

## **CHAPTER 1**

### **Introduction**

Post-apartheid education in South Africa has been characterised by neo-liberal policymaking that perpetuates, and in some cases exaggerates, the glaring inequalities bequeathed to the new South Africa by the apartheid system. The Minister of Education in South Africa, Ms GNM Pandor, confirmed this during her Budget Speech in Parliament on 19 May 2006, noting:

We must acknowledge that up to this point we have not yet dealt a blow of death to all the legacies of apartheid education. We do intend to deal decisively with the problem of thousands of poorly performing schools. These schools are located in the poorest sections of our society and sadly their inadequacies perpetuate the legacy of disadvantage.

This thesis postulates that the inability of the post-apartheid government to deal decisively with what the Minister of Education, Ms Naledi Pandor, refers to as the “legacies of apartheid education” is linked to the macro-educational policy trajectory endorsed by the African National Congress (ANC) government in the early 1990s. In fact, post-apartheid educational policy shows similarities with the National Party (NP) reforms initiated towards the end of the 1980s in education. Kallaway (1989) has argued that in the late 1980s the apartheid government was implementing a broad educational trajectory consonant with the rise of neo-liberal conservatism emerging internationally. It will be argued that the teacher unions, and the South African Democratic Teachers Union (SADTU) in particular, were active role-players in shaping the new educational trajectory and discourse, and that it was particularly because of the acquiescence of the unions that

the government was able to embark on the road of neo-liberal restructuring with very little organised opposition. But why would an otherwise leftist and fairly progressive teachers union, closely linked to the South African Communist Party (SACP) actively support the implementation of neo-liberal educational policies? And what implications does the South African case hold for our understanding and interpretation of education and globalisation internationally?

### **Policy Continuity in the new South Africa**

There is a growing body of literature dedicated to the rise of globalisation and theorising resistance to it (Bond, 2001; Gills, 2000, Sojo, 2005). Global resistance to neo-liberal globalisation is often referred to as “globalisation from below” and has led to the growth in research on the issue of anti-globalisation social movements. The role of labour unions in this process is also receiving growing attention internationally (see Munck, 2002; Waterman P and Munck R, 2000; Bieler, 2000), but has received scant analysis in the South African context. This thesis aims to make a contribution in this regard.

The introduction of the Growth Employment and Redistribution (GEAR) macro-economic strategy in 1996 marked the embrace of neo-liberalism by the ANC. Although the Congress of South African Trade Unions (COSATU) and the SACP have vociferously opposed the introduction of the GEAR strategy, they have not organised any

significant opposition to the introduction of the GEAR policy and have remained in the historic alliance<sup>1</sup> with the ANC.

This continued support for the ANC has been premised on two key arguments: Firstly, the notion that the ANC is the only formation capable of transforming the country to the benefit of the poor; and secondly, that the world has essentially moved into a post-politics position after the fall of the Soviet bloc. Giddens (1994) refers to this phenomenon as the move “beyond left and right”. What is thus required, it is argued, at the present moment, is a more pragmatic approach that essentially moves beyond ideology. This argument is often premised on the notion that the room for manoeuvre of the national state in the current global context is tightly prescribed. Therefore what is needed is the continued engagement with the ANC in order to ensure that the best features of GEAR are supported to benefit the poor. Besides, the ANC under former President Mandela made it very clear that the GEAR policy was “non-negotiable”. SADTU itself bore the brunt of President Thabo Mbeki’s wrath for expressing its doubts about GEAR, when at the union’s national congress in September 1998 the president castigated them:

The members of SADTU stand out as competent practitioners of the toyi-toyi<sup>2</sup>...We (meaning SADTU members) are seen as excellent tacticians as to when to disrupt the school programme...We (SADTU members) behave in a manner which seems to suggest we are alienated from the revolutionary challenge of the education of our youth and masses and greatly inspired by the valued systems which motivates the traitor and the criminal. (Mbeki, T, Speech to Fourth SADTU National Congress, 1998)

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<sup>1</sup> The Tripartite Alliance has historically comprised the African National Congress, the South African Communist Party and the Congress of South African Trade Unions.

<sup>2</sup> A dance of protest often used during mass demonstrations during the liberation struggle.

## **The role of teacher organisations in education reform**

Teacher unions across the world are often viewed as part of the problem in public schooling systems. The role of teacher unions in educational reform is highly contested. Teacher unions are often regarded as conservative and antithetical to educational reform and the pursuit of quality in schools. Critics of teacher unions have argued that unions raise the cost of education (Eberts and Stone, 1986), that they make it more difficult for principals to manage their schools (Johnson, 1984), and that the presence of unions in schools lead to more conflictual relations in educational institutions (Fuller et al, 2000) which often compromise educational quality.

Across the globe, unions are experiencing a reduction of their power and role in education systems. This is either linked to the processes of globalisation, political attempts to limit the role of unions in education reform initiatives or the decline of the prestige of unions in the public eye.

Teacher unions across the world are beginning to respond to this perceived crisis of legitimacy. One of the ways in which teacher unions have responded to this challenge is to build effective alliances with external role-players like parents, community organisations and other interest groups. An important aspect of this process is to ensure that the public image of teachers and their unions is changed. Bascia (1998) has argued that what is even more important at this juncture is to focus on the relationship that the teachers union has with its own members. Bacharach and Mitchell (1981) have argued

that unions have to focus on: (a) the intersections between unions and local teachers; and (b) the organisational and political capacity of the unions to mobilise and represent teachers. How do teacher unions thus, in the face of increasing public pressure to produce better results and high performance, continue to interact with their members to ensure that they remain a channel for their voices and not a mechanism to chain and subvert their interests?

Kerchner and Koppich (1993) have argued that a small, but increasing, number of teacher unions are beginning to redefine their role in educational reform and restructuring. They argue that these unions have shifted their focus from traditional industrial concerns to a more prominent focus on professional issues and school improvement, what they call professional unionism. Professional unionism departs from traditional unionism in three ways: (1) It accepts that labour and management share a common goal - the improvement of quality in the public education sector; (2) That an adversarial relationship between management and labour is thus unnecessary; and (3) That unions accept a greater role in the evaluation and assessment of the work of teachers to ensure high standards in education.

Bascia (1998) argues that the educational literature is largely silent on professional unionism and the role of teacher unions in educational reform. She argues that research on teacher unions internationally has focused largely on bargaining processes and collective agreements and that very little work has been done on the role of teacher organisations in relation to educational reform.

The involvement of teacher organisations in education reform is a fairly recent phenomenon throughout the world. The lack of research focus on the reform and restructuring agendas of teacher unions is partly due to the fact that very few unions have indeed made the shift to professional unionism. The examples of teacher unions that have shifted to professional unionism are almost exclusively limited to the developed world especially the USA, Canada and Britain.

Most teacher unions throughout the world still focus narrowly on material and job security issues, especially in the developing world. The notion that traditional union activities are consistent with education reform has gained new currency in recent times and has encouraged teacher organisations to become more closely involved in educational reform (Bascia, 1998). Koppich J et al (1997) argue that it is indeed the focus on more contractual and economic issues during the 1960s and the 1970s in the developed world that has laid the basis for the shift to focus on professional issues and student attainment.

The development of the South African teacher union movement by contrast has followed a markedly different trajectory. Unlike its counterparts in the developed world, traditional teacher unions in South Africa are still in their infancy. This is not to deny that teacher organisations in South Africa date back to the 1880s. Teacher unions, in the traditional sense, only emerged in South Africa in the turbulent years of the community struggles of the 1980s and like other industrial unions of the time, the unions had a major focus on the

political struggle against apartheid. The educational issues on which these unions focused, were often used as levers to agitate for political change. Education was thus not an end in itself, but a means to an end. Due to the fact that these “political” unions were not recognised by the apartheid state and collective bargaining was thus not an option, unions seldom focused on economic and material conditions of their members.

Two key features characterised the teacher unions of the 1980s: Firstly, they had horizontal structures and inter-organisational democracy was a key feature of the unions. During the first official rounds of negotiation between SADTU and the apartheid government for recognition it was not uncommon for hundreds of members to gather outside the negotiations venue and to be constantly updated by negotiators during the course of the negotiations. Branches were vibrant and each decision would be debated and leaders mandated to defend particular positions (Interview, Hefke, 2006). Secondly, the unions were directly linked to the community and the day-to-day struggles of that community. This kind of social movement unionism was probably the key feature of the small teacher unions throughout the country. At every single turn in apartheid education policy, community meetings would be organised in schools and discussions held with civic and other community organisations to ensure that the struggles of teachers would be supported.

## Post apartheid teacher organisations

The “miracle” of 1994 introduced a new political system and reshaped the terrain on which unions operated. Due to the excesses of the apartheid system and the exclusion of the majority from policy development, teacher organisations and other civil society formations have been crucially involved in, or in some instances have even initiated educational reform debates, in the post-apartheid period. In South Africa, the trade union federation, COSATU of which SADTU is an affiliate, has for example, been vociferous proponents of outcomes-based curriculum reform, as well as for the introduction of a national qualifications framework (Christie and Jansen, 1999). The position of labour was essentially to be part of the development of the policy framework of the new government across a wide range of social fields including welfare, housing, health, education and others, and to influence policy formation in order to ensure the best possible deal for their members, and some would even have argued the poor in general. The support for the policies they helped to craft was then assumed to be self-evident and the call was for the unions to “engage constructively with *our* government”. In the immediate post-apartheid period this was in many respects a conscious decision of the progressive labour movement, based on its close historic ties to the ANC which came to power in 1994 as the first democratically elected government of South Africa, albeit as part of a Government of National Unity (GNU). The relationship with the ANC was based on the



common social democratic programmes of the organisations, premised on the principles enshrined in the Freedom Charter.<sup>3</sup>

In education, SADTU also engaged in this kind of “professional unionism” in the post-apartheid period. In the immediate post-1994 period there existed a great deal of consensus around the vision and goals of educational change. This broad consensus was premised on the values of equity, redress, access, participation and quality. The introduction of the post-apartheid teacher rationalisation policy in 1996 by the newly elected ANC government was welcomed by SADTU as a mechanism to ensure greater equity amongst schools by redistributing teachers from rich white to poor black schools. The teacher rationalisation programme was based on pupil-to-teacher ratios that were defensible in terms of educational criteria, suggesting that learner performance in classes between twenty-five and forty was relatively constant, and only dropped off after forty (Vally and Tleane, 2001:183). SADTU supported the policy as a necessary mechanism to ensure greater equity across the system and as a means of dismantling the legacy of apartheid education.

The ANC government came to power with a strong transformationalist agenda. The government inherited a system in crisis. Apartheid education was characterised by glaring racial, gender and class disparities which impacted greatly on issues of access, resourcing and educational outcomes. A key aspect of the new government’s transformation agenda was the dismantling of the apartheid legacy in education.

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<sup>3</sup> A guiding framework of the ANC adopted at the Congress of the People in 1955, which committed the organisation to a social democratic society, nationalisation of the commanding heights and free education for all.

In the period from 1994-1999 the government identified the following as key priorities:

- Considerable emphasis on state building and system development that comprised creating one national and nine provincial departments of education, and the promulgation and development of policies, laws, regulations and norms and standards;
- Symbolic change statements and announcements to signal transition to a new order whilst managing the fears of national minorities; and
- Critical systems change programmes such as the equitable distribution of teachers across all schools and the development and implementation of new post apartheid outcomes based curricula beginning in the early grades (Rensburg, 1999).

The equitable distribution of teachers across schools that Rensburg refers to, entailed the following: The ANC government indicated early on that South African expenditure on education was quite high (above 7% of GDP) by international standards. The ANC maintained that equity as a policy goal had to be pursued within the constraints of the existing education budget. The ANC government adopted an approach to equity based on a redistributive framework (Fiske and Ladd, 2002).

Fiske and Ladd (2002) identified three concepts of educational equity which are useful for this study:

1. *Redistributional equity* refers to how educational resources such as teachers, textbooks, support materials, buildings, etc. are distributed across the population. Equity is thus a measure of the extent to which state spending per pupil varies across a range of subgroups. These subgroups in the South African case can be defined in terms of race, ex-racial department, province, gender or school. This notion of equity was central to government's reform strategies in South Africa.
2. *Adequacy* refers to an approach that holds that the state should ensure that adequate resources (inputs) be provided to all schools to ensure that a good quality education is provided to all learners. The difficulty with such an approach is that the standard of what a good quality is, has to be defined. Also in the South African case, the numbers of learners without an adequately resourced education are so high that the adequacy model would probably have been unaffordable.
3. *Redress* recognises the current inequalities as a legacy of the past and introduces specific policies to offset such inequalities. This approach implies that students would be treated differently by the state as a mechanism to achieve greater equality in future. It meant that the state had to spend more on those most disadvantaged by apartheid in order to wipe out the backlogs of the past. In terms of such an approach more teachers would for example be provided to schools in historically disadvantaged areas.

ANC policy-makers embraced the redistributive definition of equity. This was partly as a result of the costs associated with the other two models, but significantly it was also concerned with what Rensburg above refers to as “managing the fears of national minorities.” There was a sense that the unequal treatment required by the redress model would be too politically risky.

In early 1996 the government and teacher unions reached agreement in the Education Labour Relations Council (ELRC)<sup>4</sup> on a “Three Year Conditions of Service Package for Educators” (ELRC Resolution 3, 1996). This initiative was designed to bring greater equity to the education system through teacher redistribution based on teacher-pupil ratios. This scheme had two aspects: (1) It attempted to reduce the number of teachers in the public sector (euphemistically referred to as right-sizing). In order to facilitate this process an attractive Voluntary Severance Package (VSP) was offered to teachers. This was to encourage those who wanted to leave the system to exit. (2) The second aspect of this policy was to “redeploy” teachers who were declared in excess to schools where there was a shortage of teachers. The identification of teachers in excess had to be done by rationalisation committees that schools had to establish. These committees consisted of delegated teachers, the principal, members of governing bodies and observers from teacher unions.

By 1998 it was clear that this teacher rationalisation scheme was not as successful as the union would have hoped, leading Willie Madisha, the president of SADTU, to conclude that: “Fundamental principles of redress and equality have been allowed to fall through

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<sup>4</sup> This was a structure created to facilitate good labour relations in the education sector.

the cracks” (Madisha, 2002). The South African literature has identified a number of reasons for the failure of the policy, viz. fiscal austerity measures introduced as a result of the GEAR strategy (Vally and Tleane, 2001), the bungling of the implementation by the provinces, the irrational allocation of VSPs and the tension between the centre and the provinces, a result of the post-apartheid constitutional dispensation (Jansen and Taylor, 2003). Although these factors were major contributors to the failure of the policy to achieve its identified objectives, it is the aim of this investigation to show that contextual conditions in the Western Cape also added significantly to the demise of the rationalisation scheme. The rationalisation policy in the Western Cape was significantly mediated by issues of race, class, gender, geography and the memory of past educational struggles.

Against the backdrop of neo-liberal globalisation and transition in South Africa, this study seeks to address the following issues:

Firstly, it seeks to critically examine the role of SADTU in the introduction of neo-liberal measures in education in post-apartheid South Africa by focusing on the rationalisation of teachers in the Western Cape as a case study. It specifically focuses on the period from 1990-2001 and aims to investigate the factors in the Western Cape that impacted on the implementation of the policy. The thesis explores the extent to which teacher unions articulate the views and thus represent the interests of their members in an era of globalisation and transition from an authoritarian regime to a democratic order. How these complexities impact and delimit the opportunities for education reform is an

important issue if we want to deepen our understanding of the discourse about the educational change process in South Africa.

Secondly, it aims to show that the ways in which the “global invades the local” (Giddens, 1996) is highly contingent on historical processes, political struggles, allegiances and alliances. The alliances that promoted neo-liberal restructuring in the South African case were very different from what Apple (1999) refers to as “the cast of characters” that promoted neo-liberalism in the developed world. The role of SADTU, and its alliance with the ANC, will be explored in this context.

## **CHAPTER 2**

### **Literature Review**

Globalisation only gained currency as a concept of analysis in the 1980s. Although the term globalisation is now widely used, its meaning and content remain highly contested. A key aspect of the expansive literature on globalisation is the notion that current problems cannot be adequately studied at the national level i.e. that because of the increased level of integration of the world, any national or regional problem or event can only be fully appreciated if it is also analysed in terms of global processes.

The origin of the term “globalisation” is as contested as the term itself. The term apparently emerged in the 1960s in business circles in the United States. The word only gained currency about twenty years later in the social sciences and really only exploded onto the scene in the 1990s with the collapse of the Soviet Bloc and the sense that the world was a shrinking place. McLuhan (1964) captured this idea with his notion of the “global village”.

By the 1990s there was a real sense across the world that the globe was indeed a smaller place and that human societies were increasingly integrated and interconnected. At a very general level, globalisation thus refers to the notion that the world economy, culture and the nations of the world are increasingly interconnected and that events and processes that affect people in one part of the world will invariably impact peoples in other parts of the globe. Held, et al suggest that “globalisation may be thought of initially as the widening, deepening and speeding up of worldwide interconnectedness in all aspects of

contemporary social life, from the cultural to the criminal, the financial to the spiritual” (Held et al, 1999: 2). Globalisation thus refers to those phenomena and processes that are in one way or another shared by all people across the globe.

Waters (1995) suggests that globalisation is “*the* concept of the 1990s.” The catalysts for the massive expansion of the popularity of globalisation in the social sciences in the early 1990s can be linked to the following three developments, the collapse of the Soviet Bloc (the Second World); the revolution in Information Technology (IT) and the rise of Transnational Corporations (TNCs) and increased global trade.

Held, et al (1999) have identified three main schools of thought that can be discerned in the field of globalisation. They argue that these schools are not homogenous, but that they have a number of common features and characteristics that allows one to treat them as “schools” for analytical purposes. Held, et al (1999) refer to these schools as the Hyperglobalists, the Sceptics and the Transformationalists.

The hyperglobalists view globalisation as a tidal wave of change sweeping across the globe. Robertson (2002) refers to this conception of globalisation as the “juggernaut thesis”. Hyperglobalists privilege an economic logic of globalisation. They argue that world trade has reached higher levels than ever before and that this massive growth in trade has created a global market that embraces almost all economies and most goods and services. An important result of the creation of global markets has been the development of massive transnational corporations. These TNCs straddle the entire globe and often



have budgets larger than the GDPs of many of the smaller nations of the world. They dominate world markets for oil, household consumer goods, foodstuffs and many other products. TNCs are regarded as “footloose” companies that are not place bound, but are able to shift operations to anywhere on the globe in order to maximise profits. The production capacity of such companies is often dispersed across a number of different countries and they are thus able to influence and shape the economies of many countries around the globe. The argument often advanced by the proponents of this view is that failure to adapt to the requirements of the global market would render protected national economies vulnerable to the pressures of international trade and could seriously threaten the survival of the nation state.

The sceptics also focus on the economic logic of globalisation, but argue that current levels of economic and world integration are not unique in history. (see Hirst and Thompson, 1996) They argue that globalisation is a myth (“globaloney”) and that the hyperglobalist argument is fundamentally flawed. Hirst and Thompson (1996) have argued that the world is less integrated now than at the end of the nineteenth century and that the volume of world trade is less now compared to the 1930s. Boyer and Drache (1996) argued that what the hyperglobalists refer to as a global process is in effect a regional phenomenon with the integration of economies limited to three main regions of the world viz Asia-Pacific, North America and Western Europe. Thompson and Allen (1997) have added that the notion of transnational corporations that straddle the globe is exaggerated and that these corporations primarily operate in the three main economic regions identified by Boyer and Drache.

The transformationalists emerged in the late 1990s out of the for/against debate between the hyperglobalists and the sceptics. Held, et al call them the transformationalists because they argue that globalisation transforms the power, functions and authority of the nation state.

The transformationalists regard globalisation as a central driving force behind the rapid social, cultural, political and economic changes that are shaping our world. They argue that the world is indeed more integrated and more interconnected, but on the other hand that the world in many respects is also more fractured, fragmented and stratified (See Castells,1999). They posit that globalisation is a contradictory process and that its effects cannot be predetermined. Held, et al maintain that globalisation is a “process or set of processes which embodies a transformation in the spatial organisation of social relations and transactions-assessed in terms of their extensity, intensity, velocity and impact-generating transcontinental or interregional flows and networks of activity, interactions and exercise of power” (Held et al, 1999: 215).

Transformationalists acknowledge that globalisation is not a new phenomenon and that it has deep historical roots. Held et al have identified four distinct periods of globalisation which they call, premodern globalisation, early modern globalisation (1500-1850), modern globalisation (1850-1945) and contemporary globalisation (1945 onwards). They suggest that the notions of extensity, intensity, velocity and impact are what distinguish globalisation from its historical precedence. Scholte (2000) argues that the contemporary

period of globalisation has been characterized by the acceleration of the extensity, intensity, velocity and impact of processes of globalisation.

All three phenomena i.e. extensity, intensity and velocity, have deepened the levels of integration of the local and the global to such an extent that the impact of distant events is magnified on the local. This has blurred the boundaries between the local and the global and has made the borders of nation states increasingly porous. Globalisation has shifted and compressed notions of space and time, which is often referred to as the spatio-temporal dimensions of globalisation.

But despite this acceleration in globalisation in the contemporary period, transformationalists argue that it is an historically contingent process that is replete with contradictions. This notion of process is indeed important as it challenges the juggernaut thesis that regards globalisation as an unstoppable global force that signifies the end of history (Fukayama, 1992) and geography. Robertson has argued that the problem with the juggernaut thesis is that it disregards human agency and that it “is a process with no actors or subjects” (Robertson, 2002:16). The logical conclusion of such an argument is that globalisation as a force cannot be resisted. Yeung added that globalisation has not been “geographically even and without resistance at different spatial scales and in different countries/regions” (Yeung, 2002:123). This notion of scale has become increasingly important in the theorisation of globalisation.

Harvey (1982) refers to scale as “nested hierarchical structures of organisation at local, national, regional and global levels”. Globalisation seeks to alter and restructure these spatial relationships or scales. Brenner (1998) refers to this process as “re-scaling”. Scales are socially and politically constructed through ideologies and discourses (Taylor et al, 2001) and re-scaling involves struggles over space and scales involving a range of actors including capital and labour, states, social movements and supra-national organisations. Harvey (1982) refers to this struggle over space and scale as “territorialisation” which Robertson argues involves re- and de-territorialisation i.e. “strategic relational moves by actors to work beyond the boundaries of existing institutionalised relations that represented various interests in various ways to fix a new hierarchical pattern and set of boundaries” (Robertson, 2002: 25).

An important aspect that the notion of scale introduced into the debate on globalisation is the idea that it is not only a set of material processes, but also a set of contested ideologies and discourses that operate across a number of different spatial scales. Sklair (1995, 1999) has argued that this contestation can best be understood if it is located within the “structures of an ever-more globalising capitalism” linked to neo-liberalism.

### **Neo-liberal globalisation**

Neo-liberalism is a political philosophy that has become increasingly prominent in the late 1980s-early 1990s that downplays the role of government intervention in the

economy. Neo-liberalism strongly advocates the market as a means to increase economic growth and achieve greater social equality. The rise of neo-liberalism internationally is closely linked to the coming to power of Reagan (1981) in the United States of America (US) and Thatcher (1978) in Britain.

Both Britain and the US used their control of the Bretton Woods institutions, the International Monetary Fund (IMF) and the World Bank (WB) to promote neo-liberal economic restructuring throughout the world. In the developing world, states were forced to accept “structural adjustment programmes”, based on neo-liberal solutions to economic and political problems, in return for financial aid. The creation of a single global market dominated by trans-national corporations has become the quintessential feature of the New World Order. Stoneman (1994) has argued that areas previously regarded as domestic affairs of the state (trade, exchange rate controls and social services) are “now routinely regarded as subject to the influence, if not outright determination by the World Bank and the IMF”. Ilon (1996) has argued that structural adjustment should not be equated with the imposition of World Bank and IMF lending conditionalities. She argued that many countries choose “to bring internal domestic markets in line with global factors...” (Ilon, 1996:23).

A key feature of neo-liberalism is its redefinition of the role of the state in modern societies. This redefinition is based on three assumptions:

(1) Governments lack the capacity to run large scale industrial and commercial enterprises and that the state should increasingly withdraw from the economy through processes of privatisation and deregulation. This implies the redefinition of the role of the state in the national economic arena.

(2) High levels of social spending in the West during the welfarist Keynesian period were unrealistic in the current conditions and that social provision on health, housing, welfare and education had to be reduced. (See Kallaway, 1995; Chisholm and Fuller 1997; Samoff, 1994; Carnoy, 1996 and Ilo, 1996.) As Nzimande argues, “Globalisation, with its attendant features of deregulation and privatisation, has been accompanied by a radical curtailment of the provision of basic services and the rolling back of the state’s commitment to social provision” (Nzimande, 1997: 4).

(3) Large public sectors are inefficient, unresponsive and wasteful and that the public sector should be restructured. Public sector restructuring involves privatisation, outsourcing of non-core business activities and the introduction of an entrepreneurial ethos into the public sector (Fairbrother, 2000). Hassen (2003) refers to this approach to public sector restructuring as the “contracting model”. An important aspect of the contracting model has been the decline of the traditional power of trade unions in the public sector.

## **Trade unions and political insurgencies**

Trade union responses to public sector restructuring are mediated by conjunctural conditions. A critical factor that influences the response of trade unions to public sector restructuring in a particular country is its relationship with the government of the day. In situations where governments have been hostile to unions and looking to privatise public services, unions have often acted to defend the rights of workers. Where governments have been progressive, unions have supported initiatives to redistribute and transform the public sector to the benefit of workers.

The role of trade unions aligned to political insurgencies when such insurgencies come to political power is a particularly relevant issue to consider in this context. Much has, for example, been written about the role of trade unions during the Russian revolution, the first socialist revolution in world history. There is also much speculation on whether the subsequent excesses of the Stalinist period can partially be explained in terms of the role played by the Russian trade union movement during the Leninist period, 1917-1924.

The Russian proletariat was a relatively small class. Tsarist Russia was a vastly feudal state, where the peasants greatly outnumbered the industrial working class. The Bolshevik Party, led by Vladimir Lenin, planned and executed the revolution in 1917, destroying the emerging capitalist system in Russia. The Bolshevik Party declared that

the state represented the “dictatorship of the proletariat”. Russian trade unions in the immediate aftermath of the revolution joined the Communist Party and became part of the organisation of the state.

Since the 1905 revolution, which Lenin described as the “dress rehearsal” of the 1917 revolution, the Bolsheviks actively organized in the trade unions (Bonnell, 1983). Its work in the unions was based on the premise that the trade unions had to be aligned to the Bolsheviks and that they had to be won over to support socialism. Lenin (1972) argued that since politics and work could not be separated in Russia, a close working relationship between the Bolsheviks and the trade unions was necessary. At the time of the revolution Russian trade unions were firmly aligned to the revolutionary agenda of the Bolsheviks.

This of course raises the question of the role of trade unions. Trade unions by their very nature exist to defend and protect the working conditions and living standards of their members. This distinguishes trade unions from political parties, which have a much more overt role *vis-a-vis* an existing political system. In the Russian case the traditional role of the trade unions was blurred from the outset, partly as a result of Tsarist repression in the years between 1905 and 1917, and partly as a result of Communist agitation in the unions. When in the wake of the counter-revolution (1917-1921) workers were confronted with industrial conscription, it was supported by the Russian trade unions on the basis that it was in defence of the revolution. During this period the trade unions assumed an increasingly important role in industrial administration. As the unions assumed the functions of a conventional industrial management the gap between the



leadership and the rank-and-file membership widened. Trade union leaders were no longer elected by members and where the Communist leadership disapproved of elected officials such elections were annulled. Increasingly the trade unions were coming under state control, and in effect many were becoming extensions of the state. The major objectives of the unions were related to the management of workers, maintaining labour discipline and promoting increased productivity. By the time Stalin came to power in 1924, the Russian unions were emasculated, bureaucratised and conservative. They had become instruments of the state and the Party and in many ways contributed to the Stalinist dictatorship (Sorenson, 1969).

There also exists a substantial literature on the role of trade unions aligned to political insurgencies in the South. The National Union of Namibian Workers (NUNW) was formed in exile in the early 1970s and it had close ties to the South West African Peoples Organisation (SWAPO) from its inception. When SWAPO, under Sam Nujoma, came to power after a negotiated settlement with the apartheid South African government in 1990, the NUNW officially affiliated to SWAPO. The NUNW only established a base amongst workers inside Namibia in the late 1980s. It was thus a relatively young federation by the time SWAPO came to power. The NUNW has seven member unions and claimed a membership of about 65 000 in 1993 (Bauer, 1993). The federation has experienced severe leadership capacity challenges as many officials constantly leave for more steady and financially rewarding positions in government (Bauer, 1993).

The NUNW, through its alliance with SWAPO, has won significant gains for labour in the post-independence period. A new Labour Act was passed in 1992 which represented significant gains for the labour movement in Namibia. The Act drew many excluded categories of workers into the formal labour relations system, including domestic workers, farm workers and public servants. It also protected the right to strike and encouraged collective bargaining between employers and trade unions.

A number of key factors have shaped the Namibian economy in the post-independence period. Namibia has an economy that relies heavily on primary and tertiary industries. By the mid-1990s the economy was struggling and it was shedding jobs. The trade unions seemed powerless in the face of growing retrenchments as they “are called upon (by their SWAPO government) to interact in harmony with employers, for the sake of the national interest” (Bauer, 1993:3). Despite continuing challenges, the NUNW remains in the alliance with the SWAPO government.

In Zimbabwe, the Zimbabwe Congress of Trade Unions (ZCTU) was formed through the Zimbabwe African National Union Patriotic Front (ZANU PF) and government efforts in 1981. The war of liberation was fought in the countryside and was led by the peasantry. The Zimbabwean working class was relatively small and did not play a significant role in the independence struggle. The formation of the ZCTU a year after independence is indicative of its relative strength in the liberation struggle.

Initially the ZCTU had very close relations with the ZANU PF government. In return for government concessions and advisory roles on labour matters the ZCTU provided political support to ZANU PF. Government and labour work well together and the relationship was mutually beneficial.

But by the mid 1990s the Zimbabwean economy was in steep decline despite a neo-liberal Economic Structural Adjustment Programme (ESAP) initiated in 1991 (Bond and Manyanya, 2003). Inflation rose sharply and the country experienced serious trade deficits. Zimbabwe experienced high levels of de-industrialisation coupled with massive job losses. The ZCTU took a leading role against the ESAP to defend the working conditions and living standards of its members (Raftopoulos, 2001). The ZCTU organized a number of key protest actions against the government's policies. Key amongst these was a month long strike by public sector workers in 1996, followed by a national stay-away against rising prices in 1997. The relationship between the ZCTU and the ZANU PF government has declined steadily since.

Trade unions will thus respond differently to restructuring initiatives. Labour-backed insurgencies were able to extract support for economic restructuring initiatives from labour, often at the expense of workers. Labour support in the initial period is of course based on the shared history of struggle and personal ties established during that struggle. But history also shows that sometimes this relationship between labour and political insurgencies may end in divorce. As Nelson Mandela warned COSATU at its third general congress:

You must be vigilant! How many times has a labour movement supported a liberation movement, only to find itself betrayed on the day of liberation? There are many examples of this in Africa. If the ANC does not deliver the goods you must do to it what you did to the apartheid regime (Mandela, N Speech to COSATU Congress, 1993).

## **Globalisation and education**

Tikly (2001) has usefully linked the theorisation of the relationship between education and globalisation to the schools of thought identified by Held et al. He suggests that the educational literature linked to the hyberglobalists and the sceptics are limited in various ways and argues that the transformationalists have the most to offer education. Tikly has identified authors like Stephen Ball (1998), Blackmore (1999), Roger Dale (1999), Margison (1999) and others as working within the transformationalist perspective. According to Tikly, the transformationalists have a lot to offer in terms of the complex and contingent link between education and globalisation, the role of the state in the globalisation process and how issues of language, culture and identity mediate the impact of globalisation in various ways.

Ball (1998), as referred to by Tikly (2001), has attempted to link the new international division of labour and increased social stratification within and between countries to education policy. He has shown how the emergence of “star” and “sink” schools in the quasi-educational markets of the West are linked to increasing social stratification linked to neo-liberal globalisation. Hill has suggested that this growing inequality within education systems across the globe can be linked to the neo-liberal philosophy that “has

taken place under the pressure from international capitalist organisations and compliant governments” (Hill, 2000:16).

Apple (1999) argues that there has been a right turn in education internationally. This right turn he asserts rests on the formation of a new alliance, which consists of fractions of capital, neo-conservative intellectuals, religious fundamentalists and fractions of the professional middle classes. This alliance is led by the neo-liberals who have integrated education into a wider set of ideological and political commitments. Central to this new commitment of education is the notion that the market needs to determine supply and demand in the education sector and that parents have the right to choose the type of education they want for their children. The role of the market in education and its benefits for nations, have become almost common sense. Whitty (1998) has indicated that the market may actually serve to reproduce and subvert traditional hierarchies. Ball et al (1999) have argued that the market often leads to education principles being compromised for commercial concerns in curriculum design and resource allocation. Apple (1999) argues that this system of parental choice is not neutral and actually advantages middle class parents. He suggests that middle class parents are more educated and are better able to decode and interpret the deregulated systems of choice. Middle class parents are also more able to move their children from under-performing schools because of their financial situation. Working class and poor parents in general are less likely to possess the cultural capital to interpret the new schooling system. This system is further exacerbated by differences in access and outcome based on race, ethnicity and nationality. Jansen (1999) has argued that these key features of the market are

increasingly present in the South African educational system. Whitty G et al (1998) suggest that markets have not addressed the inequalities in the system, but that they have in fact increased racial, ethnic and class inequities in education.

Jansen (1999) has suggested that education policy in South Africa has followed a markedly similar trajectory to the one that Apple describes for the US and England. He noted that education reforms “since the end of legal apartheid in 1994 have been lodged clearly and consistently within powerful economic rationales as the overriding motivation for ‘transforming’ apartheid education” (Jansen, 1999:11). He argued that the effects of neo-liberal policies in South Africa are markedly similar to those in other contexts. However, Jansen alluded to two distinctions with respect to the South African case, which he argued, suggest “a limitation in Apple’s theoretical landscape” (Jansen, 1999:2). The first one is that the cast of characters are very different in the two contexts. Apple has suggested that in the US and England the cast of characters include fractions of capital, neo-conservative intellectuals, religious fundamentalists and fractions of the professional middle classes. In the SA case this cast is very different and includes organised labour, civil society formations, government and even sections of the left wing, in particular the SACP. Another important distinction, according to Jansen, is that in the South African case the introduction of neo-liberal educational policies are based on a high profile discourse about the redistributive qualities of the new policies, and not based on a restorative discourse that is built on a romanticised view of the past, like Apple is suggesting for the US and the UK.

## **Post-Apartheid educational restructuring**

Post-apartheid educational reform cannot be understood and analysed without considering the context of international events and the consolidation of neo-liberal educational policies globally. Tikly (2001) argues that existing accounts of globalisation and education are western-centred and based on an analysis of globalisation in the developed world and is therefore less relevant for low-income developing countries. Globalisation, he suggests, has shifted the core-periphery relationship beyond relationships only between nations, but is increasingly creating new core-periphery relationships within nations, and exacerbating existing ones. The core now does not only include the wealthy nations, but also the elites in the poorer nations. At the same time, the periphery increasingly includes the poor in the developed world.

Tikly maintains that globalisation is multi-dimensional (with economic, political, cultural and social aspects) and these aspects are often contradictory. In the developing world globalisation is often equated with economic globalisation and specifically with structural adjustment policies. This focus on economic globalisation limits understanding of the impact of political, cultural and other aspects of globalisation on societies, and education systems in particular.

The participation of (governing) elites in the neo-liberal project and the growing gap it opens up between the rich and the poor, means that the state has to convince the people that the policies it pursues in the name of globalisation are legitimate. If the state is

unable to do this, there will be a legitimisation crisis. Offe (1985) argues that the state in capitalism has two often contradictory functions: (a) it has to support capital accumulation; and (b) it has to legitimise capital accumulation through maintaining the political support of those disadvantaged by it, by alleviating the negative effects of private capital accumulation. When the legitimacy of the state comes into question (Habermas, 1976) the state reverts to “scientific and rational” models legitimised by experts that reduce complex political issues to manageable technical ones. This provides valuable insights into the technical/rational model of the teacher rationalisation programme, where a complex political issue was reduced to a technical exercise through the utilisation of technical foreign and private sector “experts”. Fairbrother (2000) has referred to these processes as “depoliticisation”, noting that the state formally disengages from a range of issues, reducing such issues to technical ones, as if they are somehow not related to the structuring of class relations in society.

The post-apartheid teacher rationalisation programme had its roots in neo-liberal globalisation processes which were beginning to shape educational systems internationally. It has been well documented in the literature that this process was as much about the government acceding to the pressures from processes of globalisation as it was about creating equity in the system. Chisholm et al (1999) argue that the ANC government has voluntarily adopted a structural adjustment programme by putting the GEAR macroeconomic strategy in place. GEAR, they argue, commits South Africa to the key policy characteristics of structural adjustment programmes, including:

- Export-led growth



- Fiscal deficit reduction
- Restructuring of state assets (privatisation)
- Reduction of the public service
- The relaxation of exchange controls; and
- The shifting of the cost of social and welfare needs of the citizenry.

Akoojee and McGrath also noted that the imposition of the neo-liberal GEAR strategy was “the product of an internal change rather than one imposed from outside, as had been the case in many African countries” (Akoojee and McGrath, 2003:24). The policy was primarily designed to ensure South Africa’s economic competitiveness and its integration into the global economy.

Chisholm et al (1999), Vally and Tleane (2001), Jansen (1998), Akoojee and McGrath (2003) have argued that educational reform policies in South Africa and the teacher rationalisation process in particular, have been framed by notions of cost reduction and fiscal austerity that are linked to GEAR. Education policy since 1990, it is argued, has developed in terms of the broader economic logic that conditioned reform in South Africa. Chisholm (1997) has pointed to the emergence of a “global language” about education that is increasingly shaping education systems in line with neo-liberal market-oriented strategies. Fataar (1997) warned that the constraining context of GEAR would impact negatively on educational reconstruction. Vally and Tleane (2001) argued that GEAR places an emphasis on education reform in a context of fiscal austerity, decentralization of education and the concomitant shift of financial responsibility for

education from public to private sources. They further contend that the original intention of the teacher rationalisation measures, to ensure equity between schools by redeploying teachers from areas of over-supply to areas of under-supply, had been seriously undermined by budgetary constraints linked to neo-liberal macro-economic policies.

The role of teacher organisations in the rationalisation process has not been sufficiently documented. Besides a very limited study by Vally (1997), the role of SADTU in the rationalisation process in the Western Cape has received scant attention in the literature. Vally fails to capture the political nuances and the rich ideological debates that enveloped the implementation of the rationalisation process in the Western Cape. Also, the literature fails to show the continuities with the NP rationalisation strategy linked to the Education Renewal Strategy of the early 1990s.

The rationalisation process or its outcomes could not be predetermined or simply read off the existing global or local conditions. The process was complex and often contradictory. It involved struggle, compromise and settlement. The process of teacher rationalisation was contingent on a range of local factors, one of which was the support, or at least the acquiescence, of the teacher labour organisations.

## CHAPTER 3

### The Research Methodology

This study is an historical case analysis of the role of SADTU in educational policy formulation and implementation in the Western Cape from 1990-2001. The study was based on qualitative research drawing vastly on documentary evidence, as well as interviews with key role players.

#### Data Collection

The study drew extensively on a range of primary sources. These primary sources can be divided into three categories: (1) Media, (2) Documents and (3) Interviews.

1. The study drew extensively on the two commercial Cape daily newspapers, namely *The Cape Times* and *The Cape Argus*. It also relied on *The South* and *The Mail and Guardian*.
2. A number of organisations produced periodicals such as the TLSA's *Educational Journal* and SADTU's *Educators Voice* and *Educators' News* (produced in the Western Cape). From 1994 to 1996 SADTU Western Cape produced the *Educators' News* as the official mouthpiece of the union. The newsletter was edited by Simone Geyer.

A plethora of documents (pamphlets, posters, advocacy materials) was produced in this period. Since 1998 various SADTU structures (provinces, regions and branches) have collected such materials. I was able to use the local archives of the SADTU Cape Town and Stellenbosch branches, as well as some material of the SADTU Inland and Coastal Regions. I was also able to get access to the archives of the Provincial Education Labour Relations Council (Western Cape) and the very extensive electronic database of the (National) Education Labour Relations Council (ELRC). I also obtained some primary source material from the Western Cape Parent Teacher and Student Forum (WCPTSF).

3. The following key members of the union at the various levels were interviewed:
  - Simone Geyer: She was the Deputy Provincial Secretary during the rationalisation process in the Western Cape. She was the editor of the Educators News in the Western Cape, served on the Provincial SADTU negotiating team and was also a member of the national ELRC negotiating team between 1997-2001
  - Pat Williams: He served as the Regional Secretary for the SADTU Coastal Region and was an *ex officio* member of the Provincial Executive Committee of the Western Cape. He was also the first secretary of the Provincial Education Labour Relations Council in the Western Cape.
  - Themba Kojana: He was the Chairperson of the Eastern Cape SADTU province. In 1998 he was elected onto the National

Executive Committee of the union as its Vice-President for Sports, Arts and Culture. He held this position till 2002.

- Eddy Dames: He was the chairperson of the Stellenbosch SADTU Branch from 1996-2002.
- Marshall Hefke: He was the treasurer of the Southern Suburbs branch from 1998-2003.

Interviews were also conducted with those who led the community-based resistance in the Western Cape. There was a particular focus on the leaders of the Western Cape Parent Teacher and Student Forum (WCPTSF). The following community activists were interviewed:

- Fazilet Bell: She was the secretary of the WCPTSF since its inception to around 2001. She was also a teacher at Alexander Sinton High School in Athlone at the time of the introduction of rationalisation.
- Russell Bell: He was the regional coordinator for the WCPTSF in the Greater Cape Town area from 1996-2006. He is part of a small group of teachers that are still sustaining the organisation.

Key policy-makers and education department officials in the Western Cape Education Department were interviewed. Mr Dennis Pillay (Deputy Chief Education Specialist and first chairperson of the Provincial Task Team responsible for rationalisation and right-sizing in the province) and Ms Sindi Shayi (current Deputy Director General responsible for Schools and Governance in the WCED) were interviewed. Ms Shayi was a circuit

manager at the time of the introduction of the rationalisation programme and was responsible for the implementation of Resolution 5 and 6 of 1998.

Semi-structured interviews were conducted with key role-players. (See Appendices A1-A4) Interviews provide a rich and detailed look into the world of the participant and the complexities of the situation (Lemmer, 1992). Often these are used to verify and identify issues that are not illuminated in questionnaires. Also, they provide the researcher the opportunity to clarify questions and to probe for information. One should however also be aware of an important limitation of interviews i.e. that they are often steered and influenced by the bias that the interviewer brings to the process. This is not to mention some of the other limitations such as its time-consuming nature and the difficulty involved in the analysis of the data obtained (Isaac and Michael, 1993).

### **Interpretation, Validity and Reliability**

Validity refers to the extent to which one's findings match reality (Merriam, 1988). It is difficult to assess validity as reality is not fixed, is multi-faceted and primarily depends on the experiences of the researcher. Lincoln and Guba (1985) argue that the validity of a study depends on whether the researcher has been able to demonstrate that his/her findings are credible to those actors involved in the study.

The literature identifies a number of techniques to ensure greater validity. This study utilised the following techniques:

- Triangulation: This refers to using multi-data sources (normally three) to confirm the emerging findings of a study. Sayed, Soudien and Carrim (2003) suggest shifting this notion of triangulation to “polyangulation” meaning that a variety of different levels of triangulation occur within the study. This implies viewing the same data from different perspectives (by using more than one researcher for example). Denzin (2000) suggests the notion of crystallization, looking at reality through a crystal “that allows for multiple ways of framing the problem”.
- Polyangulation: This was an important aspect to ensure the validity of the claims of this study. Great care was taken to ensure that all claims were verified and supported by the evidence available.
- Member checks: Checking the data and the interpretations thereof continually with those from whom the data is derived. The interpretations of the interviews and even documentary sources were checked rigorously with all stakeholders. Polyangulation again was used here to ensure that the biases of the researcher did not unduly influence the interpretation of the available evidence. All transcribed interviews and main conclusions drawn from them were provided to interviewees for their consideration and comment. None of the people interviewed registered any objections with the transcriptions or the main conclusions reached. Copies of the final draft of this research will also be provided to all participants for comments and inputs.

- Participatory modes of research: This refers to involving the participants of the study in the actual research process. A group of participants representing the various stakeholders was asked to comment on various stages and conclusions of the research. This was done electronically and none of the respondents objected or had serious reservations about any of the main conclusions.
- Researcher's biases: The researcher has attempted to be explicit about his assumptions and conceptual understandings prior to and during the research process. These were clearly spelt out from the outset and regularly reviewed and checked throughout the research process.

This study drew on all the above to ensure greater validity. The concept of validity is highly contested in the literature. This study used it in two ways: (1) as a tool to confirm/validate the findings of the research or of a set of data sources; and (2) to obtain a deeper understanding of the issues through eliciting multiple views - the notion of the crystal (Creswell and Miller, 2000).

Validity is closely linked to reliability in qualitative research. Reliability refers to the extent to which the findings of the research can be replicated. Due to the nature of qualitative research designs (context, understandings of researcher, etc.), it is very difficult to generalise findings. Lincoln and Guba (1985) however suggest “dependability” or “consistency” of the findings as an alternative to “replicability” of



findings. In other words, they are suggesting that there is no need for other researchers doing the same study to get the same results, but rather for them to determine whether the results achieved make sense. Researchers can ensure greater dependability of results by: (Merriem,1984)

- The investigator's position: The investigator should locate him/herself in terms of the object of the study, make his/her assumptions clear and describe the social context from which the data is collected.
- Triangulation: Using multiple methods of data collection and analysis.
- Audit trial: The researcher must leave a trail of evidence to show to other researchers how he/she arrived at the findings of the study. Lincoln and Guba suggest that the researcher provides a "thick description" (everything a reader may need to know) of the study.

The research project was based on an historical case study approach that relied heavily on primary source materials and interviews with key role players. It attempted to ensure the validity and reliability of the findings through polyangulation, member checks and leaving an audit trial for other researchers.

## **CHAPTER 4**

### **Negotiations, Compromise and Rationalisation**

This chapter focuses on the structural and conjunctural conditions shaping the terrain on which SADTU operated in the period of transition. It will explore negotiations politics, compromise and the role of tripartite negotiation forums, particularly in education. It will also deal with the impact of globalisation, NP reforms and the mass strikes of 1993 in the Western Cape. The chapter will show the continuity between the NP-initiated rationalisation process of 1993 and the rationalisation process introduced by the ANC – led GNU in 1996. It will be argued that the inability of SADTU to engage and comprehend the implications of the Education Renewal Strategy (ERS) - the rationalisation process initiated by the NP - had far-reaching consequences for future educational reform initiatives under the post-apartheid government.

It is generally accepted that teachers and students played a major role in mass liberation campaigns and struggles that contributed greatly to the overthrow of apartheid. However, few works on political resistance have focused on the role played by teachers and their organisations. Also, the role of teacher organisations during the period of transition (1990-1994)<sup>5</sup> and in the formative years of the ANC government has not sufficiently been documented. Teacher politics and its influence on policy formation and implementation in the South African context has been analysed very little (See recent work by Govender (2005) and Kihn (2004) as exceptions in this regard). This study is an

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<sup>5</sup> There are differing views of what constitutes the transition in South Africa and how long this period lasted. The transition here is identified as the period since the unbanning of the ANC and other exiled organisations in 1990 and the coming to power of the ANC after the historic 1994 democratic elections.

attempt to make a contribution in this regard by focussing on the role of the largest teachers union, SADTU, in the teacher rationalisation processes initiated by the ANC government in 1996, as part of what Bond (2002) calls “homegrown structural adjustment”.

Badat (1999) in his analysis of the role of two mass based student organisations, the South African National Students Congress (SANSCO) and the Azanian Students Organisation (AZASO) during the apartheid period, has argued that in order to assess the contribution of any organisation to the struggle for liberation the following has to be considered - its historical development, social base, ideological and political character, role and contribution, immediate and long-term significance, the specificity of the particular social sphere and the terrain it occupied and its movement and activities on this terrain. This provides a useful starting point for an analysis of the role of SADTU in the rationalisation process in the Western Cape.

### **The Western Cape region: A brief historical overview**

The Western Cape province is one of the nine provinces of the new South Africa, created by the CODESA negotiations. It is located on the south-western tip of South Africa and stretches from Lambertsbay on the west-coast to just beyond Plettenberg Bay in the east. It has a relatively diverse economy with very good infrastructure and makes the third largest contribution to the gross domestic product of South Africa. The biggest employer

in the province is the clothing and textile industry with more than 170 000 people working in this sector.

The province has a population of about 4.2 million people with approximately 1.5 million located in the Cape Peninsula. The only urban centre of the province is around Cape Town, which is also the capital, and the economic hub, of the province. Tourism has become a major aspect of the local economy after 1994 as the province boasts great natural beauty with one of the world's seven floral kingdoms, the Cape Floral Kingdom with its large variety of indigenous *fynbos*.

Demographic patterns in the Western Cape differ markedly from the rest of the country, with the numeric dominance of coloureds in the province. By the early 1990s the provincial population was constituted as follows:

Coloureds	:	59.7%
Whites	:	22.1%
Africans	:	17.8%
Asians	:	0.7% (Kruss, 1995:91)

The demographic pattern of the province is a direct result of the history of slavery, colonialism and apartheid at the Cape. The first significant contact between the indigenous Khoisan people at the Cape and Europeans occurred around 1652 when Jan van Riebeeck landed at the Cape and established a half-way station for the East-India

Company on their trade route to Asia. The fertile agricultural land soon attracted more Europeans to the Cape with the French Huguenots arriving in 1687 and by 1795 the English had seized the Cape Colony from the Dutch. As Europeans moved inland, further away from the sea, they seized more and more of the land of the Khoisan, who did not put up any significant form of resistance. Primarily due to the superior firing power of the Europeans, many Khoisan ended up working for the Europeans by the eighteenth century (Penn,1992) and were thus incorporated into the settler society, but on the terms of the settlers.

White farmers experienced severe labour shortages from the earliest periods of contact and by 1658 the first slaves arrived at the Cape from Ceylon, Madagascar and Indonesia. Many slaves were Muslim, which had a significant influence on the Cape culture over time. Slavery at the Cape was brutal and coercive. But despite many individual acts of resistance, there was very little organized slave resistance at the Cape, the 1808 rebellion in Cape Town being the notable exception. Historians agree that this was primarily due to the fact that unlike the slave plantations of the Americas where slaves worked together in large numbers, slaves at the Cape were relatively isolated which made organisation, coordination and resistance difficult.

It is primarily because of its history of slavery that the Western Cape occupies a relatively unique position in the political economy of South Africa (James and Simons, 1992). Penn (1992) has shown that a large number of children, fathered by white settlers at the Cape, were of mixed-blood. This was mainly due to the large numbers of slaves

who lived and worked at the Cape. By 1774 their numbers had reached a significant level and the group was first referred to as “Bastard Hottentots”. (Hottentots was the derogatory term used by white settlers to refer to the Khoisan). The descendents of this group became known as the “Coloureds”.

A significant number of Africans also lived at the Cape as free burghers, thus they were not slaves. By 1750 they constituted about 16% of the population of the Cape district. They worked as artisans, cooks and fishermen and other menial jobs. James and Simons (1992) have suggested that this free black group has contributed to the development of a proletariat at the Cape, long before the mining revolution on the Rand.

The social structure at the Cape, although complex and stratified, was not as rigidly constructed according to race as the social edifice that emerged on the mines of the Transvaal during the nineteenth century. The Cape with its particular focus on textiles and trading had a relatively more fluid social organisation. Europeans controlled most resources and political power and were on top of the social hierarchy. “Bastard Hottentots” were next in line, followed by free blacks and then slaves. This hierarchy was fluid and influenced by race, origin (European or African), status (slave or free) and culture. These factors continued to influence and shape the political economy of the Western Cape long into the twentieth century.

A distinguishing feature of the apartheid period (mid-twentieth century) of the Western Cape has been the Coloured Labour Preference Policy. This policy determined that

employers had to first consider coloureds for jobs before they were allowed to employ Africans. Particular types of jobs were also reserved for coloureds. The policy was formally introduced in the 1950s by the NP as part of its broader apartheid programme. The policy aimed to: (i) Restrict the large scale immigration of Africans from the homelands into the Western Cape – it served as a regionally specific influx control measure; and (ii) It sought to divide and rule, pitting coloureds against Africans by creating a job colour bar and job reservation, which protected coloureds against competition for jobs from Africans; (iii) It sought to preserve what was perceived as the traditional settlement area of the whites and coloureds; and (iii) The strategy of course was to create a coloured bulwark between whites and Africans (Humphries, 1992:169)

The Coloured Labour Preference Policy was only abolished in September 1984. The more than thirty years in which it dominated the labour market and politics of the Western Cape had severe implications for race relations in the region, which hardened the boundaries, particularly between coloureds and Africans. The policy meant that many Africans who came to the Western Cape to look for work were either detained and forcibly removed to the homelands or had to find residence on the outskirts of Cape Town, beyond the group areas reserved for Coloureds and whites. This led to the rise of African informal settlements like Crossroads, which grew into a sprawling township, despite years of detentions, bannings and forced removals. An important consequence of the Coloured Labour Preference Policy has been the spatial and social separation of coloureds and Africans.

Bundy (1992) has argued that this separation based on race has had a tremendous influence and impact on the nature and terrain of struggle in the Western Cape. “Politically and historically these factors (geographic, cultural and linguistic barriers) have translated into real difficulties for those who have sought to construct strategies or organisations linking the different communities” (Bundy 1992:210-211). Bundy also suggests that because of the complexities of race relations in the Western Cape it was very difficult to build community alliances with youth structures, trade unions and democratic community bodies, like in the Transvaal and the Eastern Cape where these structures “were welded together through mass struggle”(Bundy 1992:215).

The political culture of the Western Cape is distinctive from that of the rest of the country. The reasons for this distinctive political character of the Western Cape are complex, but must partially be linked to the style and traditions established by the Non-European Unity Movement (NEUM) which grew out of the Anti-Coloured Affairs Department (Anti-CAD) campaign of the early 1940s (Chisholm, 1991). Alexander (1992) has suggested that the tactics of the political boycott and non-collaboration (often defined as the refusal to operate the machinery of one’s own oppression) have continued to impact on resistance and popular struggles into the 1970s and 1980s. The NEUM from its inception was influenced by the ideas of Trotsky, the Russian revolutionary and intellectual. The NEUM placed great emphasis on the role of intellectuals in revolutions and emphasized education as a tool of liberation. Teachers were regarded as a key aspect of this struggle and by 1944 the NEUM had assumed control of the Teachers League of South Africa (TLSA). Like other liberation organisations during the 1950s and 1960s the



NEUM also suffered from detentions, bannings and repression and many of its leading members were forced into exile. The Movement retreated into the schools and by the end of the 1960s schools like Harold Cressy, Trafalgar and Livingston were openly regarded as being “Unity Movement schools”. The role of the teacher at these schools was to grow a new cadre of committed socialist intellectuals, committed to debate, discussion and to exploding the myth of racial ideologies. Teaching was regarded as a noble profession and there was a great commitment to reading and intellectual activity. As Neville Alexander has argued, “Hardly any young intellectual in the Western Cape entered political life but through the portals of the NEUM” (Alexander 1986:2). And despite the fact that the Unity Movement was found wanting in the changed political conditions of the 1970s (see Alexander 1986 and Lewis 1987) with the resurgence of mass black trade union and student struggles, its traditions and strategies left an indelible mark on the politics of the Western Cape.

### **The history of the trade union movement in South Africa**

In order to locate teacher unionism in the Western Cape, it is important to reflect on the history of trade unionism in South Africa. South Africa has a long history of trade unionism dating back to the craft unions formed on the goldfields of the Witwatersrand by immigrant white mineworkers in the 1880s. These craft unions were mostly formed to protect white workers against competition from cheap African labour on the mines. The building blocks of the apartheid labour relations system were laid down on the mines in the 1920s when black workers were excluded from participation in a collective

bargaining system. The Industrial Conciliation Act of 1924 excluded African workers from the legal definition of ‘employee’. A formal job colour bar was also established on the mines. This created a dual labour relations system, which was reinforced and strengthened by the NP in 1953 and 1956, which included the extension of the job colour bar to other spheres of the economy.

The first trade union federation to organise black workers was the Council of Non-European Trade Unions (CNETU) in the 1940s. The first non-racial union federation, formed in 1955, was the South African Congress of Trade Unions (SACTU). SACTU emerged out of the general growth in political activity linked to the Defiance Campaign of the Congress Movement in the early 1950s and aligned itself politically with the Congress Movement led by the ANC. SACTU grew to a membership of around 55 000 in the early 1960s, before the federation was crushed by military and police repression and the union movement was forced into exile. SACTU was however never officially banned by the NP.

During the 1960s Coloured and Indian workers were allowed to join registered trade unions, and although there were no legal restrictions prohibiting African workers from joining trade unions, shop-floor conditions made it almost impossible to sustain worker organisations during this period. The security police maintained close surveillance of trade unions and many trade unionists were detained, banned or tortured to death in detention (Webster and Adler, 1999a).

By the end of the 1960s there were two main union federations in South Africa. The South African Confederation of Labour (SACLA) was a solely white union with a membership of about 190 000 and was primarily concerned with the maintenance of job colour bars. The other was the Trade Union Council of South Africa (TUCSA), a conservative and bureaucratic union with a membership of about 186 000, of which about 107 000 were coloured and Indian workers.

A number of new industrial unions for Africans emerged in the early 1970s. These unions were often referred to as independent unions to distinguish them from the existing conservative SACLA and TUCSA unions. The revival of African trade unions can be traced to the Durban strikes of 1973. In January 1973 about 100 000 African workers went on strike in the Durban-Pinetown area demanding a doubling of their wages. The strikes were a response to massive inflationary pressures in the economy since the late 1960s. Inflation greatly impacted the quality of life of black workers.

The strikes started spontaneously, but grew into the formation of new independent African unions, as workers began to recognise the need for organisations. These unions concentrated on building shop-floor trade union structures based on worker control. The new unions initially struggled, but by the end of the 1970s they had managed to build an alternative bargaining system to the one established in the 1920s, which formally excluded African workers. The alternative system was based on signing recognition agreements with individual firms. By 1979 there were five recognition agreements in place (Maree, 1987).

Faced by the emergence of this alternative industrial relations system, the apartheid government set up the Wiehahn Commission of Enquiry in 1977. Based on Wiehahn's recommendations the NP deracialised South Africa's collective bargaining and dispute resolution system by introducing the Industrial Conciliation Amendment Act in 1979. African workers were now classified as employees. The Act also established an Industrial Court to adjudicate on unfair labour practices. All trade unions were required to register to participate in the new system. Most African unions registered and obtained legal recognition and protection. They utilised the space provided to challenge unfair labour practices in the Industrial Court. Subsequent rulings of the Industrial Court entrenched the right to strike and compelled employers to negotiate with the unions in good faith. The incorporation of African trade unions into the formal industrial relations system did not imply inclusion into the political system. As a result the unions maintained their political focus and the alliances built up with the liberation movements in the 1950s and 1960s.

In April 1979 a number of the independent unions formed the Federation of South African Trade Unions (FOSATU) with a membership of about 20 000 (Buhlungu, 1999: 4). FOSATU together with a number of other unions, most notably the National Union of Mineworkers (NUM) formed the Congress of South African Trade Unions in 1985. The new federation brought 33 unions together with a combined membership of more than 400 000. The new federation committed itself to the principles of the Freedom Charter, but did not affiliate itself to any political party. COSATU based itself on the SACTU

tradition of shop-floor control, with elected shop stewards playing a central role in the running of the organisation.

By the early 1990s COSATU had grown to by far the largest trade union federation in the country. But by the mid-1990s the membership in the COSATU industrial unions had begun to decline. The unions in the mining, metal and textile industries in particular were heavily affected. This was primarily due to large-scale retrenchments in these sectors of the economy. The NUM for example was negatively affected by a stagnating gold price in the late 1980s, while the reduction or removal of tariff barriers in the 1990s rendered many South African businesses in the metal- (especially the motor car industry) and textile industries uncompetitive. At the same time however, public sector unions experienced a membership boom. By 1994 public sector unions were the fastest growing segment in COSATU, partly because of the decision of the federation to specifically target the public sector for growth. The largest of these public sector unions was SADTU, with a membership of around 200 000 by 1994.

After coming to power in 1994, the ANC as the dominant power in the GNU, established a task team to draft a new Labour Relations Act (LRA). The Act was passed by Parliament at the end of 1995 after prolonged consultations with government, business and labour. The LRA brought all workers into one labour relations system. An important feature of the new act was that it included public sector workers, as well as security workers, domestics and farm labourers. It entrenched the right to strike and provided for

the resolution of industrial disputes through the Council for Conciliation, Mediation and Arbitration (CCMA).

Another important creation of the post-apartheid labour relations system was the National Economic Development and Labour Council (NEDLAC). The new body was established to seek consensus amongst the state, business and labour on economic and social policy. But more about this later.

### **The history of teacher unionism in the Western Cape: An overview**

The wide range of teacher organisations that operated in the apartheid era was a direct result of the existence of fifteen racial/ethnic education departments. By 1990 four education departments existed in the Western Cape. These were:

- (i) The Department of Education and Culture in the House of Representatives (HoR) responsible for coloured education;
- (ii) The Department of Education and Culture in the House of Delegates (HoD) responsible for Indian education;
- (iii) The Department of Education and Training (DET) responsible for African education;

- (iv) The Department of Education in the House of Assembly (HoA) responsible for white education.

The various teacher organisations were shaped by political and working conditions in the racial and ethnic education departments in which they were located. In the Western Cape, like elsewhere in the country, two types of teacher organisations existed prior to the formation of SADTU in October 1990: Relatively large, conservative teacher associations officially recognised by the various racial departments in which they organised, and small radical teacher unions that did not enjoy official recognition. The associations were generally conservative and mostly operated within the rules and structures of the racial departments. They shied away from confrontational politics and operated mostly on the basis of official delegations to register their dissatisfaction with existing conditions. Their focus, in most cases, was on professional educational issues (Interview, Kojana, 2006).

The development of alternative radical unions that rejected cooperation with the racial education department authorities was a direct result of the inability of the associations to address the conditions in schools and to improve the working conditions of black teachers. The small teacher unions mushroomed in the turbulent 1980s and were often directly or indirectly linked to the Mass Democratic Movement, which included the United Democratic Front - the *de facto* internal wing for the then banned ANC. After the formation of COSATU in 1985, the small radical teachers' unions began to identify increasingly with the working class struggles of the time. The members of these small

unions often comprised the 1976 student generation, which often heroically resisted the unilateral imposition of Afrikaans as a medium of instruction in black schools. The members of these unions were more militant in their approaches and believed that direct political action was necessary to challenge the educational condition in black schools (Kojana, Interview, 2006). They also believed that the resolution of the educational crisis was intimately linked to the political struggle for liberation in South Africa (Interview, Kojana, 2006.)

A wide array of teacher organisations existed in the Western Cape by 1990 (Moll, 1991).

The conservative teacher associations in the Western Cape included the following:

- The Cape African Teachers Union (CATU) which organised predominantly conservative African teachers in the Department of Education and Training (DET).
- The Cape Teachers Professional Association (CTPA) which organised mainly conservative coloured teachers in the House of Representatives (HoR). It had a membership of about 10 000 by 1990 and was a dominant force in coloured teacher politics.
- The Teachers Association of South Africa (TASA) which organised predominantly Indian teachers in the House of Delegates (HoD). This was a very



small association, as the total number of Indian teachers in the Western Cape was very limited.

The small, teacher unions in the Western Cape included the following four organisations:

- The Western Cape Teachers Union (WECTU) was a small political union organising in HoR schools and having a predominantly coloured membership. WECTU was born from the student boycotts of the early 1980s and the bitter struggles that were waged on the Cape Flats against the imposition of the tri-cameral parliament. The union was officially launched on 25 May 1986 and was a direct outcome of the Concerned Teachers' Coordinating Association (CCTA) that was formed at the height of the student uprising in 1985. At its height in the 1980s it claimed a membership of about 2000. Many leaders of WECTU would emerge as influential figures in the newly formed united teachers union in 1990, SADTU.
- The Democratic Teachers Union (DETU) organised in the DET schools in the black townships of Langa, Nyanga, Crossroads and Gugulethu. Like WECTU it was a small political union. Its members were black African teachers who were teaching often under the most appalling conditions. There were various attempts between WECTU and DETU during the 1980s to form a united, non-racial teachers' organisation in the Western Cape.

- Education for an Aware South Africa (EDASA) organised white members in the House of Assembly (HoA) schools. DETU and EDASA never numbered more than a few hundred members each. These two organisations, together with WECTU, were linked by their close ties to the United Democratic Front (UDF) in the Western Cape and their allegiance to the banned ANC.
- The National Education Union of South Africa (NEUSA) was the oldest of the small teachers' unions having been formed in 1980 as a response to the student uprisings of 1976. Many teachers at the time rejected the approach of ATASA to the student struggles and felt that it was undemocratic and dominated by principals. NEUSA adopted the Freedom Charter, the guiding document of the banned ANC, and affiliated to the UDF at its formation in 1983. It also affiliated to COSATU in 1985. NEUSA provided the core group that drove the formation of SADTU. "It was the driving vehicle (of the unity process), because it took its mandate directly from the ANC" (Interview, Kojana, 2006).

The formation of SADTU on 6 October 1990 signalled a new era in teacher politics. The formation of the new union was facilitated by the ANC in exile and the ANC was instrumental in the adoption of the Harare Declaration, which was widely accepted as the basis for "principled teacher unity." SADTU brought together the conservative teacher associations and the more militant teacher unions.

SADTU Western Cape region was launched on 20 April 1991, but the region was severely constrained by the refusal of the various racial education departments to recognise it, as well as the decision by the CTPA not to join the new union. The CTPA cited the militancy of the new union and its strategy to protest during school hours as the reason for its withdrawal from the unity process in the Western Cape (CTPA, Pamphlet, Untitled, 1991). The CTPA split as a result of this decision with a group led by Randall van den Heever deciding not to withdraw from the unity process.

Van den Heever coming from a very conservative “colouredist” position in the CTPA beat Yusuf Gabru (the candidate supported by the radical teacher unions) to the position of General Secretary of SADTU (National) by only one vote. After the vote for the position of General Secretary of the new union was finalised, the conservative TASA and UTASA structures withdrew from the unity process due mainly to concerns over the issue of strategy and tactics of the new union. These conservative formations were however key in the election of Van den Heever and the more radical unions decided to lobby for a re-vote on the basis that the margin of the Van den Heever victory necessitated it. Also, it was argued that the withdrawal of the conservatives who had participated in the vote, rendered the original ballot null and void. There was general support for this position amongst the (radical) unions and it was clear that their candidate would be easily elected in the retaken ballot. But Yusuf Gabru declined the re-election and maintained that Van den Heever had won the election fair and square (Interview with SADTU NEC member<sup>6</sup>, 2005). Many union members felt betrayed and abandoned the attempt to ensure the election of a progressive candidate. The rise of the technocratic Van

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<sup>6</sup> This NEC member agreed to an interview on the basis of anonymity.

den Heever to the most powerful position in the union had severe implications for the future direction of the union and education restructuring in post-apartheid South Africa.

The election of the Western Cape-based principal, Membatise (Shepherd) Mdladlana, to the position of President of the new union, was engineered by the ANC, and NEUSA in particular. A small caucus of ANC aligned NEUSA members took a decision in early 1989 in Soweto (Interview, Kojana, 2005) to nominate and campaign for Mdladlana as the first president of a national teachers' organisation. Apparently the decision to support Mdladlana was due to his "evangelical Christian appeal" and his close allegiance to the ANC (Interview, Kojana, 2005). On 6 October 1990, Mdladlana was elected unopposed as the first president of the new union. The two most powerful positions in the union were now occupied by two men from very different political backgrounds, both coming from the Western Cape.

### **SADTU in the Western Cape**

SADTU Western Cape region was launched on 20 April 1991. The region was severely constrained by the refusal of the various racial education departments to recognise it, as well as the decision of the CTPA not to join the new union. The withdrawal of the CTPA from the teacher unity process meant that the new union in the Western Cape was numerically very small. In fact numerically the union in the Western Cape was smaller than the Soweto branch of the then Transvaal (Gauteng) region. The Western Cape SADTU region claimed a membership of about 2 500 at its launch (SADTU Launch,

Pamphlet, undated), but even this figure appears to be exaggerated. The new union was significantly restricted to the Cape Peninsula with limited support in the rural areas (“platteland”) of the Western Cape, where the CTPA held sway. The union also had a very limited presence in primary schools. Also, in the Western Cape the new union was rivalled by the small, but influential Teachers’ League of South Africa (TLSA).

The TLSA was a small left wing teachers’ organisation that organised exclusively amongst the coloured intelligentsia on the Cape Flats, especially amongst its teachers. It had a history of critical Trotskyist analysis and often advanced its positions on a range of educational topics through its mouthpiece the *Journal of the TLSA*. Its history was closely tied to the history of socialist politics in the greater Cape Town region and provided fertile space for socialist debate and discussion in the leftwing teacher underground during the 1970s and 1980s. Due to its vehement opposition to the disruption of schooling and its staunch rejection of the politics of “collaboration” at any level, the TLSA often refused to engage with any oppositional educational movements. This earned them the derogatory description of being “armchair revolutionaries”. (Interview, Geyer, 2006) As referred to above, there was also a close link between the TLSA and the New Unity Movement, a small Trotskyist grouping of leftwing coloured intellectuals.

### **The shifting political terrain of the 1990s**

On 2 February 1990 the National Party of FW de Klerk rescinded the bannings of the ANC, the SACP and the Pan Africanist Congress (PAC). Shortly afterwards the apartheid

regime released Nelson Mandela and other political prisoners, shifting the rules of political engagement and thus changing the terrain of political struggle and contestation in South Africa. This marked the beginning of a process of political negotiations, which dramatically altered the terrain of engagement between the state and the liberation movements.

Wolpe (1992) has argued that political negotiations between the apartheid state and the liberation forces were the result of “a relatively static, unstable equilibrium of power” that developed between the regime and the mass liberation movement in the late 1980s. He argued that both sides were unable to deal the decisive blow in this period and that 2 February 1990 did not produce a clear-cut political winner either. Both sides thus had to negotiate and compromise and both tried to win at the negotiating table what they could not secure on the battlefield.

The events of 2 February reshaped the terrain of contestation between the regime and the liberation forces. In the ANC there was broad agreement that the changing conditions necessitated new modes of struggle and a more “constructive” form of engagement with the apartheid regime. This in essence meant a shift from mass-based, grassroots struggles to negotiations as the primary means of political engagement.

This shift did not mean the total rejection of mass-based politics by the ANC. Cronin (1993) suggested that the ANC used mass struggle as a bargaining chip during the negotiations. He argued that mass struggle was seen “as empowering the negotiators so

that they can bestow upon the people their liberation...mass struggle is then essentially a tap to be turned on and off according to the perceived progress or otherwise (in negotiations)” (Cronin, 1993:23). O’Meara suggested further that “Both De Klerk and Mandela had to negotiate with at least one eye on their own fractious and contested constituencies, always bearing in mind the imperative to preserve their own powerbases” (O’Meara, 1996:8). On several occasions during negotiations the ANC “opened the tap” of mass struggle to allow its members who were becoming increasingly frustrated by the slow progress of negotiations to “blow off steam”(Alexander, 1995). On other occasions, as will be shown below, the ANC however intervened by closing off the tap of mass struggle in order not to harm the process of negotiations and compromise in Kempton Park, Johannesburg, where the Convention for a Democratic South Africa (CODESA) negotiations took place.

Negotiations became the primary means of political engagement after February 2. Negotiations were soon extended over a range of key areas including housing, health, education, defence and others. The NP proceeded with the establishment of a number of forums to negotiate agreements in such areas. Wolpe (1991) suggested that the NP, with state resources at its disposal and experience in running the apartheid system, was very well positioned to use this advantage to attempt to shape and direct the nature of a future democratic South African society. The ANC, on the other hand, Wolpe suggests, was unprepared for this form of engagement and was often out-manoeuvred by the regime.

One of the areas in which the NP attempted to shape the trajectory of the future system was in the field of education. The NP invited the structures of the liberation movement to join this process, but the invitation was rejected (Interview, Kojana, 2005). In May 1990 the then Minister of Education, Gene Louw, established an Education Renewal Strategy task team with instruction to develop the blueprint for a future educational system within the limited timeframe of one year. The task team was wholly made up of apartheid ideologues and bureaucrats and in June 1991 the task team presented the *Education Renewal Strategy: A Discussion Document* (subsequently referred to as the ERS) to the apartheid government.

The liberation movement also embarked on various initiatives in this period to develop a counter-weight to the apartheid government's process. The New Educational Policy Initiative (NEPI) initiated by the National Education Coordinating Committee (NECC) was one such attempt (NECC, 1992). There were various other initiatives led by COSATU and others by business. The general agreement in the democratic movement at the time was the integration of education and training in a system that would support lifelong learning for all – adults, out of school youth and pre-schoolers. There also existed a great deal of consensus on the principles that were to underpin the new education system namely equity, redress and quality in education (NECC, 1992).

The ERS was in line with a more conservative neo-liberal globalisation agenda in education that was emerging internationally. The discussion document was littered with “the need for efficiency”, “cost recovery”, “rationalisation”, “constructive participation”



and stressed the relationship between education and the market, and the role of the market in the equalisation of black and white education. It stressed the extension of the role of the private sector in schooling, particularly in curriculum design and development; and called for the devolution of control of schooling to local communities and for these communities to assume greater financial responsibilities for education provision.

The ERS also made recommendations to equalise provision between black and white education by addressing some of the more glaring aspects of apartheid education inequality. By 1991, for example, the state had allowed white schools to admit black learners, under certain conditions. But the ERS proposed the reform of apartheid education within the economic constraints of the apartheid state. By the early 1990s, due to the anti-apartheid struggle and the effects of international sanctions against the apartheid regime, the state faced a severe economic crisis. The ERS proposed the equalisation of educational provision and the amelioration of African education in particular, by shifting resources away from the previously more advantaged sectors (white, coloured and Indian). It proposed that the relatively privileged sectors of the apartheid education sector had to be rationalised.

The ERS proposed that rationalisation of these education sectors had to be effected through a combination of the following mechanisms:

- (i) The increase of the often favourable pupil-to-teacher ratios (PTR) in the white, coloured and Indian departments' schools to 35:1 in primary schools and 32:1 in secondary schools;
- (ii) The reduction of the role of the state in public education by broadening parental responsibility for education and the introduction of user-fees; and
- (iii) That state subsidies for education in the last three years of secondary education to be reduced from 100% to 75%, as well as the reduction of state subsidies to higher education.

The NP government acted swiftly on some of the recommendations of the ERS. It argued that some of the features of the future education dispensation had to be negotiated at the constitutional negotiations at CODESA, but that other aspects of educational reform “do not need to wait until the future constitutional system is in place and can be implemented now” (ERS, 1991:56).

Piet Claase, the Minister of Education in the House of Assembly (whites) proceeded with the proclamation of four basic models of schooling for white children in 1992. By 1991 the white schooling sector was divided into two main categories: Ordinary State schools which were fully funded by the state and were only allowed to admit white learners and teachers; and Private/Independent Schools which were subsidised by the state and were under some conditions allowed to admit a very limited number of black learners during the 1980s, for example the children of black Bantustan leaders and some diplomats.

In early 1991 it was announced that ordinary white state schools in the House of Assembly could choose to change their status to one of three school models. At the beginning of 1992 a fourth model was added by the apartheid government. Because of the Minister of Education of the HoA, Piet Claase, who initiated the new schooling models, the process became known in the popular media as the Claase Models.

White schools were given the following choices:

1. Model A: This model allowed ordinary state schools to become private schools.
2. Model B: The model allowed ordinary state schools to admit black learners, but the number of black learners was not allowed to exceed 50% of the total number of learners at the school.
3. Model C: This allowed an ordinary state school funded at 100% by the state to become a state aided school, reducing the state subsidy to 75%. These schools would however be allowed to offset the reduced subsidy by introducing compulsory user fees. The admission of other racial groups was to be determined by the parents of white learners, but could not exceed 50% of total enrolment.
4. Model D: This option allowed ordinary state schools to recruit an unlimited number of black learners. It was however only added in 1992 as an alternative to white schools that were struggling to survive due to dwindling white learner numbers.

The new models were mired in controversy from the very start and the white community rejected them *en mass*. Schools were only allowed to change their status if a two-thirds majority of parents at an institution supported the suggested change. This provision was created to ensure a veneer of democratic participation and community involvement, but backfired. Very few schools chose to change their status. Of the 1983 ordinary white schools that existed at the beginning of 1991 only 1 changed to Model A status, 692 to Model B, 51 to Model C and 6 to Model D. Thus 1223 or 62% remained ordinary public schools (SAIRR, 1992/1993, p. 591). This rendered the government's strategy ineffective and in early 1992 it was announced that all white schools would change to Model C status on 1 April 1992 unless more than two-thirds of white parents would oppose the change. Ninety-six percent of all schools did not oppose the change after the government announced that failure to change to Model C status would lead to severe funding cuts to white education (Edusource, No 2, 1993).

An important feature of the Model C schools was that parents elected a school governing body (SGB) which was granted the responsibility of administering the property and equipment of the school. Schools became juristic persons who could sue and be sued and SGBs acquired a high degree of autonomy with the right to set school fees, determine admission criteria and choose the language of instruction (Pampallis, 2002). This shifted the responsibility of the state for white education to (mostly) white parents, but still did not go far enough. (This is not to deny that the measures were also aimed at securing and defending certain privileges for the white community re the continued control of white education).

In February 1992 the state announced its plans to cut its contribution to white education by 17%, primarily impacting on staffing services with 4000 teaching jobs identified as redundant. But the retrenchment of 4000 white teachers at a time when the NP had to be wary of its own white constituency was a risky political move. A deal was struck with white teachers which allowed a teacher who was identified to be retrenched, to be granted early retirement with full pension benefits. These teachers would receive an annuity in addition to generous gratuities, a severance pay-out as well as relocation costs, if required. “Retrenched” white teachers could also return to teaching in future if they could secure posts. More than 4000 teachers accepted generous retrenchment packages, reducing government responsibilities to white education even further.

Buoyed by its success in the white education sector, the government now turned its attention to the other “privileged” education sectors, coloured and Indian education.

### **Rationalisation of coloured education**

This section will focus on the rationalisation of coloured education in the Western Cape. It is important to note that the HoR controlled all coloured schools nationally, and not only the coloured schools in the Western Cape. In September 1992 Abe Williams, the Minister of Education in the HoR, announced that his department was spending nearly 90% of its budget on teacher salaries, that it was facing a budget deficit of more than R170m and that the department would soon be facing bankruptcy unless it drastically

reduced its teaching personnel. The HoR calculated that 5790 posts had to be cut to meet its budget shortfall. The Minister also announced a Rationalisation Plan for the HoR which included the following key elements:

- The termination of all contract positions by the end of that year. This was a significant measure as many teachers in the HoR schools at the time were in temporary contract positions, of which a significant number were SADTU members;
- No renewal of textbooks for the following school year;
- The suspension of all study and vacation leave, as well as teaching incentive bonuses; and
- A moratorium on the appointment of substitute teachers at schools.

On 10 July 1992 the Coloured Persons Education Second Amendment Act was passed in the House of Representatives. This act extended the early retirement scheme of the HoA to coloured teachers in the HoR. The Act allowed teachers with more than ten years continuous service to opt for early retirement at the age of 50 with full service benefits, and for those who volunteered for the scheme below the age of 50 to have their benefits (gratuity and annuity) reduced by 0.4% for each month for which they retired before the age of 50. The measure was designed to encourage older teachers who were closer to retirement to leave the profession, thus making space for new entrants into the system.

Unlike the response in the HoA, the rationalisation announcement in the HoR was met with widespread condemnation. The new plan was rejected by a wide range of political-, teacher-, student- and community organisations in the Western Cape. Significantly, all three of the major teacher organisations in the HoR in the Western Cape, SADTU, the TLSA and the CTPA, came out in strong opposition to the rationalisation plan. But although there was widespread rejection of the rationalisation measures, there was very little agreement amongst the three organisations on the reasons for the introduction of the rationalisation measures and thus how to combat them.

SADTU, and the CTPA, did not reject the principle and necessity of restructuring/rationalisation, nor the actual measures of the rationalisation plan, but articulated opposition to the right of the NP to introduce rationalisation without consulting with the “rightful representatives of the people” (Interview, Geyer, 2006). The unilateral formulation and implementation of policy became the focus of the union’s opposition to the rationalisation policy. The union rejected the unilateral restructuring of the South African educational system as a last ditch attempt by the National Party to gain and defend privileges for white education before the introduction of majority democratic rule (Interview, Geyer, 2006). SADTU, like the ANC, demanded the formation of a national education forum where aspects of the future educational system could be negotiated. SADTU leaders believed that restructuring of the apartheid education system was not only necessary, but indeed long overdue. They were however convinced that teachers and learners would get a much better deal under an ANC government (Interview, Geyer, 2006). The “Anti-Unilateral Restructuring Campaign” was formulated by the

union as a response to the rationalisation plan in the HoR. The union stressed that it did not reject the inevitable restructuring and rationalisation of education in South Africa, but it believed that it would be better able to shape the nature and content of that process under a sympathetic ANC democratic government (Interview, Williams, 2006).

The TLSA, unlike SADTU, rejected the nature and content of the rationalisation programme. It argued that the rationalisation measures were linked to structural adjustment programmes that were imposed on developing countries internationally by the capitalist forces of the IMF and the WB. The TLSA argued for the resurrection of the concept of “imperialism” to understand the rationalisation strategy of the National Party. It argued that the IMF and the World Bank were imposing structural adjustment on South Africa in exchange for loans and that one of the conditionalities attached was the reduction of the public service and the withdrawal of the state from economic life (see Educational Journal of the TLSA, Oct-Nov 1992).

The TLSA however had very limited support in the Western Cape at the time and it was regarded as a radical leftist grouping linked to the New Unity Movement. Its views had very little currency at a time when nationalist populist euphoria was sweeping the country in the run-up to the first national democratic elections. SADTU openly mocked the TLSA as “colouredist, ultra-leftwing, armchair intellectuals” (SADTU, Pamphlet, 1993).

The SADTU National Council meeting of 29-30 September 1992 adopted the Anti-Unilateral Restructuring Campaign, stressing that the campaign had to take regional and



departmental peculiarities into account in the manner in which the state was implementing the rationalisation measures. At this stage the HoD had also announced its intention to rationalise Indian education with the adoption of the Indian Education Amendment Act (1992). The SADTU National Council also emphasised that it was not opposed to rationalisation *per se*, but that it opposed the right of the minority government to dictate the content and scope of rationalisation. It noted that some form of rationalisation was probably inevitable “considering the nature of apartheid education” (SADTU National Council Minutes, 29-30 September 1992). The National Council also resolved to oppose the unilateral imposition of the rationalisation schemes with all its might and sanctioned the formation of a national strike council to come into operation at the end of October 1992.

The National Strike Council was to be constituted of two committees:

- (i) A Steering Committee to be constituted by the members of the National Executive Committee; and
- (ii) A Strike Committee to be constituted by representatives elected by the regions.

The NSC was to coordinate a national teachers strike across the various education departments in which the union organised (*Cape Times*, 10 August 1993). The NSC was structured to ensure maximum participation of the members of the union in the content and nature of the strike. It was to be a democratic organ of the union during the strike

period, ensuring that all members and regions<sup>7</sup> were given an equal opportunity to have their voices heard. The various regions of the union were also instructed to form Regional Strike Councils (RSC), similar to the National Strike Council, to ensure the coordination of the strike at regional level ( SADTU, *Tasks of the National Strike Council*, Pamphlet, Undated).

On 9 October 1992 a SADTU NEC delegation met HoR representatives at the Department's Roeland Street offices in Cape Town. The meeting ended in a deadlock when the HoR refused to subject the announced rationalisation plan to negotiations with the union. Union leaders staged a sit-in. Seven SADTU national leaders were then locked in, were refused to leave the building and were denied food and water, as well as access to medical treatment and legal representation. SADTU WC hurriedly organised support for its leaders and hundreds of SADTU members spent two nights on the streets outside the HoR offices in support of their leaders (Interview, Hefke, 2005). By noon the following day a large crowd of supporters had gathered outside the building. Fuelled by reports that the delegation was being detained by the Department against its will, the union made maximum publicity in the disenfranchised black communities. Pamphlets were distributed widely across the Peninsula to churches, mosques and schools. The union stressed the importance of the role of parents and the community at large in the struggle against rationalisation and that the rationalisation measures would result in the decline of educational standards (SADTU Pamphlet, 10 October 1992).

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<sup>7</sup> SADTU regions were geographically organised. This was a complex constitutional arrangement as the nine regions roughly coincided with the nine provinces of South Africa, adopted after the 1994 elections. The regions were too large and difficult to organise (often including at least three or four different education departments). These regions were consolidated into nine broader provincial structures at the Second National Congress of SADTU in 1994.

On their release from the building, it emerged that the union gained access to a secret document in the department's offices, which outlined the severity of the intended rationalisation plan for coloured education. It was apparent that the HoR was planning to retrench thousands of coloured teachers across the country, but particularly in Cape Town, Port Elizabeth and Kimberley, where it had identified a glut of teachers (Interview, Geyer, 2006).

The union planned a march to coincide with the opening of Parliament on 12 October 1992. Thousands of teachers turned out to “free” the union leaders from the HoR Department of Education. In an attempt to disrupt the march the police arrested a number of teachers on illegal gathering charges (*The Cape Argus*, 12 October 1992). The “detained” leaders of the union later emerged from the Department's offices and led the large crowd to hand over a memorandum to parliament condemning the National Party for attempting to reform South African education without consulting the mass democratic movement. The ANC, represented by Walter Sisulu, called on the government to enter into meaningful negotiations with the liberation movements to ensure the democratic transformation of education. (*The Cape Times*, 13 October 1992).

The sit-in and the protesting teachers created very favourable publicity for the union and highlighted the Anti-Unilateral Restructuring Campaign in the Western Cape. A wave of mass protests swept over the Cape Flats. The protests reached a crescendo in October 1992. Mass protests, often organised after or before formal school hours, became part of

the educational landscape in the region. Mass action took the form of protest marches to regional departmental offices, blockading busy motorways to draw attention to the plight of education, placard demonstrations and mass meetings. The homes of senior departmental officials were targeted and often hundreds of SADTU members accompanied by members of the local communities would gather at the homes of such officials. Principals who were seen to be cooperating with the authorities were forced to distance themselves publicly from the rationalisation plan, (SADTU, *For or Against the Community*, Pamphlet, 1993) and a policy of non-cooperation with the Department barred subject advisors and inspectors from schools.

As the rationalisation crisis deepened both SADTU and the TLSA called on parents to play a more active role in the struggle against rationalisation. The three major unions often shared platforms in this period and encouraged communities to assume control of their schools by forming democratic organs of school governance. In early October 1992 a Parent Teacher Student Association (PTSA) Forum was formed in the Southern Suburbs representing 33 primary and secondary schools. Brian Isaacs, a member of the TLSA, was elected as the first chairperson of the new Forum. The Forum organised a number of marches, pickets and protest meetings against the rationalisation plans. Speakers from SADTU, TLSA and CTPA often addressed these meetings jointly (Southern Suburbs Forum, Pamphlet, 1992).

Although the Southern Suburbs PTSA Forum was the only formally constituted forum, community structures emerged across the Peninsula. The Bo-Kaap Parents Committee,

the Bellville Concerned Teachers' Forum, the Mitchell's Plain Crisis Committee and the Kensington-Factreton Crisis Committee organised mass community pickets, protest meetings and marches throughout October 1992.

On 2 November 1992, the Minister of Education in the HoR, Abe Williams, announced the withdrawal of the rationalisation measures (*The Cape Argus*, "Williams backs down", 2 November 1992). Williams cited the threat to the year-end examinations as the major reason for the withdrawal of the measures. It was however sustained mass action and the relatively united response demonstrated by the teacher organisations and the community of the Western Cape that forced the HoR to withdraw its rationalisation plans.

But the celebrations were short-lived. In December 1992, Abe Williams was summoned to a meeting with then president FW de Klerk and Finance Minister Derrick Keyes and was instructed to reintroduce the rationalisation scheme (*The Weekly Mail*, 2-9 December 1992).

Despite the withdrawal of all rationalisation measures in HoR schools with Circular 53/93 dated 4 November 1992 and withdrawal letters to all schools dated 7 December 1992 in which Abe Williams confirmed the withdrawal ("*terugtrekking*") of all rationalisation measures, the HoR had no intention to abandon its rationalisation plans. After the successful completion of the year-end examinations and the closure of schools for the December school holidays the HoR issued Circular 67/92 on 22 December 1992.

This circular noted that the “measure not to appoint substitutes for teachers must unfortunately be implemented” (p2).

The CTPA, through its national structure UTASSA, filed for urgent relief in the Cape High Court (Case No 289/93) arguing that the HoR did not consult with them. A similar suit was filed by the South Peninsula High School (Case No 268/93) which would have been severely impacted by Circular 67/92 as it would have been left without three members of its permanent teaching staff.

Judgement was delivered on 10 February 1993, setting aside Circular 67/92 and instructing the HoR to negotiate with all affected roleplayers. The judgement however did not force the HoR to provide substitutes for teachers on leave. South Peninsula commented on the judgement indicating that it “is likely to be an even greater loss of faith in the courts as instruments of change and upholders of the rights of people because it will continue to be difficult to challenge ministerial decisions irrespective of the harsh or oppressive nature thereof....the practical effect of this judgement is that it will not be easy to fight the government’s plans particularly for education through the courts” (South Peninsula High School, Press Release, 13 February 1993).

SADTU WC also responded by noting that “(T)o rely on the South African courts, with their appalling record of justice, to overturn what De Klerk’s cabinet has decreed is clearly short-sighted, naïve and futile” (SADTU Western Cape Bulletin, Vol 2, June 1993).

The lawyers for South Peninsula High School advised the school “...and other schools to constantly look at ways in which to resist the Department in an ‘extra judicial way’” (Letter from E Daniels to B Isaacs, 11 February 1993). Many SADTU members in the Western Cape were convinced that a national strike was the only way left to fight the rationalisation measures.

### **Towards the first national teachers’ strike**

A number of key national developments in early 1993 shifted the thinking of SADTU nationally and led to the first national teachers’ strike in South Africa.

(i) The deadlock in salary negotiations: On 15 January 1993 State President FW de Klerk announced the immediate suspension of public sector salary negotiations and the unilateral imposition of a 5% across the board salary increase. SADTU National rejected the salary increase as inadequate and expressed its “bitter disappointment” with the unilateral action of the apartheid regime (SADTU Press Release, 15 January 1993).

(ii) Increased industrial (strike) action amongst SADTU members: The formation of SADTU, the first national teachers union, the untenable working conditions in the various racial education departments and the more open political climate after 2 February 1990 (Moll, 1991) led to a dramatic increase in teacher political activity in South Africa in the early 1990’s. Teacher activities often took the form of wildcat strikes or “chalk-downs”

in this period. It was difficult for the young union to coordinate these activities as it was effectively organising in 19 different education departments, in which working conditions differed markedly. Two major wildcat strikes in the early 1990s, together with the salary issue that affected all members across the various departments, provided the impetus for the union to mount a coordinated campaign to address the education crisis in South Africa.

(iii) In 1992 the Indian HoD administration introduced a “department specific” merit award, which allowed for the payment of a cash bonus to teachers or departmental officials for exceptional service. SADTU in the HoD rejected the merit awards arguing that the criteria for identification of exceptional service were subjective and called for the awards to be scrapped. The HoD proceeded with the allocation of the awards at the end of 1992 and by May 1993 it reported that more than R2m in awards were allocated to more than 78 officials and teachers (SADTU News, Vol 1, 1993). This led to about 8000 teachers embarking on a wildcat strike for about 3 days in the HoD schools, particularly in the Natal and Transvaal provinces.

(iv) A major wildcat strike occurred in the Transkei in early April 1993 over salary disparities between male and female teachers. Although salary parity was created in all apartheid departments on 1 July 1991, the Transkei homeland education department excluded its teachers from this agreement. About 29 000 teachers went on strike to demand salary parity for all female teachers in the Transkei.



Throughout the country there were calls from the various SADTU regional structures for a coordinated, national strike to resolve the myriad issues confronting SADTU members in the departments in which they worked. The SADTU NEC, recognising the importance of responding to the needs of its members, called a national strike ballot for 26-30 April 1993. It was thought that a well-publicised national ballot could strengthen the union's hand in negotiations with the apartheid government (SADTU News Vol 1, No 2, 1993).

Only paid-up SADTU members were allowed to participate in the national ballot. Elected branch leaders administered the secret ballot with about 70% of all members participating and more than 90% voting in favour of strike action. The authorities rejected the ballot outcome on procedural grounds claiming that an independent auditor had to verify the ballot, but despite these objections the SADTU NEC announced an indefinite, national teachers' strike on 15 May 1993. The NEC claimed that its decision was a direct response to the intransigence of the apartheid regime on the re-opening of salary negotiations and a range of other issues (SADTU Press Release, 15 May 1993).

SADTU WC welcomed the announcement of the national strike date as it was felt that it would allow the union to deal decisively with the threat of rationalisation in the Western Cape (Interview, Williams, 2006).

## **Strike Action in the Western Cape**

After the national ballot (26-30 April 1993) the Western Cape region adopted the theme “Building Community Support”, as it acknowledged that community support would be vital for the success of the strike. The SADTU Regional Executive Council (REC), the highest decision making structure of the union in the Western Cape, issued an instruction to all its sites to inform parents about the rationalisation plan and its expected impact on schooling, to continue to build democratic PTSAs and student structures, and to build alliances with community based organisations and other educational structures (Matolengwe I, Strike Analysis Report to SADTU National, June 1993, P3).

The call for SADTU members “to build the broadest possible unity with the community”, was however cautiously approached by the union (SADTU Pamphlet, 1993). This was primarily because many parents in the Western Cape were reluctant to support strike action by teachers (Interview, Dames, 2005). Despite the call to build alliances, the union stressed that principled alliances should be avoided because of the “destructive nature of this form of alliances” (SADTU Western Cape Submission to the National Education Policy Conference, 1993). The union proposed much more flexible alliances which would allow it to dissociate itself from its partners when it became necessary.

In fact the union at the time feared a backlash from parents in the event of a strike (Interview, Dames, 2006) The union was particularly concerned about the formulation of

the initial national ballot question which was limited to the 5% salary increase, and lobbied intensely in the other regions of the union to have a question on rationalisation included. The union feared that to go on strike for higher salaries only would alienate parents even further from their cause and could in fact impact negatively on the anti-unilateral restructuring struggle (SADTU REC Minutes 24 April 1993).

The NEC compromised and the following questions appeared on the final ballot paper:

*Do you support industrial action (including strike action) against cutbacks in public education?*

*Do you support industrial action (including strike action) for an inflation related increase and a minimum living wage for all teachers?*

Due to the inclusion of the rationalisation question SADTU WC registered 85% participation in the national ballot with 92% of members voting in favour of strike action. The overwhelming mandate of the union in favour of strike action was largely as a result of the New Deal announced by the HoR in April 1993.

### **A New Deal**

In his budget vote speech on 17 May 1993 the new Minister of Education in the HoR announced that the Department of Education (HoR) was to proceed with the rationalisation plan with effect from 1 July 1993 due to increasing budgetary pressures.

Saaiman announced a New Deal which would allow all teachers (previously teachers in promotion posts were excluded) to apply for early retirement. The scheme would also provide for five additional pensionable years for all teachers, as well as six month state contributions to medical aid and housing subsidies. This new deal, which was referred to as the package in the Western Cape, was very attractive to especially senior teachers in promotion posts (principals, deputy principals and heads of department).

Saaiman also released a Procedure Manual on 13 April 1993 setting out procedures to be followed to identify teachers in excess. The rationalisation plan was to be based on the following ratios: 30:1 (primary schools<sup>8</sup>); 25:1 (junior secondary schools<sup>9</sup>) and 20:1 (senior secondary schools<sup>10</sup>).

The Procedure Manual identified the following procedures:

1. The principal in collaboration with the school committee (often conservative parent committees) were to identify teachers who were in excess of the school's establishment.
2. Teachers could volunteer for early retirement. Teachers in promotion posts would not have their posts abolished, but instead a post level 1 post would be identified for abolition.
3. Where (1) and (2) above failed, a departmental official would identify teachers in excess. The teachers identified in this manner would not qualify for the benefits of

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<sup>8</sup> Grades 1-3

<sup>9</sup> Grades 4-7

<sup>10</sup> Grades 8-12

the early retirement scheme. This was an attempt to encourage teachers to opt out of the system via the “package”.

Although the Procedure Manual stated that all procedures should be followed with “great circumspection (fair, reasonable, objective) and compassion”, it lacked a monitoring mechanism or dispute resolution procedure. Teachers feared victimisation and nepotism by principals and school committees.

In early April 1993 the new staff establishments<sup>11</sup> were supplied to all schools and the extent of the impact of rationalisation on individual schools became apparent. At the 36 high schools in the Mitchell’s Plain area 296 level 1 posts were identified as in excess, 15 posts at a school in Stellenbosch, 13 posts at Grassy Park High and 8 at South Peninsula High School. The threat of mass retrenchments thus faced HoR teachers and SADTU members voted overwhelmingly in favour of strike action as a result.

The SADTU ballot had the desired effect. On 19 May 1993 a meeting took place in Cape Town between the National Party and the ANC to address the growing education crisis and to avoid a national teachers’ strike. The meeting took place at the highest level with the state delegation led by De Klerk and Mandela leading the ANC delegation. Significantly, SADTU was not represented at this meeting. The De Klerk-Mandela meeting reached the following agreements:

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<sup>11</sup> A staff establishment indicated the number of teachers a school qualified for in terms of the number of pupils it had enrolled. This was achieved by simply dividing the number of learners at a school by the PTR. Principals and other management staff were included in the ratios.

1. An Education Forum would be established where the restructuring of education and retrenchments could be addressed.
2. The government agreed to re-open the aborted public sector salary negotiations.  
(De Klerk Press Release, 20 May 1993)
3. The specifics of the issues in education would be addressed between the various education departments and SADTU without delay.

The meeting between SADTU and the National Department of Education took place on 21 May 1993 and the following agreements were reached:

1. Salary negotiations to resume within four weeks.
2. No new rationalisation programmes would be initiated. All future rationalisation programmes would be referred to the Education Forum.
3. Merit awards in all education departments would be reviewed.
4. SADTU would publicly announce the suspension of the strike (SADTU Press Release, 21 May 1993).

On the evening of 21 May 1993 the SADTU president, Mdladlana, suspended the strike with an announcement on national television without consulting the membership. He indicated that the union would consult with its members and that the meeting with the Department of National Education would reconvene on 26 May 1993 to ratify the draft agreement. SADTU WC rejected the NEC's decision claiming that democratic decision-making did not occur on the matter (SADTU WC Press Release, 23 May 1993). It also

rejected the aspect of the draft agreement which determined that no “new” rationalisation measures would be introduced, as it argued that it meant that “old” measures like the HoR ones could logically be concluded. The SADTU Western Cape REC resolved to continue with the regional strike on 24 May 1993 and to review this position on 25 May 1993. Mdladlana rejected the Western Cape decision and lambasted the SADTU WC leadership (*The Cape Times*, 24 May 1993). SADTU WC members however defied their national president and at the review meeting on 25 May 1993 the region decided to proceed with the strike till after the meeting with the DNE on 26 May. The meeting also resolved that a Western Cape representative be included on the national negotiating team that was to meet the DNE. Although both Mdladlana and Van den Heever were from the Western Cape the region wanted their chairperson, Vivienne Carelse to be included in the negotiating team as it was felt that she “would be able to adequately represent our interests” (SADTU WC, Minutes of Meeting, 25 May 1993). It was also resolved that Mdladlana would be requested to explain his comments in *The Cape Times* (24 May 1993) to the REC. It was argued that Mdladlana “was still part of the Western Cape even though he forms part of the NEC. He is therefore bound by the region’s position” (SADTU WC, Minutes of Meeting, 25 May 1993).

The NEC, pressured by the firm position of the Western Cape, managed to shift the draft agreement with the DNE and all outstanding matters, including the rationalisation measures in the HoR schools, were referred to the National Education and Training Forum (NETF). In an about-turn by the SADTU WC leadership, prompted by a major attack on the SADTU WC leadership by the NEC, and the chairperson in particular, the

regional leadership urged its members to accept the revised agreement. It was argued that most regions of the union had accepted the revised agreement and that it was in the interest of organisational unity that the Western Cape should thus also endorse it (Interview, Felix, 2006). Encouraged by its leadership, SADTU WC members voted in favour of the suspension of the strike.

Two other factors also prompted the decision: (i) The approaching June mid-year examinations; and (ii) The strike had limited support in the black townships, with the Nyanga, Gugulethu and Khayelitsha branches of the union voting in support of the NEC decision to suspend the strike. “Coloured members of the union did not want to be accused of being insensitive to the needs of the black comrades” (Interview, Felix, 2006).

### **Rationalisation continues**

The HoR announced in early June that the rationalisation measures for coloured education were not covered by the 26 May agreement, and that it “does not form part of the matters that will be dealt with by the envisaged National Education Forum.” (SADTU, Western Cape Bulletin, June 1993) The DEC (HoR) would thus proceed with the abolition of 3200 posts, as initially identified.

Circular 34/93 dated 10 June 1993 stated that substitute teachers would not be appointed for teachers on leave. It noted that the DEC (HoR) would only consider substitutes in cases where “...a rationalisation programme has been presented and approved on how the



teaching personnel is brought in line with the parameters of the school's establishment.” Schools that refused to right-size would thus be forced to start the new school term without teachers on leave.

At the same time the HoR provided schools with the monetary allocations for the new financial year (April 1993-March 1994). The new allocations for schools cut spending on coloured education by nearly 50% (*The Cape Argus*, 11 July 1993). The allocations of most HoR schools were slashed with between 30% and 50%. Ravensmead High School was cut from R117 000 to R84 000 and South Peninsula from R75 000 to R53 000 (*The Cape Argus*, 11 July 1993). Many other schools faced similar cuts.

SADTU WC decided to not disrupt the June 1993 examinations, but to seek to build a national consensus at the union's second national congress scheduled for July 1993. It resolved “...to unite all our comrades about the necessity for a national response to this onslaught by the De Klerk regime” (SADTU, Western Cape Bulletin, June 1993).

The SADTU Congress resolved to resume negotiations with the state on 22-23 July 1993 on the salary issue as this matter was not resolved at the 26 May meeting with the DNE. It further resolved that failing satisfactory progress in negotiations on the matter, the union set a new date for a national teachers' strike for 16 August 1993. The Congress also resolved that it would continue to pursue all other outstanding matters through the

NETF despite the fact that “the balance of forces in the NETF was not necessarily to the advantage of SADTU”.<sup>12</sup>

The 22-23 July meeting with the DNE deadlocked with the state refusing to improve its final offer of 6.7% across the board. SADTU requested its regions for fresh mandates on the question of strike action and on 7 August 1993 the union announced a new national strike to commence on 16 August. The SADTU WC again voted overwhelmingly in favour of the continuation of the strike.

On 13 August 1993 the HoR, HoD and the DET all successfully interdicted SADTU to prevent it from going on strike. SADTU rejected the interdicts and announced that, “It does not affect our decision to go on strike” (*The Cape Times*, 14 August 1993).

On 16 August thousands of SADTU members across fifteen different education departments came out on strike. The strike in the Western Cape was well supported in the HoR schools, with significantly support from schools in the HoD and DET.

The SADTU NEC was placed under severe pressure by the ANC to bring the strike to a speedy end (Interview, NEC member, 2006). Two meetings took place between members of the SADTU NEC and the president of the ANC, Nelson Mandela in early August to

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<sup>12</sup> The NETF was established in July 1993. Its founding statement committed the body to the pursuit of the following objectives: (i) To seek agreement on how to resolve the present education crisis; (ii) To seek agreement on the restructuring of education; and (iii) To seek agreement on the core values and a broad framework for a future education system. The numbers in the NETF were weighted in favour of the state, with SADTU controlling only 2 of a total of 21 votes in the Forum. Also, clause 7.4 of the Founding Agreement stated that “...no member (of the NETF) can be bound to an agreement to which it does not subscribe and such a member will remain free to campaign for its own point of view.” This meant that, in the unlikely event that the state was not satisfied with a particular resolution of the NETF, it could withdraw from it with impunity.

try and find a resolution to the education dispute. On 19 August 1993 SADTU again met the DNE to address the salary issue. The union demanded a 15% across the board increase as well as a R1437 minimum wage for teachers. The state conceded to the minimum wage demand and undertook to reply formally to the union on 17 September 1993 on the 15 % salary demand. The meeting also resolved to refer the rationalisation matter of the HoR to the NETF for resolution. In a strike update report to all regions the NEC proposed the suspension of the strike due “to significant gains made in negotiations, including on rationalisation and other outstanding issues” (SADTU, Strike Update, 22 August 1993). SADTU WC rejected the NEC assessment, but came under increasing pressure from parents and learners to suspend the strike. Individual members began returning to work at the end of the first week of strike action and there was division amongst SADTU members on the continuation of the strike (Interview, Felix, 2005). On 25 August 1993 the NEC announced the suspension of the strike noting that “significant gains have been made in respect of our battle for a living wage, general salary increases and the job security of teachers” (SADTU, Press Release, 25 August 1993).

The August strike ended in defeat for SADTU, particularly for its Western Cape region. After the suspension of the strike the NEC identified the following unresolved issues for continued mobilisation:

1. A 15% across the board salary increase;
2. The appointment of substitutes in all vacant HoR posts;
3. Opposition to unilateral cutbacks in education;

4. The reinstatement of 3000 posts abolished in the HoR since 1992; and
5. The recognition of SADTU in the Ciskei, Transkei, KwaZulu and Lebowa (all apartheid homelands).

These were all central issues to the declaration of the national teacher strike and remained unresolved when the NEC decided to suspend the strike. It was clear that very little had actually been achieved prompting the Mitchell's Plain SADTU branch to note, "It seems there are forces inside and outside SADTU that are pressurising our negotiators." (SADTU, Minutes of REC meeting, 27 August 1993). In fact many SADTU members felt that "nothing was gained" (SADTU, REC Meeting Minutes, 20 April 1994).

The aftermath of the strike shifted the progressive energies of the union away from the rationalisation battle. There were primarily three main reasons for this:

(i) The approaching final matriculation examinations. Many teachers felt that they did not want to jeopardise the final examinations of their matric students and after the suspension of the strike many felt that the last month of school should provide uninterrupted schooling for them.

(ii) A bitter internal feud over the implementation of the "no work, no pay" rule ensued. SADTU was recognised by the HoR in 1992 and permanently employed teachers who were members of the union, were allowed to have their union subscriptions paid via stop orders on their salaries. Many SADTU members were however temporary teachers and did not qualify to access the stop order facility for this purpose. At the end of the strike

the HoR sent letters to all SADTU members informing them that the “no work, no pay” rule would be applied, unless they make written presentation to the HoR to indicate that they were not on strike. Such representations had to be counter-signed by school principals. The union advised members to deny they were on strike thus placing the onus on the Department to prove that they were. Many SADTU members rejected this strategy. Also, those members not on stop order were not affected by the implementation of the “no work, no pay” rule. This issue caused major divisions in the Western Cape with the Paarl and Stellenbosch branches reporting that they were unable to hold union meetings because of the “no work, no pay” dilemma. Other branches reported similar challenges (Interview, Philander, 2006).

(iii) By the end of September 1993 it was clear that the CODESA negotiations would lead to the first democratic elections. The focus of the union shifted to electioneering in support of the ANC. In early September the SADTU NEC proposed that all regions seek mandates from members on its possible affiliation to COSATU. In a discussion document to all regions the NEC argued that “Affiliation to COSATU takes us squarely into the tripartite alliance. It is time for this union to say that it supports the ANC in this election and to commit our resources and influence to achieving a landslide victory for the ANC in the April elections” (SADTU, Discussion Paper, *SADTU, COSATU and the ANC: Strategies for the next six months*, September 1993). NEC members travelled all over the country drumming up support for the union’s affiliation to COSATU. The Western Cape REC resolved to support the proposal to affiliate to COSATU and “to commit ourselves to work for an ANC victory...” (SADTU WC, REC Minutes, 18 September 1993).

The September SADTU National General Council resolved to apply for membership of COSATU with immediate effect. It further resolved to commit the union and its resources to work for an ANC victory in the upcoming April elections and to release members for the ANC election lists at all levels. The Council resolved to release the following people to the ANC national election list:

Shepherd Mdladlana<sup>13</sup>

Randall van den Heever

Duncan Hindle

Ismail Vavi

Thami Mseleku.

From October to December 1993 the activities of the union were dominated by electioneering and voter education. SADTU felt that its members, as teachers, were ideally placed to conduct voter education in the disadvantaged black communities (Interview, Philander, 2006). Some SADTU members were critical of the pre-occupation with an ANC victory in the elections, often described by the SADTU leadership as “the historic mission” of the union. The Bellville branch noted that, “Members are saying that the union is doing nothing to solve the problem (i.e. rationalisation), that SADTU is worried about the elections and not teachers’ welfare” (SADTU REC Minutes, 20 April 1994).

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<sup>13</sup> Mdladlana is currently the Minister of Labour in the Mbeki cabinet. Van den Heever and Vavi are both senior members of parliament and Hindle (Director General: Education) and Mseleku (Director General: Health) are both senior government bureaucrats.

By the beginning of 1994 SADTU WC was in complete disarray with many branches weak and non-functioning. The vibrant organisation of the early 1990s had virtually collapsed, but for a small number of committed members that had to sustain it through the initial euphoria of an historic ANC victory.

### **The Post-Apartheid Education System**

The ANC swept to power in the historic April 1994 elections ending centuries of colonialism and four decades of institutionalised racism of the apartheid system. The first task of the new democratic government was to consolidate the fifteen racial and ethnic education departments into one national department.

The negotiated settlement that gave birth to the new South Africa established a semi-federal constitutional state. The Constitution established three spheres of government (national, provincial and local), with nine provinces: The Western Cape, Gauteng, Eastern Cape, North West, Mpumalanga, the Eastern Cape, the Northern Cape, Limpopo, Free State and KwaZulu-Natal. Some provinces like Limpopo and the Eastern Cape were essentially the consolidation of a number of very poor and underdeveloped former homelands (Bantustans), whilst some provinces like the Western Cape and Gauteng inherited the well-established infrastructure and industries of the former white South African provinces.

Each province has its own legislature and provincial cabinet (known as an Executive Council) with provincial ministers (known as Members of the Executive Council or MECs). A Premier heads the Executive Council in a province. Each province controls its own education system through an MEC, with the provincial education bureaucracy led by a Head of the Provincial Education Department. Each province in turn is divided into education districts comprising clusters of schools, often referred to as circuits.

The Constitution established the principle of cooperative governance that underpins the education system in South Africa. Whilst the Provincial Education Departments (PEDs) are responsible for the administration of the schools in their jurisdiction and the implementation of educational policy, the National Department of Education is responsible for the development and monitoring of the implementation of national policy. The decentralised system of education has limited the ability of the national government to transform the system due to the limited organisational, technical and financial resources in many of the provinces.

Provinces are funded through a national equitable share formula. According to this formula, which takes into account the number of citizens in a province, the poverty status of the citizenry, number of school going children, its social capital requirements, etc., provinces are allocated a share of the national revenue by the national government. Provincial legislatures determine the allocation for education, balancing other social and economic imperatives. The national Department of Education thus has no control over how a province decides to allocate and spend its budget. From time to time the national



Department of Education can influence provincial educational priorities through the allocation of conditional grants, which are grants allocated to provinces on condition that specific programmes are implemented.

### **Post Apartheid Education Restructuring**

The GNU, led by the ANC, inherited an economy in crisis. The economy was in decline with low growth rates, high government debt and poor competitiveness. At the same time, high levels of political violence especially in KwaZulu-Natal and on the Rand, and the threat from the far white right-wing, were other political realities confronting the GNU. The ANC was thus very careful not to implement any drastic measures to either alienate the right, whilst at the same time beginning to signal to the masses of the people that it was serious about redressing the backlogs and inequalities of the past. What was clear however, was that the ANC government had to “undertake a general restructuring of the economy *and* a reorientation of the economy towards the historically excluded masses at the same time” (Hirsch, 2005). But, government was keen not to send the wrong signals to international markets either. This essentially meant operating within the confines of the policies set by the international financial institutions like the IMF and the WB. “The ANC decided to err on the side of caution”, Alan Hirsch, Chief Economist in the Presidency argues (Hirsch, 2005).

Christie suggested that “in 1994 the people were at last given an opportunity to govern, but not in circumstances of their own choosing”(Christie, 2003:2) She argued that the

pragmatic political emphasis on compromise and reconciliation led to the “narrowing of earlier visions for social transformation, in education as well as in the social formation more broadly”(Christie, 2003:2). She noted that the conditions of the period were largely antithetical to the social democratic demands and ideals of the liberation movement. She identified two factors in particular: (1) the national context and the compromises made during negotiations<sup>14</sup>; and (2) the fall of the Soviet bloc and socialism as a viable alternative.

One of the first tasks of the post-apartheid government was to ensure equality in educational funding and provisioning across provinces. As noted above, allocations to provinces were based on the equitable share formula, which in the case of education, was calculated on the actual number of children enrolled in school and the number of children of school going age in a province. When the equitable share was initially introduced it was calculated that education would receive a 40% weight vis-à-vis other categories such as health and social welfare. But because provinces are semi-autonomous, provincial lawmakers make their own budget allocations in terms of the priority areas for their provinces.

Fiske and Ladd (2004) have shown that South Africa has done fairly well in terms of equalising budgets across provinces. They argue that “The three provinces that had the most resources in the early year (1996) – the Western Cape, Gauteng and the Northern

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<sup>14</sup> Blade Nzimande, during an address to the National Education Consultative Conference (2005) suggested that these compromises have significantly prescribed the ability of the post –apartheid government to address the condition of the majority of the poor and the unemployed in South Africa. He suggested that the time had come for the democratic government to review the compromises of the earlier period.

Cape- experienced the greatest declines in their relative positions (and) that the Western Cape was the most pronounced. Conversely, poor provinces like the Eastern Cape, Mpumalanga, Limpopo and the North West all experienced gains, indicating a significant convergence of spending across provinces...(It appears that South Africa has made remarkable progress towards equalising spending across provinces” (Fiske and Ladd, 2004:104-105).

Another major initiative of the new government was to “right-size” the education sector by equalising PTRs among and within provinces. In early 1996 the General Secretary of SADTU argued that: “To the disadvantaged, rationalisation is a long overdue process. It means the redistribution of financial and human resources in order to effect equity...Born out of struggle and being part and parcel of the course of the poor, SADTU aligns itself with the ...position that rationalisation must take place to address the imbalances of the past” (Sadtu News, 1996, Quoted in Chudnovsky S, 1998:26).

### **Stakeholder Forums and the Role of Labour**

The labour movement played a major role in the transition to democracy in South Africa. An important feature of the transition period in South Africa was the widespread consultation with various groups in society since the initial opening of the political terrain after 1990 (Webster and Adler, 1999a). A range of multi-stakeholder forums emerged since 1990 to hammer out future policies across a range of fields. The emergence of

political consultation and social dialogue can be traced to the early 1980s with the establishment of the National Manpower Commission (NMC).

The NMC was a statutory consultative body created by the Wiehahn Commission proposals in 1980. One of its main aims was to co-opt African workers by formally drawing them into the labour relations system. African workers were sceptical of the NMC and boycotted the structure from its inception. Both COSATU and NACTU opted to not engage in the NMC. Wildcat strikes and worsening plant level labour relations prompted many employers to enter into negotiations with black trade unions, increasingly reducing the influence and power of the NMC. Increased contact between labour and business culminated in the Laboria Minute in 1988. This accord between labour, business and the state determined that all future labour legislation would first be presented to labour and business by the state. Another important outcome of the Laboria Minute was an agreement by the major black trade union federations that they would participate in a reconstituted NMC.

Webster and Adler (1999b:359) argue that the Laboria Minute was a critical moment in the general transition to democracy in South Africa. They argue that the Laboria Minute was the first example of a major policy dilemma being addressed through negotiated compromise. As the negotiated settlement in the labour relations arena pre-dated the settlement in the political sphere, labour gained an institutionalised role which allowed it to influence the trajectory of the political negotiations process in the early 1990s.

The institutionalised voice of labour was further strengthened with the formation of the National Economic Forum (NEF) in 1992 to provide a forum for the state and the liberation movement to discuss and formulate a future macroeconomic policy for South Africa. The spark for the formation of the NEF was provided by the announcement of the introduction of a Value Added Tax (VAT) by the NP in 1991. COSATU mobilised against the introduction of VAT, but despite a very successful general strike in November 1991, the NP proceeded with the introduction of VAT. The union federation was convinced that the real issue was broader than VAT and that the apartheid state was in fact restructuring the economy to ensure that a future ANC government would be severely curtailed in this regard. COSATU actively campaigned for the formation of a tripartite forum where business, labour and the state could discuss the future economic policy of the country.

The NEF was launched in October 1992 and aimed to seek consensus amongst all roleplayers on major economic restructuring initiatives. Although the NEF had limited policy outcomes, it did provide the space for labour to engage on socio-economic policy before the 1994 elections. Accordingly by the beginning of 1994, COSATU proposed the merging of the NMC and the NEF. The new body, established in 1994, was called the National Economic and Labour Council (NEDLAC). The NEDLAC Act was one of the first pieces of legislation passed by the new democratic government in 1994. NEDLAC was thus a statutory body that functioned on the basis of a multipartite institution, involving labour, business and the state, but also providing for the participation of civil society formations (youth, women's, disabled people and civic organisations are

represented). The central aim of NEDLAC is for the four constituencies to reach agreements on a range of social and economic policies.

But why did the new democratic government leave socio-economic policy to a multipartite structure and not merely seize control of it? The answer is two-fold: (i) The government that emerged after 1994 was a Government of National Unity (GNU) which was dominated by three major parties- ANC, NP and IFP. The GNU thus essentially functioned on the basis of discussion, compromise and cooperation. This process was extended across a range of social and economic fields before and after 1994; and (ii) The role of labour since the Laboria Minute and its significant role during the transition process, ensured that it had a major stake in the post 1994 period.

### **Extension of labour rights to teachers**

The new government, through the introduction of a new labour relations regime changed the industrial relations system. Teachers were drawn into the formal industrial relations system as ‘employees’, were given the legal right to strike, as well as the statutory right to engage in socio-economic protests through section 77 of the Labour Relations Act. These were major advances in trade union rights for teachers, particularly in the era of neoliberal globalisation. This runs contrary to other contexts where established democracies are rolling back trade union rights in the name of labour market flexibility. These victories were primarily due to the strength of the labour movement in South Africa, its alliance with the liberation movement, and the absence of a coherent and

inclusive labour relations framework prior to 1994. Like in Namibia, a formal labour relations system was extended to include those workers officially excluded by the racist apartheid regime.

In education, SADTU proposed the Education Labour Relations Council (ELRC) as a replacement for the NETF after the 1993 strikes to provide an organised chamber for the normalisation of education labour relations. The ELRC was established in March 1994 and provided a forum for negotiation and discussion for the organised teaching profession and the state in the education sector. The Council was to provide a mechanism through which education labour relations could be formally regulated. In many respects the creation of the Council in 1994 was an historic development for education labour relations.

Throughout 1994 the Council signed a number of administrative agreements to establish its infrastructure and operating procedures. A constitution for the council was agreed to in late 1994. Teacher organisations were accorded voting weights in the Council based on their membership figures. From its inception SADTU held more than 50% of the votes of the labour caucus and thus effectively controlled whether agreements could be entered into with the state.

By mid-1995 the Council entered into discussions on the question of the restructuring of the apartheid education system. On 29 September 1995 the ELRC agreed to Resolution 4/95 that set the teacher to learner ratios to 1:35 for secondary schools and 1:40 for

primary schools. These ratios were to be phased in over a period of five years, but the mechanisms through which they were to be achieved were crucially left undefined. A proposal to achieve educational parity was made by the state in late 1995, but it was rejected by the unions, SADTU in particular, on the basis that it would lead to large scale retrenchments in the education sector. This resolution was replaced with resolution 3 of 1996 and was signed on 2 May 1996 by all parties to the ELRC.

Another important resolution that was signed in late 1995 was resolution 10 of 1995 dealing with the grading of schools and colleges. In terms of this resolution the number of learners was to determine the grading level of a school or college. Schools could be classified from P1 to P4. In terms of the grading system schools qualified for a certain number of management posts based on their grading. The salary level of the principal of an institution was also directly determined by the grading of an institution and placed tremendous pressure on heads of institutions to maintain or improve student numbers at his/her institution. This is a point I shall return to later.

### **Resolution 3 of 1996**

Resolution 3 of 1996 was a comprehensive agreement that provided a mechanism through which the education system could be right-sized. The right-sizing of the education sector was closely linked to improved salaries and working conditions for educators. Critics of the unions who signed the agreement often argued as a result that it was the trade-off for agreeing to the restructuring package (Interviews, Bell R, 2006).



The resolution was premised on the following key assumptions:

1. That the public sector as a whole had to be right-sized;
2. To achieve equity in the funding of education between provincial education departments;
3. That the net number of educator posts throughout the education system would not decrease as a result of the right-sizing process, but that educators would have to be redeployed from areas of over-supply to where there were shortages of teachers;
4. That the right-sizing process would be based on the ratio's already agreed to in the ELRC in 1995.

The resolution proposed the following mechanisms for the rationalisation (right-sizing) of the education sector:

### **Voluntary Severance Package (VSP)**

In terms of the right-sizing formula the number of learners at a school had to be divided by either 35 (for secondary schools) or 40 (for primary schools) to determine the total number of educators a school qualified for. This formula was based on the agreed to teacher to pupil ratios as per Resolution 4/95. Any teachers in addition to this number were deemed to be “in excess”. In terms of the resolution any teacher could volunteer for a Voluntary Severance Package. Teachers taking the VSP thus had their posts abolished.

## Redeployment

All existing vacancies or those created as a result of rationalisation were reserved for those educators deemed to be in excess. The resolution further indicated that all temporary teachers who were in substantive posts (a vacant educator post on an approved staff establishment), would be treated as permanent educators for the purpose of rationalisation. All educators on leave were to be considered for rationalisation as all other members of staff at an institution. In terms of Section 1.9 c(i) of the resolution, the process of redeployment would only be initiated once the VSP process had been completed.

The resolution also made provision for the inter-provincial redeployment of educators. For this purpose it established a Provincial Redeployment Agency (PRA) in each province, as well as a Central Redeployment Agency (CRA). The functions of the CRA included *inter alia* the establishment of a national computerised database of educators in excess, a national computerised database of vacancies, the coordination of the redeployment of educators being dealt with by the PRAs and to bring problems regarding the redeployment of educators to the attention of the Director-General and the Heads of Education Departments. The PRAs were to perform the same functions at provincial level.

At the completion of the process of rationalisation in a particular province all posts identified as in excess were to be abolished. This would then complete the process of rationalisation in that province.

### **SADTU's response to the resolution in the Western Cape**

In the Western Cape the SADTU leadership enthusiastically embraced the signing of the resolution as a major step forward in the continuing efforts of the new ANC government to effect equity in education. Despite some private reservations, the SADTU Western Cape Provincial Executive Committee (PEC) presented a unified public face.

PEC members were dispatched to all corners of the province to sell the resolution to their members on the ground. SADTU members were divided. The union leadership emphasised that the resolution was aimed at effecting equity in education at the many meetings they addressed. A significant aspect of the mobilisation of support this time around was the exclusive focus on their members. Many SADTU leaders made it clear that they were a teachers union and therefore had no obligation to be reporting back to a wider audience. This was an important break with the long tradition within the small left-wing teacher unions that operated in the Western Cape in the 1980s that sought to build close ties with their local communities. This decision was crucially informed by the massive public protests that enveloped the signing of Resolution 3/96 in the Western Cape.

Many SADTU members were sceptical and criticised the union's close ties with the ANC government (Interview, Felix, 2006). The uncertainty of the redeployment scheme and the general threat to their continued employment meant that many union members were ambivalent about the new measures. Mass SADTU meetings were often very vocal with members insisting to know their futures.

An important defence of the union at the time was the aborted Resolution 5 of 1995. This resolution proposed the rationalisation of education through retrenchments at schools where there was an over-supply of teachers. Whereas Resolution 5/95 provided for the retrenchment of teachers, the new resolution committed the state to a process of redeployment and retraining of teachers who were declared in excess. This point was repeated at every public meeting by the union leadership, leading HS Kies of the TLSA to note that "If there were (sic) a possibility of their (the SADTU leadership) being honest the verbal tricksters who speak of redeployment in an attempt to disguise the harsh realities of sacking, firing and discarding educators would speak the truth and tell things as they are" (The Educational Journal Vol 66 No 5, Official Organ of the Teachers' League of South Africa, July-August 1996).

The approaching local government elections in 1995 and the desire of the ANC to make inroads into the province impacted directly on the rationalisation process. The ANC government was massively defeated in the national elections in 1994 by the previous apartheid government. The National Party fought the entire election on the historic

suspicion of black people by the coloureds. The large coloured community regarded the ANC as a black organisation and voted for the apartheid rulers. The reasons for this were obvious – coloureds found themselves historically above the African majority in the apartheid hierarchy; coloureds were granted a stake in the political life of South Africa with the introduction of the Tri-cameral Parliament in 1983, historically coloureds received relatively better social, educational and welfare provisions; and the Coloured Labour Preference Policy introduced by the NP in the 1950s declared that an African person could only be employed if a suitable coloured labourer could not be found.

In many parts of the coloured community, there was the belief that the rationalisation scheme was “clearly developed to take from the coloureds to give to the blacks” (Interview, Williams, 2006). This notion was also prevalent in the union, with many union members arguing that their black counterparts would be insulated from the effects of rationalisation. The union fractured along racial lines. SADTU PEC members made the argument at various meetings that coloured schools operated by the ex-HoR were “to make certain sacrifices to ensure the educational upliftment of their comrades in the black township schools who have been historically more disadvantaged by apartheid” (Interview, Hefke, 2006).

### **The Western Cape Parents, Teachers and Students Forum (WCPTSF)**

The WCPTSF was a community movement founded in late 1995 in response to the announcements of teacher rationalisation. The Forum (as the WCPTSF became popularly

known in the Western Cape) drew on the experiences of the previous round of resistance and sought to oppose the nature of the rationalisation measures. It also stressed that it was not opposed to the pursuit of equity in education, but that it opposed the interpretation of equity by the state (Interview, Bell F, 2006).

The Forum was a loosely knit organisation that brought together a range of individuals with various political beliefs and ideologies. It was crucially located in the coloured communities on the Cape Flats, although it made various attempts to reach out across the racial divide. A number of attempts were made to link up with activists in the black townships of Langa, Gugulethu and Khayelitsha. However, the Forum failed to cement any concrete support from teachers in the African community (Interview, Bell, R, 2006).

In April 1996 the Forum invited a representative from the Group of Eighty white ex-Model C schools to address them. The Group of Eighty was a grouping of 80 white ex-Model C schools that planned to contest the introduction of the rationalisation measures in court. At a meeting held at Garlandale High School in Athlone the representative elaborated on the nature of the court challenge prepared by the Group and it also pledged support for the mass protest action planned by the Forum. However, it was clear at this meeting that the reasons for the opposition to the rationalisation process were very different for the Group of Eighty. It was agreed that the Group of Eighty would call on its members to support a mass march to Parliament to protest against the impending rationalisation of education in the Western Cape (Interview, Bell R, 2006).

The relationship between SADTU and the WCPTSF was an acrimonious one. SADTU criticised the Forum as a “colouredist attempt to cling to the scraps they received under apartheid” (Interview, Hefke, 2006). The Forum retorted that the union had sold out its members and education in South Africa. Despite the bitter recriminations between the two organisations, often captured in letters to the editor in the local Cape Town press, many ordinary SADTU members either openly or covertly supported the Forum (Interview, Felix, 2006). In the Cape Town branch of the union, a large section of the membership actively supported the Forum and indeed actively recruited members for the Forum (Interview, Felix, 2006). In April 1996 a number of Forum community meetings were held in the Greater Cape Town area and drew large numbers of parents, teachers and students. Large numbers of SADTU members attended one such meeting in the Kensington Civic Centre where they decided to support the community movement against the imposition of the rationalisation measures as organised by the Forum. A number of SADTU members gathered after this meeting where they decided to actively support an opposition movement from within the union (Interview, Felix, 2006). These were all rank and file union members who were opposed to the manner in which the union had dealt with the rationalisation process (Interview, Felix, 2006).

A first meeting for this group of “Concerned SADTU members” was scheduled to take place at Spes Bona High School in Athlone. The decision taken by the group at the meeting at the Kensington Civic was to organise openly and to insist on the democratic right of all members of the union to express their views without fear of retaliation. The process to coordinate the first meeting of the “Concerned Members” was led by the

Maitland High School SADTU site. Leaflets were printed and distributed to various SADTU sites throughout the Peninsula. The leaflets were also faxed to the SADTU provincial office, as well as to all regional SADTU secretaries (Concerned SADTU Members, Pamphlet ,Undated).

Only around twenty SADTU members attended the meeting, most of them from the Maitland High Site. Significantly, however, the provincial SADTU organiser, Anthony Diederichs, attended the meeting. He again spelled out the reasons for the union's support for resolution 3/96 and emphasised that the members of the union have an obligation to pursue their opposition to any policy position of the union via the structures of the union as disciplined members (Interview, Felix, 2006). Diederichs was instructed by the PEC to attend the Spes Bona meeting, as the union feared a backlash from its members (Interview, Geyer, 2006). The meeting then resolved to caucus within the union and to win popular support for its opposition to the rationalisation measures (Interview, Felix, 2006).

The Forum also obtained an opinion on the legality of the rationalisation measures. The opinion, obtained from Moosa and Associates, indicated that the Minister of Education was obliged to consult not only teachers via the organised teaching profession, but also parents and students in terms of the National Education Policy Act (1996). The Forum argued that the Minister had clearly not consulted with parents and students (WCPTSF, Minutes of Meeting, April 1996).



The difficulty for the Forum however was the prohibitive costs of taking the matter to court. It was estimated at the time that about R100 000 per day was required to bring the matter to court. The Forum could not afford to bring the matter to court. In fact, in many ways the organisation depended on the generosity and vigour of a small group of committed activists. The base and level of active support for the Forum was always questionable and it was never able to sustain itself financially. The Forum made a number of crucial attempts to co-opt “struggle lawyers” to act on their behalf as part of rendering a service to the community. One such leftwing advocate that was approached dismissed the Forum with the comment that he was “studying to be admitted to the bench” (WCPTSF Minutes, 1996). By the end of April it was clear that the legal avenue was simply not a viable option for the Forum. The only alternative was mass struggle.

Throughout the first quarter of 1996 the Forum organised community meetings with parents, teachers and students throughout the Peninsula. These meetings were held at schools, in staff rooms, school halls, at local community libraries or in civic centres. The meetings were often very well attended and parents in particular were often very vocal in their opposition to the new measures. The Forum was however unable to translate the support from parents into concrete recruitment into the structures of the organisation. It is very difficult to clearly identify the reasons for this. One of the reasons related to the kinds of demands on time that participation in the Forum was making (Interview, Bell F, 2006). Another was linked to the general atmosphere of the time and the perception that many believed that the new democratic government needed more time to effect social and economic transformation (Interview, Williams, 2006).

The Forum was loosely organised into five regions: (1) Southern Suburbs (2) Mitchell's Plain (3) Cape Town (4) Northern Suburbs and (5) Central (Athlone). Each region had a coordinator who in most cases volunteered for the position and the coordinators elected from amongst themselves a chairperson and secretary. The chairperson of the Forum was a parent, Mr J Barthus and Ms F Bell, a teacher, was elected as secretary. The Forum held weekly meetings shifting them from region to region, which meant travelling expenses and time commitments. Mr Barthus quit after about three months at the helm of the Forum indicating that his real estate business was suffering as a result of his work for the Forum (Interview, Felix, 2006). A number of other parent members of the organisation resigned for similar reasons (Interview, Bell F, 2006).

Another critical factor in the inability of the Forum to grow a mass support base amongst parents was the nature of the Forum itself. It operated like a kind of education social movement and was thus able to attract various activists, leftwing socialists, rightwing demagogues, religious fanatics, colouredist moderates, dissatisfied teacher unionists and various other elements. The Forum was fractured by issues of class, teacher affiliation, gender, race and political allegiances. What held the Forum together was essentially its opposition to teacher rationalisation in the Western Cape. The emergence of the People Against Gangsterism and Drugs (PAGAD) and its influence on the Forum, would eventually lead to the demise of the Forum.

## **People Against Gangsterism and Drugs (PAGAD) and the WCPTSF**

PAGAD emerged in late 1995 as a militant anti-crime faction in the Muslim community on the Cape Flats. Despite claims from PAGAD that it was a multi-faith organisation, it was predominantly Muslim in character. The organisation regarded the police as failing the community of the Western Cape and therefore set itself the task of ridding the Cape Flats of gangsterism and drugs. It argued that “the police are corrupt” and that “if the government could not address the problem of gangsterism and drugs, then the people had a right to do it themselves” (<http://www.pagad.co.za/what.htm>).

Initially the organisation relied on peaceful protest marches, but increasingly became more religious, fundamentalist and violent. The public lynching of a well-known gang leader and druglord, Rashaad Staggie, on the streets of Cape Town, was followed by violent marches to the residences of identified drug kingpins. What followed was a range of terror attacks targeting pubs, police officials and restaurants. Anyone who disagreed with the organisation was labelled a gangster and identified as a potential target.

PAGAD had a sub-committee on education that took a keen interest in the rationalisation process in the Western Cape. Through two representatives who were prominent members of the PAGAD education sub-committee, Ms Madelief Botha and Mr H Cassiem, PAGAD managed to impact on discussions and the direction of the activities of the Forum. For example, the Forum decided to identify the senior managers of the WCED, to find out where they lived and then to march on their residences. This was the same

strategy and tactics of PAGAD. The Forum marched on the house of the Head of Department of the WCED, Mr Brian O’Connell, who had to call in the police to protect himself and his family. This strategy was indeed very popular with a certain faction in the Forum, but increasingly made the progressive elements uncomfortable (Interview, Bell F, 2006 ).

Despite all its organisational, financial and political frailties and contradictions, the Forum was able to organise one major event to demonstrate the opposition of many teachers, parents and students of the Western Cape to the implementation of the rationalisation measures. On 23 May 1996 the Forum organised what they dubbed the “Mother of All Marches”. In one of the biggest education protest marches to be staged in the history of Cape Town about 50 000 parents, teachers and students marched to parliament to hand over petitions with more than 130 000 signatures to show opposition to the rationalisation of teacher posts (Interview, Bell F, 2006).

SADTU was concerned about the phenomenal success of the march and the ability of the Forum to galvanise such a large number of people. It was also apparent that a large number of SADTU members participated in the march. The entire SADTU PEC held a placard demonstration on the balcony of a popular nightclub, Manenberg’s, along the route of the march. “That march reminded us of how fragile democratic organisations were in that period. We had to rethink our position”, a senior SADTU leader recalled (Interview, Williams, 2006).

## **The implementation of Resolution 3/96**

An Inter-Provincial Task Team (IPTT) was formed on 19 March 1996 in terms of Resolution 3/1996 to monitor the progress of rationalisation and redeployment at a national level, as well as to coordinate the inter-provincial redeployment of teachers. The IPTT consisted of representatives of the National Department of Education and one representative from each of the nine provincial education departments. During 1996 the IPTT met regularly, at least once a month.

The IPTT established the principles and guidelines for the rationalisation and redeployment in the provinces. These were:

- Fair labour practice;
- A distinction between voluntary and enforced redeployment;
- Consultation with governance structures/SGBs;
- Compensation of relocation costs;
- A database that is accessible to provinces; and
- Grievance procedures for those identified as in excess.

On 1 July 1996 the Minister of Education acting in terms of the Education Labour Relations Act declared that Resolution 3/1996 would be binding on all employers and employees, with immediate effect. On 26 August 1996 the ELRC further adopted Resolution 12/96 which made certain additions in Paragraph 2.1.1 to Resolution 3/96 with regards to the filling of education promotion posts. Resolution 12/96 declared that

all promotion posts in education institutions would be advertised in an “open vacancy list” thus amending the procedure as developed in Resolution 3/96 and the Procedure Manual. On 22 November 1996 the Minister of Education declared that all the provisions of Resolution 12/96 would be binding on all employers and employees.

In the Western Cape a Provincial Task Team (PTT), as envisaged in Resolution 3/96, was established on 27 September 1996 to deal with rationalisation and redeployment in the province. The PTT was composed of the WCED, with two representatives each from the teacher organisations represented in the province. The functions of the PTT were identified as the following:

- Coordinating the transfer of educators in excess;
- Advising the Provincial Redeployment Agency (PRA), CRA and IPTT on the transferability or otherwise of educators;
- Advising the Member of the Executive Council (MEC) on the non-transferability of educators;
- Keeping the CRA informed on the progress of redeployment;
- Providing the list of educators in excess not yet redeployed;
- Development of the necessary measures and guidelines needed to drive the process of right-sizing; and
- Informing the educator in excess of his/her status. (PTT Minutes, 27 September, 1996)

The PTT met regularly throughout 1996 to establish the procedures for the identification and redeployment of teachers in excess, as well as the procedures for the filling of vacancies.

The first agreement reached in the PTT was that the Western Cape province would phase in new PTRs over a five-year period, and that these would be staggered for the various ex-racial departments. This agreement aimed to ensure that schooling in the HoR and the HoA was not unduly disrupted. These two departments stood to be disadvantaged the most as they enjoyed the most favourable PTRs. Schools that had less favourable ratios than the 1:40 and 1:35 (the PTRs agreed to for 2000), would be allowed to move to these ratios immediately, thus gaining additional teachers. But those schools that had more favourable ratios would have their ratios adjusted on a yearly basis till they reached the year 2000 ratios.

The following table is based on the agreement concluded in the PTT in this regard:

<b>Year</b>	<b>PTRs for Primary Schools</b>	<b>PTRs for Secondary Schools</b>
1996	1:29	1:26
1997	1:33	1:28
1998	1:35	1:30
1999	1:38	1:33
2000	1:40	1:35

The initial projections of the WCED indicated that approximately 12 000 teachers would be superfluous in the province. The WCED experienced substantial budget cuts based on revised equitable share allocations and proceeded to offer the VSP and encouraged teachers to volunteer for early retirement in order to ensure that it could stay within budget (Interview, Pillay, 2006). The WCED refused to negotiate the criteria for the granting of the VSP claiming that it was a management function to be performed by the department. Reaching its rationalisation targets appear to have been the only consideration in the allocation of the VSP for the WCED (Interview, Pillay, 2006).

The VSP was based on years of pensionable service and it was the longer serving, and thus more experienced teachers, who often stood to benefit the most from the VSP. Schools where teachers were identified as in excess often lost their most experienced teachers. Fiske and Ladd (2004) noted that, “The average teacher in coloured schools in 1996 had nearly four and a half years of education beyond the matriculation exam, but by the next year the typical teacher had one-third less training.” Also, it was the teachers with scarce skills subjects like Mathematics, Science and Accounting, who stood the best chance of finding alternative employment who opted for the VSP. A principal at a Cape Town school noted, “We have lost thirteen of forty-nine staff members, especially math teachers, and now we can’t find anyone to teach accounting” (Quoted in Fiske and Ladd, 2004:203).



Teachers in management positions, like principals and head of departments, also stood to benefit more than other teachers. Teachers who accepted the VSP had their posts abolished in the middle of the year. The first massive exodus of teachers based on Resolution 3/96 was at the end of June 1996. By September 1996 the WCED reported granting 4 800 VSPs and that 1800 applications were still pending (IPTT Minutes, 18 September 1996). But by October 1996 the chaotic condition at many schools in the HoR-schools compelled the WCED to reassess the blanket granting of VSPs. In October 1996 the WCED announced that it was attempting to develop a new set of criteria to regulate the granting of the VSP. Also, the Department conceded that despite the granting of VSPs being considered a management function, it was willing to negotiate with the unions in the PTT on this matter (PTT Minutes, 18 October 1996).

In June 1996 the WCED had instructed all schools via Circular 29/1996 to proceed with the formation of School or College Right-Sizing Committees (S/CRC). Schools were instructed to form S/CRCs in accordance with Resolution 3/96, to be composed as follows:

- A representative of the Department, who could also be the principal; and
- Three staff members duly elected by all the educator staff at the institution.

The S/CRC was tasked with the responsibility to identify teachers who were in excess.

The S/CRC had to perform this task by taking the following into account:

- The curricular needs of the school;
- The principle of Last In, First Out (LIFO);

- Teacher seniority;
- The personal circumstances of those in excess.

The teacher unions represented in the ELRC with members at the institution to be right-sized were granted observer status on the S/CRC. SGBs were also allowed one observer on the S/CRC.

The S/CRC proved very controversial. The WCPTSF announced that “all those who served on the S/CRCs, were selling out their colleagues and their schools” (WCPTSF Pamphlet, *Rats serve on Rationalisation Committees*, Undated). Even SADTU members rejected the S/CRCs and refused to cooperate with these structures. In the SADTU Cape Town Branch, a significant number of sites refused to constitute these committees (Interview, Felix, 2006). According to the WCED, 115 schools refused to constitute the S/CRCs (PTT Minutes, 31 October 1996) but that this number had been “substantially reduced” by January 1997 (IPTT Minutes, 27 January 1997). Interestingly, according to the WCED’s statistics (PTT Minutes, 31 October 1996, Annexure B: Information with respect to Right-Sizing Committees), most of the schools that refused to constitute S/CRCs were located in the HoR and of these schools 29% was located in the Athlone Area, which was also SADTU’s strongest base in the Western Cape.

The WCED instructed district managers to perform the right-sizing of schools where schools refused to constitute the S/CRCs. The Head of the WCED, Brian O’Connell also wrote to all the principals of those schools that refused to form the S/CRC’s on 1

November 1996, indicating that they were subverting the policies of their employer and that they could thus be charged with misconduct. The principal of one of these schools, Brian Isaacs, who received a letter from O’Connell, replied on 13 November 1996,

(My) stand not to cooperate with the WCED in this regard (the constitution of the S/CRCs) is a mandated position from the school community. If the Department wishes to pursue the matter (through taking disciplinary measures) the onus is on you. The principal cannot wilfully devastate the school. It is precisely because of (my) concern for the rights of students, teachers and the good of education as a whole that...others (and I) are prepared to take this stand (Letter from Mr B Isaacs to Mr B O’Connell, 13 November 1996).

### **The implementation of Resolution 3 of 1996 continues**

In January 1997 the PTT agreed to do “matching” at the level of the province to facilitate redeployment. Matching occurred when a teacher identified as in excess was “matched” to a post at another school for which the teacher was suitable. For example, if a Mathematics Grade 12 teacher was identified as in excess at his/her school and a vacancy existed for a Grade 12 Mathematics teacher at a neighbouring school, that teacher could simply be transferred (redeployed) to the vacant post. The teacher unions supported this process, but white ex-Model C schools objected.

As referred to above, a group of eighty white Model C schools, led by the Grove Primary School in Kenilworth, Cape Town referred the matter to court in late 1996. At issue for them was the right of the School Governing Body (SGB) of a public school, enshrined in the South African Schools Act (1996), to choose which teachers it wanted to employ at

their schools. In its founding affidavit to the court, the chairperson of the SGB of Grove Primary noted:

As a result of teachers taking voluntary severance packages, there are now four vacancies open at the applicant which have to be filled for the 1997 school year. These vacancies are within the school's establishment and in terms of Resolution 3/1996, can only be filled by persons on the redeployment list...However, it cannot do so by selecting as a replacement the best, most suitably qualified and talented teachers, but must do so from amongst persons who are on redeployment lists where the above criteria are not a necessary prerequisite for entry onto such lists (Helen Maree, Founding Affidavit, 1996).

The court case, which became popularly known as the Grove Case, had a major influence on the outcome of the rationalisation process. A very important issue that emerged was what was called “double parking” by educators. The matching process initiated by the WCED to implement Resolution 3/96 was brought to an abrupt halt all over the province. Ms S Shayi, a circuit manager in the Southern Cape at the time, recalls how she got a frantic call from Mr Jan Hurter, senior official at the WCED head office, to not proceed with matching at Albertinia High School, when the school principal complained that she was forcing the school to proceed with the matching of a teacher in neighbouring Mossel Bay who was in excess (Interview, S Shayi, 2006). The outcome of the Grove Primary case meant that the WCED was unable to match or redeploy those teachers who were declared in excess and these teachers were thus “parked” in their excess posts, while substitute teachers had to be employed in the vacancies created by those teachers who had taken the VSP. The WCED thus had to pay two salaries instead of one, thus “double parking”.

Another form of double parking was an unintended consequence of the implementation of the policy. In terms of the policy, schools that qualified for additional teachers could fill their new posts with immediate effect, whereas the agreed to ratios would be phased in over a five year period. The teachers in excess of the agreed to year 2000 ratios thus had to be carried for a period of five years, unless they opted for the VSP.

As a result of “double parking” the WCED overspent with around R400 m in 1996. The only solution out of their dire financial position was to appeal for a bail-out from the National Treasury. It is anecdotally reported that the Head of the WCED, Mr Brian O’Connell was about to board his flight to Pretoria when the call came from the National Education Department that a (national) bail-out was not going to be provided to the WCED (Interview, Pillay, 2006).

The WCED then recruited Andries van Niekerk from the auditing firm Ernst and Young to the position of Chief Financial Officer in the Department. Van Niekerk was a private sector technocrat who was given the task of ensuring that the WCED stayed within its budget. His solution to the financial crisis in the WCED was the immediate increase in the PTRs to 33:1 (secondary schools) and 40:1 (primary schools). As a result, thousands of temporary teachers in the WCED were identified for immediate dismissal. In May 1997 the WCED dispatched circulars to all institutions instructing them to end the contracts of all temporary teachers by the end of June. This sparked a massive outcry. SADTU members who were on temporary contracts lambasted the union and accused it of having sold them out (Interview, Felix, 2007).

In order to further reduce teacher numbers, the WCED made it increasingly difficult for schools to employ additional teachers. In terms of Circular 12/97 all additional posts for schools were to be based on the 10<sup>th</sup> school day learner enrolment figure divided by the PTRs for the year 2000 namely 1:35 in secondary schools and 1:40 in primary schools. This meant that the WCED was to apply the ratios agreed to for implementation in 2000, in 1997, without consultation with the unions. Schools for learners with special needs, small schools with multi-grade teaching and schools that had grown substantially since the previous year, were excluded from Circular 12/97.

The dire financial position of the WCED was further complicated by its inability to deal with the complex administrative demands of the rationalisation programme. By January 1997 the WCED announced that it had received 40 000 applications for the post level 1 posts it had advertised the previous year and that it was struggling to complete the sifting and ranking of candidates for such a large number of applications. It further stated that it had great difficulty in filling these vacancies as there was no agreement in the PTT on the PTRs for 1997.

A related, but critical problem, was the finalisation of the Redeployment List. At the beginning of 1997 there was substantial disagreement between the WCED and SADTU on this matter. At the PTT meeting of 30 January 1997 the WCED announced that the Redeployment List was constituted as follows:

Status	Number of teachers
Compulsory Redeployment	795
Volunteer for Redeployment	260
Change in Status	306
Not sure	839
<b>TOTAL</b>	<b>3255</b>

SADTU disputed these totals arguing that many more teachers qualified to be on the Redeployment List. It argued that many principals had not informed temporary teachers who qualified for redeployment that they could apply to the WCED to change their status from temporary to redeployable. SADTU urged the WCED to do more to inform teachers of the criteria to be followed for temporary teachers to be declared redeployable.

In terms of Resolution 3/96 the criteria were:

- (i) The teacher should have at least 12 months' service in the WCED;
- (ii) The teacher should have served 3 of the 12 months in 1996; and
- (iii) The teacher must have been in service on 30 April 1996.

The WCED agreed to embark on a broader advocacy campaign, both through the media and via its own communication channels, to ensure that teachers were informed of this aspect of Resolution 3/96 (PTT Minutes, 21 February 1997). But the WCED was under severe financial constraints and was desperate to reduce the number of teachers in its employ. Brian O'Connell pointed out that the province had to lose at least 8500 teaching

posts and that he knew that it would require the retrenchment of teachers, but that the national policy which stressed that no teacher would be retrenched, was a major constraint in this regard (Fiske and Ladd, 2004:108). Due to its financial constraints, the WCED was keen not to permit too many temporary educators to change their status to redeployable, thus making their placement in alternative employment obligatory for the WCED. SADTU on the other hand was coming under increasing pressure from its own constituency to protect and defend the jobs of temporary teachers. The union was insistent that those temporary teachers who qualified be placed on the Redeployment List.

The developments in the Grove case broke the impasse. A key argument raised by the Grove Primary in its affidavit to the High Court was that even if it had not been opposed to the rationalisation scheme in principle, it could not practically implement the resolution as the WCED had failed to provide it with a Redeployment List. In her affidavit to the court, Helen Maree, chairperson of the Grove Primary SGB noted that,

The Applicant (Grove Primary) was not able to fill any of the vacancies with permanent staff members because, according to the Department, no redeployment list was ready and, it was anticipated, would be ready at the end of January 1997. In this event, vacancies would only be filled with redeployed teachers as from April 1997. It is now past the middle of February 1997 and the redeployment lists have still not been made available to the applicant and the schools. (Judgement in the matter between the Grove Primary School and the Minister of Education, First Respondent, Case No 2757/97).

In her replying affidavit to the court on 12 May 1997, Ms Maree again noted, “The Redeployment List, we have been advised by the Western Cape Education Department, is



not yet in existence...” Although the Department of Education at this time insisted that the redeployment list was available, Maree noted, “I am, at the very least, surprised to hear that such redeployment list is in existence about which the First Respondent (The Minister of Education) seems disinclined to take the schools into his confidence” (Helen Maree, Replying Affidavit, Case No 2757/97).

Maree was correct in that the Redeployment List had not been finalised by 12 May 1997. However, on 14 April 1997 the Provincial Education Labour Relations Council (PELRC) in the Western Cape reached an agreement to allow for the finalisation of the Redeployment List. It had become clear during the first term of 1997 that the continued dispute on the interpretation of section 8.2 of the Procedure Manual dealing with the filling of vacancies was strengthening the case of Grove Primary (Minutes of PTT Meetings, 21 February 1997; 14 April 1997). This brought the parties in the PELRC closer together and led to the 14 April agreement. The union parties to the Council agreed to urgently finalise the Redeployment List and to second one representative each to the WCED for a period of two weeks to observe the sifting of applications. It was envisaged that the posts advertised in the post level 1 vacancy lists 3/1996 and 1/1997 would be filled by 1 July 1997. Mr M Lumka was nominated as the SADTU representative to serve on the sifting committee of the WCED (Minutes of PTT Meeting, 14 April 1997). The union thus became involved in the actual implementation of the policy.

By mid-May 1997 the unions and the WCED had agreed on the finalised Redeployment List. SADTU embarked on a campaign to encourage all its members who qualified for a

change of status to apply to the WCED (Interview, Hefke, 2006). The Redeployment List contained the teachers who were declared in excess, those who volunteered for redeployment and temporary teachers who had successfully applied to have their status changed to redeployable. Towards the end of May 1997 the WCED and the unions, including SADTU, started the process of sifting the nearly 40 000 applications. The committee was given two weeks to complete its work and to provide all schools with a short-list of at least five people on the Redeployment List for consideration. The process was chaotic. The scale of the exercise implied long hours and many officials took piles of applications home each night to complete the task in the allocated time. Even the union representatives sifted applications and although the unions were to play an oversight/observer role the large volume of applications made this task nearly impossible (Interview, Pillay, 2006). During the first week of June 1997 the short-lists for posts advertised in Vacancy Lists 3 of 1996 and 1 of 1997 were supplied to all schools. This prompted the chairperson of the PTT to express his "...gratitude to the union representatives for the sterling contribution they have made in preparing the redeployment list" (PTT, Minutes of meeting, 28 May 1997). Circular 32/1997 set 9 June 1997 as the deadline for nominations from SGBs for posts advertised in the closed vacancy lists.

But SGBs rejected the redeployable educators offered for employment by the WCED and the unions *en masse*. The large number of rejections of the candidates on the Redeployment List prompted the PTT to call for a mechanism to convince SGBs of their "historic role in the transformation of South African education" (Minutes, PTT meeting

17 June 1997). The PTT conducted a survey of a small sample of schools that had rejected the candidates on the Redeployment List and identified the following as the most common reasons for the rejection: (Survey results presented by the WCED, 17 June 1997)

- (i) Opposition to redeployment and rationalisation: The rejection of the teachers on the Redeployment List by SGBs was indicative of the general sense of opposition to the rationalisation and redeployment process in the Western Cape. Many SGBs saw the rejection of teachers on the List as an opportunity to retain the temporary staff members they employed on short-term contracts in vacancies created either through growth in learner numbers or the granting of the VSP. At Maitland High School for example the SGB had a strategic planning meeting where it debated various strategies to ensure that those on the Redeployment List were found to be unsuitable for employment at the school (Interview, Philander, 2006). Many other SGBs across the Western Cape adopted similar strategies and rejected the candidates on the List (Interview, Bell R, 2006).

The successful agitation of the WCPTSF and many rank-and-file SADTU members against the redeployment and rationalisation scheme also played a significant part in the rejection of the Redeployment List. The SADTU sites at Maitland High, Kensington High and Windermere High Schools for example actively supported attempts by their schools to reject the candidates recommended for appointment on the List (Interview, Felix, 2006).

- (ii) The unavailability of teachers on the Redeployment List. Many teachers were recommended for appointment at more than one institution, especially those teachers teaching scarce subjects like Mathematics and Science.
- (iii) The curriculum needs of the institution had changed since the post was initially advertised.

There were two additional reasons for the rejection of the List by SGBs not mentioned by the WCED. These were:

- (i) The flawed sifting process: For example, in many instances teachers who simply did not meet the minimum criteria for appointment to a particular post were recommended for appointment. A language teacher for example was recommended for appointment in a mathematics or science post. SGBs simply did not have an option but to reject the redeployable teachers.
- (ii) Racism was a contributing factor as well. Many SGBs refused to employ teachers from other races in their schools, arguing instead that they wanted “to give preference to our own children (teachers) to teach in our schools” (Interview, Geyer, 2006). This was widespread with many schools in Khayelitsha refusing to accept coloured teachers and schools in Wynberg refusing the recommended black teachers. “Of course they would have denied that their rejection of the

candidates on the list was racially motivated”, Shayi argued (Interview, Shayi, 2006).

On 20 June 1997 the Cape High Court, with Judges King and Thring presiding, passed judgement in the matter between the Grove Primary School and the Minister of Education (and thirty others). The court found as follows:

- (i) The second respondent (The MEC of the Western Cape responsible for Education) acted *ultra vires* in passing the relevant part of Resolutions 3 and 12; its bargaining council acted *ultra vires* in agreeing to the relevant parts of the Procedure Manual and the first respondent (the Minister of Education) acted *ultra vires* in declaring parts of Resolutions 3 and 12 to be binding on all employers and employees as defined in the ELRA (Education Labour Relations Act), in as much as it did not lie within the powers of the second respondent or of the first respondent to perform any of these acts;
- (ii) In any event, and in addition, the first respondent acted *ultra vires* in so extending the operation of Resolutions 3 and 12 to all such employers and employees because he failed to comply with the relevant provisions of the National Education Policy Act (NEPA), which he was obliged to do;
- (iii) Consequently, all of the above mentioned *ultra vires* acts of the first and second respondents must be set aside;
- (iv) The applicant is also entitled to orders declaring the actions of the third respondent in seeking to apply the relevant parts of Resolutions 3 and 12 and of the Procedure Manual to be unlawful, and directing her to advertise all posts which are required to be filled at all schools within her jurisdiction on an “open” vacancy list.

The Grove Primary judgement was a major blow to the rationalisation and redeployment programme. It threw the entire programme into disarray and brought the process to an abrupt halt nationally. SADTU dismissed the Grove Primary school as a “racist institution that sought to defend apartheid privileges” (SADTU, *Educators*

*Voice*, July 1997). It maintained that the “court case seriously undermined the principle of affirmative action” and that “redeployment would have ensured the non-racial composition of staffs” (SADTU, *Educators Voice*, November 1997). The union organised a week-long series of protest actions outside the Grove Primary school to “show them that we will not allow them to dictate the course of transformation in our country” (*The Cape Argus*, 21 June 1997).

The state proceeded to address the “loopholes” in the legislative framework referred to in the Grove judgement. Blade Nzimande, then the chairperson of the Education Portfolio Committee in Parliament, proposed that the Education Laws Amendment Bill, an initiative introduced by the ANC prior to the Grove Judgement, be amended to “reflect upon the consequences of the Grove Primary school judgement for this Amendment and the impact it might have on the transformation of education in our country and particularly the effective deployment of our teaching personnel” (Press Statement, Issued by Dr Blade Nzimande, Cape Town, 3 September 1997). SADTU welcomed the proposed amendments to the South African Schools Act on the basis that it would have assisted them to “deal with the problems that arose from a high profile court case involving the privileged Western Cape school, Grove Primary, representing eighty other ex-model C schools” (SADTU, *Educators Voice*, November 1998). Helen Maree dismissed the state’s attempt to merely sidestep the court ruling as “entirely cynical and sinister” (*Daily Dispatch*, 16 October 1997).

Some SADTU members were however beginning to argue that the Grove judgement provided the union with the opportunity to push for more radical educational reforms beyond the narrow trajectory of the ANC government (Interview, Felix, 2006). The more conservative National Professional Teachers' Organisation of South Africa (NAPTOSA) noted that the Grove judgement provided the ELRC with an opportunity to review the government's redeployment programme. "NAPTOSA is very conscious of the fact that the redeployment procedures which were originally agreed upon are very cumbersome and basically unimplementable," NAPTOSA president Leepile Taunyane said (Press Statement, Issued by NAPTOSA, 23 June 1997 Sapa).

At the same time some key players in government, especially in the provinces, recognised that the judgement provided it with the opportunity to deal more decisively with the financial constraints it faced (Interview, Pillay, 2006). O' Connell in an interview with Fiske and Ladd noted that he understood that massive lay-offs were required and the sooner the province began the adjustment, the better (Fiske and Ladd, 2004:101).

From August to the end of the academic year in December 1997 thousands of temporary teachers had their contracts terminated. Fiske and Ladd have calculated that 12 568 temporary teachers had their contracts terminated in 1997 in the Western Cape (Fiske and Ladd, 2004:111). They also note that an additional 7 318 temporary contracts were terminated at the beginning of 1998 (Fiske and Ladd, 2004:111). By April 1998 Thulas Nxesi, the General Secretary of SADTU noted, "Across the

country temporary teachers have been dismissed. The threat of wholesale retrenchments is on the agenda. Schools particularly in underprivileged areas are operating without teachers. And this has been the case for many months” (SADTU, *Educators Voice*, April 1998). Nxesi continued, “For months and months we have been meeting with the Department of Education and for months we have been putting these issues on the agenda, but government has shown no political will to solve the crisis. In fact things are getting worse” (SADTU, *Educators Voice*, April 1998).

In early February 1998 SADTU announced a two-day strike for 25-26 March 1998. The Department of Education obtained a court interdict declaring the intended strike action illegal and the Department made it clear that all illegal strikers would be dismissed. Nxesi explained, “The strike had to be called off at the last minute. Government said that we had not followed the correct procedures and that if teachers went on strike they would be dismissed. I think our membership bargained for no work no pay, but not to lose their jobs. Anyway that would have been ridiculous; the core issue of our mass action was teacher retrenchments!” (SADTU, *Educators Voice*, April 1998).

SADTU then served notice to NEDLAC announcing its intentions to go on a two-day strike in terms of the new Labour Relations Act Section 77 (1) (b), allowing the union to embark on industrial action in support of socio-economic demands. SADTU noted that overcrowding in schools, infrastructure backlogs, the lack of textbooks and the retrenchments of teachers constituted a major socio-economic problem. In an attempt



to defuse the crisis the then Minister of Education, Professor Sibusiso Bengu, met with a SADTU delegation led by its president, Willie Madisha, on 14 April 1998 and an agreement was reached that a national working group would be formed to investigate and make recommendations to the Minister in terms of the following key five areas:

- (i) Education infrastructure backlogs such as toilets, electricity, etc;
- (ii) Provision of human resources;
- (iii) The role of the organised teaching profession in building a culture of learning;
- (iv) The financing of an education programme of action; and
- (v) The participation of the organised teaching profession in decision-making structures.

The meeting however deadlocked on the major issue at stake, the retrenchment of teachers. SADTU wanted a moratorium on the retrenchment of teachers and the state refused (SADTU, *Educators Voice*, April 1998). The government then proceeded to make a formal proposal in the ELRC calling for the nine provinces to be allowed to set their own Pupil-Teacher Ratios in terms of their own budgets. SADTU rejected the devolution of power to the provinces claiming that it would “lead to uneven educational development in the country” (SADTU, *Educators’ Voice*, July 1998). Both parties agreed to mediation by the ELRC to find an amicable solution, but the talks broke down in April 1998. The major reason for the impasse was the massive increase of personnel costs in most provinces, but particularly in the Western Cape, as a result of the Grove judgement

and “double parking” of teachers in excess. Personnel expenditure reached an all time high of 91% in the 1998/99 financial year ‘crowding out’ non-personnel expenditure on items such as textbooks, stationery, infrastructure and educator training (Department of Education, 2001). Many provinces called on the National Department of Education to take a stronger position vis-à-vis the unions (Fiske and Ladd, 2004:101).

In order to “stop the spiralling over-expenditure of 1997-1998” (Department of Education, 2001) the Department issued Regulations 593 and 594 on 17 April 1998. Regulation 593, *Regulations relating to the Provisioning of Educator Posts within a Provincial Department of Education and its Institutions and Departmental Offices*, allowed the Member of the Executive Council to determine the number of educators’ posts in a province based on the budgetary allocation of the province. It also determined that educators in excess of the approved educator posts in a province would be dealt with in terms of the Labour Relations Act of 1995. This effectively meant that teachers could henceforth be dismissed from permanent employment based on the operational requirements of the employer.

Regulation 594, *Regulations to Provide for Interim Measures According to which Rationalisation in Education in terms of Resolution No 3 of 1996 and Other Related Agreements of the Education Labour Relations Council can be completed after Withdrawal of such Rationalisation*, formally withdrew Resolution 3 of 1996 and set out new measures to finalise the rationalisation programme in education. The new measures allowed for applications for vacant posts to be made directly to SGBs. Governing bodies

were granted the right to reject candidates on a closed vacancy list after which an open list would be made available. Failure of candidates in excess to secure appropriate employment was to lead to retrenchment, as per Regulation 594.

SADTU condemned the unilateral declaration of policy on rationalisation which allowed provincial budgets to determine the number of educators and the threatened retrenchment of permanent teachers (SADTU, *Educators Voice*, July 1998). In response the union announced a two-week programme of action from 1-12 June 1998 starting with a go-slow on 1 June and leading to an indefinite national strike if the Regulations were not withdrawn by 12 June. The mass action by SADTU forced the Minister of Education back to the negotiation table and a framework agreement was signed on 10 June 1998 averting a national teachers' strike (*The Cape Argus*, 10 June 1998). The framework agreement committed the Minister to the withdrawal of the controversial retrenchment regulations; it extended the contracts of temporary teachers to December 1998 and committed the Minister to finding the funds to extend the said contracts (*Daily Dispatch*, 10 June 1998). The framework agreement also set 31 August 1998 as a deadline for a final agreement, failing which the Department would be allowed to unilaterally declare policy. The framework agreement confirmed the principle of Resolution 3/96 that the Minister of Education would determine national norms and standards for teacher post provisioning and that permanent educators would not be retrenched, but redeployed.

At the time the union went to its fourth national congress in September 1998 there was still no agreement. There was however an agreement that the parties would attempt to

find a workable solution and that the state would try to avoid the unilateral declaration of policy. The upcoming 1999 general elections were beginning to impact on the pace and nature of negotiations (Interview, Pillay, 2006). Despite the SADTU Congress endorsing COSATU's rejection of GEAR and calling on the government to revoke the GEAR policy, it also resolved to "encourage its members to vote for the ANC and to campaign on its behalf to achieve a two-thirds majority" (SADTU, Fourth National Congress, Resolutions, 1998). It also resolved to "commit material and human resources to the ANC election campaign and to support the COSATU resolution calling for the collection of an election levy" (SADTU, Fourth National Congress, Resolutions, 1998).

The Congress resolution on post provisioning called for "national norms and standards to be declared by the Minister of Education in terms of the National Education Policy Act that accommodate all provinces and reflect the class size in the form of a ceiling"; and that "the Minister brings those provinces that fall above the ceiling in line with the ceiling" (SADTU, Fourth National Congress, Resolutions, 1998). This resolution was reflective of the emerging consensus in the joint working group on post provisioning, what remained at issue however was what would be an acceptable "ceiling".

At a post provisioning workshop of all parties to the ELRC on 14-15 September 1998, the state proposed a ceiling of 1:39 (meaning that no province could have a higher PTR) and a target of 1:37 (what provinces should be aiming to reach). The state also proposed that provinces had to consider the national policy, their budgets, equity and redress, as well as the impact of the ceiling on the job security of educators (Minutes of ELRC Post

Provisioning Consultative Workshop, 14-15 September 1998). SADTU rejected the ceiling and vowed to “continue to consult at political level with regards to national norms and standards in order to influence the policy” (SADTU, *Educators Voice*, September 1998).

On 17 November 1998 after six months of intense lobbying and negotiations two resolutions were signed in the ELRC: (i) Resolution No 5 of 1998, *The Transfer of Serving Educators in terms of Operational Requirements; and the Advertising and Filling of Educator Posts*, committed the government to the process of redeployment by balancing the obligations of the employer against the rights of the school governing bodies to make recommendations in the appointment of educators. (ii) Resolution No 6 of 1998, *Procedure for Rationalisation and Redeployment of Educators in the Provisioning of Educator Posts*, replaced the procedures established by Resolution 3 of 1996. Because of the problems experienced in many provinces with the School and College Right Sizing Committees, these too were now abandoned. The Circuit Manager/District Manager and the school principal were to identify teachers in excess. This had to be done in terms of the curricular needs of the school and the principle of LIFO. After circuit managers/district managers have identified the teachers who were in excess, the head of department would facilitate the finalisation of a redeployment list. All post level 1 vacancies would then be advertised in a closed vacancy list for those declared in excess or otherwise qualifying to be redeployed. In terms of the Resolution, two lists would be supplied to SGBs for consideration. List A would contain the names of those teachers

who were redeployable and school governing bodies would only be supplied with List B (an open list) once it had considered the candidates on List A.

The 1998 dispute was an opportunity missed for SADTU. The upcoming 1999 elections and the desire of the ANC to make inroads into the National Party stronghold in the Western Cape provided the union with sufficient leverage in the negotiations process. But during the course of the year the demands put forward by the union in January 1998 re infrastructural developments at schools, redress, the abolition of school fees, the provision of water, toilets and electricity, as well as the provision of learning and teaching support materials, were watered down and the nature and scope of the deliberations in the ELRC shifted away from these key areas of transformation to technical aspects of the associated with the content of the rationalisation process.

The issue of “location”, or what Robertson refers to as scale, was important during this period. The SADTU Eastern Cape for example, was part of the national SADTU negotiating team in the ELRC and was thus party to national agreements. But SADTU Eastern Cape often continued to engage its provincial department to negotiate more favourable agreements in the Provincial ELRC chamber. “The Eastern Cape never underwent rationalisation and redeployment. They kept their ratios until March 2006 and teachers in excess were merely shifted to administration posts in the bureaucracy. In the Western Cape we were so scared that we were not talking in the interest of the country. We wanted to share with the less resourced provinces and schools. SADTU did not fight at all in the Western Cape, like the Eastern Cape did for example. We could have fought

it, because we had a National Party government”, Simone Geyer observed (Interview, Geyer, 2006).

SADTU claimed to have misunderstood rationalisation in both conceptual and technical terms. “Conceptually rationalisation was influenced by economics and globalisation, but this side was not known to SADTU at the time. We understood the political side – the rationalisation of nineteen different racial departments was logical, it was about sensible service delivery. Rationalisation was a pragmatic response to the dismantling of the apartheid structure. But rationalisation went wrong in the application (implementation). It was never purely about education. The policy did more harm than good”, Pat Williams noted (Interview, Williams, 2006).

### **The finalisation of rationalisation**

Although teachers were sceptical of the new resolutions (Interview, Hefke 2006), there was no organised resistance to them in the Western Cape. “Teachers were just tired of struggle and schools were beginning to turn inward. Many teachers were by now making new plans and finding alternative employment. It was round about the same time that the exodus for places like London, Australia and New Zealand started. Many teachers found private sector employment and were not interested in teaching any more,” Russell Bell observed (Interview, Bell R, 2006).

Many schools were indeed beginning to turn “inward” and were embarking on marketing campaigns to recruit learners to their institutions. Schools attempted to secure as many learners as possible for the 10<sup>th</sup> school day learners survey, which was used to determine the number of teachers at a school. In this way schools would thus not have to go through a rationalisation process. In some instances the WCED had to charge certain principals with misconduct for inflating their 10<sup>th</sup> day enrolment figures (Interview, Geyer, 2006).

Andre Felix recalls how Maitland High School teachers went out on door-to-door visits to recruit learners in Khayelitsha, Gugulethu and Nyanga (Interview, Felix, 2006). “Schools were now businesses... We (schools) had to function like businesses in the new market environment that was thrust upon us. We had to do marketing. And we had to ensure that our ‘clients’ paid all their fees by the end of the year, or they were handed over to debt collectors...” (Interview, Bell R, 2006).

The large number of promotion posts that became vacant as a result of the rationalisation process also shifted attention as many lowly paid permanent post level 1 teachers now began scrambling for promotion. “Some schools were completely paralysed as a result of infighting. A school in the Southern Suburbs (SADTU) Branch lost its entire management structure in the 1999 process. It was one of our best schools and has now completely deteriorated,” (Interview, Hefke, 2006). On the other hand, the calibre of leadership in schools also suffered greatly. “We simply do not have the same quality in management anymore” (Interview, Dames, 2006).



The “inward turn” was also evident in how teachers responded to the rationalisation process. As noted above, there was no organised resistance to the 1999-2000 process. Whereas teachers previously sought to resist being declared in excess with schools and communities often coming to their defence, many teachers now opted to resist the process from within. Many teachers joined the teacher unions as many felt that the unions could protect them. The Stellenbosch SADTU branch grew by approximately 50% to just over 200 members in 1999 (Interview Dames, 2006). The SADTU Cape Town Branch was revived in 1996 (it had collapsed after the 1993 strikes) and also showed great growth with the union growing from about 250 in 1996 to more than 500 members in 2000 (Interview Felix, 2006). SADTU led many of the disputes that were declared in this period. In fact there were so many disputes lodged in the PELRC that the body could simply not deal with all of them within the 1999 academic year. The PELRC reached an agreement to hold a “dispute week” in order to try and deal with the backlog. This week occurred in late 1999 and more than 130 cases relating to rationalisation disputes were heard (Interview, Williams, 2006).

On 6 July 2001, Resolution 2 of 2001, *Procedure for the Absorption of Educators Declared Additional to the Post Establishment*, was signed in the ELRC, formally terminating Resolution 6 of 1998 and thus bringing the teacher rationalisation process to an end. The Resolution determined that “All educators declared in excess in terms of Resolution 6 of 1998, shall be held additional to the establishment of the institution at which they are currently employed until dealt with in accordance with the provisions agreed to...” These provisions were that Provincial Education Departments would absorb

educators in excess through appointment into vacant posts, transfers, secondment and retraining.

The then Minister of Education, Prof Kader Asmal commented thus at the official signing of Resolution 2 of 2001:

We are now terminating this agreement (Resolution 6 of 1998) not because it has been a failure, but because it has been successful in attaining its objectives and it has served its purpose. The whole exercise was part of our ongoing attempts to bring fairness and equity in the education system, particularly in the provision of teachers to schools, and this is now done according to a uniform national model...this resolution was structured to ensure that teachers' jobs were protected and that I am pleased to record that since 1994 not a single teacher has been forcibly retrenched by any of the Departments of Education. Through redeployment, we have been able to move over 25 000 teachers from advantaged schools to new posts where their services were desperately needed (Department of Education, Press Release, 6 July 2001).

But did the rationalisation and redeployment programme meet its intended objectives of greater equity across and within provinces? The number of state paid teachers in the Western Cape were reduced from 32 315 in 1996 to 25 861 in 2001. Over the same time period the number of learners increased from 871 708 to 916 115 in 2001 (Jansen and Taylor, 2003:33). The PTRs in the Western Cape rose from 29:1 in 1996 to 37:1 in 2001 in primary schools and from 25:1 to 33:1 in secondary schools (Fiske and Ladd, 2004). An important aspect of this period was the large increase in the number of SGB teachers in schools. SGB teachers were teachers who were employed by a school's SGB and that the school paid from the fees it collected. Only more affluent schools could afford to pay for SGB teachers and thus a significant proportion of SGB teachers employed were

working in the HoA schools. Between 1996 and 2001 the number of SGB teachers in the Western Cape rose by a staggering 186, 8% (Jansen and Taylor, 2003:33).

This clearly added significantly to the inequity within the Western Cape and contributed greatly to the development of a two tier education system.

## **CHAPTER 5**

### **Conclusion**

In conclusion, I would like to return to the key issues this study set out to interrogate. Firstly, it set out to critically examine the role of SADTU in the introduction of neo-liberal measures in education in post-apartheid South Africa by focusing on the rationalisation of teachers in the Western Cape as a case study. It aimed to explore the extent to which teacher unions articulate the views and thus represent the interests of their members in an era of globalisation.

Secondly, it aimed to show that the ways in which the “global invades the local” (Giddens, 1996) is highly contingent on historical processes, political struggles, allegiances and alliances. The alliances that promoted neo-liberal restructuring in the South African case were very different from what Apple (1999) refers to as “the cast of characters” that promoted neo-liberalism in the developed world. The role of SADTU, and its alliance with the ANC, will be explored in this context.

Finally, I shall offer brief comments about implications for future educational policy making in South Africa that can be discerned from this study.

At the signing of the agreement with the unions that terminated the rationalisation and redeployment processes in the Department of Education, Prof Kader Asmal said,

This (the rationalisation process) was not an easy exercise for any of the parties concerned, but we had no option but to persevere, despite legal challenges and acute criticisms. Of course, this had involved some hardship for individual teachers and has created a sense of uncertainty in the system, but I want to record publicly our respect for the teacher unions and their membership that these hardships and uncertainties were a necessary path to transformation and should be supportive of the process. At times, unions have had to take hard positions, even distancing themselves from individual teachers who had been reluctant to accept offers of redeployment. I sincerely salute you and your membership for his contribution to equity and transformation (Department of Education, Press Release, 6 July 2001).

The introduction of the rationalisation programme by the post-apartheid government was a continuation of the rationalisation programme initiated by the National Party government in the early 1990s. The rationalisation programme, whilst attempting to address the great racial disparities inherited from apartheid, was also about not expanding the overall responsibility of the new state to educational provisioning. In fact, as noted by Pat Williams, “It (the rationalisation plan) was never purely about education” (Interview 2006).

The support of SADTU for the rationalisation programme was born out of the historic alliance between the organised progressive trade union movement, led by COSATU, and the ANC. Again, Pat Williams is insightful in this regard when he says that, “It is probable that the ANC had an influence on the SADTU position on rationalisation...”. But he continues, “The fall of the apartheid regime was not anticipated. We could not believe it when all of a sudden in 1994 we had an ANC government and Nelson Mandela became our president. It was a romantic time, it was the first time we were heard, the first

time we were impacting on the change, whether good or bad, it was irrelevant” (Interview, Williams, 2006).

From an industrial relations perspective one could argue that the agreement reached between the DOE and SADTU was an innovative response to the twin pressures for greater productivity and job retention in an era of globalisation. This would be consistent with the role of traditional trade unions. The union used its close ties with the ANC to shift the employer from Resolution 5/1995 which called for retrenchments of teachers, to Resolution 3/1996 which agreed to retain teachers through redeployment. Also, the extension of labour legislation and collective bargaining to the education sector, the formation of the ELRC and the extension of the right to embark on socio-economic protest action in terms of Section 77 of the LRA, were important milestones in the development of teacher trade unionism in South Africa. This is even more important when assessed in terms of the broader global neo-liberal context where governments were attempting to roll-back labour legislation.

Politically, however the union appears to have missed an opportunity to push for the fundamental restructuring of South African education. SADTU entered the post-1994 period relatively strong. This is what prompted Willie Madisha the president of SADTU to declare, “Fundamental principles of redress and equality have been allowed to fall through the cracks” (Madisha, 2000). As a union affiliated to COSATU it played a significant role in the transition from apartheid to democracy and was thus politically strong. Unlike other provincial structures, SADTU WC, was confronted by the old

enemy, the National Party, after the 1994 elections. As Simone Geyer argued, “We could have fought it (rationalisation), because we had a National Party government” (Interview, Geyer, 2006).

But the NP was part of the post-1994 Government of National Unity, a key compromise of the CODESA negotiations, led by the ANC. SADTU’s political alliance with the ANC, despite the advantages and benefits it afforded the union, meant that the union’s ability to steadfastly represent the best interests of its members and education at large, was compromised. The rationalisation process in the Western Cape demonstrates that it was difficult for SADTU to effectively represent the interests of its members whilst it was aligned to the partisan political interests of the ANC. The ANC’s intervention in the mass educational struggles of the union at key moments (the termination of the 1993 strike, the termination of the 1998 strike) disarmed and disillusioned many SADTU members, sapping the progressive energies of the rank-and-file membership.

Drawing on the experiences and memories of previous struggles, many SADTU members who were part of the 1993 anti-rationalisation struggle, felt it important to move beyond economic issues to broader political aspects that impacted on education in this period. The large number of SADTU members who joined the WCPTFS’ “Mother of All Marches” and who participated in its structures, is indicative of the need of SADTU members to focus on the broader issues of transformation and redress in the Western Cape. But the demand for transformation and redress was perceived as politically risky by the ANC, who was keen to allay the fears of the white minority during the period of

transition. Rensburg (1999) has referred to this as “managing the fears of the national minorities”.

The political interests of the ANC government were in line with neo-liberal interests, both at home and abroad, and were not necessarily serving the interests of ordinary SADTU members nor the millions of poor learners across the country. SADTU was critically influenced by the triumphalism and euphoria of the coming to power of the ANC and the dramatic and unexpected defeat of the apartheid system. Williams’ (Interview, 2006) assertion that the union did not fully comprehend the conjunctural conditions and the threats and opportunities created by the new dispensation, and that SADTU did not fully understand the real implications of the rationalisation policies and its relationship to GEAR until it was too late, seems implausible. In fact, this relationship was vociferously advocated by the TLSA and the WCPTSF throughout the period under discussion. The union’s scepticism about GEAR (underscored by President Mbeki’s attack on the union at its National Congress in 1998) and its potentially disastrous consequences for workers in South Africa, also point to the fact that SADTU indeed understood the complexity of the relationship between neo-liberal restructuring (GEAR in this case) and the teacher rationalisation programme. SADTU, like the Russian unions in the aftermath of the revolution in 1917 or the Zimbabwean and the Namibian unions post-independence, was confronted with the conflict between representing the interests of its members and maintaining its political alliance with the ANC.



The cast of characters responsible for the introduction of neo-liberal policies in education in SA was thus indeed different from the cast in the US and England, where Apple (1999) suggested it includes fractions of capital, neo-conservative intellectuals, religious fundamentalists and fractions of the professional middle classes. In the South African case the former liberation movements, led by the ANC, civil society formations, the Communist Party and organised labour (COSATU), were driving forces behind the implementation of neo-liberal policies. Of course, as Jansen (1999) suggested, the implementation of neo-liberal policies in the South African case was based on a high profile discourse about the redistributive qualities of the new policies, and not based on a restorative discourse that is built on a romanticised view of the past, as Apple suggested for the US and the UK. SADTU's support for the teacher rationalisation process was based on the notion that it would lead to the redistribution of resources and greater equity in education. SADTU WC, dominated by coloured teachers, was keen to show that it was aligned to the African majority and that it was therefore willing to make certain sacrifices to ensure the redistribution of resources to their comrades in the black township schools.

The concept of race was also an important factor in the context of the Western Cape that determined how the "global invaded the local". For example, alternative approaches to the rationalisation process mainly propagated by the TLSA and the WCPTSF, were dismissed as attempts to defend the historically privileged position of coloureds in the province.

TINA (There Is No Alternative), prevalent in union circles in the early 1990s, contributed in no small measure to the lack of organised resistance to the introduction of GEAR and the teacher rationalisation programme, as its education corollary. TINA was of course based on the belief that globalisation was an unstoppable phenomenon that had to be accommodated and embraced in the developmental agenda of modern nation states. Despite the acceleration in globalisation in the contemporary period, it is an historically contingent process that is replete with contradictions. This notion of process is indeed important as it challenges the juggernaut thesis, held by SADTU, and many others in the labour movement that regarded globalisation as an unstoppable force. As Robertson has argued, the problem with this approach is that it disregards human agency. At each turn that SADTU members, or regions, organised in opposition to the new policies, the union would demobilise its members, turning off the tap of mass struggle, so as to not jeopardise the nation-building project of the new South Africa, as narrowly defined by the ANC. This led to many struggles, both within the union – between ordinary members and the union leadership, and between the national union and the regions/provinces (the 1993 strikes) - and between the union and the state (the 1998 strikes). These struggles were about re-scaling and involved the “strategic relational moves by actors to work beyond the boundaries of existing institutionalised relations that represented various interests in the various ways to fix a new hierarchical pattern and set of boundaries” (Robertson, 1999:25). And in this period the struggle was won by those seeking to fix a new hierarchical pattern that would favour the middle-classes (irrespective of race) and capital. The new hierarchy and set of boundaries however remain uneven and

contradictory. The struggles against inequality and social justice in education are set to continue.

The rationalisation process did not lead to greater equity in the education system, as has been shown above. In effect, it created new inequalities based on social class. The rationalisation programme can be analysed in terms of a broader rightward shift by the ANC government, marked by its adoption of the GEAR programme, after its coming to power in 1994. Again, it must be pointed out that this was a GNU which reflected the compromises of the negotiated settlement. The GNU undoubtedly imposed restrictions on the ANC in terms of the pace of its transformation agenda. However, it is clear that GEAR was adopted by the ANC and not imposed from outside.

A number of key policy lessons can also be drawn from the teacher rationalisation programme. One relates to the inability of the current legislative, constitutional and funding mechanisms for the provinces to support a national transformation agenda in education. In terms of the current arrangements provinces have a great degree of fiscal autonomy and set their own budgets according to provincial needs. Thus the allocations made by the National Treasury for education from its equitable share allocation, might not be used for education in the provinces. This is indeed often the case, and an area that the Department of Education would have to manage, if it is serious about effecting equity in the education system.

The lack of control over financial spending in the provinces is further exacerbated by the inability of the Department of Education to adequately cost the policy options it chooses. The decision of the Department of Education to allocate VSPs without set criteria had far-reaching implications for the future educational system. Firstly, the best qualified, most marketable educators applied for the VSP. These were the teachers who were teaching scarce skills subjects like Mathematics and Science and this effect is still being felt, with the country struggling to provide qualified Mathematics educators for each high school. Secondly, the blanket approval of the VSPs meant that the cost of the process, initially budgeted at R600 million, ballooned to more than R1.05 billion. The payment of the VSPs thus drained very necessary resources from the system at a time when money was vitally needed for infrastructure, learning and teaching resources and teacher development.

Also, the decision to allow schools which were above the agreed PTR to immediately employ additional educators, whilst schools who were below the agreed level were granted a five year period to reach the national ratios, had severe implications for the eventual cost of the process. This was a policy choice that was not properly costed by the Department of Education and it had severe implications for the quest for equity in education.

Another important implication for future policy making is what Jansen and Taylor (2003) refer to as “the careful alignment of a number of policy strands” (Jansen and Taylor, 2003:34). The new outcomes based curriculum transformation project launched in 1996,

required a well-qualified, enthused and professional teaching corps. The rationalisation process launched at the same time drained large numbers of qualified teachers from the education system, and generally left those staying behind with large classes, frustrated and often demoralised. Also, the process of curriculum change was accompanied by the closure of traditional teacher training colleges, and a general attempt to put the brakes on the recruitment of new entrants into the profession. Again the implications for education have been dire.

The acquiescence of the teacher unions, and SADTU in particular, contributed to a large extent in shaping the future educational dispensation in the new South Africa in terms of the neo-liberal vision of the GEAR strategy. The post-apartheid educational dispensation is essentially one of quality for those who can afford to pay, and a different one for those who cannot. Some of the differences between the two systems can be attributed to the legacies of apartheid and the sheer extent of the backlogs in the various racial education departments. But some of these should be ascribed to the policy choices that the post-apartheid South African government has made.

It is too early to assess the full impact of the early education reform initiatives of the ANC government. Thirteen years are simply not long enough to assess the extent to which the new government has been able to address the centuries of authoritarianism, racism, sexism and inequality. However, this thesis does suggest that many of the early reforms of the new government in education, laid the basis and groundwork for the kind of education that we see developing now.