

Living with the LRAA

The controversial Labour Relations Amendment Act (LRAA) is now a fact of life for South African workers, despite some of the strongest opposition in this country's labour history.

Although most unions have held internal seminars to discuss ways of living with the new act - which severely limits workers' rights to strike and organise - no direct strategy has yet evolved.

A move in this direction has been made by the country's two largest union federations, however: the National Council of Trade Unions (Nactu) and the Congress of South African Trade Unions (Cosatu) are due to hold a joint meeting at which a common strategy will be worked out - probably by the end of the year.

According to Cosatu, the two federations are also prepared to revive discussions with the SA Co-ordinating Committee on Labour Affairs (Saccola), even though previous talks seemed to create more animosity than results. Cosatu said a dispute currently exists with Saccola over discussions earlier this year, which were aimed at softening some of the more severe sections of the new law. Cosatu stressed, though, that the two federations were only prepared to resume discussions if Saccola unequivocally called on its affiliates not to take advantage of the sections of the law in dispute.

Cosatu and Nactu are also trying to step up pressure through the International Labour Organisation (ILO). Both federations have informed the ILO of their objections to the act and have invited the organisation to intervene.

In the meantime, workers in the clothing sector have won significant gains and unions in the metal industry are developing a code of conduct which will give workers a certain level of protection against the worst provisions of the act.

The Garment and Allied Workers Union (Gawu), launched last year,

has come out with the most militant opposition so far. Three days before the new legislation became law, over 40 000 Gawu members in the Western Cape went on strike. They demanded an undertaking from employers not to implement certain provisions of the LRAA until Saccola and Cosatu had reached agreement on formulating counter-proposals to the act.

Bosses succumbed to the pressure, and agreed not to implement clauses which the union finds offensive. They have also given an undertaking to negotiate other aspects of the act. The agreement, made between Gawu, the Cape Clothing Manufacturers Association and the Cape Knitting Industry Association, affects 56 000 Gawu members in the Western Cape. A similar agreement was reached with the Natal Clothing Manufacturers Association, involving over 46 000 Gawu members in the province, after a series of work stoppages by thousands of workers.

In the metal industry, German union IG Metall and the South African Co-ordinating Council of the International Metalworkers Federation have drawn up a 14-point code of labour practice for German multinationals. Although not intended to directly counter the LRAA, the code does attempt to restore or expand certain rights restricted in the act. IMF's Brian Fredricks said of the code: 'It would be wrong to describe it as an attempt to sway opinion on disinvestment - but as long as multinationals are operating here, they should operate within these guidelines'.

Provisions in the code include:

- * recognition of the right to strike (renouncement of the possibility of dismissal for participating in a strike);
- * renouncement of the use of 'the undemocratic industrial council system' for rendering strikes illegal;
- * right of peaceful picketing on company premises;
- * agreement not to jeopardise the right of employees to live in hostels and other company accommodation, except in the case of fair dismissal.

The code also renounces the exploitation of advantages provided by apartheid laws, in particular the 'homeland' system and security laws. On this issue, the code calls for



workers to be paid while detained or imprisoned under security legislation.

IMF unions will be negotiating the terms of the code with individual companies in the near future. The largest of these unions, the National Union of Metalworkers of South Africa (Numsa), is working towards a uniform agreement with the 15 companies within the ambit of these guidelines. The IMF hopes to get the German Chamber of Commerce to accept these guidelines in principle.

A shop-stewards council is being set up for German multi-nationals and will monitor the implementation of the code in conjunction with the IG Metall shop stewards council in Germany.

As Fredricks points out, the labour code provides for a more amenable employer-employee relationship and could well set a precedent for other multi-nationals.

The possibility exists of similar union action in other sectors.

Although the issue of deregistration has been raised, it is an unlikely option in the near future as unions are increasingly moving towards industrial councils. If unions deregister they stand to lose the opportunity of using industrial councils as a bargaining forum, as well as losing stop order facilities. However, the gains and losses of this option are being debated in the labour movement.

One tactic which already has popular appeal in most unions is the idea of scrapping or amending old recognition agreements and re-negotiating new ones. Structures like the South African Breweries shop-stewards council, incorporating several unions organising at different companies in the SAB conglomerate, allow for unified demands being made in all SAB companies - *Shareen Singh*.

Parley with the Party

The first formal meeting between the African National Congress, Soviet academics and Afrikaner politicians, scheduled to be held in West Germany at the end of October, could provide some interesting ideological debates.

Two members of the Soviet delegation have adopted positions which differ sharply from those expressed by the South African Communist Party, 'historic ally' of the ANC.

Earlier this year, soon after the Soviet academics' views were published in South African publications, the SACP distributed a booklet outlining its own position on several key debates. The booklet contains rebuttals of positions put forward by the Soviet academics, Professors Gleb Starushenko and Viktor Goncharov, both of the Africa Institute of the Soviet Academy of Sciences. The first issue which is contested is the Soviet academics' interpretation of the socialist nature of the South African struggle.

Goncharov's position was published in an interview in *WIP 48*. He argued that there was an attempt by some ANC members 'to put before the national liberation movement now the tasks of socialist revolution', and that this could lead to the liberation movement losing allies in the population.

He suggested that it could take 100 years to achieve socialism in South Africa - implying that this might be a desirable timescale.

The position put forward in the SACP booklet is that socialism has never been put forward as the immediate objective of the national democratic revolution. However, it concedes that far-reaching economic clauses of the Freedom Charter, which call for the nationalisation of the mines, monopoly industry and banks, and re-distribution of the land to those who work it, could be confused with socialist measures.



Soviet President Gorbachov

If one views the South African revolution as bourgeois-democratic, the Party argues, then one could confuse these economic measures with socialist transformation.

While conceding that these measures lay the basis for an advance to socialism, the SACP argues that they are intrinsic to the national democratic revolution.

According to this argument, the economic measures outlined in the Charter are essential because of the massive disparity between white and

black living standards. So although the democratic revolution should try to attract the widest possible unity, the economic content cannot be jettisoned - even if this means losing some potential allies.

After a revolution in South Africa, the Party argues, the new democratic state will be required to implement economic measures which will go far beyond bourgeois democracy. These will create a favourable framework for socialist transformation, but will not in themselves create, or necessarily even lead to, socialism: the achievement of socialism depends primarily on the place the working class has won for itself as a leader of society.

The second issue on which there are differences is the question of group rights, which was recently addressed by Starushenko. He argued that a parliament which accommodated 'group rights' should be considered for the post-apartheid period, and that this parliament should consist of two chambers: one chosen on the basis of proportional representation, the other 'possessing the right of minority veto'.

Starushenko also urged the ANC to work out 'comprehensive guarantees for the white population', and undertake that there would be no broad nationalisation of capitalist property.

The SACP stresses Starushenko's pro-liberation intentions are not in dispute. However, it argues that while this approach was suitable in the Soviet Union, it is not valid for a new South Africa.

In the Soviet Union, a recognition of multi-nationalism was the foundation of national liberation and self-determination - as realised in the many republics which make up the Soviet Union. But because of South Africa's single economy, arguments for maintaining group rights are inevitably linked to maintaining white control over the means of production.

The Party also stresses its commitment to one united, democratic South Africa, while pointing out that this does not contradict the need to ensure that the cultural heritage of different groups flourishes in a unitary South Africa.

With the new degree of international flexibility presently