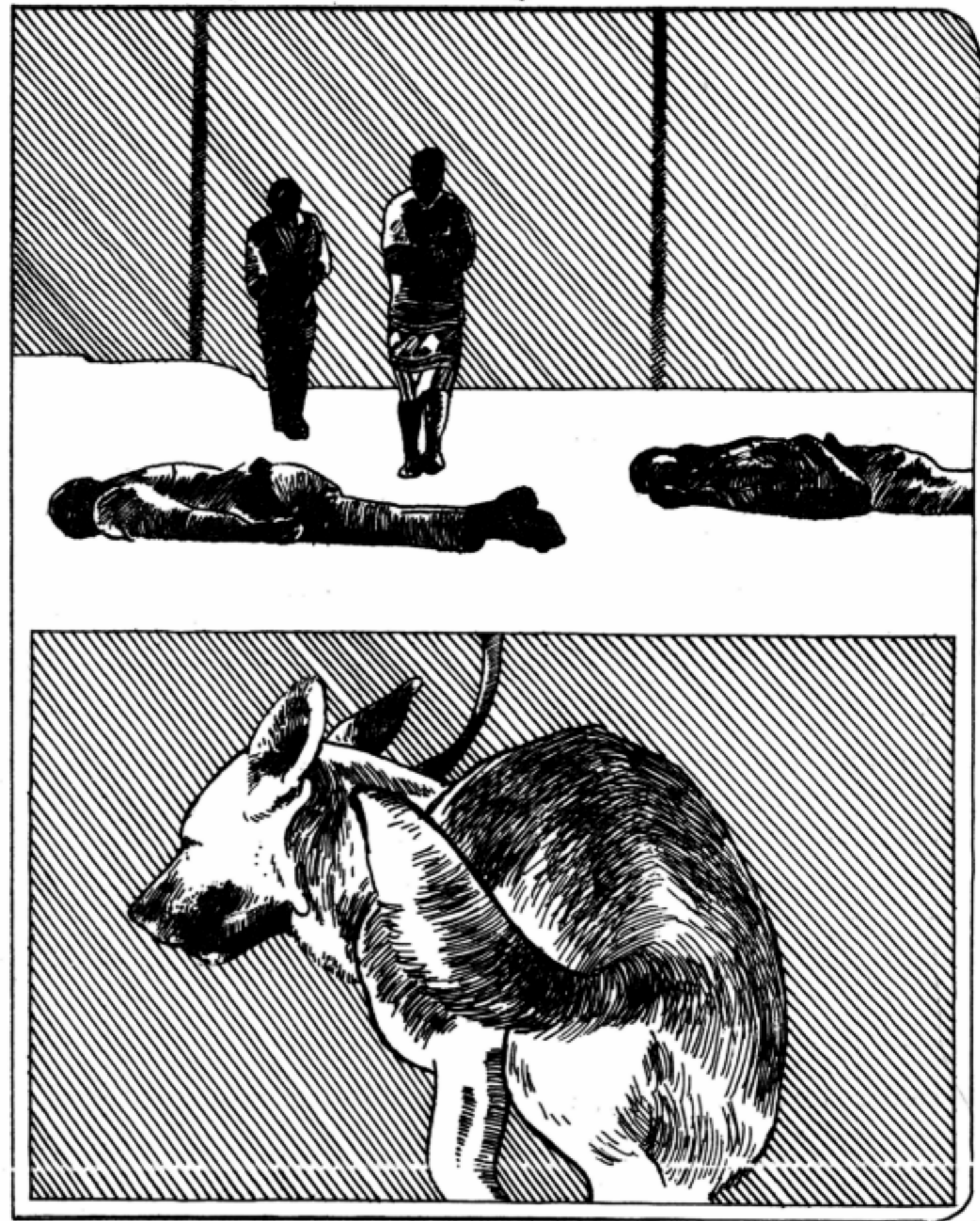


Work In Progress

7

MARCH '79



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address

PLEASE NOTE the new editorial address of WIP is

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The nature of WIP, which is to stimulate debate and present controversial views, ensures that the opinions expressed do not necessarily reflect the views of the editors.

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HOLLAND

MAHLANGU'S YEAR

On June 13th, 1977, just 3 days short of the first anniversary of the beginning of the Soweto rebellion, 3 young men travelled to Johannesburg. A year previously at least one of them had been a school-child, living in a township just outside of Pretoria. By the end of that day 2 white men were dead, 2 of the group were in police custody, and the third member of the group was on the run, making his way to relative safety in a neighbouring territory.

The subsequent trial of Solomon Mahlangu revealed some of the occurrences and events which led up to the 'Goch Street shootings', taking place, as they did, in the shadow of John Vorster Square.

The two young fighters who were apprehended by police after the Goch Street incident, were brought to court after what, in South Africa, has become a usual period of detention under section 6 of the Terrorism Act. However, after certain court proceedings and a period of psychiatric examination, Mondy Johannes Motlaung (20) was declared unfit to stand trial, and an order was made declaring that he should be detained as a State President's patient. He had suffered severe brain damage, possibly as a result of injuries sustained when a member of the white public attacked him at the time of the Goch Street shootings.

The remaining member of the original group, Solomon Mahlangu (21) faced nine charges:

- 2 counts of murder,
- 2 counts of attempted murder,
- 3 counts under the Terrorism Act,
- 1 count under the Internal Security Act, and
- 1 count under the explosives act.

The State alleged that a series of facts rendered Mahlangu guilty on all charges. The basis of these allegations were:

- (1) that the accused left South Africa illegally with the intention of undergoing training under the auspices of the ANC;
- (2) this training was received in Angola, Swaziland and/or Mocambique;
- (3) the training included instruction in the use of arms and explosives;
- (4) on about June 11th 1977 the group of three crossed into South Africa from Swaziland, carrying a quantity of arms, ammunition and explosives. These included:

2,5 kg of plastic explosives,
 various mechanisms to detonate the explosives,
 5 defensive handgrenades (F1 type) of Russian origin,
 4 offensive handgrenades (RDG-5 type) of Russian origin,
 2 unmarked handgrenades,
 3 x 7,65 scorpion automatic machine guns,
 5 scorpion magazines,
 222 x 7,62 cartridges for use in AK 47 sub-machineguns,
 35 x 9mm cartridges,
 48 x 7,65mm cartridges,
 13 packets of 7,65 mm cartridges, each packet holding 25
 cartridges, plus 5 further 7,64mm cartridges.

- (5) In a house in Duduza township, near Nigel, the accused stored certain of these weapons and explosives, as well as a quantity of ANC posters and pamphlets;
- (6) On June 13th, the accused travelled to Johannesburg, together with Mondy Motlaung and the third member of the group, named by the state as Lucky Mahlangu. They had with them 3 submachine guns, a quantity of ammunition, and handgrenades;
- (7) In Johannesburg, the 3 were accosted by a person who attempted to search their luggage, which held the ammunition;
- (8) They ran off towards Goch Street, where they took cover under a motor-way, and fired a number of shots;
- (9) They then ran into a warehouse, where they came accross 4 white men. Motlaung fired shots at these 4, leaving 2 dead and 2 wounded;
- (10) The two wounded men attempted to apprehend Motlaung, who tried to detonate a handgrenade before he was overpowered and handed over to police who had arrived on the scene;
- (11) Solomon Mahlangu was apprehended, having threatened a person with a machine gun. He had a handgrenade in his possession when arrested.

The third member of the group escaped.

It should be noted that the trial judge, Justice Theron, had previously heard a Terrorism Act case (State vs Masuku, Nkosi and Chauke) in which certain evidence was led by the State relating to Mahlangu. This concerned his recruitment to undergo military training, leaving South Africa illegally, and his presence in ANC training camps. In that case, Justice Theron found all the accused guilty as charged, presumably accepting the evidence of state witnesses who had incriminated Mahlangu.

At the beginning of his trial, Mahlangu pleaded not guilty to all counts.

The State called a number of witnesses, both police and civilian,

to establish the facts of the case. Much of this evidence, relating to the possession of arms, explosives and ammunition, the storing of weapons, and the leaving of South Africa at the behest of the ANC, was not seriously contested by the defence. Much of the defence approach to the case involved disputing the admissability of a statement made by Mahlangu while in detention, and insisting that the accused was not himself responsible for the death of those shot in the Goch Street incident. This was put forward on the basis that, even when firing, he was not acting in common purpose with Motlaung who actually fired on the dead and wounded men.

One of the witnesses called by the state, Roseline Hlatswayo of Duduza township, testified that she lived next door to the parents of Lucky Mahlangu. On June 12th 1977, 3 people - Mondy Motlaung, Lucky Mahlangu and the accused - arrived at her door and asked to store groceries and a suitcase there.

According to other evidence in the trial, these grocery packets and the suitcase contained arms, ammunition and explosives.

The following day, police detained Hlatswayo for about 5 weeks, during which she was held in solitary confinement and interrogated. Released, she was subsequently redetained with her husband. According to the state, they were held for their own protection, as people were 'interfering' with and threatening them.

Hlatswayo also testified that Lucky Mahlangu originally disappeared from Duduza at the end of January 1977, returning on June 12th of the same year - a period of 4 1/2 months absence.

A district surgeon, Dr. N. Jacobson, testified that he examined the accused shortly after his arrest, and that he had no visible bump on his head at the time. This matter took on importance in the context of the admissability of Mahlangu's statement to a magistrate later on the same day as Jacobson examined him.

When the state sought to hand in Mahlangu's statement made to a magistrate as an exhibit, defence council objected, claiming that it had been made under duress. A 'trial within a trial' then followed over the admissability of the statement, the outcome of which was vital for the defence case.

The state began its attempt to prove that Mahlangu had made the statement 'freely and voluntarily' by calling a black security policeman, Sgt. Thembi Raymond Maflope. He testified that, on the

evening of Mahlangu's arrest (June 13th), he assisted in taking Mahlangu to the Magistrate's Court building with the intention of the accused making a statement to a magistrate.

After Mahlangu had been with the magistrate for a brief period, Maflope was called in to interpret for both the magistrate and the accused. A statement was then made by Mahlangu, interpreted by Maflope, and taken down in writing by the magistrate, a Mr. Joubert.

Mahlangu, called to give evidence denying that he had made the statement freely and voluntarily, and without coercion, testified that he was seriously assaulted by the security police on a number of occasions before being taken before the magistrate. Told by security police to make a false statement to the magistrate, he refused, and was as a result beaten with a broomstick, thrown into the air and dropped, and told he would be killed slowly. He was also given nothing to eat or drink all day and night.

He then agreed to include false and incriminating matters in his statement. He was told that his statement would be tape-recorded so that the police could check on what he was saying to the magistrate. He was also told that, if asked how he came to have an injury to his head, he should say it was received before his arrest through bumping it.

A tape-recorder was placed between the accused and the magistrate during the taking of the statement, and for most of the proceedings a member of the security police (Maflope) was present as an interpreter.

Mahlangu claimed that it was primarily for these reasons that he made the statement to the magistrate, and did not tell him of the assaults.

Magistrate Joubert admitted that, on the request of a Major Olivier of the security police, the proceedings between he and Mahlangu were tape recorded, and the tape immediately handed over to the police. He also testified that he had asked Mahlangu about the lump on his head, and had been told that it was received through bumping his head prior to his arrest when bending down to take a weapon from a packet.

The state then led certain police witnesses, all of whom denied that Mahlangu had been assaulted, or told to make a false

statement to magistrate Joubert.

(It was not explained how Mahlangu had received the bump on his head prior to being arrested, yet this had not been detected by Dr. Jacobson when examining him after the arrest).

At the end of these proceedings, the judge found that the statement had been freely and voluntarily made, and was admissible in court. Its contents therefore became evidence, with the status of a confession.

Much of the remainder of the trial was taken up by evidence in chief, and cross-examination of the accused. He testified that he had become interested in politics after the June 1976 riots, and had been recruited by the ANC. He had left the country hoping to become an ANC ambassador.

Having undergone military training in an ANC camp, he was sent back to South Africa to commit acts of sabotage. However, the preservation of life was stressed to him by ANC officials, and he was instructed to concentrate on sabotaging property.

He denied that he was acting with a common purpose with Motlaung when the latter killed and wounded certain people, and insisted that he had refrained from firing on people during the Goch Street incident.

On March 1st, 1978 Justice Theron found Mahlangu guilty on all 9 counts. He found that, although Mahlangu himself had not shot the deceased or wounded, nor had he thrown the grenade, he was nevertheless as guilty as his companion (Motlaung) who had committed those acts.

The following day, the judge rejected a defence submission that there were extenuating circumstances, and sentenced Mahlangu to death on the murder charges. Sentence on the other seven counts was postponed.

Before being led from the dock, Mahlangu turned to the packed gallery in the specially convened Kempton Park court, gave a clenched-fist salute, and shouted 'Amandla' (power).

Remarked Justice Theron to this display by Mahlangu: "This is another demonstration that we were not wrong".

This is not, however, the end of the case of Solomon Mahlangu. In June 1978, defence council brought an application for leave to appeal against conviction and sentence. Arguing in front of

trial judge Justice Theron, the defence submitted that Theron had erred in finding beyond reasonable doubt that Mahlangu had a common purpose with Motlaung to kill. Accordingly, Mahlangu should not be held responsible for the acts of Motlaung.

Defence council further suggested that, in imposing the death sentence, Theron was mistaken in finding no extenuating circumstances.

After hearing argument, Justice Theron refused leave to appeal against sentence and conviction.

A month later, Mahlangu petitioned the Chief Justice for leave to Appeal, but this was also turned down by the Appellate Division.

Then, in November 1978, an application for a retrial was made before the trial judge. The application was based on a suggested irregularity, whereby Justice Theron had previously heard evidence (in State vs Masuku and 2 others) which had dealt with Mahlangu himself. Yet again this application was refused, and the petition to the Chief Justice for a retrial was also refused in January 1979.

As Mahlangu completes a year on death row in Pretoria's Maximum Security Prison, a petition for clemency is before State President John Vorster, calling on him not to allow the execution of Mahlangu.

But the attempts to save Mahlangu have not only involved legal argument. While in South Africa his name is not widely known, elsewhere in the world a massive campaign to save the life of Solomon Mahlangu has included the following organisations, governments, and individuals:

International Association of Democratic Lawyers,
 Afro-Asian Solidarity Association, Sri Lanka,
 Chief Leabu Jonathan, Prime Minister of Lesotho,
 The Co-ordinating Bureau of Developing Nations,
 The British Government,
 The Anti-Outspan Movement, France,
 The Belgium Government,
 The President, British Amalgamated Engineering Workers Union,
 The General Secretary, British National Union of Seamen,
 The President, British National Union of Journalists,
 Anti-Apartheid Movement, Netherlands,
 United Nations Special Committee Against Apartheid,
 SATIS (South Africa - the imprisoned society),
 Anti-Apartheid Movement, Britain,
 Non-aligned foreign minister's conference,
 United Nations General Secretary,
 World Council of Churches,
 The General Secretary, British Labour Party,

Lord Avebury, British Liberal Party and associated with Amnesty International,
The French Government.

More recently, a few groups within South Africa have publicly called for clemency from Mahlangu. They include Writers Association of South Africa (WASA), Pretoria Black Housewives League, and Atteridgeville Students League.

The outcome of the campaign to save Mahlangu has great significance, even greater than the saving of a life. If what will widely be seen as a political execution is carried out, it can only harden attitudes - not only of international groups and governments, but also of black political opposition in South Africa. And if that happens, it must have its effects on the way what is already a low intensity civil war is waged.

In this context, one is forced to condemn in the strongest terms the right-wing editorial of the STAR newspaper, which effectively calls for Mahlangu's execution. There is little doubt that the STAR, hiding behind a false 'neutrality' and 'reasonableness', must shoulder some of the blame for the increasingly reactionary role which many English-speaking whites play in South Africa. But in the editorial of 25/7/78, which we reproduce below, this conservative newspaper exceeds even its own standards of pedestrian passivity.

Open justice

Star 25/7/78

THE STAR commented last week: "The campaign by British radicals to save the life of the condemned Goch Street double murderer was predictable. To protest capital punishment would have been fair enough — we are opposed to it ourselves — but the Goch Street crime required no special consideration under the South African penal code. It was cold-blooded, premeditated killing. To make a political issue of it is pure cant."

In fairness to Solomon Mahlangu the man condemned to death for the Goch Street murder, it needs to be pointed out that he was not the man who pulled the trigger, and the judge did not use the words "cold-blooded, premeditated murder" himself. (Though he did say

Mahlangu and his associate armed themselves intending to kill in order not to be apprehended; and the Chief Justice yesterday afternoon turned down leave to appeal against the murder conviction and death sentence.)

The main point of our comment stands. This case was a normal example of South Africans being tried in open court — with all its legal safeguards. Such open justice should not be the pretext for political campaigning against South Africa.

Indeed, if more people were tried in open court, and the vicious system of detention without trial were abandoned, there would be significantly fewer grounds for our enemies (and friends) to condemn us.

Op-pression

"I HAVE ENDEAVOURED TO DISCOVER WHAT PARTICULAR INTEREST OF THE STATE IS FURTHERED BY SUPPRESSION, ALBEIT TEMPORARY, RATHER THAN DISCLOSURE OF THE EVIDENCE. I HAVE BEEN ABLE TO FIND NONE."

-- Justice Anton Mostert

ALL we need now is for Mervyn Rees and Kitt Katzin to team up and write a book ("Some of the President's Men", perhaps?) and the Press's role in our own Watergate will have equalled that fearless journalism of Woodward and Bernstein that some say toppled a president.

In fact, the Press's undaunted pursuit of the corruption in the Information Department has justly earned it the honoured title of the western free enterprise mass media -- the Fourth Estate.

Seen from a liberal perspective the record of the Sunday Express, the Rand Daily Mail and the Sunday Times is a proud and admirable one.

But to leave it there would be to limit one's judgement to the framework those newspapers have themselves set.

For the role of the Press in this country embraces a fundamental contradiction it either cannot see or chooses to ignore. It is this: it sets itself up as adversary but finds itself in opposition only to the government ... but not to the State.

In fact it sins not just by commission, but also by omission: at the same time as it pays little or no attention to the raw information (not yet written into "news") that could form the basis of a more thorough knowledge of the repression in this country, the English-language Press gives to the institutions responsible for that oppression

an air of respectability -- or at least normality -- that comfortably reassures us that all is not out of hand.

This has very little -- if anything -- to do with Main Street boardroom conspiracies or newsroom scheming and everything to do with the particular nature and function of a newspaper.

Newspapers are not just the material conveyors of neutral information with which audiences can do what they like. On the contrary, they are what Stuart Hall has called structures of meaning and assumptions in visual, linguistic and typographic form.

The entire apparatus of a newspaper -- from annual budgets and long term projections to subbing and spiking -- is a mammoth operation in placing a cognitive grid -- a meaningful order -- on an otherwise chaotic world of seemingly meaningless activity.

Those morning conference decisions, the copy-taster running his forefingers and thumbs endlessly over telex sheets, reporters grasping for intros, subs tightening up stories, editors choosing page leads...all these things and hundreds more are part of what may look like disorder but what is, in effect, a fairly structured and predictable machine.

And it is one which draws from a finite font of social and political values and responds rationally to the daily imperatives of the commercial industry that it is.

What goes into a newspaper is indeed no accident.

A newspaper is not simply the mouthpiece of its management or owners as some simplistic theories would have it. But it is also not the product of the independent wills and inborn news judgements of its journalists.

To this many a working journalist will protest: But I write what I like. There are two answers to that. The first is the short

one.-- the one Miliband gave: Media bosses let journalists write what they like mainly because they like what they write.

The second answer is longer and less crude. It is to do with the store of judgements and perceptions the journalist brings with him to work every day.

What is easily tagged "news sense" in the world of journalism is in fact a complex scheme of learned assumptions and definitions that have their basis not in such romantic things as newspaper tradition and spirits of fearless journalism and public-mindedness, but in the social and economic milieu within which journalism exists.

Much has been made of the economic imperatives of a commercial Press. No journalist would want to deny that these exist -- though some tend to underplay the importance -- and there is really no need to repeat the endless tales of advertisers putting pressure on editorial departments, managers and editorial executives pushing plugs for companies or individuals and the dilution of individual stories or specific pages in favour of more saleable copy.

But these do not adequately explain why it is that the overwhelming number of journalists and the decisions they make are -- without the need for any coercion whatever -- predominantly conservative or why the newspapers themselves are essentially ideological allies of those who rule and the institutions that enable them to rule -- from the nuclear family to the stock exchange.

The explanation lies in the complex relationship between social structure and ideology, the specific epistemological basis of which I do not intend to explore here. But if you look at the key features of the structure of South African society and then at some of the key criteria of newsworthiness,

the relationship is obvious.

I would say that the particular nature of our society depends on at least the following decision-making structural features:

°The separation of effective decision-making from the people through centralised career policy-makers and administrators... all obscured by the pomp and jargon of democracy.

°Urban nuclear family-based consumption at the expense of rural extended families deprived of necessities or the resources to compete for them.

°A rigorous division of labour and consequently distinct social classes reproduced through differential access to educational, economic and cultural capital.

°Male dominance in strict gender role definitions.

°Individualistic as opposed to communal goal-pursuit.

°Minimal contact with or development of indigenous culture with the maintenance and extension of economic and cultural ties with the West.

°Scorn for and control of any deviance which threatens achievement motivation, heterosexuality, marriage and the nuclear family, conspicuous consumption and private property.

Looking at each of these in turn it is easy to recognise a corresponding judgement about news. Any event that in any significant way reflects one of those essential features of our society makes it into print.

Some would say: Well that's to be expected -- these are, after all, the major features of our society. But the importance of it lies in the framework within which the event is placed linguistically, visually and typographically.

Media theorists have of late made a lot of the notion that while newspapers cannot affect the way you think, they can affect what you think about. I feel that this somewhat understates the influence of newspapers. We must, if we are to adequately understand the power of the Press, recognise that newspapers do not only affect what we think about, but they also establish the framework within which we think about it.

Recently the Chinese developed a 99,8 per cent safe contraceptive pill for men -- arguably one of the major medical breakthroughs in history.

Also recently two British doctors succeeded in perfecting the test-tube baby.

The latter story found itself, together with pictures of happy mother and hospital staff, onto the front pages of newspapers throughout the country.

The former was tucked away on the women's page together with a reassuring note that American medical researchers were checking out this new development.

A whole lot can be said about this sort of news judgement. To call it ethnocentric would be to state a truism. To call it sexist, in that it assigns questions of birth control to the women's pages -- and therefore, presumably, to women -- would probably cause a furore. But it's true.

This is the case for countless other problems common to men, women and communities: childcare, divorce, old age, beauty, cooking, shopping, and a whole host of others. But the typographically imposed instruction is: move into "woman (and therefore trivia)" mode.

Just like the business pages shift the reader into "what's-good-for-the-country" mode, even if it is primarily about what's good for Anglo-America; and the leader page

into "this-is-it" mode, even if it is what people are doing in governments at home and abroad, and not what governments are doing to people; and the crime pages move you into "revulsion" mode without giving you a glimpse of the positive sides of deviance or the social causes of it; the social pages move you into "admiration" mode as fatcats and young achievers are paraded at Carlton Hotel do's, their wealth and beauty concealing their location in the structure of exploitation; and the "general news" pages shift you into numbness to accommodate the floods, droughts, famines and soil erosion that plague millions of hapless rural people.

Not only are the structures of exploitation and oppression that give rise to the events that make "news" ignored...they are concealed.

The same is the case with the politics of this country, particularly exemplified by the Information Department scandal. Regardless of the shifts and adjustments that take place in the palace, power remains out of the reach of the people. For the English-language Press, "news" is not that the structure denies power to the people. On the contrary, the "news" is that there is something wrong with the correct functioning of the system that is responsible for denying them power.

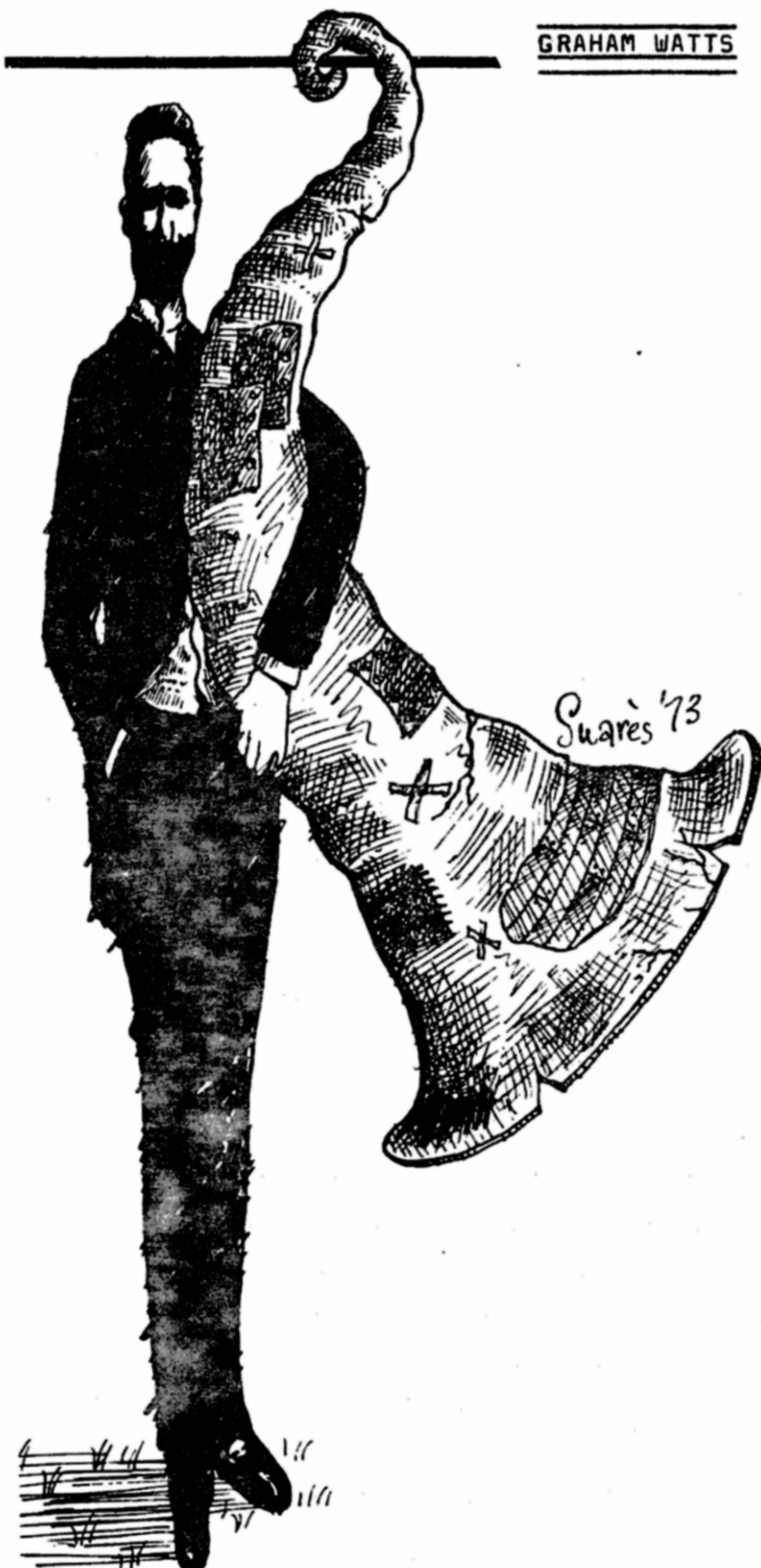
The entire apparatus of social control and oppression - from judges to "opposition" parties are wheeled onto the stage by the Press to comfortably reaffirm the existing order when individuals do things "illegally" which those institutions do every day through their very objective function.

No reason to be too concerned: commissions have been sworn in, independent judges are heading inquiries, the police are investigating the cases of certain individuals, and, above all, Parliament has been recalled.

Even if we don't get all the president's men, the State will be cleansed of much of the corruption that has marred its proper functioning.

Indeed this is the message of the Information scandal: it is not the State's oppression that has made the news but the State's malfunctioning.

GRAHAM WATTS



RSA

INTRODUCTION:

Rhetoric and polemic about repression in South Africa is a major plank in most anti-apartheid platforms. Of late, there has been considerable theorising about the concept of the "repressive state apparatus".

But scholars have paid far less academic attention to the security apparatus than the security apparatus has paid to them. The relevant chapters of the banned book "Justice in South Africa" by the banned and listed Albie Sachs, and the banned pamphlet "Boss in South Africa" by the International Defence and Aid Fund in London appear to be almost the only academic works on this subject, bar the literature dealing with the legal framework of control by Brookes and Macaulay, Mathews, and Van der Vyver.

This article outlines the history and structure of the security apparatus, and offers a brief background to the involvement of the Information Department in what USA political scientists call the "intelligence community".

Few South Africans seem aware that there are no fewer than seven types of police force available, when needed, to control political dissent, labour organisation, and cultural non-conformity:

- (1) The SA Railway Police, with their new Security Branch;
- (2) The Company Police Forces of mining corporations and other large employers of compound workers;
- (3) The "Black Homelands" Governments' police forces, "home guards" and "youth wings", often armed and unobservant of legal niceties;
- (4) The SA Military Police, searching for hundreds of conscientious objectors and other military deserters at any one time;
- (5) The Plural Relations Department's armed "inspectors", who have powers of arrest and searching without warrant. These operate under the orders of Administration Boards, and incorporate the former "location police boys", Peri-Urban Board "inspectors" and hostel "supervisors", often equipped with truncheons and handcuffs;
- (6) The "Squatter Control Sections" of the Divisional Councils and other Cape local authorities, who also have "inspectors",

unofficially armed, with powers of arrest and searching without warrant; and

- (7) The SA Police, and its Security Branch, who provide the backup to the other six police forces when necessary, and also enforce the law in their own right.

It should be noted that (1) also covers harbours and airports; that some of (2), such as the Anglo-American Corporation's guard force, number up to 3 000 men, equipped with teargas and dogs, and that some mining compounds, as well as the Peri-Urban Board "hostels", have lock-up cells, as well as their own police force.

Leaving aside the small secret services votes long provided for in the Information and Plural Relations Departments, the intelligence community comprises:

- (1) Directorate of Military Intelligence;
- (2) Foreign Affairs Department (relevant sections);
- (3) Security Police; and
- (4) Department of National Security (DONS, formerly named BOSS), which in addition to obtaining information in its own right, evaluates all information forwarded to it by the other three organisations.

ORIGINS OF THE SECURITY APPARATUS:

As early as 1906, plainclothes CID detectives of the Cape Colony's Police force were monitoring meetings of the Social Democratic Federation. After the merger of the provincial police forces in 1912-13 to form the South African Police, CID informers and detectives continued to infiltrate and harass radical labour and political organisations.

The first African labour union, the Industrial Workers of Africa, had at least five informers in it by the time of the 1918 sanitation workers' strike in Pretoria. The chief informer admitted his evidence had been dictated to him by his superior in police headquarters; this perjury resulted in the accused being acquitted. During the following two decades, every legal technicality of statute, ordinance, bye-law and regulation was used to harass Communist Party and other radical office-bearers. In the 1930s, for example, every known African member of the Communist Party in Durban was endorsed out.

One of the last actions of the United Party Government was to permanently group those plainclothes detectives engaged full-time in political and labour repression into a "Special Branch" of the CID in 1947. After the

National Party came to power, the Special Branch extended its activities from suppression of the Communist Party and African trade unions to all African Nationalist and allied organisations, and keeping under surveillance a variety of liberal institutions from the universities to the Civil Rights League and Black Sash.

The African National Congress and Pan-Africanist Congress were banned in 1960; their underground networks destroyed in 1962-3. In these years alone the Special Branch, now renamed Security Branch, trebled its manpower. One of the few published statistics cover not all Security Police expenditure, but merely their secret service operations, such as paying informers:

1963:	R 25 000
1964:	100 000
1965:	250 000

This expenditure exceeded one million rands annually by the end of the 1960s.

Situated in the chronology of events, what is striking is that the increase comes in the years after the temporary destruction of the underground. The ANC's Umkhonto we Sizwe, for example, was alleged to have carried out over 222 acts of sabotage between December 1961 and May 1963. Leaving aside illegal leafleteering, and incidents such as the Fox Street shootings caused by persons without clear political affiliations but a history of mental illness, there was virtually not one act of political sabotage or guerilla war in South Africa between 1965-75. Underground activities only revived after the Soweto uprising in 1976.

With Mr Vorster as Minister of Justice, Police and Prisons, and General van den Bergh as head of Security Police, it grew until currently published UN estimates place it at up to 1 500 men and women. Educational qualifications for entrance to the police were raised from standard six to matric; the SA Police College's course of six months is the longest in the world, as far as can be ascertained.

By 1968, a police recruiting brochure explained of entrance into the Security Branch:

"Preference is given to members having an academic or higher educational qualification, since many of the people the Security Branch are concerned with in the course of their duties are themselves well educated."

The new head of the Security Police, Brigadier Johan Coetzee, has a BA (Hons) thesis on the Palestinian question, and is currently

writing his doctorate on the history of Trotskyism in South Africa. Police personnel range from the ironically named Warrant Officer Marx of the Security Police to Lieutenant-General Engels of the Inspectorate.

THE RISE OF BOSS 1969-78:

The 1960s and 1970s saw the rise to power of the Koffiefontein clique, who were interned as Nazi fellow-travellers during World War Two. Their more powerful members include Mr Vorster (previously premier), General van den Bergh (head of Security Police from 1963, and then of BOSS from 1970), and Jan van Zyl Alberts (publisher and friend).

Two official reasons were given for the establishment of the Bureau for State Security:

to prevent lack of coordination, as when Military Intelligence did not inform the Security Police for two years when they had infiltrated the ARM sabotage circle in 1962; unlike the Security Police and military establishment, they would "build up a national intelligence picture without a sectional or departmental colour".

BOSS' six major operational divisions are for respectively:

- (1) Acquiring and evaluating intelligence of "subversion";
- (2) Espionage and counter-espionage;
- (3) Political and economic evaluation of intelligence;
- (4) Evaluating military threats;
- (5) Personnel and Administration; and
- (6) Overall evaluation of evidence, research, and special studies.

Leaving banned organisations largely to the Security Branch, BOSS evaluates "tendencies" and anything, however lawful, perceived as a potential threat by the Nationalist establishment, ranging from transcendental meditation to the Anglo-American Corporation - the latter being investigated in the Hoek report.

BOSS itself has no powers to arrest or detain. Succinctly put: BOSS tries to understand the world, the Special Branch's task is to stop it changing. BOSS, now renamed the Department of National Security (DONS), has its own Ethnology section, as does the Plural Relations Department and Army.

These official explanations are correct, but not complete. BOSS was not founded in 1964 when General van den Bergh complained of Military Intelligence, but in 1969, when the verkramptes were being tracked down and purged from the National Party, and were

regrouping as the Herstigte Nasionale Party.

Double-agents were selected from the Security Police's famous "Q Squad" whose spies, such as Gerard Ludi, had infiltrated the Communist Party. These double-agents were formed into the yet more secret "Spook polisie" to keep under surveillance opponents to the right of the Government. One member of this "Ghost police" resigned in protest to stand as a HNP candidate in the 1970 election. He complained of having to spend more time spying on the right-wing than the left-wing opponents of the Government.

The "Spook polisie", (with the removal of most spying activities until then done by the Foreign Affairs and Military Intelligence departments to BOSS), and General van den Bergh's "poaching" of desk analysts from the Security Branch led to some inter-service resentment. BOSS' annual budget grew with the decade to over twelve million rands.

The four decades friendship between Mr Vorster and General van den Bergh gave BOSS daily access to the premiership, a decided edge in any dispute with Military Intelligence, who would have to wait for the weekly cabinet meeting before their minister could press for their case. General van den Bergh acted as Kissinger-style adviser to Mr Vorster, accompanying him on numerous foreign trips to important negotiations. BOSS reports to the policy-making security sub-committee of the cabinet, comprising the premier, next most senior minister, ministers of Defence, Foreign Affairs, Interior, Justice Police and Prisons, and their permanent heads of departments. (See WIP1 - eds)

Mr PW Botha's accession to the premiership changed this balance of power. A foreign correspondent commented on the election of a Defence Minister and not a Minister of Police (as Mr Vorster was) for the premiership:

"The soldier has succeeded the policeman". In short, the National Party now perceives insurgency in the countryside of the Transvaal and Natal as a greater threat than the secondary one from clandestine cells of urban pamphleteers and saboteurs. General Magnus Malan, the Head of the Armed Forces (and with a reputation for discipline and running a tight ship), not General van den Bergh, now accompanies the Prime Minister at summit conferences. DONS, as BOSS is now renamed, is now a department under the Prime Minister equal to, not de facto superior to, the military establishment.

In the 1970s, the aura of prestige and machismo goes not to the Q-018 James Bonds such as Gerard Ludi, but to "our boys on the border".

FACTION-FIGHTING AMONG BUREAUCRATS:

INFORMATION vs FOREIGN AFFAIRS

Both Bismarck, with his "reptile funds", and the Tzarist Ochrana, subsidised pro-Government press and political parties from state monies. The only curiosity in the "Muldersgate" affair, as Fleet Street nicknamed it, is why was the Information Department, and not solely DONS, involved?

Two reasons suggest themselves. First, that the attempted purchase of the SAAN company, and the Washington Star, and the launching of The Citizen, involved publicity and propaganda activities par excellence those of the Information Department. Second, the long-standing attempt of the Information Department to encroach upon and eclipse activities of the Foreign Affairs Department to use Information as Mulder's base for an attempt at the premiership, is a classic case of bureaucratic empire-building, of the sort for which both the USA and USSR bureaucracies are notorious.

SOME CONCLUSIONS

First, the incomplete exposure is being hurriedly limited to Information Department operations. Mr PW Botha is evading any answer on NNF and other challenges to state how much DONS funds are going to the DTA and other political parties, eg in CRC elections.

Second, there are some long-term consequences. The Security Police unmake history, but not as they please. The Muldersgate scandal will accelerate the number of Afrikaner intelligentsia and others of the ruling class alienated from the establishment. Simultaneously the Security apparatus' very successes in suppressing the underground organisations and lawful African trade unions have resulted in less controllable wildcat strikes and almost spontaneous, barely organised mass demonstrations, protests and upheavals, as occurred in 1976-7. These, and the police overkill, politically mobilised the masses, and revived ideological awareness to a peak not seen since 1960.

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EVEREADY to exploit

The vast and growing numbers of the unemployed are presenting the state and capitalism in South Africa with a crisis of enormous proportions. Some researchers have put the figure for the unemployed at more than 2-million - the overwhelming majority of them Africans.

But these are not only figures that there is something wrong with the South African and world capitalist economy - it refers to a reality of people caught in a web of starvation, crime, apathy, of misery, but also of resistance and growing anger. Because of the effectiveness, albeit it limited, of the ideology of apartheid with its 'homelands', 'independent black states', ethnic divisions, tribalism, etc, this anger is often and increasingly being directed against the branches of the state that function in the bantustans, the 'homeland governments' with their bureaucracies, armies and chiefs.

In Winterveld, the vast relocation complex outside Pretoria providing shelter for up to 3/4-million people, Mangope is spoken of as "GG se voorman", a foreman that drives around in a bullet-proof Mercedes Benz worth R47 000; Sebe needs his own private army to protect him and his government; while Buthelezi's bodyguards have had to save him on the occasion of Robert Sobukwe's funeral by shooting at the crowd. And so we could carry on. This is a trend that cannot but increase in intensity and frequency, because the bantustans are the planned areas for the location of the unemployed.

In an earlier period they served primarily as areas from which labour was forced to work on farms, railways, mines, and industry and commerce. Later these areas served a function in the allocation of labour, for example to the low-wage agricultural sector. Now they function in the relocation of labour, or, more accurately, of discarded labour.

The relative surplus population, a concept essential to understanding the dynamics of present-day South Africa, consists of different groups, but all defined as 'surplus' relative to the needs for wage labour of capitalist production. For example, the very young (although in South Africa we do have 9-year old newspaper sellers, and children aged 11 and 13 working full-time for past and present guardian of the interests of South Africa, General van den Bergh), the old, the disabled, would make up part of the relative surplus population; those employed in agriculture, especially subsistence agriculture, can be forced off the land and into wage labour through, for example, taxation or acquisition of the land - this is a latent/potential section of the surplus population; most importantly there is the industrial reserve

army, the proportion of the population who are unemployed and would, if they could, because they have no other steady source of income, take up wage employment.

The industrial reserve army is, however, not a separate group, outside of capitalist production. They are still a group defined in relation to capitalist production in that they want access to the means of production controlled by the bourgeoisie in exchange for a wage.

This need for wage employment has implications that are functional to capitalist accumulation. Firstly, anything that allows the owners of the means of production to depress wages, simultaneously allows them to increase profits. The level of wages is set through struggle between labour and the owners of capital, and this is where the industrial reserve army, through competition amongst each other and with those in employment, serve to lower wages. Competition between workers means that the wage at which each individual is forced to accept employment is lower than it would be if they had not competed. I will return to this point below.

Secondly, the industrial reserve army functions as a reserve of labour that can be drawn upon in times when capital is experiencing rapid growth, or when large works have to be undertaken. For example, railways to be built, dams to be constructed. (Possibly fighting of wars would also fall partly under this category). The industrial reserve army can, therefore, be absorbed at times, which means that wages will rise as competition between workers decreases. This in turn has the effect of lowering profits, making many activities unprofitable to capital, and increasing the number of unemployed. Crisis and accumulation are inextricably linked in the process of capitalist production.

What this means is that the industrial reserve army fluctuates in size. Some theorists want to argue that qualitative changes have also occurred in the composition of the relative surplus population during the later stages of capitalist production (the monopoly productive stage). Briefly, this argument is that monopoly productive capital in what is broadly, and inaccurately, known as the 'third world' is part of a world capitalist system under the dominance of the needs of the centres of such a system, eg the USA, Germany, Britain, Japan, France. One implication of this interlocking is that the monopoly internationalised level of the economy in 'third world' countries operates with production techniques (machinery and organisation of production) which originate in the centres. Here goods are produced for high income markets; here production runs are large, and productivity is increased through technological innovation.

This has the implication (among others) for the dominated 'third world' economy that a large number of people are permanently excluded from employment in the monopoly level of the economy - this group is called the marginalised labour force. In the same way that the industrial reserve army fulfills certain functions in relation to capitalist accumulation, the marginalised labour force does, and its existence has certain implications.

For example, it still serves as an industrial reserve army in relation to the rest of the economy (the competitive level and the 'informal sector' or marginal pole of the economy), depressing wages; because many people are structurally, or permanently, unemployed with regard to the dominant level of capitalist production, they increasingly find refuge in the marginal pole of the economy (also called, unsatisfactorily, the 'informal sector') and provide those services and goods that are not profitable to capital, and those social services it could not be bothered with (not for nothing is it said that capitalist society is marked by private wealth and public squalor); but the growth in this sector of the relative surplus population has implications for political stability (see discussions in previous issues of WIP) - people stop believing that they will ever get jobs.

Growing, and permanent, unemployment and competition for jobs go hand in hand. It affects the (potential) strength of the working class and presents working class organizations with major problems of how to respond to the situation.

There is fundamental conflict between the sellers of labour-power (the working class with their capacity and potential to work), and the buyers of labour (the bourgeoisie who need the working class to operate machines and produce commodities - in other words, to produce wealth).

There is non-fundamental conflict between the employed and those who need to be employed. But, whereas the former conflict relates to production, the latter relates to market transactions (competition over sale of labour-power between members of the working class). This latter conflict can, therefore, be overcome, and has to be overcome if the working class is to resist increases in the intensity of exploitation (eg, through depression of wage levels). At the same time this conflict exists as a reality that cannot be wished or argued away, and is played upon and intensified by the owners of the means of production.

For the state it poses a problem: on the one hand it functions to maintain a rate of profit (and this includes repressing the working class); while on the other it has to maintain control over the unemployed. So while it would suit the individual factory owner to have the

unemployed camped around the factories to serve as real and potential example to the employed of their future, it poses a threat to capital in general (food and job 'riots' are not desirable) - and the state is there to maintain the conditions for the operation of capital in general.

I want to take a specific case to illustrate what has been argued above. It is not an isolated case, but it is not often that examples are as clear as this one.

On the 30th of October, 1978, more than 200 'Coloured' women workers at the Eveready battery factory in Port Elizabeth went on strike. Their grievances related to starting wages (demanded that these be raised from 55c an hour to give a wage of about R160,00 per month); improvement in working conditions and promotional opportunities; and recognition of the union that they belonged to. (the National Union of Motor Assemblies and Rubber Workers of South Africa, NUMARW).

Management had said that complaints were exaggerated - "low staff turnover showed that most workers were satisfied with the conditions" (there are more than 500 women employed by Eveready). What they neglect to say, of course, is that fear of losing a job has a lot to do with what conditions are 'satisfactory'. Many important issues are raised by the strike but some will only be mentioned here:

Codes of conduct (see WIP 6) were raised by newspapers reporting on the strike, and the Eveready management denied 'signing' such a document, but "adhered to the various codes of conduct as closely as possible". This is hairsplitting of the first order. Eveready is owned by the Berec Group in Britain and have submitted a report on employment practices, requested under the conditions of the British code of conduct, to the British government. At the time of writing a copy has not been obtained by WIP;

the union claimed that the strike was 'legal' in terms of the strict regulations of the Industrial Conciliation Act. This does not seem to have helped them much, as was seen during the development of the strike. Management issued an immediate ultimatum of return to work within 24 hours or be dismissed for breach of contract; another aspect is that of international pressure that was called for, and the split within the local (South African) Co-ordinating Council of the International Metalworkers' Federation (IMF). The Co-ordinating Council is composed of 11 white and black unions.

The specific issue that I want to draw attention to is that of conflict within the working class. First, however, a chronology of what happened during the strike is necessary:

The strike threat first became public on 27th October (1978). Three

days later the women went out on strike. The issues in dispute were publicised, especially the call for union recognition. The union threatened a boycott of Eveready products, as well as international action through the IMF.

On the second day of the strike (31st October) the factory manager, John Poulton, added to the 24-hour ultimatum: "It would take only a day to train workers to replace them (the dismissed staff) and many applicants were at the gates looking for jobs". About 200 workers were fired - "Most of the vacancies had already been filled by women who were queuing at the gates", Poulton was reported to have said that afternoon. "Within a day or two we should be back to normal production". There were "hundreds of women at the gate" - "at least double the number we require".

On the 2nd November it was reported that "hundreds of women braved a downpour outside the gates of Eveready's Port Elizabeth factory" - this despite the fact that most vacancies had been filled by that time. The Berek Group in Britain in the meantime were pontificating about wanting to recognize a "genuinely multiracial union formed to represent their South Africa employees". Poulton, in Port Elizabeth, was a bit more direct - "His company had nothing against trade unions (sic) but that they were not going to be influenced by 'unreasonable and irrational demands'".

Police with dogs had to control 'thousands' of mainly women work-seekers outside the Eveready plant on the 6th November. A lorry was damaged, stones were thrown and the power salute given as women gathered to get jobs and were dispersed by the police:

Miss Shirley Bain ... said she joined "thousands of workseekers" in front of Eveready's gates at about 6 am.

"At about 7.20 am we were told by one of the managers here we had to leave and go home because all vacancies had already been filled.

"But most people refused, demanding jobs as a lot of them had been unemployed for very long periods.

"The manager then told us that he was going to get the riot police to remove us.

...

"We read about the strike and thought it would be easy to get jobs here.

Miss Bain said she and the other workseekers did not mind the low pay and poor working conditions.

A spokesman for the National Union of Motor Assembly and Rubber Workers of South Africa said today he was disgusted by "the black peoples lack of dignity" in seeking work at a place where management

refused to negotiate with a union over better wages and working conditions (Evening Post, 78.11.06).

The SA Co-ordinating Council of the IMF issued a statement on the 6th November supporting the union, or, more accurately, "deploring the battery manufacturing company's attitude in refusing to recognize and negotiate with the union". This position was to change.

The MD of Eveready in South Africa, Ron Allin, said on the 7th November that the labour force was on full strength after 198 workers had been fired. Having received the line from Britain he also called for a multiracial union and said that "he did not want half a dozen trade unions at the factory representing different races". A few days later he said that Eveready "would prefer to wait until the Wiehahn Report comes out which we hope will clear the way to the formation of a multiracial union".

The newly formed Federation of SA Trade Unions (FoSATU), representing 12 unions, rejected this argument "as representatives of black (sic), coloured and Indian workers, who have shown their commitment to non-racialism in forming the federation".

Fred Sauls, secretary of the NUMARW, called for a boycott of Eveready products after a union meeting attended by 2 000. Brian Frederick, national organiser of the NUMARW, said that the 55c an hour rate for Eveready production line workers was 30c less than Willard's (another battery plant) and 37c less than Ford's, both operating from Port Elizabeth.

On the 22nd November the TUCSA was called on to back the union in its conflict. A meeting of the Witwatersrand branch of the National Union of Distributive Workers, at which this call was made, censured the Eveready company.

On the same day 30 women strikers from the plant were arrested, taken to the Gelvandale police station and charged with littering. This related to distribution of pamphlets explaining the strike and calling for a boycott of Eveready products.

Then came the split in the Co-ordinating Council of the IMF. Five 'Coloured' and African unions walked out of a meeting of the Council. Sauls, for the NUMARW, said that a delegation (mainly white) to the Minister of Labour to discuss the role played by the Dept of Labour in the dispute, "was acting outside its mandate and his union had opposed the finding because the delegation was satisfied with the role played by the Department of Labour". There was also mention of long-standing dissatisfaction between white and black unionists. Towards the end of January, 1979, it was reported that a split had been averted ("lack of co-operation ... may have led to misunderstandings").

Dr Werner Thonessen, assistant general secretary of the IMF, had come to SA to settle the differences.

In December the IMF called for its members (13,5-m) to boycott Eveready products. The next day the chairman of the SA Co-ordinating Council of the IMF, Barney Bouwer, objected to the boycott call on legalistic grounds:

How can I support a boycott when the union concerned refused to negotiate...

We are not saying that Eveready was not at fault. But the union did not follow the provisions laid down under South Africa's Industrial Conciliation Act.

- white trade unionism speaks! The same moral rectitude can hardly be expected to prevail during the current mineworkers' strikes (March, '79).

Two further developments in December, 1978, need to be mentioned: Eveready announced a wage increase of 10c an hour and the minimum hourly wage rate to increase by up to 13%; and the women strikers charged with littering were found not guilty on the 24th in the Port Elizabeth magistrate's court.

Unfortunately the loose ends, and there are many, in the information available, could not be followed up adequately and clarified. But the conflict that arose between the employed workers on strike and the unemployed was clearly visible and disastrous for the strikers. The conflict is a reality. Moral indignation at the 'lack of dignity' of workseekers when there are 2-million unemployed is not going to make it any better the next time around. This conflict has to be actively combated through solidarity between those with jobs and those seeking employment. And that is not an easy task.

It appears from the available figures that only union members went on strike, pointing to another area of conflict (between union members and non-members), and possibly also to more fundamental organisational shortcomings.

The state is taking its own measures against the unemployed, through the Idles and Undesirables legislation (Bantu Laws Amendment Act, 12 of 1978). Through other influx control measures ('pass offences') 272 887 people were arrested in urban areas in 1978 - this is an increase of nearly 100 000 for these areas and more than the arrests for the whole of South Africa in 1978. (See articles in previous WIPs, especially "Crime").

The unions are also faced with a conflict to be resolved if anything but token resistance is to be offered to management's offensive and the state's repression. Possibly the limitations of trade unionism are such that unions are incapable of anything but responding in the way in which the NUMARW did - although hopefully not as publicly, for

their own good. Unions struggle at the point of production (primarily), with access to, or the threat of withdrawal of labour from, the means of production forming the basis of their strength.- or of their weakness, as in a situation of mass unemployment when defense even against the unemployed becomes the sole strategy. Gains relating to the wages paid and conditions of employment and work are not of immediate concern to the unemployed. I have argued that the conflict between employed and unemployed takes place in an area 'prior' to access to means of production. That area is excluded from trade union organization (and influence?). It is an organizational and mobilizing vacuum to be filled by other bodies. The question remains whether these are going to be progressive.

(Material used came from: Evening Post; Rand Daily Mail; Star; Daily Dispatch; Eastern Province Herald; Sunday Tribune; Post)

Gerhard Maré

A STUDY OF STRIKES IN THE 1970s

(This is the second part of an article. The first part appeared in WIP 6)

THE DURBAN STRIKES, Jan-Feb 1973 (1).

This attempt to put the recent wave of industrial unrest in perspective is based on press reports and may, therefore, contain some inaccuracies. It should be regarded as an impressionistic overview.

DATE	ORGANIZATION	NO. OF WORKERS INVOLVED		REFERENCE
9 Jan	Coronation Brick and Tile Company, Durban	1 500	Those earning R8.97 a week demanded R20 and later R30 a week. An increase of R2.07, raising minimum wages to R11.50 per week was given.	<i>Star</i> 9/1 <i>Rand Daily Mail</i> 10/1, 11/1, 18/1
10 Jan	A. J. Keeler, Durban Docks	70	Workers given an extra 50 cents.	<i>Sunday Tribune</i> 21/1
12 Jan	T. W. Beckett & Co., Durban	100	Ninety workers dismissed but most later re-engaged. R3 per week raised minimum wages from R10 to R13.	<i>Rand Daily Mail</i> 13/1, 25/1
15 Jan	J. H. Akitt, Durban	100	Workers who had earlier been given an extra 50 cents a week, demanded 90 cents a day increase.	<i>Transvaler</i> 16/1
15 Jan (?)	James Brown and Hamer, Durban	not given		<i>Natal Witness</i> 17/1
16 Jan	Dundee Cartage Co., Dundee	30	Brief stoppage for wage claims.	
17 Jan	Mosenthal Marine, Durban	16	Arrested by S.A.R. Police for picketing.	<i>Rand Daily Mail</i> 18/1
17 Jan	Natal United Transport, Durban	120	Granted 15% wage increase after approach to management.	
19 Jan	Consolidated Fine Spinners and Weavers, East London	50 rising to 1 000	Wage claims.	<i>Daily Dispatch</i> 23/1
22 Jan	Motorvia, Pinetown	250	Long-distance drivers earning R20-R25 per week demanded increase to R40. Workers lodged complaints with Pinetown Bantu Affairs Department. They were discharged, re-hired, and given increases based on a new scale for the distance travelled.	<i>Rand Daily Mail</i> 23/1
25 Jan	Frametex, New Company	Not given— mention of hundreds	Wage claims.	<i>Rand Daily Mail</i> 26/1
26 Jan	Frame Group Textiles, 4 Mills at New Germany	1 000 rising to 2 500 and then to 7 000	Wage claims of R20 for men and R14 for women a week were lodged. Police called in. Strike ended 29 Jan after increases offered between R1.75 and R3 a week.	<i>Star</i> 26/1
29 Jan	Hulett's, Mount Edgecombe	200	Workers awarded 20% pay rise — approx 10 cents a day.	<i>Star</i> 29/1, 31/1 <i>Cape Times</i> 30/1
29 Jan	D. Pegler & Co., New Germany	20	Immediate increases demanded.	<i>Star</i> 29/1 <i>Rand Daily Mail</i> 30/1
29 Jan	Natal Canvas Rubber Manufacturers, Durban	650	Protest against a 4c-a-week deduction for sick benefit fund. Police called in. Extra R1 per week offered.	<i>Rand Daily Mail</i> 30/1 <i>Star</i> 30/1 <i>Mercury</i> 30/1
29 Jan	Hume Ltd, Pinetown	600	Workers rejected 90c a week raise.	
29 Jan	Pinetown Engineering Foundry, New Germany	200	Wage claims.	<i>Rand Daily Mail</i> 30/1
30 Jan	L. G. Green Ltd.	50		<i>Rand Daily Mail</i> 31/1
30 Jan	Consolidated Textile Mills, Jacobs	2 600	Initially workers dismissed	<i>Star</i> 31/1 <i>Rand Daily Mail</i> 2/2 <i>Star</i> 31/1
30 Jan	National Chemical Products, Durban	300	Wage claims	
31 Jan to 2 Feb	During this period the industrial action escalated and it was estimated that at least 20 000 workers had been involved in work stoppages by 2 February. Firms involved were:			
	Dunlop (S.A.) Ltd., Durban	1 300		
	Ropes and Mattings, Durban	2 800		<i>Rand Daily Mail</i> 3/2
	General Chemical Corporation (Coastal) Ltd., Durban	—		
	Crossley Carpets, Durban	—		
	Hart Ltd., Durban	700		
	Bakers Ltd., Durban	—		<i>Rand Daily Mail</i>
	United Cake Oil Mills, Mobeni	—		1/2, 2/2
	O. J. Wright & Sons, Jacobs	200		
	Tri-Ang Pedigree, Mobeni	—		
	Defy Industries, Pinetown	—		
	Polycrate Ltd., New Germany	—		
	Glen Removal & Storage	—		
	Congella Erection Company, Pinetown	—		
	Supercola Ltd., New Germany	—		
	Afritex, Mobeni	500		
	Union Flour Mills, Durban	700		
	Dorman Long, Durban	300		
	James Brown & Hamer, Durban	400		
	Softex Mattress Co., Durban	—		
	Natal Underwear Manufacturers, Jacobs	—		
	Pepsi-Cola Bottling Co., Durban	—		
	Universal Mills, Durban	—		
	L. H. Marthinsen, Durban	—		

	Durban Concrete Fencing	—		
	Beverly Hills Hotel, Umhlanga Rocks	—		
	Colgate-Palmolive, Boksburg	11	Laboratory employees asked for 20 cents an hour increase. All 11 dismissed.	
	Consolidated Textile Mills, East London	2 000	Unrest which began with 50 workers on 19 Jan escalated to include 2 000.	<i>Rand Daily Mail</i> 3/2, 6/2
	Blaikie-Johnstone, Durban	600		<i>Star</i> 2/2
	Madadeni Transport Services, Newcastle	—		<i>Rand Daily Mail</i> 3/2
	Airco Engineering, Wentworth	150		
	Durban Falkirk Iron Co., Jacobs	—		
	Ensor Plastics, Durban	—		
	Hebox, Hammarsdale	—		
	Amalgamated Packaging Industries, Mobeni	400		<i>Rand Daily Mail</i> 6/2
	Acme Timber Industries + Timbrik Model Homes, Durban	220		
	The Metal Box Company of South Africa, Mobeni	1 000		
	Main Tin Manufacturers, Mobeni	500		
	At one stage during this period it appeared that only 4 factories in the Jacobs industrial complex, Durban, were operating.			
4 and 5 Feb	Smith & Nephew, Pinetown	600		<i>Rand Daily Mail</i> 5/2
	Federated South African Meat Industries, Durban	—		
	Rowen (S.A.) Ltd., Mobeni	—		
5 Feb	Johannesburg City Council	145	African bus-drivers continued a go-slow which started on 24 January and threatened strike action. Conflict resolved when compromise agreement between workers and municipality was made.	<i>Star</i> 5/2 <i>Rand Daily Mail</i> 12/2
6 Feb	Durban Corporation	4 000 rising to 16 000	Black workers in City Engineer's Dept. stopped work. Movement spread to other divisions to include most black municipal employees. By 9/2 most had returned to work after 15% pay rise.	<i>Star</i> 6/2
6 to 7 Feb	Hammarsdale industrial complex	7 000	7 000 workers stopped work. Police attacked a small group with tear gas.	<i>Rand Daily Mail</i> 7/2
7 Feb	South Coast Agency, Port Shepstone	150	Pay rises between 20 and 30% given.	<i>Rand Daily Mail</i> 8/2, 9/2
	Bonnievale Ltd., Port Shepstone	80	R6 to R10 a week increases demanded.	
	South Coast Quarries, Port Shepstone	40		
	Archibald & Co., Umzinto	70		
	LTA Construction Co., Durban	± 134	African workers stopped work on a building site and moved from site to site encouraging other workers to stop. Prosecuted and fined minimal sums.	<i>Rand Daily Mail</i> 13/3
8 Feb	Goodhope Pipe Factory, Pietermaritzburg	100		<i>Rand Daily Mail</i> 9/2
	Ferralloys, Cato Ridge	320		
	Plascons Evans, Durban	400	Dismissed	
	National Containers, Durban	300	Dismissed	
	Clover Dairies, Durban	5	Prosecuted and fined for threatening to assault workers who did not stop work.	<i>Rand Daily Mail</i> 17/2
	Malibu Hotel, Durban	180		<i>Rand Daily Mail</i> 9/2
	Edward Hotel, Durban	—		
	Rydal Mount Hotel, Durban	—		
9 Feb	Durban Dockworkers	—	Extra R10 per week demanded.	<i>Rand Daily Mail</i> 13/2
12 Feb	Fresha Eats, Johannesburg	18	Wage claims	<i>Star</i> 12/2
	Seven-T-Construction and Strachan Construction, Durban	± 145	Wage claims	
	Alex Carriers, Pietermaritzburg	80	Wage claims. Police called in.	
26 Feb	T. & K. Kerr & Hagerman, Worcester	167	Struck: when a white foreman replaced a Coloured person. 51 workers later resigned.	<i>Rand Daily Mail</i> 28/2
27 Feb	Rennies Delivery Service, Benrose, Johannesburg	100	1½ hour work stoppage for wage increases. Police evident but no action taken.	
	ZFP (Fruit & Vegetable canning), Empangeni	250	Wage claims.	

COMMENT

This section does not make reference to specific case studies of strikes in the individual factories. Such an analysis is found in the IIE publication (The Durban Strikes 1973). Rather we would like to add to the analysis which has been done on those two turbulent months. The framework of our analysis is set by a brief summary of other studies (eg, the IIE study).

Between January and March 1973 a series of strikes involving an approximate estimate of 160 000 workers shook the foundations of South African labour-capital relations. These strikes were of short duration and the majority of demands were for wage increases. The IIE study gives an average of R12-13 per week for those workers involved in the strikes. Yet, another study gives an estimate of R10,00 per week for many, or most, of the African workers. Representation from this collective worker action was scarce and the refusals in most of the cases to elect negotiating bodies has been attributed to the fear of victimisation. It is noted that an oppressive personnel and labour control policy with frequent recourse to dismissal and victimisation of potential spokesmen or leaders was more than a frequent occurrence. The spectacle of striking workers gathering outside the factory, it has been argued, prompted other workers at nearby factories to follow their example and contributed to the rapid spreading of the strikes. What prevented the strikes from developing into major 'trials of strength' was the general poverty of the workers involved who simply did not have the financial reserves to stay out of work for long.

Out of 95 African workers who were interviewed, about half took part in the strikes. To the question: "What was the aim of the strike?", 98% of all African workers interviewed, replied: "To get higher wages". This seems to be in line with the view expressed that "...the existence of low wages coupled with falling or static real income in an inflationary situation appears as a classic setting for outbursts of worker discontent and this factor does indeed seem to have been one undelying cause of recent labour unrest...". Just under 80% (of the labourers interviewed) said that workers tried to talk with management before the strikes. To the question: "What gave the workers the idea that a strike would help them?", the answers were: "All other methods failed - 17%; only effective way - 24%; and poverty - 26%." Given these factors the IIE study concludes that a particular situation was required to ignite the strikes and not outside organisers and agitators.

What was the attitude of management? The IIE interviews give some indication: 11 out of 19 firms interviewed who had experienced strikes

thought that the wage demands were unjustified. In contrast, 90 per cent of white public opinion thought that African wages were too low at the time of the strikes and nearly 65 per cent thought that Africans were justified in striking. Seventeen of the 19 firms claimed that there had been agitators at work, but 10 of them specified that they were referring to activists among their own workers. Finally, 14 out of 19 firms, including 10 of the 11 firms with Works Committees, claimed that they had had no advance warnings of the strikes which is in direct contradiction to what 80 per cent of the workers interviewed mentioned. One tends to wonder about the adequacy of communication in existence.

During the strikes there was a deadlock concerning communication. Workers grievances were not voiced by any Strike Committee which rendered management unable to understand what all the noise was all about. Yet somehow the noise filtered through because wages did rise - not quite to workers' expectations, but rose nevertheless.

Although the repressive arm of the state was summonsed, police reaction confined itself to physical presence and experienced difficulty in finding agitators. The illegality of the strikes did not have any serious repercussions.

The conclusion of the IIE report as to why the strikes took place and spread is that:

"the strikes were a series of spontaneous actions by workers, which spread by imitation, and that the spread was 'multiplied' by the fact that three quite independent factors happened to coincide. The first was the initial strike at Coronation Brick. The second factor was the existence in Durban, strategically placed in each of the major industrial areas, of a number of factories belonging to one organisation characterised by particularly low wages and bad labour relations - the Frame Group. The third factor was the rise in transport costs and the rumoured train boycott. What exactly sparked off the strike at Coronation Brick is not clear...however, once the strike did occur, the sight of large crowds of workers out on strike encouraged workers in neighbouring factories and the strikes spread geographically, road by road..." (2).

There are certain specific characteristics of the Durban strikes that one needs to discuss. The authors of The Durban Strikes pose the question as to why it was Durban that erupted? Maree's criticism that this is the wrong question to ask, is taken here. The question is rather, why not everywhere? The answer lies in the workers serialization over the previous decade. By serialization we mean the forms of control that prohibit workers from asserting themselves collectively. These include political, economic and ideological

factors, expressed in legislation, low wages, non-recognition of trade unions, lack of political organisation and all the mechanisms of separate development. It is these factors that explain the low ebb of collective worker action in the sixties; it is these factors that explain why the strikes did not spread throughout the country; and it is this serialization that can explain the rapid spreading of the strikes in Durban. It can do this to the extent that the frustrations produced by serialization resulted in hindering any articulation of workers' grievances, leading to a highly explosive situation, requiring a mere spark to set it alight. Because of the close proximity of industries to one another in Durban, this initial spark spread rapidly. The example of workers striking in the factory next door brought home the realization that the system could be challenged. The following of this example, however, cannot be explained merely in economic terms, ie that they were being paid low wages (although this explains the short duration of the strike), but must be seen as a response which essentially gives vent to the frustration of years of no collective worker actions which plagued labour since Sharpville. It is the effectiveness of this serialization which defines the limits of this challenge and explains why it took the form of essentially economic demands.

The point has been made that the Durban strikes were a series of spontaneous acts. This is useful in so far as it explains that the decision to stop work did not arise out of any prior agreement taken by the workers, but that essentially it was a response to the example given by other strikers and was taken on the day of the strike. The concept of 'spontaneity', however, does not explain the dynamics which are at work at shop-floor level, patterns of informal leadership and the whole history of informal resistance (3). The latter perhaps explain why demands were not articulated in many cases, why workers knew that certain demands were beyond fulfillment and why in most cases 'strike committees' or any negotiating bodies were not formed.

There has been much talk about 'agitators' and reliance on the 'agitator' has frequently been an explanatory device of managements. The ideological nature of this concept has been expressed by Maree: what management and the state would term 'agitation' would be seen rather as leadership by workers. The fact, however, that the police were unable to find any evidence of such 'agitation' has two implications. Firstly, it locates the strikes at shop-floor level and dispels any fears which the state and management might have as to 'outside agitation'. The implications of this for the working class, however, are wider and the serialization to which African workers have been

subjected is emphasised. The non-recognition of trade unions and the non-existence of any political party or organisation representing working class interests has confined to a large degree the articulation of working class grievances to the shop-floor and prevented the emergence of any broader-based working class action. Secondly, the fact that even at shop-floor level police could not produce 'agitators' is a reflection of the 'spontaneity' of the strikes.

The state's initial rhetoric against 'agitators' produced no solutions and their energies were soon switched to attempts to ameliorate the ruins of the Bantu Labour Act of 1953. Consequently, new Wage Board inquiries were set up and the Bantu Labour Act was amended, thus providing a 'new Terrain' within which demands could be articulated.

The new Bantu Labour Relations Regulation Act (70 of 1973) kept the three-tier system. Further, it introduced a dual system of Liaison and Works Committees. The Liaison Committee was to be appointed by management and workers. Its chairperson was to be designated by the Committee itself or by the employer. Its period of office was not limited by the Act. The Works Committee is a wholly elected body. In an establishment (with more than 20 workers) where no Liaison Committee exists, workers were to be allowed to elect a Works Committee.

The Liaison Committee is to consider and to make recommendations whilst the Works Committee is to 'communicate wishes, aspirations and requirements of the employees in the establishment or section of an establishment...concerning their conditions of employment or any other matter affecting their interests'. Thus the former was to be a consultative body whilst the latter a negotiating one.

Furthermore the Act legalized strikes under certain circumstances. The definition of a strike in the Industrial Conciliation Act was adopted. The following prohibitions remain: (a) where a wage regulating measure or order is binding and where it has been in operation for less than one year; (b) during the period of currency of any agreement, award, or determination made under the IC Act of 1956; (c) where the African workers are employed by a local authority; (d) where the African workers are employed in essential services; (e) where the Central Bantu Labour Board has referred a proposed Industrial Council agreement which it finds unsatisfactory to the Minister for a Wage Board recommendation, and; (f) where the Central Bantu Labour Board has reported an unresolved dispute to the Minister for a Wage Board recommendation. In all other instances a dispute must be referred to the Liaison Committee/Works Committee, as the case may be, which exists in the plant concerned. If the Committee is unable (or does not exist) to resolve the dispute, a report must be made to the Bantu

Labour Officer for the area in question. After 30 days from the date of such a report a strike or lock-out may legally take place (4).

Finally, the Act provided for the prohibition of victimization of African workers participating in the establishment, election or activities of Liaison Committees or Works Committees. (5)

Management tended to prefer the Liaison Committee to the Works Committee: in 1973 one witnesses 773 Liaison Committees in existence; in 1974, 1 492; in 1975, 1 969; and in 1976, 2 330. In 1973 there were 125 Works Committees; in 1974, 207; in 1975, 279; whilst in 1976 there were 300 (6).

This dual system of negotiation that decided the sphere of interaction between management and employees after 1973 as a channelling apparatus of possible demands, hardly provided for a climate of industrial 'peace'. As Dudley Horner notes, there were 374 instances involving 57 656 African workers when work stopped. Of these, 189 could be defined as strikes. In 1975 there were a further 119 strikes (7).

As far as material benefits go, increases were obtained. Of course, these hardly met the demands made. The non-material benefits, however, are perhaps of greater relevance. The Durban strikes as a phenomenon in which workers collectively expressed their grievances after a long period of calm can be said to have brought home to workers the fact that collective action is possible. From 1973 onwards we witness a different trend in labour action starting to emerge with demands now being made for the recognition of trade unions and conflicts arising out of workers demands for the establishment of Works Committees and negotiating channels.

MARCH 1974 - JUNE 1977.

March, 1974 - Leyland Motor Corporation, Mobeni, Durban (177 involved for 7 days): The strike was caused by managements refusal to recognize the Metal and Allied Workers Union to which most workers belonged. Management refused to budge and 65 workers were fired.

May 20 - Reynolds, Pinetown (60 inv): Wage dispute. Management perceived this as a lock-out although reports seem to indicate that a strike took place. Police were called in and workers were fired, most of whom were not re-employed.

June - Balatum Pty Ltd, Durban (180 inv): In this wage dispute workers demanded a 66% increase. A slight increase was granted.

June - Acme Timbers, Durban (90 inv, 1 day duration): The strike involved both African and Indian workers. A 25% increase was demanded. Management agreed to a 10% increase with a further 10% in November. This increase was, however, due anyway.

June-July - Escom Power Station, Durban: Workers went on strike after a wage dispute in which Mr Khumalo, a member of the Works Committee who had been representing workers, was fired. Management's victimisation of Khumalo included giving him forced overtime. A R7,00 blanket increase per month was gained but Mr Khumalo was not

reinstated.

- June 14 - Tayclo Pty Ltd, Durban: In this wage dispute over the bonus scheme the distinction between a strike and lockout is again not clear. Striking workers, both Indian and Coloured, suffered victimization. Half the workforce did not return to Tayclo.
- July - Reckitt & Coleman, Durban (400 inv, 4 day duration): Wage dispute. Management threatened to fire workers if they did not return to work. Workers returned after promises that there would be no victimization and that a Works Committee would be established although no wage increase was given. African and Indian workers were involved.
- July 15 - Sandock Austral, Durban (350 inv, 1 day): The immediate cause of the strike was a wage dispute and work resumed after a slight increase had been granted. Workers grievances expressed during the strike, however, included that they resented being addressed as 'kaffirs', that they had no confidence in the Liaison Committee, and that injured workers were often not paid compensation.
- July 19 - Flocan Products, Durban (38 inv): Wage dispute. Workers demanded a R5,00 increase, the starting wage being R15,84. Fearing victimization the workers refused to elect representatives or use the Liaison Committee. Victimization did, however, take place and workers were charged with striking illegally.
- July 22 - Kaffrarian Reinforcing, Gately, East London (90 inv, 7 days): Wage dispute. Some workers dismissed.
- July 23 - Car Distributors Assembly, Gately, East London (1 600 inv, 3 days): There was negotiation with Management in this wage dispute in which a 25% increase was demanded. A 15% increase was eventually gained.
- July 23 - Why Waste Paper, Wilsonia, East London (25 inv, 1 day)
- July 25 - Hypack Products, Durban (330 inv, 2 days): Wage dispute. Management, workers' representatives and Dept of Labour officials met. The works committee was not used. The ultimatum of 'return or be fired' was issued. Some workers were fired (Africa and Indian)
- July 25 - Dunlop Flooring, Wilsonia, East London (350 inv, 7 days): Wage dispute. A R0,75 increase to the existing 29c per hour was demanded. There was negotiation with management but nothing was gained.
- July 25 - Kenbow (furniture), Wilsonia, East London (160 inv, 5 days): No negotiation with management.
- July 26 - Blaikie Johnstone (timber), Durban (700 inv, 1 day): Wage dispute. R5,00 increase demanded. The police were called in and workers representatives met with management and with officials from the KwaZulu government who played a negotiating role. A R1,50 increase was granted to those workers not covered by the Industrial Council agreement.
- July 26 - Cementile, East London: Several days strike.
- July 19 - Transvaal Metal Merchants, Jeppestown (170 inv, 2 days): Wage dispute. Workers demanded a R5,00 weekly increase and refused to elect a negotiating committee. Police addressed the workers. A R1,00 increase was gained.
- July 19 - Supercola, Germiston (480 inv, 3 hours): Wage dispute. A 7c an hour increase was gained.
- July 19 - Bohler Steel Africa, Isando: Immediate introduction of R25,00 per week.
- July 19 - Union Flooring Tiles, Bedfordview (200inv): Wage dispute. An increase of 7c per hour was demanded. 100 workers who refused to accept a blanket increase of R1,00 per week were dismissed.
- July 19 - National Chemical Products, Germiston. °
- July 19 - Banana Control Board, Germiston. °
- July 19 - Germiston Coal Co, Germiston. °
- °At these three strikes management apparently stopped the strikes by threatening the workers with instant dismissal. At Germiston Coal 140 workers were fired.

- July - Germiston Fresh Meat Supply, Germiston. +
- Anderson Mavor (Pty)Ltd, Germiston. +
- Sand & Co., Johannesburg. +
- NF Diecasting (Pty)Ltd. +
- Rand Refinery, Germiston. +
- Abkins Steel Corp. +
- General Erection Co., Wadeville. +
- Germiston City Council (Electricity Department) +
- +All the striking workers at these firms made demands for weekly increases ranging from R5,00 to R9,00. The disputes were settled on the same day. At NF Diecasting a 20% increase from 35c to 42c an hour was gained. At the Rand Refinery an increase of 56c per shift was gained.
- July - Turnwright's (400 inv): The striking workers were all women and management negotiated with the Liaison Committee.
- July 29 - Consolidated Textile Mills, Chiselhurst, East London (1 000 inv): The entire striking workforce was fired on August 1st.
- July 29 - Consolidated Fine Spinners, Chiselhurst, East London: 4 day strike.
- July 29 -North Manufacturing, East London (70 inv): The strike lasted several days and there was some negotiation with management.
- July 29 - Cyril Lord, East London (1 000 inv): Wage dispute. Demands were made for increases of R10,00 for women and R9,00 for men. There was negotiation with management.
- July 29 - Regent Neckwear, Wilsonia, East London (4 days): Wage dispute. Striking workers made demands for R5,00 increases and after negotiation with mangement initial offer of 10% was accepted.
- July 29 - Gentner Manufacturing, Wilsonia, East London (100 inv, 4 days): There was no negotiation after workers demanded a R5,00 increase. the Industrial Council increase was brought forward.
- July 29 - Everite, Wilsonia, East London: The strike lasted several days and there was no negotiation with management.
- July 29 - Marine Knitting, East London (150 inv): Wage dispute. Striking workers enetered into negotiation with management demanding a minimum wage of R20,00 plus a 30% increase for all. A quarter of the workforce was paid off.
- July 30 - Paper Sacks SA Ltd, Durban - (317 inv, 4 days): Workers expressed solidarity and their desire for group rather than individual advancement by striking when 12 workers did not receive increases. The result was that 9 of these workers received increases.
- July 30 - Border Passenger Transport, East London (150 inv): Wage dispute. Workers demanded a minimum of R35,00, ie a 59% increase. The strike lasted a few hours and an increase was gained.
- July 30 - Langeberg Koop, East London (150 inv, 2 days): Negotiation with management.
- July 30 - Kimber Construction, East London: 2 hour strike.
- July 30 - Distillers Corp, Wilsonia, East London: Wage dispute lasting several days. There was no negotiation with management and the demand was for a weekly wage of R25.
- July - Kros Bros, Germiston (750 inv): Wage dispute. Workers demanded an increase of 20c an hour. Workers refused to elect a negotiating committee. There was no scabbing and no physical confrontation with the police who observed from a distance during the picket. An increase of 7c an hour was eventually gained.
- August 2 - Model Dairies, East London (267 inv): The dispute was not one over wages. There was no negotiation with management and work resumed on the same day.
- August 2 - H Jones (canning), East London (3 days): Wage dispute with workers demanding increases of R5,00 for women and R10,00 for men.
- August 3 - Good Hope Textile, Zwelitsha, East London (3 500 inv, 2 days): Wage dispute. Demand for R15,00 increase. Negotiation with management.

- August 6 - Wispeco, Durban (400 inv, 1 day): Wage dispute. The works committee met with management and the Dept of Labour. Management refused to talk to a representative from the KwaZulu government who offered to help with negotiation. The ultimatum of return or be fired was issued. No material benefits were gained from this strike.
- August 6 - Vetsak, Bothaville (400 inv): Workers demanded an increase of 7c an hour. Police addressed the workers who returned to work on the same day.
- August 9 - Prima Meat, Doornfontein (400 inv, 1 day): Management refused to reveal the cause of the strike and police addressed workers.
- August 12 - Consolidated Fine Spinning and Weaving, and Ultex, Mobeni, Durban (1 500 inv, 7 days): Workers at both these Frame Group factories were promised a 75c weekly increase but only received 50c. In this strike the negative role of the Dept of Labour officials had been emphasised - they merely told workers that their strike was illegal. The ineffectiveness of the Liaison Committee and the KwaZulu government has also been emphasised. The police were out in force and the Special Branch was present. The ultimatum of return to work or be fired was issued. No material benefits gained from the strike.
- August 21 - Turnwrights, Johannesburg (400 inv): The 400 women who had come out on strike in July again stopped work because they were still receiving only R11,00 to R12,00 a week, and demanded a R5,00 weekly increase. Workers also expressed their wishes to be represented by the Black Allied Workers Union. The outcome of this strike is not known.
- September 6 - Streling Winthrop (1 925 inv): Workers did not get the expected increase and came out on strike. There was no victimization and workers were charged with staging an illegal strike and paid R40,00 admission of guilt fines.
- October 15 - Felixton Mill , Empangeni (1 day): Strike caused by management's liquor raid in the compounds. The following day the workers, surrounded by police, congregated outside the compound while the works committee held discussions with the Dept. of Labour. The workers demanded the dismissal of the compound manager who had conducted the raid. They returned to work that evening on the basis that the management would investigate their grievances.
- October 25 - Empangeni Mill, (1 day): Reasons for strike not clear, although dissatisfaction with wages and compound food was expressed. Workers refused to negotiate through the works committee. Management issued an ultimatum by means of a Dept of Labour official that either the workers elect a six-person delegation before 13h30 to negotiate, or they would be fired. The official also told the workers that their strike was illegal. A skirmish with the police took place who moved in with dogs and later teargas was used. The police action had the desired effect - the workers were forced to return to work. The fact that no demands were made suggests that the strike was an expression of general discontent.
- November 14 - Darnall Mill (500 inv, 1 day): Strikers carrying sticks roamed the surrounding area, to stop workers and cane trucks from going to the mill. A demand for an increase of R20,00 per month was made, and workers refused to elect representatives initially but eventually did. The delegation also questioned whether the 10,7% increase made in October had actually been backdated as promised. The ultimatum of return or be fired was issued. Work resumed the next day.
- November 17 - Melville Sugar Estates (200 inv): Management refused to grant a demand for a R20,00 increase per month, and issued an ultimatum that either the workers return to work by 10h00 or be fired. The 10h00 shift broke the strike when one worker accompanied by some police walked towards the mill. The hesitant workers followed.

- November 18 - Gledhow Mill (400 inv): Wage dispute. Workers demanded an increase of R1,00. The police were called, 100 arriving with riot equipment and dog handlers. Dept of Labour officials negotiated and management issued the ultimatum of return or be fired.
- October 22 - Motor Assemblies, Durban (260 inv, 3 days): The strike arose out of the imposition of disciplinary action on 27 men in the paint shop who failed to do overtime. On the 24th when workers returned to work they found a notice on the gate forbidding the paint shop workers from clocking in their cards. Two hours later they were told that they were dismissed and were paid off. "They went en masse to Bolton Hall to consult with the secretary of the Motor Assemblies and Rubber Workers' Union. He went to speak to the management who said that they would be reemployed on Monday on a merit basis, ie, would be paid the basic rate, disregarding length of service and would lose their bonus. On Monday, 213 workers reported to work and 6 were not reemployed.
- October - Plastigram Pty Ltd (-50 inv): 50 African workers were fired after striking. The reason for the strike was that 8 workers had learnt from the foreman that they were to be retrenched and the rest of them stopped work. On the following day they were told that they had been paid off. Subsequently 25 were reemployed.
- November 7 - Pilkingtons (300 inv, 2 days): Workers dissatisfied with management's reason for firing a fork-lifter who had been with the firm for 12 years. The next day all the workers reported for work, but were told that they had to pass through the offices of Mr Rautenbach, the personnel manager. The 8 works committee members were not reemployed because they had 'instigated' the strike and 14 others were also dismissed. Workers laid a charge of victimization against management.
- November - PepsiCola Bottling Company, Mobeni (50inv): 50 labourers stopped their work of offloading trucks because they objected to the manner in which a white staff member issued instructions. The labourers were preparing to leave the factory when the liaison committee contacted the management to sort out the matter, Management in turn called in the police, but the strike ended half an hour later.
- October 31 - Big Chief Bakery, Hammarsdale: Workers went on strike in sympathy with an African supervisor who had been accused of theft by the night shift baker. The workers left the bakery and were immediately replaced by the morning shift workers.
- October 4 - Prefabricated Concrete Industries, Witwatersrand: Wage dispute. Workers appeared in court for striking illegally and were fined R40,00 or 60 days.
- February 25 - Imta Ltd (92 inv): 92 workers were charged under the Bantu Relations Regulations Act for striking. 5 paid R10,00 admission of guilt fines. No evidence was led and the case was remanded to 9th December.
- Randburg Municipality (270): 270 workers went on strike due to a clerical error resulting in short pay. They were held in custody over the weekend. 200 agreed to return to work and were released on their own recognisances. Their case was remanded to November 12. The rest were remanded in custody because they refused to return to work and appeared in court on November 6. They were sentenced to R20,00 fines or 20 days. Most of them paid the fines.
- June - Nautilus Marine (286 inv): The factory employed 286 African workers at the time the conflict started. The conflict was conducted in two stages: the first stage was a struggle on the part of the workers to obtain a registered works committee; the second was a conflict between the works committee and the management which terminated in a complete breakdown between the two sides and the dismissal of all African workers.

1975

- January 14 - International Delivery Co, Durban (30 inv): Wage dispute with workers also demanding protective clothing. Police arrived and Dept of Labour officials addressed the workers. Management singled out 'agitators'. 11 workers charged with instigating or participating in a strike, but charges were dropped after they failed to turn up at court.
- January 16 - RH Morris, Durban (144 inv, 1 day): Dispute over wages owed to workers. Police with dogs were present and Labour Dept officials addressed the workers. Management fired the entire workforce, eventually reemploying only 90%. The amount due was paid out.
- March - Miller Weedon Transport Co, Durban (42 inv): Wage dispute. Police called in soon left. An average of 17% wage rise was given.
- March 10 - Plate Glass Co, Durban: Wage dispute with workers demanding a R5,00 increase. There is a discrepancy as to whether this was a strike or a lock-out. Reports indicate that it cannot really be seen as a strike because as soon as workers presented their demands they were fired.
- April 11 - Durban Abattoirs (300 inv, 1 day): Wage dispute. Workers demanded a R5,00 increase and expressed dissatisfaction with working conditions. During negotiations a Dept of Labour official lost his temper and left. Some wage increase was given.
- April - James Brown and Hamer, Durban (300 inv): Wage dispute. Workers are employed on a daily basis which makes it difficult to strike. The aggressiveness of a Dept of Labour official towards the press was reported.
- April 21 - Union Whaling Co, Durban (300 inv): Wage dispute. Workers also expressed their dissatisfaction with compound conditions, the pension fund and the housing facilities for wives. All demands made through the liaison committee were rejected by management, resulting in a mass sit-down in which the names of some workers were collected. After much stalling by management an increase was granted. Workers were charged with striking illegally, but half the charges were dropped.
- May 19 - Defy Industries, Jacobs, Natal (110 inv, 1 day): 45 Africans and 65 Indians were involved in this wage dispute over bonuses. The result was a lock-out. The unregistered Metal and Allied Workers' Union was rendered ineffective due to a lack of support from the registered Indian union. Management devised certain IQ tests which led to 19 workers being fired.
- April 19 - Smith and Nephew, Durban (11 inv): Settlement was reached without any work stoppage and the 11 workers who had been charged for the strike that never was were found not guilty.
- December 23 - United Flaying and Dressing Co, Durban Abattoirs (400 inv, same day): Workers demanded the reinstatement of a worker who was fired for allegedly stealing meat. Workers representatives met with Meat Board officials and management. No settlement was reached and workers had to work overtime to make up for lost time.
- January - Ice Cold Storage Co, Durban Abattoirs (26 inv): Wage dispute. Workers demanded a R2,50 weekly increase and consequently were threatened with dismissal. An increase was finally offered to become effective from March.
- June 13 - Selenite Products, Durban (130 inv, 5 days): 130 workers were charged by Dept of Labour for striking. 64 of them had their charges dropped because they could not be traced. 3 paid an admission of guilt fine.
- July 4 - Tongaat Group, Durban (80 inv): Wage dispute. This can hardly be called a strike as workers presented their demands and were fired. Between 5 and 10% were not reemployed.
- July 4 - Kilpatrick SA (Pty) Ltd, Durban (19(?) inv, 1 day): 13 workers were given R30,00 fines (or 15 days) for striking, and 6 others were acquitted.
- July 15 - Minetex Firina, Pinetown (85 inv, 1 day): Wage dispute.

Management called in the Dept of Labour who informed the workers about the illegality of their strike. The Industrial Council was also present. A strike fund was established. All workers were fired, 18 subsequently reemployed.

- August 7 - Westville Municipality (150 inv): Wage dispute.
- August 8 - Freight Services Ltd, Durban (14(?) inv, 4 days): The dispute arose after workers demanded the dismissal of a driver whom they conceived of as negligent after he had run over a worker. An eye-witness remonstrated with the driver and approached management. He was fired 'for being drunk'. Workers demanded his reinstatement and came out on strike. The police were called in and were quick in accepting management's side of the story. Management refused to negotiate with the Transport and General Workers' Union.
- August 28 - KwaZulu Government Services (Umlazi Sewerage) (100 inv): Wage dispute.
- September 18 - Monarch and Russel Ltd, Jacobs, Durban (60 inv):
60 Indian and African workers demanded a R5,00 pay increase.
- October 27 - Natal Cotton and Woollen Mills, Ltd (650 inv, 13 days):
Dispute over personnel officer whom workers found objectionable.
- November 27 - Durban Transport Management Board (6-8 inv): Wage dispute.
Indian workers threatened to resign if their demands were not met. The Dept of Labour threatened in return that they would be charged if they went on strike illegally and told them to work through the union.
- December 5 - Tanker Services, Durban (100 inv): A dispute involving mainly Indian workers arose out of the behaviour of 3 young white supervisors. Workers representatives met with the management and the Dept of Labour. Police ordered workers off the premises. 50 drivers were fired.
- December - Barlet Pool (Pty) Ltd: Workers struck over wage increases. Subsequently 16 Africans were charged. One was convicted for striking illegally.
- August 12 - Duens Bakery (150 inv, 2 days): 100 to 150 workers gathered on the premises of the company with the indication that they wanted to elect a workers' committee. On 13th August 19 of them were arrested, 14 of them were subsequently found guilty of striking. Court proceedings decided in favour of the workers' demands for a workers' committee.(++)

1976

- January 6 - Durban Ice and Storage Company: 26 workers stopped work after a wage dispute. Negotiations followed and workers returned to work.
- January 6 - Elangeni Hotel, Durban: The entire workforce of the Elangeni Hotel went on strike in sympathy with the dismissal of two of their colleagues. Police were on standby. The workers returned to work later the same day (1).
- January 8 - Coronation Brick and Tile: 2 000 African workers went on strike demanding the dismissal of an induna whom they viewed as a negative element. The level of their antipathy was clearly shown by the workers' very militant mood. Police were summonsed and management appeared to be adamant in not yielding to the workers' demands. Once negotiation was agreed upon by management the workers returned to work (2).
- February 4 - Ciskei Transport Corporation: Police armed with rifles and sub-machine guns and dogs ordered strikers to disperse or force would be used. Drivers and maintenance staff struck over the dismissal of a liaison committee representative. The 450 workers claimed that the dismissal arose out of his refusal to sign a no-increase agreement over wages for that year. The strikers demanded his reinstatement, an increase in wages and the transfer of one of the managers to another department because of fear of victimization. The entire workforce was dismissed on the 5th of the month(3).

- ? - Coca Cola Benrose Bottling Plant: 180 drivers struck due to the fact that 60 men hired as casual labour during the summer peak period were given notice a month earlier than usual (4).
- March 8 - James Brown and Hamer, Durban: 800 African workers were dismissed after they refused to work and demanded increases that would cost the company R200 extra per day. The workers demanded a 3c increase to their 45c an hour (5).
- March 26 - Heinemann Electric, Elandsfontein: A brutal police baton charge on workers outside the factory occurred during this dispute. The entire black workforce of 606 had been dismissed as a response to a petition for the recognition of the unregistered Metal and Allied Workers' Union in the factory. On Monday 29th the workers returned to the factory to see the director who never arrived. They were in the process of dispersing when the police charged (6).
- June 16 - Murray and Roberts, Empnageni: About 700 employees went on strike demanding higher wages and for salaries to be paid every 14 days instead of monthly. The police were present while the workers made up their minds to return to work after negotiations took place (7).
- June 18 - Delmas Milling Co, Eastern Transvaal: 427 workers went on strike over a wage dispute. The police were called in by management who rejected any wage settlement. 176 workers were fired whilst the other 251 decided to return to work (8).
- June 22 - Chrysler, Mamelodi: 1 000 hungry black workers refused to return to work after their 09h00 tea-break. They had arrived at work hungry and restless because of the explosive situation in the township overnight. The canteen usually provided bread together with tea, but for some unforeseen circumstances bread did not arrive that day. Management decided to let them off for the day (9).
- July 2 - ESCOM, Germiston: Hundreds of workers struck over the fact that wages were always paid late and the unjust way in which management fired and hired workers. The police were summonsed to the scene. Workers subsequently returned to work (10).
- August 3 - Chalwyn (KwaZulu) (Pty) Ltd, Isithebe: Police were called in to quell a 'disturbance' at the factory, when a group of strikers tried to prevent other workers from entering the premises. A week before, management had decided to reduce the weekly working hours which meant a reduction in the workers' pay packets. Workers struck, but negotiations with management broke down and failed. The majority of the 275 workers went back to work, while 65 were paid off (11).
- August 3 - Scotford Textile Mills, Ladysmith: About 600 women stopped work for a few hours following a wage dispute. Allegedly stones were thrown so the police were called in to control any further disturbances. The dispute arose due to employment of new workers at R8,00 a week, while women with at least 3 years experience would get R9,00 a week. The Labour Dept announced that a compromise was reached over the wage increase (12).
- August 4 - Soweto: The Soweto Students' Representative Council called for a stay-away which was observed by 50-60% of the labour force.
- August 4 - Richards Bay Bakery, Empangeni: An entire shift comprising 60 workers gathered at the Bantu Affairs Dept and demanded the dismissal of a manager who shot an African driver dead. The event took place the night before after an argument. It appeared to be an act of self-defence (14).
- August 5 - Pep Homeland Industries, Butterworth: Factory workers had gone on strike after a white foreman assaulted a black woman. The 200 workers demanded his dismissal. There were reports of violent incidents during the night and white-owned cars were stoned. A strong contingent of police took control of the situation (15). The workers were also demanding pay increases. The strike lasted 2 days. The police arrested 20 people (16).

- August 13 - Xhosa Development Corporation: 900 workers were given the day off because 90 labourers did not arrive at work after striking for two days. 400 were involved in the strike initially. None of the semi-skilled or skilled workers participated (17).
- August 23 - Soweto: The Soweto SRC called for a second stay-away. Absenteeism is reported to have been in the region of 70%. During this stay-away a dramatic conflict took place between migrant workers from the Mzimhlope hostel, and students (and residents) leaving 70 people dead in the process. Virtually all of the 300 clothing factories in Johannesburg came to a standstill. (18)
- August 27 - Pietermaritzburg: Charges against three municipal dustmen were dropped. They were charged under the Riotous Assemblies Act for striking during the previous month (19).
- September 2 - Durban Corporation Transport Department: Almost all bus drivers in the Durban Corporation Transport Dept failed to report for duty thus disrupting services for thousands of people. The 540 African drivers decided to strike over a pay dispute. The police arrived on the scene in full battle regalia. The strikers were reminded that they belonged to an 'essential service' and that they had to return to work, otherwise hard measures would be taken. The strikers, at gun point, had to return to work. (20)
- September 2 - Abattoir Commission, Durban: The Abattoir Commission fired most of the 250 flayers who were on strike and employed a new labour-force. Some of the more 'innocent' ones were reinstated. The strike occurred over a misunderstanding over pension money, according to management (21).
- September 6 - Armourplate Glass (Pty) Ltd, Springs: The first legal strike by Africans in South Africa. See discussion below.
- September 13 - Soweto: The SSRC calls for a third stay-away. The result is phenomenal - approximate absenteeism in the region of 90%.
- September 16 - Cape Town: Despite the spreading of anonymous leaflets postponing it, around 70% of Cape Town's African and Coloured workers responded positively to a call for a stay-away (22).
- September 15 - PUTCO, Boksburg: 120 drivers struck, demanding the dismissal of two officials. Emergency measures were immediately applied and outside drivers were ferried in. By 16h20 the first buses started to move out. The striking drivers decided to return to their shifts and by 17h00 all was running on schedule (23).
- September 29 - Ford: Workers in body section barricaded themselves in the canteen after lighting a huge bonfire and overturning two mail vans. Violence flared when 12 men refused to adopt a new quality control technique for aligning doors. A contingent of 100 police was called in while a crowd of approximately 350 workers smashed windows. No negotiations took place during the day (24).
- September 29 - Good Hope Textile, Kingwilliamstown: Daffers started a strike and soon all followed their example. The daffers average wage was R12,00. They demanded an increase of R5,00. The police were on standby. The workers picketed outside the factory which prevented the afternoon shift from reporting for duty. An ultimatum was issued by management: either return or be fired, on the 29th. A delegation of 6 was the same day refused a hearing by management who instead held talks with the standing liaison committee. The strike had lasted a week by then (25). 3 000 on strike.
- October 8 - Amanzimtoti Spraying and Panel Beating (Pty) Ltd: An African worker was fined R100 for contravening the Bantu Labour Relations Regulation Act for inciting workers to strike for higher wages on August 16. The demand was for R5,00 increase per week (26).
- October 12 - Verulam Town Council: 150 African workers struck demanding an increase to R15 and R20 per week. Present wage was R13 (27).
- November 9 - Durban Night Watchmen: 90 security guards, on the 8th, refused to start work demanding 100% increase (28).

- November 24 - Murray and Roberts, Ladysmith: About 40 building construction workers were paid off the day before, following a pay dispute over 2 days lost pay during the previous month. The pay dispute flared up when the men refused to accept explanations by senior policemen and company officials as to why money was deducted from their November wage packets and not the previous month (29).
- December 9 - Cape Town Abattoirs: 3 workers of the municipal abattoir were acquitted on charges that they threatened other workers with violence if they refused to strike. This event dates from the September stay-aways (30).
- December 14 - Transkei Development Corporation Transport Div: 200 bus drivers went on strike demanding R150 per week. On the 13th drivers decided to strike after 13 inspectors who acted as their spokesmen were paid off. Uniformed police and Security Branch officers spoke to the strikers. There were no incidents of violence (31).

1977

- March 25 - Transvaal Wholesale Meat Supply, Johannesburg: The strike had entered its 3rd day after a fruitless protest trip by strikers to the Dept of Labour in Pretoria. The men were paid off. They were told in Pretoria to put their case before labour officials in Johannesburg. When they did so, they were told that the Dept could not help them. The strikers numbered 46 men, about 25 of whom were unregistered as workers. The men claimed they worked from 06h30 until after 21h00, and until 15h00 on Saturdays. All of their wages were to be reduced to R23,50 a week, including overtime, as from that week, they claimed (32).
- May 11 - Ngoye Paper Mill, Empangeni: After a worker hit a manager over the head with a bottle (sending him to hospital), 200 workers stopped work and demanded the manager's dismissal. Management refused to yield to the workers' demands (33).
- June 16 - Soweto: The SSRC called on workers to stay at home and attend commemoration services and meetings for those killed in the disturbances during the previous year. The success of the call was medium.
- July 26 - Pretoria Municipality Cleansing Department: 1 000 workers of the Department downed tools because of the Pretoria City Council's decision not to pay their workers weekly but monthly. A strong armed contingent of police was at stand-by (34).

COMMENT

The rising rate of unemployment in this period which entails the weakening of unskilled labour's position, has not managed to quash outbreaks of industrial conflict. Indeed, conflict has spread to an unprecedented degree as more and more workers come out on strike. Yet on the other hand, the reserve labour-pool that has been building up in the 70s has to a large extent weakened the effectiveness of strike action. That management realizes this is evidenced by the ease with which the now common ultimatum of 'return to work or be fired' is issued. This tactic of management's is a stark reality for the African working class.

From the collected strike incidents in this period, we witness, hand in hand with increasing demands for wage increases, the emergence of demands centring around issues of control in the work situation and representation. We also witness a greater awareness at shop-floor level of the implications of the existing labour legislation and cognisance by workers of

their rights.

The increasing inability of the African workers to realize themselves as consumers has brought forth realistic demands for wage increases. PDL studies are an indication of this (35). Compared to the relatively unformulated demands during the Durban strikes, this period is characterised by demands of a more specific nature. There also seems to be a greater utilization of the limited powers and functions of the Liaison and Works Committees in presenting demands.

Although this period sees an increase in the establishment of Liaison and Works Committees which the new legislation provides for, the period is characterised by an increase in the number of strikes. If the 1973 Amendment was meant to provide for more harmonious relations between capital and labour it failed on more than one count. In fact, attempts by workers to realise the limited 'powers' afforded to them by the Act was the cause of much conflict. The example of Nautilus Marine is a case in point.

African workers at Nautilus Marine in Cape Town met sometime in June 1974 and unanimously decided on the preferability of a Works Committee; a provisional Works Committee was elected to approach management. They approached management under Section 7(a) of the Bantu Labour Relations Act which lays down conditions under which a Works Committee can be formally elected. A meeting was arranged for the 27th June, 1974. At the meeting a Bantu Labour Officer was present. Management asked workers whether they desired a Works Committee. They unanimously answered yes. The provisional 12 man Committee was then asked whether this was the legitimate body of representatives. Again the answer was yes. Management then stated that it would not allow a Works Committee to be formed in defiance of the workers' wishes and the stipulations of the Act. Management then stated that it wanted a Liaison Committee and disregarding opposition to this, managed to break down the meeting claiming that a Works Committee would be illegal. (One wonders what happened to the Labour Officer).

Worker-management relations at Nautilus became strained and eventually a petition signed by all the workers stating their demand for a Works Committee was sent to management. Management then retaliated by firing an employee (Mr Maqula) who had been with the firm for 19 years, stating that he was giving management a bad name by criticising them. Mr Maqula and other workers approached the Western Province Workers' Advice Bureau who referred them to a firm of attorneys. Acting on the workers behalf, a Mr Kowalsky wrote a letter to Nautilus requesting that a

meeting be called at which a Works Committee would be elected under the provisions of the Act. Management's attitude was that he should keep his nose out of the affairs of Nautilus even though his legal actions were legitimate.

The workers then took matters into their own hands by refusing to don their overalls and start work. The workers voiced two demands: that Mr Maqula be reinstated, and that they may be permitted to elect a Works Committee. The first confrontation was won by the workers. Management sent a car to fetch Mr Maqula from the township. He was reinstated with a public apology. Management also conceded that a registered Works Committee could be affiliated to the Workers' Advice Bureau. The Works Committee was formed in September, 1974, yet relations seem to have been more strained than before.

The first demands which the Works Committee made ended in dead-lock. They were: (1) that workers could take six months unpaid leave while they returned to the homelands; (2) a minimum wage of R35,00 per week; and (3) a removal of three 'boss-boys' who were acting against their interests. After the dead-lock, workers decided on a stand against overtime, night-shifts or work over weekends.

At this stage, after the violent death of a worker on his way to work, the SAR police stepped into the picture. Members of the Works Committee are interrogated, not on the death of the worker but on their activities (the Special Branch is also present). The police were interested in finding out who put all those ideas into their heads. The police also delivered a fair share of threats.

Nautilus then decides to fire 10 workers and relations deteriorate further. Workers down their tools and demand: (1) the reinstatement of the dismissed workers, (2) no more victimization, (3) that management be prepared to negotiate with the Works Committee and not to call in the police when there is the slightest trouble, and (4) a minimum wage of R35,00. Management retaliates by dismissing all workers. Police supervise the reception of pay-packets, (some of which were short-paid) and the departure of the workers. Workers who were branded as 'agitators' faced great difficulty in finding employment. Throughout the dispute management and police believed that 'agitators' were behind the workers (36).

Indeed the Nautilus Marine dispute encompasses in a microcosm the entire vista of South African industrial conflict in the 70s. Workers who are aware of their needs and rights continually come into conflict with a threatened management. Conflict over and arising out of the establish-

ment of Works Committees and the demands that these Works Committees present is evidenced in a number of disputes. (see for example Duens Bakery dispute) (37). Even though in terms of getting their grievances across through an elected body may be said to be a small victory, the vulnerability of these committees limits their effectiveness. Workers have been victimised as members of Works and Liaison Committees. The cases of ESCOM in Durban (June 1974), Pilkingtons (November 1974), Raleigh Cycles and Imextra, present only variations to a well-known theme. Workers in the latter three cases reacted within the legislative structure by recourse to the victimization clause of the 1973 Act. Their successes however, in getting dismissed employees reinstated were short-lived. With a court ruling emerging from the Imextra case the victimization of Works Committee members became a criminal and not a civil offence, and the decision to prosecute an employer or not appears to be left to the discretion of the police and the Attorney-General.

Disputes over victimization have broader implications and centre around threats posed to management's prerogative to hire and fire as they wish. When real deadlock sets in workers are at their weakest - Nautilus Marine is only one example of management firing their entire labour-force. In fact, it is over such issues of control that most firing happens. The breakdown of strikes included in this project includes many similar cases. A second response by management is to fire the entire workforce and then allow them to reapply for their jobs on a selective basis which allows them to weed out the 'rotten tomatoes' or the 'trouble-makers'. The 1973 Act it would seem, afforded workers a certain degree of power. There are, however, certain ambiguities in this: firstly, elected representatives are given negotiating powers whilst at the same time they are open to victimization; and, secondly, this legislation does not allow for any real collective bargaining due to the sectional nature of Works Committees.

The realisation of these limitations have been expressed in a number of strikes which arose in response to Management's refusal to recognise a trade union, and a number of other strikes in which workers explicitly demanded that their grievances be represented by trade unions. The case of Leyland is worth looking at in detail.

177 workers downed tools early in March, 1974. The issue at the root of the grievances of the Leyland workers was the demand for the recognition of their trade union, the Metal and Allied Workers' Union (MAWU), and the refusal of the Leyland management to negotiate with it.(38). In August, 1973, MAWU sent a letter to the managing director in Johannesburg in an attempt to open channels of communication. As a response management

believed that their policy of improving labour relations could be achieved within the framework of the Bantu Labour Relations Regulation Act and that workers' representation through a trade union was not necessary. "We will be prepared to review the situation when Bantu trade unions can be registered in terms of the Industrial Conciliation Act, but until such time we can unfortunately not recognise MAWU".

At the end of January Dr Jacobsz, Director of Finance and Planning addressed workers of the Mobeni plant. The workers insisted that they wanted MAWU to represent them; they also informed him that they were all members of MAWU and demanded to have union representation rather than any other communication channel. Dr Jacobsz refused and insisted that they form a Liaison Committee. When the secretary phoned the plant manager with the intention of mediating a fast settlement to the dispute, he received a short answer that management could take care of its own affairs without the need of a third party. After advice from the Dept of Labour, to fire the entire workforce, management decided to fire some, not all. (the role of the police and Security Branch will be examined later).

The case of Heinemann in March '76 presents a similar picture with the dispute arising out of a petition presented to management by workers, demanding the recognition of MAWU, which resulted in the dismissal of the workforce. Further examples of disputes involving trade unions can be found in the breakdown of strikes.

Finally, the effectiveness of the Bantu Labour Act was tested to its limits when the first legal strike took place in 1976 at Armourplate Safetyglass (Pty) Ltd in Springs (39). The statement issued by the executive committee of the Glass and Allied Workers' Union in November, 1976, sums up cogently what the 'right' to strike means in South Africa: "...The right to strike is a mockery without the right to conduct a peaceful picket and without trade union organisation, to assist members with their legal struggle and with the establishment of a strike fund" (40).

In concluding this section, we attempt to give a general overview of what has been discussed and to locate attitudes of the state and management. Firstly, the state is perforce involved as a result of existing legislation in any outbreak of labour vs capital conflict. Its involvement whether in the form of Labour Officers, the police, or the security police, has been clearly on the side of management and against workers' interests.

The Bantu Labour Officers can hardly be called worker representatives

although formally they are so. Their limitations and ineffectiveness have been indicated time and again. In fact it would seem that their function is merely that of informing workers that their strike is illegal. The involvement of police in strikes is evidenced on two fronts: Firstly, by the show of force which serves to intimidate workers, and in some cases the use of force in baton charges and other repressive acts; secondly, the activities of the security police. This activity is also witnessed on two levels - firstly the apparent presence of the SB serves to intimidate workers and, secondly, the interrogation of workers, threats which the SB issues and the arrests and detention of labour leaders, culminating sometimes in their banning (41).

The involvement of the repressive arm of the law however is not only defined in terms of labour legislation. Legislation meant to curtail any form of political activism involves itself in labour-capital disputes. The Riotous Assemblies Act in preventing gatherings, is an example here. Workers have been arrested, charged and convicted under the Act (42). Furthermore, the recent clampdown on trade unionists through bannings has emphasised the atmosphere in which labour is meant to articulate grievances. Indeed, the state is the watchdog of management's interests.

Although the 'winds of change' seem to be blowing in managerial circles concerning an improved system of industrial relations that would accommodate the acute conflict in which it finds itself with labour, the reality is that management chooses to ignore democratically elected bodies. The instances in which management has refused to heed the demands for the establishment and take cognisance of the grievances by these committees where they exist, have been numerous, and we failed to detect any substantial shift from this intransigent position of management's in the 7 years we have looked at. Instead it seems that management has successfully used the provisions of labour legislation to hide behind. Their refusal to recognise trade unions even where the demands for this recognition were the results of a democratically held election has often been by recourse to the law. The argument that the law provides for effective negotiating bodies and that trade unions are unnecessary is a common one. It has also been a favourite tactic of management's to play off the workers against the law when such a demand for a trade union is presented, by saying that trade unions can only be recognised when the law allows for their full recognition and registration. The fact that there is no legal restraint on the recognition of trade unions by management seems to be conveniently ignored. Yet this applies to the individual capitalist's reaction which cannot be said to represent the interests of capital as a whole. A further indicator of capital's

response must be related to the increasing demands made by capitalist associations for greater incorporationist policies.

Our research indicates that all workers demands, whether for wage increases or over issues of control and representation, have been 'reformist' in nature and can be accommodated within the present economic structure. Reformist, because the challenge presented to capital is not for reconstruction of the economic system, but rather for better accommodation within it. In the light of this, the threat posed by the recognition of African trade unions does not of necessity lead to political demands, but can, instead, facilitate the functioning of capital in South Africa. In fact, the initial recommendation by the Botha Commission for controlled African trade unions is not an inconceivable solution. It would be interesting to see what the state's reaction will be to the 'enlightened' position which the Wiehahn Commission seems to be on the point of presenting, in contrast to the proposed draft Bill whose central purpose is to turn the Liaison Committees into the key negotiating bodies with the power to negotiate legally binding agreements.

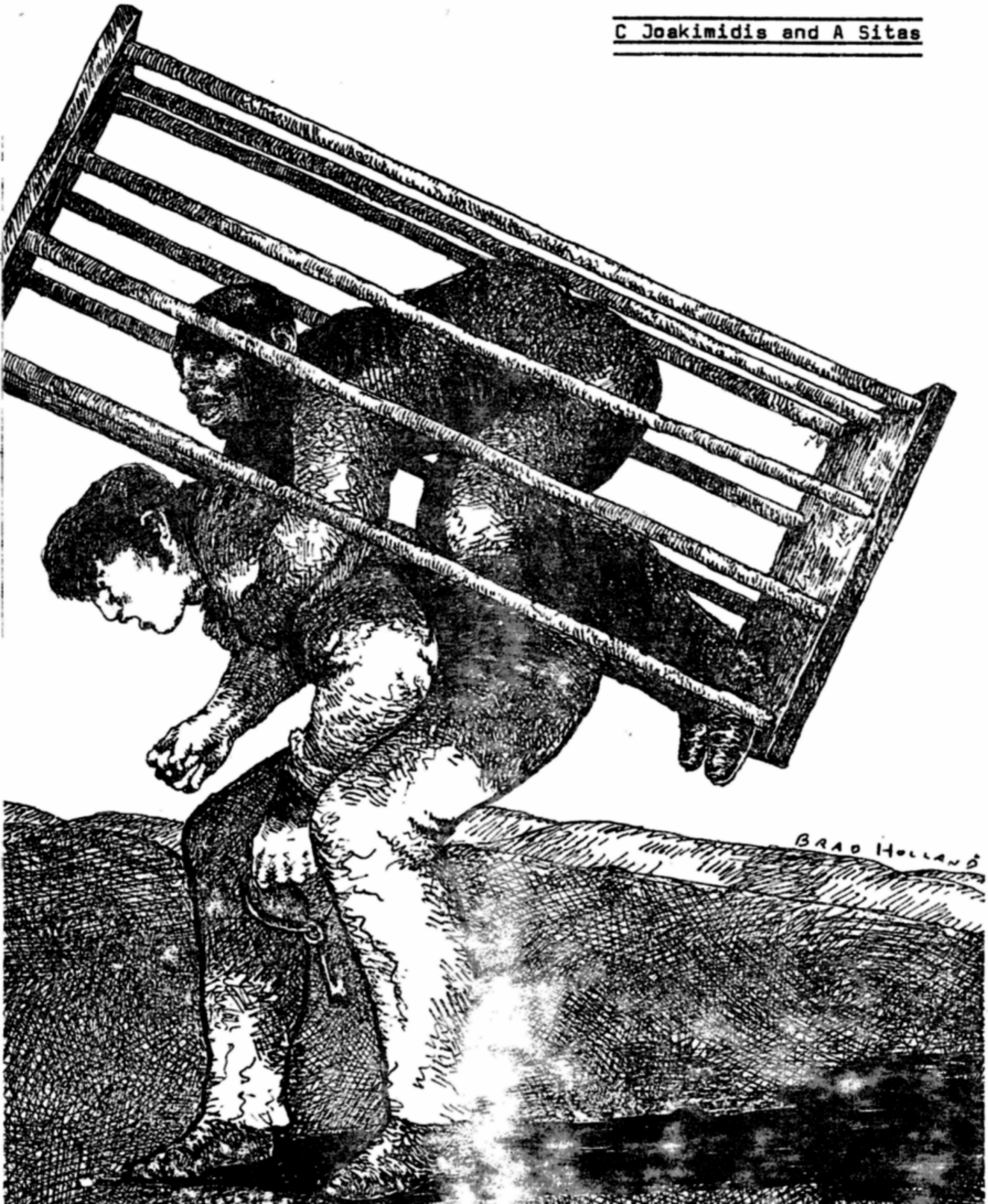
Notes:

(++) Compiled from issues of the South African Labour Bulletin.

- (1) RDM 76.01.07
- (2) RDM 76.01.09
- (3) Daily Dispatch 76.02.06
- (4) RDM
- (5) Daily Dispatch 76.02.06
- (6) SALB 3,7.
- (7) RDM 76.06.16
- (8) RDM 76.06.18
- (9) Pretoria News 76.07.22
- (10) RDM 76.07.02
- (11) Daily News 76.08.03
- (12) Natal Mercury 76.08.03
- (13) John Kane-Berman - "Pupil's Revolt"
- (14) Daily News 76.08.04
- (15) Daily News 76.08.05
- (16) Daily Dispatch 76.08.07
- (17) RDM 76.08.13
- (18) Kane-Berman
- (19) Natal Witness 76.08.27
- (20) Star 76.09.02 and RDM 76.09.06
- (21) RDM 76.09.03
- (22) Kane-Berman
- (23) Star 76.09.16
- (24) Star 76.09.29
- (25) Daily Dispatch 76.09.29 and 76.09.30
- (26) Daily News 76.10.08
- (27) Daily News 76.10.13
- (28) Daily News 76.11.09
- (29) Daily News 76.11.24
- (30) Eastern Province Herald 76.12.14

- (31) Cape Times 76.12.09
- (32) Star 77.02.25
- (33) RDM 77.05.11
- (34) Star 77.07.26
- (35)
- (36) SALB 2,9&10
- (37) ibid
- (38) SALB 1,3
- (39) SALB 3,7
- (40) ibid
- (41) See Survey of Race Relations, 1976
- (42) See SALB 3,7 for Heinemann and breakdown of strikes in this project.

C Joakimidis and A Sitas



labour resistance

LTA construction company (Sibasa): 26 workers fired for refusing to work overtime (loading cement). They were engaged in building new government offices. Project manager Sutton denied that police were at the site - "They were here but I think they were arresting pass offenders at the gate". (Post, 78.10.20)

Diamond cutting industry, various firms (Johannesburg): On 22nd September, 1978, 84 'Coloured' diamond cutters walked out of the Transvaal Diamond Cutting Works in protest at the firing of a fellow worker allegedly for taking up their grievances. They had several complaints relating to wages (minimum between R20 and R50 per week, depending on experience) and to other employment conditions.

In 1976 a dispute had arisen over 'the size of stones which white craftsmen were to leave for processing by coloured operators' (Star, 78.09.27). Now the clash was between operators and employers. At the time of the strike 1 100 operators had entered the industry since the previous labour action, saving the industry (employers) money through processing stones that had previously left the country. White workers were represented by the Diamond Workers' Union and they helped form the Diamond Cutters' Union for the 'Coloured' operators. Robin Rich being the secretary for both unions.

Further tension arose over what the firm of GA Tracey & Sons called an 'Illegal strike'. About 40 operators had left work early on Kruger Day, but returned to work on the advice of Robin Rich. The same report (Star, 78.10.12) gave further details on the earlier strike - the person dismissed had been Derek Watson, president of the Diamond Cutters' Union, and it was now said that 54 workers had been on strike.

The Department of Labour refused to prosecute the Transvaal Diamond Cutting Works for firing Watson on September 22. The Union did not have the money to take legal action themselves.

The Tracey's strike had a sequel in court.. Charged with 'conducting an illegal strike' 30 workers appeared in court on 9th November, 1978 and again on 12th January, 1979. They were found not guilty because the 'action of the workers had not been "striking" as defined by law' (Star, 78.11.10, and RDM, 78.11.10 and 79.01.13).

Murray and Stewart construction company (university of the Transkei site, Umtata): On the 7th November, 1978, about 600 workers at the site stopped work over what they felt was non-payment for overtime. On the next day (Wednesday) police accompanied worker representatives to the Department of the Interior to make statements. Other workers returned to work. On Thursday (78.11.09) the strike resumed over low wages. They had been addressed by an official of the Transkeian Department of the Interior who suggested that they returned to work while the issues were being resolved. Workers did not heed the advice until the Monday following. Police again came to the site on Monday (13th) but did not interfere. Workers returned to work. The Dept of Interior official, Mr Finiza, said earlier that "although striking was illegal in Transkei, he did not believe action would be taken against the men because they had conducted themselves in a peaceful manner" (Daily Dispatch, 78.11.09; 78.11.10; 78.11.14).

Municipality (Amanzimtoti): African labourers (80) were dismissed for refusing to work. They had reported to work on the 15th November, 1979, but refused to work 'until they were assured of a wage increase'. The average wage was R27,00 per week. They were making 'all sorts of wild demands' said DB Magennis, the town clerk. The resolution of this strike is not known to WIP. (RDM, 78.11.16)

Construction workers (Sasol II): Some 200 African workers went on a one day strike at Sasol II on 31st October, 1978. The dispute was

over a bad-weather allowance and workers returned after settlement. They were employed by an unnamed sub-contractor. (RDM, 78.10.31; Star, 78.10.31)

Rainbow Chicken factory (Hammarsdale): A strike on 2nd January, 1979, by about 1 000 workers in the Hammarsdale processing plant of the Rainbow Chicken company brought all work to a standstill. About 1-million of the company's output of 1 1/4-million frozen chickens per annum are processed at this plant. On the start of the third day of the strike management offered an increase but workers refused to return until they had been told how much it was going to be. The strike lasted three days and the workers won an increase of 7c an hour (3c less than demanded). The initial management offer was for 2c an hour on a weekly wage of R15,57. (Star, 79.01.03; 79.01.04; Post, 79.01.05; RDM, 79.01.05).

Wenela Specialist Hospital for African Mineworkers (Johannesburg): Five employees were fired after organising a food boycott at the hospital in protest over food that led to an outbreak of diarrhoea among workers. The Chamber of Mines said that after firing the 5 men they had had a meeting with senior employees and that there had been no further complaints. (RDM, 79.02.02).

PEP Textiles Industries (Pty) Ltd (Umtata): On Wednesday, 7th February, 1979, it was reported that workers at this factory were returning after having been on strike since the previous Wednesday (31st January). They were paid off on Friday, 2nd February, and reemployed at basic rates 'irrespective of the rates they had been on before the strike' (ie, male workers at R10,12 a week and female workers at R8,00 a week). (RDM, 79.02.07).

Corporation Transport Department (Pietermaritzburg): About 80 drivers went on strike in protest at a dismissal. Riot and security police were present at the negotiations between the city council and the strikers, on the 7th of February, 1979. It was said that supporters of the drivers were threatening those who walked to work. People in the townships said that dissatisfaction over money also came into the dispute. (Post, 79.02.08)

Ciskei Transport Corporation (a company based in South Africa, but the strike appears to have taken place in the Ciskei): Two rather confusing reports appeared relating to a strike(s?) by Ciskeian bus drivers. On the 19th and 20th January, 1979, 65 bus drivers were reported to have been detained by the Ciskeian police. Charles Sebe, Ciskei's secretary for intelligence, said that two days later a further 23 bus drivers were detained by the South Africa security police. Ciskei secretary for justice, BJ du Randt, said that "as the bus company had its headquarters in South Africa" the men detained by the Ciskei would appear in East London during March. (RDM, 79.02.27) An earlier report (Post, 79.02.10) said that 56 drivers appeared in the East London Regional Court the previous day, charged with sabotage (?), after having been on strike the previous month. The case was postponed to March 12, and bail was fixed at R100. These workers were also reported to be working for the Ciskei Transport Corporation, and may be the same people, or some of the same people.

African fishermen (Durban): By the 25th February trawler fishermen had been on strike for at least a week in demand of higher wages per fish caught (from 20c to 50c per kilogram of fish caught). It is reported that whites were clamouring for the jobs, and that at least one skipper had taken on such crew. Others were reported to be negotiating for the return of their experienced crew.

Mineworkers strike (South Africa-wide): On the 5th of March Mine Workers' Union members at the O'Okiep Copper Company mine in the northern Cape came out on strike 'in protest against moves by the company to make use of skilled coloured workers'. The other side was presented by the miner who said that 'The company pays these

people less than white miners for the same job. So what will eventually happen to us?' At the time of writing the strike had spread to many other mines - coal, gold and platinum and copper - and was still in progress. We hope to carry an article on the implications of this strike in the next number of WIP.

As can be seen from the sources referred to, we are at present mainly relying on Transvaal newspapers for coverage of strikes. It is important that we extend this coverage to other major centres.

Please send in material on resistance in the field of labour and employment - preferably in the form that we do it here, but otherwise newspaper articles that we could use.



NAMIBIA

registration of voters

INTRODUCTION.

DURING THE past two years several major Namibian Churches have given their support to efforts of the five Western countries presently on the U.N. Security Council to negotiate a generally acceptable plan for the holding of free and fair elections in Namibia under United Nations supervision. The compromise plan eventually adopted by the United Nations Security Council on 29 September 1978 still enjoys the wholehearted support of the Lutheran, Catholic, Anglican, Congregational and African Methodist Episcopal Churches.

There can be little doubt, therefore, that the decision of the South African Government, announced on 20 September 1978, to hold its own elections in Namibia from 4 - 8 December, came as a severe disappointment to the Churches, who have consistently worked for reconciliation and peace in Namibia.

After careful deliberation a conference of thirty Church representatives from six Churches wrote an Open Letter on 4 October 1978 to the new Prime Minister of South Africa, Mr. P.W. Botha. After warning Mr. Botha that such action as that envisaged by his government could lead to an escalation of hostilities in Namibia, the Church leaders stated the following:

"During our conference we heard reports of extensive intimidation and deception in the campaign to register voters. We were also aware of irregularities such as the registration of Angolan refugees. This process has caused widespread fear and loss of confidence in your Government's intentions. As the registration has not been fair and free the elections cannot be fair and free."

The allegation of irregularities attracted widespread attention. A number of people, however, sought to challenge the truth of what the Church leaders had stated.

The Prime Minister of South Africa himself said the following:

"In case there has been any irregularity in connection with the registration of voters, any one who has any evidence is free to bring it to the attention of the Administrator General. It is noticeable, however, that such has to date not yet been brought to the attention of the Administrator General."

And in a letter to the Windhoek Advertiser (8 November 1978) P.A. du Toit, in his ignorance of the law, went so far as to say the following:

"Legislation has been created to make it possible for complainants with just proof to deliver the guilty up for punishment. Why is this not contained in the allegation? Allegations can be counted as lies if they are not supported with proof.....We hope that these Churches will come with proof so that they may not lose their integrity."

It should therefore be noted here that while in terms of the Registration Proclamation, AG 37, it is an offence to dissuade or intimidate or prevent people from registering, it is not at all an offence to use such means to get people to register. While there is no objection to informing the Administrator General, he would be under no obligation to do anything about such irregularities.

AG 37 does make provision for objections to be raised to the registration of a particular person, for instance an Angolan refugee. Such objection must, however, be lodged by a person who has himself registered as a voter. A party not taking part in the election would therefore be powerless to raise objections, and even a party taking part in the elections would need an enormous and highly efficient staff concentrating on this task only if it were to make any headway. Furthermore, a person may register at any magistrate's court within Namibia and need not do so in his/her own district. This makes the task of tracking down malpractices even more difficult.

It should also be noted here that the Churches in 1975 alleged that there had been extensive intimidation in the Owambo elections of that year. Four hundred and one statements were collected, and a writ to have the elections declared void in the Windhoek Supreme Court was in preparation. However, government officials in the North so restricted a team of lawyers appointed to formalise the statements that the application had to be abandoned.

In these circumstances it was decided that the best course of action in regard to the present registration and election campaign would be to publish a simple factual report. Contacts were therefore taken up with a number of reliable Church sources. At this stage it has not yet been possible to gather reports

from all these sources, but sufficient information has been forthcoming for us to give an indication of what has been happening in Namibia recently.

We have therefore decided to make available the information which has been collated to date for the following reasons:

- +it seems that the Administrator General's recent actions against the Church could in large part have been motivated by a fear that such information might be brought to light;
- +the Administrator General and the South African Government are apparently about to begin a massive international campaign to sell the elected constituent assembly as the true representatives of the people of Namibia;
- +with the level of coercion which is continuously operative in Namibia it is to be anticipated that there could be a high percentage poll in the coming elections. In circumstances such as those outlined below it can be said that the number of votes cast, as well as the number of votes cast for any particular party, must be considered a false indicator of public opinion in Namibia.

A. PRACTICES AND INTIMIDATION EXPERIENCED DURING THE REGISTRATION OF VOTERS AND DURING THE PRE-ELECTION PERIOD IN OWAMBO AND KAVANGO.

1. Over the whole area people said they registered because of fear. When asked for particulars, one of the main reasons given for the fear was past experience with identity cards, DTA membership cards and the 1975 Owambo election:

1.1 A few years ago identity cards were issued. Many people did not want to have homeland identity cards, and pressure and intimidation were used to force people to apply for the cards. These must be carried at all times (in addition to the tribal tax receipts) on the body, otherwise difficulties are experienced if the person is caught by the police or army.

1.2 DTA membership cards were issued in April-June 1978, just before the registration of voters started. Almost all people received such cards. Word was spread that everybody must be in possession of this card, in addition to the identity card and tax receipt.

Very soon it was evident that these cards were really compulsory. Example: On 24.4.1978 at Onamgolo in eastern Ondonga, a group of white and black soldiers went from house to house asking for

the 'papers'. Namindo Kauluma, 42, showed the soldiers his identity card and tax receipt. The soldiers then asked for his 'Turnhalle' card. As he did not have it the whites ordered a black soldier to beat him and tell him to get the Turnhalle card. The same happened to Jonas Kaufipa, 60, Johannes Kashiukile and Petrus Shimhulu. All the people in this area then went to Oshigambo to fetch their DTA cards. Similar reports were received from other districts. Some reports even said soldiers and Owambo Home Guard members tore up the identity cards and said the DTA card was sufficient.

Word was spread that persons without the DTA card would not receive medical treatment. DTA teams then went to hospitals or stood outside hospitals and issued cards to those coming for treatment. This was done at several places. As an example can be mentioned Onandjokwe Hospital where the DTA team first came onto the hospital premises, and when told to leave stayed just at the gate, during the last week of April and the first week of May.

Intimidation also occurred in more public places, e.g. through the loudspeakers of a white Toyota Hi-Ace bus in passenger transport service between Oshakati and Onandjokwe, owned by a DTA supporter.

1.3 Intimidation was widely experienced during the 1975 Owambo elections. E.g. in Uukwaluudhi the chief told his people that they would lose their ploughing rights and shop licences if they did not vote. The labour bureaux did not give labour contracts to people who did not have their identity cards marked after voting.

People now said that they registered only in order to safeguard themselves from similar difficulties, not because they wanted to. This was verified in many districts.

2. When the registration started, it was claimed to be in accordance with the Western proposals. This was said publicly over the radio. Many people said they registered in the belief that they would thus be able to vote in UN controlled elections which were part of the proposals, but that they were soon disappointed when they heard Minister Ndjoba and others claim that the high registration figures were seen as evidence of the trust people had in the government and in the DTA.

3. Throughout the registration period Radio Owambo and Radio Kavango told people to register. DTA meetings were extensively covered and DTA speakers quoted daily. The speeches contained hidden and sometimes even direct threats:

"Steps will be taken against those who do not vote";

"There is no place in this country for you if you do not register and vote".

Several homeland ministers used these words, for example Thomas Akwenya Shikongo on Radio Owambo on 8.10.78 at about 1400 hours.

4. Homeland ministers told chiefs and headmen that they must see to it that all people register - this was also done with regard to the DTA membership registration. All over there is evidence that people were told by their headmen to register. Some headmen only told their people in a general manner that they should register, some added "in order to avoid trouble", some added "or steps might be taken against you". Some headmen went from house to house.

5. DTA leaders and organisers have on many occasions told people to register and also threatened them. Examples:

5.1 DTA organiser Nghihulifwa came upon a group of women attending a religious meeting at Okambebe in Uukwanyama and told them that those who had not registered would be told to leave the country.

5.2 Minister Thomas Shikongo of Ongandjera, on 7.7.1978 at a funeral in Oluteyi said in his speech:

"Now is the time to register. Register yourself, register, register! Something will happen to you if you do not register".

5.3 Minister, chief Josia Taapopi Shikongo of Uukwaluudhi, who already in 1975 was known for his intimidatory tactics, has been threatening his people to the extent that they really fear for their lives and claim they do not dare to speak about the election if there are two or more people present. Teachers and nurses have been told that those who do not vote are for SWAPO and will be punished, and will lose their jobs and will have to look for work with SWAPO. "When you vote, vote for DTA".

6. The Defence Force and police combat units have been checking whether people have registered or not. In the beginning of the registration period it was said that the registration cards should be left at home until the elections, but people soon realised that they must carry these cards as well, in addition to the other 'human rights documents': the identity card, the tax receipt and the DTA card. Some examples:

6.1 At a road blockade on 11.10.1978 on the bridge between the black and white townships at Oshakati, people on foot and

in cars were asked for their registration cards as well and told to register soon if they had not done so yet.

6.2 At Okakwiyu near Ondangwa a teacher was also asked for his registration card at a road block, and as he did not have such a card, was told to get one soon.

6.3 On 14.11.1978, between 9 - 11am, immediately South of Engela, soldiers travelling with four armoured cars asked travellers, shop-owners and shoppers for their registration cards. One man from a nearby house was forced at gunpoint to fetch his card from his home.

6.4 Also on 14.11.1978, at a road blockade between Omafo and Odibo, travellers were requested to produce their registration cards. A priest and a teacher who did not have such cards, were taken to a captain by a Lieutenant Visagie, who released them when he heard the radio had told people to keep their cards safely in their home.

6.5 In the Ondobe area, at Iilyateko ya Shapopi and Odjofima, people were rounded up during the first half of November and asked for registration cards by police and Owambo Home Guard units. Some people were beaten up, and one man was taken to the Oshigambo camp, because he could not produce this card, according to witnesses.

7. Army units have been distributing information material for the election, and in this connection have also threatened the people. Example: At Ongwediva church centre, on 25.10.1978 at 3pm, army Unimog R 9117 stopped at the gate and distributed pamphlets, and a black soldier explained to the people who gathered there that those who had not registered and who did not vote would among other things not get petrol anymore, would not get medical treatment except perhaps at 'Finnish' hospitals, but as the Finns would soon have to leave, those services would later cease.

8. The army is supposed to be impartial with regard to party politics. However, in the Kavango, soldiers have been seen by many people greeting with the DTA sign. At Nkurenkuru an army Land Rover R 43024 was driving around for several weeks in October and November 1978 with a DTA sticker under the front windscreen.

9. Representatives of DTA and Aktur have requested to see the registration cards of people. On Sunday, 19.11.1978, an Aktur organiser came to Mbeyo, 60km south of Rundu, and went from

house to house requesting to see the DTA cards and registration cards of all the people in the village. He thereafter issued Aktur membership cards and handed all the other cards back to the people.

10. At Onawa in the Ombalantu area, old people gathered on the 4.7.1978 to receive their old age pensions. The officials paying the pensions came there together with a registration team and an army escort. People then first had to register and then received their pensions. According to the local pastor one person was turned away by the pension officials as he had declined to register.

11. Oshakati Post Office employees were on the 18.9.1978 shown a cable stating that all post office employees must register. On that very day all employees of that post office went in turns to register.

12. Several children under the age of 18 have registered. One girl of 16, daughter of an ELOC pastor, said the registration team came to the school, and pupils who looked big enough were told to register.

13. At Okahao Hospital, nurses were surprised when people coming for medical treatment produced their registration cards. The patients were in turn very surprised when they heard that the cards need not be produced, as they had previously heard that they would not get medical treatment if they had not registered.

14. Refugees from Angola have registered in great numbers in the Kavango area. The names of registered refugees will not be mentioned here for fear of incriminating people who acted out of fear, feeling that they had no choice. If a judicial commission is appointed to look into this matter, these names will be produced.

In the beginning the registration officials asked people where they were born and how long they had stayed in the country, but soon all people were registered without discrimination. The Kavango population has almost doubled since 1975. All people who earlier stayed on the northern bank of the border river are now on the southern side. Some of these were born on the SWA/Namibian side, some had been working here. It was also very common for people in the border areas to pay tax on both sides of the border. However, there are also refugees from central Angola now on the SWA/Namibia side.

14.1 All people in Kavango have registered, with a few exceptions.

14.2 Information received in various villages shows that among those who have registered there are many who were not born in Namibia, or who have not stayed here for the past four years (refugees started coming in 1976). Many of the people who have registered have names like Domingou, Antonio, de Moura, Mario, Jao, Francincico, Armando, Diniz, etc.

14.3 Some refugees apparently gave wrong information but in most cases people said they were never asked. An example: On 27.7.1978 the registration team came to Rupara Hospital. The staff and all patients were registered without discrimination. Among the patients there were several who according to law should not have been entitled to register, but nobody asked them.

14.4 On the basis of information received from various villages, and on the basis of population figure estimates before 1975 and in 1978, it can be estimated that more than one third of all the people who registered in Kavango came from Angola. Even if some of them were born here and some have been working here, it is estimated that at least one quarter of all people who have registered in that area were not according to law entitled to do so. This is confirmed by the high registration participation in Kavango, which was already at an early stage of the registration process much in excess of the estimates, which were also set quite high.

14.5 In Owambo, some refugees did also register, including three men who came as late as August 1978. However, in Owambo it seems the authorities turned away most of the refugees from the registration centres, and headmen in many villages told the refugees that they may not register.

15. Transport was arranged, e.g. in the Ongandjera area, for people to register. Trucks just drove up to shops and people who had not registered were told to climb onto the trucks and proceed to registration.

16.(Anonymous letters were) distributed to pastors in Owambo.

One of the letters states:

"The registration by many people shows that the people of SWA/Namibia want to choose their own people".

"You pastors who oppose the election and want to forbid it, where will you stay once the election is behind and freedom is there?"

It should be noted that these letters are written on a particularly expensive typewriter.

Note: All the above information has been checked with various sources. Pastors, church leaders and secretaries do have the names of many witnesses, and can still report about more incidents. Most people are afraid of giving their names as they fear they will get into trouble.

B. NON 'HOMELAND' AREAS.

1. Scant information has so far been received about the urban areas and white farming areas of Namibia. Present indications are that employers, in both the public and private sectors played a crucial role in getting black people to register. There is no documentary evidence as yet that farmers' associations or other interest groups were involved, but hearsay evidence indicates that this may have occurred.

2. The following incident was witnessed by Pastor K. Dumeni in Otjiwarongo on the 18th October 1978.

A white man came into a Portuguese Fruitshop (opposite the Post Office), consulted a notebook and told the shopkeeper's wife that she had not yet registered and that she had only a few days left in which to do so. If she failed to register she would be considered a SWAPO supporter, and might later face difficulties. The man then went to a nearby fish-and-chips shop. There he spoke to another Portuguese woman, but their conversation was inaudible. This woman informed Pastor Dumeni that the man concerned works for a business which serves farmers. On 25 October the incident was reported to Mr. Viall of the Administrator-General's office.

3. A worker in Walvis Bay gave the following statement:

On the 11th of September 1978 my boss approached me and asked which party I belonged to. I answered evasively. It then emerged that he is a staunch DTA supporter. The next morning my boss insisted that I must register. I made it clear that I did not want to register, saying that I was born in Walvis Bay. (Note: According to the South African understanding, Walvis Bay is part of South Africa, and people born there are not allowed to register for the elections, unless they have lived for four years in Namibia outside of Walvis Bay).

I insisted that I would bring him my birth certificate so that he could see for himself. The next morning I pretended that I had forgotten my birth certificate at home, as I was actually born in Windhoek. When the truth emerged, he said that that I should go

to the registration office in Swakopmund and register. I said I was not interested in registering. He then sent me home and said that I should report the next day and tell him whether I had registered and wanted to stay or whether I wanted to leave his services. As I have three dependents I decided to register, but now I fear that the same thing will happen when the elections come.

4. At the end of November the DTA sent a letter out to all holders of private postal boxes in Namibia. (There are a considerable number of these as there are no street deliveries in Namibia). The letter is written in Afrikaans and signed by the President, Vice-President, Chairman and Deputy Chairman of the DTA. The first two paragraphs read as follows:

"There are various reasons why your participation in the coming December election is of the utmost importance.

In the first place you will thus show to the world that you totally reject SWAPO, its communist policy and its murder of peace-loving citizens. Should you therefore not vote, it could mean that you support SWAPO."

5. A Pastor of the Lutheran Church found that pensioners were queueing up at the Post Office in Okahandja with both their registration cards and their identification papers. On enquiry, the pensioners told the Pastor that they had been told that they would not get their pensions unless they had registered.

6. In Okahandja a woman who went to register her baby, was first herself registered as a voter, against her will and intention.

7. At CDM mine in Oranjemund, where political organisation is freely permitted amongst the workers, there was an almost total boycott of the registration by the black workers.

8. Leaders of the three major political parties not taking part in the election have confirmed that reports of intimidation during the election campaign preceding the election have been brought to their attention. Practices include:

- subjection to threats of varied nature;
- threats to workers by employers of loss of employment;
- threats to old people of deprivation of their rightful pensions;
- threats of arrest at some later date.

One of the political leaders involved has stated that, as unemployment is rife in Namibia at present, the danger of losing one's job is a very real threat to many people. Another of the political leaders quoted said that often the reports of intimidation he had received took the form of allegations, as most people

were afraid to state their case publicly for fear of losing their employment. (cf Windhoek Observer 25.11.1978).



BRAD HOLLAND

development and underdevelopment in south africa

In the conventional view underdevelopment in Southern Africa is explained as a result of the existence of a dual economy in the area. This idea posits the co-existence of developed and underdeveloped areas. The developed areas are said to be the result of the enterprise, initiative and skills of the white settlers. Coming from literate societies with market oriented economies characterised by private property and wage labour, they set about revolutionising the slow pace of life in the subcontinent. They encountered indigenous societies which were non-literate, subsistence oriented and pre-capitalist. The underdeveloped areas of Southern Africa represent remnants of these societies which have failed to adapt their production and institutions to the modern world. That there is an interchange between the areas is not denied. Thus J.L. Sadie states that "As the population of the Reserves increased and their primitive agriculture could no longer feed them all, some of them could migrate on a temporary or permanent basis, to the neighbouring White parts of the country where ample opportunities for earning a livelihood already existed. The necessity for creating new sources of income on their own initiative did not arise." Recently Mr Nic Treurnicht reiterated this view in a debate in the House of Assembly. "Are living standards not linked with the ability to live creatively, to be enterprising? Is it not the problem of Africa that so few people have the ability to be enterprising and to contribute to capital formation."

This view ascribes the birth of migratory labour to a voluntary choice. It emphasises the 'lifeboat' function of the white developed areas and the failure of initiative on the part of Reserve inhabitants. Development becomes a matter of isolating the right strategies and processes to ensure the transfer of institutions, attitudes and technical skills from the developed sector to the underdeveloped sector. If these can be correctly defined, development will follow. Any obstacles are seen as being centred in the backward areas. Generally they are said to

comprise things such as traditional social structures and an essentially irrational peasant conservatism.

The approach is ahistorical, no account is taken of the way in which capitalist production was established and has developed in Southern Africa. It is in this, rather than in the stagnation of traditional societies that the genesis of underdeveloped areas and communities in Southern Africa lies. Underdevelopment is not an original condition of African societies, it is a result of capitalist development in Africa, and its persistence represents the continued domination of capitalist production relations. If we trace this development through history the idea of a dual economy is revealed as an ideological justification for the inequality and exploitation which is essential for the maintenance of capitalist production relations in Southern Africa.

To give content to this assertion it is necessary to look first at pre-colonial society in Southern Africa. At this time people lived for the most part in small groups composed largely of kinsmen. The production of almost all subsistence requirements, that is food, shelter, implements and tools was carried on in these units, and any surplus product was redistributed in the unit. Some of the surplus was accumulated in the form of cattle which were exchanged with other units for women, thus ensuring the reproduction of the society. To the North these societies were in a transition phase in the early colonial period, with the formation of new larger states, and the emergence of new patterns of surplus appropriation and control of the means of production and reproduction. The access of all members of the societies to means of production sufficient to ensure their subsistence and the reproduction of the social unit meant a high degree of equality in these communal societies.

When white settlers arrived they rapidly dispossessed the nomadic KhoiKhoi herdsmen of the Western Cape of their grazing lands. As a result some were forced into service on white ranches and vineyards, others became bandits on the periphery of the settler

colony or migrated to more marginal land in the Northern Cape and later Namibia. The San hunter-gatherers were largely exterminated by the settlers. As the white settlers continued to expand in search of grazing for their herds, they came up against the Bantu speaking peoples. They were not able to dispossess them of their land with the same ease, but did eat away at its borders and prevent further expansion of the black people. This laid the basis for the increasing population pressure which was to stifle the productive capacity of the Reserves in the 20th Century. In the early colonial period the effects were not yet so serious because of the patterns of land holding which emerged and the resultant access to 'white' land by blacks. Over most of Southern Africa, although whites established title to most of the land in terms of their own imported legal conventions, backed up by force, they did not use more than a small proportion of it for their own production. For the most part occupation and production remained in the hands of Black peasant farmers who were now forced to pay rent in cash or kind to the white legal owners. Surplus accumulation thus occurred in white hands, while its extraction from blacks contributed to their underdevelopment. On land not privately owned the State attempted to secure any surplus by taxing blacks at a time when individual taxation of whites was as yet unknown. In this way a variety of feudal type relationships were established. These patterns of land holding meant that in the small capitalist production sector there were great difficulties in securing labour. At first this sector was confined to the Cape where a market existed. As long as direct access to land sufficient to meet their needs was available, black people were not willing to enter into wage labour. Capitalist production at the Cape depended on slaves and those blacks completely dispossessed of land and other means of production to meet its labour requirements. Later on the Natal sugar belt capitalist production depended on imported indentured labour.

Mineral discoveries in the interior brought great changes to this position. The need for large supplies of capital and labour contributed to the centralisation of the industry in the hands of a few monopoly capitalist concerns. The problem of labour supply

led to the formation of the Chamber of Mines which eliminated competition in labour recruitment, with its tendency to push up wages. With the price of gold fixed and a number of constraints on profitability, such as the low grade of the ores and their depth beneath the surface, the mine owners tried to keep the costs of black labour at a minimum. In pursuing this aim they became heavily dependent on migrant labour. Migrancy originated in the basis of the black people on the land. To protect their land men came to the mines, either to get guns, as was often the case on the diamond diggings or else to secure money to pay rent and taxes to landlords and government. The fact that the migrants family retained access to means of subsistence in the form of land meant that the mine owners did not have to meet the costs of the reproduction of the labour force over time and could thus establish high rates of surplus accumulation. This was the basis on which South African capitalism developed, migrant labour and the retention of access to means of subsistence by the workers. In this situation what was needed was a balance that would ensure that the black labour force was sufficiently dependent on wage labour to make it imperative for him to work for the capitalist, while at the same time ensuring his family could meet sufficient of their subsistence requirements so that the labour force would be reproduced without the capitalist having to pay the full cost of reproduction. Attempts to force black people onto the labour market included taxation by the various settler governments, rents extracted by landlords and the use of traders and others as labour touts. They advanced goods or money to blacks against their contracting themselves to work for a period on the mines.

At first a good number of blacks were able to avoid landing in this situation by exploiting new opportunities for making a cash income. Many went into transport riding, carrying goods from the ports to the minefields. Others expanded their production of food as the opening of new inland markets boosted the possibilities in this field. Although these activities showed that black people did not lack the entrepreneurial spirit they were for the most part, to be shortlived initiatives. Railways put an end to

transport riding and opened the interior to cheap imports of grain. White farmers, also aware of the possibilities brought their political power into play to eliminate competition from black farmers. From early on white farmers improved their competitive position vis a vis blacks through gaining preferential access to credit facilities and agricultural support services. In addition to this there has been a continued programme of price supports to agricultural products and a tariff structure on the railways that favours agricultural produce. With new markets opening up white landowners began to look to production rather than rents as a source of income. Tenants were evicted, and there was an attempt to convert those who remained into labour tenants rather than rent paying tenants. After Union these attempts culminated in the 1913 Land Act. By restricting black land purchases to about 13% of the land it ensured that white farmers would not have to compete with blacks in land purchase. The latter were consigned to land which was for the most part isolated from markets by a lack of access to railways and with very few roads. Most of the land in black areas was under tribal tenure which facilitated subdivision amongst members of a growing population which increased problems of overcrowding. By converting all tenancies into labour tenancies the Land Act ensured a supply of farm labour. Over a period of years it resulted in a large number of evictions from farms. The Reserve areas increasingly became congested with the influx of these people and as early as the 1920's there is evidence of pressure on land in some areas. Grazing lands were being encroached on for residential and agricultural use. In the 20's the Native Economic Commission warned of the danger of the Reserves becoming deserts. The ensuing underdevelopment of these areas and their declining productivity had been ensured and landlessness amongst black people assumed growing proportions. Evidence before the Natal Local Lands Committee in 1916 attested to the existence of people with no arable or grazing lands in the Reserves. These people were now faced with the prospect of depending entirely on migrant labour for their earnings, and their complete proletarianisation and urbanisation appeared imminent. Urbanisation amongst blacks had already occurred to

a limited extent, but if it was to become the general pattern, the justification for cheap labour would disappear while a large black urban proletariat would threaten political stability and demand housing and other expensive services. So in 1923 the Urban Areas Act was passed, the first in a long series of measures to attempt to control the influx of black people to the towns.

The high rates of capital accumulation in mining secured by the exploitation of black labour were used to subsidise the development of white capitalist agriculture. That is the secret of its growth and not the dynamic qualities of the white farmer. In the period 1910 to 1936 the State spent over £113m on agriculture. This can be compared with a total agricultural production in the period of about £910m. Thus about one eighth of the agricultural sectors contribution to GNP was represented by State expenditure drawn mainly from taxes on gold mining.

After the coming to power of the Pact Government representing a coalition of national bourgeois interests with white working class support in 1924, State capital was used to promote secondary industrialisation. The aim was to decrease South Africa's dependence on the developed Western countries and create work for the flood of poor whites who had also been pushed off the land by the development of capitalist agriculture. Following the 1922 strike the privileged position of white workers was entrenched by the Pact Government in a number of legislative measures. The wage disparities between black and white workers were given legislative protection and the latter enjoyed preferential placement in the expanding State sector of the economy. In this way the national bourgeoisie secured the support of the white working class in maintaining their political dominance. State support for secondary industry has been mainly in the form of protection for infant industries through setting up tariff barriers and the promotion of a State capitalist sector in the area of heavy industry providing capital goods. This policy was made possible by the high profits derived from gold mining, which of course depended on the high rate of exploitation

of black labour. After a rather shaky start in the 30's, manufacturing expanded rapidly during the Second World War when imports were difficult to obtain. In 1948 the contribution of secondary industry to GNP exceeded that of mining for the first time. This has remained the situation up to the present.

While the high rate of capital accumulation had made these developments possible, the effect on the reserves had been disastrous. The wage structure meant that there could be very little private accumulation by black people. Migrant labour absorbed the energies of the most productive members of the black population. There had been no significant attempts by Government to improve production in the black areas through education, extension services, the development of infrastructure or by making capital available. The Reserves had suffered from almost total neglect while population pressure increased rapidly. In addition these areas were expected to act as a convenient hold-all to which the unemployed, the aged, and the problems of social dislocation engendered by migrant labour could be consigned, further increasing pressure on their limited resources. Responsibility for these problems was given to the extended family, while what remained of the traditional hierarchy was propped up by the State and used to combat the growth of political movements which threatened the established system. The result was a rapid deterioration of subsistence production and its ability to supplement black wages. A substantial portion of the Reserve population no longer possessed any agricultural land. As high as 30% of the population in some areas by the 1940's.

In the urban areas there had been a steady increase in the size of the black population and in the proportion of total black population who were permanently urbanised. From 2,6% in 1911 to 24,3% in 1946 and 33,1% in 1970 (a total of 4 989 000). These people came both from the reserves and the white farms. For black farm workers conditions had steadily declined, reflecting attempts by white farmers to deprive them of grazing and arable land in order to put this land to use for their own production. The expansion of secondary industry during and

after the war offered these people opportunities of finding work. The labour force in this sector of the economy grew from 207 797 in 1945 to 864 300 in 1970.

Urbanisation and industrialisation led to an increase in political conflict and industrial action in the 1940's as the black proleteriat and petit bourgeoisie increasingly demanded the satisfaction of their needs and aspirations in the urban areas. The response of the ruling United Party was to propose a relaxation of restrictions. They took the view that the growth secondary industry required a permanent black labour force who would satisfy the demand for semi-skilled workers. The Smit Committee of 1942 recommended a gradual phasing out of migrant labour and the abolition of the pass laws. Social welfare legislation would be extended to black urban workers and there was talk of recognising black Trade Unions. The complete disappearance of migrant labour was not contemplated. The mines, for instance, would continue to use migrant labour. The Government proved reluctant to tamper with existing institutions and little came of these liberalising tendencies. Nevertheless the discussion of such possibilities was a threat to the position of white workers whose living standards depended on restricted access to skilled work and the protection of those skills from erosion through job reclassification and fragmentation. For nascent Afrikaner capital and petit bourgeois groups it meant the threat that high levels of capital accumulation would be denied by increases in labour costs. The new National Party Government after 1948 acted to secure their interests.

Apartheid based on the assumption that economic integration would lead to political integration aimed at the exclusion of all, except those blacks on whose labour the economy was dependent, from the white areas. Even these people were to be denied any permanence there. Instead they were to be encouraged to develop their own areas. As time went on separate political institutions came to be seen as the guarantee of Afrikaner self determination.

In this situation the Apartheid regime has acted to maintain

cheap labour power and the high rate of capital accumulation as the labour force becomes increasingly proletarianised, dependent solely on wages as a source of support. To enable capital accumulation to continue at a high level it is essential that the subsistence requirements of the black labour force be kept as low as possible. At the same time there is an interest in promoting the growth of a more well to do black middle class. I will return to some aspects of this further on. The maintenance of low subsistence levels amongst black workers requires the the use of institutional arrangements backed by coercive measures to eliminate attempts to secure an improvement in the black workers economic condition. In the white areas this has meant a tightening of influx control measures and of their enforcement in the hope of removing all those blacks not essential to the economy from the white areas. Along with this has gone new machinery to direct the flow ~~to~~ labour and to ensure an adequate supply of farm labour. Industrial decentralisation aims to create conditions in which capital can continue to expand and accumulate while at the same time avoiding the problems of further concentrations of black workers in the established industrial centres. To promote decentralisation various tax breaks are offered to capitalists who move enterprises out to the border industrial areas. In addition it is pointed out that in these areas;

"The great advantage for the entrepreneur is the availability of Bantu labour and the absence of restrictions in making use of that labour..... use can be made of large numbers of Bantu women to meet the shortage of unskilled labour.....(and entrepreneurs can) pay skilled and semi-skilled Bantu lower wages than they would be compelled to pay them at the moment.... and a classification of a large number of posts as semi-skilled might likewise lead to lower wages."

In fact wages in these areas range between 45% to 60% of those for equivalent work in the established industrial areas. The existence of large numbers of unemployed helps to keep wages down and to keep workers docile.

By creating independent Homelands separate from the white area low levels of subsistence can be justified by comparisons with other underdeveloped nations. Publications sympathetic to Government policy stress this comparison at the expense of comparisons with the high living standards of white South Africans. Capital as a whole benefits from these attempts to keep black wages at the lowest possible level. Calculations such as the poverty datum line and the minimum effective level, whatever the stated intentions behind them, play an important part in justifying and maintaining the wage differential between black and white.

At the same time there has been an attempt to displace Black political aspirations to the Homelands. Development policy in these areas has been aimed at the creation of a black bourgeoisie who could be relied on to promote the 'free enterprise system' and support the Homeland political elites. Their dependence on cheap labour would ensure their sympathy to the interests of capital in Southern Africa as a whole. Chronic shortages of capital and disposable income have severely limited the effectiveness of this policy. Black businessmen have resisted attempts to consign them to the underdeveloped areas and persistently demanded the right to share in the exploitation of the wealthier markets in the established urban areas. In this endeavour they have been supported by elements of white capital concerned to defuse unrest in these areas by the creation of a stable black middle class. By promoting interests such as home improvement they hope that these individuals will be persuaded not to consider too deeply the lot of black workers and the unemployed in the Homelands. That this strategy bears some hope of success is shown by a statement in the "Rand Daily Mail" of April 4, 1978. Bob Hitchcock, Race Relations Correspondent of the newspaper talks to a group of Soweto's elite. One of them

characterised as a tough talking insurance consultant has this to say on influx control. "Its a matter of numbers. I dont want Soweto flooded out any more than it is with jobless Blacks from hell-and-gone." Well thats one mans opinion and a cant say how pervasive an attitude it represents. The point I want to make is that development work in the Homelands or in the urban areas faces the constant possibility of strengthening the classes who profit from the exploitation of cheap labour in Southern Africa. Development of this nature can only extend the present inequalities, and by strengthening class alliances across racial barriers give them a greater validity.

Dick Cloete

IN COURT

Stanley Molusi (18), Hendrick Molefe (19), David Mokgosi (20) and a 15 year-old youth.

Charge: Sabotage, alternatively arson and malicious damage to property belonging to the West Rand Bantu Affairs Administration Board (WRAB). The accused were alleged to have attacked a number of houses belonging to school-teachers and Kagiso Urban Bantu Council members. The accused were also alleged to have threatened a school board members that his house would be burnt down if he did not resign.

The trial was initially heard in the Krugersdorp Regional Court, but was subsequently transferred to Johannesburg.

The state tendered confessions allegedly made by all 4 accused while they were in police custody. The accused denied that the statements were freely and voluntarily made. They claimed that they were assaulted, threatened with being pushed from a moving car, made to stand all night, refused food and water, and held out of a fourth floor window while being interrogated by Krugersdorp Security Police.

Police admitted chaining the accused to heaters, but claimed that this was to prevent them from hitting their heads against a wall, committing suicide or jumping out of windows.

The presiding magistrate admitted the confessions as evidence.

Verdict: Guilty of Sabotage.

Sentence: Molusi, Molefe and Mokgosi: 9 years each.

The 15 year-old youth: 5 years.

Shadrack Serame Molefe (20).

Charge: Terrorism. The state claimed that Molefe attempted to leave South Africa to undergo military training. Molefe was arrested before he managed to cross the border, and did not receive any actual training. The trial took place in Johannesburg.

Verdict: Guilty.

Sentence: 10 years.

Wilfred Sebonego Marwane.

Charge: Terrorism. The trial, which took place in BophuthaTswana, is believed to be the first of its kind in an allegedly 'independent homeland'. It is interesting to note that BophuthaTswana, despite its 'liberal' bill of rights, retains South Africa's Terrorism Act in its entirety.

Marwane was captured in a clash between 3 ANC guerillas and a combined South African-BophuthaTswana police force in August 1978. In his trial,

he made the sorts of allegations against BophuthaTswana's security police regarding assaults in detention which have now become common in political trials in South Africa.

Verdict: Guilty.

Sentence: 15 years.

Johannes Alfons Pandeni (28), Petrus Nango'o Iilonga (25), and William Biwa (26).

Charge: Terrorism. Pandeni and Iilonga were alleged to be members of PLAN (Peoples Liberation Army of Namibia), the military wing of SWAPO. The state claimed that they attempted to blow up a bridge on the Keetmanshoop/Windhoek national road, blew up a railbridge on the Karabib/Usakos railway-line, and underwent guerilla training in Angola, Zambia and Tanzania during 1974 and 1975.

Biwa was charged with harbouring two guerilla fighters (his co-accused), and possessing a Russian automatic pistol.

Of particular interest is the fact that these activities took place in the South of Namibia, where it is often claimed that SWAPO is militarily inactive and politically without support.

At the beginning of the trial, held in the Windhoek Supreme Court, all 3 accused pleaded guilty to the charges.

Verdict: Guilty.

Sentence: Pandeni and Iilonga: 18 years.

Biwa: 6 years.

After sentence had been passed, crowds of angry SWAPO supporters clashed with baton-wielding police. The crowd marched through Windhoek, displaying placards which read, inter alia,

"Away with imperialist courts",

"Botha's regime has no right to try our people", and

"Swapo will not surrender to oppression".

Winnie Mandela.

Charge: In the continuing attempts of security police to gain a conviction against Mrs. Mandela, she was yet again charged - this time on one count of breaking her restriction order by receiving a visit from her Johannesburg-based attorney, and a second count of interfering with the police in their duties.

At the end of this particular trial, held in the Bloemfontein Regional Court, she was acquitted on both counts.

Subsequent to the trial, a Soweto youth who enjoys a 'special relationship' with one of Mrs. Mandela's daughters, was charged

with being in Brandfort illegally. (Brandfort is the area where Mrs. Mandela is banished to). The basis of one of the charges in Mrs. Mandela's trial was that she intervened on behalf of the youth while he was being interrogated by police.

Two 16 year old youths were also arrested for hindering police in their duties, following an incident at the Mandela house in January.

As has previously been noted in WIP, police surveillance and harassment of the Mandela home, and their friends and family, together with administrative action taken by the ever-ready Mr. Kruger, is remarkable in its intensity and persistence.

Jeffrey Klaas (22).

Charge: 2 counts of participating in Terroristic activities, with alternatives of being a member, or taking part in, ANC activities, and obstructing the course of justice. In the trial, which took place in the Grahamstown Supreme Court, the state alleged that in 1976 Klaas infiltrated the police force to recruit other policemen as ANC members, and to warn politically active people of police activity.

Verdict: Guilty of being a member of the ANC, and participating in its activities.

Sentence: 6 years, 3 of which were conditionally suspended.

As was previously reported, Kathy Burt, sister of Peter Manning who was charged under the Official Secrets Act and Terrorism in Namibia, refused to answer questions about her brother's activities in an investigation in terms of the Criminal Procedure Act.

She was accordingly sentenced to 4 months imprisonment in the Johannesburg Magistrates Court. On appeal, Mrs. Burt's conviction and sentence were set aside.

Hector Ncokazi, leader of the opposition Transkei Democratic Party.

Charge: Under Transkei's Public Security Act, which incorporates most of South Africa's security legislation. The charge against Ncokazi is effectively one of high treason, and relates to a speech he made at a Democratic Party conference at the end of 1977. This speech, it is claimed by the Transkei 'state', is 'repugnant to Transkei's sovereignty'.

Petrus Pilusa (23).

Charge: Sabotage. The state alleged that Pilusa was part of a group which, on July 20th 1976, destroyed government, police and private

vehicles in the Mabopane area. According to police evidence, riots in this area lasted for 3 months in 1976, and R250,000 worth of damage was caused there during this period. The trial took place in the Pretoria Regional Court.

Verdict: Guilty.

Sentence: 12 years.

65 people, including residents of the Crossroads squatter camp, priests, church workers and students.

Charge: Attending an illegal gathering at the camp on 14th September 1978. One of the accused, Johnson Ngxobongwana (49), 'mayor' of Crossroads, was also charged with convening an illegal meeting. In November 1978 the state withdrew all charges against the accused. Many of them were angry at this act, denying them the opportunity to publicly reveal what actually happened in Crossroads on that night.

Linda Mogale (18), Jimmy Mabaso (22) and a 16 year old youth.

Charge: 3 counts of murder, 3 of arson, 3 of malicious damage to property, and 1 count of Terrorism.

The accused are alleged to be members of the Soweto Students League (SSL). The charges relate to various attempts to burn and fire-bomb the homes of Soweto school-principals. In one of these attacks, 3 people were killed.

The 16 year-old youth was tried separately from Mogale and Mabaso, and was acquitted of all charges when a 14 year-old state witness told the presiding judge that the statement he had made to police was not true, and was made as a result of his being assaulted. The witness was immediately re-detained, and charged with perjury.

The trial of Mogale and Mabaso, the latter already serving a 5 year sentence for Sabotage, will be heard at a later stage.

A 15 year-old youth.

Charge: Public violence, and assaulting a policeman, namely Kallie Knoetze, South African heavyweight boxing champion. The accused has only one leg, and walks on crutches. In his trial, it emerged that he had been shot through both legs by Knoetze, and had only been charged after he had instituted a civil action for damages against Knoetze.

Verdict: Not guilty.

Rev. David Russell, Bishop Monwabisi Matolengwe, and Rev. Moses Moletsane.

These three priests were charged and convicted of producing undesirable publications, namely "The role of the Riot Police in the burnings and killings, Nyanga, Cape Town, Christmas 1976," and "Message for 1977 for those in authority and white South Africa". Subsequent to the production of the publications, Russell was banned and house arrested.

Sentence: Russell: R350 and 180 days, suspended, for producing, distributing and possessing the publications;
Matolengwe and Moletsane: R200 and 90 days, suspended, for producing the publications.

Early in March 1979 the 3 appealed against conviction and sentence. The outcome of the appeal is not yet available.

Mphumelelo Khanada (24), John Lebewane (27), Alexandra Maphike (25), Isaac Klaas (25), Albert Mkwanazi (22) and a 17 year-old youth.

Charge: Riotous Assemblies. The accused (who are charged in two separate trials) are alleged to have attended a prohibited gathering on August 26th 1978 in Sebokeng, outside Vereeniging. The occasion was the funeral of Robben Island prisoner Johannes Matsobane, who died while serving an 8 year sentence for Sabotage.

Evidence led thusfar has stated that some of the accused were part of a group of about 70 who regrouped after police had dispersed them, given the clenched fist sign, and shouted slogans.

Simon Neswiswa (30), former director of BPC in Sibasa.

Charge: Producing an undesirable publication, namely volume 2 of Flash-Light. When Neswiswa first appeared in court, bail was refused. The warrant for his arrest was issued in October 1977, and according to the state, he had been hiding from the police for nearly a year.

Verdict: Guilty. The magistrate found that the Publications Board ban on Flash-Light was prima facie evidence of its undesirability (the publication that is, not the Board).

Sentence: 4 months or R200, suspended for 4 years.

Steve Khanawitz (22), past president of the University of Cape Town Students Representative Council.

Charge: Possession of undesirable publications, namely 6 copies of "The Riot Police and the Suppression of the Truth", "South Africa - a police state?", National Student No. 1, 1978", and "Political Imprisonment in South Africa". These 9 publications were seized in a security police raid on Khanawitz's home.

Timothy Mlahleki (19).

Charge: 5 counts of attempted murder, 3 of robbery, 3 of Sabotage, resisting arrest, unlawful possession of a firearm, and malicious damage to property.

The charges arose out of a series of events in Port Elizabeth between March and May 1978, most of which involved attacks on police and their property.

Mlahleki claimed that after his arrest, he was seriously and repeatedly assaulted by police, and that a statement he subsequently made to a magistrate was as a result of these assaults. Sitting in the Grahamstown Supreme Court, the presiding judge found that Mlahleki had not been assaulted, and that his statement to the magistrate was admissible as evidence.

Verdict: Guilty on 13 counts.

Sentence: An effective 40 years imprisonment.

Levine Morebudi (21), Bheki Tshabalala (18), Phillip Mosetlhe (26), Winston Yenge (20), and Ezard Manqupu (21).

Charge: Possession of a cache of landmines, handgrenades, arms and ammunition, found by the accused in the veld near Soweto. At the beginning of the trial, charges were dropped against Yenge, and Manqupu pleaded guilty as charged.

Verdict: Morebudi: guilty of possessing a Tokarev pistol, a quantity of 7,62mm ammunition, 2 handgrenades, and TNT.

Tshabalala: guilty of possessing a Tokarev pistol.

Mosetlhe: guilty of possessing a Tokarev pistol, 2 handgrenades, TNT and several rounds of 7,65mm ammunition.

Manqupu: guilty of possessing a Tokarev pistol, 2 handgrenades, TNT and several rounds of 7,65mm ammunition.

Sentence: Morebudi: 4 years.

Tshabalala: 6 strokes.

Mosetlhe: 9 months.

Manqupu: 5 years.

Titi Mthenjane (23).

A former member of the now-banned Soweto Students Representative Council (SSRC), Mthenjane was detained by security police at the end of January 1977. In August 1977, he was brought to court from detention as a state witness against Paul Langa, but refused to testify. He was immediately sentenced to 3 years imprisonment.

On appeal, this was reduced to 18 months, and in February 1979 Mthenjane was finally released after over 2 years in custody.

Sheila Weinberg - appeal.

In this appeal against conviction for contravention of a banning order, an issue crucially affecting the already highly restricted lives of banned people will be decided. The essence of the question at stake is whether it is illegal for a banned person to be with one other person for social purposes. For many years, it has been widely believed that a bannee may be with another person for social purposes, but recently the Supreme Court upheld a magistrate's decision that when Sheila Weinberg had lunch with a friend, Ian Robertson, this contravened her restriction order.

Argument has already been heard in the Appeal court on this matter, and judgement is currently awaited.

Laura Levetan, recently banned vice-president of the Cape Town University Students Representative Council.

Charge: Contravention of the Publications Act. The state alleged that, by showing the Associated Television series on "The South African experience", which had not been submitted to the Publications Board for approval, an offence was committed.

Verdict: Guilty.

Sentence: R25-00.

Christman Tinto (53) - appeal.

Detained in May 1977, and sentenced to 7 years under the Internal Security Act in September 1977, Tinto appealed against his conviction. He had been found guilty in the Cape Town Regional court of inciting students to further the aims of the ANC.

In December 1978 the appeal was upheld, and after 14 months on Robben Island, and a further 4 months as a detainee and awaiting trial prisoner, Tinto was released from jail.

Mtobeli Fezi and 5 others.

Charge: Arson. The state claims that the accused set fire to the St. Mathews College near Keiskammahoek on August 29th and September 12th 1978. As has become common in trials of this nature, especially in the Eastern Cape, 3 of the accused told the court that they had been assaulted by police before making 'confessions' to a magistrate.

Andile Sulo (18) and 3 youths.

Charge: Arson, and suggesting the use of violence to dissuade pupils from attending school. The state claims that the accused set fire to the Charles Morgen Primary School in Ginsberg Location, King

Williamstown.

A number of youths from the Chales Morgen school, called as state witnesses, told the court that they had been assaulted by police.

As was previously reported, certain potential state witnesses initially refused to testify in the case against Don Mattera, accused of breaking his banning order. Subsequently, all testified, but Mattera was acquitted.

The state is now charging 6 of the state witnesses involved with perjury, or defeating and obstructing the ends of justice. The state claims that the evidence of the witnesses differed from sworn statements made to the police.

The most recent of these cases involve Suliman Karani (22), and Ephraim Patel (25). Patel was found guilty of obstructing or defeating the ends of justice.

Sentence: R500 or 6 months, with a further 9 months suspended for 4 years.

Richard Moos (22).

Charge: Arson. The state claimed that the accused attempted to set fire to a school hall in Lourbes Place, Philippi.

Verdict: Guilty.

Sentence: 2 years, of which 18 months was conditionally suspended.

Patrick Fitzgerald, Garth Seneque and Avrom Goldberg.

Charge: Producing an undesirable publication, namely the June 1977 issue of the NUSAS publication National Student.

At the end of October 1978, charges were withdrawn against all the accused.

Orsmond Sakhumzi Mbula (23).

Charge: Sabotage, relating to the burning of the Ginsberg beer hall, and the stoning of certain houses. The state alleged that Mbula was a leader of a group of about 70 demonstrators in Ginsberg, King Williamstown, on September 26th 1978.

Verdict: Not guilty.

A 15 year-old youth.

Charge: Sabotage and arson. The state claimed that the youth set fire to the Johnson Marwanqa Higher Primary School, New Brighton, on February 23rd 1978, as well as the house of a security policeman, Det. Const. D. Nkomana, on April 4th 1978. The youth claimed to have

been beaten and intimidated by police into making a confession to a magistrate. The court did not accept that he was assaulted, but did rule that the confession was inadmissible as evidence.

Verdict: Not guilty.

Tembani Pantso, former BPC and SASO official.

Charge: Contravening his banning order by being out of the Grahamstown magisterial district.

Verdict: Guilty.

Sentence: 4 months, suspended for 3 1/2 years.

Mlamli Dlanjwa (22) and Gordon Modemowagae (19).

As previously reported, the 2 accused in this matter were found guilty of Terrorism, and sentenced to 5 years each. When they were arrested at a roadblock outside Queenstown, one of them was in possession of ANC literature.

They appealed against conviction, and Modemowagae's appeal was upheld, while the conviction of Dlanjwa was confirmed.

The court of appeal found that the confessions which the accused made to a magistrate were inadmissible, as they had not been voluntarily made. Both accused claimed, in their trial, that they had been assaulted before making the confessions.

John Dugard, professor of law at the University of Witwatersrand.

Charge: Internal Security Act, in that he read a speech of a restricted person (Nthato Motlana) to a gathering.

Verdict: Guilty.

Sentence: Caution and discharge.

Vusumzi Mcongo (19).

Charge: Murder, Sabotage, public violence and malicious damage to property. The state alleges that Mcongo was part of a group returning from the New Brighton funeral of Thabo Lekhama, when a certain Simon Silingile was pointed out as a police informer. Silingile was chased by the crowd, and killed.

Defence council disputed the admissibility of a 'confession' made by Mcongo to a magistrate. Of interest is the fact that a Sgt. Nel is alleged by the accused to have assaulted him. These sorts of accusations seem to face Sgt. Nel in a surprising number of Eastern Cape trials. An oft-mentioned green hose-pipe, allegedly referred to by police as 'green power', and repeatedly stated by accused persons to be an instrument of assault, also features in this trial.

Ethel Wauchope (52) and Washington Mlauzi (36).

Charge: Terrorism. The state claims that the 2 accused recruited people to undergo military training which could endanger the maintenance of law and order in South Africa.

A key state witness is an Eastern Cape woman, who is herself serving a 5 year sentence for Terrorism. This is not the first occasion on which she has given evidence for the state in a Terrorism trial.

David Gasa (47), banned leader of the Umlazi Residents Association, and former section 10 detainee.

As previously reported, Gasa was found guilty of contravening his banning order, and sentenced to an effective 16 days imprisonment. He appealed against conviction, and when the appeal was turned down, had to apply to a magistrate for permission to alter his restriction order - so that he could travel to Durban to go to jail.

Shortly thereafter, he was again brought to court in leg irons, and charged with a further 6 counts of contravening his banning order. When the use of leg irons was queried, the Prisons Department claimed that it was for additional security reasons. This is remarkable in the case of a prisoner serving 16 days for a minor offence of a technical nature.

Rex Gibson, editor of the Sunday Express, and senior reporter, Jennifer Hyman.

Charge: Criminal defamation, and contempt of court.

The charges arise from an article written by Ms. Hyman in the Sunday Express, in which problems of pro deo representation in security trials are discussed, and it is suggested that duly instructed lawyers are not informed of their clients being brought to court. The trial, which may possibly canvass a number of issues relating to the administration of 'justice' in South Africa, is due to begin in the Pietermaritzburg Supreme Court on April 2nd.

Mzilikazi Khumalo (28).

Charge: 3 counts of Terrorism, one of conspiracy to murder, and a further count of conspiracy to damage property. The trial of the accused, who denied all the allegations against him, was held in the Maritzburg Supreme Court. A member of the security police told the court that a further case of the murder of Nkosi, security police sergeant, was still being investigated against Khumalo.

Verdict: Guilty of recruiting people for military training, bringing arms and ammunition into South Africa, and conspiracy to commit

murder and damage property.

Sentence: An effective 16 years.

Mziwamadoda Kalako (22), Miss Kholeka Foley (25), Greeves Tini (22), Mrs. Josephine Feziwe Bookholane (40), Eric Ngeleza (40) and Weaver Magcai (38).

Charge: Terrorism and Internal Security Act. The state alleges that the accused, as members or active supporters of the ANC, recruited 75 people for military training. The trial is being held in the Regional Court of Humansdorp. The accused come from Port Elizabeth and Soweto.

Ezekiel Molefe (22).

Charge: Perjury. In November 1978, Molefe was called by the state to give evidence against the 11 Soweto students on trial in Kempton Park (the SSRC trial). The state claims that the evidence Molefe gave differed from a sworn statement he had previously made to the police. In evidence at the Kempton Park trial, Molefe said police used electrical shock torture on him to get him to say certain things in his statement.

Mrs. Nto Mitta Maphike (38).

Charge: Terrorism. Maphike is charged with recruiting people for military training. In an appearance in the Johannesburg Regional Court, where the trial will take place on March 27th, the presiding magistrate had occasion to criticise the security police for showing a "remarkable lack of co-operation" regarding the defence of the accused, and her relations with her instructing attorney.

6 teenagers.

Charge: Murder. The state claimed that the accused murdered a police informer, Miss Pumla Kolese, in Port Elizabeth last year.

Verdict: 3 accused: guilty of murder.

1 accused: guilty of assault.

2 accused: not guilty.

Sentence: The 3 guilty of murder: Between 8 and 12 years.

The 1 guilty of assault: 2 years.

Alf Kumalo (42), free-lance photographer.

Charge: Obstructing the police while exercising their duties. The case

emerges from an incident on June 16th 1978 when Kumalo was taking pictures at a commemoration service in Soweto. The trial has been postponed until October 16th, pending an appeal in a similar matter.

John Mattison, political reporter on the Sunday Express.

Mattison was subpoenaed before a Cape Town magistrate, and instructed to disclose the source of certain information contained in an article he wrote on the Christian League of South Africa. He refused, and was sentenced to 14 days.

It is widely believed that this matter is not unrelated to the Department of Information scandal.

Mattison is appealing against conviction.

Beauty Lolwane (41) - appeal.

Mrs. Lolwane was originally charged with contravening a restriction order issued and administered by the Ciskei administration. She was found guilty, and sentenced to 3 months, suspended.

On appeal, conviction and sentence were set aside. The presiding judge suggested that the way the Ciskei had treated Lolwane was an outrageous piece of bureaucracy. Effectively, Ciskei had banished her from the Ciskei, but in that she was a citizen of that area, the judge ruled that the banishment was impossible and invalid.

Nkosana Matiwana (19), Vuyiso Gama (18), Monde Mthanga (20) and a 16 year old youth.

Charge: Terrorism. The state claims that the men, who appeared in the Port Elizabeth Magistrate's Court, conspired to leave South Africa to undergo military training.

Vuma Dennis Makeke (22).

Charge: Terrorism. Makeke is charged with assisting people to leave South Africa to undergo military training. A convicted woman prisoner (see also the case of Ethel Wauchope and Washington Mlauzi above) gave evidence against Makeke, saying that when she arrived in Port Elizabeth to recruit youths and students for military training, Makeke had assisted her with arrangements.

The trial continues.

Churchill Luvuno (22).

Charge: Terrorism. He is accused of leaving the county in 1977 with the intention of undergoing military training, and forming a PAC cell in 1978. Luvuno gave evidence for the defence in the PAC trial in

Outjie Sedikwe.

Charge: Terrorism. The state claimed that the accused had recruited a person for military training, met a member of the ANC in Botswana, and arranged for the recruit to be brought back to South Africa to fight for the overthrow of the South African government.

Verdict: In the Rustenburg Regional Court, the accused was found not guilty, and discharged.

Sithembiso Ernest Ngobese (26), Themba Patrick Nxumalo (26), Eric Fanavele Mlaba (22), Nhlanhla Victor Ngidi (25), Kwenzakhe Elijah Mlaba (26), Penuel Mpampa Maduna (26), and Miss Sibongile Albertine Kubheka (27).

Charge: Terrorism. The state claims that the accused incited 21 people to leave South Africa for military training during 1977. Ngobese, Nxumalo and Mlaba face a second charge of attempting to leave South Africa to undergo military training.

The trial continues in the Durban Regional Court.

Timothy Muntu Nxumalo (22).

Charge: Terrorism, and attempted murder. The state claimed that Nxumalo took steps to undergo military training, that he possessed a 7,65 Ceska Zbrojovka pistol and ammunition, and that he attempted to kill Albert Mteku, a Chesterville town councillor.

Verdict: Guilty on all counts. The state called for the death sentence.

Sentence: An effective 22 years.

Peterose Makae (27) and Jacob Tlelima (23).

Charge: Sabotage. The accused, both members of the Young Christian Workers, are charged with attempting to organise a general strike of black workers in Kroonstad on June 16th 1978, in commemoration of those who died in Soweto in June 1976.

They were also accused of collecting petrol bombs and explosives to blow up a police station, power station, security police officers, post offices, the Kroonstad military base, and various other buildings.

Verdict: Guilty

Sentence: 5 years each.

Bethal PAC trial.

The trial of 18 alleged PAC members, involving charges of recruitment

as a result of which he was charged with perjury. Shortly after this, he was detained, and now faces Terrorism charges in the Bethal Regional court.

Lucas Eric Zwane (30).

Charge: Distributing a banned pamphlet, entitled 'Know your rights'. The accused claimed to be illiterate, and did not know what the contents of the pamphlets were. The trial took place in the Germiston Magistrates Court.

Verdict: Not guilty.

Theunissen Vosloo, editor of Beeld, and Julia Uys, reporter.

Charge: Internal Security Act. The state alleged that Beeld, an Afrikaans newspaper, reported a speech of a banned person, Nthato Motlana, which had been read to an audience by Professor John Dugard. Of interest is the fact that Beeld claimed, in the trial, that over 13,000 people had been restricted in terms of the Act since 1950, and that it was difficult to keep track of them.

Verdict: Guilty.

Sentence: Cautioned and discharged.

Aubridge Takane (43), Jameson Mbengo (63), Ebenzress Mbengo (55), Siphso Sondlo (50), Glen Thomas (23), Bubele Mfenyana (22), Andile Koti (18), Vusumzi Mjila (18), Phanbili Ntloko (18), Zandisile Windvoel (20), Esdras Ntloko (23), Mncedi Mbilini (21) and a 17 year-old youth.

Charge: Terrorism. The charges relate to a series of incidents in Queenstown in September 1977, and the trial is being heard in the Grahamstown Supreme Court. The indictment alleges that the accused intended furthering the aims of the ANC, and that they intended to destroy Bantu Education by committing acts of Terrorism, Sabotage and public violence.

A number of state witnesses, brought to testify from detention, stated that they had been assaulted by the police, thus being forced to make statements.

At the close of the state case, an application for the discharge of all 13 accused was made. This was successful in the case of Takane, Mr. and Mrs. Mbengo, Sondlo, Thomas and Mfenyane.

The remaining 7 accused were found guilty of Terrorism.

Sentence: 5 years each. The accused had already spent a year in detention before being sentenced.

for military training, conspiracy on Robben Island and elsewhere to revive the PAC, utilisation of 'front organisations' to further the aims of the PAC, involvement in the urban revolt in Kagiso outside Krugersdorp, and various other matters, continues in the Eastern Transvaal corp of Bethal.

The state closed its case some months back, and since then various accused and their witnesses have been giving defence evidence.

The SSRC trial, Kempton Park.

In this trial, 11 Soweto students are charged with various counts of Sedition, and Terrorism. The accused are Chief Twala (18), Sechaba Daniel Montsitsi (23), Seth Mazibuko (19), Mafison Morobe (22), Jefferson Lengane (21), Sibongile Mthembu (22), Thabo Ndabeni (21), Kennedy Mogami (19), Reginald Mngomezulu (21), Michael Khiba (20), and George Twala (23).

At the end of November, the state closed its case, having led a vast amount of evidence on the Soweto SRC, SASM, gatherings and demonstrations which occurred in Soweto from June 1976 to August 1977, and other related matters.

At the beginning of February 1979, the defence opened its case, calling only two witnesses. None of the accused themselves gave evidence in their defence.

By mid March, it is expected that legal argument on the merits of the case should be completed, and judgement in this important matter, which deals with the heart of the black rebellion in Soweto during 1976 and 1977, should be handed down some time in April.