed policy network dominated by government and industry. While regulations such as Regulation R638 legally bind businesses – not consumers – their effectiveness depends on risk communication and public trust, areas where civil society could play a vital role. To move beyond this exclusion, the research suggests concrete alternatives, such as formally integrating civil society into regulatory committees, building their technical capacity through state-supported programmes, partnering with them to co-design public risk communication campaigns, and establishing independent channels for community-based monitoring and feedback. These steps, rooted in network management principles, would foster a more inclusive, transparent, and responsive food safety system.

Universities/research institutions

The main objective of universities in this regard is to conduct research, particularly on food safety issues. This research can focus on identifying food safety risks, developing new food safety management systems, or evaluating the effectiveness of existing policies and regulations (Lee et al., 2021). Universities may collaborate with government agencies, NGOs, and industry stakeholders to develop and implement effective food safety policies and regulations. Additionally, universities can advocate for consumer interests by producing research that informs the public about the risks and benefits of certain products and services, as well as advocating for consumer protection laws. They can also provide educational resources to help the public make informed decisions (Pineda et al., 2022). For example researchers from the University of Pretoria published the following reports:

- Comparative microbiological safety study of fresh produce sold and consumed in informal markets, Gauteng.



- Food safety knowledge, attitudes, and practices of Tshwane Street vendors when managing fresh produce.
- Microbiological quality and safety of fresh vegetables and coleslaw salad in South Africa and the public's food knowledge, attitudes, and practices.
- The prevalence and characterisation of foodborne pathogens isolated from food school feeding programmes in South Africa.

After publishing these reports, the academics tried to spread awareness in the communities where the research was conducted to ensure proper food handling practices. They did this by producing flyers, which they handed out to students on campus, communities, and schools. While the universities are not legally mandated to perform outreach, their social and ethical responsibility within the knowledge ecosystem includes translating research into public and policy action, as demonstrated by the University of Pretoria's community flyers initiative. However, the current system lacks a formal, integrated mechanism to channel scientific evidence into policymaking. South Africa does not have a dedicated, standing scientific advisory board for food safety that systematically informs regulation. Evidence sharing is often ad hoc or through personal networks rather than via a structured platform.

Challenges with the implementation of Regulation R638

Lack of stakeholder consultation

Regulation R638, amended in 2018 during the listeria outbreak, lacked stakeholder consultation due to time constraints. The regulation was published urgently to protect public health, leaving no time for input or clarification:

When the regulation was revised during the listeriosis outbreak, the consultation with the stakeholders, especially the industry and the primary enforcers of the regulations to ensure everyone understood what is expected of them, was not done.

(Respondent 9)

Because the regulation's amendment design was rushed during the listeriosis outbreak, the EHPs lost an opportunity to clarify and improve on aspects of the regulation that they were unfamiliar with or struggled to understand or interpret in order to improve their capacity to enforce it.

... when the regulation came into effect, the environmental health practitioners struggled to understand and interpret the regulation. It has been two years since the regulation has been in



effect, but environmental health practitioners are still trying to understand how to enforce it. And it's now dependent on the inspector themselves or the municipality, how they interpret certain sections. (Respondent 7)

The Department of Health should have at least assisted the environmental health practitioners [to] understand the requirements of them in the new regulation and also could have trained them to do the inspections. (Respondent 7)

Three years after the regulation's implementation, I've noticed that local government and inspectors are still trying to figure out how to enforce it. Both the industry and enforcement bodies were unprepared due to a lack of consultation and training. There's still confusion about how to interpret certain sections, and enforcement now depends on how individual inspectors understand it. (Respondent 10)

The South African government lacks urgency in food safety governance and preparedness for emergencies or crises (Hunter-Adams et al., 2018). This lack of readiness has serious implications for the health of the population and the country's economy.

People in charge

A key challenge is the lack of specific training for those in charge of premises, who currently receive low-level training. These individuals play a crucial role in ensuring food safety and compliance with regulations (ASC Consultants, 2024).

The DoH did not define in the new regulation what ... the training for the person in charge entails. It only states that the person in charge must be adequately trained/accredited ... but does not specify ... accredited by whom or what 'adequately' means. (Respondent 7)

Due to the lack of clear guidelines from the DoH about the training for those in charge, respondent 7 further notes that:

The training offered for the person in charge is low for their position and is similar to the general production worker/food handler.

Furthermore, some companies have not invested enough financially in proper training.

There are food companies that set a budget for training but then there are those who take a chance and go for the cheapest online training as long as they have the certificate. (Respondent 7)



Regulation R638 outlines very broadly that the person in charge of the premises must make sure that the food they sell is not contaminated and is safe to eat (Department of Health, 2018). According to the respondent below, it is difficult to keep track of compliance without a reference point.

R638 is such a broad requirement that a person working in a food processing plant can't be on the lookout for every possible thing that can go wrong if there is no reference point to look at. At least there should be some sort of checklist of things to look out for, as they can't make sure it is safe. Moreover, R638 doesn't require a person in charge of premises to have any formal education in food safety. It only says the person in charge of the premises must be adequately trained. In addition to that, several food factories operate with someone from a different field (accountant for example) than food safety. But a person who studied microbiology or a related formal scientific programme in food safety can understand the risk inherent in food production, there is no requirement for that. Subsequently, companies are offering R638 training courses that last two days. (Respondent 7)

Budgetary constraints

Budgetary constraints were found to be one of the biggest problems at the local municipality level. Without a sufficient budget, local government cannot provide sufficient office space for all the EHPs, and may have to accommodate them in spaces outside municipal offices, where they have to conduct all their administrative tasks. This can cause delays and challenges for EHPs.

The lack of office space is a major issue, forcing us field workers to complete administrative tasks at home. I spend the morning in the office for admin, then conduct inspections until mid-afternoon and go home to finish my work. (Respondent 13)

Despite the limited resources, local governments must provide essential services to their citizens.



Street vendor.

Wikimedia Commons



Institutional capacity

Lack of staff is another challenge that affects the inspections and effective enforcement of food safety regulations. According to local EHP Mr Nector Mavundla:

... when the function of health inspections shifted to the municipality level, the resource plan was not attached. Thus, the municipalities are experiencing financial constraints, especially when the environmental health practitioners have to conduct quality assurance (Department of Trade and Industry, 2018).

There is a high demand for EHPs in South Africa, but the supply is limited. The ratio of practitioners to the population is currently fewer than one practitioner for every 15,000 people (Shezi et al., 2019). The shortage of professionals in the industry has led to increased workloads for existing practitioners, resulting in burnout and increased staff turnover.

There are not enough EHPs to conduct inspections. According to the environmental norms and standards, the ratio is supposed to be 1:10 000 (one EHP is responsible for 10 000 community members). However, the World Health Organization noted that if there is a shortage of inspectors the ratio can be extended to 1:15 000. Nonetheless, in the case of South Africa, EHPs are responsible for more than 15 000 community members. This means they have an extremely high workload and pressure. The EHPs are part of primary health care, however, they are less represented at any level (national, provincial, and local municipality level) in such a way that government would rather hire more nurses instead of EHPs. This is not because there are not enough qualified people with degrees relevant to environmental health (Respondent 15).

One of the main reasons for the shortage of EHPs in South Africa is insufficient funding for recruitment, training, and retention of staff. Many municipalities in the country are faced with budget constraints, which limit their ability to hire and train new staff. This results in a shortage of skilled professionals who can carry out inspections, investigations, and enforcement actions to ensure compliance with environmental health regulations (People's Assembly, 2010). Another respondent further noted that:

We lack resources. even human resources we don't have and that's a serious concern also, that we don't have people to go out and do the inspections that is why you find that we take long. We need to be going to the companies every month to inspect



how they manufacture their products, but you find that we go there after three months. So, the companies know that you are not visiting them soon and they can do what they want.
(quoted in Shezi et al., 2019)

The EHPs are an essential part of primary health care in South Africa. They play a critical role in promoting and protecting public health, preventing and controlling diseases, and ensuring that communities have access to safe and healthy environments (Shezi et al., 2019). However, EHPs are not always given the support they require. Their work is often undervalued and underfunded, and they are not given the same status as other healthcare professionals. With regard to primary health care another respondent said:

The EHPs are there to make sure people don't get sick from food poisoning, but the actions of the government say they prefer people getting sick first to be treated by nurses in the hospitals. In addition, instead of hiring permanent EHPs, the government normally hires people on a six-monthly contract basis, and when that six months is done, the load of work carried by contract EHPs hang with no one to take over. (Respondent 14)

The lack of staff is a significant barrier to effectively enforcing environmental health regulations in South Africa. The government should invest in adequate human resource capacity in all spheres of government to monitor compliance with, and enforce, the legislation (Masombuka & Thani, 2023).

Lack of knowledge and training

The results showed that lack of knowledge was another issue that EHPs face. One respondent noted that:

According to the regulation system, every individual that wants to open whether it's a shop, whether it's a stall, whether it's a canteen or spaza shop, so long as they are selling or handling food, whether food is prepared or processed, they should have a certificate of accessibility from the municipality. But the challenge that the inspectors experience [is that] people who open shops everywhere [are] serving food to the public without the proper documentation. Furthermore, when the EHPs come to inspect the facility, the owner will be hostile saying they were not aware that they needed a certificate to operate. According to the regulation system, EHPs must issue a fine because the person did not let the municipality know that they are opening food premises because of a lack of that knowledge. (Respondent 12)



Non-compliance

As far as regulations are concerned, the results showed that there is a high rate of non-compliance in the food industry. One respondent said:

There is a lot of non-compliance in small businesses, especially in townships. The first time they will be nice after doing the inspections especially if the findings show non-compliance, they normally say they will fix whatever needs to be fixed. However, on the follow-up, they will now pretend as if they don't understand English and what is being communicated to them or they find a new person working meaning they have to keep on going to the same premises, finding different people who claim they are in charge. At a point, where a fine needs to be issued or notice to close the establishment [the EHP] then encounters intimidation or is threatened by the store owner because they feel like the EHPs are overdoing it. (Respondent 13)

Regulation R638 requires that all kitchens must be clean and hygienic, with proper ventilation and adequate space for the preparation and storage of food (Department of Health, 2018), but most of the kitchens in government schools are not compliant with these regulations.

The main challenge for government schools under the feeding scheme programme is structural non-compliance. The kitchens at most schools were not meant to be kitchens but classrooms meant for learning purposes and not for the preparation of food. The renovations of the building takes longer than expected because there are not sufficient funds allocated for renovations. Meanwhile, the school kitchens do not meet the requirements in terms of R638 to make sure that the kitchen has all the necessary equipment that is needed in ensuring that food is properly handled from the point of receiving to the point of consumption. (Respondent 14)

Structural non-compliance – the failure to adhere to safety regulations and standards in the design and construction of buildings – can lead to increased risks of harm and safety hazards, such as the lack of fire safety measures (Othman, 2012). Even school kitchens have to be compliant with Regulation R638. With regard to the structural non-compliance, another respondent said:

Structural non-compliance is a big issue compared to challenges such as lack of PPE (personal protective equipment) or someone wearing jewellery while preparing food. Since its government to government, the EHPs are not allowed to issue fines but a



compliance notice (three or four notices), and if still not fixed the EHPs have the authority to escalate the matter beyond the school principal to the department of education at the district level. In most cases, the department always acknowledges the problems brought to the fore but hardly sees anything being fixed. (Respondent 13)

Non-compliance in South Africa's large food industry can harm public health, consumer trust, and the industry's reputation (Mphaga et al., 2024), as seen in the listeria outbreak (Boatemaa et al., 2019). However, the researcher could not assess the level of non-compliance due to industry secrecy and lack of transparency, with some stakeholders declining to participate. This highlights the need for full transparency and collaboration in food safety.

Discussion

The dynamics of policy networks across different levels of government – national, sub-national, and local – play a crucial role in shaping interactions among interest groups, significantly influencing the distribution of power within policy subsystems in liberal democracies (Marsh & Rhodes, 1992). Each level of government is responsible for the allocation of financial resources to the level below it. However, at the sub-national level authorities often face challenges in allocating sufficient resources to local governments for the effective implementation of food safety policies. This hampers the monitoring and enforcement of food safety regulations at local government level, leading to gaps in governance.

Despite being integral parts of the governmental structure, sub-national authorities and local governments frequently operate in isolation. The sub-national authorities tend to function as a closed network. This insular approach often results in inadequate necessary resources reaching local governments to effectively fulfil their mandates.

A critical factor affecting the efficacy of public institutions is their institutional capacity. When this capacity is lacking, the ability of these institutions to provide services and meet the needs of citizens is significantly compromised (Khambule & Mtapuri, 2018). This weakness not only undermines the public's trust in government and institutions but also risks fostering social unrest and instability. Furthermore, weak institutional capacity can impede the implementation and enforcement of laws, creating an environment where impunity flourishes, thereby weakening the rule of law (Towah, 2019).



In this context, the government's approach to the regulatory design and review process further illustrates the closed nature of these networks. The absence of public participation and consultation during this process allows the government to retain control over policymaking, effectively marginalising other stakeholders. In this top-down approach the government often becomes the primary decision-maker, excluding other actors from the policymaking process.

The listeriosis outbreak serves as a pivotal case that shifted the balance of power. Unlike previous scenarios where industry actors could exert significant influence, including veto power, the outbreak forced the scales of power to tilt away from the industry. This shift excluded them from the decision-making process, allowing the government, particularly the DoH, to assert its authority more decisively.

This top-down decision-making approach, driven by the urgency and gravity of the listeriosis outbreak, led to unintended consequences. The lack of thorough planning during the implementation phase resulted in challenges that could not be adequately addressed within the existing institutional resources and budget. The government's decisive role as the primary decision-maker in this instance, particularly the DoH, was largely a response to the public health crisis posed by the outbreak, which necessitated the exercise of its authoritative power.

Conclusion and recommendations

The study concludes that the implementation of Regulation R638 has been hindered by a lack of stakeholder consultation and insufficient local government resources. The top-down approach by the DOH, while necessary after the listeriosis outbreak, failed to address enforcement challenges. This has led to gaps in knowledge, training, and institutional capacity, weakening the regulation's effectiveness.

The article recommends that future regulations involve comprehensive stakeholder consultations, implement standardised training for food handlers and local practitioners, and increase resources for local governments. Improved coordination between levels of government and periodic reviews of regulations are essential for effective enforcement and continuous improvement.

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ENDNOTE

¹ Regulation 908 of 2003 states that larger food handling enterprises must have a fully implemented Hazard Analysis and Critical Control Point (HACCP) system.

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The authors confirm that they have all read and approved the final version of the article.

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The great realignment

Navigating catastrophe and capital in the decade ahead



The defining crises of our era will require a great realignment of global forces, middle countries, the coalition of progressive movements – marginalised communities, women's groups, workers, the unemployed and the working poor – to shape a new reality going forward. ARI SITAS examines the unfolding process that has created the current disastrous instability and friction, and argues for the need for creative efforts to transform the catastrophic reality into an inclusive developmental world order



We often describe our moment in history as a time of crisis. Yet the word “crisis” suggests something sudden – a shock, an event, a rupture that interrupts normal life.

But what if our greatest mistake is believing that catastrophe arrives all at once?

What if the defining crises of our era do not explode – but accumulate?

I want to suggest that we are not waiting for the next global crisis.

We are already living inside it.

The decade ahead will not be defined by a single shock. Instead, it will be defined by a great realignment – structural transformation in how capital moves, how states govern, and how societies organise themselves. But also in how people, workers and the working poor, women and marginalised communities come to shape it.

To understand this realignment, we must move beyond thinking about crises as events. Instead, we must examine the slow convergence of structural trends that together produce systemic instability.

This is the framework I want to propose.

... we must move beyond thinking about crises as events. Instead, we must examine the slow convergence of structural trends that together produce systemic instability.

Catastrophe as convergence

For decades, economists and political analysts have focused on dramatic events: the fall of the Berlin Wall, the Asian financial crisis, the 2008 global meltdown, or the COVID-19 pandemic.

The way capital acts and behaves has changed. As Yanis Varoufakis warned: “capital is no longer just a produced means of production. In the age of Big Tech and AI [artificial intelligence], capital



has become a means of behaviour modification. We have moved from a world of markets to a world of digital fiefdoms, where profit is replaced by rent, and the citizen is replaced by the ‘serf’ of the algorithm” (2024, p. 104).

Even what seems progressive and friendly to our ecosystems must be explored with some suspicion. Jayati Ghosh raises such an alarm:

The core countries and the elites within every country globally are able to produce and consume excessively. They generate hugely disproportionate and increasing global carbon emissions with rising ecological footprints. Yet the negotiations that are supposed to address climate change do so in very misinformed and unequal, deceptive and even harmful and debilitating ways. Global market-oriented finance and the fiscal strategies of the major advanced countries actually operate to increase carbon emissions at the same time as they make the required finance for effective mitigation unavailable to the rest of the world. (2023)

But the crises shaping our century do not occur as isolated shocks. They emerge from the interaction of long-term structural pressures.

In this sense, catastrophe is no longer a moment.

It is a system.

Six major trends define this system. I will point to the economic ramifications keeping in mind that the real devastation is most often deeply social.

Environmental degradation

The climate crisis is no longer a future scenario. It is a present economic constraint. Extreme weather now affects agricultural production, energy infrastructure, insurance markets, and global logistics networks. Climate shocks are increasingly tied to sovereign risk and fiscal stability. The result is that environmental risk has become an economic risk multiplier (Intergovernmental Panel on Climate Change, 2023).

The return of armed conflict

The post-Cold War era briefly suggested that global trade and economic integration might reduce geopolitical conflict. That assumption has collapsed. Regional wars, proxy conflicts, and military competition have returned to the centre of global politics.

The result is a restructuring of trade routes, energy markets, and supply chains. In short, geopolitics has returned to economics (*Bulletin of the Atomic Scientists*, 2026).



Stress at the stock exchange.

Photo: Shutterstock

Economic volatility

For decades the global economy operated under a relatively stable regime of predictable inflation and integrated supply chains. That era is ending. Today we are witnessing the emergence of security-driven economics.

Prices are increasingly shaped not by efficiency but by resilience: stockpiles, redundancies, and domestic production capacity. This shift represents a fundamental transformation in global capitalism (International Monetary Fund, 2025).

Health as economic infrastructure

The COVID-19 pandemic demonstrated that health systems are not simply social services. They are economic infrastructure. Labour markets, productivity levels, and public finances are now permanently shaped by the long-term consequences of global health crises.



Governments that fail to treat public health as an economic system risk repeated cycles of disruption.

Technological disruption and the AI divide

AI is rapidly becoming the defining technological force of the 21st century. But the infrastructure required to support it is immense. Data centres, energy systems, high-speed networks, and specialised semiconductor production form the backbone of the AI economy. Global demand for digital infrastructure is expanding rapidly as AI systems proliferate.

Some projections suggest that the number of AI systems and connected agents could increase by orders of magnitude over the next decade, placing unprecedented pressure on global computing and networking infrastructure. This creates a profound risk: a widening technological productivity gap between nations. Those who control AI infrastructure will shape the global economy. Those who do not may fall further behind (World Economic Forum, 2026).

Authoritarian populism

Finally, there is the political response to these pressures. When states fail to manage environmental stress, economic insecurity, and technological disruption, political systems often turn toward authoritarian populism. These movements promise control in a world of uncertainty. But in practice they often deepen instability, weaken institutions, and polarise societies (V-Dem Institute, 2026).

The geography of catastrophe

These six trends rarely operate in isolation. Instead, they converge geographically and within strained ecosystems.

They create what we might call critical zones — places where economic fragility, climatic and political instability, and infrastructure failure reinforce one another.

In South Africa, we see these zones emerging clearly where municipal collapse intersects with economic exclusion and social frustration.

Understanding catastrophe as geographic convergence allows us to move beyond reactive crisis management toward systemic responses.

Suffice it to say that in the near future careful attention ought to be paid where three or more of these occur in a specific locale and follow closely the forms of response by people affected.



I have focused here on the economic dimension of these trends because they link with tectonic shifts in the world economy and how it impacts on these zones of crisis and engagement.

The global capital realignment

If we map global growth since the financial crisis, we discover something striking. The world economy is no longer powered by a broad coalition of countries. It is carried by a narrow pyramid of growth engines – China at the base, India rising rapidly beside it, and the United States stabilising the system through technological leadership (World Bank, 2025).

Just three economies (China, India, US) account for roughly 55–60% of global economic growth. That level of concentration is historically unusual. Asia is now the centre of world growth. Ironically, it is mainly China that keeps capital accumulation above the devastating average.

Let us now turn to the second dimension of this transformation. Global capital itself is changing away from the flow of financial resources in a globalising world.

To understand this shift, we must compare two moments: 2008 and the present decade. In 2008, the global financial system experienced a dramatic shock. But the response was largely restorative. Central banks stabilised markets. Global trade continued. The architecture of globalisation remained intact.

The world that is emerging today is different. We are moving from efficiency-first globalisation to security-first regionalism.

Xi Jinping (Xi, 2025, p. 14) warned of such a realignment based on security concerns: “Security is the prerequisite for development. In a world of increasing turbulence, we must build a ‘Global Security Initiative’ that respects the sovereignty of all nations and rejects the cold-war mentality of zero-sum games.”

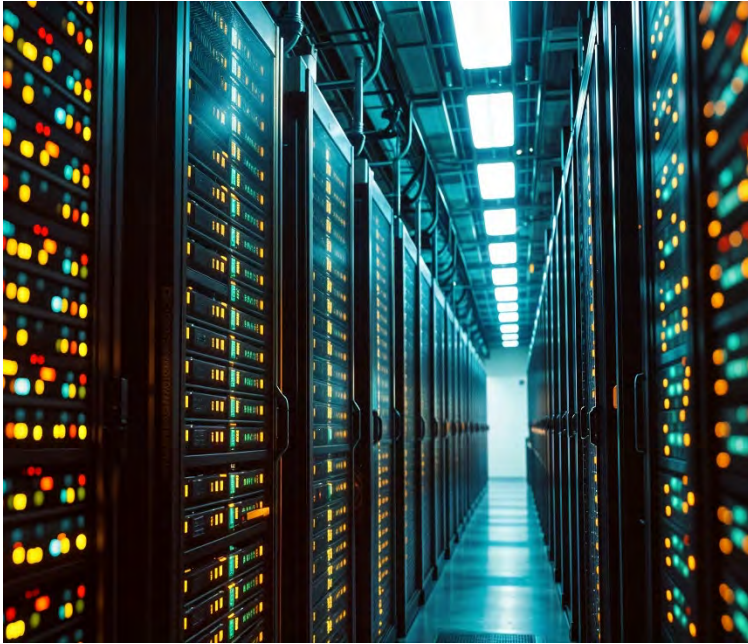
Four structural changes define this transition.

The return of industrial policy

For decades, economic orthodoxy discouraged government intervention in industrial production. That orthodoxy is disappearing.

Across the US, Europe, and Asia, governments are actively reshaping supply chains in strategic industries such as semiconductors, batteries, and renewable energy. National security has become a central driver of industrial investment (IMF, 2024).

The AI infrastructure supercycle



*Data centres constantly and rapidly processing incoming information.
Photo: Shutterstock*

The second transformation is the extraordinary scale of investment in AI infrastructure. Across the technology sector, companies are committing enormous capital to data centres, cloud computing systems, and advanced semiconductor production.

Recent announcements illustrate the scale of this expansion, including multi-billion-dollar investments in new AI data-centre ecosystems. This infrastructure boom is reshaping the geography of wealth creation.

Unlike the earlier internet revolution, which distributed innovation relatively widely, AI infrastructure is concentrated in a small number of technological hubs (Gartner Inc., 2026).

The strategic politicisation of capital

Foreign investment is no longer politically neutral. Governments increasingly screen investments in strategic sectors, while geopolitical tensions influence cross-border capital flows. Capital has become an instrument of geopolitical strategy (World Trade Organization, 2025).



Another important dimension of this realignment is the growing role of emerging-economy financial coalitions, most notably BRICS. Originally formed in the aftermath of the global financial crisis, BRICS was conceived as a platform through which large developing economies could coordinate positions within global governance institutions such as the IMF and the World Bank (Armijo & Roberts, 2014).

Over time, however, the bloc has evolved beyond diplomatic coordination into a more ambitious experiment in institutional diversification. The creation of the New Development Bank and the Contingent Reserve Arrangement represented early attempts to build financial mechanisms that could complement, and in some cases partially bypass, traditional Western-led institutions (Stuenkel, 2020).

In the current era of geopolitical fragmentation, BRICS increasingly functions as a forum where emerging economies explore alternatives in development finance, energy cooperation, and trade settlement. Yet the bloc's growing prominence also highlights the complexity of multipolar financial governance.

While BRICS presents itself as a collective voice of the Global South, its internal dynamics are shaped by major asymmetries in economic size, strategic priorities, and geopolitical alignment. These tensions reveal both the promise and the limitations of the emerging multipolar financial order.

In the current era of geopolitical fragmentation, BRICS increasingly functions as a forum where emerging economies explore alternatives in development finance, energy cooperation, and trade settlement.



The rise of private infrastructure finance

The final transformation is the rise of private infrastructure capital. High public debt levels limit the ability of governments to finance large-scale projects. As a result, infrastructure funds, pension funds, and private equity firms now play a growing role in financing energy grids, digital networks, and transportation systems.

The boundary between public infrastructure and private investment is becoming increasingly blurred. But most importantly regulation of capital flows and self-regulation by capital of its flows is very much with us.

My point is that the world economy has shifted from our narrow government thinking that prioritises austerity and neo-liberal protocols of best practice.

The institutional architects of global capital

Within this new system, certain institutions wield extraordinary influence over this self-regulation. The whole restorative drive is unthinkable without two of the major players. They illustrate the emerging architecture of global finance.

The first is BlackRock. The second is the Industrial and Commercial Bank of China (ICBC).

These institutions represent two different models of financial power. BlackRock operates as what we might call the invisible governor of Western capital markets. Through its asset-management platforms and risk-analysis systems, it coordinates enormous pools of investment capital (BlackRock, 2024; Fink, 2025).

ICBC represents a different model: the financial sovereign. As one of the largest banks in the world, it functions as a central pillar of China's international development strategy (Industrial and Commercial Bank of China, 2026; London Stock Exchange Group, 2026). Together, these institutions illustrate the deeper transformation I am alluding to.

Global capital is no longer organised purely through markets. It is increasingly organised through institutional networks of strategic finance. And these networks often operate beyond the policy control of smaller nation-states.

Yet this expanding architecture of Chinese financial influence also intersects with the evolving geopolitical framework of BRICS.

What was originally conceived in the late 2000s as a loose platform for emerging-market coordination has gradually become



something more ambitious: a forum for challenging the dominance of Western financial institutions and exploring alternatives in trade settlement, development finance, and reserve currency arrangements (Stuenkel, 2020).

At the same time, BRICS remains a profoundly complex and vulnerable commitment. Its members possess divergent strategic interests, competing regional ambitions, and sharply different political systems.

China's financial scale within the grouping far exceeds that of its partners, creating asymmetries that shape the bloc's internal dynamics. For countries such as South Africa, participation in BRICS therefore presents a delicate balancing act. It offers access to development finance and South-South cooperation through institutions such as the New Development Bank, yet it also places smaller members within a geopolitical landscape increasingly defined by rivalry between major powers (Armijo & Roberts, 2014).

In this sense, BRICS embodies the paradox of the current era: a coalition seeking greater autonomy from Western financial dominance while simultaneously navigating the gravitational pull of China's expanding influence.

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The South African duality

Nowhere are the consequences of these global transformations more pertinent than in South Africa.

For South Africa, participation in BRICS has become a central pillar of its international economic strategy. Yet it also places the country within a complex geopolitical environment. As global competition intensifies between Western economies and China, middle powers such as South Africa increasingly find themselves navigating overlapping economic networks and political expectations.



Scholars of emerging-power diplomacy often describe this as “strategic hedging” – the effort to maintain productive relationships with multiple centres of global power while avoiding rigid alignment with any single bloc (Cooper & Farooq, 2015).

In practical terms, this means South Africa must balance its role within BRICS with its longstanding economic ties to Western markets and institutions. The challenge is not merely diplomatic but developmental: ensuring that participation in global coalitions translates into tangible benefits for domestic infrastructure, employment, and industrial capacity.

According to a key thinker of India’s approach to BRICS and beyond, Samir Saran points to the need for self-confidence: “the Global South is no longer a bystander to history. We are in an era of ‘strategic autonomy,’ where middle powers will not be forced to choose between blocs but will instead navigate the fragments of global capital to serve their own domestic imperatives” (2026, p. 88).

Yet our economy today is characterised by a profound structural duality (The Presidency, 2025).

The labour trap

South Africa continues to face one of the highest unemployment rates in the world. The most recent data from Statistics South Africa indicates that the official unemployment rate exceeded 32%, while the expanded unemployment rate – including discouraged workers – exceeded 43% (Statistics South Africa, 2025).

This means, as is well known, that millions of South Africans remain excluded from formal economic participation. At the same time, investment flows increasingly toward high-skill sectors such as renewable energy and digital infrastructure. The result is a sectoral divergence. Parts of the economy modernise rapidly while large segments of the population remain disconnected.

The rise of an insulated infrastructure elite

A new economic stratum is emerging in South Africa, which is defined not primarily by traditional wealth but by access to infrastructure. Those who can operate off-grid – with private energy generation, private water systems, and private security – are able to participate in the global economy despite domestic institutional failures. Meanwhile, rural communities and marginalised urban areas remain dependent on deteriorating public infrastructure. The gap between these two worlds is widening.



The fiscal anchor dilemma

South Africa's fiscal policy debate increasingly revolves around the concept of a fiscal anchor – a framework designed to stabilise public debt and reassure investors (National Treasury, 2026). While such policies can enhance financial credibility, they also constrain the state's capacity to expand social spending. This creates the central dilemma of South African political economy: market credibility versus social inclusion.

In short, even if economic growth cranks up and investor confidence increases it is doubtful that this divergence will occur without regulation or intervention. The days of the Washington Consensus are over, declared unworkable by the Washingtons of the consensus themselves.

Rebuilding the motive forces

Economic transformation alone cannot solve this dilemma. Socio-political renewal is equally essential.

Within the intellectual tradition of the ANC, the concept of motive forces has long been used to describe the social coalitions that drive historical change. At the moment the concept once linked to issues of multi-class alliances is floating without an active subject: a disabled state and a disabled emancipatory politics.

Thinkers such as Joel Netshitenzhe (2020) have warned that political movements can lose legitimacy when they become detached from the communities they claim to represent.

Similarly, the late Ben Turok (2016) argued that democratic transformation must remain rooted in popular participation rather than elite patronage. These warnings remain relevant today and point to the need for a national dialogue. Yes, it is the rebuilding of a democratic social contract (Fourie, 2020), but this must move government beyond just economic reform, beyond austerity and a trickle-down idea.

A movement of movements?

The solution cannot come from the state alone. Nor can it come solely from markets.

According to Manuel Castells: "when the state loses its ability to manage the crises of the physical world, the power shifts to the network. Movements today are not just about protest; they are about creating alternative social contracts in the 'space of flows' that the traditional political elite can no longer control" (2025, pp. 215-220).



"Movements today are not just about protest; they are about creating alternative social contracts in the 'space of flows' that the traditional political elite can no longer control." .. Manuel Castells

On this Nandini Sundar writing from India also asserts: "The state often views the 'critical zones' of ecological and social fragility as spaces to be policed rather than places to be healed. True democratic renewal begins when we stop treating marginalised communities as 'risks' to be managed and start seeing them as the authors of their own resilience" (2025, p. 310).

Kumi Naidoo moves to name the requirement: "The climate crisis, the hunger crisis, and the inequality crisis are the same crisis with different faces. We don't need a bigger protest; we need a bigger 'movement of movements' that connects the rural mother to the urban worker. If it isn't intersectional, it isn't a solution" (2025, p. 284).

I concur that what is required is the emergence of a 'movement of movements'.

Such movements must be built on the basis of popular responses to the strains experienced in what I described as critical zones. Furthermore, the 'movement of movements' must centre women, livelihood networks, and faith-based creative structures not merely for the sake of representation, but as a functional necessity for survival and change.

In the face of 'sectoral divergence,' it is women who predominantly navigate the informal economy and the 'social wage' gap, managing the household survival strategies that the state and formal markets have abandoned. Livelihood networks and creative movements provide the 'social glue' and cultural vision required to prevent social atomisation in critical zones of local and municipal collapse.

Furthermore, faith-based institutions remain the most significant organised moral force capable of transcending factionalism; they offer a value-based framework that can hold both the state and private capital to account. Without these forces, any 'renewal' remains an elite technical



exercise, devoid of the grassroots legitimacy required to challenge the entrenched patronage networks of the fast 'insulating elite'.

A broad coalition therefore of civic organisations, labour groups, women's networks, community structures, and faith-based institutions capable of shaping public policy or create transformative wave against the systemic impasse.

It would ensure that development strategies prioritise human dignity and social inclusion. And it would ensure that the immense flows of global capital entering infrastructure and technology are aligned with the needs of society.

"The climate crisis, the hunger crisis, and the inequality crisis are the same crisis with different faces. We don't need a bigger protest; we need a bigger 'movement of movements.'" – Kumi Naidoo

Conclusion: the bridge between freedom and equality

South Africa occupies a unique position in the global economy. It is a gateway between advanced financial systems and the broader African continent. If managed strategically, this position could attract infrastructure investment while supporting inclusive development.

But that outcome is not guaranteed. The demographic energy of our population could become a powerful engine of creativity. Or it could become a source of instability.

The difference will depend on whether we succeed in building institutions capable of bridging two fundamental values: Freedom and equality: Freedom without equality becomes hollow; equality without freedom becomes oppressive.

The task before us is therefore clear. We must build a society in which democratic participation, economic opportunity, and technological progress reinforce one another.

This is why South Africa's role in the emerging global order will depend not only on where it aligns diplomatically, but on how effectively it converts geopolitical partnerships into inclusive development at home.



And to the strata who are paid and privileged enough to think: turn your focus on the constraints that need to be removed in the emerging critical zones and throw your creativity alongside the efforts to transform a catastrophic reality.

If we succeed, the great realignment will not be remembered as an era of catastrophe. It will be remembered as the moment when societies chose transformation over decline.

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BIOGRAPHY

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Follow the leader?

Despite decades of colonialism, land dispossession, apartheid exploitation, and protracted armed struggle, South Africans are willing to talk to each other; negotiation is a hallmark of our post-apartheid society. Now that's being put to the test. The National Dialogue was mandated to confront the intractable triple crisis of unemployment, poverty and inequality, but it faces another challenge from deep within the party that created it. TONY EHRENREICH asks if the ANC leadership, crippled by corruption and greed, is still up to negotiating a way to a better future

Photo: Wikimedia

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South Africa's history is marked by repeated clashes between contesting groups, and this goes back to the earliest times. This is not unusual. The world at large, but especially countries that have experienced colonialism and other forms of oppressive government, have repeatedly resorted to violence in the face of intractable conflict, most often over the distribution of their resources. What is unusual about South Africans is that they can also talk to each other. At key points in our national struggles we have talked to avoid violence. And sometimes this has worked.

The defeat of apartheid required the most advanced tactics and weaponry humans are capable of, and South Africans forged and have perfected dialogue and negotiation as a means to peaceful resolution.

This was probably first manifested in the structures negotiating a relative peace in Natal in the 1980s between the ANC and the apartheid proxies in the form of the Inkatha Freedom Party (IFP) with the support of the South African Defence Force.¹

The early 1990s saw a series of unprecedented bilateral and multi-party negotiations, the 'talks about talks', which produced the 1991 National Peace Accord. These negotiations delivered the Groote Schuur Minute and the Pretoria Minute and laid the foundation for the success of the 1991-1992 multi-party Convention for a Democratic South Africa (CODESA), which led to the 1994 elections and the subsequent drafting of the Constitution.

The principle of engagement was captured in the expression of participatory democracy, which included the social dialogue formalised in the National Economic Development and Labour Council (NEDLAC) on key areas of social policy. NEDLAC in turn led to the 2003 [Growth and Development Summit](#) as well as the response to the 2008 financial crisis. NEDLAC also played a critical role in the COVID response in South Africa.

Which brings us to today. South Africa's history and culture of social dialogue is once again being explored as a way to get around the crisis in society that is evident in persistent low growth, deepening inequality, and extreme levels of unemployment and poverty. The first National Dialogue convention was in August 2025, with representation across government, business, and civil society. Its aim was to craft a pathway towards a new social compact and create a shared vision for the country.



*Celebrating South Africa's first democratic government.
Photo: South African History Online*

Why a new National Dialogue?

The National Dialogue is a response to the huge social challenges and ever increasing divisions in society. Its aim is to tackle the three main social crises – unemployment, poverty, and inequality – which represent a challenge to stability in our society. The current rate of unemployment is around 40% depending on the definition used. Levels of poverty have increased and the Gini Coefficient for South Africa, which measures inequality, remains the highest in the world.

Whilst these indicators are worrying, they must however be seen in conjunction with the delivery of four million houses since 1994; the extension of water connections to reach 90% of society; and the roll-out of electrical power to 92% of the population. It is important to list these achievements as there is a tendency to focus on all the negative indicators.

The reason for the focus on negative areas of development in South Africa is to undermine the liberation struggle and question the ANC's ability to bring about fundamental change. However, it has to be said that ANC members who have behaved atrociously through corruption and their extravagant lifestyles are one of the main reasons for the lack of trust in political institutions we see today, and the fragility of the political project has been revealed by the ease with which government leaders are compromised through financial exposure. The arms deal or the Mercedes Benz discount are just two of the many examples that reveal a lack of revolutionary morality.² The elites in South Africa have united across racial lines and have been exposed by their conduct; they have shown no indications of being a "patriotic bourgeoisie".³



The Zondo commission of inquiry revealed many areas of corruption in the public and related services. Collaboration between Black and White elites emerged as the drivers of corruption. The private sector has also seen huge corruption through collusion around the prices of bread, chicken, steel, the construction of stadiums for the 2010 FIFA World Cup and of course Steinhoff.⁴ The Competition Commission is also revealing many areas of price setting that may be problematic; we can see the costs of banking services and data coming down due to Competition Commission investigations. Nevertheless, the system is corrupt with theft taking place at a grand scale across society.

This blatant enrichment is revealed in the number of Lamborghinis or the likes parked at the mansions in Sandton and elsewhere in South Africa's exclusive suburbs that far exceed the income levels of many leaders. Extremely high salaries in many institutions are found alongside the low wages in a number of sectors of society. These are the practices that society accepts and condones. When the political leadership shows a deficit in ethical conduct it is no wonder that construction mafias run riot or gangs take over legitimate industries in many communities. We have created the conditions for this grand looting by allowing politicians too much power and the space to ignore the needs of the electorate, set out in party policies.



*Hunger and poverty cannot be forever ignored: Homes in the Karoo.
Photo: Stephanie Paula Borchardt*



How dialogue benefits South Africa

The history of social dialogue in South Africa is a good example of how intractable conflicts can be peacefully resolved. Negotiation is a far better vehicle than open and destructive conflict, which destroys a country and sets its development prospects back by many years. The danger, however, is if the social dialogue takes shortcuts; if it does not resolve the essential contradictions in society it becomes a mechanism to align elite interests. CODESA and related dialogues set an important foundation to change the ownership patterns and the dominance of the grand theft of apartheid actors. The sad thing is that in spite of the amazing changes that followed the transition of South Africa from a crime against humanity to a modern industrial democracy after 1994, we failed to create a united common vision to take the country forward in which everyone's interests would be served.

Instead of focusing our energies on restructuring the economy and society, many of our leaders started collaborating with the apartheid thieves to enrich themselves. They joined numerous boards of directors to rack up board fees, whilst condoning the practices of those companies. Often the Black board members were given shares in the company that were worth more than the shares given to the workers who built up these companies under conditions of massive exploitation. These should have been the clearest signs that our Black political elites have given up on the Freedom Charter and are not representing the interests of the poor masses who vote for the ANC.

This led to the social distance in our society that existed previously between beneficiaries and victims of apartheid developing into the growing gap between the masses and the revolutionaries who are embracing elite lifestyles. The new parliamentarians joined Parliament at the same salary scales as the apartheid parliamentarians. They also very soon started moving into previously Whites-only areas, effectively forsaking the townships, which needed resources and restoration. They also started sending their children to former model C schools⁵ leaving township schools overcrowded and under-resourced. They joined medical aids that cost more monthly than the wages of Black workers in the service sector. Parliamentarians and their families started attending private hospitals, even as they voted to starve public hospitals of funding, while giving R20 billion rand in tax rebates to medical aid members. Parliamentary villages and ministerial residences were also insulated from crime through special private security provisions. Social distance has now become "democratically" defined in terms of income levels and it



is no longer only colour determining the new discrimination gap. This effectively means that the democratic dividend or the benefit of democratic change has gone to the apartheid thieves.

Where corporate tax was close to 50% in 1994, it was cut to around 30% in 2024. This is the clearest indication that capital in South Africa was happy to fund the grand theft of apartheid, but has not been prepared to fund the reconstruction needed following apartheid. The cut in taxes along with a relative investment strike undermines the prospects of success of the democratic state by restricting growth of the economy. This was in part to extract concessions from the democratic state, but also to undermine its legitimacy to effect real systemic change. A weakened state cannot drive the fundamental change needed to realise the Freedom Charter, so it stumbles along at mediocre growth rates that cannot absorb the army of unemployed or avert the social challenges that are unfolding.

This weakening of the state has allowed the right wing to challenge every progressive reform, and exploit and expose every division; race groups are weaponised, claims of firstism have emerged, and we experience interference in domestic politics from right-wing global alliances, like the US and Israel.



On strike.

Photo: South African History Online



The political establishment in South Africa has a credibility crisis of its own making.... The ANC as the liberation party should bear much of the blame for the decline in public institutional trust.

All of this is designed to weaken the state and foster divisions internally. Of course the governing ANC has not covered itself in glory, as corruption and extravagance are exposed at all levels of society.

Setting up new dialogue structures

The setting up of new National Dialogue structures reveals the challenge that the decline in social partners' credibility has brought to the fore. The existing institutions have become an insider club, and are not seen as the legitimate representatives of the social partners. While NEDLAC is playing an important role in assisting with developing National Dialogue engagements and protocols, its preparatory committees are forums made up of significant social representatives that supplement the established "social partners" – government, labour, business, and community organisations. The setting up of new structures is in part because of the lack of credibility of existing social institutions.

The political establishment in South Africa has a credibility crisis of its own making, with the ANC being marred by corruption scandals and not acting decisively to confront and arrest the practice. The ANC as the liberation party should bear much of the blame for the decline in public institutional trust. The Alliance partners of the ANC were not able to confront the decline in revolutionary morality in the Party with many, such as COSATU, having their own credibility challenges linked to corruption and mismanagement and non-service to constituencies.

The South African Communist Party (SACP) itself has had members in government involved in corruption and nepotism under its watch. The South African National Civics Organisation (SANCO) has also been plagued by internal strife and lack of effective leadership. All of this has resulted in a decline in trust and participation in electoral politics. The Democratic Alliance (DA) has been ineffective, the Economic Freedom Fighters (EFF) and the uMkhonto weSizwe Party (MKP) are proposing a more radical response to challenges, and the other parties are largely represented by low numbers and funded by right-wing agendas. This



decline in electoral support is in itself a threat to the very essence of our democracy and has resulted in a rise in extra-parliamentary protest.

Broadening the parties in the cabinet through the Government of National Unity is an attempt to fix the legitimacy crisis that party politics have in South Africa. It brought in parties that have insignificant support and are acting counter to the Constitution. This National Dialogue can in part establish some key principles that should be responded to at all levels of society.

The process going forward

The first convention was held in August 2025, after lengthy discussions with a number of foundations over previous years. The next steps are:

- From March 2026: Citizens' dialogues, including 1,300 ward-based dialogues;
- April-May 2026: District dialogues;
- May 2026: Thematic and sector dialogues;
- The second National Convention is planned for later in 2026.

The credibility of the National Dialogue rests in large part on the ability of the process to include a broad range of societal players and agree on the way forward. This represents a radical departure from the previous conventions in South Africa, which left execution to political players in Parliament. What is clear is that a Parliament that has lifted representatives into a middle class lifestyle will not be as focused on the challenges of working class communities when it comes to looking at policy.

The main motor force of change in South Africa in the 1980s was the working class; it led protest-built organisations and experienced the most severe effects of apartheid brutality and the legacy of underdevelopment. Of course it was well supported by an alliance of progressives that included a cross section of society and capital that could not function effectively under apartheid.

The right wing in South Africa has opposed most progressive policies designed to undo the legacy of apartheid. The reality is that White and Black capitalist interests have converged in Parliament and the business sector so we are unable to reverse the grand theft of apartheid raw materials. Together they are driving an agenda to restructure state-owned enterprises to provide their logistical services to a modern industrial democracy whilst creating the conditions for the privatisation of large sections of the economy. They are the most important motor forces directing change in the economy and society at this time.



The National Dialogue represents an opportunity to confront the political failures that the government has brought about. It creates an opportunity for the progressives in society to unite and drive an agenda of fundamental change that serves a much more equitable and just society. Failure to take this opportunity to redirect South Africa from the disastrous path we are on will see this country explode in violence as the poorer sections of society refuse to live a life of daily hardship whilst they see the conspicuous consumption of the economic and political elites. The path South Africa is currently on is unsustainable and will lead to a radical rupture in society. The National Dialogue is a moment to reset, but it is not being afforded the importance it should have and the urgency required.



*Drama and debate at the National Dialogue convention, August 2025.
Photo: Unisa*



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ENDNOTES

- ¹ 'Operation Marion' involved the training of an offensive para-military unit of IFP supporters by the South African Defence Force. See Para 236 onwards at <https://omalley.nelsonmandela.org/index.php/site/q/03lv02424/04lv03275/05lv03336/06lv03337/07lv03338.htm>
- ² These early manifestations of corruption involving ANC leaders and business people have been comprehensively documented in Holden and Van Vuuren (2011).
- ³ Former President Thabo Mbeki posed the question in 1999: "...how do we promote the formation of a black bourgeoisie that will itself be committed and contribute to black economic empowerment?" Speech at the annual national conference of the Black Management Forum in Kempton Park, 20 November 1999
<https://dirco1.azurewebsites.net/docs/speeches/1999/mbek1120.htm>
- ⁴ The massive multinational retail holding company, Steinhoff International, collapsed following a major accounting scandal in December 2017. This ranks as one of South Africa's largest corporate failures. Jayendra Naidoo, a former trade union leader who was the founding executive director of NEDLAC became a wealthy businessman and investor. As such, he was a member of the Steinhoff International Supervisory Board at the time of this scandal.
- ⁵ Under apartheid, 'Model C schools' were Whites-only public schools. In 1990 they were semi-privatised, giving their governing bodies control over admissions and other matters, as racial bars were abolished. Some schools found ways to exclude applicants from lower-income Black families and make sure these remain elite schools, which were still funded by the state. See Kruger (2025).

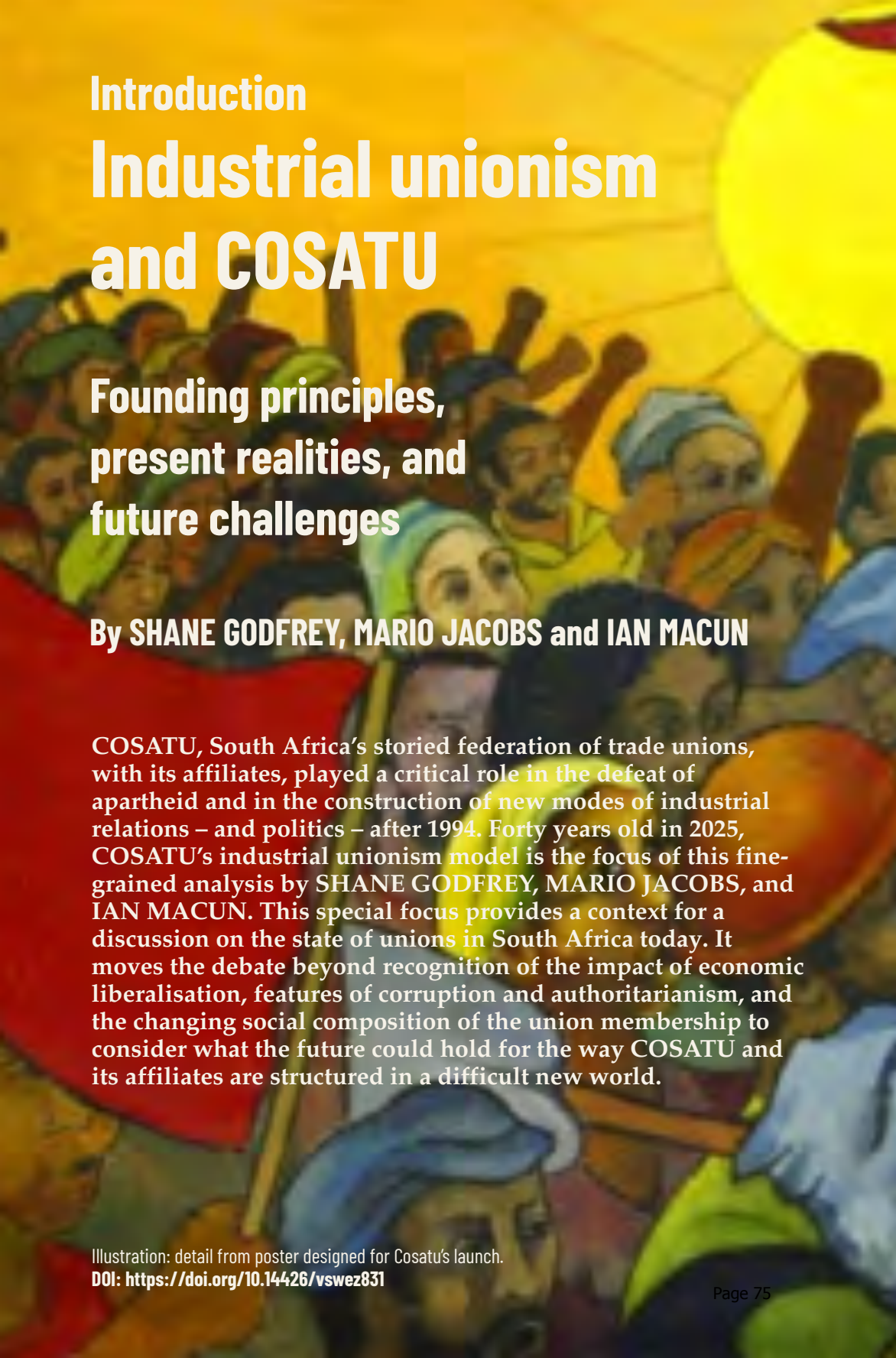
BIOGRAPHY

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He writes here in his personal capacity.



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Introduction

Industrial unionism and COSATU

**Founding principles,
present realities, and
future challenges**

By SHANE GODFREY, MARIO JACOBS and IAN MACUN

COSATU, South Africa's storied federation of trade unions, with its affiliates, played a critical role in the defeat of apartheid and in the construction of new modes of industrial relations – and politics – after 1994. Forty years old in 2025, COSATU's industrial unionism model is the focus of this fine-grained analysis by SHANE GODFREY, MARIO JACOBS, and IAN MACUN. This special focus provides a context for a discussion on the state of unions in South Africa today. It moves the debate beyond recognition of the impact of economic liberalisation, features of corruption and authoritarianism, and the changing social composition of the union membership to consider what the future could hold for the way COSATU and its affiliates are structured in a difficult new world.



Introduction

This special focus on the Congress of South African Trade Unions (COSATU) is divided into two articles. The first presents an historical perspective on the move towards industrial unionism among the independent unions that emerged in the 1970s and 1980s up to the formation of COSATU in 1985. Thereafter, the industrial union strategy slowed and then lost impetus. What followed during the 2000s was a gradual unravelling of industrial unionism and a shift towards multi-sectoralism.

Empirical evidence is provided of the extent of COSATU affiliates' retreat from the principle of 'one industry, one union' towards multi-sectoralism, as well as the shift of the centre of gravity in the federation from private to public sector.¹

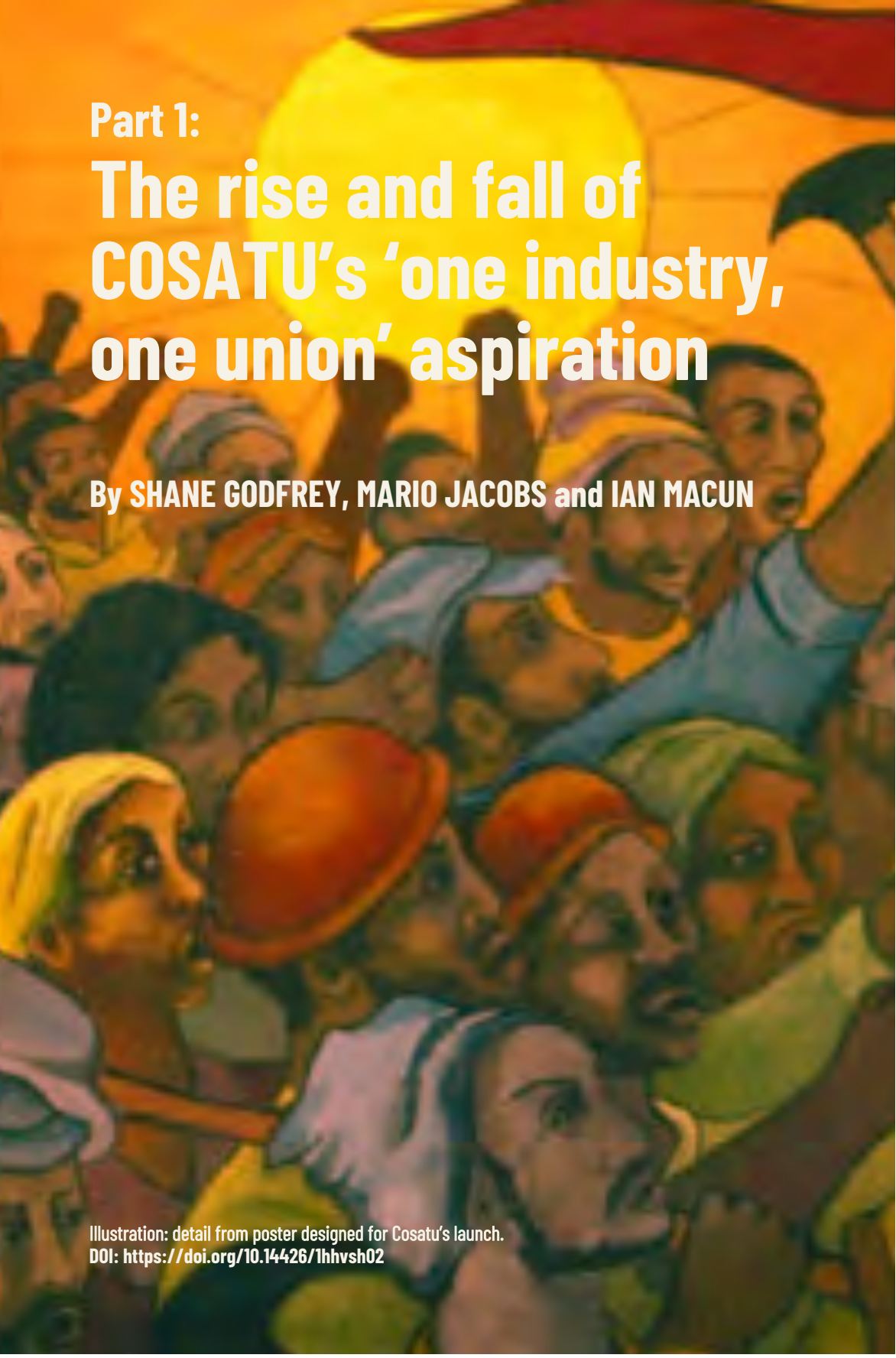
We argue, based on the evidence, that organisation by affiliates across sectors constitutes 'restructuring', albeit in the absence of a revitalisation strategy, and that the 'one industry, one union' organisational strategy is no longer fit for purpose in either the private sector or the public sector. Without a new organising principle and strategy fit for the times, COSATU is unlikely to arrest the decline in its private sector membership or manage the tensions among its public sector affiliates, nor will it make inroads into new forms of work and the rising mass of vulnerable workers in the labour market.²

The second article deals with the implications of these shifts for sector level collective bargaining through the bargaining council system. It provides evidence that COSATU is a shrinking presence in the private sector bargaining council system and points to the potential for fragmentation of sectoral bargaining arrangements and a greater degree of decentralisation of collective bargaining. It also has an overarching conclusion to both parts.

ENDNOTES

¹ The articles are based on research conducted for COSATU and the International Labour Organisation (ILO) in terms of a project titled 'Developments around the sectoral boundaries of COSATU's affiliates'. The research was conducted in two phases between June 2021 and August 2023, and besides examination of relevant documentation and a survey of secondary literature, the research comprised online and in-person interviews with past and present COSATU leaders as well as interviews with union leaders at a number of affiliates. A report was produced for each phase and provided to COSATU and the ILO. These reports are listed in the references at the end of the articles under the authors names.

² A challenge acknowledged by union interviewees who refer to it as "the 70 percent" of the labour market that seems beyond their capacity to organise.



Part 1:

The rise and fall of COSATU's 'one industry, one union' aspiration

By SHANE GODFREY, MARIO JACOBS and IAN MACUN

Illustration: detail from poster designed for Cosatu's launch.
DOI: <https://doi.org/10.14426/1hhvsh02>



Introduction

The new wave of trade unions that emerged in South Africa during the 1970s was marked by non-racialism, democracy, and worker control. The unions' growth, slow at first but then accelerating, was due in part to their organisational effectiveness, the gains they were able to make for workers, and the anti-apartheid politics they adopted. By the early 1980s, the new independent unions had become a major force in the labour relations system and a key part of the fight for political democracy in South Africa.

An important moment in this phase of trade unionism in South Africa came with the formation of the Congress of South African Trade Unions (COSATU) in November 1985. COSATU brought many of the new trade unions together in a federation¹ that was able to coordinate their strategies, build the strength of affiliated unions, and serve as a unified political voice. COSATU's significance has been considered mainly in terms of its political impact, but an important and somewhat overlooked aspect of the federation was the model of trade unionism it was to pursue. This was articulated in COSATU's founding principle of 'one industry, one union', which embodied the strategy to organise workers into broad-based industrial unions. This aim was not unique: COSATU's intention to structure itself in this way followed the predominant global trend of industrial unionism, which in South Africa had previously been distorted by racial exclusion.

At present, COSATU remains committed to its founding principle of 'one industry, one union', although much has changed in the 40 years since it was adopted. While the goal to establish one union in every industry always faced challenges, in recent years what momentum there was has stalled as the boundaries of COSATU's industrial unions have become blurred, competition between affiliates for members has risen, the practice of affiliates organising beyond their industry scope has led to divergence from the industrial union model, and the ability of the federation to manage relations between its member unions has declined. Although the federation has adopted resolutions that aim to ensure conformity to the 'one industry, one union' principle, affiliates have increasingly gravitated towards a multi-sectoral form of union organisation.

The challenges COSATU faces with respect to the industrial union model are not unique. The trend is well advanced in Europe. The particular confluence of sector and occupation, or bundle of occupations, that held together the 'one sector, one union' idea of the 'industrial



union', be it in metal engineering, chemicals, textiles and clothing, construction or transport, was common in many European countries 30 or 40 years ago, but is today the exception. Industrial decline; the blurring of occupational profiles in many sectors and erosion of sectoral borders; union decline, union mergers and the rise of the multi-sector union; the loosening of sector agreements; and finally, the severing of the links that once held industrial unions and political parties together are all part of this transformation of modern-day trade unionism in Europe (Visser, 2012, pp. 130-131).

Some of the economic, technological, and political factors that have undermined industrial unionism in Europe can also be identified in South Africa. De-industrialisation has been a feature of the last three decades alongside the rapid growth of the services sector. The labour market has undergone changes marked by the externalisation of work (through outsourcing) as well as rising informalisation, while in the formal workplace the way work is organised continues to be in flux. These factors have accelerated the disintegration of industrial boundaries of some sectors, which has taken its toll on union organisation. These developments have corresponded with the 'internal' shifts within COSATU that have contributed to the goal of 'one industry, one union' receding as affiliates indulge in intensified competition for members and expand their boundaries across more and more industries.

COSATU is aware of these developments but is yet to develop a strategic response to the erosion of its industrial union model. In developed countries, unions have embarked on what is described in a growing literature as trade union revitalisation or transformation (see, *inter alia*, Frege & Kelly, 2003; Frege & Kelly, 2004; Ibsen & Tapia, 2017; Pillay, 2017; Visser, 2019; Peels & Mwamadzingo, 2022). Revitalisation has generally involved a strategic re-evaluation by unions of their structure and their organising models as they seek to reposition themselves and shore up declining membership. COSATU's principled adherence to the industrial union model has arguably obscured how much has changed on the ground, to the extent that rather than responding to these shifts, the federation finds itself unable to pursue key mergers to completion or effectively manage demarcation disputes between affiliates.

These developments have implications beyond organising strategy. From its inception, and in parallel with the 'one industry, one union' model, COSATU has had a strong commitment to consolidating and strengthening centralised collective bargaining. Although organisation and collective bargaining have different dynamics, there is a



synergy between the organisational structure of unions and the level at which bargaining takes place.

The Labour Relations Act, no 66 of 1995, provides for the establishment of bargaining councils that define their scope in relation to a geographical and a clearly defined industrial area. Concluding collective agreements, and extending those agreements to an industry and area, depends on the representativity of the employer and trade union organisations in the bargaining council. Changes to the organising scope of unions and to their membership within sectors usually impacts representativity, and therefore the ability of unions to improve conditions and terms of employment for their members (as well as non-members) through industry-wide collective bargaining.

A further factor that has effected a major change to the 'shape' of COSATU, and the continued relevance of industrial unionism, is the huge growth of its public sector² affiliates.³ This growth has occurred in a relatively short space of time and has mirrored and partly offset the shrinking of private sector affiliates, especially those in the manufacturing sector. It has resulted in a very different federation to the one established in 1985.



Leaders on the march, 1992, from left John Gomomo, Chris Hani, Jay Naidoo, Allan Boesak, Cyril Ramaphosa & Tony Yengeni.

Photo: Zubeida Vallie, South African History Online

Following page: COSATU launch, Durban, November 2025.

Photos: South African History Online





Overview of industrial unionism in South Africa from the 1970s

South Africa's trade union movement historically reflected the divisions among the country's workers and also reinforced the divisions in South African society (Kraak, 1993, p. 174). The Industrial Conciliation Act, no 11 of 1924, was the legislative cornerstone that divided workers and the trade unions they joined. The Act excluded African workers from its scope, which meant that a union with African members could not register and could not participate in an industrial council.⁴ The Act shaped the labour movement until the reforms that flowed from the Wiehahn Commission removed the exclusion of unions representing African workers from the 'official' labour relations system.⁵

At the time of the reforms there were 167 registered unions, the majority of which were members of one or more of the 13 federations, councils or joint committees that existed, with the remaining 61 unions unaffiliated. Race was the main factor dividing unions, with many unions and federations restricted to White members, while others organised White, Coloured and Asian workers or just Coloured and Asian workers. The result was a fragmented labour movement that excluded African workers, who made up the majority of the labour force. These racial restrictions and the changing demographics of the labour force ensured that few registered unions achieved a significant size. For example, the largest federation, the Trade Union Council of South Africa (TUCSA), which was open to unions organising White, Coloured and Asian workers, had only two unions with more than 20,000 members, and 45 affiliates representing fewer than 5,000 members. The main Whites-only federation, the South African Confederation of Labour (SACOL), with 23 affiliates, had a similar profile: it had three unions with more than 20,000 members and 14 with less than 5,000 members. Amongst the unaffiliated unions it was much the same: two had more than 20,000 members but there were 58 with less than 5,000 members (Miller, 1982, pp. xxiv-xxv; 122).

The union movement therefore predominantly comprised small unions, with a scattering of medium-sized unions and only a handful of relatively large unions. A factor that overlay this pattern was the intersection of skills with the racial demographics of the labour force from the earliest days of industrialisation. This resulted in many craft or quasi-craft unions, most of which represented only White workers, persisting well into the 20th century (Miller, 1982; Hendrie & Kooy, 1979, pp. 1-26).



There were few industrial unions, and most of those that existed had not organised a significant proportion of an industry. The exclusion of African workers, furthermore, meant the inevitable decline of the registered union movement as Africans became an increasing proportion of the total labour force.

Although unions representing African workers had been excluded from the legislated labour relations system, they had never been prohibited. Unions organising African workers, however, always operated in a harsh environment, rejected by almost all employers, opposed by many registered unions, and repressed by the government. Unions for African workers had therefore seldom been able to secure a strong foothold in workplaces or to forge collective bargaining arrangements, and membership fluctuated in the years before 1979. Friedman describes African unionism over this period as a series of waves that gathered and "threatened to bowl over all in their path. But they all broke harmlessly on the shore and were swept out to sea" (1987, p. 11).

This was the environment in which independent unions that arose in the wake of the 1973 strikes in Durban found themselves. They adopted a cautious approach by building factory level organisation in individual plants and factories, but most grew rapidly. Many of the new unions had a strong industrial focus, such as the Metal and Allied Workers' Union (MAWU) and the National Union of Textile Workers (NUTW), but the approach of building union membership one factory at a time initially saw growth confined to one or two major urban centres.

Other unions had different structures. The Western Province General Workers' Union (WPGWU) had more of a regional orientation and organised across industries, although it tended to focus on four or five industries where much of its membership was concentrated. A union such as the Food and Canning Workers' Union (FCWU) was different. It was a registered union that pre-dated the 1973 strikes, but it had established a separate unregistered union for African workers, the African Food and Canning Workers' Union (AFCWU). The two unions, although separate to comply with the legislative restriction on racially mixed unions, functioned much like a single union, with most of its membership in the Western Cape province (Kraak, 1993, p. 189; Theron, 2016, p. 43).

Another of the new unions, the South African Allied Workers' Union (SAAWU), had a different structure. It described itself as a federation comprising unions in a number of industries, mainly situated in the Eastern Cape region. This federal structure was however never formalised and in practice SAAWU operated as a general union. Its



growth was impressive: by 1980 SAAWU had approximately 75,000 members. Other general unions of significance were the General and Allied Workers' Union (GAWU) and the Municipal and General Workers' Union of South Africa (MGWUSA) (Kraak, 1993, pp. 190-194).

Almost from the moment the new unions emerged there were efforts at coordination and attempts to build unity. One such effort saw the formation of the Trade Union Advisory Coordinating Council (TUACC), which aimed to support the activities of new unions through sharing resources and adopting common policies. This initiative led to the establishment of the Federation of South African Trade Unions (FOSATU) in 1979, which brought together three registered and nine unregistered unions with a total of approximately 45,000 members (including, see above, MAWU and the NUTW) (Friedman, 2011, pp. 24-25).

FOSATU was explicitly a federation of industrial unions which aimed to establish unions in all industries on a national basis. Its organising model recognised that to effectively wield power, unions comprising mainly African workers had to organise a majority of workers within industries. It also recognised that such an organising model could divide workers along industry lines, but FOSATU aimed to counter such tendencies by facilitating coordination and cooperation between affiliates to maximise unity and power (Friedman, 2011, p. 67). The industry focus was, furthermore, balanced by the aim of the unions to remain open and inclusive of all Black workers.⁶

FOSATU's industrial union organising strategy was successful: by 1981 its membership had more than doubled to 94,614 (Miller, 1982, p. 11). FOSATU was, however, still a relatively small player: union membership for the entire labour movement stood at 1,225,454 in 1982 (Macun, 2002, p. 31). Although FOSATU was the leading proponent of industrial unionism, it was not the only home for industrial unions. The Council of Unions of South Africa (CUSA), formed in 1980, brought together a number of industry-based unions, including the National Union of Mineworkers (NUM), which went on to become the largest union in the country, the South African Chemical Workers' Union (SACWU), the Transport and Allied Workers' Union (TAWU), and the Building, Construction and Allied Workers' Union (BCAWU). CUSA also followed a strategy of building unions on a foundation of plant-based, shop steward committees (Kraak, 1993, p. 188).

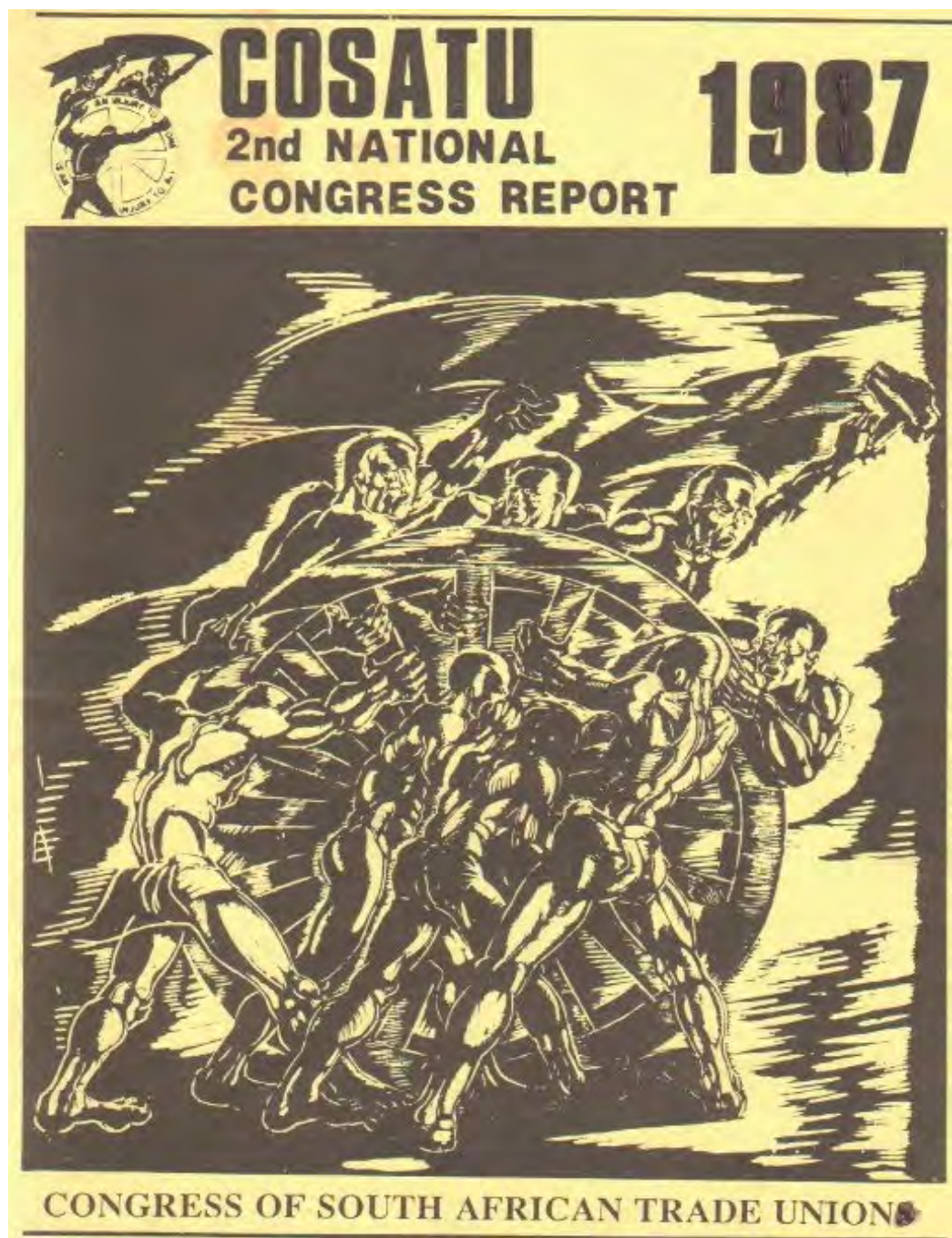


... the differences and rivalry within the new union movement, along with continued state repression and a recession that caused widespread retrenchments, gave impetus to the search for greater unity.

There were other organising models pursued by the new independent unions, while there were also differences regarding registration under the Labour Relations Act⁷ and whether to opt for collective bargaining within the industrial council system, not to mention political differences. The new unions were also competing with each other for members on the ground and there were splits over “‘poaching’ of members and demarcation of territory” (Kraak, 1993, p. 194). Achieving a coherent system of industrial unions was therefore not a foregone conclusion.

However, the differences and rivalry within the new union movement, along with continued state repression and a recession that caused widespread retrenchments, gave impetus to the search for greater unity. The process started with unity talks in Cape Town in August 1981, and the momentum was sustained by a series of meetings over the next few years. A feature of this phase was the mergers between many of the unions in anticipation of the establishment of a new federation. Ultimately, the process culminated in the formation of COSATU in November 1985. A number of founding principles were agreed to early in this process, one of which was the principle of ‘one industry, one union’ (Lewis, 1985, p. 33).

Following its establishment, the new federation’s implementation of the principle initially focused on a number of industries in which existing affiliates were to merge within a two-year deadline. The industries were: food and beverages; textiles, clothing, and leather; mining; paper, wood, and printing; metals, automobile components, and assembly; chemical and petroleum; commercial and catering; transport, cleaning, and security; local government; and domestic workers. It was also decided that new unions would be formed in the agriculture and construction sectors (Kraak, 1993, p. 194).





This phase of mergers proceeded slowly at first but then gathered momentum and by the end of 1988 only two mergers, in the retail and transport sectors, were outstanding. The merger of the Commercial, Catering, and Allied Workers' Union of South Africa (CCAWUSA) and the Hotel and Restaurant Workers' Union (HARWU) was delayed by divisions within CCAWUSA and it was only in 1990 that the South African Commercial, Catering, and Allied Workers' Union (SACCAWU) was formed (Baskin, 1991, pp. 400-402). The other merger, between the Transport and General Workers' Union (T&GWU) and the South African Railway and Harbour Workers' Union (SARHWU), took much longer to finalise: the South African Transport and Allied Workers' Union (SATAWU) was established only in 2000.

Despite these delays, the momentum behind the merger process following the establishment of COSATU resulted in remarkable progress. The original 33 affiliates were reduced to 12 industrial unions, which was in line with the industries COSATU had originally demarcated (Bennett, 1987, pp. 75-78). At the same time, membership increased significantly from 462,359 workers in 1985 (which was a third of all registered union members) to 1,258,853 workers in 1991 (46% of total registered union membership). This growth cemented COSATU's position as the largest and most powerful union federation. The next biggest federation was the National Council of Trade Unions (NACTU) with 327,000 members in 23 affiliated unions (Macun & Frost, 1994, p. 77). NACTU had also committed to organising along industry lines.

At that time COSATU's affiliated unions were concentrated mainly in the manufacturing sector, where it represented approximately 48% of the sector's total workforce.⁸ NUM, which had joined COSATU after leaving CUSA, represented approximately 44% of those employed in the mining industry. COSATU was therefore structured along industrial lines but was also a federation that was predominantly

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organised in industry. By contrast, COSATU had a very limited presence in the public sector; in 1991 its three affiliates represented only 7% of the sector's workforce (Macun & Frost, 1994, p. 78).⁹

While the unity talks that led to the formation of COSATU were taking place, the issue of whether to participate in the statutory industrial council system was being debated, mainly among FOSATU-affiliated unions. This led to MAWU and the NUTW deciding in 1983 to join industrial councils in their industries (subject to certain conditions) (Lewis, 1987, p. 174).¹⁰ After COSATU was formed more of its affiliates followed suit in the goods transport and the paper, wood, and chemical industries, which started to align the industrial scope of organisation in COSATU with collective bargaining arrangements. At this point there was no framework for centralised collective bargaining in the public service.

Challenges to the industrial union model

Managing mergers

The initial merger process that followed the launch of COSATU was not straightforward. Many of the merger talks made very slow progress and were marked by political differences between affiliates, the fears of individual unionists that they would lose their position and influence, and concerns amongst smaller unions that they would be swallowed up by the larger unions (Baskin, 1991, pp. 115-116). By its second national congress in July 1987, COSATU had not secured political and organisational unity and there were tensions within recently merged unions and in those that were still expected to merge (Baskin, 1991, p. 212).

One problem was that there was no definition of what constituted an 'industry', and although industries had been identified, their boundaries had not been clearly demarcated. According to Baskin, the solution had been to give "the Central Executive Committee (CEC) some flexibility by empowering it to 'evaluate the viability of the sectors'" (1991, p. 115). There were soon a number of applications before the CEC, which decided to adopt a 'make no exceptions' approach, but seemed to apply this differently depending on whether the unions involved could reach agreement. So, the request for a separate cleaning and security sector was refused, as was an application to separate 'commercial' (i.e. wholesale and retail) from 'catering' (i.e. restaurants, etc.). In both these cases the unions directly involved did not agree on the requests to split the sectors (Baskin, 1991, p. 115).¹¹ On the other hand, the CEC ratified an agreement between the relevant unions that local government workers should be organised separately from health and hospital workers.



The CEC used a different approach when there was a dispute over whether a very large enterprise, in this case Eskom, fell into the mining or metal engineering industry. The dispute was between NUM and MAWU,¹² which both had members at Eskom. The CEC decided in favour of NUM on the basis that power stations were closely linked, both structurally and geographically, to the supply of coal by mines organised by NUM.¹³ While this dispute suggested one criterion for the definition of an industry, it was a dispute about the boundary of an industry rather than whether it could be split into two viable industries for the purpose of union organisation.

The notion of what an 'industry' was for the purposes of the industrial union model was therefore contested from the outset and competing logics emerged where the context or circumstances differed. This situation appears to have been perpetuated because of the CEC's failure to develop a set of criteria or principles to inform such decisions or, alternatively, when it treated each case as unique and made its decision based on the specific circumstances and context. It is therefore not surprising that the demarcation of industries remains contested. Two features of the early merger phase in COSATU were a clear end-goal and strict oversight of mergers to ensure that the goal would be achieved. The unity talks that preceded the formation of COSATU had agreed that the aim would be a 'tightly-knit federation' with large national industrial unions as the essential building blocks. Furthermore, the constitutional structures of COSATU, in particular the CEC, were premised on there being a small number of large industrial affiliates. Until the mergers took effect CEC meetings consisted of up to 100 representatives from a very diverse group of unions, which resulted in unwieldy, time-consuming, and frustrating meetings. Mergers would reduce the number of representatives in the CEC and make its work much more manageable.

The problem confronting unions is the apparent tension between the aim of inclusivity and the need to maintain the level of organisational integrity that the industrial union model requires.



The resolution on mergers was therefore of fundamental importance to the future of COSATU. These factors no doubt spurred the leadership to adopt what has been described as a 'forced march' approach to the merger process, albeit one that allowed for some flexibility (Baskin, 1991, p. 110). In Baskin's assessment, this approach was a precondition for strong, national, industrial unions that would be able to "rationalise their operations" and provide a full range of services and support activities (e.g. research, education programmes, and a health and safety division). This would ensure the establishment of a "foundation for both a quantitative and qualitative growth in membership" (Baskin, 1991, p. 448).

The aim to focus on making COSATU into a 'tightly-knit federation' continued during the 1990s, but signs of a slowdown in the merger process became evident towards the end of the decade, and it subsequently went into reverse which was evidenced by an increase in the number of affiliates.

One reason for this was the admission of new affiliates. COSATU originally channelled the admission of new unions through the established affiliate in the relevant industry (Baskin, 1991, p. 112), and the applicant union would directly enter merger negotiations with the established affiliate as the route to joining the federation. At some point, however, COSATU appears to have departed from this approach, for example, when it admitted the Public and Allied Workers' Union of South Africa (PAWUSA) despite having existing affiliates in the public sector. This was a sign that the commitment to establishing a 'tightly-knit federation' was weakening, and the policy of 'one industry, one union' was the resulting casualty.

Similar backsliding can be seen early on in the public sector. When COSATU was launched it was decided to delay the formation of a single public sector union until organisation in the sector had strengthened (Baskin, 1991, p. 303). When, two years later, the National Education Health and Allied Workers' Union (NEHAWU) was launched with a focus on only parts of the public sector (i.e. health and education), COSATU's justification was that it was an "interim step" to the establishment of a single public sector union (Baskin, 1991, p. 198). Soon thereafter, however, the federation admitted the Post and Telecommunication Workers' Association (POTWA)¹⁴ and in 1990 the South African Democratic Teachers Union (SADTU) joined. This contradicted policies in two respects: first, it was a further step away from



the aim of having one public sector union and second, with respect to SADTU, it breached the prohibition on occupation-specific unions.

The explanation by a former COSATU leader that "COSATU stressed industrial or clear sector unions, so NEHAWU was the broader public sector union and SADTU was the teachers' union", provides no clarity or confidence in the leadership.

Public sector unions grow rapidly

Public sector unions, including the COSATU affiliates, grew rapidly in the 1990s, especially after the passage of the new Labour Relations Act. The Act brought the public service within its scope and provided dedicated provisions for centralised collective bargaining structures in the public service. Between 1991 and 2012, COSATU's public service unions increased their membership from 7% of total union membership to 39% and by 2013 their combined contribution to COSATU's income stood at 38% (Bischoff & Maree, 2017, p. 170). But the growing significance of the public sector within COSATU, and the union movement as a whole, meant there was a need to accommodate a broad 'sector' with different internal contours and complexities, including dedicated statutes establishing employment conditions for different parts of the sector, not to mention some occupation-oriented unions. Furthermore, the increasing tendency of a number of these unions to organise in the private sector (e.g. private schools and hospitals) blurs the line between the private and public sectors and adds to the complexity regarding union boundaries.

The establishment by COSATU in 1988 of a public sector co-ordinating committee (PSCC) to strengthen unity efforts has not provided a solution (Baskin, 1991, p. 303); if anything, the problem has worsened. COSATU's ability to enforce its policy to achieve the goal of a single public sector union has weakened as its public sector affiliates grew and their financial contribution to the federation increased. As one interviewee noted:

Because NEHAWU and SADTU [have] become strong now in the federation. I think they are the strongest unions in many ways, even financially. So, you can imagine for an institution like COSATU that relies heavily on subscription or affiliation fees from unions, it would not be an easy thing for them to manage.

As the goal of a single public sector union receded, the commitment to the 'one industry, one union' policy weakened in COSATU as a whole.



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Private sector unions slide into 'multi-sectorialism'

In the private sector an increasing number of COSATU affiliates have amended their constitutions to add new industries to their organising scopes. This often resulted in a tit-for-tat amendment by affected unions, for example, SACCAWU included the clothing and textile industry in its scope in response to the Southern African Clothing and Textile Workers' Union (SACTWU) adding the retail sector to its scope. While these were not the only reasons for such developments, the result now is significant multi-sectorialism and overlaps in the organising scope of affiliates.¹⁵

An examination of the organising scopes of COSATU affiliates in 2022 found that most affiliates that organise primarily in the private sector have scopes that span at least four major sectors,¹⁶ while some organise in multiple industries but also have a catch-all clause in their constitutional scope which, on paper, makes them general unions (e.g. SATAWU has a provision that it is open to all workers, including atypical workers). There are, furthermore, a number of unions that have overlapping organising scopes (e.g. the Agricultural Food and Allied Democratic Workers' Union [AFADWU] and SACTWU overlap in three sectors). Admittedly, this is the situation only 'on paper'; the unions do not necessarily actively organise in all the sectors or might have only small numbers of members in 'non-core' sectors. However, these organising scopes are clearly not in line with COSATU's objective of 'one industry, one union' and also open the door for expansion of organisation beyond an affiliate's 'core' sector. It should be noted that, contrary to the international literature, which suggests that the shift from industrial unions to multi-sectorialism is driven by the need to recruit new members, in COSATU's case this trend has been accompanied by declining membership.

The multi-sectoral trend is even more advanced in the rest of the union movement. An examination of the constitutions of a sample of 35 unions not affiliated to COSATU (out of 206 non-COSATU registered unions),¹⁷ found that 29 could be categorised as general unions (they



either defined themselves as general unions, or have a catch-all proviso covering all workers, or their scopes include six or more major sectors). The sample included very big unions such as the Association of Mineworkers and Construction Union (AMCU), the National Union of Metalworkers of South Africa (NUMSA), the Food and Allied Workers' Union (FAWU), and Solidarity; medium-sized unions such as the National Union of Public Service and Allied Workers (NUPSAW), the General Industries Workers' Union of South Africa (GIWUSA) and the United Association of South Africa (UASA); and many very small unions with only a few hundred members.

The majority of these unions had not amended their organising scope to add sectors, that is, they had registered as general unions or as unions organising in six or more major sectors. Only ten unions had amended their original organising scopes to add more sectors, including AMCU, NUMSA,¹⁸ and SACWU, all of which were ostensibly industrial unions that have chosen to become multi-sectoral or general unions.

As important, in terms of the implications for the 'one industry, one union' policy, is that COSATU affiliates have got away with this expansion of organising scope. This is either because unions made the amendments without seeking endorsement from the CEC,¹⁹ in breach of a CEC standing resolution requiring unions to submit intended amendments to it, or the proposed amendment was submitted to the CEC and there were no objections to it despite it extending the scope of the union into other sectors in which there are existing affiliates.

Furthermore, some affiliates have attempted a more ad hoc expansion of their membership into workplaces outside their constitutional scope. Evidence of this practice is found in the rising number of organisational rights disputes referred to the Commission for Conciliation, Mediation and Arbitration (CCMA) as a result of employers having challenged union demands for organisational rights on the ground that the proposed members fell outside the constitutional scope of the union.

Where these disputes went on to the Labour Court, the judgments tended to go against the unions (Godfrey et al, 2021, pp. 687-690). Finally, in 2020 the Constitutional Court in *NUMSA v Lufil Packaging* confirmed that an employer was entitled to refuse organisational rights to a union in respect of a workplace that did not fall within the constitutional scope of the union. The judgment has likely slowed the ad hoc expansion of organisation to new sectors, but it has also had the effect



of encouraging unions to amend their constitutions to add sectors to their organising scopes so as to pre-empt employers' challenges.

The problem confronting unions is the apparent tension between the aim of inclusivity, that is, to provide a home to all workers, and the need to maintain the level of organisational integrity that the industrial union model requires. However, union leaders face a difficult choice if workers from another sector approach them seeking representation. Strict adherence to the COSATU policy means that the union leader must turn the workers away. In some instances, it might be possible to refer the workers to another COSATU affiliate in the relevant sector, but often workers do not want to join that union. In fact, their lack of confidence in that union is why they approached the other union leader, and they threaten that if he/she refuses to let them join the union they would prefer to go to a non-COSATU union. Union leaders generally believe that in such a situation the best option is to admit the workers to the union. After that they would deal with the difficulties of "how we service them and also ... how we negotiate for them". This is why, interviewees explained, "we have [members at] some companies that really do not fall in our scope" (Jacobs et al, 2023, p. 75). Union inefficiencies, or workers' perceptions of inefficiencies, has therefore been a further factor contributing to the decline of the industrial union model in COSATU.

COSATU fragments

More dramatic consequences followed the decision by NUMSA in 2014 to broaden its constitutional organising scope to include, amongst others, the private security, construction, and industrial chemical industries. NUMSA explained that it intended to expand its scope so that it could pursue a new organising model based on value chains rather than industries. The view in COSATU, however, was that it would lead to increased poaching of members from other affiliates, therefore exacerbating a problem "that had festered for many years" (Craven, 2016, p. 121). There were a number of additional factors that exacerbated the highly public dispute, including political differences over whether COSATU should remain in an alliance with the ANC. The eventual outcome, the expulsion of NUMSA from COSATU, was a major setback for worker unity and the industrial union model (Bezuidenhout & Tshoedi, 2017, p. xviii). COSATU lost its largest affiliate, which was followed by the departure of FAWU.

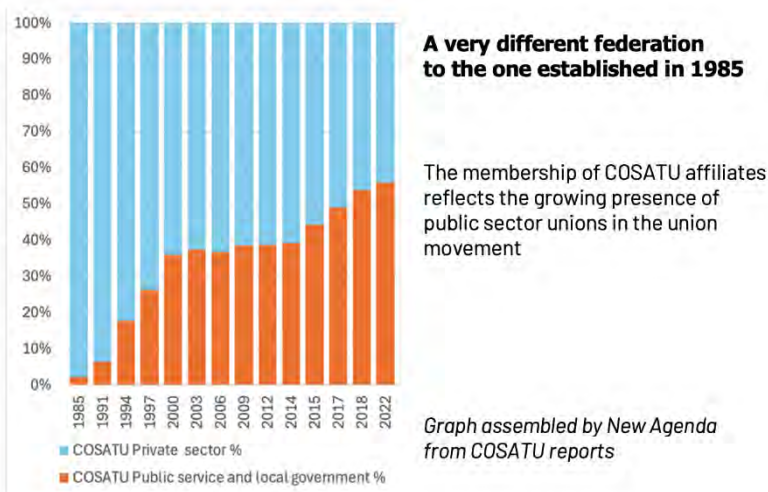
These splits in the federation gave additional impetus to COSATU's shift to the public sector. One consequence was that NUM had to then extend its organising scope to the metal engineering industry to incorporate (and rescue) the Liberated Metalworkers' Union of South



Africa (LIMUSA), which was a union COSATU had established as a rival to NUMSA after its expulsion. NUM is now spread across the mining, construction, and manufacturing industries.

The related dismissal of COSATU's General Secretary, Zwelinzima Vavi, followed a few months later. Vavi was preparing to spearhead the formation of the South Africa Federation of Trade Unions (SAFTU), which NUMSA and FAWU joined as founding members together with 22 other affiliates representing almost 700,000 workers in total (SAFTU, 2017). SAFTU's affiliates are active in all the key industries in which COSATU unions operate and their continued rivalry with COSATU's affiliates has significantly undermined any hope of the latter resurrecting its 'one industry, one union' objective.

The gradual unravelling of industrial unionism amongst the largest affiliates of COSATU was facilitated by changes in industry, including de-industrialisation, and the rapid growth of unionism in the public sector. It was given impetus by the gradual decline of what had been a strong centralisation of strategy and policy within COSATU's early period and the intensification of political and organisational divisions among affiliates. Roughly three decades after its formation, the exit of key industrially based affiliates from COSATU has provided the grounds for greater competition between affiliates of different federations. These shifts require not only revitalisation within COSATU, especially in relation to its presence in the private sector, but also a rethink of its founding principles and strategic priorities.





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ENDNOTES

¹ In this article we refer to COSATU as "the federation". Where we are discussing a different federation this will be evident from the context.

² We mainly use the term 'public sector' although the majority of the members of these unions work in the more narrowly defined public service. These unions do however organise at stateowned enterprises and similar entities that make up the public sector.

³ This growth is not limited to COSATU; trade union density in the public service is extremely high and, for example, the Federation of Unions of South Africa (FEDUSA) also has a large proportion of its membership in the public service.

⁴ An industrial council was a centralised collective bargaining structure that could be established by trade unions and employers' organisations within a framework established in the Act.

⁵ The Wiehahn Commission was appointed in 1977 and reported in 1979, recommending that African workers be included in the definition of 'employee' in the Act. The government implemented many of the Commission's recommendations between 1979 and 1981.



⁶ That is, African, Coloured and Asian workers. From 1979 African workers were included under the Labour Relations Act and unions could represent all categories of workers.

⁷ The new name given to the *Industrial Conciliation Act* in legislative reforms following the Wiehahn Commission.

⁸ The unions were the Chemical Workers' Industrial Union (CWIU), FAWU, NUMSA, the Paper, Printing, Wood and Allied Workers' Union (PPAWU), and SACTWU.

⁹ The affiliates were NEHAWU, SADTU, and the South African Municipal Workers' Union (SAMWU).

¹⁰ See FOSATU Central Committee, 1982, pp. 81-85.

¹¹ Baskin does not elaborate on the nature of the disagreements amongst the unions (1991, p. 115).

¹² MAWU was later a founding union in the merger that created NUMSA.

¹³ This did not bring an end to the matter: Baskin notes that some years later NUMSA had still not transferred its members at Eskom to NUM (1991, p. 116).

¹⁴ Now the Communication Workers Union (CWU) following a merger with other unions in that sector in 1996.

¹⁵ The constitutions of some affiliates have been amended to allow internal structures to extend their organising scope. For example, SACTWU's constitution lists a number of sectors in the union's organising scope but also includes an 'other' category, which allows the union's scope to extend to "any additional activity, industry, or interest group as determined by the National Executive Committee or the National Office Bearers".

¹⁶ That is sectors as defined at the Standard Industrial Classification first digit level.

¹⁷ Data from the files of the Registrar of Labour Relations at the Department of Employment and Labour.

¹⁸ NUMSA has submitted an application to amend its organising scope, but at the time of writing the application had not yet been approved.

¹⁹ In interviews COSATU leaders acknowledged that they were not aware of some of the amendments made to the organising scopes of affiliates.

BIOGRAPHIES

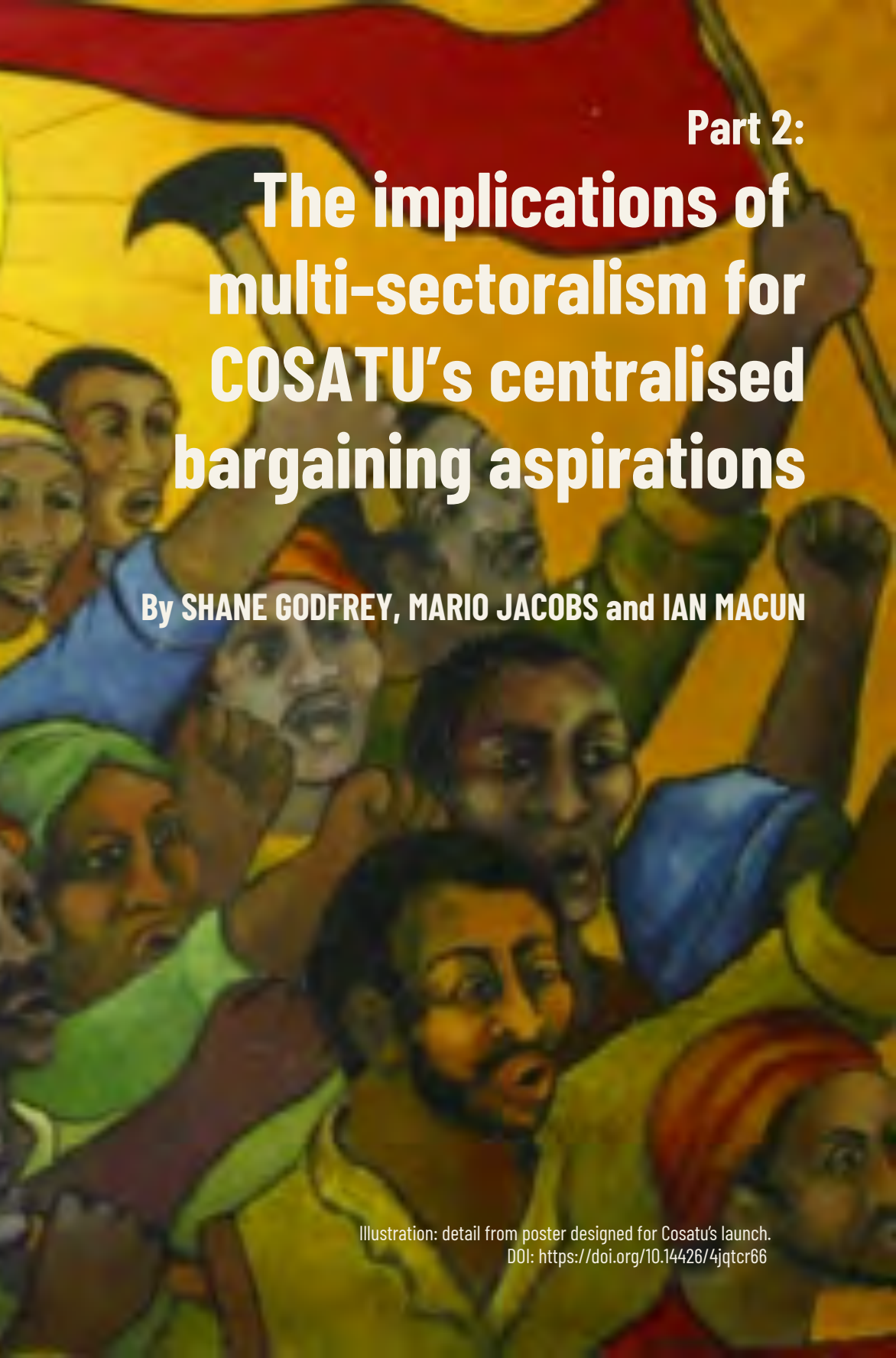
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Part 2:

The implications of multi-sectoralism for COSATU's centralised bargaining aspirations

By SHANE GODFREY, MARIO JACOBS and IAN MACUN

Illustration: detail from poster designed for Cosatu's launch.
DOI: <https://doi.org/10.14426/4jqtc66>



A brief history of COSATU and centralised bargaining

Until the reforms to labour legislation initiated in 1979, almost all the trade unions that formed the Congress of South African Trade Unions (COSATU), the National Council of Trade Unions (NACTU), and the Council of Unions of South Africa (CUSA) were excluded from participating in industrial councils. These unions had therefore pursued a plant-level collective bargaining strategy that enabled them to maximise their bargaining power and worker control. After the reforms, the new unions had to decide whether they would continue to bargain mainly at plant/enterprise level or participate in industrial councils. The option of bargaining at both levels was more or less excluded because it was so strongly opposed by employers.

The step up to the industrial council level saw the new unions facing opposition from employers across the table and often from established unions on their own side of the table.¹ However, there were compelling factors that favoured a shift to industry-level bargaining, in particular the rapid growth of the unions and the pressure this placed on their capacity to bargain at numerous plants/enterprises. Another consideration was the strategic objective to reduce wage differences between members across enterprises in the same industry. A third factor was that industrial council agreements could be extended to all workers within the jurisdiction of a council.

As noted above, there were differences between the new unions on this issue, with the Federation of South African Trade Unions (FOSATU) deciding in 1982 that its affiliates could participate in the industrial council system subject to certain conditions (FOSATU Central Committee, 1982, pp. 81-85). When COSATU was established in 1985 the growing preference for bargaining in industrial councils, in a statutory system that sought to promote industry-wide bargaining, aligned in theory with its founding principle of 'one industry, one union'.

However, although labour legislation had aimed to promote industry-level bargaining, in reality the industrial council system that the unions confronted was a patchwork of mainly local and narrow sub-sectoral councils, with only a few having achieved a national industry-wide footprint. The reason was that the legislative framework for industrial councils had enshrined voluntarism as the basis for participation, i.e. there was no legal compulsion to bargain in an industrial council. Participation was therefore by agreement between employers and union(s) or, failing that, pressure on a party through the exercise of power (e.g. a strike).



*COSATU march, Durban, 24 August 2022.
Photo: Big Red Digital Media, Shutterstock*

The other key principle underpinning the system was the need for the parties to a council to be sufficiently representative before the council could be registered. Voluntarism and representativity meant that a council's scope could be only as wide as the membership of the parties that constitute it. Given the relatively weak organisation of employers and trade unions across the country (compounded by the exclusion of African workers from the system), the centralised bargaining system that had emerged fell well short of national industry-wide bargaining (Godfrey, 1992, pp. 27-29).

As the merger process within COSATU to establish national industrial unions proceeded, the misalignment of the unions with the fragmented industrial council system became more evident and problematic. The growing commitment of COSATU to a coherent system of centralised bargaining therefore translated into a strategy to reconstitute the patchwork of industrial councils into a demarcated system of industry-wide national bargaining structures.

COSATU, however, faced strong opposition. As unions representing African workers started joining industrial councils, employers started leaving them. Some were influenced by the global trend to decentralise collective bargaining, while others were put off by the militancy of the new unions. Voluntarism facilitated employers' exit from industrial councils and the system entered a period of instability, with the new Industrial Court struggling to fashion a consistent jurisprudence to resolve disputes over the level of bargaining (Godfrey, 1992, pp. 31-32; Du Toit et al., 2023, pp. 14-15).

As a result, the industrial council system changed significantly in the period after the labour reforms of 1979 to 1981. In 1978, just before the reforms were implemented, there were 101 councils, of which 78 were relatively small local/regional councils, with only 13 having national boundaries (some of which had very narrow sub-sectoral scopes and did not cover many workers). By 1992, following a decade in which the presence of COSATU and NACTU unions on industrial councils increased, the number of national councils had fallen to only seven and the total number of councils stood at 85. By then, however, COSATU had become strongly committed to industry-wide bargaining (Du Toit & Godfrey, 2025, pp. 791-792).

The level at which bargaining took place was therefore one of the most contested labour relations issues in the years leading up to the negotiation of the new Labour Relations Act and it became one of the most contentious in the National Economic Development and Labour Council



(NEDLAC) negotiations. Labour (i.e. COSATU, NACTU and the Federation of South African Labour Unions (FEDSAL) argued for the introduction of a statutory duty to bargain and for the Labour Relations Act to establish bargaining councils (the proposed new name for industrial councils) in each industry, with NEDLAC demarcating the boundaries.² A union in a demarcated industry would be entitled to representation on the bargaining council once it reached 30% membership within the scope of the council. Bargaining on the council, however, would be triggered only when the union(s) on the council reached majority representativity (Du Toit et al., 2023, p. 27). Implicit in this schema was the rejection of voluntarism, which was directly at odds with organised business's position, with government more or less neutral.

It was impossible to fashion a compromise on this issue and, ultimately, it was won by employers. Voluntarism was retained in the new Act, with the sop to unions being provision for the establishment of statutory councils, which is an uneasy blend of voluntarism with elements of compulsion that has proved unpopular. In addition, the new Act included the public service within its ambit and provided it with a set of dedicated provisions to establish bargaining councils which in effect created a duty to bargain in the sector (Du Toit et al., 2023, p. 322). The implications of this change for the collective bargaining system were probably not anticipated at the time.

... although labour legislation had aimed to promote industry-level bargaining, in reality the industrial council system ... was a patchwork of mainly local and narrow sub-sectoral councils.

After the introduction of the new Labour Relations Act the number of councils continued to decline, but this was primarily because of a consolidation of bargaining councils through mergers rather than due to the collapse and de-registration of councils (although the latter continued). The result was fewer but bigger bargaining councils, with the coverage of the system increasing significantly. The increased coverage was in large part because of the inclusion of the public service and the huge growth of public sector unions, although private sector bargaining council coverage also increased. By 2020, there were 41 bargaining councils,³ of which 21 were national councils and only 13 were small local



or regional councils. The coverage of workers by the system stood at just over three million (compared to less than one million in 1992). Total coverage was split almost 50/50 between the private sector and the public sector (i.e. the public service and local government councils).⁴

Clearly the consolidation of national, industry-wide bargaining councils and the increase in the number of workers covered are major gains for labour. There are other positive signs, such as the establishment of some new councils (e.g. the civil engineering council in 2012 and the large private security council in 2018), but the system still faces major challenges. There are, for example, ten bargaining councils that ceased to function as bargaining forums some years ago and exist only to administer social security funds and/or provide dispute resolution services. There are, furthermore, large sectors in which there is no bargaining council, and little likelihood of one being established (e.g. agriculture and retail). There are also key industries like construction in which bargaining councils have an insignificant presence (Du Toit et al, 2023, p. 61; Du Toit & Godfrey, 2025, p. 794). The question is, how could COSATU address these challenges, given the weakening of its industrial unions in the private sector and the trend towards multi-sectoralism?

Recent research on COSATU and the bargaining council system

In the following section, private sector and public service bargaining councils are dealt with separately, given how different their circumstances and growth trajectories are (to the extent that they arguably constitute two distinct sub-systems). In the private sector, the retention of a voluntarist legislative framework meant that any attempt by unions to reconstruct the bargaining council system into one comprising national, industry-wide councils will require rising union membership and representativity at the industry level. Data obtained during research has made it possible to track union representativity over time and to unpack representation across the bargaining council system by union in 2020. This makes it possible to ‘measure’ COSATU’s presence and ‘weight’ in the system.

The data shows, first, that union representativity in private sector councils has declined steeply over time. Research conducted in 2004 found that employer parties on bargaining councils had an aggregate 63% level of representativity,⁵ whereas party trade unions had a 60% level of representativity (Godfrey et al., 2006, p. 26). So employers and unions across the system had similar levels of representativity and both were comfortably representative (using 50% as the threshold). Ten years later, the representativeness of party employers had barely changed



(62.9%) but union representativity had dropped sharply to 52.4%. A more recent sample of 16 major private sector bargaining councils provides data on employer and trade union representativity in 2020.⁶ It showed that aggregate trade union representativity was 33%, whereas employers had improved their aggregate representativity marginally since 2014 to 63.6%. Over a period of less than 20 years, employers' representativity in the system was therefore almost unchanged, whereas the representativity of trade unions had declined significantly (to the point of being unrepresentative).

The aggregate representativity of trade unions in the private sector bargaining council sub-system at which trade unions are not 50% representative for 2004, 2014 and 2020⁷ are presented in the table below.

Table 1: Representativity of trade unions in the private sector bargaining council sub-system, 2004, 2014, 2020

	2004	2014	2020
Total private sector bargaining councils	41	38	39
Bargaining councils where union(s) have representativity of 50% or more	32	27	12
Bargaining councils where union(s) have representativity of between 30% and 49%	8	6	11
Bargaining councils where union(s) have representativity of less than 30%	1	3	5
No published agreement / No data available	0	2	11

Source: Godfrey et al., 2006, pp. 26-29; Godfrey, 2018, pp. 14-15; Jacobs et al., 2023, pp. 59-69.

The table shows that while the number of private sector bargaining councils has varied slightly, the number of councils at which party trade unions are representative (i.e. 50% or more) has declined steeply: from 32 in 2004 to 12 in 2020. At the same time, the number of councils at which party trade unions are not representative, but represent 30% or more workers, has risen, as has the number of councils at which unions have less than 30% representativity.⁸

Given this finding it is sobering to reflect on the 1995 proposal made by COSATU, NACTU and FEDSAL in the negotiations for the new Labour Relations Act, that within the proposed demarcated system of

bargaining councils a union would obtain representation on a council once it had 30% representativity, with bargaining beginning only when the union(s) on the council reached majority representativity. Applying those criteria to the 2020 private sector bargaining council system data, there would be no collective bargaining taking place at 16 of the 39 councils, and at five of the councils there would be no union parties (i.e. effectively there would be a council in name only). If one adds the ten councils that are not functioning as collective bargaining forums, then there would be no collective bargaining at more than half of the current private sector bargaining councils (Du Toit & Godfrey, 2025, p. 795).

The position of employers on private sector councils is much better than unions. In the period from 2004 to 2020 the number of employers' organisations across the sub-system that were not representative but had 30% or higher representativity, dropped from two to one, while the number with less than 30% representativity rose from zero to two over the same period.



*COSATU march, Durban, 24 August 2022.
Photo: Big Red Digital Media, Shutterstock*



... union representativity is dangerously low across the private sector bargaining councils and remarkably high in the public sector bargaining councils.

By comparison, union organisation and centralised collective bargaining in the public sector is an entirely different story. In 2020 the representativeness of unions in the public sector stood at a remarkable 96.7%, while the representativeness of the employers was slightly higher at 98.9%.⁹ If one breaks this down by council, representativity of unions is 98% on the Public Service Co-ordinating Bargaining Council (PSCBC) and 91% on the South African Local Government Bargaining Council (SALGBC), and respectively 100% and 94% for employers (Du Toit & Godfrey, 2025, p. 795).

In short, union representativity is dangerously low across the private sector bargaining councils and remarkably high in the public sector bargaining councils. Partly in response to the situation in the private sector councils, the government amended the legislative framework for bargaining councils in 2018. Previously the Minister was compelled to extend an agreement if both employer and union parties were representative. If the parties were deemed to be 'sufficiently representative' the Minister had the discretion to extend an agreement. The amendment changed the requirement to only one party being representative or both parties being 'sufficiently representative', with the determination of representativity or sufficient representativity being made by the registrar rather than the Minister.

This lowers the bar for the extension of bargaining council agreements and offers the private sector bargaining council sub-system something of a lifeline. But the solution is risky for the many unrepresentative unions on councils. Unless they increase their membership they will become increasingly dependent on the higher representativity of employers' organisations to get agreements extended. Such dependence will likely lead to some employers seeking to force concessions from unions during negotiations in exchange for the extension of the agreement.

COSATU's presence and strength within the private sector bargaining councils has also weakened. In 2020 COSATU's eight private



sector affiliates were spread across 20 of the 37 private sector bargaining councils, with the Chemical, Energy, Paper, Printing, Wood and Allied Workers' Union (CEPPWAWU), the Southern African Clothing and Textile Workers' Union (SACTWU) and the South African Transport and Allied Workers' union (SATAWU) having the biggest footprints in the system:

- SATAWU was on six bargaining councils across the transport and logistics, private security and contract cleaning industries;
- SACTWU was on five bargaining councils across the textile, clothing, footwear, and laundry industries;
- The National Union of Mineworkers (NUM) was on three councils across the metal and engineering, building, and civil engineering industries;
- CEPPWAWU was on three councils across the chemical, wood and paper, and furniture industries; and,
- The South African Commercial, Catering, and Allied Workers Union (SACCAWU) was on two councils for the food retail, restaurant and catering industries.

Three affiliates were not party to a bargaining council: the Agricultural Food and Allied Democratic Workers' union (AFADWU), the Communication Workers' union (CWU), and the South African Society of Bank Officials (SASBO), now known as SASBO – The Finance Union. After the expulsion of the National Union of Metalworkers of South Africa (NUMSA) from the federation, COSATU does not have a presence on the Motor Industry Bargaining Council (MIBCO) and only a negligible presence in the Metal and Engineering Industries Bargaining Council (MEIBC) through NUM (Jacobs et al., 2023, pp. 58-59).

COSATU's presence in the private sector bargaining council sub-system is however much weaker than the above suggests. Focusing on the 16 councils for which there is data for 2020, the aggregate representativity of COSATU affiliates was only 8.9%. The federation has therefore gone from being the leading proponent of industry-wide bargaining in the 1995 Labour Relations Act negotiations to having an almost insignificant presence in private sector bargaining councils in 2020.

NUM, which Webster & Buhlungu (2004, p. 240) described as a "super union" 20 years ago, provides a good example of this low representativeness: it has less than 10% representativity at the three bargaining councils it is on, with only 1% on the giant Metal and Engineering Industry Bargaining Council (MEIBC) following its merger with the Liberated Metalworkers' Union of South Africa (LIMUSA) in 2021. It should be noted that total union representativity at these three



councils is well below 50%. NUM therefore has only a tiny presence in three important bargaining councils in which unions are in a very weak position. Similarly, SATAWU's representativity is only 6, 5, 12 and 17% at the four councils it is represented on (for which there is data), with total union representativity at most of these councils well below 50% (Jacobs et al., 2023, pp. 59-69).

The only exception with respect to COSATU affiliates on private sector bargaining councils is SACTWU. Data was collected on three of the five councils it is party to, all of which are major national bargaining councils: it has representativity of 94, 69 and 26% across the three councils, and aggregate trade union representativity at the councils is above 60% (Jacobs et al., 2023, pp. 62-68).

Again, the public sector is a very different story. As noted above, unions have aggregate representativeness in the public sector bargaining councils of over 90%. COSATU's eight public sector affiliates have aggregate representativity of 54.5% at the councils. In other words, COSATU on its own is representative of workers across the councils: its seven affiliates on the PSCBC have 54.7% representativity and the South African Municipal Workers' Union (SAMWU) is 53.7% representative on the South African Local Bargaining Council (SALGBC). On the other hand, where public sector unions have extended into the private sector, as in education and healthcare, interviews indicated their representativity is much lower and they are engaged in decentralised bargaining arrangements (Jacobs et al., 2023, pp. 68-69).

Unions...need to...embark on a strategic process of debate, adaptation, and reflection as they work towards a more appropriate organisational form.

The bargaining council system has therefore changed in three major ways. First, bargaining councils have become bigger and cover many more workers, but there are still major gaps where there are no bargaining councils or their coverage is negligible. Second, trade union representativity has decreased steeply across private sector bargaining councils. Third, the coverage of the public sector councils has increased rapidly and it now reflects the much larger presence of public sector unions in the union movement and the labour relations system. COSATU mirrors these trends: its presence in the private sector bargaining council



system has shrunk significantly and there are important industries where it does not have an affiliate or its affiliates are very weak, but in the public sector bargaining council system it is a very powerful force.

The above trends correspond with and are related to the decline of the industrial union model. One could argue that further amendments to the Labour Relations Act are needed to give support to private sector unions to stabilise their presence in the bargaining council system. But major amendments will probably demand a lot more political capital from COSATU and the rest of the labour movement than they currently possess. Perhaps more importantly, legislation will arguably not be enough to counteract the changes that have undermined the economic and technological foundation previously associated with the industrial union model and sectoral bargaining.

Conclusion: What are the alternatives for COSATU?

What are the possible ways forward for COSATU? While organisational factors have played a significant role in undermining industrial unionism, structural factors, in particular major changes to the South African economy and labour market, have arguably had a more fundamental impact.

Since 1994 the country has experienced persistently low economic growth rate, with the gross domestic product (GDP) staying in the range of 1-3% with periods of recession (Allen et al., 2021, pp. 3-4). The low rate of economic growth has been accompanied by even lower employment growth and an inability of the labour market to absorb the rapidly growing labour force, hence extremely high unemployment.

These macro trends have been accompanied by shifts in the sectoral contributions to GDP. Mining and manufacturing value-added have declined whereas the finance sector (which includes certain low-skilled services such as contract cleaning and private security) has increased substantially (13.4-22.4%). These sectoral shifts in output have corresponded with a change in the pattern of employment. In the period 2010 to 2019, finance and business services saw the largest increase in employment, contributing 75% to employment growth (Allen et al., 2021, p. 13).

The nature of employment has also changed, with a greater demand for non-manual clerical, sales, professional, technical, and managerial workers and a declining demand for manual workers and workers with lower levels of skill and education (Crankshaw, 2022). These changes illustrate how the economy has shifted from being mainly driven by its primary and manufacturing sectors, the traditional core of



COSATU's membership, to becoming more of a services-based economy, which is generally seen by unions as more difficult to organise.

The labour market has been further fragmented by the increase of non-standard work through externalisation and casualisation, both of which fuel informalisation. A study estimated the share of employment by the non-standard or temporary employment services sector to be in the region of 8% or 1.2 million in 2019 (Bhorat et al., 2019, p. 8). This has had a direct impact on the blurring of boundaries between sectors. The legal principle that has been established is that the industry into which workers fall is determined by the business of the employer. This means that outsourcing has generally shifted workers into different industries and into the scope of a different union, even if the worker might continue working in the same workplace. It has led to what Godfrey et al. have described as multi-sectoral workplaces (2021, pp. 673-674), which has contributed to the blurring of traditional boundaries between industries and friction between unions.

These changes pose fundamental challenges to the future of unions and demand a strategic response, one that will require restructuring by COSATU and its affiliates to better align with the changing economic and technological base and the labour market. Doing nothing is not an option, and it is arguably not possible to reverse the disintegration of industrial unionism. The quest is therefore to replace the industrial union organisational model. This issue is not new for COSATU: the 1996 September Commission considered various restructuring options. One was that the federation could become one big union (which it termed a "unitary structure"), within which there would be industrial divisions. Also considered was a hybrid structure that would be "a mix between a federation and a unitary organisation", the rationale being that this would increase the "voice" of the local and regional levels within the federation.¹⁰ Ultimately, the commission decided against these two options in favour of "reforming the Federation". Reportedly the options mentioned by the commission stimulated some debate within the federation about 'super unions' and 'cartel unions', but this never led to any concrete changes (COSATU September Commission, chapter 10; Webster & Buhlungu, 2004, p. 240).

The need for COSATU to resurrect this debate and plot a way forward is now urgent. However, the trade union revitalisation literature underscores that there is no blueprint for a new union model, so even if there is agreement on the need for a new organisational model, there is still a long road ahead. Unions would need to first, transition from a reactive mode that encourages expediency and second, embark on a



strategic process of debate, adaptation, and reflection as they work towards a more appropriate organisational form.

Clearly, the private sector, increasingly dominated by services, is the priority for revitalisation. The difficulty, however, is that revitalisation of its private sector affiliates must be pursued by a COSATU that is dominated by its well-organised public sector affiliates. At the other extreme is the so-called 70%, that is the unorganised portion of the labour force which unions seem unable to organise or have seemingly given up on. What this suggests is that organisationally there needs to be a return to solidarity within the federation, where well-organised and financially flush unions assist weaker affiliates and support organisational campaigns that focus on the 70%.

As regards restructuring, an option that COSATU should explore is to shift from an industrial to a sectoral structure. Here we use the term 'sector' as a broader classification that encompasses related industries based on their broad economic activity, whether primary (i.e. cultivation or extraction), construction, the manufacture of goods, or the provision of services (whether public or private). This will probably not be the final form of a new organisational model, but it is arguably a move in the right direction and would be a foundation for further refinement. Thereafter consideration could then be given to the mix of allied industries that could be added to a 'sector', including expanding into associated value chain segments, for example metal engineering, automobile components and automobile assembly extending into motor retail and services.

The restructuring of the private sector bargaining council system needs to be addressed in parallel with the search for a new organisational model. This is vital if COSATU wants to strengthen sector-level bargaining and optimise the benefits of collective bargaining for its members. The objective would be for further rationalisation of bargaining councils to expand the scope of each council to encompass broader 'sectors'. COSATU will be starting from a weak position in most bargaining councils, so each private sector affiliate needs to increase its representativity and build its power in a 'sector' if it is to succeed in persuading its employer counterparts to change the bargaining council landscape. Organisational revitalisation, restructuring, and a sectoral bargaining consolidation strategy are integrally related; one is unlikely to succeed without the others succeeding. There is no doubt it will be extremely difficult, but trade unions are remarkably adaptable and the history of COSATU is one of resilience.



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ENDNOTES

¹ Many of the established trade unions had set up parallel unions for African workers in an attempt to compete with and undermine the growth of the new unions that emerged after 1973.

² COSATU was strongly influenced by a report by Baskin (1994) in which approximately 40 sectors were demarcated for centralised bargaining forums, which together would cover over 95% of the country's workforce. Such a system of coordinated centralised bargaining meant a shift from voluntarism to compulsion.

³ This total counts the five public service councils as one.

⁴ In 2020 the Public Service Coordinating Bargaining Council and the Local Government Bargaining Council covered 1,522,838 workers (48.1%) compared to the 1,542,574 workers covered by the 16 bargaining councils in the sample and the 1,645,656 covered by all private sector councils (51.9%).

⁵ Measured by the number of employees employed by party employers as a proportion of the total of workers covered by councils.

⁶ The purposively selected sample comprised the largest bargaining councils and included councils from across the major sectors of the economy. The 16 private sector councils in the sample covered 93.7% of the workers covered by the 36 registered private sector bargaining councils.

⁷ Note that this is for all private sector councils and not for the sample of 16 councils.

⁸ There are a number of bargaining councils at which all employers are parties. These councils do not publish their agreements because it is not necessary to extend them. There are also councils that are no longer producing agreements – we have noted the ten councils at which collective bargaining no longer takes place.

⁹ It is not 100% because there is a handful of municipalities that are not members of the South African Local Government Association (SALGA), the employers' organisation on the South African Local Government Bargaining Council.

¹⁰ Something along the lines of what the Netherlands Trade Union Confederation (FNV) has done, although the FNV has opted for a hybrid of one big union and a federation.

BIOGRAPHIES

Shane Godfrey is retired but continues to actively research as an Honorary Research Associate at the University of Cape Town and Research Associate of the Centre for Transformative Regulation of Work (CENTROW) at the University of the Western Cape.

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Remembering those who were

BANNED

It is estimated that 1,400 South African were banned between the 1951 imposition of the *Suppression of Communism Act* and 1985 when the last person was banned. The true numbers will never be known; records were only kept from 1958, and the decline in the number of bannings under the Act from the middle of the turbulent 1980s indicated the deployment of more effective weapons of oppression under state of emergency regulations. PAULA ENSOR introduces a remarkable on-line archive of interviews, transcripts and videos of a special group of people who were determined to oppose apartheid, and suffered a heinous assault from the state in response.

CLOCKWISE: George Naicker (trade unionist, Natal Indian Congress, SA Communist Party, uMkhonto weSizwe), Florence Matamela (ANC Women's League), Ruth First (Congress of Democrats, SACP, ANC), Joe Gqaba (journalist, ANC, MK), Josie Palmer (CPSA, later SA Communist Party, ANC, FEDSAW).

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Introduction

We value South African oral histories for the richly different ways in which they bear witness to life under apartheid. In every case, they preserve for posterity the stories of individuals about their experiences of historical events, which might otherwise be lost. Invariably they allow the voices of ordinary, less famous people to enter into the process of history creation, enabling us to move beyond the stark facts of oppression to grasp everyday personal experiences and emotional responses to them. In every case they enable us to place individual experiences within a larger political and social context, and understand both better.

These were the reasons that the South African Banned Persons Memory Project (SABPMP) was initiated by Eric Abraham (himself banned and house arrested in the 1970s) and funded by the Common Humanity Arts Trust. Personal stories were collected from formerly banned people from different racial groups and varying ethnic, linguistic, and social class backgrounds. Some of these people have achieved fame, many have written autobiographies, but the majority are more ordinary. The aim of the project was to find as many of the foot soldiers in the struggle against apartheid as possible – the poor, marginalised and in many cases forgotten – who had been banned for their activism. Unfortunately, the vast majority of those we hoped to find – nearly 900 formerly banned people – had passed away long before the project was initiated. But what all these people shared, from whatever walk of life or political affiliation they came, was unflinching commitment to end the oppression of apartheid. The archive pays tribute to their courage and sacrifice. In November 2025, the University of Cape Town Libraries launched the archive of the SABPMP, a collection of 179 interviews, written and other testimonies, recorded in the period 2019 to 2021, of those still living who were banned under the Suppression of Communism Act, No 44 of 1950, (later incorporated into the Internal Security Act after the 1976 uprising).

The aim of the project was to find as many foot soldiers in the struggle against apartheid as possible – the poor, marginalised and in many cases forgotten – who had been banned for their activism.



The banning of persons, in contrast to the banning of publications and organisations, has received relatively little attention in the literature on apartheid security measures, despite the significant number of people who were banned. In bringing the banning of persons to the fore, the archive highlights banning as a weapon of oppression and human rights abuse. While the interviews focus on banning, and the impact of banning orders on individual activists, they also enable us to understand the circumstances and pressures that framed political and ethical commitments and drove activists into struggle.

The first banning order under the Suppression of Communism Act was imposed in 1951, the first house arrest order in 1962, and the last recorded banning published was in 1985. The large majority (around 70%) of those banned were black African people.

The archive consists of

- A comprehensive introduction to the collection, which describes the process of identifying formerly banned people, locating them, and the challenges associated with interviewing them in the context of Covid lockdowns. The introduction also discusses the evolution of the Suppression of Communism Act over time and how waves of struggle pressured the regime to tighten its provisions until it was amalgamated with other repressive legislation to emerge as the omnibus Internal Security Act in 1982.
- A number of spreadsheets: the first lists people banned and banished (under the Suppression of Communism Act) and banishments (under the Native Administration Act, no 38 of 1927); the second lists people banned; the third lists those formerly banned people who were alive at the time of interviewing; and a fourth spreadsheet lists those who agreed to be interviewed. Locating people who were previously banned proved to be a major challenge.
- A copy of the interview questions used to guide the conversations.
- A total of 179 interviews, which include a number of written submissions and summaries made of brief interviews/interactions which were not recorded. Most of the interviews were recorded in face-to-face encounters, but because of Covid lockdowns between 2020 and 2021, some were conducted via Zoom or telephone.
- Transcriptions of each interview.
- A short biography of each person interviewed.
- Examples of four banning orders: Helen Joseph, Albie Sachs, Weizman Hamilton, and Phil Mtinkulu.



CLOCKWISE: Albertina Sisulu (Federation of SA Women, ANC, ANC Women's League, United Democratic Front), Alcott Gwentshe (ANC Youth League), Azhar Cachalia (Transvaal Indian Congress, UDF), Amina Cachalia (Transvaal Indian Youth Congress, FEDSAW, Federation of Transvaal Women, ANCWL, UDF), Achmad Cassiem (Pan Africanist Congress, Qibla), Blanche la Guma (Communist Party of SA, later the SA Communist Party, FEDSAW, ANC).

Banning under the Suppression of Communism Act

The Suppression of Communism Act, no 44 of 1950, was the first major piece of legislation introduced by the National Party in South Africa to curb political opposition and limit freedom of speech. Banning of individuals was a key provision of the Act. The experience of banning highlights the way in which much of apartheid oppression was conducted through law (passed by an all-White Parliament), precisely in order to remove banning from legal remedy.

Banning as a device of the apartheid state was used, in Pincus's words, "to restrict freedom of association, assembly and movement, and to suppress opposition groups and the expression of criticism of government policy" (1966, pp. 283-284). The bans, explains Pincus, were "drafted under one or several sections of the Suppression of Communism Act, signed by the Minister of Justice and delivered to the individual by the police" after they were "tailored to the individual's special circumstances" (1966, pp. 283-284). While they were usually operative for one, two, three or five years, it was not uncommon for individuals whom the state particularly wished to target to be served with multiple successive banning orders.

The effect of banning, as Mathews observes, was that the individual's "right to participate in the public life of the country [was] abolished by a stroke of the ministerial pen and he (sic) [was] thereby condemned, without open trial, to a ghostly social existence" (Mathews, 1971, p. 66). Nelson Mandela, in his autobiography, *Long Walk to Freedom*, described banning as "walking imprisonment". Bannings were intended to remove activists from the struggle against apartheid, and weaken the organisations in which they worked. It was, as Mandela says, "a strategy designed to remove the individual from the struggle, allowing him to live a narrowly defined life outside politics" (1994, p. 155). Initially, this worked to some degree. As Mandela comments further:

My bans drove me from the centre of the struggle to the sidelines, from the role that was primary to one that was peripheral. Though I was often consulted and was able to influence the direction of events, I did so at a distance and only when expressly asked. I no longer felt like a vital organ of the body – the heart, lung or backbone – but a severed limb. (1994, p. 187)



CLOCKWISE: Barathanathan 'Thumba' Pillay (Natal Indian Congress), Donald Woods (newspaper editor), Adelaine Hain (SA Liberal Party), Yusuf Cachalia (South African Indian Congress, ANC).

In terms of the banning notices served on them, anti-apartheid activists were variously prohibited in terms of the Act from attending gatherings (including social gatherings); restricted to magisterial areas (to their homes in the case of house arrest); forbidden to enter designated spaces such as factories, offices, railways, harbours, educational institutions, and publishing institutions; forbidden to belong to specified organisations, such as trade unions, or hold public office, or be quoted. The aim of the restrictions was to hamper anti-apartheid organisations by stripping away their leadership and hobbling them politically.

What began as a law designed to inhibit the spread of communism by means of restrictions on speech, movement, organisation, publication, and congregation of activists, over time became sharpened and widened in scope. By 1982, this law had transformed into an omnibus piece of legislation used by the apartheid state to direct its arsenal of security measures against an increasingly insurrectionary population. The Internal Security Act, no 74 of 1982, incorporated Act 44 of 1950 as well as key elements of other security laws, resulting in the repealing of all or parts of 28 other Acts. This 1982 Act went beyond bannings to include detentions without trial and the criminalising of political opposition by casting it as subversion, treason, and terrorism, crimes which carried heavy prison sentences.



CLOCKWISE: Dulcie September (Unity Movement, Teachers' League of SA, African Peoples Democratic Union of Southern Africa, Yu Chi Chan Club, National Liberation Front, Anti-Apartheid Movement in London, ANC Women's League, ANC), Francis Board (trade unionist, Federation of SA Women, ANCWL, South African Congress of Trade Unions, United Democratic Front), Fred Carneson (Communist Party of SA, later SA Communist Party, Springbok Legion, editor of *Guardian*, *New Age*, *uMkhonto weSizwe*, Anti-Apartheid Trade Union Committee, ANC), Pravin Gordhan (Natal Indian Congress, ANC, MK, SA Communist Party).



The interviews illuminate the ways in which individuals coped with the restrictions of banning: the loneliness, the isolation, the difficulties of finding work and earning an income, the strain on their families, and above all, the impact on their political activities.

It is difficult to establish how many people were banned under the Suppression of Communism Act from the time it was passed in 1950, until 1985 when the last person (Trevor Manuel) was banned. The names of banned persons were only published in the *Government Gazette* from the early 1960s, and the earliest bannings recorded are from 1958. The archive thus constitutes a small portion of the approximately 1,400 banned activists whose names were published in *Government Gazettes*, and an even smaller proportion of the total of those banned.

Nonetheless, the archive provides a glimpse of the rich diversity of those who were banned. Over the years, banning orders were served on trade unionists, educationists, religious leaders, lawyers, medical professionals, journalists, students, and political activists engaged in a range of different parties, associations, movements, and organisations.

The highest number of bannings took place in 1966, with the next highest number in 1963. The number of bannings decreased after 1966, continued through the 1970s, and tapered off towards the mid-1980s. This reduction in the number of bannings did not signal a retreat on the part of the state security apparatus. Rather it signalled the deployment of new weapons at its disposal: detentions in terms of Act 74 of 1982 and detentions and bannings under the state of emergency regulations, which were enabled by the Public Safety Act, no 3 of 1953. These provisions were administratively easier to implement. As Mathews put it, "the guiding principle of government action in the sphere of internal security" had shifted from "if it moves, ban it" to "if it moves, detain it" (Mathews, 1986, p. 101). Detentions continued throughout the 1980s, of trade unionists, journalists, school and university students and staff, church leaders, and political leaders of varying political persuasions.



CLOCKWISE: Jessie Duarte (ANC, SA Communist Party), Lillian Ngoyi (trade unionist, ANC Women's League, Federation of SA Women, ANC), Fatima Seedat (Communist Party of SA, Natal Indian Congress), Neville Alexander (Teachers' League of SA, Unity Movement, Yu Chi Chan Club, National Liberation Front, Black Consciousness Movement, Workers' Organisation for Socialist Action), Hilda Bernstein (SACP, FEDSAW, ANCWL, ANC, Anti-Apartheid Movement in London), Lillian Diedericks (trade unionist, FEDSAW), Rowley Arenstein (Congress of Democrats, SACP, SA Congress of Trade Unions).

Living under apartheid and the experience of banning

The primary focus of the SABPMP archive of interviews was to record each individual's experiences of banning, their early years living under the harsh and unjust conditions of apartheid, and what drove them into political activism. In so doing, the interviewees go well beyond a focus on banning to tell of their experiences of the imposition of the Group Areas Act; the impact of forced removals and the tearing apart of multi-ethnic communities; the segregation of facilities such as hospitals, beaches, places of worship; the imposition of the pass laws; the horrors of detention and torture; the precariousness of living that came from grinding poverty; as well as the everyday humiliations and cruelty of White supremacy. In addition, the archive holds the stories of White activists, in the main (but not entirely) socially and economically privileged, and traces the development of their political consciousness and how they came to align themselves, in one way or another, with the struggle against apartheid.

The interviews provide valuable insights into the role of interviewees in the activities of a wide range of political organisations such as the African National Congress (ANC), the Pan Africanist Congress (PAC), the Congress Alliance, the South African Communist Party (SACP), the Liberal Party, the Black Consciousness Movement (BCM), the United Democratic Front (UDF), the African People's Democratic Union of Southern Africa (APDUSA), the Non-European Unity Movement (NEUM), as well as the emergence of the independent trade union movement from the early 1970s. They also dwell on the forms of punishment meted out to them: detention without trial, interrogation, torture, imprisonment, and banning.

The interviews illuminate the ways in which individuals coped with the restrictions of banning: the loneliness, the isolation, the difficulties of finding work and earning an income, the strain on their families, and above all, the impact on their political activities. As Thenjiwe Mtintso puts it:

...it was a terrible thing. That thing of not being able to socialise. Not being able to go and find a job. Not being able to write as you'd want to write. Not being able to address meetings. By this time I was an activist. Not being able to address meetings. Not being able to attend meetings. And you'd have to really go ... People would have to arrange meetings in certain places just for you to interact with them. And your views being heard by others. You'd have to risk the lives of



others because you also wanted to participate. But comrades of that time were prepared and ready to accommodate the fact that they should also be an activist. (2020)

Gender framed these experiences, of both repression and resistance, in profound ways. Mtintso shares her experiences in this way:

[...] the police, they found me quite stubborn. And I think many of us were. But one of the things that they could not tolerate, which was quite dangerous, was the fact that you are an African woman and as an African woman what right do you have of thinking that you can fight for your country? What right, because fighting for a country is the monopoly of men. They could even tolerate African men and probably understand African men trying to be men, to be masculine and fight for their country. But an African woman, that they could not tolerate.

And, therefore, they would then dehumanise you by calling you a prostitute, a whore. All these names that you are not really a freedom fighter. You are just servicing these men. And because there were fewer of us as women at that time who were getting arrested and arrested and arrested, they tend, in my view, they tend to be very harsh. Very, very strong against women, African women activists. (2020)

As an educator myself the archive has provided me with profound insights into the struggle for quality education and the impact of the Bantu Education Act. The dismantling of mission schools, the ethnic separation of schools, the degrading of the curriculum, and the introduction of Afrikaans as a medium of instruction provoked intense and sustained rebellion by students, and often by their teachers. Through many interviews we come to see the significant role of teachers in broadening the political understanding of their students, whether they were members of the Teachers League, or expelled university students schooled in Black Consciousness who became teachers in Soweto schools. We are reminded of the significance of forward-looking and progressive school principals in defending their students, and again and again the steadfast determination of parents and children to secure a decent education. Sibongile Mkhabela puts it like this:

My mother was uncompromising on education. You could do anything else wrong. The one thing you wouldn't do is not go to school or not to do well at school. And this was not a woman with an education. This was a woman that we taught to read and write, and she valued education very much. (2021)



She goes on to say the introduction of Afrikaans as a medium of instruction "contradicted everything that my mother valued, which was education and all of us going through education. [...] So, the taking away of the privilege, last privilege, even if you like, the last frontier that people had to defend themselves against apartheid, was education."



Full-page feature published in Drum, November 1964. Of course it was not only men who were banned, as this New Agenda article, and the SABPMP, clearly demonstrates.



Conclusion

Education is a strand in the archive that has most fascinated me, but there are many other compelling points of departure for those interested in researching South African history: the turn to armed struggle across a spectrum of political organisations after the Sharpeville massacre, the emergence of the Black Consciousness Movement and of the independent trade union movement from the early 1970s in Cape Town and what was then Natal and the Transvaal, the development of the United Democratic Front, the role of school and university students as well as teachers and academics in the opposition to apartheid, the role of the churches, and the struggle for a free press. None of the testimonies provide a complete account of any of these themes, but all dramatically flesh out and provide deeper meaning to what we already know from existing published work.

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NOTE TO READERS

The [South African Banned Persons Memory Project](https://ibali.uct.ac.za/s/sabannedpersons/page/welcome) archive is housed in the Audiovisual Archive of UCT Libraries' Special Collections. Most interviews in this collection are available in audio and transcript formats, with some in video formats, and a selection can be seen on their showcasing platform, Ibali, an isiXhosa word for "story". The website warns viewers that these oral history interviews may contain personal accounts of traumatic experiences, including police brutality, violence, torture, hate speech, and derogatory language. The archive can be accessed at <https://ibali.uct.ac.za/s/sabannedpersons/page/welcome>

BIOGRAPHY

Paula Ensor is Emeritus Professor in the School of Education at UCT. She holds Masters and PhD degrees from the University of London (now UCL Institute of Education). She was banned under the Suppression of Communism Act in 1973, along with other National Union of South African Students (NUSAS) leaders, and lived in exile in England and Botswana for 15 years, returning to South Africa in late 1991. Between 2004 and 2013 she was Dean of Humanities at UCT and after her retirement worked with others to set up the Tshisimani Centre for Activist Education in Mowbray. She was one of the co-leaders of the SABPMP project.



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Africa Diary

1 December 2025 to 28 February 2026

A selection of events about, and from across, Africa that are significant or interesting, or both. Compiled by the New Agenda Editorial Collective at the Institute for African Alternatives



Moroccan fans were not happy at the final of the African Cup of Nations in a game that was tense and ended in controversy. Senegal won, but the losers, Morocco, felt Senegal should have been eliminated for staging a walk-off by the entire team during the game – and took it up with the Confederation of African Football, who reached the highly contested decision in March to strip Senegal of the title and awarded the cup to Morocco instead, which caused outrage in the Afcon community.

DOI: <https://doi.org/10.14426/tm01rw60>

February

23 February: Ghana renamed its main airport from Kotoka to Accra International. Kotoka was a general who was instrumental in the overthrow of the government of Ghana's founding father, Kwame Nkrumah, exactly 60 years ago. Kotoka himself was killed at the airport the following year, 1967, during a failed counter-coup attempt.



*Protests in Tanzania in late 2025 against ruling Samia Suluhu Hassan turned violent.
Photo: Dawan Africa images*

15 February: As previously planned, Samia Suluhu Hassan, the brutal ruler of Tanzania, became the African Union (AU) Champion for Maternal and Child Health after being endorsed by the 39th Ordinary Session of the AU Assembly of Heads of State and Government in Addis Ababa. Hundreds of people were killed by state security forces in October and November 2025 when Tanzanians protested on the streets about political oppression and a fraudulent election in which Mrs Samia claimed 98% of the vote. Dan Paget, a professor at the University of Sussex in the UK, reckons the last time mainland Tanzania experienced such brutality was under German colonial rule more than a century ago.

January



File photo – The Rubaya coltan mine in eastern DRC. Photo: Wikimedia Commons

28 January: More than 200 people died in a collapse at the Rubaya coltan mine in eastern Democratic Republic of the Congo (DRC), near Goma. The area is occupied by M23, a rebel group backed by Rwanda, which has controlled the mines since 2024. Rubaya mines hold 15% of the world's coltan, a mineral used in phones, much of it mined illegally.

24 January: The Southern African Development Community (SADC) deployed its Emergency Response Team (ERT) to support the governments of Mozambique and South Africa, following serious flooding and extreme weather. Prolonged rainfall resulted in river overflows, dam spillages, flash floods, and flooding of low-lying areas across Eswatini, Malawi, Mozambique, South Africa, Zambia, and Zimbabwe, with Mozambique and South Africa experiencing the most severe impacts. Over one million people have been affected, some losing their lives.

21 January: Egypt and Morocco were the only African countries invited to join the "Board of Peace" chaired by US President Trump. Both accepted. The board will oversee a "Gaza Executive Board", formed by Trump following the Gaza 'peace agreement' and a United Nations Security Council resolution. The board will focus on "effective international peace-building". Its charter designates



Trump (in his personal capacity) as chairperson for life. Only he may invite counties to join.

18 January: Senegal was awarded the African Cup of Nations after a game that was tense and eventually became chaotic. At one point the entire Senegalese team walked off the pitch in protest against a referee decision. The losers, Morocco, who were hosts of the tournament, announced the next day that they would challenge the outcome. They felt Senegal should have forfeited the game because of their walk-off. *Editor's note – In March, the Confederation of African Football's disciplinary committee decided to strip Senegal of the title and award it to Morocco instead. Senegal has appealed to the Court of Arbitration for Sport. At the time of writing Senegal still held the trophy.*

17 January: Yoweri Museveni was declared the winner of the election in Uganda, amid an internet shutdown and claims of fraud by his opponent. Museveni is 81 years old and has been the president of the country for 40 years. This will be his seventh term. The head of the Ugandan army posted on social media that his men had killed 22 opposition supporters and said he wished death on Bobi Wine, the runner-up. Wine went into hiding.

9 January: The South African Navy hosted visiting warships from China, Russia, Iran, and the United Arab Emirates, some of whom participated in joint naval exercises off the coast of Cape Town over the following week. Some other nations of the BRICS-Plus group also attended as observers. Ethiopia and Egypt were the African countries mentioned in this regard. Military co-operation is a new feature of BRICS engagements. India, the 2026 BRICS chair, was not involved.

December:

26 December: Somaliland, a former possession of colonial Britain, celebrated being recognised as a sovereign state. The territory declared its independence from Somalia in 1991 but is not recognised by the African Union, or any other nation – except, recently, Israel. Somalia and Egypt condemned Israel's move, and the African Union, China, and the European Union criticised it.



Map of Somaliland



For Israelis who don't know where to locate their 'new friend', Somaliland, landmarks are provided in Hebrew.

Source: GetArchive collections

25 December: The Nigerian government confirmed it had co-ordinated Christmas Day airstrikes launched by the US against an Islamist group in the northern state of Sokoto, near the border with Niger. It was not known how many fighters were killed. Nigeria has been unable to control numerous security crises, which include mass kidnappings and abductions for ransom as well as oppression by bandits.

12 December: Dr Joy Kategekwa of the African Development Bank Group said the prospect for visa-free travel for Africans between African countries was “[F]ull of promise but in need of accelerated action”.¹ Africans needed a visa for country-to-country travel within Africa in 72% of cases in 2025. Some countries have very expensive visa fees – up to US\$250. Free movement of people is the human engine of Africa’s integration. It is a flagship project of Agenda 2063 of the African Union, which aims to remove restrictions on Africans’ ability to travel, work, and live on the African continent.

ENDNOTE

¹ See www.visaopenness.org / BBC Focus on Africa podcast: The difficulty of intra-African travel, 19 Dec 2025



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IN A RAIN OF DUST

**DEATH, DECEIT,
AND THE LAWYER WHO
BUSTED
BIG
ASBESTOS**

DAVID KINLEY



In a rain of dust

Death, deceit and the lawyer who busted big asbestos

David Kinley

Review by Michal Singer

Johns Hopkins University Press, 2025, 344 pgs, R460.00.

[Available at Clarke's Bookshop](#)

Introduction

David Kinley's *In a Rain of Dust* is an unusually gripping work of legal, environmental, and social history – a book that transforms one of South Africa's most devastating and least discussed industrial tragedies into a vivid, morally urgent narrative. Looking at the legal arguments and scientific facts through the human lens of lawyer Richard Meeran's investigation provides more visibility than a straightforward academic examination would.

Centred on the landmark transnational class action suit brought against British-based firm Cape PLC between 1997 and 2003, the book recounts how more than 7,500 South African miners and community members sought redress in the English courts following decades of unconscionable asbestos exposure. What distinguishes the book is not simply the scale of injustice it documents, but the way Kinley structures an extraordinarily complex and technically dense story into a book that is both digestible and deeply human.

Understanding the 'miracle mineral'

In a Rain of Dust is compelling not only because of its investigative depth but because of the careful narrative scaffolding that guides readers through difficult terrain: asbestos epidemiology and its slow, interminable violence; economic imperialism and transnational jurisdiction; corporate archives and apartheid labour practices. For those unfamiliar with asbestos mining, or for those who know it only through fragmented debates and public silence, this structure carefully and dispassionately provides an essential interpretive function to understand

asbestos as “extraordinary as it is ruinous” (Kinley, 2025, p. 62). Kinley’s telescopic structural choices make this book accessible without diluting the enormity of its subject.



Above: Children playing on an asbestos tailings dump in Mafefe in the early 1980s.

Below: Asbestos lined trails in between homes in Mafefe, 1984.

Photos: Marianne Felix





Trail with exposed asbestos, Penge, December 2008.

Photo: Michal Singer

What could easily have been a dry and dense procedural report becomes something closer to a quest narrative. Richard Meeran is introduced as a determined protagonist confronting a powerful multinational. By centring Meeran as “Indiana Jones with a law degree”, Kinley provides a narrative focus that guides readers through the maze of jurisdictional argument and evidentiary burden that hangs over the case (Kinley, 2025, p. 52).

In Chapter 2, Kinley introduces the isolated communities scattered across two culturally distinct regions – specifically Mafefe and Penge in Limpopo and Prieska and Koegas in the Northern Cape – where rich deposits of amphibole asbestos had been mined for nearly a century with little, if any, concern for the safety and health of workers. The title of the book itself is sourced from a 1962 site visit by the Cape’s medical officer, who noted that “men were working in a rain of dust” (Kinley, 2025, p. 50) The same men would later “quietly” die in their homes in the villages surrounding the mines, “off the company books” (Kinley, 2025, p. 4).



Ruins of a mine compound in Penge, December 2008.

Photo: Michal Singer

Kinley's choice to examine legal argument through the lens of human experience rather than through legal, academic, and political records prepares the reader for what is to come. It is here that my own research experience intersects with Kinley's narrative. When I visited Mafefe in 2005 as a postgraduate student, I expected to discuss irrigation schemes and social development. Instead, residents who agreed to speak to me shared stories of their loss – all attributed to asbestos exposure. Kinley's narrative echoes this trajectory of discovery, where the hidden history of asbestos is revealed through the lives it most adversely affected. I was struck by the pathos depicted by Kinley in his portrayal of Cape PLC's own medical officials struggling to reconcile the link between asbestos mining and mesothelioma.

Chapter 3 introduces asbestos-related disease in a way that is both readable and horrifying through stark imagery and metaphor. Asbestos fibres are likened to alien vegetation clogging up the lungs; and the lungs are compared to a swimming pool except "the regional lymph glands cannot be cleaned" (Kinley, 2025, p. 54) – rendering the medical science simultaneously vivid and legible.



Segment of amphibole asbestos, Mafefe, 2005.

Photo: Michal Singer

Historical and political scaffolding

Having established the foundations of the case, Kinley then widens the narrative lens. Explorations of the technicalities are strategic – as we grow to understand the medical science, the labour practices appear even more egregious. Kinley's analysis exposes how the asbestos industry, opaque at the time and long gone from South Africa by the 1990s, used tactics to distance itself from possible risk, and seemed adept at minimising their liabilities through optics – at times renaming reports and even the name of the company to avoid attention and accountability.

Chapter 5 outlines labour practices in asbestos mines, placing the company firmly within the political economy of racial capitalism, and leaving no room for their plausible deniability. Kinley shows how apartheid's labour system underwrote their profit model: White workers enjoyed protections (though inadequate), while Black and Coloured workers laboured in clouds of dust with no protection to save costs. Showers were eventually introduced for White workers, while lack workers carried asbestos home in their hair and clothing. This gross negligence was enabled by a willingness (by Cape PLC) to live with blatant double standards between regulations for their British workers as opposed to their South African workers (Kinley, 2025, p. 94). Kinley

further illustrates in this chapter that the long latency period of asbestos-related disease, ranging from 10 to 30 years following exposure, further obscured the connection between the activities of the industry and the epidemiological disaster that lay in the industry's wake.



*A sample of asbestos on display outside the former site office, Penge, 2008.
Photo: Michal Singer*



Abandoned mine in Penge, Limpopo, December 2008.

Photo: Michal Singer

A gripping narrative of corporate manipulation

Kinley documents the deliberate suppression of public awareness around health risks by Cape PLC in what he describes as a “malady of manipulation of scientific process and deceit in the delivery of its results” (Kinley, 2025, p. 55). As Meeran and his team uncover hidden reports, reissued documents, and internal memoranda, the tragic scale becomes more apparent. Given all that he learnt, Meeran was compelled to ensure that the case would be tried in the UK, where Cape PLC could be held accountable.

In a Rain of Dust shows incontrovertibly that Cape PLC knew about the dangerous situation they had created and did not act. In preparing for the case, Meeran and the team exposed unequivocal evidence of their actions; though 1968 asbestos safety laws in the UK had led to the closure of Cape PLC’s factory in Barking, London, Cape PLC continued to ignore the known risks of asbestos exposure for over a decade in South Africa before divesting in 1979. Kinley notes the similarity of accounts of occupational health exposure of workers



Homestead in Betlea, an area of Mafefe, 2005.

Photo: Michal Singer

between the 1940s and the 1970s, a lengthy period when it would be expected that conditions would have improved or evolved over time. All of this helped build their case against Cape PLC.

From outrage to mobilisation

Kinley has written a masterpiece that addresses a painful lacuna in South African mining history – even travelling to Penge to follow in Meeran's footsteps to see for himself the devastation on land and community. He sensitively portrays the toll of the case on Meeran, but refuses to romanticise him as a 'saviour'. Kinley shows a universal compassion and curiosity for the human condition – even toward those afflicted with moral confusion around the belief that asbestos risks could somehow be contained or ignored. Still, he makes no excuses – revealing with forensic precision the pervasive double standards bolstered by apartheid capitalism.

By Chapter 7, the book has built up enough emotional and evidentiary weight to show why the court case was unavoidable.



*Abandoned golf course with club house in Penge, December 2008.
Photo: Michal Singer*

Thousands of claimants – many gravely ill – signed or marked affidavits with thumbprints in preparation for their day in the English courts. This resonated with my first field visit in Mafefe where I was, inexplicably, presented with ID documents and death certificates during my interviews. The context that Kinley's book provided finally allowed me to understand why those documents meant so much.

The case plays out in the final chapters with mixed blessings – while the case was settled, and claimants received compensation, the damage was already done, and the inevitability of further loss cast a long shadow over its outcome. The narrative structure in chapter 8 mirrors the process of litigation itself, bringing readers into the courtroom with alternating correspondence, hearings, and appeals. The final chapter emphasises the persistence of asbestos in both landscape and policy: by 2018, only 40 of 261 contaminated sites had been rehabilitated. Kinley refuses to offer false closure.



Exposed rock face with asbestos, Penge, December 2008. Photo: Michal Singer

Conclusion

In a Rain of Dust is far more than a chronicle of litigation. It is a masterpiece of narrative structure, as Kinley renders a murky catastrophe legible without sanitising its violence. His prose is accessible yet exacting; his pacing measured yet urgent. For scholars, policymakers, and activists concerned with environmental justice, corporate accountability, and the afterlives of extractive industries in the Global South, this book is essential reading.

BIOGRAPHY

Michal Singer graduated with a Master's degree in history by research from the University of the Witwatersrand in 2010. Her work on South African mining pollution received the African Thesis Award from the African Studies Centre Leiden in the same year. She has spent the past 15 years working in archives, specialising in the preservation and stewardship of primary research collections. Since 2019, she has served as Principal Archivist in the University of Cape Town (UCT) Libraries' Special Collections where she supports the overall restoration of Special Collections' research support services, collection development, and recovery of archives that survived the 2021 fire in UCT's Jagger Library.



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