

Iqsisibenzi. Vol III Jan 1973

Words of encouragement to workers from the Chief Minister of KwaZulu  
Legislative Assembly - M. Gatsha Buthelezi.

I wish all our Black workers to know well that we sympathise with them in their struggle demanding those rights which must be applicable to all workers both in this country and in all other countries.

It is our wish that difficulties of workers be solved amicably and peacefully. We wish to encourage you in forming Workers' Committees in order to make representations to your employers. We realize however, that some of you fear victimization as you are here in Cape Town. The Prime Minister Mr. B.J. Vorster has said that no one must be victimised because of membership in a Workers' Committee.

We have tried to request that you be given the right to form Trade Unions. This request has not been successful for the time being. But then do not lose hope because we also are God's creation, let us not despair. Let us continue to hammer for our rights until they are granted to us.

Unity is strength, I personally say to you all Africans unite as workers, let there be no Zulu, Xhosa or Sotho. The rights which you desire are not meant for one race, they are for all of you, the Black Nation as workers.

Listen to explanations given to you on how to organize yourselves in order to get your rights as Black workers in a peaceful manner. I hope you have seen how peacefully the Blacks have campaigned in Durban.

#### BE ORGANIZED AND BE UNITED

This is the text of a letter of encouragement written by Chief Buthelezi to the Black workers of the Cape.

#### FREE LEGAL AID

We would like to bring to your attention the fact that in certain circumstances you are entitled to free legal aid. In certain cases the Government will pay an attorney to represent you in court whether you are the defendant in a matter or the plaintiff. However not everyone is entitled to free legal aid and not in every case. Before you may claim free legal aid you have to meet certain qualifications. We shall examine these various qualifications (tests).

#### Who qualifies for free legal aid?

To qualify for free legal aid

- (1) A single African must not earn more than R300.00 per year.
- (2) A single African must not earn more than R300.00 per year plus R60.00 for each dependent child.
- (3) A married African must not earn more than R600.00 per year plus R60.00 for each dependent child.
- (4) An African who is separated from his wife must not earn more than R600.00 per year plus R34.00 for each dependent child.

You will not be entitled to free legal aid if the officer finds that you had an idle or dishonest life or that you are unable to pay legal costs because of your own misconduct or neglect. Anyone may apply for legal aid, women or men.

admission of guilt fine. Where your defence is very simple so you don't need a lawyer you may not claim free legal aid. It is not available where you were involved in a traffic offence or any offence involving a motor car nor is it available where you have admitted committing the offence except in special cases where you need a lawyer to explain to the court why you had good reasons for committing the offence. Free legal aid cannot be claimed for preparatory examinations in the Magistrates Court.

### Civil Cases

Legal aid is available in all civil cases. However the problem must not be a very small one and it must be of such a nature that if you will you benefit - in other words it must not be a very small problem. To enjoy free legal aid you must have a good claim or if you are the defendant, a good defence.

### In what courts may you claim free legal aid?

You are entitled to claim free legal aid in all the courts:- The Bantu Affairs Court, the Magistrates Courts, and the Supreme Court.

However because the costs in the Bantu Affairs Court are already low it will have to be a fairly big matter for you to claim legal aid. If you wish to claim legal aid for a matter in the Bantu Affairs Court, in Pietermaritz Street go and speak to the Clerk of the Court, there every day of the week, and explain your case to him.

If you require legal aid for a case in the Magistrates Court or the Supreme Court then you must go to the Magistrates Court in Pietermaritz Street any day of the week and make an appointment to see the Control Magistrate on a Thursday morning to whom you will explain your story.

If you satisfy the Bantu Affairs Commissioner or the Control Magistrate that you are entitled to free legal aid he will send you to a lawyer (of your choice). The lawyer will decide if you have a good case. If you have he will act on behalf of you and the Government will pay his costs. However you may be required to pay some money but it will be very little in proportion to what you would have to pay had you not received legal aid.

So if you are involved in a court case as defendant or if you wish to make a claim against someone and you think you are entitled to free legal aid go and see the Control Magistrate if it is a Magistrate's Court matter or the Clerk of the Court at the Bantu Affairs Court if it is a Bantu Affairs Court matter.

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### TRADE UNION GOES AHEAD

Last Saturday at Edendale Lay Ecumenical Centre 200 Pietermaritzburg (metal) workers gathered. They heard the temporary executive of their trade union speak about the union. The constitution of this new union, the first Black Union in Natal was presented to them. They liked it, and applauded their executive strongly. Jonathan Ibbisi of Alcan was elected the first chairman. Moses Mbanjwe is to work for the union as organiser and secretary. After the meeting nearly all those present signed up immediately, and got the yellow membership cards of the African Metal Workers Union.

Some people asked if a union is not illegal. The answer is NO, trade unions for Blacks are not illegal. There are already several Black unions in South Africa. Most of them are in Johannesburg. They are quite open with nothing criminal about them. Our union in Natal too is quite legal. The Boss at International Harvester has already said he will recognise the union. Other firms will have to recognise it too, as it grows stronger and stronger, bigger and bigger.

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### CHAPTER OF WORKERS' RIGHTS

White South Africa is gradually being awakened to the plight of the black