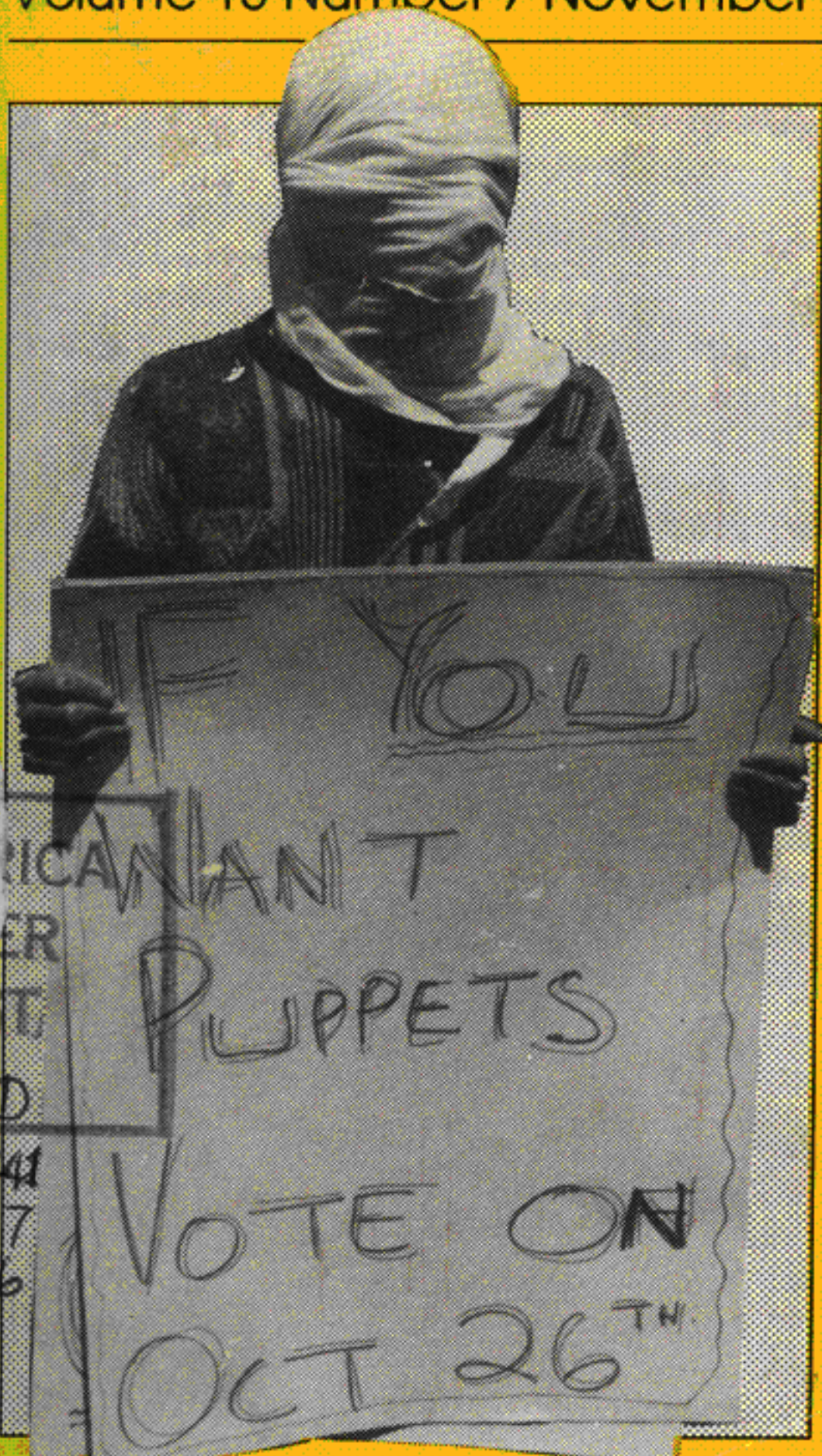


South African

LABOUR BULLETIN

Volume 13 Number 7 November 1988



*NUM commemorates
Kinross Day*

UWUSA on the mines

NACTU Congress

*SACCOLA talks
breakdown*

Venda strike

Trade unions in Korea

*A workers' guide to the
new Labour Relations Act*

Municipal elections: analysis of the voting (and non-voting)

The South African Labour Bulletin

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South African

LABOUR BULLETIN

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Editorial notes

This edition carries the first article in our new section called *Legal Notes*. The aim of *Legal Notes* is to provide a regular guide to labour law and Industrial Court judgements for shop stewards and organisers so that they can equip themselves to deal with these issues on the shopfloor. *Legal Notes* is written by the Centre for Applied Legal Studies (CALS). CALS joins other service groups which have committed themselves to providing regular articles for the *Labour Bulletin*. Labour Research Services has for some time provided the *Economic Notes* section, and International Labour Research and Information Group produces regular pieces on international labour. The last edition of *Labour Bulletin* carried an article by the Labour and Economic Research Centre on inflation. We hope these contributions on economic issues become a regular feature.

We would like to thank these groups for their contributions.

Since our last edition there have been two changes to our editorial board. Doug Hindson, who was managing editor of the *Labour Bulletin* from January 1983 to April 1984 and thereafter a member of the Johannesburg branch of the editorial board, has moved from Johannesburg to Durban and has resigned from the board. His commitment to the *Bulletin*, his editorial judgement and his integrity will be deeply missed. We wish him well in his new job.

We also welcome back to the Johannesburg branch of the board after a four year absence, Eddie Koch, who brings with him a world of experience in labour issues and labour reporting.

Johannesburg editors

PPWAWU Congress: self-criticism and consolidation

LABOUR BULLETIN Correspondent

The Paper, Printing, Wood & Allied Workers Union (PPWAWU) held its annual National Congress in Pietermaritzburg from the 8-11th September. One-hundred-and-twenty worker delegates from all around the country attended. The next twelve months are expected to be very difficult for the trade union movement. The

PPWAWU Congress therefore concentrated on self-criticism and consolidation. "As much as it is important to praise ourselves about our achievements," said outgoing President Joe Nene, "we should also look more seriously at our failures and setbacks."

The Congress was held in Pietermaritzburg in solidarity with the people of that area who have suffered many casualties in resisting reactionary forces. Many PPWAWU members have also died in the last twelve months.

In the last year PPWAWU has seen enormous growth in membership from 21,460 paid-up members last year to 29,965 at present. This growth of 40% does not take into account some 7,000 other members who are not yet paid-up. The main

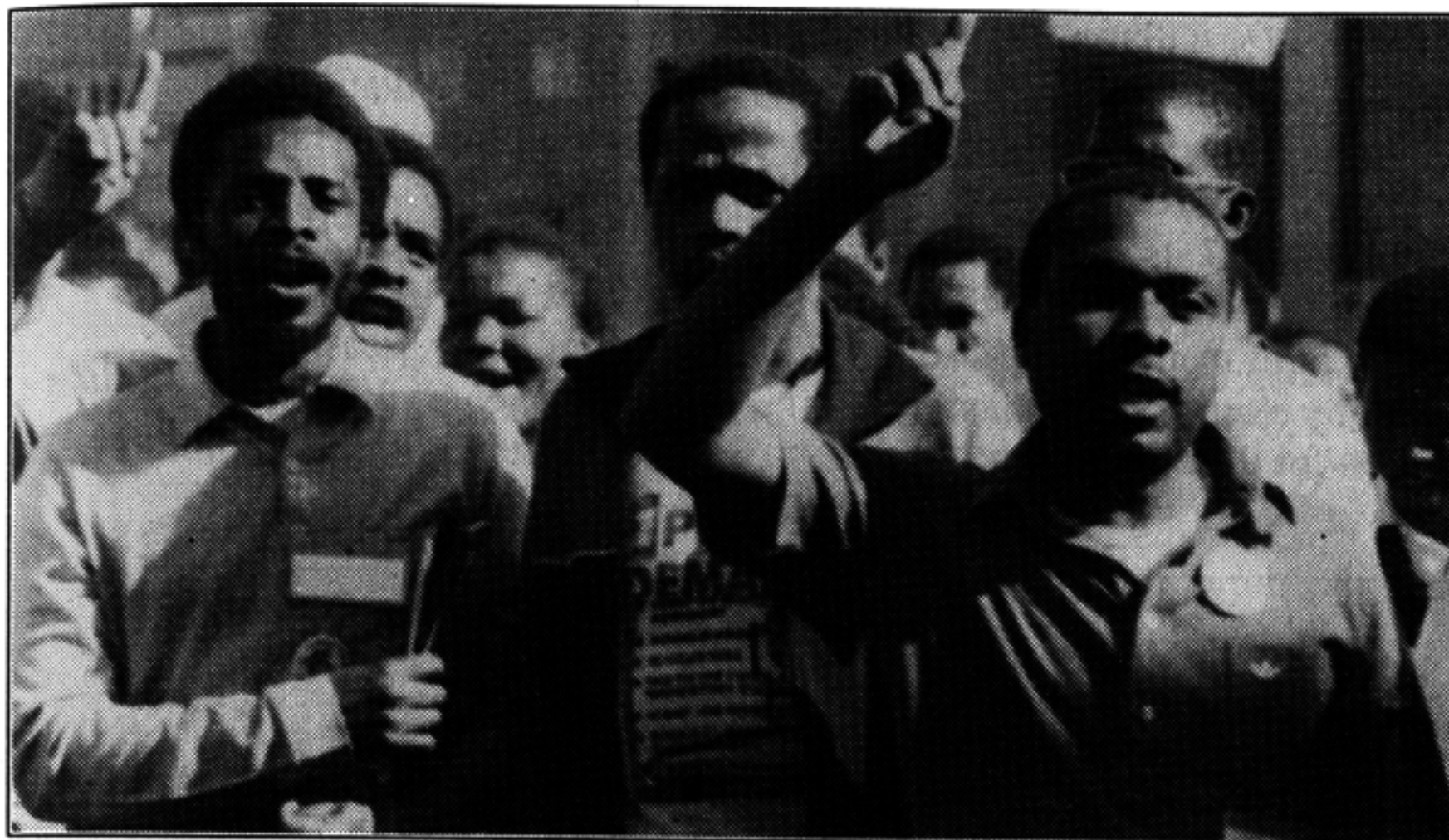


Militant new logo

Graphic: PPWAWU

areas of growth have been the forests & sawmills as well as the printing sector. PPWAWU organises workers in seven sectors - pulp & paper; waste paper; printing; paper & packaging; woodworking & plywood; sawmills & forestry; and furniture. Each sector has its own peculiarities that require attention.

The Congress decided to campaign for forestry workers to be covered by labour laws. At present forestry workers are excluded from Workmen's Compensation, UIF as well as the Labour Relations Act. They have no fixed hours of work, no overtime pay and no rights to union recognition. PPWAWU has managed to win recognition and improve conditions in many of the forests. But the majority of forestry workers remain



PPWAWU at Cosatu's Special Congress; Khubeka is on the left

Photo: PPWAWU

unorganised and subject to the worst forms of exploitation.

The Congress also stressed the importance of consolidating union structures, particularly the PPWAWU locals as well as the industrial area committees. "These structures are our backbone," said the outgoing President. "An organisation is not built from the top. It is built from the bottom."

Congress discusses politics

The forthcoming October municipal elections were also given attention by the delegates. The Congress rejected these elections. How can the government claim that they are an extension of democracy? What democracy are we talking about when the ANC, UDF and other organisations remain banned, when

most of our leaders are in detention, prison or exile, when racism remains intact in our country? The rejection of the elections led to a debate on the general political situation in the country. It was noted that the entire democratic movement is under attack. PPWAWU endorsed the COSATU position of trying to win the middle ground by building a broad coalition of anti-apartheid forces. In PPWAWU's view this could include organisations and groupings with whom they do not agree but who have the potential to unite in action against racism and undemocratic rule.

The new labour law creates new conditions under which unions have to operate. PPWAWU discussed this and adopted a strategy to deal with the new LRA. PPWAWU will continue to oppose the new law and

campaign for it to be repealed.

The union will also fight all attempts to restrict unions and limit their right to strike.

PPWAWU also adopted a new logo as a reflection of the growing militancy of its members. The Congress ended by electing new national office-bearers for the coming year.

They are:

- Malachia Ndou - President
- Julian Ntsholo - 1st Vice-President
- Khaya Mkefe - 2nd Vice-President
- Joe Nene - Treasurer
- Siphon Kubheka - General Secretary ☆

The process of teacher unity took a giant stride forward at a conference hosted by the World Confederation of the Organised Teaching Profession and the All-African Teachers' Organisation in Harare in April 1988. The conference brought together for the first time the large, recognised black teacher associations from South Africa (ATASA, UTASA and TASA) and most of the progressive teachers' unions which have emerged over the past five years (WECTU, DETU, EDASA, NEUSA, PTL, PTU).

The five-day conference, which was also attended by observers from the Zimbabwe teachers' organisation, the NECC, SACTU and the ANC,

Teacher unity

*Labour Bulletin
correspondent*

hammered out a basis for future teachers' unity in South Africa. The document on the next page was adopted by the representatives of all teachers' organisations present, and has become the basis for

the teacher unity talks currently taking place in the country. The talks have been joined by ELPTU, ECTU and MATU since the Harare guidelines were adopted.

With regard to the second point in the document, the *Labour Bulletin* has established that consensus has been reached in these unity talks that the new organisation will be a unitary teachers' trade union which will seek to affiliate to COSATU (Congress of South African Trade Unions). ☆

Harare Document

Recommendations unanimously adopted at 'WCOTP/AATO Seminar on Teacher Unity in S.A.', (4-8 April, 1988, Kentucky Hotel, Harare)

1. All representatives of the teachers organisations present agreed on the need for the national unity of teachers, and committed themselves to discuss this in their various organisations and to propagate the feasibility of one national teachers' organisation.
2. The representatives of teachers' organisations agreed that organisations should get together to negotiate and decide on the form which the envisaged united organisation should take.
3. Such an organisation should be committed to a unitary, non-racial, democratic South Africa.
4. The organisation should commit itself to be part of the national mass democratic movement.
5. The organisation should commit itself to a free, non-racial, non-sexist, compulsory, democratic education in a single education system.
6. The organisation should protect and promote the rights of teachers as workers and professionals.
7. The organisation should implement as a matter of urgency a programme of political and professional education of teachers for them to play an effective role within the community.
8. Ideology should not be a precondition for unity.
9. The representatives of organisations agreed to urge their organisations that they, as well as the envisaged organisation, would abide by the principle and practice of non-collaboration with all structures of the apartheid system.
10. Negotiations with respective authorities should only be conducted with the mandate of the constituencies concerned.
11. The organisation commit itself to the realisation of the ideals of people's education in our country.
12. In the interim the representatives of organisations will urge their organisations to consult on ways to co-ordinate the various attempts and work together in formulating and implementing people's education projects.
13. Organisations are encouraged to organise joint projects which will facilitate national unity.
14. The representatives of organisations committed themselves to urge their organisations to maintain the spirit of comradeship, mutual respect and and common purpose which has characterised the Harare seminar on teacher unity as a necessary element in the process of achieving unity.
15. The representatives of organisations agreed to urge their organisations to establish a negotiating machinery to pursue the objectives stated in this document. They request that as a matter of urgency COSATU should convene such a machinery having consulted and agreed with the organisations about the composition and powers of such a machinery. COSATU is further requested to consult with other sectors of the democratic movement to facilitate the unity process. ☆



Black bosses bash FEDCRAW

LABOUR BULLETIN correspondent

Sizame-Releke Supermarket employees were locked-out in Dobsonville and Orlando after they staged a sit-in. Workers were demanding to know why a manager who was suspended from the company premises was allowed in, before an agreed meeting with their union was held.

In Mzamo-Moleko bottlestore, the workers' sit-in was sparked off when management unilaterally withdrew its contribution to the workers' medical aid scheme. The workers were locked out and replaced by new employees.

These two companies are directed by Mr Jacob Motlogeloa. He also owns the majority of shares. The companies operate stores in Soweto and Tembisa. The lock-outs took place in Diepkloof and Moletsane.

FEDCRAW is not organised in Tembisa, and workers in this branch continued working.

The five month lock-out

When the lock-out at Sizame-Releke entered its second week, it took a new turn with attempts to assassinate some of the key shop stewards from both companies. For example one shop steward, Norman Pule, escaped death when he was missed by four shots fired from a car. Pule alleged that he saw Motlogeloa and the area manager at the centre of the Sizame-Releke dispute in the car. Pule also alleged that when he tried to lay charges of attempted murder against Motlogeloa and his colleague, the Orlando Police threatened him and five other shop stewards with intimidation charges if they went ahead with charges against Motlogeloa. Pule alleges that the police remarked: "What do they (shop stewards) think they are, to lay a charge against Bra Jackie?"

According to Pule the shop stewards were also taken to a policeman's house and advised to talk the matter over with Motlogeloa.

The union had to refer the matter to a lawyer, who applied for a court interdict preventing Motlogeloa from harming Pule or any shop steward involved in the dispute.

Developments before the strike

The strike and the lock-outs at the two Afrosun Companies took place after FEDCRAW had organised workers and signed a recognition agreement with management. At first management was reluctant to sign. Pule remembers that the manager "tried to convince workers that the company is owned by blacks, who are brothers to black workers, and that there was no need for a trade union to be in the company. This argument did not have any bearing as management treated workers no differently from companies such as Score or Checkers."

After recognition at Mzamo-Moleko and Sizame-Releke, the union started taking up issues such as bad working conditions, unpaid overtime and proposed retrenchments.

At one stage management was assisted in negotiations by management from the white-owned chain store, Score. Then, in April this year, workers at Sizame-Releke alleged that an area manager was dictatorial. Management agreed to suspend him pending further discussions. When workers at Dobsonville saw the suspended manager in the store they

staged a sit in, which spread to the Orlando West store. According to the union, management then called the police, who forcibly evicted the strikers. One week later both supermarkets opened with new workers. The union argues that this is a lock-out.



Sizame-Releke: business as usual, tho' workers are still out

Photo: Labour Bulletin

Other workers join the sit-in

FEDCRAW also faced a union busting strategy in Mzamo-Moleko bottlestore. Here the union members were locked out after they staged a sit-in. Workers staged a sit-in after management unilaterally withdrew its contribution to the workers' medical aid scheme. The sit-in lasted from 4 to 10 June, when management locked out all the striking workers. Workers alleged police were present to back up the lock out.



FEDCRAW shop-steward discussing with dismissed workers

Photo: Labour Bulletin

Lessons for the union

Union organiser, Molekane explains the union has learned important lessons about black business from the strike. He believes that a black employer class is developing at a rapid speed in Soweto. "This class of employers is not different from the white capitalist, they are all out to exploit workers in the township while hiding behind progressive political rhetoric. Their major objective is to fulfil the aspiration of becoming the Tony Factors or Raymond Ackermans of tomorrow," he said.

Conclusion

The fate of the strike by FED-CRAW members is still to be determined by the Industrial Court in early November.

In the meantime management has been able to continue business without any problems. Management was able to do this both because it was able to employ unorganised workers, and because it could rely on police intervention if strikers attempted to picket the stores.

The strikes are an indication of the alliance businessmen can develop with the state or its functionaries to crush worker organisation. Sizame-Releke management's unitarist approach failed to convince workers that they were their black brothers, and that there was no need for a union. Once that had failed, management mounted an open attack against workers and their leadership.

The alleged assassination attempt adds a nasty twist to the relations between black bosses and their "brother" workers.

The relationship between the company director, Motlogeloa and the local black policemen also raises the question about how some state officials view working people in our community. The policemen tried to stop the shop stewards from laying an attempted murder charge against the company director on the basis that "Mr Motlogeloa belongs to the highest class in the community and a case cannot be opened against him." While this does not explain much about the relationship between Motlogeloa and these policemen, it suggests that some middle class figures are free to do as they please with people of a working class background. ☆

STOP PRESS

It seems that FEDCRAW is not the only problem that Jackie Motlogeloa is facing. Finance Week (November 10 - 16) says that he is in serious danger of going bankrupt.

He operates the Orlando West shopping centre in which many of the shops have closed down. His own Mzamo-Moleko bottle store and A-Train disco are apparently in danger of closing down as well. Nor is his supermarket doing very well.

FEDCRAW members cannot be feeling too much sympathy for him, especially as they face possible starvation as a result of management practices at his shops. ☆

CWIU takes the struggle out to sea - industrial court rules this out of order

by *MARTIN JANSEN*,
CWIU Petroleum co-ordinator

The French-controlled company, Sopelog, has a contract with the South African government to operate about three oilrigs searching for oil beneath the sea off the coast of South Africa.

The union first started organising at Sopelog in 1986, when many of the workers approached the Cape Town offices seeking assistance.

By mid-1987 the union had recruited about 95 workers out of the 200 eligible for union membership. The union then made several approaches to management for recognition. The management, led by a Frenchman, Mr Michelle Dudonet, was totally unprepared and therefore crude in their dealings with the CWIU. The harsh working conditions for all workers on board oilrigs can-

not be exaggerated. It is reputed to be one of the most dangerous working environments, second only to deep-sea diving.

Delaying tactics

Management used several delaying tactics: not being aware of certain correspondence, unilaterally postponing meetings, etc. This continued until the union decided to allocate more resources to the "project" of gaining recognition with the company. The company soon realised that the union meant serious business and seemed to be co-operating.

In October 1987 the company agreed in principle to recognise the union, subject to negotiating a simple recognition agreement. The only problematic area at this stage was the scope of the bargaining unit.

Difficulties of organising

The union continued to organise the workers, albeit under unusual and difficult circumstances. The main difficulties of organising the oilrig workers are:

- the shift system of 2 weeks on board and 2 weeks on shore, with four teams rotating;
- the workers live all over the country;
- the oilrigs' operations are not restricted to one area and often move as far as Mossel Bay to the Namibian coast within a six month period.

Union organisers and workers mostly communicate at small weekly

meetings, often at the airport, or via pamphlets, which poses strategic problems if in the wrong hands.

By December 1987 the final draft recognition agreement was ready for signing, or at least this was the view of the company's attorney and the union official. However, at the next meeting management posed a problem. They explained that many of the union members were creating problems for them by not signing a newly revised contract which the company had prepared. The company therefore felt it was necessary to add another item to the list of definitions in the recognition agreement.:

- "Temporary Employee" - an employee on probation or an employee expressly employed on a temporary contract or an employee who has not joined the permanent staff by not signing and returning Sopedog's standard permanent employment contract.

The union could not agree to this, as it meant that even though a worker had 6 years service with the company, by not signing this new contract, he would become a "temporary" worker. The union argued that the contract was between management and the individual employee, and was not a matter to be incorporated into a recognition agreement. This disagreement became a major stumbling block.

Forced to sign contracts

Union members who were suspicious about the introduction of these

new contracts also reported that they were literally being forced to sign the contracts. Often they would arrive at the airport to book in for their 2 week shift and be told they would not be allowed to work unless they signed the new contracts. Upon closer scrutiny of these contracts with union attorneys, it was noticed that the new contract did contain slight changes to previous conditions of employment.

The company's actions therefore constituted an illegal lock-out and the matter was referred to the Industrial Court.

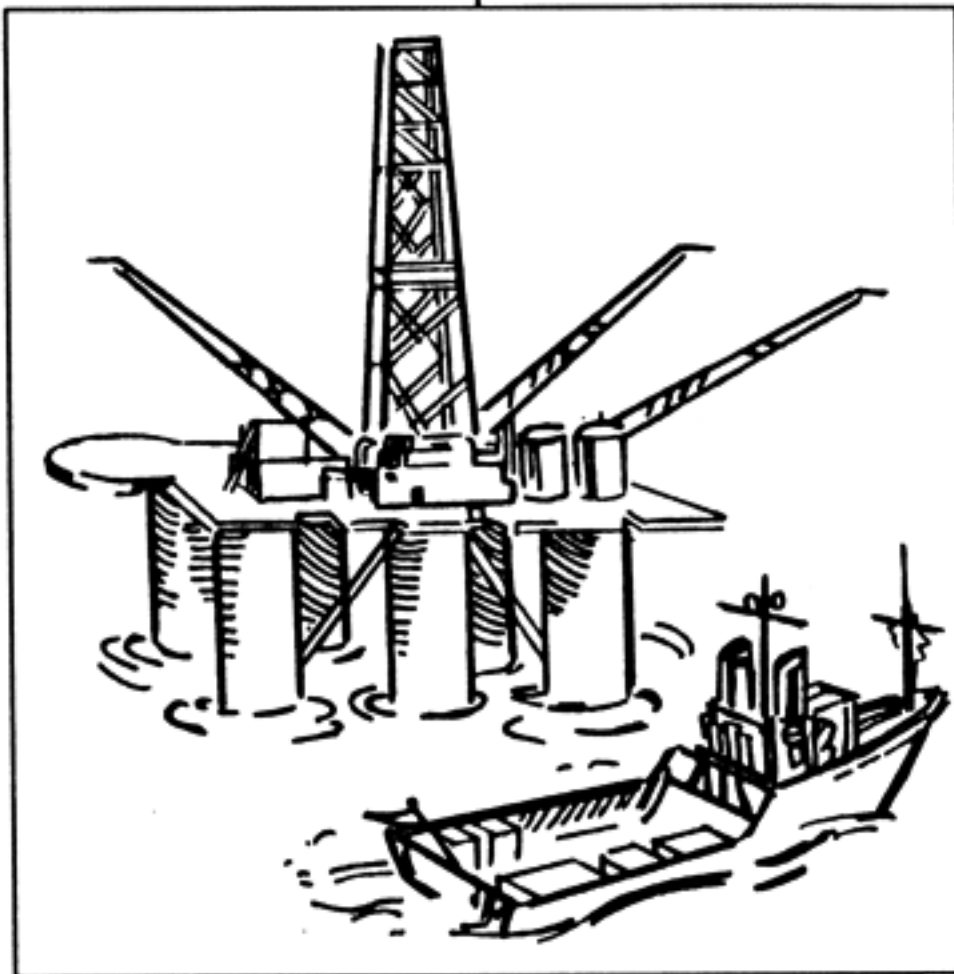
At subsequent meetings the company agreed to negotiate for wage increases and improvements in conditions of employment. Several meetings were held on the issue of the recognition agreement and preparations for wage negotiations, without success. The company proposed to compromise on the issue by allowing the insertion of the clause, "the union reserves its rights in respect of the definition of Temporary Employees" next to the controversial definition.

Eventually in April 1988, the union agreed to compromise because,

firstly, members were pushing for a formal relationship with the company so that improvements could be negotiated, and secondly, the union had

taken the issue to the Industrial Court.

The representatives of the company saw no problems with this and undertook to take it to the directors for approval. The union protested against this delaying tactic, as it was basically management's



Workers at sea - no rights

proposal which had been accepted. The real intentions of the company were revealed in a telex which it sent later.

The telex said simply that negotiations on the issue were closed, and that the proceedings in the Industrial Court would take their course.

The court ruled against the union. The presiding officers said that, because the workers were working more than 12 miles out to sea, they were working outside South Africa. This means that the Labour Relations Act does not apply to them. As a result, the Minister of Manpower has no right to appoint a Conciliation Board in this case, nor has the Industrial Court any right to interfere in the

actions of the employer.

**Industrial court:
no jurisdiction**

The court could not rule that the employer had illegally locked-out his employees. The court took this position in spite of the union's evidence that the workers were employed in Cape Town and paid in rands.

The judgement was a major setback for the labour movement in South Africa. It affects especially those workers who are employed by

companies in South Africa and are required to work outside its border from time to time.

This means that if a worker is treated unfairly or even dismissed outside the official borders of South Africa - he/she cannot legally apply for relief by virtue of South African labour law. In official terms this would include the TBVC bantustans. A labour law expert commented on the unfairness of the judgement, since companies are allowed to operate up to 200 miles out to sea and yet take

Soletanche → Sopelog → Soekor

Sopelog is a subsidiary of a French based drilling company known as Forasol Foramer. This company employs over 1,200 workers all over the world and approximately 1,500 in France. It is owned by three companies each having approximately one-third share ownership. The three companies are Soletanche (French), Ackerman Von Haarem (Belgian), and ICH Caland (Dutch).

In South Africa it operates under the name of Sopelog (South African Petro-

leum Logistics). It is contracted by the State controlled project SOEKOR. SOEKOR was set up by the South African government in 1965 to search for petroleum and other energy sources. SOEKOR's efforts to search for oil were spurred on by rapid oil-price increase in 1974 with the "oil crisis" and continued reference in United Nations forums to oil-embargoes against South Africa. Its efforts on land were unsuccessful and it later concentrated on searching under the

sea off the South African coast. Forasol Foramer was contracted to do this in the form of Sopelog, which is a company registered in South Africa. Sopelog deals mainly with the operating of about three oilrigs in the oil-search.

Sopelog employs approximately 300 personnel of whom 200 are eligible members of the Chemical Workers Industrial Union, an affiliate of the Congress of South African Trade Unions (COSATU). ☆

advantage of and operate within South Africa's company laws and other laws. It is easy to conclude that the Industrial Court was biased against workers in this judgement.

The future for union recognition

It seems that the company is holding to the position in their telex. The CWIU is now struggling to ascertain their official position on recognition in line with International Standards and Codes of Conduct.

They are reluctant and non-committal and continually refer shop stewards, who raise issues and demand recognition, to the court decision. Despite petitions from union members and a well supported one-hour stoppage on 27 May this year, the company still refuses to recognise the union.

The union is presently taking the court decision on review and will be calling on international support to pressurise Forasol Foramer to get its subsidiary, Sopolog, to recognise the CWIU and improve the conditions of its South African workers. On average, overseas oilrig workers earn four times the wages of the CWIU members, and enjoy better benefits such as life insurance, pensions, medical aid, etc. The company in question is not only assisting the South African government in its sanctions-busting attempts but is benefitting out of apartheid exploitation. ☆

Fighting for their lives and jobs

By HUMPHREY NDABA,
SACWU Legal Department

It is almost a year that S.A. Chemical Workers Union (SACWU) members have been out of work on a legal strike (see *SALB 13.3*). The Sasol Limited chairman, in his annual review statement said, "In our Sasolburg plant we have not experienced such a significant industrial action since our inception in 1950."

According to workers, Sasol has been exploiting them since 1950. When first they heard about SACWU's achievements for chemical workers, they decided to join. The workers were determined not to look back, but to fight on through SACWU structures until victory was realised.

Since October 1987, fourteen members of the union were killed in bloody onslaughts by vigilantes.

SACWU salutes these comrades and sorrowfully regrets their untimely deaths.

To those who are alive and still SACWU members, obviously there is no turning back. We cannot afford to betray our brothers and sisters who paid with their blood and lives to free themselves from poverty and exploitation. The battle has to be fought to the finish.

Permanent injuries

Other workers sustained permanent injuries during the course of the struggle. Bothman Gogotha was badly mutilated with axes and pangas by vigilantes. Today he is permanently defaced with horrifying scars.

Balisilele Ngugubele was also assaulted with pangas and is left with scars throughout his body.

Jackson Sixabaxia was shot in one eye, sustained serious injuries and today he has to live with only one eye. After being discharged from hospital he was charged with intimidation. Comrade Jackson lost his eye during a brave encounter against a vigilante onslaught. Through his brilliant resistance, many lives of comrades were saved, as the vigilantes attacked and caught the comrades in the hostels unaware and unarmed. SACWU is humbled by the bravery

of this comrade and wishes him well in his further commitments to the worker struggle.

Presently two comrades are detained without charges - they are comrades Mofokeng and Semonyo.

After more than nine months, the strike is being monitored by the following committees: housing, accounts, hostels and loans, support fund, deaths and funerals, telephone messages, doctors, fund raising committee. All these committees are run by shop stewards.

Eviction of families

According to the housing committee, Sasol is now turning its vengeance on the family units. Six-

teen families staying in company-owned houses have already received eviction notices. Between them members of these families have given the company 188 years of labour.

Those workers whose children are attending school locally might find their children out of school for the

whole year, if their parents do not find alternative accommodation within commuting distance of Sasol.

Those who come from the "homelands" will have to send their wives and children back, thus returning to the age of the migrant labour system.

Breaking up family lives and dis-



SACWU logo

rupting children's learning cannot be morally justified by a company which purports to be involved in community development and to commit itself to equal opportunity for all races.

Workers are bitter about their treatment. Comrade X says, "I feel heartbroken because I had my own house at Sebokeng. When Sasol started this housing scheme, they promised to sell me a house in Zamdela so that I can be near my workplace. After relinquishing ownership of my Sebokeng house, I was told I could not buy a house because I earn too little. That is how I came to stay in a company-owned house. And now this..."

Comrade Y says, "When Sasol started its housing scheme I was earning R470.00 per month. I wanted to buy a house but I did not qualify so I rented one, so that I could bring my wife and children from Transkei and stay with them in Sasolburg. Now my children are attending school here, my wife is working in town, and now this eviction."

Presently approximately 600 workers are still out of work and they are waiting for a court date. The union's attorney has filed a court application. These workers have been and are still surviving with assistance from international organisations and local service organisations. Workers are thankful to people who have assisted and those who are still assisting, not to forget SACWU workers throughout the country who have been contributing R5.00 each to re-

lieve their fellow brothers in the struggle.

Support fund

Those workers who were re-employed by Sasol are contributing ten rand each to assist their fellow brothers who are still out of work.

All requirements of the Labour Relations Act were complied with when workers went on strike in October 1987. It is strange that Sasol's chairman views the legal strike as "an irregular stay-away action amidst intense intimidation. What started as a trickle eventually involved approximately 50% of the black labour force." This statement shows what kind of company Sasol is, and reflects negatively on their personnel affairs.

Presently SACWU has a majority of members at both Sasol 1 and Natref, and enjoys the support of the community at Zamdela.

No matter the outcome, it has been proved beyond doubt that SACWU, by honouring the pulse and feelings of the workers at Sasol, and implementing the democratic decision and feeling of workers to go on strike, has been adopted by the people of Zamdela as their property.

No workers who are intimidated and forced by officials to go on strike can sustain a strike for more than a year, and when re-employed still belong to the same union in great numbers. No amount of evasiveness on the part of Sasol can obscure this basic truth. ☆

NACTU Congress: change of direction?

By EDDIE KOCH

When South Africa's biggest trade union federation, COSATU, was launched in December 1985, a smaller - but significant - group of unions stayed away from the festivities at Kings Park in Durban.

The main reason these unions gave for not joining the new super-federation was that they believed in the principle of "black working class leadership". They were not prepared to accept the non-racial ideas which allowed large numbers of white officials to work in the leadership ranks of COSATU.

These unions went on to form the National Council of Trade Unions (NACTU). Three years later, at its annual congress held in August 1988, NACTU decided to drop the controversial principle and replace it with the concept of "African working class leadership".

The change may seem to be playing with words. But, in fact, it was the signal for far deeper changes in NACTU policy which have in-

creased the chances for cooperation between the country's two biggest trade union federations.

The role of whites

One of the major resolutions that NACTU had planned to put on the table at the congress was a statement of support for the all-white End Conscription Campaign (ECC). The banning of the organisation just before the congress made it legally impossible for NACTU to do this - but it is clear that members of the federation were thinking again about the role of whites in the struggle for a free country.

Pamphlets handed out at the congress also outlined an "Africanist" philosophy. The pamphlets made it clear that whites who identify with the future of the African continent can be included in the leadership of organisations fighting for a new order.

Under the heading "*Who are the Africanists?*", the pamphlet argued that "in occupied Azania the oppressed and the exploited masses are not oppressed and dispossessed because of their race or colour. The oppressed, exploited and dispossessed are in chains because of the economic interests of those who oppress and exploit them."

From black consciousness to Africanism

The change in term from "black" to "African", the planned resolution

on the ECC, and the ideas expressed in the pamphlet on Africanism, were clear indications that NACTU was reconsidering the founding principle which had been the major obstacle to greater unity with COSATU.

The congress voted out of NACTU's leadership the most hard-line supporter of black consciousness ideas, which was united in its desire for closer co-operation with COSATU. James Mndaweni was re-

Many of these leaders come from an Africanist tradition and share its more flexible position on the issue of whites being in the leadership of trade unions and other extra-parliamentary organisations.

However the congress stressed and reaffirmed NACTU's founding principle of non-affiliation to any political organisation. At an interview with the *Labour Bulletin* after the congress, members of the new executive stressed that people of all political persuasions were able to become



Camay, Mndaweni and enthusiastic supporters

Photo: NACTU

elected president, Patricia de Lille became vice-president, Piroshaw Camay kept his position as general secretary, Cunningham Ngcukana replaced Phandelani Nefolovhodwe as first assistant general secretary, and Mahlomola Skhosana kept his seat as second assistant general secretary.

members of NACTU unions. They insisted that the leadership would not use the federation as a vehicle to promote the ideas of Africanism over other political ideas. Mahlomola Skhosana said such tolerance of different political ideas within the organisation could also be an

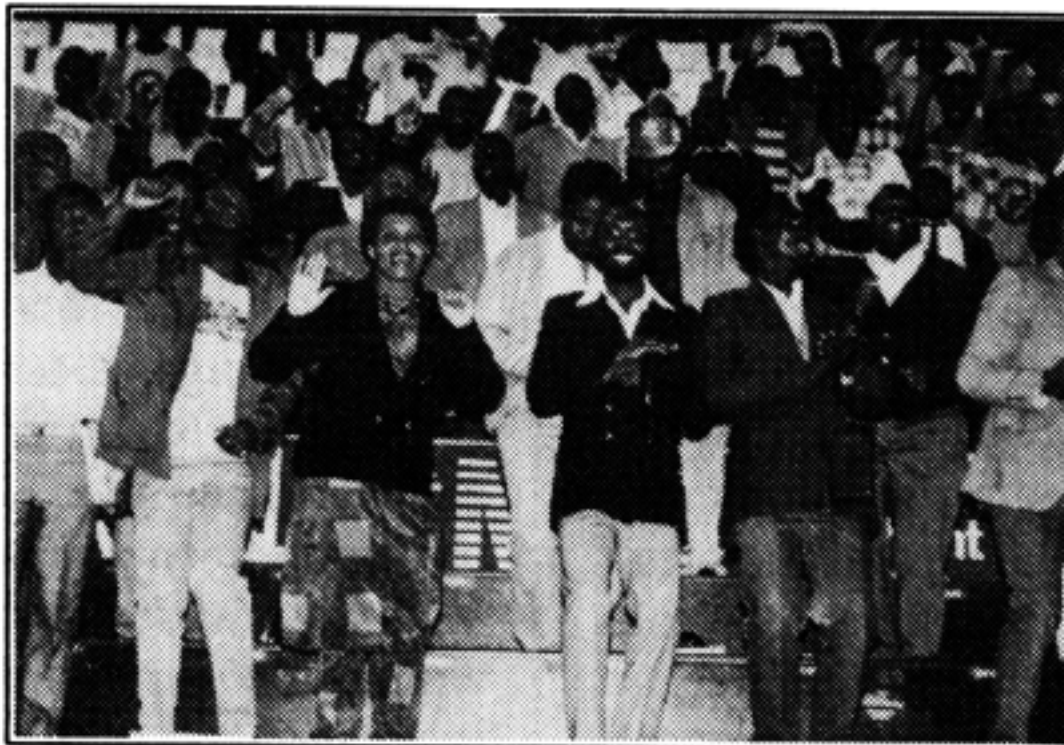
example that would help make democracy effective in post-liberation society.

The congress took a tough line on ensuring that member unions report accurate membership figures and

pay their affiliation fees to the federation on the basis of these figures. Mndaweni told *Labour Bulletin* that this was done to prevent members from claiming large memberships and paying for these just before the congress, and then paying for much smaller numbers after the congress had ended.

Drop in NACTU's membership figures?

The result was that NACTU's official figures showed a signed-up membership of less than 150,000. Official membership of the Black Allied Mining and Construction Workers' Union, for example, plummeted from 148,000 in October 1986 to a mere 3,100 in June this year. The figures for the Steel Engineering and Allied Workers' Union (SEAWUSA) showed a drop from 27,000 to 5,500 for the same period. The Transport and Allied Workers' Union (TAWU)



Delegates at the congress get into the swing of things

Photo: NACTU

had its official membership halved from 10,000 to 5,000, and figures for the Vukani Guards and Allied Workers Union were slashed from 8,900 to 2,000.

The stronger unions in the federation are the SA Chemical Workers Union with 30,000 members, the Building Construction and Allied Workers Union with 22,000 members and the Food and Beverage Workers Union with 18,000 members.

Ngcukana stressed, however, that these strict figures did not reflect the actual strength of NACTU's member unions, and said the federation was thinking of producing another set of figures to indicate paid-up membership. He said NACTU had an actual paid-up membership of 300,000 and that it has a signed-up membership of 450,000 to half-a-million.

TAWU, for example, had close to 16,000 paid-up members even though it was only paying the federation for 5,000 members. SEAWUSA had 25 to 30,000 paid up members although its official numbers were recorded as 5,500, and the Food and Beverage Workers' Union had 18,000 paid-up members, said Ngcukana.

Although the method of calculating membership has obviously produced a figure below NACTU's actual strength, the numbers do point to another serious problem within NACTU. The federation's fairly small membership is scattered across 24 affiliates and some unions such as the Black Domestic Workers' Union and Textile Workers' Union have official membership figures of just a few hundred. NACTU also has five different affiliates in the metal and motor industry.

Resolution on democracy

For reasons such as these, another major resolution at the congress urged all affiliates to merge into bigger industrial unions.

Delegates to the congress also noted that there were no women in NACTU's leadership and this discussion led to the election of Patricia de Lille as vice-president.

Camay said the congress had also discussed the need to strengthen the influence that rank-and-file members have over all of the federation's structures. "It was decided that two-thirds of delegations to all structures of the federation must consist of workers and the remaining one-third may consist of union officials. If this is not complied with the delegation will not receive voting rights." ☆



NACTU responds

NACTU office-bearers do not believe our article is an accurate reflection of their position. They have written the following response.

It is incorrect to say that organisations that do not allow people of European descent are not non-racial. Non-racialism does not mean acceptance of whites in organisations. It is a belief that the theory of race is a myth and that there is only one human race. NACTU was non-racial right from its inception. No organisation of the oppressed and exploited has ever organised on the basis of race. The organisations of the oppressed and ex-

exploited organise on the basis of the material conditions prevalent.

Role of whites

The congress of NACTU never discussed the role of whites. It is surprising to find that people go about writing about what was never discussed. Certainly there was a resolution on ECC which says nothing of the role of whites.

From black consciousness to Africanism

NACTU has never been a Black Consciousness Federation from its inception, and the change from Black to African does not mean that NACTU is an Africanist Federation. There is a clear difference between an African and Africanist.

Election of NACTU officials is not done on the basis of their political affiliation, but on their capability and democratic support of our members.

Whilst certain individuals of the NACTU leadership may hold certain political beliefs it does not mean that it is a NACTU position. All office-bearers of NACTU are expected to act professionally and to play a unifying role.

Drop in NACTU members?

The membership figures paid by unions and reflected at congress are not the true figures. This issue was debated at our congress and the reasons

highlighted were the following:

- Some of our unions have no stop-order facilities. It becomes difficult for them to collect membership dues directly from a large membership, for example, BAMCWU, NUPSW and MWASA. These unions are remedying the situation. For example, MWASA and NUPSW have applied for registration.
- The second reason is that our affiliates have received little or no direct international funding, making them depend almost only on subscriptions. These subscriptions are even sometimes used for relief of striking workers, legal fees, etc. This results in unions paying only for part of their membership.

This issue was highly interrogated at congress, and unions committed themselves to paying for the correct membership despite the financial strain it may cause them.

NACTU will definitely produce a proper membership statistic early in 1989, which we are certain to be between 250,000 and 300,000.

In certain unions we have proof that paid up membership is above what they pay to NACTU. For example, Textile Workers Union pays for only 400 workers but has 415 paid-up members in Pietermaritzburg alone, notwithstanding those who directly pay to the offices. ☆

NUMSA strike at Haggie builds national industrial bargaining

JABU MATIKO reports

If we go out they will lock us out and easily dismiss us and then re-employ selectively. We are guarding our machines so that no one else can work them...

This was said by Haggie Rand workers in 1986, when they staged a sit-in strike demanding better wages. The workers slept in their factories for three weeks. Their wives brought them food and drinks and formed a women's committee in the township to support the strike.

Haggie Rand is the only producer of steel rope in South Africa. The steel rope is used in mining and other heavy industry. The company also exports its products abroad. Haggie Rand employs more than 2,000 wor-

kers and has plants in Germiston and Jupiter.

This year management locked 1,800 black workers out in both plants two days after they went on a strike for better wages. Workers were demanding a 37% increase, bringing the minimum wage to R4.25 an hour. The company had offered an 18.6% increase, which brought the minimum to R3.45 per hour. Workers also demanded May Day and June 16 as paid public holidays, and wanted the period covered by the in-house agreement to be changed so that it corresponded to the Industrial Council Main Agreement in the metal industry.

After the lock-out, management declared that workers were dismissed. However, the company offered to re-employ workers with an across-the-board increase of 18.6%. The union maintained that workers could not be dismissed as they were on a legal strike and that management should respond to the dispute over wages.

"We don't have control over the situation"

The lock-out posed problems for workers. Joseph Masela, a shop steward in the Germiston plant says, "In 1986, our sit-in strike necessitated links with our families. Women and children came to the factory every morning to check what happened last night. This created community interest in our strike. This year things have changed. We don't have control



First day on strike: Haggie workers meet outside the hostel

Photo: Morice/Labour Bulletin

over the situation at the factory. Workers meet at the union offices everyday as management claims our presence at the factory gates intimidates scabs. We decided to meet here to avoid police interference which is highly possible under the state of emergency."

The fact that management had control over the factory allowed them to adopt a more intransigent position. Despite the fact that in several meetings between the union and management, workers revised their wage demand from R5.00 to R3.65 minimum per hour, management was inflexible and maintained that the company offer was final. The union warned that if management viewed workers' revised demands as a sign of weakness, then there was a possibility of a confrontation as members were resolute in resisting the company offensive.

Court forces workers to work overtime

Management's position was also strengthened by developments before the strike. Weeks before the strike management had applied for a court interdict preventing workers from banning overtime. The interdict was granted and this placed workers in a difficult position. Masela explained: "We had to produce stockpiles of wire and cable which were going to be used against us. The law was in favour of management."

The stocks of wire enabled Haggie to continue delivering wire and cables even though the machines were not running. Management was able to employ unskilled scabs to load the wire for delivery. In 1986 management was forced to use the white workers to load the wire for delivery, because the strikers'

occupation of the factory kept scabs out.

Workers were confident that the scabs would not be able to use the machines. Moto Radebe, a shop steward in Germiston, explained: "I have worked for twenty years in this company. It took me three years to learn how to use these dangerous machines. Any small mistake and your fingers are gone." Workers believe management also employed scabs to create doubt among workers about their future in the company.

As the strike entered its second week, management continued with its attempts to break the strike. Management threatened to evict workers from the company's hostels. This tactic was going to expose the hypocrisy of Anglo American's anti-apartheid and anti-migrant labour policy. Workers took this threat seriously. They immediately met with other NUMSA locals and COSATU affiliates to arrange for emergency accommodation if management went ahead with the eviction. However, Tony Kgobe, a NUMSA organiser, contends that management was going to face legal problems if it implemented this threat. "The lock-out was limited to suspending the employment of workers with the aim of inducing them to accept the company's final offer. They had no grounds for eviction," he said.

The company was forced to succumb after six weeks. Management agreed to provide a further five cents per hour increase on top of its final

basic wage offer. This brought the total basic increase at the lowest end to 50 cents and 80 cents at the top end. So the minimum is R3.50 per hour. The company also agreed to exchange May Day for Botha's day, and June 16 for Founders Day as paid public holidays.

Financial support, but no action

The outcome of the strike was a breakthrough for NUMSA in winning May Day and June 16. This was despite the fact that workers had to face one of the bastions of SEIFSA just after the metalworkers strike for a living wage had ended. This explains why solidarity action from other NUMSA members was in the form of financial support rather than action. As Moss Mogodi, a shop steward from the Jupiter plant, explained: "We went to all Wits locals asking for support. The NUMSA Johannesburg local was only able to support us financially. It seems other metalworkers were tired after their strike. Nothing happened to pressurise management at factories. We also got financial support from NACTU members in the neighbouring factories."

Main Agreement replaces in-house agreement

Haggie also agreed to the union demand that the in-house agreement be scrapped, and that the Industrial Council Main Agreement be extended to cover Haggie Rand. From



Workers put the squeeze on Haggie bosses

Photo: Morice/Labour Bulletin

next year Haggie will therefore be party to the annual Industrial Council (IC) negotiations. However, favourable conditions of employment that

have already been negotiated at company level will be retained. For example, the IC minimum rate is below the Haggie minimum and

therefore will not apply to Haggie workers. Only the increase negotiated at the IC will apply, and will be added on top of the Haggie rates. In addition, the union will continue to negotiate at company level on issues that are not covered by the Main Agreement.

In the past the union policy of all-level bargaining has posed problems. On the one hand it has meant that some of the biggest and best-organised factories are separated from national bargaining and national industrial action. This weakens metalworkers as an industry-wide force. On the other hand, workers engaged in company-level struggles are isolated from the support of their comrades in other companies, as happened to Haggie workers. The union demand at Haggie was designed to overcome this problem and bring Haggie workers into the mainstream of national struggle in the metal industry.

In the event of an industry-wide strike, however, the union will continue to face the problem of bigger and wealthier companies settling before SEIFSA. This happened in 1986 and this year, and both times it undermined the unity of the strike.

The court interdict used by management to force workers to work overtime revealed the extent to which institutions like Industrial courts can be favourable to management. While workers were conscious that any overtime worked by them was a betrayal to their intentions, they were con-

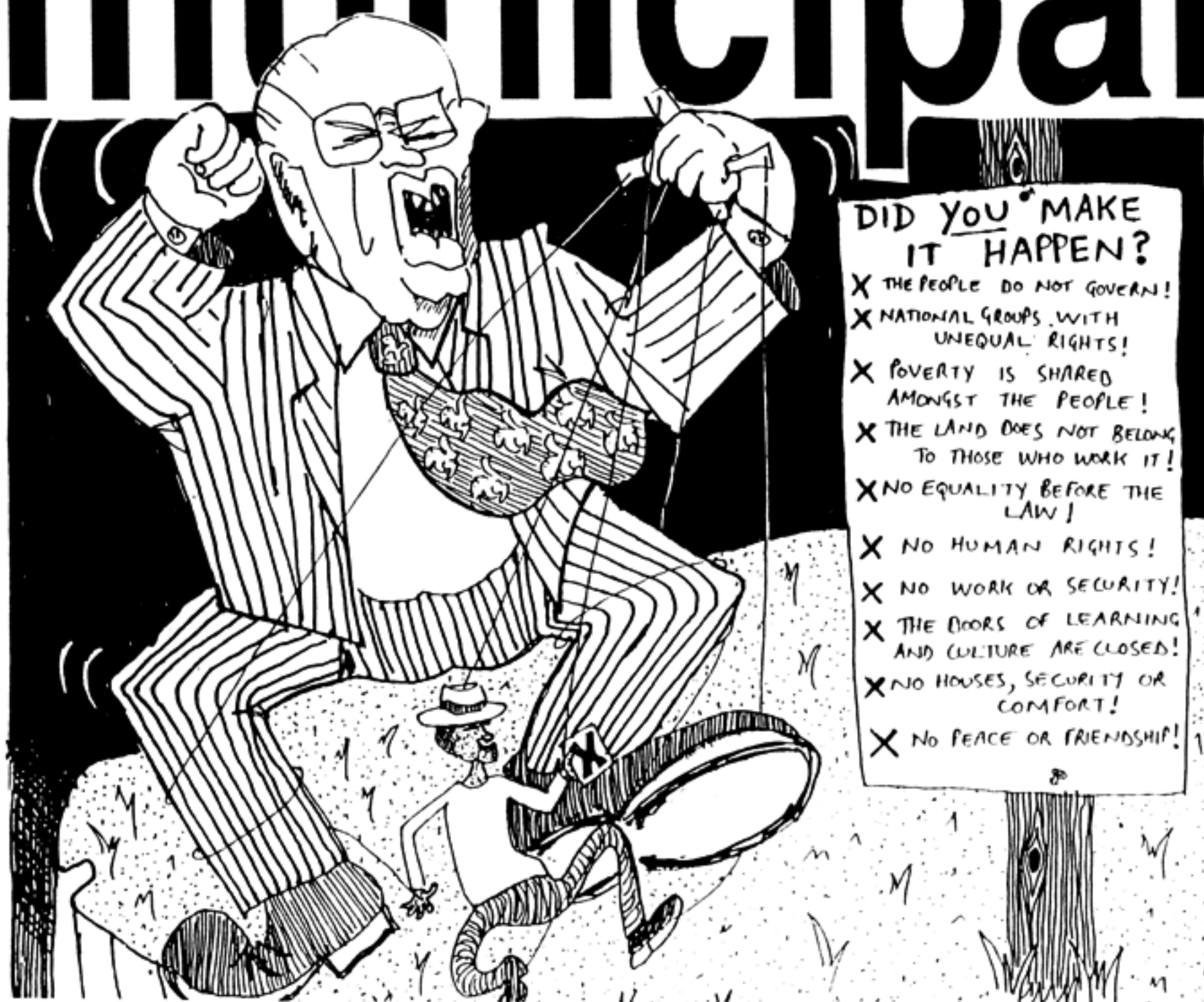
strained by "law" to co-operate with management's extension of the working day.

However, it seems that management overlooked the control workers have over production. Haggie Rand workers appear to be powerful given their knowledge of the production process. Workers claim that "supervisors are there to see that we do the job, but it is workers who know how to use the machine to make the wire."

Future battles

In future management might introduce changes in production that will reduce the control workers have presently. However, workers will always be cautious about restructuring of the production process. A shop steward expressed this caution as follows: "We are aware that in some departments management has already installed automatic machines which produce faster. Next time management will say some workers must be retrenched. This is likely to open another battle because management will be jeopardising our social being to fullfil the greed for more profits." ☆

The Success or failure municipal



for government strategy?

elections

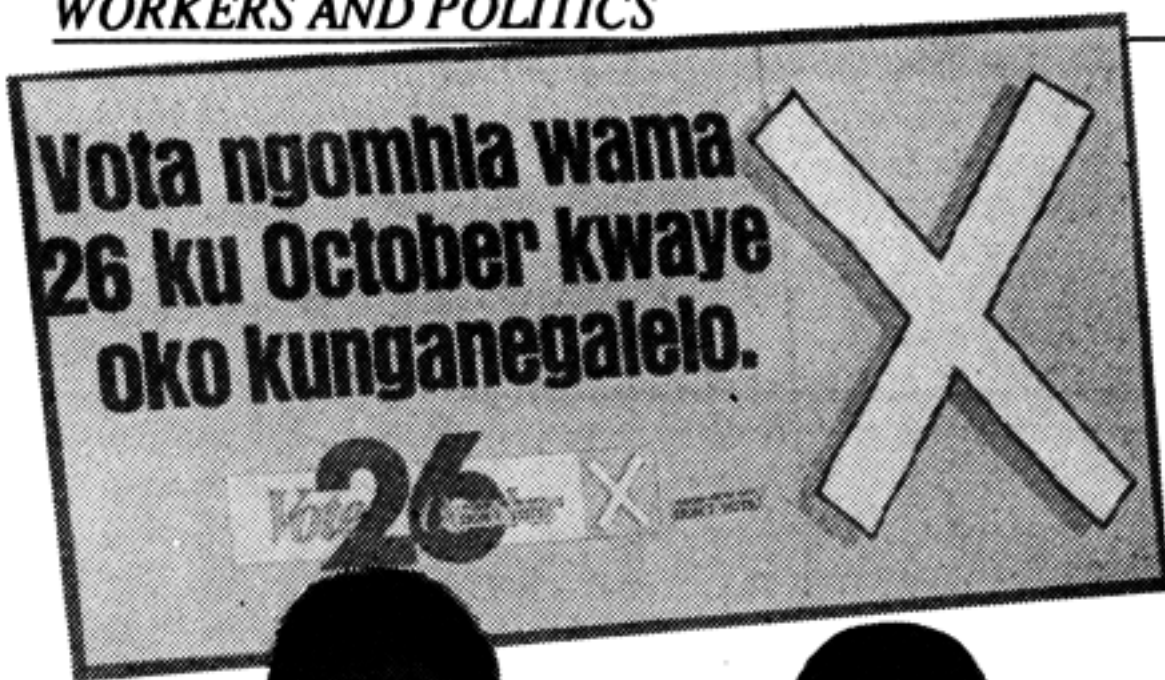
MARK PHILLIPS, KHEHLA SHUBANE, MARK SWILLING
and KARL VON HOLDT assess the October 26 municipal
elections

The greatest exercise in democracy in Africa - that is how a government official described the October municipal elections. The government spent R5 million on an advertising campaign to persuade blacks to vote for local councils in their communities. At the same time, the government made it illegal to advocate a boycott, and stepped up its campaign of repression against organisations of the democratic movement.

Community activists, on the other

hand, identified the local councils as "a weak link in the apartheid chain", and mobilised against the elections as far as possible under the State of Emergency.

The run-up to the elections saw church buildings bombed and burnt, activists detained, harassed and murdered, and allegations of corruption and coercion in the voting procedures. The ANC stepped up its bombing campaign. The churches deliberately broke the Emergency



The state makes its call.....



.....and workers answer.

Photos: Steve Hilton-Barber/Adil Bradlow/Afrapix

regulations and called for a boycott of the elections. In the week before the elections, church and community organisations called for a "national day of peaceful protest." This was widely interpreted as a call for a national stayaway from work on 26 October.

On 25 October university students in Cape Town and Johannesburg held rallies and demonstrations. On the 26th black students boycotted schools in Johannesburg, East Rand, the Western and Eastern Cape, Durban and the Vaal Triangle. However, no

stayaway from work materialised.

Stayaway from the polls

What generally did happen, though, was a stayaway from the polls - which is not what the government meant when it told the people: "You can make it happen." On average only 5 - 10% of the eligible voters in the African townships voted - no more than voted in the elections for the Black Local Authorities in 1983. A slightly higher percentage voted in the coloured and Indian com-

munities.

These results seem to show a massive failure of the government's reform programme to gain support in the oppressed communities. But the government is not going to acknowledge this. Minister of Constitutional Planning Heunis announced that "the government's goals were undoubtedly met... The lack of knowledge and the attendant apathy among a significant number of people in our country are not things which we can change overnight. Even so, the results were a victory for those who want an extension of democracy. The people have voted for peaceful development. Democracy and black participation in decision-making on the local level is a reality in 248 black local authorities."

What do these results mean for the state's strategy, and what do they mean for the struggle against apartheid? To answer these questions we have to look at resistance and state strategy over the last 5 years.

The 1983 elections - from boycott to people's power

The last municipal elections in the African townships took place in 1983. Previously the councils had only been advisory bodies. In 1983, for the first time, the councils could exercise a degree of control over affairs in the townships. But their major weakness was that they had to be self-financing. The government, facing a deepening economic crisis, was not prepared to provide any

funds for the councils. Councillors had to raise funds from township residents through rent and other charges in order to finance services for the township.

The UDF and other organisations mobilised against the elections, with the result that there was a very low poll. But it was in the period 1984-5 that the crisis of the local authorities came to a head. With no alternative source of finance, council after council decided to raise rents. This provoked mass resistance from the people. The Vaal uprisings of September 1984 were sparked off by rent increases. Over the next few months the uprisings spread across the country.

The town councils were the main target of the mass resistance, not only because of rent increases, but because they lacked any legitimacy and they were corrupt. Town councillors were chased out of the townships, their houses and businesses burnt out. Some were killed. Many resigned. Town councils and administration collapsed, and in their place people began building organs of people's power. In a number of townships the street committees, civics and youth began to take over the administrative functions of the councils.

The state develops a new strategy

At first the state response to the period of people's power was confused. This was partly because of a struggle within the state between

"political reformers" and the military-security establishment. The first State of Emergency in 1985 was contradictory and limited, and when it was lifted in 1986 resistance again escalated. Two months later the second State of Emergency was imposed, and it was renewed in 1987 and 1988.

This time the repression was more thorough. The state security establishment was in control, and it started developing a three-pronged strategy.

given the Black Local Authorities resources of magnitude in the first place, we would not have had so much of the current unrest."

"Bettering the conditions of the people..."

So the state started moving ahead with big township upgrading projects, especially in the areas of most militant resistance, such as Mamelodi

'People were scared off. There had been a high level of mobilisation, without necessarily having an in-depth politicisation of people. People thought that by continuing as street committee members, they would be taken away. What the army would do is get into a street and ask, "Wie is die straat kommandant hier? (who is the street commander here?) Who is a comrade here?"'

- Mamelodi Civic member

"Taking out the revolutionaries..."

The first step was to smash organisation and neutralise activists through detentions and intimidation. The growth of vigilante organisation, as well as apartheid death-squads, was part of this repressive strategy.

The second step of the new state strategy was to improve the living conditions of the people. An SADF general described the link between the first and second step: "First you have to break the control of the activists. Then you must upgrade."

State strategists realised that, by starving the councils of funds, they had provoked mass resistance. In the words of a top official: "If we had

(R500 million), Alexandra (R95 million), Crossroads (R90 million) and Bonteheuwel. At the same time, the state needed to ensure that funds were available to the local authorities in the black areas on a regular basis. Thus the local authorities in the African townships were brought into the system of Regional Services Councils (RSCs), together with coloured, Indian and white local authorities. One of the purposes of the RSCs is to redistribute financial resources from the wealthy white areas to the black areas. These resources are supposed to enable black councils to provide cheap services, houses and improved facilities to township residents.

The purpose of upgrading is to remove the material grievances of the

people and give credibility to the councils. State strategists believe that by improving conditions in the townships they can meet some of the demands of the people. At the same time they believe they can neutralise activists and smash organisation.

This will create conditions, they believe, in which they can win the consent of the masses of the people. Defence Minister Magnus Malan said in 1987: "I want to see to what extent I can better the conditions of the people, to what extent I can get the people to accept the government, so that they don't break with the authorities and drift into the hands of the terrorists."

"Addressing the political situation..."

The third step of state strategy is to solve the "problem" of black political rights. In the words of Minister of Law and Order Vlok, "You have to address the security situation; secondly, you have to address grievances and bring good government to the ordinary people and, thirdly, you have to address the political situation."

The government sees the municipal councils as building blocks in the process of "addressing the political situation." Government officials have suggested that the local councils could elect delegates to a National Council or "Great Indaba". The "Great Indaba" would then get together with the Tricameral Parliament and the bantustan leaders to "negotiate" a new constitution. The

aim of such a constitution would be to give Africans some form of political representation at the national level, while denying them the power to effectively challenge the foundations of apartheid.

The government hopes that such a "multi-national" system will do two things. In the first place they hope it will win the consent of significant sections of the African communities. Through this they believe the state will gain a base, even if only a narrow one, in the oppressed communities. In the second place, the government hopes that such political "reforms" will gain it legitimacy. It hopes to neutralise international anti-apartheid campaigns which gain their moral strength from the *illegitimacy* of the apartheid regime.

By gaining a base in the oppressed communities, and winning legitimacy, the state hopes to take the steam out of the anti-apartheid struggle nationally and internationally.

Municipal councils as bases for counter-revolution

But the state is not simply trying to win support for "reform" by building Great Indabas in the air. Nor is it simply relying on the councillors to suddenly become popular. It has learnt from past mistakes. Now the state is trying to re-organise or reconstruct the community in such a way as to disorganise or neutralise progressive organisations

The state planners are aware that



Wearing a 'witdoek' - fighting for apartheid

Photo: Eric Miller/Afrapix

one of the aims of the democratic movement is to deeply root itself in the community in civics, youth groups, in the churches, women's groups, and so on. To counter this, state agents are organising reactionary and conservative forces - in the first place are the vigilantes, but also sports groups, gospel choirs, and con-

servative youth and women's groups.

Establishing conservative forces

For the state the councils are a base from which to organise against the civics and other progressive organisations in the community. Through the RSCs, JMCs and upgrading, the councillors will have access to the resources to meet the demands of *some* of the township residents for houses, land and jobs. This will create divisions, since some residents will have access to these resources and others will not. The idea is to divide and stratify the community so that it is difficult to organise. The aim is also to divide communities against each other, especially township and squatter communities such as Nyanga and Crossroads.

The councillors will be able to use the resources of the council to establish reactionary cultural, youth, women's, church and sports groups. They can also use these resources to strengthen the vigilante forces and the kitskonstabels.

Meanwhile progressive organisations will be starved of resources and hammered by repression. In this way the state sees the councils as *re-organising the community* to isolate the activists and establish the dominance of conservative pro-apartheid forces.

The state does not need to win the majority of the population over to support the system. State strategists

believe that they have the support of about 20% of the community. They believe that these sections will be able to control or persuade the majority not to support progressive organisations. As one SADF general put it: "The strategic problem of government may be defined as follows: to find the favourable minority and to organise it in order to mobilise the rest of the population against the revolutionary minority."

In areas such as Crossroads, Khayelitsha and Kwanobuhle in Uitenhague, this strategy has meant a "bantustanisation" of the councils. In Crossroads those who are prepared to wear a *witdoek* and fight for apartheid when called to do so, are rewarded with occasional piece jobs, maybe some occupational training at the new Manpower centre, and maybe even a proper house on a small parcel of land if they can afford it.

In such areas the power of the councillors rests on vigilante forces and on building up support through corruption and distributing resources. This form of control is similar to that found in the bantustans.

Crush all politics outside the councils

To further the strategy of strengthening the councils, the state has banned all other forms of political expression. The councils - and the municipal elections - are supposed to be the only legitimate forums for black political activity in the urban

areas. In the words of an SADF general: "Those who are not with the government must either be capable of persuasion... or they must be publicly declared enemy." The state is determined to smash progressive organisations so as to leave the space open for the councils to gain control of the community.

Co-ordinating these efforts - repression, upgrading and counter-revolutionary organisation - are the Joint Management Centres (JMCs). The JMCs are a system of committees bringing together the army, the police, some businessmen, and government administrators at national, regional and local levels. Their tasks are to gather information, identify grievances, channel resources, and co-ordinate repression.

Role of the councils in state strategy

In summary, in 1988 the councils are designed to play the following roles in state strategy:

- to re-organise the community, building conservative and reactionary forces in opposition to the civics, youth organisations, etc;
- to win support from a layer of the community by providing access to resources, houses, licences, jobs, etc;
- to re-establish administrative control of the townships so that, for example, rent can be collected;

- to win legitimacy for the regime;
- to serve as building blocks for a new constitution which will include "moderate" blacks.

The council strategy in 1988 differs from the council strategy in 1983. In 1983 the state did not have a strategy for organising conservative forces in the community. The state was not pouring resources for upgrading into the communities. The councils were not seen as building blocks for solving the "problem" of black political rights.

In 1983 progressive organisations had legal space to mobilise against the elections, whereas in 1988 there is a three-year-old State of Emergency and opposition has been

banned. On the other hand, the state is also faced by a developing alliance between community organisations and a powerful and politically engaged trade union movement. This is a new factor which has emerged since 1983.

The "gunpoint elections"

The municipal elections have been described as the gunpoint elections because of the systematic use of state repression to prevent organised opposition.

About 300 activists were detained in the two months before the elections. They joined the hundreds of others who were already in detention.



Gunpoint elections

Photo: Eric Miller/Afrapix

Activists in many areas reported an increase in harassment and intimidation by the police.

Two incidents show the general atmosphere. A woman was shot dead by a municipal policeman at an election meeting in Stellenbosch, apparently after heckling the speakers. And in Brits two residents were shot by police, one fatally, allegedly after an argument about their refusal to vote in the elections.

There are numerous reports of whole communities, or sections of communities, being pressurised or intimidated to vote. Squatters report being threatened with arrest if they failed to vote. Others claim that they were promised houses if they voted. In a number of areas pensioners claim that they were told they would be paid their pensions only if they voted. Unemployed people were offered jobs if they voted. In many companies employers also pressurised workers to register and vote.

The 10 days of "prior voting" was also open to widespread abuse. Prior votes were not subject to public inspection. Only candidates and the polling officers could check if a person had voted more than once. On the 26th itself, no ID was necessary in order to vote, so a person could vote a number of times or use different names. Election agents could vote for illiterate people. And homeowners and property-owners had more than one vote.

The Human Rights Commission says that, "Reports from various parts

of the country indicate that there has been extensive coercion and corrupt election practices during this period." One example comes from Witbank: "Residents in Witbank report that the police have been visiting shebeens and arresting people, saying they should be voting, not drinking. They also report that residents are being loaded on trucks at gunpoint and taken to the polls."

The democratic movement

The democratic movement opposed participation in the elections. This was done with the aim of isolating and weakening the councils so that they would be less able to gain support or organise reactionary forces. This strategy also aimed to deny the regime any legitimacy and undermine the "building blocks" of Nationalist Party reform.

But the repression and Emergency restrictions made it extremely difficult for organisations to mobilise against the elections. With the banning of UDF and many other organisations, as well as the political restrictions on COSATU, the churches played a more open political role. Many church leaders and structures ignored the Emergency regulations and called for a boycott - which probably explains the bombing attacks on the SACC and SACBC. Shop stewards in many unions discussed the elections and the boycott in meetings and on trains.

Election results in African townships

Heunis claims that "the majority of South Africans have voted for evolutionary change." He bases this claim on an average percentage poll in the African areas of about 30%. But this figure refers to 30% of *registered* voters. Millions of those eligible to register did not in fact do so. Only 5 - 10% of those eligible to vote actually voted.

In the PWV region - South Africa's industrial heartland - at most 6.5% of eligible Africans voted. The government claims 20% voted. In Natal 9% voted. The government claims 30% voted. In most townships no more people voted than in 1983.

In many townships there were no elections because candidates were unopposed. In other seats there were no candidates standing at all. Of the 1851 seats nationally, there were no nominations in 138 (8%), 796 were unopposed (43%), and elections were held in only 917 (49%). In the seats where elections actually did take place, an average of 418 people voted in each seat. The shortage of candidates and the low poll suggest an almost total lack of interest. Furthermore, about 70% of the votes were cast in prior voting when most open to coercion and manipulation.

In Alexandra, which has been the focus of huge upgrading projects, all the candidates were unopposed. Since the elections four of the councillors have resigned, and the council

has collapsed! In Mamelodi, also the scene of major upgrading, about 14% of eligible voters voted. In Soweto, the biggest township in South Africa, only 2.8% of adults voted.

In some isolated cases, though, the state has registered advances. In Khayelitsha there was a percentage poll of 29%. This is an important example - about 1/4 million people live there, and it could become the second largest township in the country.

But the nature of "support" for the Khayelitsha councillors can be gauged by the court application launched against *witdoek* leader Hoza and his supporters. The applicant alleged that Hoza controls an informal "police force" and bush courts. Other candidates alleged that Hoza's supporters assaulted people and threatened to demolish their homes if they did not vote for Hoza and his committee of 19. Hoza and his entire committee were elected.

No progress in winning support

Overall the results show that so far the state's strategy has not made any progress in terms of building a base of support for the councils and the apartheid regime. Despite the State of Emergency of the past three years, despite the massive repression, the propaganda, the upgrading, the RSCs and JMCs, and the attempts to organise and consolidate conservative forces in the community, the



Photo: Anna Zieminski/Afrapix

town councils have no greater credibility now than they did 5 years ago.

Even the small percentage that did vote were not necessarily demonstrating their support for government policies. In many townships the candidates who won the elections were those who used the same language and made the same demands as the civics and youth. For example, the Sofasonke Party candidates in Soweto promised to reduce rents and not to evict rent-boycotters. They also promised houses to shack-dwellers. Sofasonke won most of the seats in Soweto.

The ability of such candidates to deliver the goods will remain extremely limited. The Soweto council for example is facing a financial crisis because of the rent boycott. Before the elections John Mavuso, black MEC in Transvaal, warned candidates not to campaign on the basis of reducing rents and scraping arrears because no council would be able to do that. In Lekoa in the Vaal candidates made such wild promises that the town clerk warned that raising the residents' expectations could spark another uprising like in 1984.



As it becomes clear that councillors cannot actually fulfil their promises, they will lose even what tiny credibility they had amongst those who voted.

A further blow to the government's reform plans is that a number of councillors who were likely to be key figures in the move towards a "Great Indaba" lost their seats. Kgame, head of the Urban Councils Association of SA, lost his seat. Bobile and Radebe, "mayor" and "deputy mayor" of Soweto, and both key figures, lost their seats to Sofasonke. The former "mayor" of New Brighton, Tamsanqa Linda, lost his seat. Linda is alleged to head a squad of vigilantes. He is also a leading



So where to, Alexandra?

Photo: Matiko/Labour Bulletin

figure in the United Christian Reconciliation Party, which has

come out in support of participation in the "Great Indaba".

Voting in the Coloured and Indian areas

There was a surprisingly low poll in the "Tricameral" coloured and Indian communities. In Durban and Pietermaritzburg the average vote for Local Affairs Committees in Indian communities was 12%. In the same region the coloured vote was 20%.

In Cape Town the coloured vote was extremely low - 4.9% in Athlone

and Districts, 10.4% in Wynberg/Wittebome. These figures suggest that the Tricameral parliament has not made much progress in co-opting coloureds and Indians in their main urban concentrations - Cape Town and Durban. The poll was probably higher in other areas such as Transvaal. These results reinforce the general crisis of legitimacy of the South African state.

Has state strategy failed?

We can draw some conclusions about the progress of state strategy from the election results:

- Generally, the state has not succeeded in winning a significant base of support for the councils, despite the strategy of upgrading and organising conservative forces in the community;
- Any national structures built on the local councils will lack credibility or legitimacy because of the low poll;
- The state has seriously curbed and in many cases smashed mass organisation in the communities. But it has not managed to break mass militancy or reverse the political consciousness which developed in the period of mass insurrection and people's power (1984-6); the June stayaway and the October election boycott show this clearly.

On the other hand,

- State repression has succeeded in

disorganising and paralysing many community organisations and activists;

- The state will continue with its strategy of using upgrading to divide and co-opt sections of the community. It will continue to organise conservative forces in the community in an attempt to neutralise progressive organisations. State strategists see this as a long-term strategy which could take up to 20 years to succeed. The fact that so far it has not made much progress does not mean that this strategy will always fail to make progress. It has achieved success in some areas such as Khayelitsha and Crossroads.
- The low poll will not discourage the state from pushing ahead with the National Statutory Council or "Great Indaba". As the quote from Heunis shows, the state now has 248 black local councils in place. Most of them will be prepared to participate in the "Great Indaba". The government will thus have its machinery of 'political reform' in place at local and national level, in spite of the low poll. The question is whether the state will be able to use this machinery to win some support and credibility in the townships and neutralise the democratic movement, or whether the contradictions in its strategy and mass resistance will prevent this.

Contradictions in state strategy

There are a number of contradictions that tend to undermine the state's strategy:

- The state is relying on the councillors, but the councillors do not necessarily share the interests of the state. For example, state strategy requires that the councils

pression, in many cases they act in such a brutal and undisciplined way that they alienate the whole community. This makes it more difficult for the councils or the state in general to win any support from the people.

- South Africa is in the depths of an economic crisis which is worsened by disinvestment and sanctions. This will make it difficult for the state to provide upgrading

The government hopes that upgrading townships will win the support of sections of the community. But buying a new house in an elite area can increase the new owner's financial burdens. A member of the Mamelodi Civic described the situation: 'There are many problems. You can't get sick there, because if you get sick your salary goes down, and then you can't pay for that house. You can never stay away from work, even if it is raining, because of that house. You are a slave to that house. It's even like a form of contraception, you can't afford to have too many kids...'

gain credibility. But the councillors constantly undermine the credibility of the councils through their corruption and favouritism.

During the elections the state wanted seats to be contested by as many candidates as possible, so that the elections would seem authentic. But the councillors did not want opposition, and used a variety of means - legal and violent - to prevent candidates from opposing them.

The state faces the same contradiction with its use of municipal police and kitskonstabels. While these forces are necessary for re-

and resources on a big enough scale to win the support of significant sections of the community. There will be pressure from provincial and central government for councils to raise funds within the townships, and resistance to this in the communities.

- The state has no real solution to the central political issue of political rights for the African majority. The state is very strong with the first step of its strategy, repression. But it is very weak on the third step, ie, a political solution. It keeps developing new constitutional tricks that appear to offer blacks a voice, but that



Media and organisations restricted: resistance on the ground

Photo: Eric Miler/Afrapix

avoid giving them real power. All of these constitutional tricks maintain the national oppression and lack of rights of the majority of South Africans. And the more state strategy relies on repression, the more it increases the burden of national oppression which is experienced in the communities.

This is the weakest link of state strategy. It prevents the state from winning support from the oppressed people. It prevents the state from gaining legitimacy, in South Africa or internationally. And its lack of an overall political solution or political vision will deepen the ideological crisis

in the white ruling bloc, as more and more forces lose faith in the Nationalists' ability to solve South Africa's political and economic crisis.

Opposition to state strategy

The contradictions in state strategy are very deep. But this strategy will only fail if progressive organisations lead struggles that can exploit the contradictions. In the first place this means rebuilding and consolidating organisations under Emergency conditions in the community where they have been weakened or smashed. But it also means:

- building alliances and relations with the broadest range of groups in the community, so as to isolate and neutralise the conservative forces organised by the state, and overcome the divisions fostered by upgrading;
- continuing to build the alliance between communities and trade unions, so that each can strengthen the other;
- challenging the councils and the councillors on their promises, exposing their corruption and injustices, and demanding low rents, housing, facilities, etc - in other words, continuing to organise on civic issues;
- continuing to mobilise and organise around national political issues - state repression, national oppression and constitutional shams. ☆

'After Mamelodi Gardens [the elite new suburb in Mamelodi], everyone thought there would be something for the ordinary man who doesn't work for the government. And the people thought, let's play a waiting game for a year or two and see. All that has happened is that a few show houses have opened... So this thing has started off again, it's boiling somewhere with the people, they are dissatisfied with the thing. Right now with the State of Emergency, we cannot just go and stand in the street and tell the people again, look, to hell with everything. But somewhere deep down it's starting all over again. If all those grievances are not entertained very soon, the people might go back to the stage of saying, 'Fok alles. We have suffered, we have lost people, people have been killed, people have been detained, so we'll mess the whole thing up again.' Because the people have learned to be no more afraid.

- Mamelodi activist

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Emzabalazweni!*

there is politics
on the trains!

The state has tried to prevent people meeting and organising by banning key anti-apartheid organisations. Now workers are using the long train-ride between township and work to organise and talk politics. KHEHLA SHUBANE describes how the train meetings began.

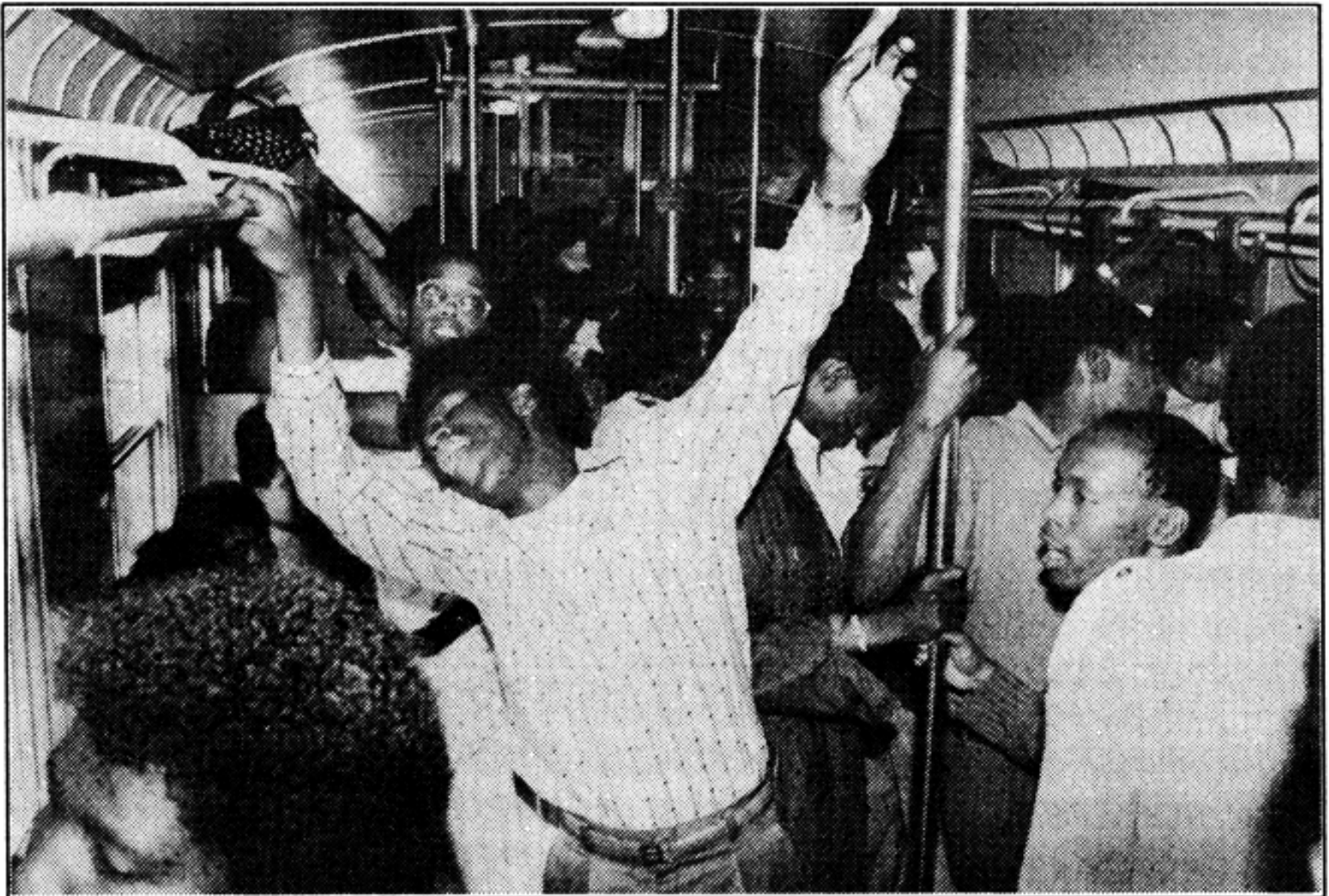
Boarding a train to work in the morning or after work can be hazardous. Passengers jump in or out of a train before it is at a standstill, either rushing for seats or rushing to beat the crowd to the ticket-examiner. On the trains the people speak loudly, perhaps because of the noise of the moving train.

To fill in time on the trains, preachers deliver long sermons. Gamblers and card-players settle down to their hobbies. On Fridays, when most workers get paid, some bring liquor to drink on the train. Muggers and pick-pockets are also a menace on crowded trains.

A new trend is for certain carriages to become meeting places for union members. These carriages are called "*Emzabalazweni*", meaning, "*In the struggle*". The meetings remind one of the mass rallies of 1983-5, through which the UDF mobilised many people. Since most meetings have been banned, the trains have become places where you will hear the singing of revolutionary songs, interspersed with slogans and speeches.

By extended their organising activities onto the trains, the workers are building on the tradition of using the trainride for all kinds of social acti-

* *in the struggle*



Singing of freedom on the train to work

Photo: Matiko/Labour Bulletin

vities. So you will find a preacher on one carriage, and a political meeting in the next one.

The growth of political culture

Through 1984-6 the townships where train-commuters live went through experiences which politicised entire communities. This led to the birth and spread of a political culture at a mass level. After four years of the state of emergency, the government has still failed to crush this political culture.

Workers on the trains are singing the same songs, accompanied by stamping feet, as those sung by the youth in township revolts. The slo-

gans chanted in *Emzabalazweni* are also the same as those heard in township meetings.

Workers are carrying the experiences they have gained in trade unions onto the trains. During strikes unions have always insisted that workers meet, plan and implement decisions together. This builds workers and their organisations into a powerful and unified force.

The growth of COSATU locals - and before that, FOSATU locals - has developed this unity and solidarity further. Members from different COSATU affiliates from the same area meet weekly in the Local. Discussions focus on issues that are relevant to them all. These forums have laid the basis for developing a

common consciousness among workers. Now workers are taking these experiences into the trains, where they also reach workers who are not organised in trade unions.

Khotso House, and later COSATU House, also assisted this process. With the advantage of being near the train stations, they were often used as venues for striking workers. These have been like natural stepping-stones for taking trade union activities onto the trains. Even before the emergence of *Emzabalazweni* carriages, it was normal for striking workers to walk together to the station after a meeting, board the same train, and continue discussing issues from the meeting.

OK strikers take their struggle onto the trains

Two big strikes, one in December 1986, the other in March 1987, gave a decisive boost to trade union meetings in trains. The first was the 10-week strike by workers at OK Bazaars. During the strike CCAWUSA members would gather at COSATU House, discuss the strike, and go out to picket various OK stores. In the afternoon they again assembled at COSATU House to report back and plan new strategies.

At the end of the day they walked together to the station. In the trains they would involve other commuters in discussion around how best they could support the strike. This was important because many of OK's

customers are black.

At the time of the strike the programme of setting up street committees in Soweto was well underway. Some commuters who came from areas with well-organised street committees would report on the strike and discuss possible ways for the community to support the strikers. At times CCAWUSA shop stewards went to street committee meetings to raise these issues. At these meetings residents had no problem in agreeing to boycott OK Bazaars until the end of the strike.

After the strike discussions on the trains continued. The power of organised resistance among workers, backed by a community which was fast organising itself, was the main topic of discussion.

The railways strike - fire on the trains

The second strike, by about 20,000 railway workers, was more like a drawn-out battle. Workers demanded the reinstatement of a worker who had been dismissed, and the recognition of their union, SARHWU. By the end of the strike six workers had been shot dead by police. Another four were found dead in the veld. A number of workers are facing murder charges in the Supreme Court for their death. The strike lasted from March until June 1987. Losses for SATS amounted to millions of rands, and a number of carriages were fire-bombed and burnt out.

The SARHWU strike elevated militancy to new heights. Police were deployed at stations to guard SATS property and ensure commuters bought train tickets. Confrontation expanded to include commuters, who resisted the actions of the police. Ticket sales in Soweto dropped, as many commuters boarded trains without paying. It was difficult for SATS to control this, as ticket-examiners were also on strike.

After their daily meetings at COSATU House some workers marched to the station to board trains home. On the train they would sing, chant slogans and encourage other

commuters not to buy tickets as a way of supporting the strike. In this strike too reports were taken to street committees for discussion on broadening support. At a certain stage the idea of boycotting trains was raised, but this was later dropped in favour of refusing to buy train tickets. Many trains were firebombed, apparently by militant youths.

It was this strike which finally transformed the train into a meeting place for workers. In both strikes the support of broad sectors of the community increased co-operation between trade unions and community organisations. This co-operation

Train rides and taxi rides

A train journey from Naledi station to Johannesburg station takes about 45 minutes. Trains are the least convenient form of transport, because it often means catching a bus or taxi to get to a particular station in Soweto. During peak hours the trains get so full that more than half the passengers have to be on their feet for the entire journey. On either side of the third-class carriages are steel seats facing each other. Passengers stand in the middle of the carriage, between the seats.

A monthly third-class ticket from Naledi costs about R18. In contrast, the taxi-ride to town from Naledi costs R1.90. This works out to R19 per week and R76 per month. It is far more comfortable to go to work by taxi. All passengers are seated, and most taxis are fitted with radios so that passengers can be treated to the latest hit songs.

Train commuters are predominantly working class. The relatively high fares paid by taxi-commuters are beyond what most wage-earners can afford. It is mostly white-collar workers who can afford taxis.

Travelling by taxi contrasts sharply with the train ride. Taxi passengers are quieter and do not jostle for seats. They stand at the side of the road queuing or pointing a forefinger up. Various taxi-associations to which the drivers belong, maintain offices where passengers are encouraged to raise complaints about particular drivers.

began with specific issues, but over time it has deepened. Now issues like the rent boycott and stayaways, which affect both unions and community organisations, are taken up in train meetings.

Activists from community organisations also sometimes take part in the meetings. In their speeches members of trade unions emphasize that people should join and strengthen both unions and community organisations such as civics and youth.

Other topics that have been discussed on the trains this year were the banning of organisations in February, the Sharpeville Day stayaway in March, the new Labour Bill, the June protest, and the municipal elections.

Any person in

the train carriage may speak on any issue. Usually speeches take the form of slogans, such as: "*Phansi ngezimpimpi!*" - "*Down with informers!*". The audience responds: "*Phansi!*" - "*Down!*" Another slogan is: "*Phambili ngomzabalazo wabasebenzi, phambili!*" - "*Forward with the workers' struggle, forward!*" The audience responds: "*Phambili!*" - "*Forward!*"

These meetings, which have been organised and continue to take place without the assistance of union officials,

reflect the deep political culture that has developed over the past few years. It is a culture which has sunk its roots deeply amongst the working people and certain sections of the township communities. ☆

We are always preaching about the new Bill on the trains. It's a way of mobilising workers, especially in companies that have not been participating. Then you find that they are changing when they come to the companies. You see a guy at work singing who never used to sing before. He learnt it on the trains.

By chanting freedom songs on the train, we are promoting people to know what is happening with the new Labour Bill. We are educating people about the government. The government is bringing corruption to South Africa. That corruption is going to kill most of us workers. We are trying to clarify what is happening here in South Africa.

Johannesburg shopsteward

General strike in Venda

‘The boys are doing a good job’

Almost the whole population in Venda supported a four day stayaway in August. The stayaway toppled a cabinet minister and created a new spirit of resistance among the people. EDDIE KOCH and EDWIN RITCHKEN investigate the stayaway, and discuss the issue of alliances and traditional culture in the struggle against bantustan regimes.

Eight weeks ago pupils at a school in Venda refused to go to class in protest when their teacher was murdered in a ritual killing. This sparked off a rebellion that united most sectors of the population in the Venda bantustan.

The school boycott started in Tshakuma, 20 km west of Thohoyandou, and spread rapidly to every classroom in Venda. On 5 August students at the University of Venda marched to the parliament buildings in protest. The march was broken up and large numbers of students and pupils were held by police.

Complaints that the detainees were being tortured led to another meeting at the Tshakuma school, where some 2,000 students took the decision to launch the stayaway.

The students called for those responsible for the murder to be arrested and brought to the Thohoyandou stadium where they could be judged by the people. The students alleged that a cabinet minister, AA Tshivase, was responsible for the murder of the teacher and several other ritual murders. Tshivase was in charge of four government departments, including justice, prisons and



Rural Venda - ritual murders symbolise corruption, injustice

Photo: Chris Ledochowski/Afrapix

law and order.

The stayaway call struck a deep chord amongst the people. There have been at least 15 ritual murders this year. There were allegations that Tshivase had protected the murderers from being arrested. Many people believed that he was actually involved in the murders. This had become a burning issue for the people of Venda. Students, workers, teachers, civil servants, taxi-drivers and even policemen heeded the call.

For four days schools, factories and the government itself were paralysed as people stayed at home. Tshivase could no longer ignore the mass protest. He resigned, still de-

nying the allegations.

Stayaway builds new spirit of defiance

Before the uprising, there was very little active resistance in Venda, although people in general were dissatisfied. People expressed their dissatisfaction by greeting each other with the phrase, "Vhaisala" - "The people are hurting".

The lack of resistance was partly because of the low level of organisation in Venda. A poorly paid working class has developed in the industrial area around Thohoyandou, working a 10-hour day and earning wages below the legal minimum of R110

per month.

But there is no legal provision for trade unions and those, such as the Black Allied Workers' Union of South Africa, that ventured into the territory were hounded out by security police. However, despite the absence of unions, these workers were only too quick to respond to the call by school and university students for workers to join the stayaway.

The youth

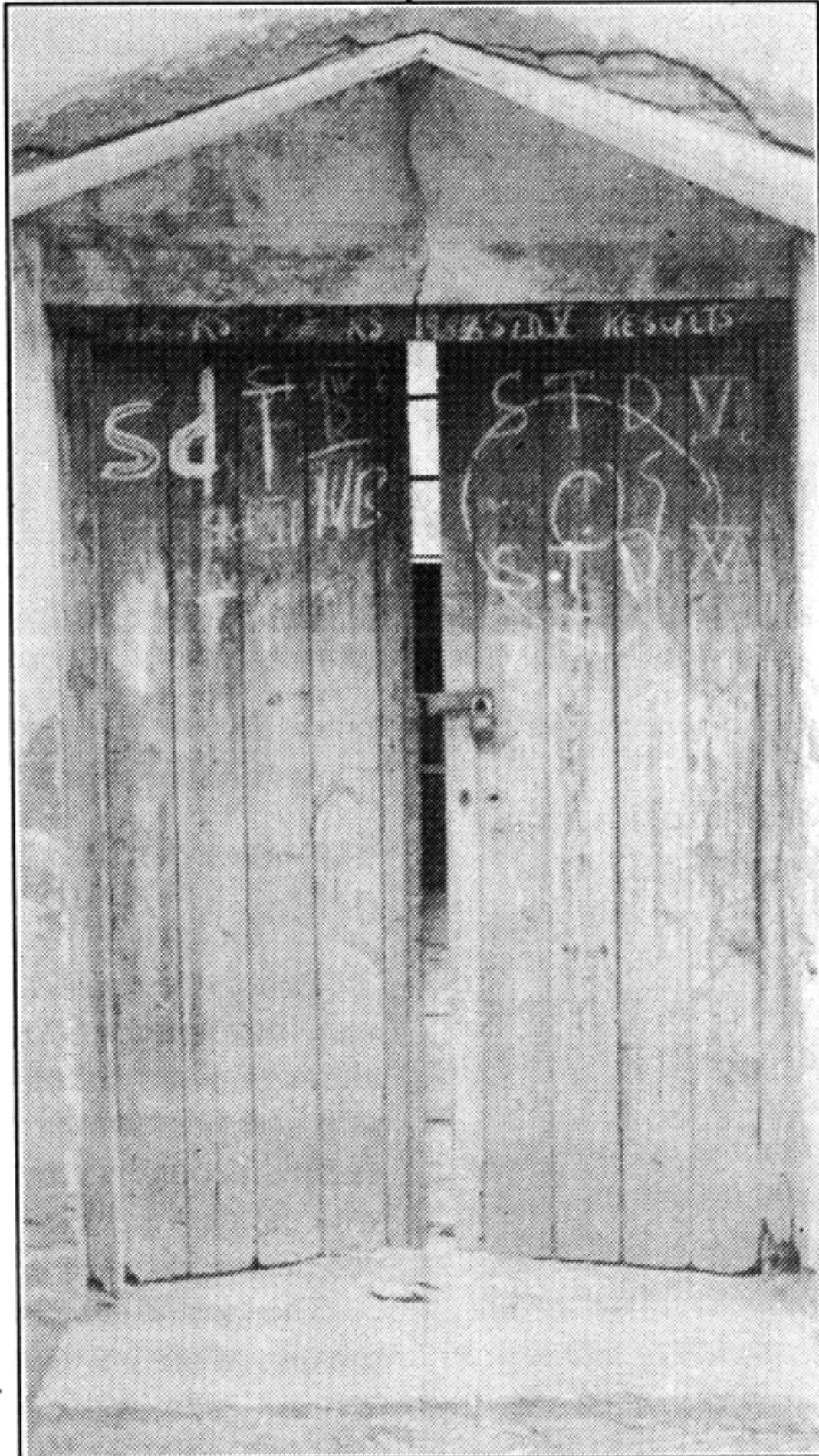
Among the youth of Venda there has been more political organisation and a growing political awareness. Traditionally the youth were organised into age-regiments, which makes them a powerful force in the villages. Through initiation school, the youth are educated about tradi-

tional rights and customs.

The age-regiments used to ensure that the youth were respectful and disciplined towards the chiefs and the community. But the youth have been alienated from traditional structures by the corruption of the chiefs. They have used the traditional values,

which they learn in the initiation schools, to criticise the present corruption. This generation of youth were born after the homeland system was imposed in the 1950s, so they have only known the present corrupt system. So it is not surprising that they have been receptive to the message of South African Youth Congress activists in the area.

Amongst students, the South African National Students Congress, a UDF



Students take the lead - school barred up during boycott

Photo: Weekly Mail

affiliate, has a foothold at the University of Venda. The Zoutpansberg Advice Bureau, which has leanings towards AZAPO, also has an influence over students. There have also been attempts to organise school-children.

But despite these organisational efforts, and the general dissatisfaction amongst the people, Venda had experienced none of the mass resistance that has taken place in Lebowa, Bophutatswana, Kwazulu, Ciskei, and above all, KwaNdebele.

But things have changed since the stayaway. People have gained confidence because of the effectiveness of the action, and there is a new mood of defiance. "People now greet each other by saying '*the boys are doing a good job*'," says one Venda resident.

A range of new grievances are being voiced. These include calls for better text books, an end to sexual harassment by teachers, and the legalisation of trade unions. There is also a call for the release of all detainees and an end to security force harassment.

Ritual murder

The people of Venda have many grievances - poverty, lack of housing, unemployment, corruption of the chiefs and government officials. Why then did the protest focus on ritual murders and Tshivase's role in these crimes? Why did so many sections of the homeland's populace feel so strongly about the ritual murders that

they stayed away from work for four days?

To answer these questions we have to understand the role of the chief in Venda society. Traditionally the chief acted as both social and spiritual head of the community.

One of the spiritual tasks of the chief was to treat the seed at planting time so as to ensure a plentiful harvest for the entire community. A number of people in the community believe that human body-parts, obtained through ritual murder (*mushonga*), were at times used to treat the seeds. There is no proof that this did in fact happen, but it is clear that a number of people believe it did.

For example, one Venda resident said that the chief would never do the killing personally. "His henchmen would kill. What was done in the chief's kraal was done for everyone. During planting season they mixed the body parts with the community's seeds and people would take the common stock for their own fields."

But in the view of many residents the meaning and purpose of *mushonga* murder has changed. *Mushonga* murder is no longer associated with religious rituals enacted for the common good. They believe that *mushonga* murders are now executed by businesspeople seeking personal economic gain and politicians attempting to secure their political ambitions.

In the case of Tshivase, it is believed that the body parts are used in

his bottlestores and discoteque. Residents believe that the entire cabinet is involved in these murders, and fear that the murders are becoming a wholesale slaughter under the protection of the state. These fears reached a crisis point with the murder of the teacher. Gory stories about the murders are told and retold. Women and children are warned to stay in their houses at night. No-one is considered safe.

Changing role of the chiefs

The change in the meaning and purpose of the *mushonga* killings reflects a historical change in the role of the chiefs, which in turn reflects the changing structure of rural society under the impact of apartheid. In the words of a Venda resident: "In our old way of government people had a lot of say through the *koro* (the chief's council of elders)...especially with regard to the execution of justice. The chiefs had to listen and follow the direction the people were taking." Without the support of the *koro* the chiefs were powerless.

The role of the chief - together with the *koro* - was to govern the community, to allocate land, to judge disputes, and to make sure that the poor and homeless had food and shelter. The chiefs were seen as representing the popular will, merely rubber-stamping decisions made by their subjects.

But the role of the chiefs changed as the South African government developed its homeland policy. In the 1950s the government established a

system of regional authorities. This turned chiefs into civil servants, accountable to a commissioner appointed by the Nationalist Government. Chiefs were now to represent the state rather than the people. Those chiefs who resisted the change were banished.

When Venda became "independent", it was given a constitution which set up a legislative assembly with a majority of nominated chiefs over elected members. Now the chiefs became a cog in the broader system of apartheid. This historical process has divorced the chiefs from the people. As a Venda resident put it: "Back at the Chief's kraal, the *koros* were empty."

The chiefs dominate parliament and appoint all government ministers and senior officials from their ranks. The chiefs no longer represent anyone but themselves in parliament. They involve themselves in patronage and corruption as each tries to get a slice of the Venda pie.

Corruption of the Venda state

Many of the chiefs and state officials would argue that the Venda state now plays the same role that was traditionally played by the chiefs. But the state is corrupt and oppressive in a way that the chiefs never were.

The main source of employment in Venda is the civil service. "To get a job you have to buy this minister a video or that official a TV," according to a social worker. This practice is so entrenched that in the mid-

1980s two heads of the department of justice were removed from their posts for trying to fight corruption.

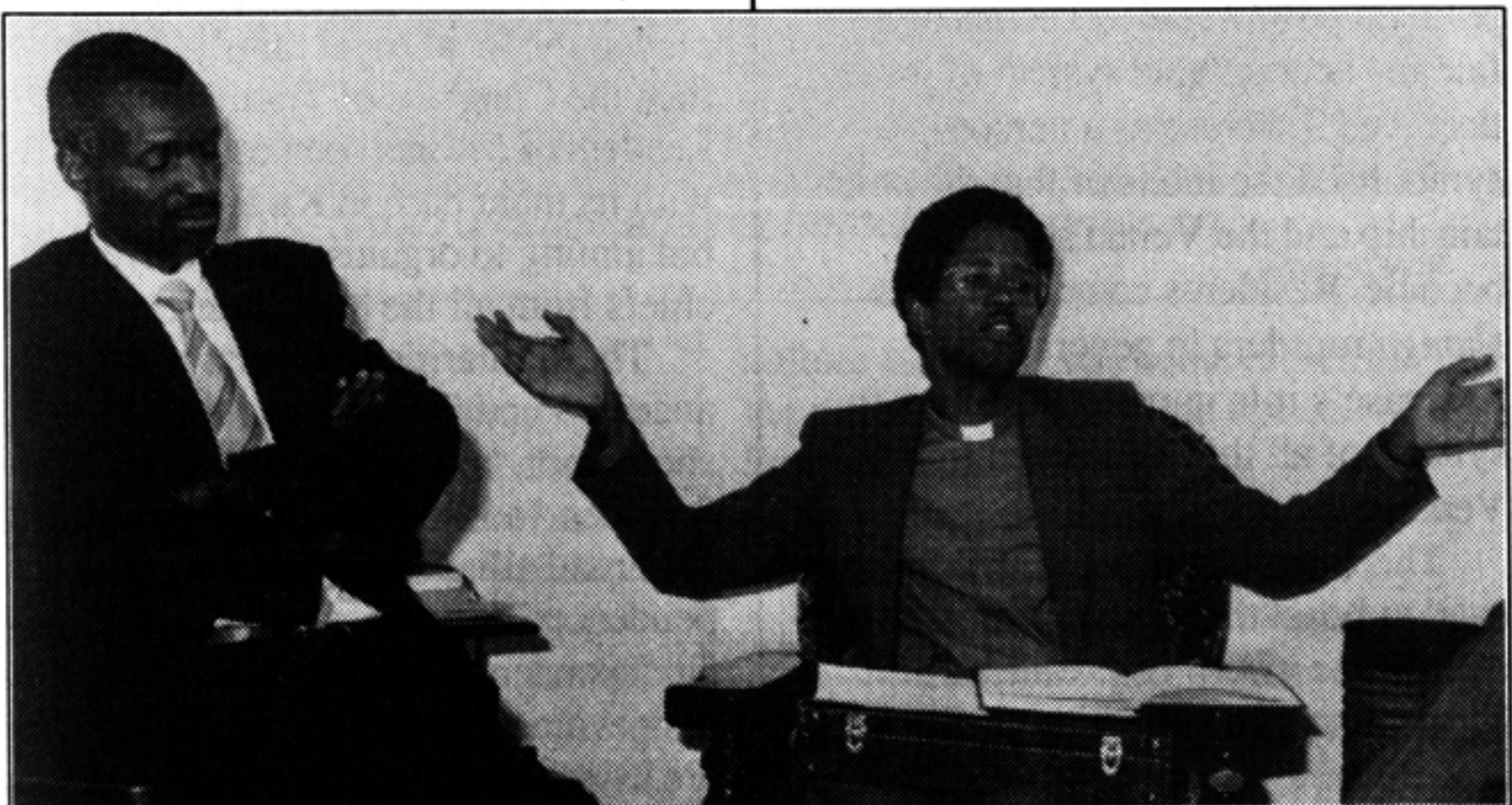
There are also many allegations that people from former president Mpephu's tribal grouping are given preferential treatment in the allocation of jobs and housing. This has fuelled a bitter regional split between the Mpephu people who live in the west of Venda and the Tshivase group who occupy a large region around Thohoyandou.

One of the major tasks of the chiefs used to be to protect the poor from starving. At the beginning of the ploughing season the whole community would first plough the chief's fields. In return those without a secure food source would gather around the chief's kraal where they would be fed with the harvest from his fields. In contrast, the Venda state has built a housing project for those unable to afford their own houses,

but these have allegedly been allocated to wealthy relatives of those in power.

But the biggest grievance of the people is that the law is not justly or properly applied in certain cases, especially in the case of *mushonga* murders. For example, people arrested in connection with the murder of a young girl in May this year were released on orders from above. A group of church leaders who met the minister of police during the stayaway listed three other ritual murder cases which had not been solved because of the "apparent lack of justice".

On top of all these grievances, the economic situation of people living in Venda is becoming more and more desperate. There are very few jobs in Venda. Households have generally become dependent on the wages of migrant workers. But with the economic recession, the number of



Rev. Nevhutalu (right) - '...an apparent lack of justice'

Photo: Herbert Mabuza/Star

registered migrants from Venda has dropped from 87,000 in 1982 to 49,000 in 1986.

Mass resistance focuses on Tshivase

All of these grievances - the oppression of the Venda government, the lack of justice, the corruption of the chiefs, the poverty, lack of jobs and housing - created conditions ripe for mass resistance. The *mushonga* murders and the behavior of AA Tshivase became the focus of the revolt.

Tshivase as a chief was believed to order *mushonga* murders, not to secure a prosperous communal harvest, but as a means of ensuring the success of his discoteque and bottle-stores. Selfish economic and political interests had replaced the interests of the community. Tshivase as a minister symbolised the abuse of political power at the expense of a fair and accountable system of justice. And Tshivase as a person symbolised the monster that the chieftainship and the Venda state had become. Residents came to see *mushonga* murders in general, and Tshivase's role in particular, as a symbol of all that was rotten in the Venda state.

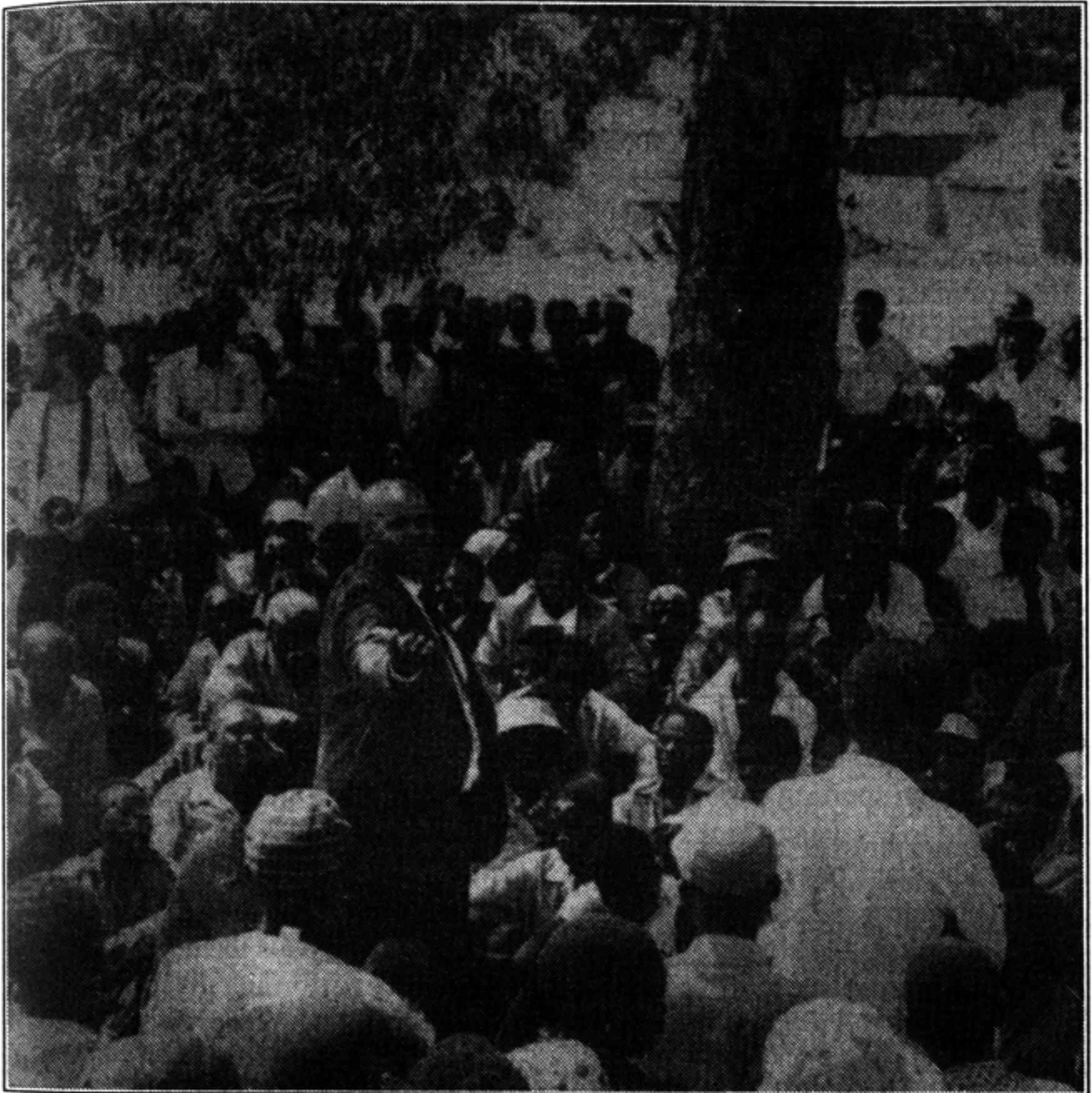
There was a rumour that Tshivase used to boast that he had a dream that one day he would be president. Through their mass action the people of Venda have made sure that Tshivase's dream does not become their nightmare.

Alliances and popular revolt in the bantustans

The Venda stayaway united virtually the entire population against key figures in the bantustan government. Sectors ranging from police and civil servants and church leaders, to workers, students and youth took part in the protest. The protest also united rural and urban communities in Venda. The rural people were probably directing their protest more against the corrupt chieftainship, whereas the urban communities were protesting against the corruption of the Venda state as such.

In this, the Venda protest resembled the much deeper and more violent struggle against independence in Kwandebele. As in Venda, civil servants, teachers, students and workers took part in mass general strikes. In Kwandebele the popular alliance against the bantustan government included the local royal family. Since then the Congress of Traditional Leaders of SA has been established, with its main base in Kwandebele, but aiming to organise progressive chiefs from all the bantustans.

The similarities between resistance in Venda and Kwandebele should not, however, obscure the differences. In Kwandebele all groups in the broad alliance are resisting independence. Venda is already "independent", and the mass of the people are not opposing this. They are asserting that their present leaders are corrupt and oppressive when compared with past traditions.



Moutse residents: broad alliance against homeland oppression

Photo: WIP

However, the stayaway is a landmark in Venda's political history. All sectors of the population agreed upon a strategy that has never before been successfully implemented in Venda. This fact alone means that people in Venda now have a common political experience of organised mass resistance - an experience which has been common in most of South Africa. Through this experience the political

culture of Venda has come closer to the political culture of the rest of South Africa.

It is also significant that popular demands began to include work-based and education issues. Residents have accepted that there is no return to some "ideal order" of the past. Thus, the protest was not just backward-looking, but began to challenge the Venda state on its own terrain.

This factor also tends to narrow the gap between resistance in Venda and the rest of South Africa.

However, the future direction of the struggle in Venda will be determined by the ability to convert the mass mobilisation into forms of sustained organisation. At present the action and political consciousness is largely focussed on local bread and butter issues. If mass organisation can be built, the experience of this, and of the state's response, is likely to deepen political consciousness among the people. People's under-

standing will develop beyond local issues to become part of the broad anti-apartheid struggle. In this trade unions could play a leading role.

Despite the differences between Kwandebele and Venda, both these struggles show that the bantustan regimes in general have an extremely narrow base of support amongst the people. They have generally lost any legitimacy they may once have enjoyed. They are isolated from the people, and most classes, strata and social forces can come to see the bantustan regime as the "enemy of the

Alfred Alidzuli Tshivase

A powerful motorcycle pulls up outside the shopping centre and the rider - a large man sporting dark glasses, a black leather jacket and two pistols strapped to his waist - kicks down the side stand and struts into the store where he slaps one of the guns on the counter.

The man selects the goods he wants, takes a wad of banknotes from the jacket pocket, and slowly flips through them before he pays the teller and returns the revolver to its holster - a ritual regularly performed to demonstrate he has the wealth to buy whatever he needs and the power to take it if he so chooses.

This is the way people from Venda describe Alfred Alidzuli "AA" Tshivase, the former cabinet minister at the centre of the uprising that erupted in the "homeland" at the end of August.

Until he was toppled by the protest, Tshivase headed four administrative departments, including justice, prisons, and the public service commission, and was the man responsible for the maintenance of peace and order in the "homeland".

But it is Tshivase as a figure who personifies injustice and a gruesome abuse of power that haunts the minds of the students, workers, teachers, civil servants, taxi drivers - and policemen - who took part in the four day stayaway. ☆

people". This creates the conditions for the broadest of popular alliances against such regimes, including those chiefs who do have credibility, and even in some cases opposition political parties.

The development of mass resistance in the rural areas is extremely significant. The Nationalist government developed the homeland system as a means of controlling and dividing the black population and dumping unwanted people far away from the "white" towns. But it is the corruption and oppression of bantustan regimes, and the backwardness of their economies, that has provoked widescale revolt. The bantustans have become weak links in the chain of apartheid.

Traditional culture and the struggle for democracy

The Venda struggle is an example of how "traditional rights" can be used to criticise the present social order and mobilise a wide group of people around that critique. When the students demanded that the murderers of the teacher be brought before the people for judgement, they were referring to the traditional right that every member of society had a chance to participate in the processes of justice. And as the *koro* was the accepted institution for the administration of justice under the chieftainship, the protestors were calling for a "modern *koro*".

It is this common cultural experience that forged a powerful solidarity amongst the rural people. This de-

mand was not only appropriate to rural issues. It was also compatible with more modern demands around work-based and education issues. Thus, traditional rights and culture can be combined with more modern political demands so that they reinforce one another.

Culture is not necessarily progressive or conservative but is made to be one or the other through struggle. In many bantustans the regime has tried to mobilise traditional culture and values to build support for themselves - for example, Inkatha in KwaZulu, or Ximoko Xa Rixaku in Gazankulu. This fits in perfectly with the Nationalist policy of using culture to divide-and-rule.

Meanwhile, progressive forces are trying to mobilise traditional values in their struggle for democracy. For example, the royal family was part of the struggle in Kwan-debele, and workers in COSATU cultural locals use Zulu traditions to develop the culture of resistance.

The struggle over cultural traditions and over claiming the past is centrally important to the struggle for democracy in South Africa, especially in the rural areas. ☆

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Kinross Day:

NUM campaigns for grassroots structures

by Karl von Holdt

The National Union of Mineworkers (NUM) has declared 1 October Kinross Day in commemoration of the disaster when 177 mineworkers died in an underground fire. On 1 October 1986, two weeks after the disaster, 325,000 mineworkers stayed away from work in protest against the dangers of underground work. 275,000 workers in other industries also supported the protest by staging stoppages or lunch-time services. NUM believes that, as a day which has seen mass action, it is fitting to declare it national health and safety day and has called for it to be made a public holiday.

On Kinross Day this year NUM

"Our legs turned to jelly. I had to walk in the darkness holding the walls. I could feel my chest burning so bad, I couldn't breathe" - Kinross survivor

held rallies in most of its regions to commemorate the disaster. The aim was not only to commemorate, but to mobilise a long-term health and safety campaign on the mines.

Health and safety has been a burning issue on the mines since NUM started organising, because of the great dangers faced by underground workers, and because

of management's reluctance to negotiate the issue. The Kinross accident illustrates some of the problems facing workers in this industry - problems caused not by an inherent danger of working underground, but caused by management carelessness and the lack of state control.

The accident at Kinross

On the morning of 16 September 1986 a fire broke out one-and-a-half kilometres underground at Kinross mine near Evander. The fire started when a white miner started repairing a rail line with a cutting torch. As he switched the torch off there was a flashback and the acetyline cylinder caught fire. The white miner instructed the black workers to put out the fire, and ran towards the lift shaft.

The flames got bigger. Then the polyurethane foam that was lining the tunnel started burning, and the fire was out of control. The burning foam gave off a poisonous gas. By midnight 177 workers were dead and 230 injured in the world's worst goldmining accident this century.

The mine bosses organised a memorial service, but this was disrupted by workers as it had not been discussed with NUM. The union organised its own service, which was attended by thousands of workers in the Secunda region as well as by township residents.

Management only allowed the union and its overseas experts to inspect the scene of the accident after a lot of pressure. Management invited so many different people and organisations that it was difficult to conduct a proper inspection. The union believes this was deliberate.

After several delays the government announced that there would not be an inquiry into the accident. Instead, the mine and some of its

officials would be charged with culpable homicide. The union alleged that

- management had not inspected welding equipment properly;
- management had lined the walls with foam which was known to be a fire hazard;
- management had put a faulty gas cylinder underground;
- management had not put fire extinguishers at the place of welding;
- management had not put an alarm underground to warn workers about danger.

The magistrate found the mine and its officials not guilty. The white miner, who had pleaded guilty, was fined R100.

The union continued to push for an inquiry. Eventually an inquiry was held - almost two years after the accident. At the inquiry neither NUM nor its lawyers were permitted to give evidence, to cross examine witnesses or ask questions. The inquiry lasted a whole three hours! It is no wonder that the union claims that, "Nothing has been learnt from the Kinross disaster, because no proper inquiry has been held. What we have witnessed is the miscarriage of justice, as the mine has been acquitted of all blame for the loss of so many lives."

Management refuses to negotiate safety

NUM's experience is that management on the mines generally refuses to negotiate health and safety



Taxi-load of mineworkers arrive at the Welkom commemoration

Photo: Morice/Labour Bulletin

issues, claiming that it is a management prerogative. In the view of the union, "It is this prerogative that has killed so many workers in the industry. Every year 800 or more workers are killed and more than 12,000 injured in the South African mines. It is this prerogative which has made the bosses reluctant to learn lessons from previous experiences... Many of these accidents take place during the rush for higher production."

NUM expects changes to the Mines and Works Act to introduce a more sophisticated approach, which will still deny the union or the workers any effective voice in governing the conditions under which they work - and die. The union expects the amended Act to establish manage-

ment-appointed health and safety committees with rights to recommend but not negotiate.

In line with such an approach the bosses, and especially industry leader Anglo American, are arguing that health and safety concerns everyone equally, and therefore it is not an issue for bargaining between specific interest groups such as management and labour. Whereas Rand Mines refuses out of hand to negotiate health and safety, Anglo American is encouraging workers to elect health and safety committees with consultative powers only.

According to May Hermanus, of NUM's health and safety department, "This approach *excludes* bargaining. The committee is simply a conveyor

belt, because management can refuse to do what the committee recommends. Management knows that workers have a real knowledge and experience of conditions underground. They want access to this knowledge without the trouble of negotiating.

"Historically, the bosses have not dealt with the dangers affecting workers. Moreover, the government's inspectors are not effectively policing the regulations which do exist. Another problem is that most research done by the Chamber of Mines is secret, so we are denied the information that could help us formulate demands. Compensation for injury, illness or death is very poor. Our demand is that health and safety should be a bargaining issue, so that workers can address all these problems."

Campaigning for safety

NUM chose Kinross Day as a rallying point because of the mass action in 1986. But it is part of a long term strategy. The rallies served to mobilise and educate members. The next step will be a national health and safety seminar where health and safety problems will be analysed, and organising strategies discussed. The seminar will also look at regional variations and needs.

This will pave the way for a programme of regional seminars in 1989. The aim will be not just to educate, but to build organisation around health and safety. Workers will be electing health and safety commit-

tees, pushing for negotiating rights and putting health and safety agreements on the table. NUM also hopes to convene a health and safety conference next year, based on the programme of grassroots organising and struggle.

NUM believes that COSATU affiliates generally have been lagging on health and safety issues, and hopes that the campaign will galvanise action in other unions. Thus COSATU locals were drawn into the Kinross Day rallies organised by NUM.

Strengthening the union at the shaft

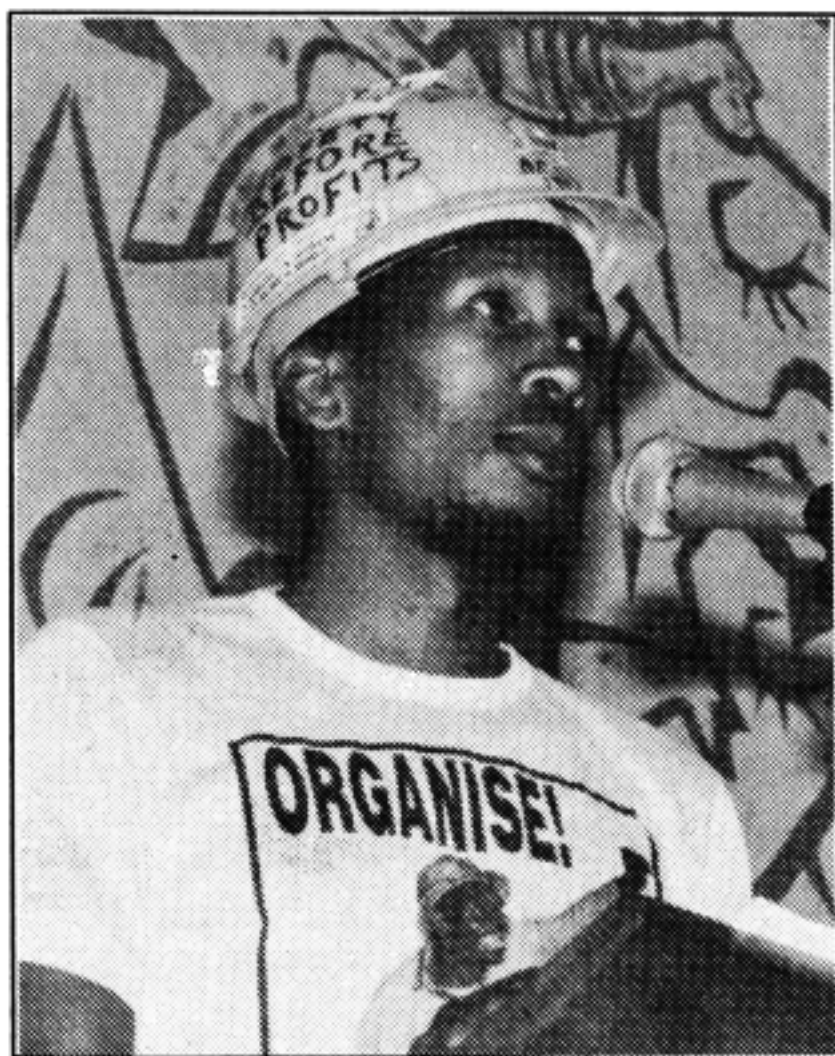
Management tried to use the 1987 miners' strike to break the union. Shaft steward leadership on many mines was dismissed. Since the strike bosses on many mines have denied the union access to the workers, banning union officials, union meetings and union media. Workers have to be bussed to meetings in nearby townships. According to NUM the management offensive is especially severe on Anglo's mines.

Organisers in Welkom gave an example of harsh action by the bosses: "Only one mine in our region, Saaiplaas, supported the June stayaway. After the action the bosses dismissed all the shaftstewards. At another mine the branch chairman was sacked before the stayaway, allegedly for inciting action."

There is no doubt that safety is a

burning issue for mineworkers. Union officials point to the rally at Secunda, in the same region as the Kinross mine. Structures in this region have been hardest hit by the management offensive. Yet workers heard about the commemoration, organised buses themselves and made it the most successful of all the meetings - some 5,000 workers attended.

NUM sees the health and safety campaign as part of a programme to rebuild grassroots leadership and structures by dealing with issues that affect workers on the ground. Workers will be fighting for safety agreements and union access. The new year could see bitter struggles in the mining industry as workers fight for their health against a notoriously intransigent management. ☆



NUM's OFS regional chairman at the event in Welkom

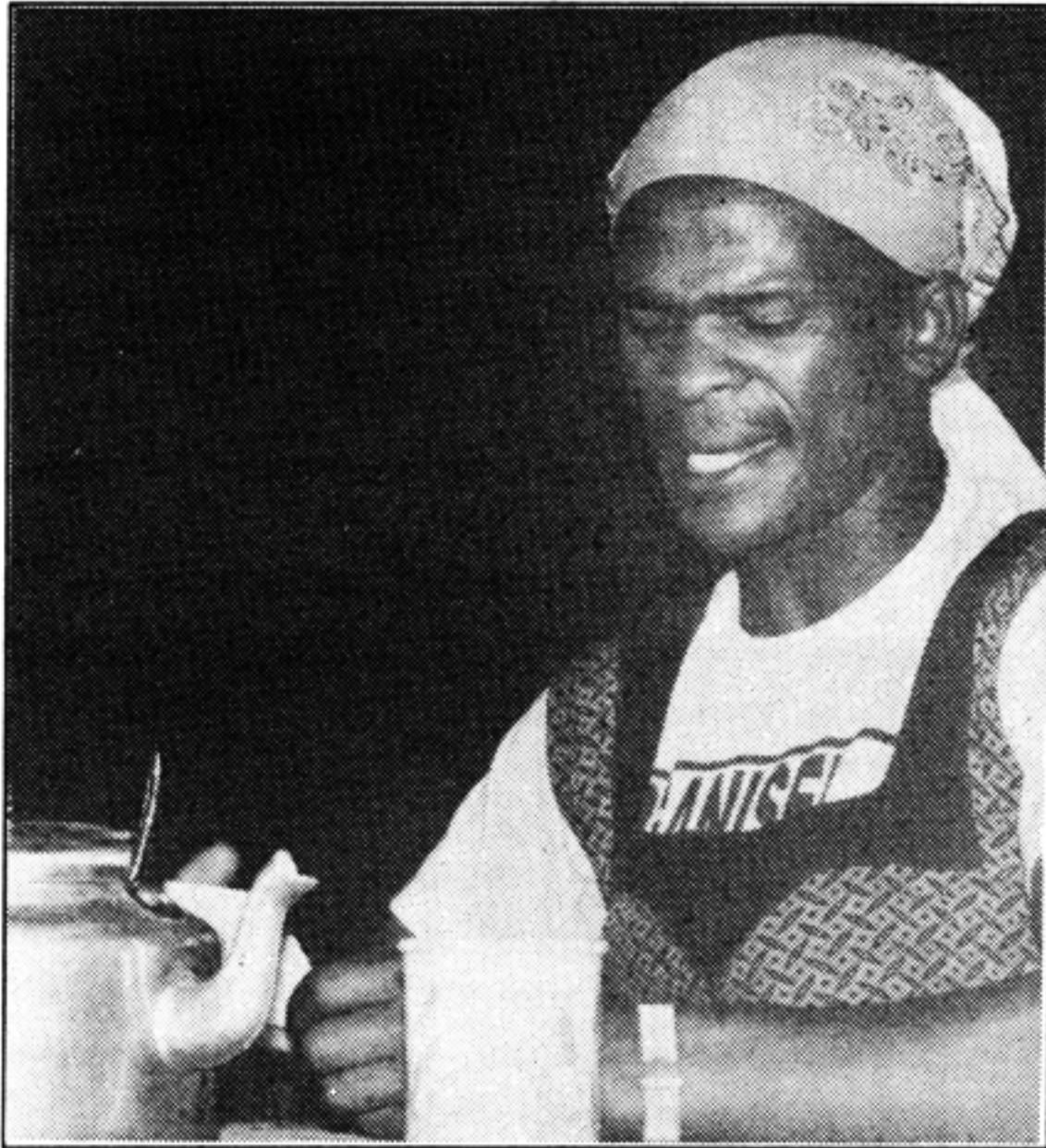
Photo: Morice/Labour Bulletin

Working class culture in Welkom

*Kudala sisebenzel' amabunu
Basebenzi mas' manyane*
(We have worked for the
boers for ages
Workers, we must unite)

Twelve hundred mineworkers were chanting this song as we entered the hall in Thabong, outside Welkom in the Free State, where they had gathered to commemorate Kinross Day. "The sun is shining, but we work in the mines. It is dark there, we walk in darkness," says team-boss Skop in the play presented by mineworker-actors to the meeting.

The mineworkers' play, and another produced by the Maokeng Youth Congress, were highlights in a day of speeches, singing, poems and drama. The play opens in the country-

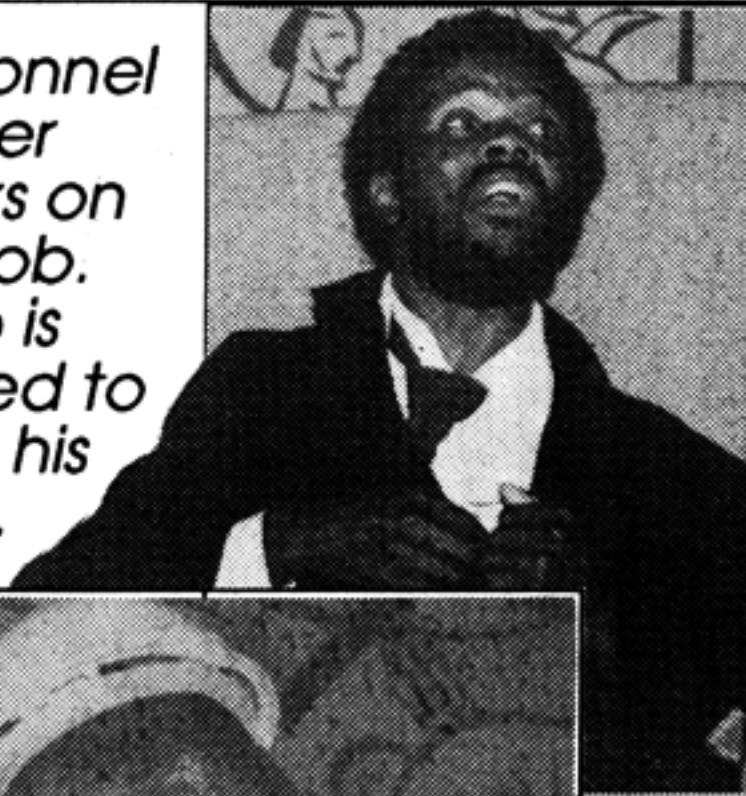


Worker acting as miner's wife: alone in the homelands - the pain of divided families

*Photos by Moricel
Labour Bulletin*



Personnel officer drinks on the job. Skop is forced to seek his help.



Skop - a short strong man with a big stomach - rules his team with an iron fist. But he is trapped between rebellious miners and the demands of the harsh white supervisor - life can be full of trouble.

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side, with a young man telling his wife that he plans to go and work on the mines to earn money. She is filled with anxiety, but he goes.

At the mine we meet Skop, the teamboss. He is a short strong man with a big stomach, who rules his team with an iron fist. We meet the black personnel officer who drinks on the quiet and takes bribes. And the white miner - self-important, hard-faced, who speaks only to give orders, and who spends most of his day underground whistling, reading the newspaper and eating lunch while the black workers dig out the gold.

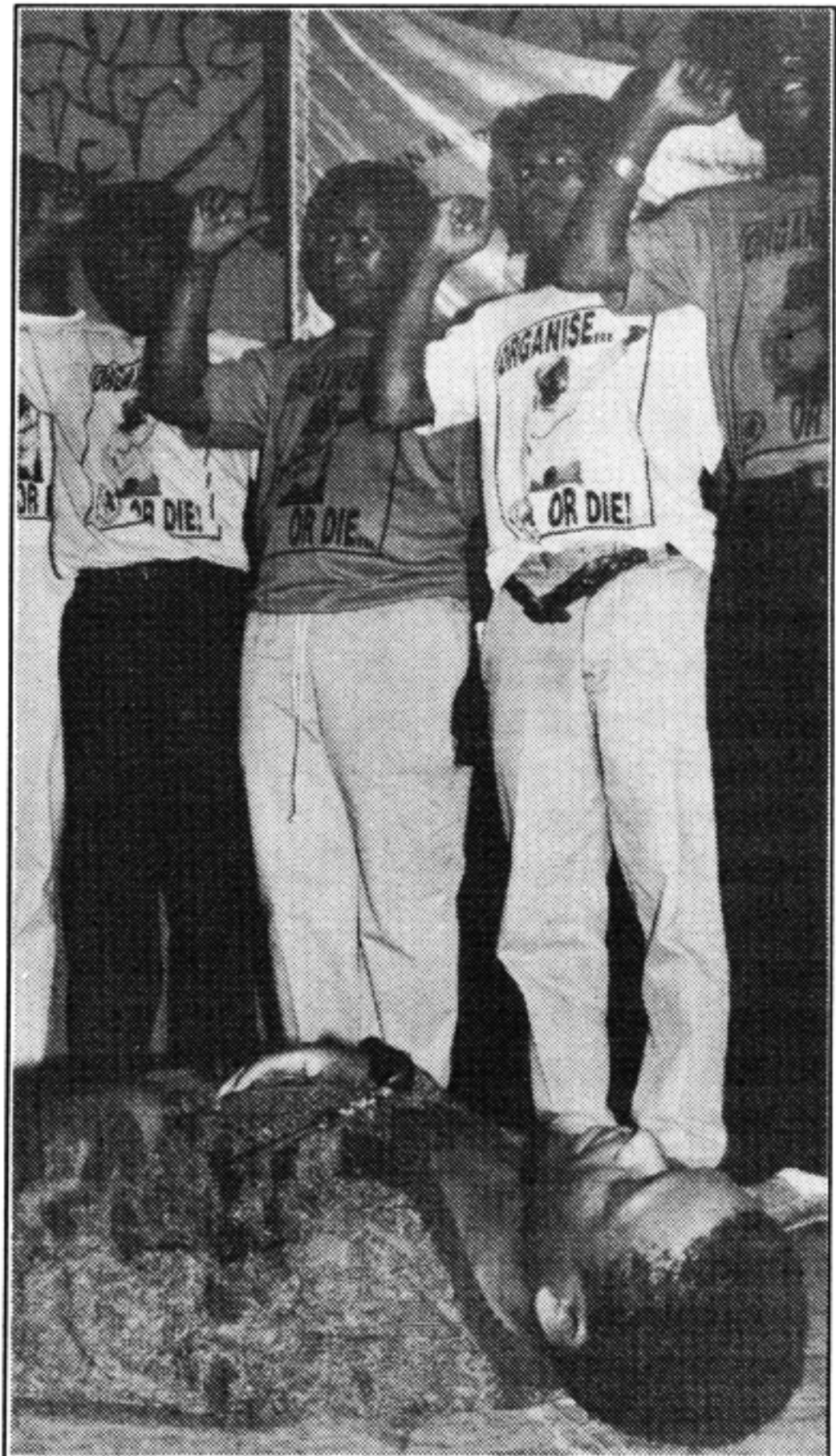
Some of the workers are rebellious against Skop's iron rule. But he is trapped between them and the harsh demands of the white miner. The miner demands that Skop do more blasting so as to increase production. He says that his wife is complaining because he has not brought home a production bonus. It is easy for the white miner to make such demands, because he seldom goes to the workface. Inevitably the rush for production causes an accident. The young man we saw at the beginning of the play has his legs crushed by falling rock.

When he goes home, his wife says he is no use because he can no longer earn money, and leaves him.

Angry and without hope, the young man plunges a knife into his heart.

Work on the mines destroys too many lives, and not only by killing them. Low wages, divided families and accidents take their toll... The union's message - organise.... or die!

Photo: Morice/Labour Bulletin



A play by the youth of Maokeng also showed the problems of workers. It opened with a smart young organiser from Jo'burg who heads for the Free State to organise workers. He is nattily dressed in white pants with zips and pockets down the legs, and brand new HiTech tacks.

His first attempts to organise are not successful. Workers say he is a tsotsi from Jo'burg. But then he meets a group of young women workers who are thirsty for his message. The play shows the ups and downs of organising the factory. They are harassed by a nasty pair from the Special Branch.

Eventually the workers take action. The tough manager, a hardline Vrystater, turns to jelly when confronted by the strikers *toyi-toying* in his factory. He calls the organiser to sort out the strike. He is a broken man, and does everything the organiser suggests.

The play is called Unzima lomthwalo (The burden is heavy), and ends with the song of that name:

Asikhatali noba siyabotshwa
Sizimisele 'nkululeko
Nkululeko, nkululeko
Nkululeko, asinayo

*(We do not complain even when
chained
We commit ourselves to freedom
Freedom O Freedom
We do not have freedom)*

Thina bantwana baseAfrika
Sizimisele 'nkululeko
Nkululeko, nkululeko
Nkululeko, asinayo

*(We children of Africa
We commit ourselves to freedom
Freedom O Freedom
We do not have freedom)*

The plays had the audience laughing and commenting, indignant and sympathising, as they watched the truth of their lives, their suffering and their struggles and victories unfold on the stage. It was clear that the plays were deeply rooted in their own experiences and the experiences of those who were acting.

When "protest theatre" is produced by middle-class authors who are trying to identify with the suffering of "the masses", it is often full of rhetoric and posturing and cardboard characterisation. In contrast, the plays in Welkom were produced by workers and youth for workers and youth, to tell about their own lives. For example, the drunken personnel officer was played by a former personnel officer, Skop was played by a team-boss, and the young miner who was injured was played by the union chairman at a local mine, recently dismissed for agitating in support of the June stayaway. Their play had only been rehearsed a couple of times. There was no professional assistance. Yet it was completely convincing, better-acted and more entertaining than many plays one can

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see at the Market Theatre. The same can be said of the play by the Maokeng youth.

NUM members in many regions are coming together and forming cultural groups, with no outside

assistance or support. The formation of cultural locals is also gaining momentum in COSATU. The plays we saw in Welkom are part of a developing movement of working class culture. ☆

My name is Victor Mhlomi. We mineworkers are working under harassment. Workers have to unite and fight for safety at work. The system of compensation is inadequate. It needs to be bettered through our demands and unity. Always after a worker is injured in an accident it causes frustration in the family. The child becomes homeless, he becomes a victim because he gets no education. The child then has to go to the mines as an illiterate, following the same track as his father.

There are 172 paraplegics at the Oppenheimer hospital. The hospital claims it is no longer responsible, and we have to go back to the mines where we were working before our accidents. So far very few have been given jobs at these mines. Others are scattered in their various homes. Those who are still at Oppenheimer are doing excellent jobs, for example making cable for underground lighting. The mines get the cable cheaply, but we are being underpaid.

A further problem is that accident leave is too little. After 42 days in hospital you no longer receive full pay. We have to fight these things as organised workers, under the banner of NUM. Paraplegics should not be isolated from their communities. We should still be regarded as human beings. **Amandla! ☆**



Underground fire kills 7 at Anglo mine

Two weeks after the Kinross Day commemorations a fire swept through a haulage almost three kilometres underground at Western Deep Levels goldmine. The mine is on the far West Rand, fifty kilometres on the Johannesburg side of Potchefstroom. Seven mineworkers were killed and 47 injured in the accident, which was almost an exact repeat of the Kinross fire in 1986. In both cases polyurethane foam provided the fuel for the killer fires.

This latest tragedy on the mines turns the words of NUM general secretary Cyril Ramaphosa into a grim prophecy. At the Kinross Day gathering at Welkom - centre of the Free State region of NUM - Ramaphosa told workers: "Two years after Kinross no proper inquiry has been held. Nothing has been learnt from the Kinross disaster. On Monday when you go back to work there could be exactly the same accident at President Brand or any of the other mines."

The polyurethane foam at Western Deep was used to insulate refrigeration pipes underground. As a safety precaution the polyurethane was covered with 6 m of galvanised iron sheeting every 54 m. The 6 m of iron sheeting was supposed to act as a fire-break, preventing fire from spreading.

NUM has condemned this as a "totally inadequate" precaution. The union points to highly reputed interna-

tional research into tunnel fires, which has demonstrated that the very high temperatures produced in underground fires means that fires can easily jump great distances over such fire-breaks. Moreover, polyurethane foam has been banned from underground use in many countries because it is a fire hazard. The Kinross fire, and the evidence produced by the union at the inquiry, demonstrate quite conclusively the dangers of the foam. Despite this it is still being used in a number of mines, showing little concern for workers' lives on the part of management.

According to the union health and safety department, not only were the iron fire breaks useless, but the underground fire detection unit failed, the compressed air supply that could have protected workers from poisonous fumes failed because the pipes were damaged, and workers were not supplied with self-rescuers. It is interesting to note that after the Kinross disaster a new law was passed stipulating that all mineworkers had to be supplied with self-rescuer oxygen units - but only on mines declared dangerous by the Government Mining Engineer (GME). To date the GME has not declared one single mine dangerous!

The union has been encountering the usual difficulty in gathering information and gaining access to the accident site and to workers who are

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housed on mine property.

There is tremendous anger in the union about this accident. It will add to the urgency of the health and safety campaign in NUM. Workers in NUM are already discussing the idea of engaging in a work stoppage every

time an accident claims the life of a mineworker. Workers believe the financial cost of a stoppage would concentrate the minds of management on making mining safer. No doubt the fire at Western Deep Levels will fuel this discussion. ☆

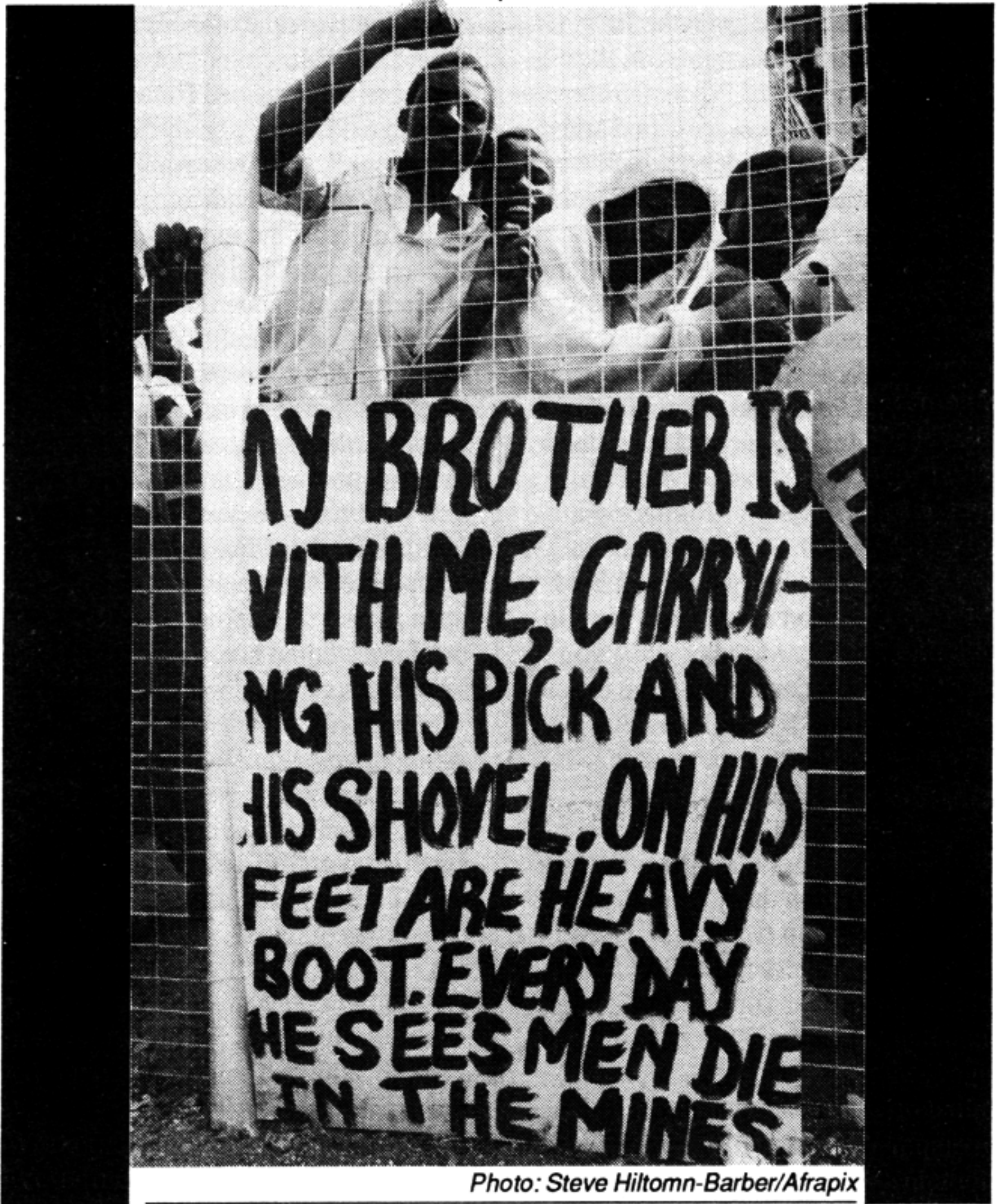


Photo: Steve Hiltomn-Barber/Afrapix

UWUSA on the mines - trade union or army?

For a year organisers of the National Union of Mineworkers organised day and night in the mining town of Vryheid in Natal. Workers joined eagerly. Then a reign of terror by supporters of UWUSA, the Inkatha-linked trade union, smashed this movement. JABU MATIKO went to Newcastle to find out what happened.

I knew the offices of COSATU and NACTU trade unions in Newcastle were housed somewhere in Commercial Centre. As I walked up Voortrekker Street towards the two-storey building, I came across three men who were hanging around the entrance. I greeted these people, "Good afternoon, any one of you know where the NUM office is?"

There was a brief silence as the three men looked at each other with surprise. It appeared they knew where the NUM office was, but they

were not quite sure if they should respond to my question.

With a great sigh one of the men broke the silence: "Who are you? Who do you want to see in the NUM office?"

Suddenly I began to feel uneasy. I wondered if I was not speaking to Inkatha supporters, or to police agents who were hanging around the building monitoring union activities. I decided to be bold and replied, "My name is Jabu, I am from Johannesburg." To my surprise, the men's

faces began to be covered with smiles indicating that I was welcome.

"Are you the comrade from the *Labour Bulletin*?" they asked. When I said I was, one of the men proposed to help take my luggage to the NUM office.

"Anytime UWUSA supporters can strike"

As we went up the stairs, one of the men explained that they were security guards checking who goes in and out of the building. "We are doing this because anytime supporters of Inkatha or UWUSA can strike. The union staff must be protected up there," one man said.

"In the past week some office equipment was stolen from the offices. So COSATU decided to employ us as security guards. Before, we were NUM members who were fired from Hlobane Colliery after UWUSA supporters attacked workers there. Eleven of us were killed," the other men explained.

In the crowded NUM office, I was introduced to Pumlane Mdletshe, who is the regional organiser, and the security guards returned to their posts. I exchanged greetings with Mdletshe, but it was clear that I would not be able to talk to him for some hours, as the office was full of workers who were impatient to discuss one thing or another with him. So I left my bag in the office and joined the security guards downstairs.

One of the security guards intro-

duced himself as Cisco Mavathulane and asked if I was not hungry. My lips might have signalled that I was starving, and I quickly agreed. The three men decided Mavathulane should show me a nearby cafe, but



warned him not to wait for me to finish my lunch as he was needed at his post.

As we walked Mavathulane told me he was one of the workers dismissed from Iscor Colliery at Hlobane in 1986. I was curious to hear more, but Mavathulane said, "Don't worry comrade, we will talk about this tomorrow. There is the cafe, I must go back now."

"Workers must know how their comrades were smashed"

When I returned from the cafe Mavathulane had joined Mdletshe upstairs, and as soon as I arrived in the office we began to discuss my project. Mavathulane and Mdletshe

suggested that I should get information about the state of union organisation in Hlobane Collieries. "Many people don't know what is happening in those coal mines. I think other workers will know how to respond to organisations like UWUSA once they know how NUM was smashed in Hlobane," said Mavathulane.

Mdletshe agreed, "I think my comrade is right. Even though I am not proposing that you ignore other unions and problems faced by them in Newcastle, I think the Hlobane mines must be the main focus. Workers must know how their comrades were smashed in Hlobane Colliery."

Before I left with Mdletshe, Mavathulane showed me their sleeping room in the union office. The room had eight mattresses on the floor, a primus stove and small belongings scattered all over the room. "After we were fired from Hlobane Colliery, we were also evicted from the hostels. As shaft stewards we had to return from our respective homelands to find out how the case against Hlobane Colliery was proceeding. We don't have any place to sleep around this area, and the union office is our temporary home," he explained.

The story of Hlobane

Hlobane Colliery is situated 220 km west of Newcastle, about 20 km away from the Conservative-control-

led town of Vryheid. The colliery is owned by ISCOR. According to Mdletshe, in 1985 the colliery had more than 4,000 workers, but it was difficult to know the present number because after the reign of terror by UWUSA supporters in 1986, some workers were dismissed.

In 1983 Hlobane was in the headlines of many newspapers when 68 workers were killed underground in a methane explosion. At that time workers were not organised by any union, but NUM represented them during the accident inquest. The outcome of the hearing was in favour of the workers, and compensation was paid to the families of the deceased and injured workers. Hlobane Colliery appeared again in the newspapers in 1986 when UWUSA supporters attacked NUM members, and 13 workers were killed.

From then on nothing was ever heard about Hlobane. The remoteness of Hlobane Colliery seems to be the reason why workers in this small mining town are forgotten.

Organising Hlobane

According to Mdletshe, in 1985 the union wrote a letter to management requesting a meeting to discuss recruiting facilities for NUM. In subsequent meetings held between the colliery management and union officials, NUM was granted recruiting facilities, including an office which the organiser would operate from.

The recruiting campaign on the

mine was made easier by the presence of the office. Mdletshe explained that it took about two months to increase the membership of NUM to 3,000.

Vusi Mantenjwa, a former worker at Hlobane, added that, "Workers who were transferred from other ISCOR mines in the Transvaal were

sent NUM members even before any sort of recognition agreement was signed. However, he also felt that the reasonable attitude of management might have been due to their preference for dealing with workers' grievances through an organised and efficient union, rather than unorganised workers who would send a



NUM members at a commemoration for their fallen comrades

Photo: Steve Hilton-Barber/Afrapix

members of NUM, and they told us how the union has organised workers. We learnt from them how NUM pushed for election of shaft stewards instead of the Liason Committee promoted by management."

Working from an office at the colliery premises kept the union officials in touch with the situation in Hlobane. Mdletshe said that this appeared to have forced management to allow the union officials to repre-

different delegation everytime there is a grievance.

As more workers started joining NUM, management and the union officials agreed that a recognition agreement should be signed before 13 June 1986. In the meantime, interim shaft stewards were elected by workers, although they were not recognised by management. However, a form of democratic organisation was emerging, and wor-

kers were beginning to engage in discussion about the working conditions at Hlobane.

"Zulu workers must join UWUSA"

Before the date set for signing the agreement, UWUSA officials were seen in Hlobane Colliery. According to Mavathulane: "After UWUSA officials paid some visits to management, workers were told there was going to be a meeting of Zulu workers addressed by someone from Ulundi." No information about this meeting was given to the NUM official. Workers were released from work to attend the meeting.

Mavathulane described the meeting: "The UWUSA official, who introduced himself as James Ntombe-la, explained that all Zulu workers must join a union recommended by the Kwazulu government. Some workers questioned him if he knew that it was NUM which was involved in the accident inquiry in 1983. Workers asked what was the Kwazulu government doing at that time. Some workers in this meeting were threatened with physical violence if they continued asking such questions."

After the UWUSA meeting workers were taken by surprise when Hlobane management adopted a different attitude to NUM. On the 3 June 1986, management unilaterally withdrew the recruiting office that had been granted to NUM. Mdletshe, the union organiser, was prohibited

from entering the Hlobane Colliery premises. On 5 June workers met and decided to send the temporary shaft steward committee to get clarification from management about the unilateral decisions. The shaft stewards reported that the manager, Mr Elliot, told them that the head offices of ISCOR and NUM should discuss the granting of the office and access to the mine premises for the local organiser.

Workers decide to strike

The following day, night-shift workers went on strike demanding that the organiser be allowed in the mine premises and that the office be opened to NUM as before. Workers also decided that negotiations between the union and management could still continue at head office level. Management was not prepared to accede to these demands. As it was only one shift on strike, workers then decided to return to work.

But the next morning all workers gathered together at the shaft entrance and decided to strike. Ten workers were delegated to call management to the meeting to explain why UWUSA was allowed to hold a meeting in the mine premises when it did not have members, and why the NUM organiser was suddenly banned from entering the mine premises and the NUM recruiting office closed down.

Mavathulane said that while a delegation of ten went to meet man-

agement, "a bus load of UWUSA supporters arrived and stopped next to the strikers. The head of the Hlobane security guards, came towards the strikers and requested that Zulus should stand aside. No one went aside. He then called 12 Zulu workers he knew. These workers then stood aside as he requested, and he took them to the UWUSA supporters who were now assembled at the Hlobane sportsfield next to hostel no 3.

"Fortunately the organiser, Mdletshe, arrived then. But the security guards told him he should be off the premises in one minute. After he left, the strikers heard from the delegation that the manager was not prepared to meet with workers. Workers then decided to send back the delegation to inform management that they were going back to work on condition that UWUSA supporters who were now attacking workers in the hostels be stopped and told to leave.

"The reply workers got from Mr Elliot was that workers could not go back to work as their accommodation was already taken by the UWUSA supporters. Mr Elliot further said we were dismissed."

UWUSA supporters attack

The attack by UWUSA supporters was a conscious attempt to smash NUM in Hlobane Colliery. Mdletshe explained that when Hlobane security refused him access to the mine, he moved to an area where he could still witness what was happening at the

shaft head. "UWUSA supporters were moving into the area where workers were waiting. Workers started running in all directions. UWUSA supporters started attacking, using assegais to stab those who fell. Some workers managed to escape and those who could not were arrested," he said.

Mavathulane, who was among the workers, explained what happened then: "When workers tried to defend themselves more teargas was fired. As a result hundreds were captured by Hlobane security guards who were assisted by the SADF. All of us were captured and sent to an old unused hostel. No food was supplied to us.

"After three days the soldiers came and asked us whether we intended going back to our homelands or staying in the old hostel, as our former hostel was already occupied by UWUSA supporters who had also taken our jobs."

"Later the security chief came and told us we are to be sent back to our homelands. He was accompanied by soldiers. Workers were paid off that day. Ten busses were used to transport workers to Lesotho, Ciskei and Transkei."

Patrick Hamnca of NUM's legal department says some workers came to NUM Head Office in Johannesburg. These workers were later accommodated at the Wilgespruit Fellowship Centre near Roodepoort.

According to the ISCOR directors' report for the year ended 30 June 1986, the Hlobane incident was described as follows: "....some of the

workers went on strike for three days. A serious confrontation between strikers and workers who wanted to go on duty occurred on 6 June and led to 11 workers being killed in fights and 127 injured. More than 1,000 workers resigned because of the riots, which disrupted production."

Workers fear returning to Hlobane

Workers feared returning to the mine after they were attacked by UWUSA supporters. Hamnca explains that the majority of workers decided not to return to the mine anymore. This prevented the union from demanding that management reinstate workers. However, some workers returned to the mine as management started recruiting.

Later on negotiations between the union and management took place. The union proposed that in future recruitment management should give priority to workers who were dismissed. Management had agreed to this proposal. Hamnca says that it seemed management experienced problems in training the new workers. However, dismissed workers who were still in Vryheid and Wilgerspruit rejected the offer. They were demanding that all dismissed workers be reinstated immediately.

The situation now

After spending two days in Newcastle I drove down to Hlobane

Colliery with Mavathulane and met a supporter of NUM, Siphos Sibeko. Sibeko has been working for Hlobane Colliery from 1978. His present work position underground is a gang leader. He suggested we find a hiding place where I could use my tape recorder safely.

We agreed. As we drove around Hlobane Colliery I felt as if I was in an army camp accommodating demoralised soldiers. Hlobane Colliery has more than ten security posts. These are manned mostly by black security guards, and as we passed them, these security guards all appeared to have been drowsed by the sun and drained by the solitude. They spent the whole day in these posts, probably thinking about their families back in the homelands.

Not a single one of them bothered to ask who we were. We finally come on some shade under one of the many trees surrounding the mine.

As I explained to Sibeko the purpose of my visit, three Mercedes Benz motor cars passed us, each occupied by four neatly dressed white men. Emergency Regulations prevent us reporting fully on this scene.

UWUSA is still present in Hlobane

Sibeko told us that UWUSA supporters are intimidating every worker who is suspected of being pro-NUM. He said that even line management is involved in this campaign on the shopfloor, and he produced a state-

ment which was given to him by one of the pro-NUM workers on the mine. This worker was confronted by a foreman and asked to join the army for Hlobane Colliery.

Statement

The statement read as follows:

"On 15 June 1988, I (Daniel Mveve) was approached by a foreman known as Fanie Van Rooyen. He told me I should join the army which is for the mine only and not the state. Van Rooyen referred me to some workers who had joined this army. I told my friend Benjamin Vivi about this and he accompanied me to these workers.

"These workers told us they were UWUSA members. Benjamin asked that if we join the army would it be possible for us to join other organisations like COSATU trade unions. They replied that if we become members of COSATU trade unions there will be no hesitation to attack us. When I went back to Van Rooyen, he told me he knew some workers who are still COSATU members, but he won't mention their names."

According to a source close to management, who did not want to be named, "UWUSA has no organisational presence in Hlobane. The majority of workers are pro-NUM. However, because of intimidation, this union is forced to operate underground."

Other mines also attacked

The Hlobane Colliery is not the only mine where UWUSA supporters attacked workers in the Northern Natal. After UWUSA supporters attacked workers in the Hlobane Colliery, they then targeted the Vryheid Coronation Colliery and Bordeaux Colliery, also in Vryheid.

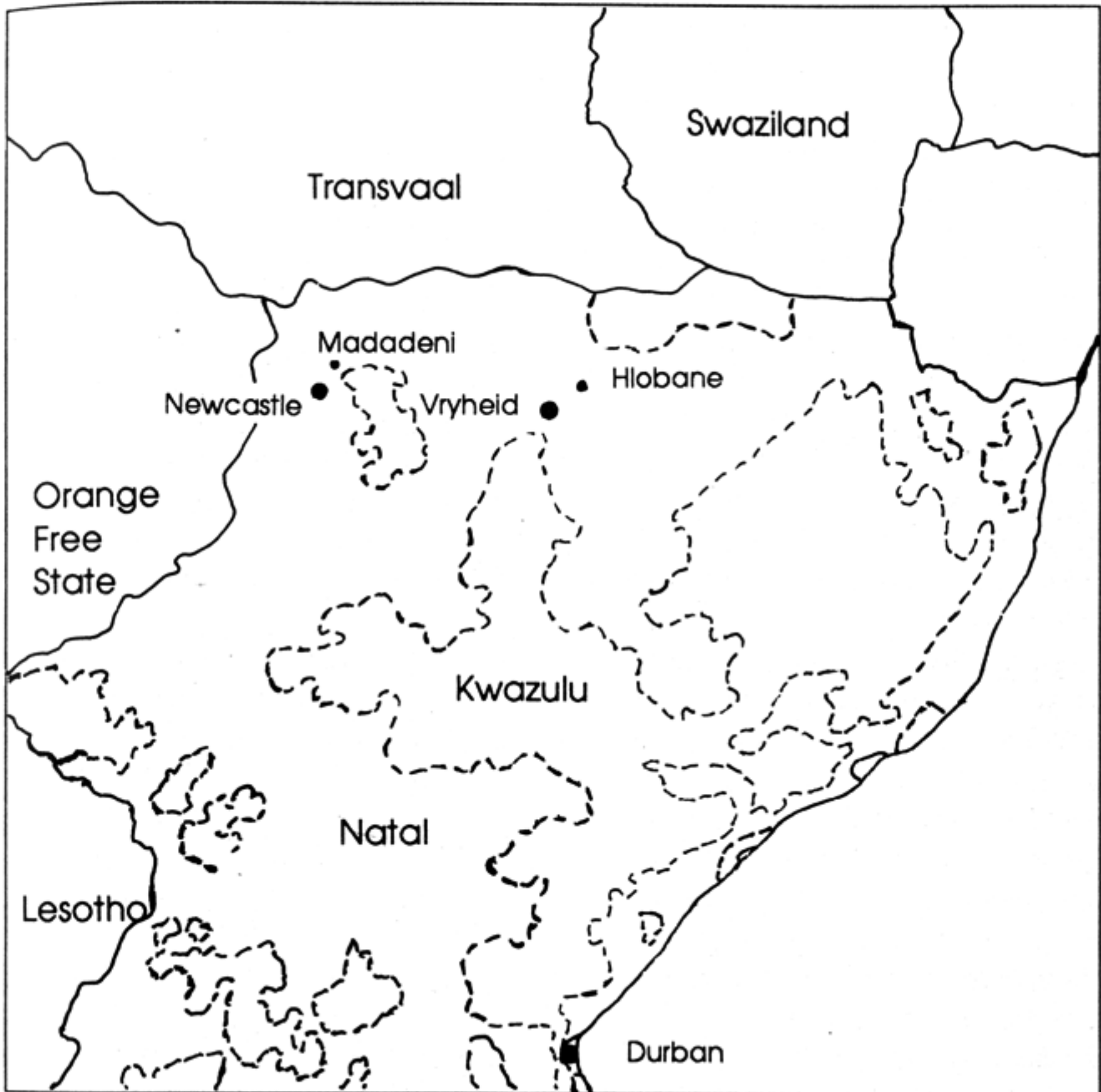
In both these mines NUM had substantial membership. Mdletshe told me that in Vryheid Coronation Colliery, the union had already signed an agreement with management, shaft stewards were recognised and the union was operating from an office granted by management on the mine premises. In Bordeaux, the union was still in the process of recruiting and had 200 members out of the workforce of approximately 4,000.

Amos Mbatha, a worker who was actively involved in the recruiting campaign in Bordeaux, described how he fled the mine after UWUSA started recruiting:

"Before I came to Natal I was first a mineworker in Caroline in the Transvaal. I was later transferred to Vryheid. Here I became involved in recruiting for NUM once I was a member. I had learnt much about NUM in the Transvaal."

"Two bulls can't stay in one kraal."

"One day a man called James Ntombela was introduced to us by



management. James Ntombela told us that he was from Ulundi and had come to hoist the flag of UWUSA in our mine. He claimed UWUSA was going to represent workers on any grievance and that management was prepared to recognise the union. As the meeting continued workers asked if it would be possible to join UWUSA and NUM. He cited the Hlobane Colliery and Matla Power Station as workplaces where UWUSA has proved that two bulls

can't stay in one kraal.

"In this meeting Ntombela appointed two Zulu workers to recruit for UWUSA in the hostel. To our surprise no joining forms were given to these workers. What happened in the hostel was that when we asked questions from these two workers about UWUSA and how it operates, they got furious like Ntombela and promised to attack us. After a while rumours spread that UWUSA was planning to get rid of workers who

are recruiting for NUM. Three of us fled the mine as we were known to be recruiting for NUM.

"When we came back after a week, management said we were already dismissed for being absent at work without permission. As a result workers are now hiding the fact that they are NUM members."

In the Vryheid Coronation Colliery UWUSA failed to get support from workers. UWUSA supporters had also used violent means to impose themselves in this mine. Mdletshe recalls how his colleague was killed at the mine: "On that morning I was approached by Mr Smith from management who told me that UWUSA organisers wanted to operate from the NUM office. Ntombela and Mhlungu from UWUSA were present on the mine premises. I referred Mr Smith to our organiser, Ntshangase. Before Mr Smith could go to Ntshangase, UWUSA supporters were already attacking Ntshangase in the office with all sort of weapons. They stabbed and beat him with knobkierries until he fainted. Lated he died in the Vryheid hospital."

Despite the murder of the union organiser, UWUSA did not succeed in establishing itself in Coronation Colliery as in the other mines. The majority of workers are NUM members, but as Mbuzi Silelo, a shaft steward, explained, "We are still playing a low profile as UWUSA supporters are present."

UWUSA membership in Hlobane Colliery

It is not clear how many workers are members of UWUSA in Hlobane, Vryheid Coronation and Bordeaux. As Sibeko in Hlobane Colliery explained, "No worker has signed any stop order form to join UWUSA." Sibeko added that it is difficult to know the number of workers who now work in the colliery. However, he guessed that NUM has about one hundred members.

It is also not clear whether UWUSA is recognised as the representative union in Hlobane. "In early 1987 when management was re-trenching workers, UWUSA attempted to represent them, but management refused on the basis that the union was not representative of workers. Management argued that they had heard that UWUSA was recruiting workers in Hlobane Colliery, but the company has not received any joining forms from UWUSA," said Sibeko.

However, it seems management would be comfortable recognising UWUSA. Management supports UWUSA's ideological stand. "They argue that UWUSA is trying by all means to secure the jobs of workers by not supporting disinvestment and sanctions. Management argues that NUM demands higher wages and at the same time supports sanctions which destroy the economy and cause unemployment," said Sibeko.

UWUSA: anti-worker policies

When UWUSA was launched on 1 May 1986, labour observers questioned the exact role of this organisation. While it was clear that UWUSA was an attempt by Inkatha to win the workers onto its side, it was not clear what organizing methods it would adopt. The events that followed the launch of UWUSA posed problems for both workers and union organisers who supported the principles of the democratic trade union movement.

UWUSA has clearly adopted an anti-worker position which is manifested in its anti-socialist policies. This union has adopted no-strike policies and collaborates with business. The union leadership positions are occupied by middle-class individuals. Some of them have business interests and close connections with the Kwazulu government officials. The middle class leadership attempts to organise workers, not as a class which has conflicting interests with employers, but rather places emphasis on their Kwazulu homeland citizenship.

During the two years after UWUSA was launched, it became notorious for the violent role played by its supporters in industrial relations in South Africa. Instead of aiming to learn from the experiences of the democratic trade union movement,

UWUSA opted to diminish this experience by recruiting members of COSATU affiliates during strike situations or when there was a sharpening of conflict between management and workers. In other words UWUSA carried out the union-busting tasks of management. So far UWUSA supporters have been successful in destroying union organisation in some mines in Northern Natal.

UWUSA lacks democratic structures

UWUSA is not likely to succeed in building its structures and proving its militancy on shopfloor issues. A worker in Hlobane raised the problems faced by UWUSA supporters at that mine: "When NUM was still operating in our mine, the organiser used to call general and shaft steward meetings where he explained what our rights are in the mining industry. Retrenchments and dismissals were also discussed in these meetings.

"UWUSA operates differently. Before the last retrenchments in 1987, workers asked the UWUSA organiser if they were going to be paid retrenchment benefits. The organiser replied that this was going to happen once workers had gone back to their respective homelands. Apparently those workers were never paid. But as you know this kind of dissatisfaction about UWUSA cannot be openly discussed in the mine at present."



Inkatha supporters - like UWUSA supporters, often well-armed

Photo: Santu Mofokeng/Afrapix

UWUSA will not be able to impose its representivity on workers in the long term if it does not address itself to the immediate concerns of workers. Managers who thought they would be able to suppress worker grievances by giving recognition to UWUSA are likely to find themselves in a turmoil in future.

The lack of knowledge about basic trade unionism is however beginning to be taken seriously in UWUSA circles. Serious attempts by UWUSA to develop shop steward structures internally, through education and training programmes, have only recently begun. UWUSA is reported to have also employed Tjaart van der Walt of Industrial Consultancy Services to train shop stewards in Natal and the Transvaal.

While training of shop stewards might enable UWUSA to start building its structures in union terms, there

is doubt if this union will encourage the development of worker democracy in its structures.

UWUSA and Inkatha

Gatsha Buthelezi calls his movement, Inkatha, a liberation movement. While Inkatha is open to all blacks, in practice it remains tribally based. The leadership is entrenched in the Kwazulu Legislative Assembly, and all the administrative structures of the Kwazulu bantustan. The entire cabinet of Kwazulu is made up of senior Inkatha officials. These officials are also administering and controlling the big townships in Kwazulu, like Umlazi. While the Kwazulu Police are answerable to the local minister of police, they are in fact trained and under control of the South African Police.

The attitude of Inkatha to the youth has been to prepare them to counter radicalism from urban areas. Inkatha imposed its own syllabus in Kwazulu schools. The syllabus is called "Ubuntu Botho". In its courses pupils are taught mainly about black business enterprise. They are also taught that Inkatha has filled up the political vacuum left by the banning of ANC and PAC.

Inkatha impis assaulted students in 1976. Its attitude to the students and their organisation was revealed when Oscar Dlhomo, top Inkatha official, said that Inkatha was not prepared to be led by children and that "we do not believe that children have the intellect to devise strategies, under which the black man is to be liberated."

Buthlezi desires "orderly" protest, coordinated and directed by Inkatha under his own petty bourgeois leadership. Inkatha leadership seeks mass support to attain this end. However, Inkatha supporters have used violence to mobilise for this support. The UDF and COSATU have been victims of this violence, and this has posed problems for the popularity of Inkatha.

Inkatha is for reforms

Inkatha also fears an organised, politically aware working class. It wishes to use its working class membership for the achievement of reform within the existing capitalist system. Inkatha tactically uses

UWUSA to establish favourable conditions for its political interference among workers. However, this also poses problems for UWUSA as a union. Inkatha's relationship with business is based on the promotion and defending of free enterprise as the economic system for South Africa. In order to strengthen the relationship between Inkatha and business, UWUSA espouses no-strike policies. This comes into sharp conflict with the policies of the democratic trade union movement. So in order to influence this strife in its favour, UWUSA has to compete with the democratic trade union movement. As a result its leadership sees the role of UWUSA as being to undermine the militancy of the democratic trade union movement and stifle workers' demands.

On this basis, it is highly unlikely that UWUSA will move away from its collaborationist relationship with the state and with business, and a hostile attitude to COSATU in particular and the democratic trade union movement in general. Finally, the role of UWUSA will be determined by its relationship with Inkatha and business. ☆

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Garment workers rush into action

When the Garment and Allied Workers Union was launched late last year from two former TUCSA unions, people asked whether it could ever become a progressive union. Since then GAWU members have launched successful wage strikes, supported national stayaways and made more advances than any other union in the battle against the new labour laws. GAWU reports.

"1988 is our year! This is the year that garment, millinery and textile workers launch their Living Wage Campaign under the banner of GAWU!"

This was the cry that went out earlier this year shortly after the launch of the Garment and Allied Workers Union (S.A.). But what precisely was the meaning of this call by 102,000 workers in a newly formed union? Was it simply a call for higher wages and better working conditions? Or

did it mean more than this?

To answer this question, we need to go back to the founding congress of GAWU. We also need to focus on developments in GAWU over the past ten months.

The founding congress of GAWU adopted a total of thirteen resolutions. The resolutions cover a broad range of issues which affect workers both on the factory floor and in society at large. These resolutions, linked to our founding principles i.e. worker con-

control and participation, non-racialism and non-sexism, have guided our work in GAWU over the last ten months. Only by implementing these policies and building confidence amongst the rank and file have we been able to reverse the negative trends that have plagued the industry over the past 60 years.

editions of the *Labour Bulletin* (see *Vol 13 No 2 and Vol 13 No 6*). We had to build democratic workers' control through shop steward committees and shop steward councils in a union which did not have such structures before. The building of new structures threw up a number of new problems which had to be urgently addressed.



Negotiating team - workers speak out for themselves

Photo: GAWU

With this has come an understanding of precisely what the Living Wage Campaign means in a union and industry which is dominated by a large majority of women workers.

Building new structures throws up new problems

We have already described the restructuring of GAWU in previous

The two main problems were:

- the emergence of hundreds of newly elected shop stewards who lacked the basic skills; and
 - how to implement policy and consolidate the new union in the absence of a broad factory floor leadership of advanced workers.
- By practically implementing policy, especially on education and media, these questions seemed to find

answers to themselves. First and foremost was the need to implement our resolutions on worker education. This meant drafting a shop steward training manual to replace the old training courses. Over the past months hundreds of shops stewards have attended the newly developed GAWU Basic Skills course and other more advanced courses.

The transformation of *Clothes Line*, the weekly union newsletter in the Western Cape, and the Port Elizabeth paper *On the Line*, was also a priority. There was also a need to start a newsletter in Natal. Today each region of GAWU has its own regional edition of *Clothes Line*. The setting up of a national media unit and regional media structures guided by policy decisions played a major role in building new structures in GAWU.

The importance of these publications during the period of transformation of the union can never be over-emphasised. They provide the new union with a consistent two-way channel of communication. The leadership speaks to members through the pages of *Clothes Line*, and rank-and-file use the newsletters to air their views on relevant issues of the day.

Media and shop steward training have played an important role and will continue to play this role. But here again we find ourselves in an area of organisational work that will require ongoing assessment and consultation with members.

A dynamic organising programme

While media and education have played a crucial complementary role, very little would have been achieved without a dynamic organising programme. Central to organising was the need to adopt an aggressive approach to build the confidence of rank-and-file members. No issue was too small to raise with management. Every issue was a learning experience for the hundreds of newly elected shop stewards.

The setting up of shop steward structures in most factories, and the formation of industrial locals, while hastening the process of transformation of the union, have offered us new challenges.

How were we to consolidate these structures? How were we to make them powerful and effective?

Build the Living Wage Campaign!

The answers to this and other questions came to us when the union as a whole started implementing our resolution on worker demands for a national minimum living wage. The Living Wage Campaign aims at uplifting the living standards of all workers, but at the same time we in GAWU had some very specific questions to address. The history of our union and our industry, as well as the particular problems faced by women

workers, meant that our Living Wage Campaign had some specific tasks:

- building workers' control and democracy, which were new to our union;
- developing a consciousness of non-racialism and non-sexism in an industry dominated by women workers;
- addressing factory floor and broader social problems experienced by women in industry;
- developing the confidence in women to come forward and take up leadership positions in our union; and
- building and strengthening all structures in our national union.

First and foremost, workers had to be given the confidence to break from a 60-year tradition of subservience and reactionary trade unionism. Secondly, workers needed to develop the confidence in their own ability and collective strength to improve conditions. Workers needed to be armed with the means to struggle and to understand that only

through struggle and sacrifice would they be able to change anything.

A turning point - the Rex Trueform strike

The Rex Trueform strike in March this year threw up all these questions and problems, and reflected the broader issues facing the union. Indeed, it was a major turning point.

What started as an initiative by a small group of workers in one department quickly developed into one of the biggest strikes in the Western Cape in recent



Women workers - leading GAWU's Living Wage Campaign

Photo: GAWU

years. Within days almost 3,000 workers at three Rex Trueform plants were out on strike demanding an interim cost of living increase. They stayed out on strike for almost four weeks.

Workers in the entire industry in the Western Cape (55,000) fully sup-

UNIONS AND DISPUTES

ported the strike. Thousands of rands in relief money poured in from garment and textile workers who could ill afford it. Sporadic strikes, work stoppages and other forms of industrial action occurred every day in different factories. The demands were the same and the cry went up all over the Western Cape: "Support Rex workers! A victory for Rex is a victory for all GAWU members!"

After almost four weeks of strike action this proved to be the case. Employers backed down, and the Cape Clothing Manufacturers Association offered an interim cost of living increase of R14.00 across the board which was accepted by workers. This applied to all workers in the Western Cape, not only the Rex workers. The Rex strike put the Living Wage Cam-

paign at the top of the agenda of all union meetings for months to follow, and it has not been left off the agenda since then.

Likewise, GAWU members in Natal demanded an interim cost of living increase and won an adjustment after a dispute was declared. Workers in Port Elizabeth were in the meantime in the heart of wage negotiations and the Living Wage Campaign. After lengthy negotiations and 90% of workers voting 'yes' to strike in ballot, employers backed down and offered wage increases and other compromises to avoid a wide-scale strike. Within one year Port Elizabeth workers have won wage increases of over 30%.

Since these early wage struggles, GAWU has gone from strength to



The message is clear - and the bosses got it!

Photo: GAWU

strength. The confidence gained has pushed rank and file to new levels of militancy.

Garment workers support stayaway

After calls by COSATU for three days of peaceful protest action in June, GAWU members in Natal staged one of the biggest stayaways from work ever witnessed in our industry. Garment factories stood empty as 90% absenteeism figures were recorded on all three days.

June 16 in the Cape was similar to the 6-8 June protest action in Natal, as GAWU members heeded a Shop Steward Council call for June 16 to be commemorated as a day of mourning and sacrifice. Approximately 40,000 workers stayed away.

Garment workers lead the struggle against the new Labour Bill

August and September saw thousands of GAWU members engaged in action against the new Labour Relations Amendment Act.

Action by workers in both the Cape and Natal has pushed the Employers Associations into negotiations and interim settlements with the union on some of the anti-union provisions of the Labour Act.

In the Cape a meeting of over 400 GAWU shop stewards on Saturday 27 August called for action against

the new Labour Act which was due to come into operation on 1 September. One shop steward said, "Yes, our actions are justified. I am an old man of 65 and have been fighting for my fellow workers for a long time, and if I can live for another 65 years to fight injustices like the Bill, I will do so."

The meeting resolved that shop stewards in all GAWU factories would approach management to demand that the company sign an agreement not to use the Act against the workers. On Monday, the shop stewards called general meetings in the factories to discuss the issue. They then presented the demands to management. As management refused to agree not to use the Act, workers in factory after factory took action.

Workers at some factories downed tools for three days, while others held placard demonstrations and half-day work stoppages on Tuesday. Meanwhile, the union was negotiating with the organisation of the bosses, the Cape Clothing Manufacturers Association, at the Industrial Council. By Wednesday the mass action in the factories had forced the bosses to sign an agreement with GAWU.

Bosses agree not to use the Labour Law

The agreement protects all GAWU members from unfair dismissal and retrenchment. The bosses

agreed that they would not change any of the procedures presently being used in factories. They also agreed to tell all bosses to negotiate fair procedures in factories which do not have proper procedures.

GAWU also told the bosses that there are other sections of the Labour Law which workers oppose. The bosses agreed to respect any agreement reached between NACTU, COSATU and the bosses organisation, SACCOLA. The clothing bosses also agreed that if no agreement is reached between these organisations, they would negotiate directly with GAWU about the rest of the Labour Law.

This is the first industry-wide agreement reached between a union and the bosses on the new law, and it was achieved by workers who have only recently experienced democratic organisation.

In Natal, the Natal Clothing Manufacturers Association (NCMA) has been forced to withdraw a policy statement on granting recognition to minority unions. Employers have also agreed to enter into further negotiation on the other provisions of the law.

The Living Wage Campaign and worker leadership

Since the Rex Trueform strike GAWU has not looked back. Indeed, the Rex strike allowed us to address many of our broader problems in a micro form and allowed us to de-

velop an understanding of the problems that face us. While we cannot claim to have solved all our problems we believe we are well on our way to concretely addressing the problems raised in this article.

More significantly, the Rex strike and subsequent struggles have put these issues firmly on the agenda of rank-and-file leadership.

Already, an understanding has been developed that our living wage campaign is more than just a narrow struggle for higher wages and better working conditions. Hence workers were prepared to take action as in the three day protest in June, the 16 June holiday and the Labour Bill, which in the final analysis are political issues presently being addressed by the progressive movement as a whole.

Critical thinking on broader social, political and economic issues are becoming the order of the day among a young emerging worker leadership. Crisply put, the GAWU Living Wage Campaign is an ongoing battle against all forms of oppression and exploitation.

The issue of building broader worker participation and democracy is never far from the minds of the emerging shop steward leadership. A willingness to succeed is evident in the increased attendance at factory, local and other meetings. It is only through positive action, by building unity in struggle and implementing policy, that we have been able to make the advances that we have made to date. Our on-going Living

Wage Campaign is a real weapon in the hands of workers that will allow us to address some of the other unresolved questions raised in this article.

Women coming to the forefront

Building an understanding of non-racialism and non-sexism, and addressing the real problems of women workers, is an on-going area of union work.

The struggles of the past months have seen women at the forefront, willing to lead and learn. Children are brought along to meetings and seminars and in many cases husbands are playing a supportive role. Some husbands, while not in our industry, have come forward to offer assistance.

Others sit waiting patiently outside meetings, or take responsibility for the home while women are at meetings.

These are positive signs, but obviously there are also problems which will need to be closely moni-

tored. If need be, the union should play a role and intervene in some way to combat negative sexist actions which could arise as a result of women playing an increasingly active role in the union. To do this the union has to play an all embracing role and reach out to members and their next of kin wherever they may be - at home or at work.

Men should not view their wives' active role in unions as a challenge to

their own manhood. Rather it should be viewed as a necessity to overcome the hardships experienced by most working families, men and women.

The implementation of our resolution on workers' education has had its rewards. It has armed shop stewards with the basic skills and assisted in the consolidation of structures. More important it has allowed worker

leadership to actively develop an understanding of our founding principles and resolutions without which there could be no real



Part of the struggle - no longer stuck at home

Photo: GAWU

implementation.

Need for a clear political policy

We have to be clear that our positive gains were only possible given our interpretation that working people are "whole people" affected by problems both in the community and in the factories.

Many of these questions are overtly political ones which affect the entire oppressed and exploited population of our country. As a result the need for our union to develop its own clear independent political policy, will become a matter for discussion and debate within union structures over the coming months. We are confident that our leadership is equipped to deal with this issue which has at time divided the labour movement in South Africa.

Ultimately, of major concern to us is the urgent need to build one union, one industry. To date, our efforts in this regard have not been without problems. This being the case, GAWU remains committed to exploring all avenues which are open to us in our attempts to build a united labour movement. ☆

Wage negotiations

At the time of going to press, both Natal and Cape regions of GAWU were locked in negotiations with employers around the Living Wage Campaign. In the Cape bosses have come in with first offers which are unprecedented in the industry.

The initial offer of Cape bosses is an indication of their respect for GAWU and its ability to do what is necessary to successfully represent the interests of workers in the industry.

In Natal, we have already seen worker action in response to employers initial offers.

In the next issue of the *Labour Bulletin* we hope to focus on the negotiations between GAWU and the Employers Association in more detail. ☆

Talks with SACCOLA: a bitter experience

Talks between COSATU, NACTU, SACCOLA and the Department of Manpower seem to have broken down. COSATU Information Officer FRANK MEINTJIES assesses the unions' "bitter experience" in the talks.

Following the national peaceful protest action of the 6th, 7th and 8th June, COSATU and NACTU launched talks with the South African Coordinating Committee on Labour (SACCOLA), over the new Labour Bill. SACCOLA groups together all major employer federations in South Africa.

The first initiative came from COSATU which challenged SACCOLA to test its views through arbitration. It proposed an inquiry conducted by a panel chaired by Mr L. Ackerman, a retired judge. COSATU suggested five guiding principles. They were: protection against arbitrary dismissal; the right to trade unions; collective bargaining

and the use of legitimate economic sanctions; consistency with international standards; simplicity and inexpensiveness; clarity and cohesion. COSATU's view was that SACCOLA should have no problems with these principles as they were extracted from SACCOLA's own advert which praised the Bill. The advert was placed in major newspapers the day before the protest action.

SACCOLA preferred to avoid arbitration and suggested negotiation instead. "We suggest a procedure that differs somewhat," said SACCOLA chairman, Bobby Godsell. "The difference lies in our desire to be able to talk to you both about what we each contend the Bill does or does not say,



Barayi, Ramaphosa, Godsell - any chance of real agreement?

Photo: Alf Khumalo/The Star

as well as what the Bill should say."

Negotiation to amend the Bill

On 9 June a meeting was held between SACCOLA, COSATU lawyers and the Director General of Manpower. It was agreed in that meeting that the Minister would postpone promulgation of the Bill to 1 September "to allow a process of negotiation to take place that would impact on the Bill."

The participants in that meeting agreed on a timetable: COSATU would give SACCOLA a written statement by 6 July; SACCOLA would respond by 12 July; by 21 July, after a meeting between the parties, those proposals on which both parties agreed would be sent to the

Minister of Manpower.

There was no decision on exactly how the remaining points of disagreement on the Bill would be settled. SACCOLA rejected the idea of arbitration by an independent panel of experts as proposed by COSATU. In separate talks with SACCOLA, NACTU had agreed on mediation, but this was dropped when the two parties joined forces after 10 July. SACCOLA proposed that the question of disputed clauses be discussed when the point of disagreement was reached.

SACCOLA fails to meet deadline

COSATU's detailed objections to the law were submitted on 7 July.

The process then stalled as SACCOLA failed to meet its deadline. It replied two-and-a-half weeks later, long after the joint objections should have been submitted to the Department of Manpower. It is still not clear why this was so, but the delay was inevitably beginning to threaten the prospects of a successful intervention to stop the Bill.

COSATU's Living Wage Committee decided to step up the pressure again, recommending a week of action from 15 to 19 August. However, the planned demonstrations, meetings with employers and petitions did not take place. This was a sign of the weakness of the living wage committee. In many affiliates the recommendation was not properly fed-back to members for discussion.

Meanwhile, on 10 July the COSATU CEC agreed to NACTU's proposal that the two federations join forces for the negotiations. NACTU endorsed the objection submitted by COSATU on 7 July, as the lawyers for the two federations had already been in contact.

Until 1 August when SACCOLA finally sent their response, little happened apart from informal contact between the two legal teams. One got the impression SACCOLA was having difficulty convincing some of its members to negotiate the Bill with the unions. But this is not what SACCOLA was telling us. Instead, they went on the offensive, demanding that we give them an assurance that we did not plan to take them to

(industrial or ordinary) court if the talks deadlocked.

COSATU/NACTU replied that they had no such intentions, but reserved all legal rights.

Unions and bosses reach agreement

On 5 August SACCOLA met the Department of Manpower and apparently explained the delay caused by problems within the organisation. According to Bobby Godsell, they also reached some kind of understanding on the process, namely that COSATU, NACTU and SACCOLA would jointly decide which clauses should not be promulgated.

On 11 August, COSATU, NACTU and SACCOLA met and agreed on the clauses that should be suspended. They are:

- Section 19(h): this section makes consumer boycotts, solidarity strikes and intermittent strikes unfair labour practices.
- Section 4: this allows racially-based minority union to register.
- Section 29 (A) (d) and Section 35 (3) (d) (1) and (111): these sections govern the time limits for resolving disputes.
- Section 67: this section enlarges the right to object to the publication of judgements of Industrial Councils. The unions want judgements to be available to the public.
- Section 79 (2): this section assumes unions are responsible for

the actions of their members, and opens unions to being sued for losses caused by industrial action.

Two members of SACCOLA differed from this agreement. The Motor Industries Employers Association did not support delaying promulgation of these clauses, and the Chamber of Mines did not support delayed promulgation of Section 79.

But government goes ahead

A joint letter to the Department of Manpower was drafted explaining the process of negotiation and calling for non-promulgation of these clauses. The contents of this letter were immediately communicated to the Department. A meeting with the Department of Manpower was set for Monday 15 August to discuss the details of non-promulgation. The very next day, however, a notice in the Government Gazette announced that the amendments as passed by parliament would come into force by 1 September.

The unions immediately called on bosses not to accept the rights conferred on them by the new law, particularly the clauses singled out for non-promulgation. Employers were told to choose: either work with the unions to define a good industrial relations system *or* fully accept the new law and the breakdown of talks.

After a joint meeting the two federations issued a statement on 12 August saying:

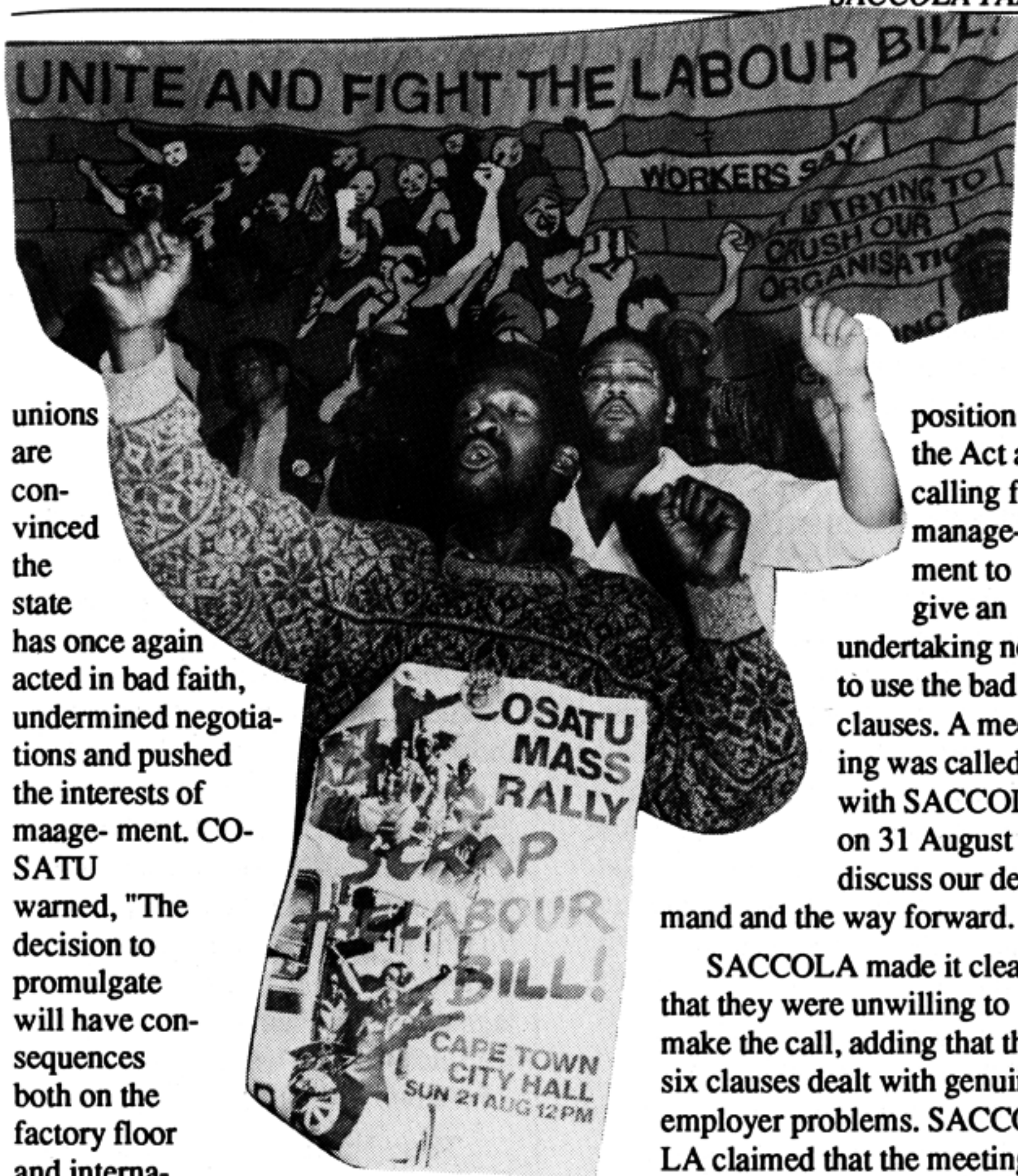
- employers should give undertakings before 1 September;
- the federations would seek a mandate for industrial action against bosses who do refuse to give an undertaking;
- that SACCOLA should urge its members to give that undertaking. If they did not, the negotiations would stop.

COSATU/NACTU informed the Department that unless it reversed its decision to force the amendments through, the Monday meeting would be fruitless and COSATU and NACTU would not attend. The Department replied that they could not withdraw the promulgation. They also denied being "party to any agreement and did not attend any meetings with SACCOLA, NACTU or COSATU where selective promulgation of the Act was discussed."

The Department claimed that Godsell and legal representatives of COSATU and NACTU had in their meeting with the Minister of Manpower, Pietie Du Plessis, agreed to submit only technical changes to the Act before 21 July. This would have allowed the Minister "to consider a second amendment act in August 1988."

Changes to principles of the Labour Relations Act would have to go as normal through the National Manpower Commission which would draw up recommendations that could become a Bill, the department said.

COSATU/NACTU rejected this interpretation of the process. The



unions are convinced the state has once again acted in bad faith, undermined negotiations and pushed the interests of management. COSATU warned, "The decision to promulgate will have consequences both on the factory floor and internationally."

SACCOLA refuses to co-operate

COSATU and NACTU agreed to re-organise the campaign against the Labour Relations Act. A standard letter was drawn up explaining the

position on the Act and calling for management to give an undertaking not to use the bad clauses. A meeting was called with SACCOLA on 31 August to discuss our demand and the way forward.

SACCOLA made it clear that they were unwilling to make the call, adding that the six clauses dealt with genuine employer problems. SACCOLA claimed that the meeting on 11 August only agreed that one or more parties objected to those clauses. Until all parties had agreed on changes to these clauses they could not call on management to refrain from using them. At the same time, they thought it would be unreasonable not to continue the talks as the Minister had made new promises to them regarding legislation in 1989.

Photo: Adil Bradlow/Afrapix

SACCOLA wanted a joint working committee which should come up with jointly agreed amendments by the end of September. Apparently this would be published as a draft Bill for comment without any changes. COSATU and NACTU rejected the notion of further talks while SACCOLA was refusing to discourage its members from using the six clauses.

Talks breakdown

COSATU and NACTU announced that the talks had broken down as employer bona fides had "evaporated". SACCOLA has since sent several letters to the federation calling for talks to be resumed. On the other hand, Bobby Godsell has replied to protest telexes from trade unions internationally with smooth assurances that negotiations are continuing.

Encouraged by the SACCOLA position, management attitudes on the new Bill hardened. Many of them said they were represented through SACCOLA and could not discuss the matter on the shopfloor. Others asked for *quid pro quo*, such as suspension of stayaway action or the call for sanctions (this position was urged by the Cape Chamber of Industries). Others told unions they could not disobey the law. Only two companies, Kelloggs in Springs and SKF in Uitenhage, agreed in principle to sign a contract giving up certain rights in

terms of the six clauses.

The bosses have shown no reluctance to use their new powers of union-bashing. Numerous interdicts and lock-outs have been brought against COSATU and NACTU affiliates.

Workers' summit on the agenda

COSATU and NACTU are still fumbling for want of a clear response. The issue was to have been discussed at the September Anti-Apartheid Conference that was banned. The two federations have now agreed on a "workers' summit" to discuss (a) what action to take in protest against the Act, (b) what defensive actions to take to counter the harsh effects of the bad clauses, and (c) the principle of one country one federation. Details - the date, size and agenda - of the summit still have to be finalised by a working committee of the two federations.

There are also moves within COSATU to set up a public inquiry into the Labour Relations Amendment Act to be conducted by international labour lawyers. The commission would include top lawyers from the ILO, the U.K., United States, West Germany and possibly Japan. Trade unions, SACCOLA, the Department of Manpower, employer bodies and law societies would be invited to give evidence.

Assessing the talks

Fruitful for bosses - bitter for workers

The talks have been described by the three parties as an "historic and potentially fruitful process between organised employers and workers in South Africa."

These talks have certainly been useful for employers. From the outset they saw the talks as an alternative to further industrial action in protest against the Labour Relations Act. On 2 August the Chemical Workers Industrial Union (CWIU), gave bosses in that sector an ultimatum to state within one week where they stood on the Bill. SACCOLA immediately protested to COSATU. They pointed out that "SACCOLA's support for partial delayed promulgation of the Amendment Act is conditional on the continued *bona fide* conduct of all parties, therefore excluding while discussions continued, adversarial public statements or workplace stayaways or demonstrations."

Employers were no doubt hard hit by the three day protest. They complained that they had suffered heavy losses due to the number of public holidays, people's holidays and stayaways. They were concerned to head-off more conflict around the promulgation of the Bill on September 1. In this regard, employers have succeeded. They got the federations to

agree that mobilisation should be stifled and continually reminded unions of this. From the bosses point of view, SACCOLA did well in breaking the momentum of protest.

Bitter experience

For unions, the talks remain a bitter experience for the following reasons.

- 1. The negotiations did not address the question of the thousands of workers dismissed in the three day protest. These workers were victimised while taking part in a legitimate protest in a situation when they had no other way to influence apartheid legislation. This right to protest was as much in dispute as the Labour Relations Act, with bosses attacking it in the most vicious way possible through mass dismissals. COSATU did well to assert this crucial right in adverts at the time of the protest. Yet the federations did not find a way to bring it into the talks. Thus when COSATU/NACTU threatened action following the state's decision to promulgate, SACCOLA again went on the offensive. "SACCOLA will respond to pressure by union federations with counter pressure," declared Godsell in a statement. Struggles for the reinstatement of workers dismissed in disciplinary action continue, although most have already been reinstated.
- 2. The negotiations have con-



Workers state their case... but more mobilisation was needed

Photo: Santu Mofokeng/Afrapix

sumed a great deal of time and energy, but have led nowhere. Pietie du Plessis said on the second day of the protest that it was still possible to change the law and that he would welcome approaches from COSATU and NACTU. Today the Department of Manpower denies that there was room for anything other than technical changes. On the part of bosses, there were assurances from SACCOLA that they were serious about talks. Today, it is as clear as ever that bosses prefer a joint labour strategy with the State, rather than an industrial relations system based on consensus with unions. In this sense there is less "trust" than ever before between labour and capital.

Unions fail to mobilise

- 3. After the successful three day protest, mobilisation against the Labour Act did not continue. This was so even before the talks

started. Yet the battle against the Bill was far from over. This points to a lack of long term strategy. In this situation it is easy to lose the initiative. It is always difficult to regain momentum on the same issue, especially if the constituency senses a lack of direction. However, the "lull" allowed many affiliates to retreat deeply into their own issues and struggles. Thus the slowdown of activity on the Bill is matched by a huge surge of industrial action on shopfloor issues. This gives the lie to the cynics and consultants who say the unions have run out of steam.

- 4. COSATU and NACTU will have to seriously rethink their position on SACCOLA. In a letter to SACCOLA on 13 October, COSATU said it believed, "The reason why SACCOLA will not comply with the spirit of the accord of 20 August is because it cannot carry its constituency." At

other times SACCOLA itself explained that it had problems getting a mandate, that it has a problem of "diverse constituencies". It seems clear that SACCOLA should not be judged by the so-called liberal face of Anglo American, but by the lowest common denominator. In this context, the union federations must ask: What is SACCOLA really, besides a loose forum of other federations? Can one expect it to deliver, especially when the organisation itself says it has no power to give any undertakings? The answers to these questions must help shape what form of relationship COSATU/NACTU should have with it.

Co-operation

The only significant thing to come out of the talks has been the co-operation between COSATU and NACTU. No one is yet sure where this is leading to. On the one hand, the demand for a single union federation is strong within COSATU and the new-found COSATU/NACTU friendship is regarded with caution by many COSATU affiliates.

On the other hand, there is also a strong sense that the federations have a responsibility not to allow themselves to be divided by the bosses. The worker summit, which will also look at the mutually accepted principle of One Country, One Federation, could bring us closer to an answer to the question, "What

does this co-operation mean and where is it leading to?"

The co-operation between NACTU and COSATU has had a broader political impact. It has facilitated moves for broad anti-apartheid unity, an idea which emerged strongly out of UDF's National General Council and later the COSATU Special National Congress.

NACTU/COSATU co-operation helped to ease tensions and create a climate favourable for the Anti-Apartheid Conference (scheduled for 27-28 September, but banned the day before). It demonstrated that even where organisations did not agree, they could come together for specific objectives or specific campaigns. And even if co-operation was not possible, organisations should avoid wasting energy on attacking each other in public. It is almost as if most organisations are aware they might be forced to co-operate some day - especially given the increasingly fascist state attacks against mass opposition.

In banning the conference, the state showed it understood the gains that were being made through the process. It demonstrates that the state prefers fragmentation of the anti-apartheid bloc. This also explains the recent flood of smear/fake pamphlets which attack organisations in the name of other organisations.

The COSATU CEC believes the conference initiative has opened up a healthy debate on strategies and tactics, and the key idea of broad unity should be carried forward by all. ☆

Soweto workers strike against Council

by LABOUR BULLETIN correspondent

Soweto municipal council workers have been on strike for four months. The strike started when the Soweto municipal council told the council workers that they would only get the wage increase owing to them if they convinced the community to end the rent boycott. That was in June. This ultimatum directly linked the workers' struggle for higher wages with the community struggle against illegitimate local authorities. Some 4,000 workers went out on strike, demanding their wage increase and recognition of their union, the SA Municipal Workers' Union (SAMWU).

The dispute started late last year when the Industrial Council reclassified the Soweto Council as a Grade 12 municipality. This meant that all council employees were entitled to a wage increase. In February this year the council bosses informed workers that they would get the increase in

July provided they worked an extra 30 minutes per day. Workers accepted this.

A month before the increase was due workers downed tools over recognition of their union. The strike ended when management undertook to investigate recognising the union.



Municipal workers on the march

Photo: Walter Dihadlha

No increase because of rent boycott

It was after this that the town clerk, Nico Malan, said that the council could not afford the salary increase because of the two-and-a-half year rent boycott. His attempt to link the wage issue to the boycott was rejected as "tricks" by workers.

The dispute worsened when workers met the council, and presented a memorandum which said that workers should not have to bear the brunt of "corruption, nepotism and inefficiency" on the part of the council, and of the poor relationship it has with the community. The memorandum also supported the demands of the community for low rent, free housing and decent and healthy sur-

roundings. Councillors walked out of the meeting in anger.

Wage struggle linked to community struggle

Clearly, in the workers' eyes their wage problem was closely connected to the political issue of illegitimate and unrepresentative councils. Their wage struggle was also linked to the struggle of the community against the council, and particularly to the struggle over the rent boycott. The strike was bound to be further politicised by the municipal elections. Workers identified only one obstacle in the way of their demands: "P.W. Botha and his puppet council controlled by Malan."

Unlike the workers dismissed in

the 1980 strike against the Johannesburg City Council, the Soweto workers are mostly township residents rather than migrant workers. In fact clerks and general office staff also joined the strike. "The only people not on strike are the councillors themselves," said one of the workers.

This has made it difficult for the council to bus workers out and replace them with scabs. It has also helped in developing a close relationship between the workers struggle and the community struggle. One result of this relationship has been that very few members of the Soweto community have been prepared to come forward as scabs.

It was significant that the strike took place during a period when open political activity was banned. The government also made it illegal to call for a boycott of the municipal elections. Yet despite all this, for more than a month several thousand workers were meeting daily at Regina Mundi church in Soweto to discuss their struggle against the council. These meetings were often attended by community activists.

Taking the struggle onto the streets

A month after the start of the strike the workers took their struggle onto the streets. Over 3,000 workers marched on the council offices, singing and dancing. They were joined by hundreds of residents. Posters voiced community demands as well as work-

place demands. At the offices the marchers were confronted by armed troops and police.

The crowd demanded to see Malan. They were ordered to disperse, and about an hour later, as they marched back to Regina Mundi, they were teargassed and baton-charged.

Bannings and dismissals

The police acted quickly to take the strike off the streets. They banned all further meetings of the striking workers. The council then declared that all workers were dismissed. This has posed serious problems for the union. It could no longer consult with its members. It became difficult to monitor how many workers were returning to work.

This has definitely weakened the strike, with 1,000 or more workers having returned to work. The main issue now is reinstatement of the dismissed workers. The council has announced that it can only take back 70% of the workers. The remaining 30%, says the council, have become redundant because of privatisation of council services.

But despite weakening the strike, the banning and dismissals have not increased the credibility of the council among the people of Soweto. It is quite likely that the intransigent behaviour of the council contributed to the pathetically low Soweto poll in the municipal elections.

Privatisation

The council has three aims in pri-

vatising some of its services. Firstly, it wants to cut its costs because of the financial crisis it is facing. Secondly, the provision of services has become a point of conflict and struggle with the community. The council wants to shift this problem onto private companies. And thirdly, privatisation would reduce the size of the council workforce, thus reducing the scope for union organisation.

Privatisation would of course increase the cost of services for the

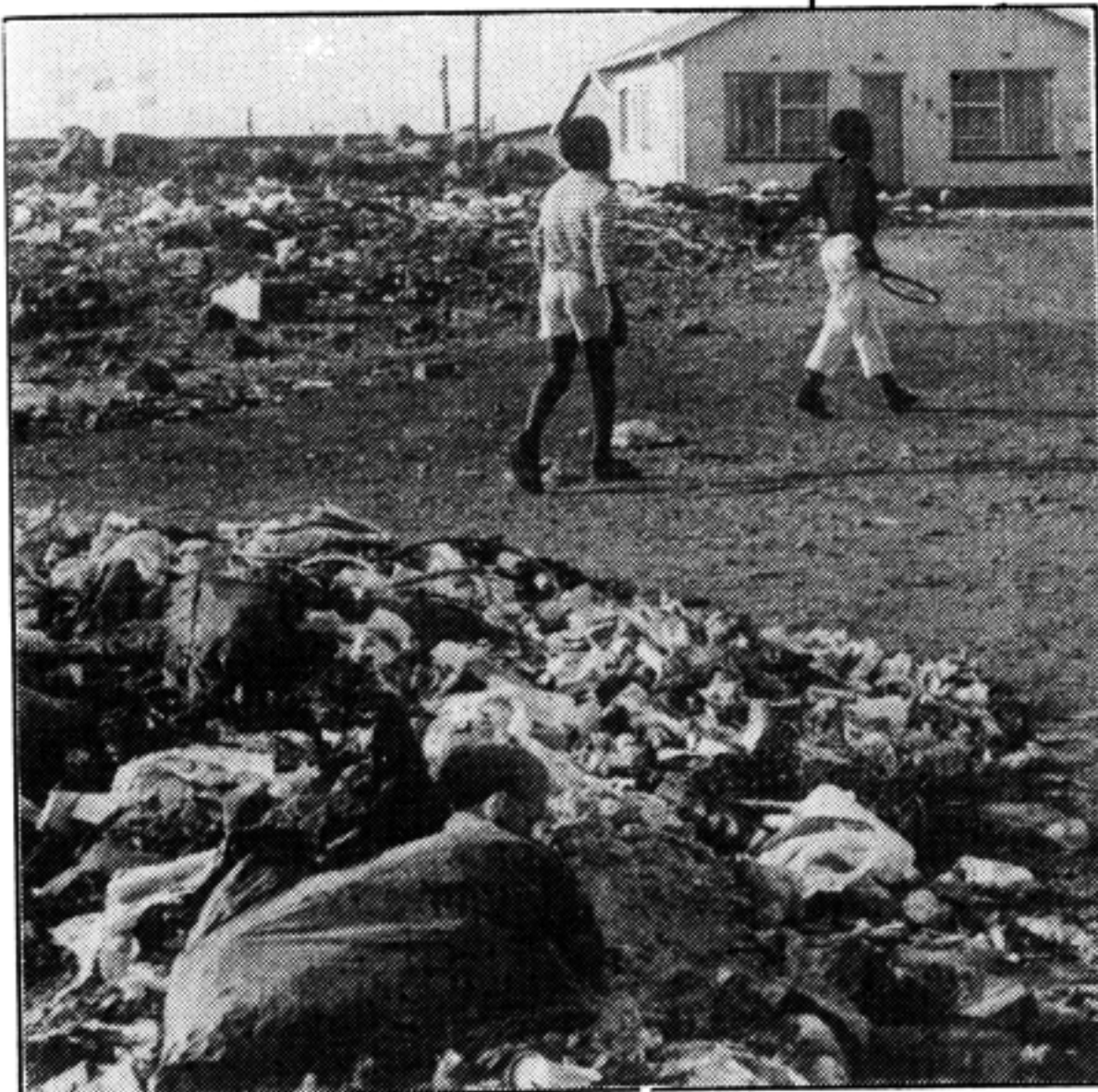
Organising the councils

Organising the council workers in the townships is an extremely difficult task. In the first place, labour law does not give municipal workers the right to strike. In the second place, unlike a factory strike, council management does not lose any profit during a strike. In fact, a bankrupt council such as Soweto's stands to gain a great deal, since it saves thousands of rands on wages during a

strike. Without workers it is unable to gather rents, etc., but even before the strike people were not paying rent.

The major inconvenience in a municipal strike is to the community. In white municipalities this would be a great source of pressure on management to settle the strike. But in black areas the state has no respect for the people, so their complaints are not taken seriously. This provides the basis for mass dismissal of workers who try to strike.

The only way to overcome this problem is to organise the entire local government sector. According to government statistics, there are some 130,000 black workers employed in 1,126 local authorities. At the moment less than



The strike continues and the dirt piles up

Photo: Musa Zondi/Weekly Mail

community, because private contractors would be seeking to make a profit. It remains to be seen whether the union and the community will be able to mount an effective challenge to privatisation.

20% are organised. SAMWU presently has recognition in Alexandra and Alberton in the Transvaal.

The state seems particularly determined to prevent organisation of the black councils, because unionisation threatens its reform strategy. On the one hand the state is trying to crush all community organisations so as to "pacify" the community. On the other hand, it is trying to upgrade and provide improved services to residents.

Unions, however, pose a challenge on two levels. By pushing up wage levels they increase the costs of the councils, making it difficult for them to provide necessary services.

Secondly, unions take militant organisation into the heart of the councils' operations, just when the government is trying to crush all opposition. Organised council workers in Soweto have refused to help evict rent defaulters, and some municipal policemen have told the union they will also refuse to evict defaulters. Thus unions threaten to undermine the councils' ability to administer and control the townships.

The coming period is likely to see SAMWU engaged in bitter struggles to build its strength in a sector which the state is determined to keep unorganised. ☆

The current strike over wages is not the first strike that Soweto municipal workers have engaged in. Workers in the water and cleansing departments, representing the bulk of the S. A. Municipal Workers Union (SAMWU) membership went on strike in 1986 when management demanded that workers accept responsibility for damage to council vehicles.

Workers rejected the demand, saying that the council was forcing inexperienced labourers to drive vehicles. This made accidents inevitable. But workers realised at the time that there was little they could do without formal recognition of their unions. And they soon added the demand for recognition.

The council agreed in principle to grant the union recognition but said that this would be conditional on the union providing proof of membership. This was seen as a major breakthrough at the time. But two years on, the union is still battling the council over recognition.

Workers again downed tools in August last year. The dispute then centred around the council's refusal to pay workers according to their respective grades. Though workers were classified as grade 11 employees, the council said it could only afford rates set down for grade 9 and 10.

But the strike ended when workers compromised and accepted a 20% increase. Management also assured workers at the time that the grade 11 salaries would come into effect early this year. The present strike was sparked off when the council failed to increase wages after the industrial council upgraded Soweto to a grade 12 municipality. ☆



Struggle for

democratic trade unions in Korea

by KARL VON HOLDT

"Do not keep telling people how bad things are here and ask them to sympathise with us. Tell them how strong we are, and how we are determined to succeed"

- woman worker, South Korea

On 30 July last year South Korea's largest group of companies, Hyundai, shut down its shipyard to lock out 15,000 workers on strike. It was the third day of a sit-down protest against a union that management had quickly formed two weeks before. Workers were demanding recognition of their

own union.

On the same day another shipyard was shut down by a strike of 800 workers. The same day in Pusan, Korea's second largest city, dozens of workers were injured when 500 company-hired thugs attacked 400 striking workers at a shoe factory.

The thugs attacked the workers, mostly women, with rocks, clubs and petrol-bombs.

Striking for democratic unions

These disputes were part of a wave of strikes which rocked South Korea in the months of July, August and September last year. During that period there were some 3,500 cases of industrial action, all of them illegal, and many involving several thousand workers. In most companies

workers were demanding that the government-recognised 'yellow' union be disbanded, that the management recognise the new democratic workers' union, that dismissed workers be reinstated, and that wages be increased.

Workers were battling against the government controlled industrial relations system, which recognises only the 'yellow' official union federation, the FKTU. The labour law in South Korea is very similar to the law in South Africa, with lengthy proce-

Strike at the Young Chan Piano Company

Fifteen hundred workers at the Young Chan Piano Company in Seoul went on strike and occupied the plant in August 1987. Most of the strikers were women, and their leader was a middle-aged woman. The strikers were demanding that the local FKTU be dismantled, that their new democratic union be recognised, that dismissed workers be reinstated, and that there should be a wage increase and an end to compulsory overtime.

The strike was sparked off when the FKTU union and management reached an agreement for an 8% wage increase. Workers were so outraged at the lack of consultation and the low increase that they immediately organised a strike.

At the beginning of the strike the managing director was captured by the workers and held hostage in the factory. This ensured that the police allowed food into the factory. The workers said, "In our country it is quite natural to hold the managing director during a strike." However, the director escaped after 8 days.

As in other strikes, the atmosphere was tense, and crudely-armed and battle-weary workers guarded the factory gates. During strikes in South Korea workers are often attacked by armed thugs.

For example, at another factory that was on strike at the same time, a gang of 400 Kusadan (vigilantes) attacked the 300 workers inside the factory with

dures for 'cooling off', mediation and arbitration before a legal strike can be called. As a result, most worker action is illegal.

Lack of co-ordination

The strike movement in 1987 was largely spontaneous, although worker activists in many factories had been waging struggles to organise unions for several years. Strikes spread from factory to factory with little co-ordination. There were no national or

industrial structures to link struggles. In some cities, city-wide strike committees were formed. Very few factory leaders were known beyond their factory gates - there was no regional or national leadership.

The exception was in some of the very big companies, such as Hyundai. Hyundai is a huge group of 45 engineering, construction and ship-building companies, which form the backbone of much of Korea's economic growth. In Hyundai there was a well-planned and co-ordinated at-

stones, clubs and steel pipes. About 20 workers were seriously injured, and one was critical in hospital with head injuries. But the workers managed to defend the factory occupation and beat off the vigilantes. They continued to guard the gates with clubs, knives and swords made in the factory by workers themselves.

Workers barricade the highway

Ten days after the start of the strike, the Young Chan workers demonstrated in the highway that runs past the factory. They barricaded the road. Twenty-nine workers were arrested. Police released them in exchange for a promise that workers would not demonstrate outside the factory again.

Some of the strikers had joined street demonstrations. But in general workers feared to establish links with other factories, or to receive aid or support from other organisations. This was because government propaganda said that strikes were caused or controlled by outside agitators, and the workers did not want to give the government an excuse to attack them.

The workers elected a committee of 10 representatives, but all decisions had to be discussed and approved by the general body. The strikers collected 2,000 signatures calling for the FKTU union to be disbanded. The workers said that if they were successful in establishing a union in the factory, they would campaign for reform of the national FKTU. They said that if a new national federation of democratic unions was formed, they would definitely join.

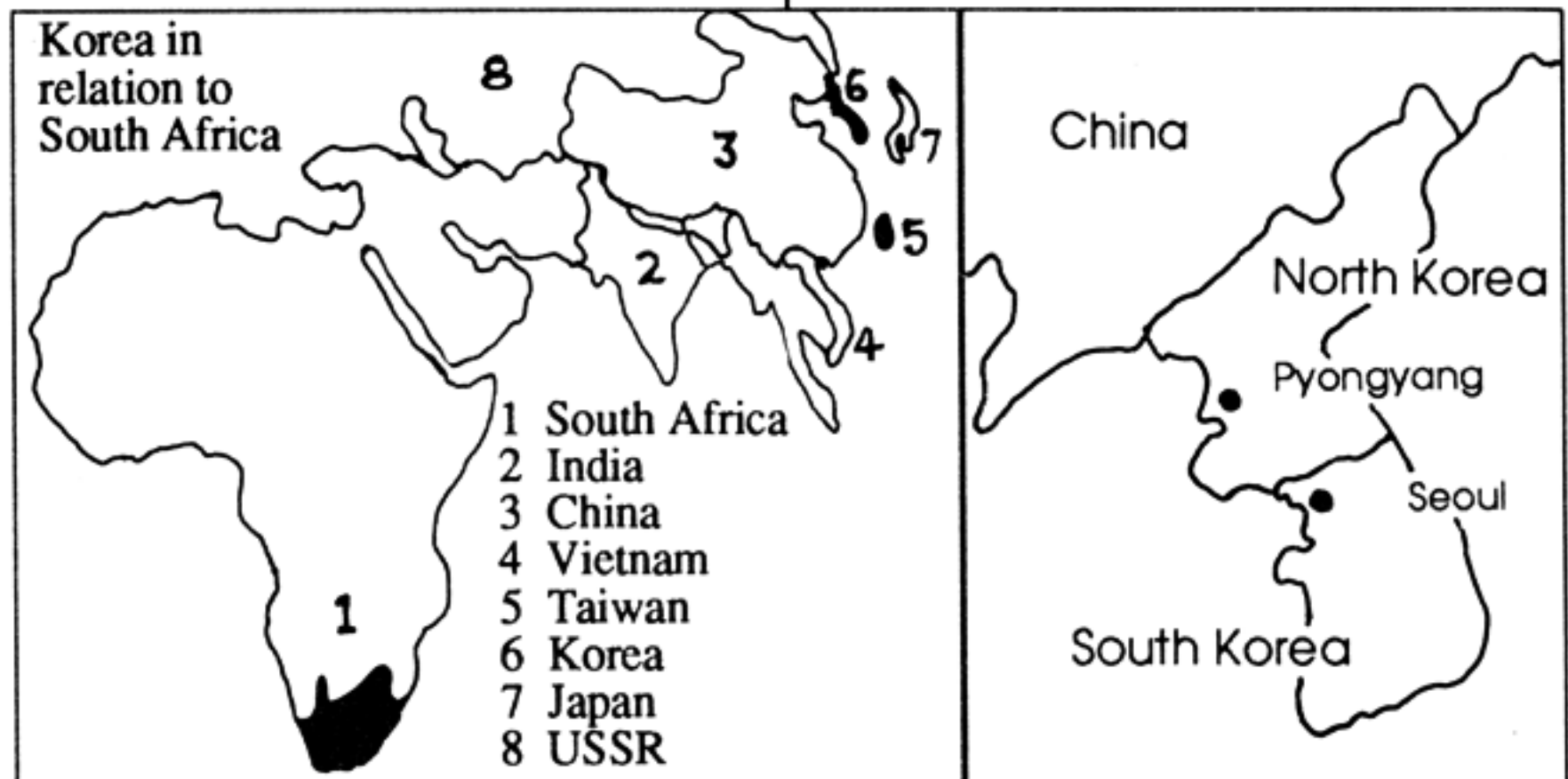
The strike ended when some of their demands were met. But later the leadership were arrested, and the democratic union was dismantled. The struggle for democratic unions continues. ☆

tempt to build a union which would organise all Hyundai workers. The leading worker here was Lee Hyong-gon. He started organising the union in April 1987, but before that he had been establishing study circles amongst workers.

The union was launched in July, and within two weeks it had 1,400 members and was growing rapidly and spreading from plant to plant. After the shipyard strike described

their protest into the streets, but were stopped by police. About 500 of them tried to leave the plant armed with a sand-blaster, but failed. Eight days later company security tried to kidnap a worker leader, but workers evicted them.

By this stage both the government and the company were anxious to resolve the dispute. Hyundai workers won a 14% pay increase and the right to negotiate.



above there were a number of strikes, returns-to-work and new strikes. At one stage 70,000 Hyundai workers were on strike, with 20,000 marching through the streets to the City Hall. When they were attacked with tear-gas, workers smashed up and burnt company offices. Police were too afraid to intervene.

Workers face violence

Riot police raided the shipyard and detained sleeping workers. Then 8,000 angry workers tried to take

In many of the 1987 strikes the workers were attacked with extreme violence. Riot police used teargas and batons, and workers were often arrested for illegal strikes. Even worse were the thugs hired by management to smash unions. These thugs are called Kasadan and operate like vigilantes. They attacked workers with rocks and steel bars. Many workers landed up in hospital with brain damage.

By September the angry wave of strikes had died down. Workers needed to consolidate and build or-



Housing - glaring inequality between haves and have-nots

Photo: MIN-JU JO-NO

ganisation. On the other hand, the police were detaining and arresting hundreds of worker activists in an attempt to prevent democratic trade unions from organising.

Revolutionary history

Workers in Korea have a long revolutionary history. Korea was occupied as a colony by the Japanese from 1905 to the end of the Second World War. During this period trade unions were heavily repressed. They were closely linked to the liberation struggle for freedom from Japanese rule.

The war ended in 1945. With Japan defeated, the Japanese administration in Korea collapsed. In the north of Korea the Red Army had ousted the Japanese. In the south, the popular movement took control. A well-organised network of 'people's committees' sprang up in towns and villages. The People's Republic Movement established a provisional

Average hours worked per week compared to monthly wages in manufacturing		
	Hours	Wages (US\$)
Sweden	38.3	1,565
United States	40.5	1,709
United Kingdom	41.8	1,132
Hong Kong	44.8	390
Japan	46.2	2,092
Singapore	47.0	345
South Korea	53.8	334

Korean workers - lowest wages, longest hours/ILO Yearbook

government in Seoul (now the capital of South Korea). The People's Republic Movement advocated policies of thorough land reform, nationalisation of industries, equality for women, and other radical and socialist policies.

Workers take over the factories

With the retreat of the Japanese the economy was in chaos. Factories were at a standstill, and transport, communications and public services were collapsing. Throughout Korea workers occupied factories and re-started production. Most factories in Seoul were occupied and managed by trade union committees.

By November 1945 these committees had combined to form the All-Korea Council of Trade Unions. The Council had some half a million members, and according to an American observer, "was in almost complete control of those plants that had been Japanese-owned."

But unfortunately the United States and the Soviet Union had come to an agreement that the north of Korea would be within the Soviet sphere of influence, and the south would be in the United States sphere of interest. The American army arrived in South Korea in late 1945, established a military government, and proceeded to crush the popular movement, including the trade unions. The US army established a puppet regime, and a reactionary trade union body which later became

the FKTU.

Tension between the North and South led to the Korean War between 1950-53. The North invaded the South in an attempt to reunify the country. The Americans sent in troops under cover of the United Nations, and then the People's Republic of China sent the Red Army to back the North Koreans. In the end Korea remained divided.

The economic miracle

During the 1960s and 1970s the South Korean economy experienced massive economic growth. Huge industries were developed to export goods all over the world. The profitability of these companies depended on a cheap workforce which was denied the right to organise trade unions.

Workers did attempt to organise, but they were brutally crushed. In 1970 a young garment worker set himself alight while holding a book of Korean labour law. He died shouting: "Observe the law, save the workers!"

In 1979 1,000 striking women workers occupied the offices of an opposition political party. Armed police invaded the building and dragged the women out by force. One woman fell to her death from the fifth floor. This sparked a wave of demonstrations, which also involved the middle class. The continuing protests provoked a government crisis, the president was assassinated by the head of the Korean CIA, and some months later the military took over. They declared

martial law, and cracked down on the labour movement.

However, the rapid economic growth had created problems for workers. Workers earned extremely low wages and worked very long hours. They were concentrated together in massive factories which employed thousands of workers under one roof. They could feel their common grievances and potential strength.

Democratisation movement give workers space to organise

Through the 1980s workers launched a number of struggles to organise unions, but they were crushed by the ruthless military government. However, in 1987 new space was provided by the rapid development of the 'democratisation movement'. This movement was spearheaded by students soon after the year started. Thousands took to the streets in protest against the death of a student in detention.

Soon broad layers of society, angered by police brutality, were supporting the students and calling for democracy. By June the military regime realised it could no longer contain the protest. On 29 June the government announced that there would be democratic and constitutional reform. The workers gained confidence from the general mood of protest and from the retreat of the regime, and launched their own mass struggles for trade union rights.

Democratisation movement, students and workers

It is difficult to know exactly what the relation between the 'democratisation movement' and the trade union movement actually was. The book *South Korea's New Trade Unions* is somewhat ambiguous on this question. On the one hand it argues that the student movement supported the workers' struggles; on the other hand it suggests that the 'democratisation movement' and the student movement were more concerned with their own interests than those of the workers, and that workers were suspicious of their motives.

It does seem as if powerful sections of the 'democratisation movement', eg. the opposition political parties, were entirely bourgeois-reformist, pro-American and with little interest in workers' problems. The student movement, however, was more radical. It engaged in mass action, provided support and resources for the workers' struggle, and often demonstrated in support of strikers.

This link between student and worker struggle seems to have existed even before 1987. For example, in 1984 2,000 university students clashed with riot police during a demonstration in support of free trade unions and a free press. Two days later 1,000 students and garment workers staged street-demonstrations demanding free trade unions. Two weeks later, 500 torch-carrying stu-



1987: police kneel in submission to rock-wielding students

Photo: MIN-JU NO-JO

dents held a demonstration in an industrial area demanding basic workers' rights.

Another factor is that the law bans outsiders helping workers organise. The state constantly accuses student agitators of causing strikes. This makes workers cautious about developing links with students, as the government will use it against them.

Another group of 'outsiders' that has provided support for workers are church organisations. These organisations have provided meeting-places, resources and training, as well as publicising workers' struggles. They have been doing this for many years.

Democracy for workers?

In October 1987, after the wave of strikes had died down, the govern-

ment announced a new constitution and national elections for a new president. The elections were to be held in December. This seemed like a victory for the 'democratisation movement'.

But already things were going badly for workers. There was increased repression and smashing of democratic union structures. Hyundai plants were occupied by large squads of riot police armed with teargas.

In December a new president was elected, and in April this year elections were held for the National Assembly. But still workers are facing intense repression. After one strike a worker was called up to management's offices. He later emerged on a stretcher and was taken to hospital where he died, apparently from poisoning. Police stormed a vigil held

by workers, removed the body and burnt it, so no investigation of how he died is possible.

There has been a new wave of strikes. Hyundai has again been at the centre of action. Eleven thousand dockworkers struck for 32 days. Four plants of Daewoo Motors closed down when 9,000 workers walked out. Workers are still militant and waging the struggle for democratic unions and a decent wage.

Some sections of the 'democratisation movement' may be pleased with South Korean democracy, but according to Korean churches the repression of unions and workers' rights has not eased but dramatically worsened under the new government.

Tasks for labour movement

The tasks facing the democratic union movement now are to build structures on the shop-floor that are strong enough to withstand repression, and at the same time to build regional, national and industrial links that can co-ordinate struggles.

One of the problems facing the movement is the lack of skills, experience and training. Many new factory unions collapsed because workers were unable to manage them.

The shortage of skills is made worse by Korean labour law. This only allows a union to organise one company. Each company must have its own union, and industrial unions or general unions are illegal. The law also bans anyone or any organisation from outside the company assisting the union. Workers have only their own skills inside the factory to rely on. This is a serious limitation.

In South Africa, in contrast, industrial unions such as FCWU or MAWU, and federations such as FOSATU, played a crucial role in providing skills and training for shop-floor leadership.

Students take action

It is not only the workers who are struggling for their rights. The student movement too has been launching active campaigns. The main focus of student action has been



Hyundai workers: on strike again this year

Photo: International Labour Reports

on campaigning for the reunification of North and South Korea. They have organised delegations to march to the border to meet fellow students from the North, but these have been banned and repressed.

Students also launched demonstrations in the streets of Seoul at the time of the 1988 Olympic Games to focus world attention on the need to unify Korean society. They argued that the Games should have been shared between North and South Korea. By holding the Olympic Games in the South only, the Olympic Committee was recognising the legitimacy of the division of Korea.

Cuba, Nicaragua, Seychelles, Ethiopia and Albania boycotted the Olympics in support of North Korea.

Protesting students expressed anti-American and anti-imperialist slogans. As it becomes clear that the new government is not meeting the needs of the people, the student movement seems to be taking an increasingly radical direction. As state repression against the workers continues, students and workers may well seek a closer alliance. ★

*This article is based on the book, **Min-Ju No-Jo: South Korea's new trade unions** by Asia Monitor Resource Centre, and on articles in **International Labour Reports**.*

MIN-JU NO-JO

SOUTH KOREA'S NEW TRADE UNIONS

In just a few weeks in the summer of 1987, hundreds and thousands of Korean workers organised strikes and occupation throughout South Korea in an unprecedented wave of protest. Their demand: the right to organise independent and genuine trade unions.

Min-Ju No-Jo, the first of a new series of Asia Labour Monitor publications, charts the development of trade unionism, from its origins in the anti-colonial struggle, through the Korean war to present-day attempts to consolidate effective trade unions.

This book was compiled with the help of labour organisations and unions in South Korea and internationally. It is based largely on interviews and material gained at the height of the worker protests.

Copies can be obtained from the address below at \$5 per copy (plus \$2 for airmail postage.) Discounts for trade and bulk purchases.

Asia Monitor Resource Centre Ltd.
44 Nathan Road, 8-B,
Kowloon, Hong Kong

Korean workers consolidating unions

by JIM WOODWARD

As we were going to press we came across an article written by an American who visited Korea in October. Below we print extracts:

Korean workers are taking advantage of a breathing space following last summer's strike wave to consolidate their new trade union organisations.

Throughout the country the independent unions that sprang up last year are strengthening their shopfloor organisation, linking up in regional organisations, and discussing the possibility of forming a new national trade union federation to replace the government-controlled FKTU.

The leaders we talked with unanimously feel that their struggle involves much more than just wages, hours and other factory issues. They feel that many of their problems are the result of the political domination of Korea by foreign powers - particularly the United States and economic domination by foreign companies.

The unions are not just fighting to improve working conditions, they

said, but also for social change. They have no faith that continuation of South Korea's capitalist system will be at all to their benefit. And they feel that their trade union struggle cannot be separated from the Korean people's struggle for democracy and for reunification of North and South Korea. This is a very strong idea in Korean politics.

One of the key issues being discussed is whether to form a national federation of democratic trade unions in opposition to the FKTU. Some unionists believe it would be better to try and reform FKTU from within, but most believe a new federation would be a big step forward. But many said they need to strengthen their local and regional organisations before attempting to build a national federation. There are now eight regional associations of democratic trade unions, and more are being planned.

The major fight the democratic unions are now engaged in beyond the factory level is a struggle to change the labour laws. Korean law makes it very difficult to form a union independent of FKTU, bans the involvement of "third parties" such as national union officials or support groups in disputes, and bans political activity by unions.

On the question of international solidarity, the Koreans felt they were not ready to build international structures, but that they wanted to create channels for communication. ☆

(from *Labor Notes*/November 88)

Union struggles in Taiwan

by JIM WOODWARD

In the last year the labour movement in Taiwan [trusted friend of the South African government] has exploded in a way very similar to the Korean experience. [Taiwan is an island off the coast of the People's Republic of China. It used to be part of China until the Kuomintang (KMT) fled there from the Communist-led revolution in 1949, and declared it an independent 'republic'.]

The immediate spark for the upheaval was the death of Taiwanese President Chiang Ching-Kuo and the lifting of martial law, which was imposed on the Taiwanese people 40 years ago. Chiang was the son of the late Chiang Kai-Shek, who was leader of the ruling KMT until 1977 after fleeing the Communist forces led by Mao-Tse Tung (Mao Zedung).

Until last year repression was successful in limiting union activity. In keeping with their goal of developing an export-orientated economy, the KMT kept wages low and hours long. The officially recognised China Federation of Labour (CFL) co-operated with this policy.

Although the 8-hour working day is officially recognised, most workers

are forced to work overtime and a 12-hour day is common.

But with the lifting of martial law in 1987, strikes began breaking out. The formation of political opposition to KMT, including a labour party, also contributed to the mood of challenge. At the end of 1987 and beginning of this year thousands of strikes occurred, affecting most medium and large factories on the island. Most strikes aimed at enforcing sections of the labour law, which provide for overtime pay. The law has never been enforced.

The bosses and the government were caught unprepared. Workers made some gains, boosting their confidence. Since March, workers have been forming democratic unions.

Although many of the democratic unions have joined the CFL to form an internal opposition, they have also formed three independent, though unofficial, union federations.

In all this the CFL has been completely bypassed. Visitors to CFL offices report that officials there do not know what is happening in the factories - and further, that in the midst of this strike wave the CFL did not receive one request for assistance in a strike or campaign.

The hope of the democratic unions is to form a national coalition of the three new federations, to consolidate their unions on the factory level, and to democratise the factory level CFL unions. ☆

(from *Labour Notes*/November 88)

SMASHING THE IRON RICE POT

Workers and unions in China's market socialism

All bosses are the same - they're only there for making money. God damn it, I've worked for thirty years and still have to serve dishes to capitalists! I still don't understand why we have to enter into joint ventures with bosses and that the masters of our country, the workers, have to work for capitalists. Are we really that poor that we can't even afford this little bit of dignity? But then again, it's true that the standard of living of my colleagues and I has got much better. Now everybody has TV, fridge, hi-fi and washing machines. It is all a result of joint ventures....If we were to wait for state investment only, when will we ever have these luxuries? It's all a very difficult question, isn't it?

(Restaurant worker, People's Republic of China, 1987)

Smashing the Iron Rice Pot, the third of the new series of Asia Labour Monitor publications, looks at the trade union movement inside mainland China, and the stresses and strains imposed on it by China's ambitious programme of political and economic reform.

Smashing the Iron Rice Pot explores the extent to which workers are 'masters of the country' following these reforms. Reform and 'State Capitalism' have brought with them new problems: spiralling wage disparities; the possibilities of bankruptcies and layoffs; the loss of extensive welfare benefits and job security; and new management techniques from overseas, involving considerable reductions in trade union power.

Smashing the Iron Rice Pot is the result of research and interviews inside China, along with careful analysis of official reports. It provides the first sympathetic yet critical analysis of modern Chinese trade unionism.

You can get copies of this book from the address below. The price is \$5 (about R12) per copy plus \$2 (R4.80) for airmail postage. Discounts for trade and bulk purchases.

Asia Monitor Resource Center Ltd.
444 Nathan Road, 8 - B,
Kowloon, HONGKONG

Legal Notes

Legal Notes is written by the Centre for Applied Legal Studies (CALs)

The new Labour Relations Act

Part one of a workers' guide to the LRA

On 1 September 1988, major changes were made to the Labour Relations Act. They are the biggest changes to the Act since 1979 when black trade unions were, for the first time, allowed to register and participate in structures created by the Act.

Labour and management have criticised the new Act. However, despite the criticisms, the state has gone ahead and changed the law. The new law has a number of major defects:

- It radically alters the law on unfair dismissals and unfair re-trenchments making it easier for management to dismiss or re-trench;
- It introduces unnecessary complications to the conciliation procedures;
- It will make it more difficult to stage a legal strike;
- The Act contains attacks on majoritarian trade unionism while protecting the position of minority and racially-exclusive trade unions;
- The Act makes it easier for employers to interdict strikes and sue trade unions for damages;
- The Act changes the structure of the Industrial Court and will have the effect of making cases more time-consuming and ex-



Workers were clear, but SACCOLA refused to co-operate

Photo: Tsuks Mokolobate



SACCOLA's Godsell

Photo: Eric Miller/Afrapix

pensive.

- The language of the Act is unclear and the meaning of many sections is difficult to determine. This will lead to extra litigation.

Over the next few issues of the Bulletin, each of these important changes in the law will be discussed.

Dismissals and retrenchment

This article looks at how the new law has changed the law on unfair dismissals and retrenchment. Before this, we will discuss developments in the law of dismissal in recent years.

Up until 1979, an employer could dismiss a worker provided that he gave the notice required either by the worker's contract of employment or the relevant industrial council agreement, wage determination or statute. There was no requirement that the dismissal be fair or that the worker be

given a hearing. The only restriction in the law was that the dismissal could not be victimization - in other words, an employee could not be dismissed for trade union activities.

The 1979 Act and the Industrial Court

In 1979 the industrial court was established and given unfair labour practice powers. The court soon ruled that it was not enough for a dismissal to be lawful; it also had to be fair. The employer had to show that there was a good reason for dismissing the worker, and that the worker had a fair hearing before dismissal. In other words, the dismissal had to be both substantively and procedurally fair. If the dismissal was not fair, the court could reinstate the dis-

missed worker.

Similarly, in the area of retrenchment the court set down standards of fairness. The employer had to consider ways of avoiding or minimizing the retrenchment, he had to consult with the trade union over both the need to retrench and the extent of the retrenchment. The selection of workers for retrenchment had to be by fair and objective criteria, the most important being "last-in first-out" (LIFO).

The industrial court developed its guidelines on dismissals and retrenchment under the old definition of an unfair labour practice. This was very general and gave the court a wide discretion. This situation has now changed. The definition of an unfair labour practice has been extended and it now says whether certain actions are or are not unfair labour practices. Where this has been done, the court's discretion and its ability to be creative, has been removed. This has been done with dismissals and retrenchment. On issues not dealt with expressly in the definition, the court retains its discretion.

When the Act was being debated in Parliament, officials of the Department of Manpower and M.P.'s said that the dismissal and retrenchment sections of the new unfair labour practice definition merely consolidated the present law. This is untrue. The new definitions, which we will now discuss, do away with many of the worker rights that have been established in the 1980's.

Dismissal for disciplinary reasons

A dismissal for disciplinary reasons will be fair if the dismissal is for a valid and fair reason and if a fair procedure has been followed. This is a restatement of the current position. However, this general rule is subject to a number of exceptions. Some of these exceptions are so wide that they could drastically undermine the impact of the general rule. These are:

- 1. The general rule on dismissals does not apply in the first six months of a worker's employment. This allows for a period of probation. An employer and worker may negotiate a shorter period of probation. This section has been criticised because it is unwise for the same probationary period to apply to all jobs. It would be better if the length of the probationary period was left for the Industrial Court to decide. The meaning of the clause is unclear. The employer does not need a valid reason for dismissal. But he must follow a fair procedure. It is difficult to see the function of a fair procedure if there need not be a fair reason for the dismissal.
- 2. There are two situations in which an employer will now not need to hold a hearing or disciplinary inquiry before dismissal. The first is if the employer can

convince the industrial court that it was not reasonable to expect the employer to hold an inquiry. This clause is intended to protect employers in a mass dismissal after, for instance, an incident of violence on mine. If the employer dismisses the workers suspected of being involved in the incident and busses them out, the court will most probably accept that the employer did not need to hold an inquiry. The fact that certain of the dismissed workers may not have been involved in the incident will not automatically make their dismissal unfair.

- 3. The second situation in which no hearing need be held is where the employer can show that the worker was granted a fair opportunity to state his case and that a hearing would, in any case, have resulted in the worker being dismissed. This approach could be used where a foreman has asked a worker facing dismissal to tell him his version of events. Even though no hearing was held, the court could accept that the worker had adequate opportunity to state his case. Both of these provisions undermine the principles of procedural fairness and are open to employer abuse. Unions should try to insist through agreements that all employees have a right to a fair hearing and appeal before dismissal.
- 4. A dismissal will not be unfair

if it takes place after there has been substantial compliance with the terms and conditions of an agreement relevant to the dismissal. The meaning of this exception is unclear and much will depend on how the industrial court interprets it. For the purposes of this section an agreement includes not only agreements negotiated between employers and trade unions, but industrial council agreements and agreements concluded at conciliation board meetings.

Many industrial council agreements contain very short notice periods for dismissal. For instance, in the metal industry employers need only give 24 hours notice of dismissal. The courts will have to decide if this exception refers to clauses in industrial council agreements concerning notice periods, or whether it only refers to provisions dealing with the fairness of dismissal. If the court holds that it applies to notice clauses, protections against unfair dismissal in many industries will be destroyed.

Retrenchment

The law on retrenchment has been radically changed. Where a retrenchment procedure has been negotiated, union and employer will continue to be bound by it. Where there is no agreement, the employer will no longer need to follow many

of the guidelines established by the court. A retrenchment will be fair if:

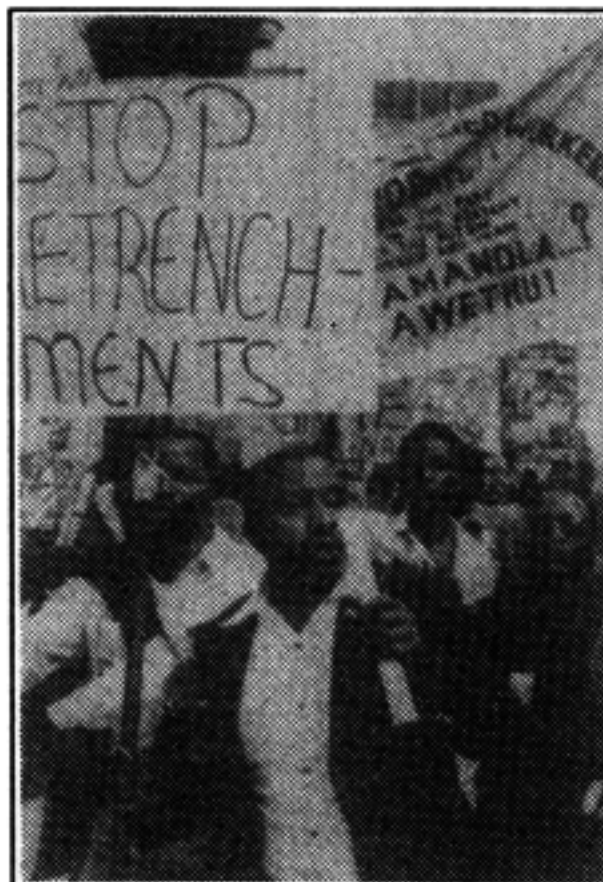
- 1. The employer gives prior notice of the termination of employment. This notice must comply with the provisions of either an agreement (Industrial Council, Conciliation Board or in-house), the terms of a wage determination or the employee's contract. The notice must be given to either a trade union that is recognised by the employer or to the employees as a group. This changes the law as previously employers had to give notice to a majority trade union even if the trade union was not recognised by the employer. Now only recognised trade unions are entitled to notice.
- 2. The employer must enter into consultations over the dismissals resulting from the retrenchment.

These consultations must be with a recognised trade union or the employees as a group. The law here has also been changed. Previously consultations had to cover both the need to retrench (i.e. ways of avoiding or reducing the retrenchment) as well as the size and timing of retrenchment and the severance

benefits. The obligation to discuss the need to retrench no longer exists. This will drastically undercut the role trade unions can play in minimizing the extent of retrenchments.

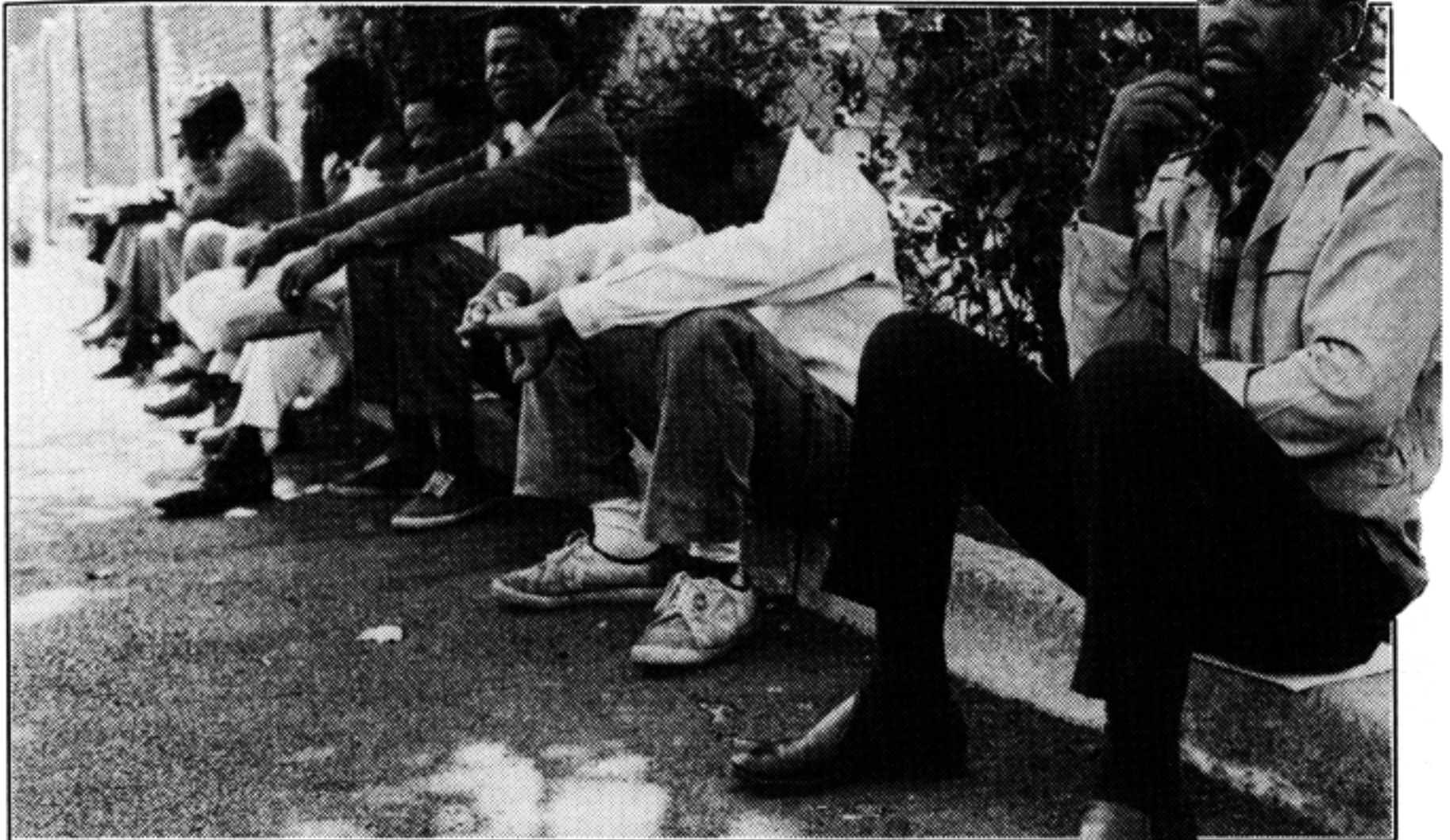
- 3. Where an agreement or contract of employment has provisions regulating retrenchment, these provisions must be complied with.
- 4. The criteria that an employer should take into account in selecting which employees to retrench have been radically altered. As mentioned previously, the industrial court had ruled that LIFO was the major criterion. The new definition states that the employer must use reasonable criteria which could include the ability, capacity, productivity and conduct of employees as well as the operational requirements and needs of the employer.

One of the major reasons that LIFO was accepted by the court is that it is objective. It is easy for a trade union to check whether LIFO has been correctly applied by checking employees' dates of engagement. The new criteria that the Act lists as being reasonable, are more subjective. It will be almost



Now they have even less protection

Photo WIP:



What future for workers under this Act?

Photo: Leminski/Afrapix

impossible for a trade union to challenge the company's decision on the ability, capacity or conduct of workers. This definition could return retrenchment to the pre-Industrial Court period. An employer will be free to retrench virtually any employee provided he is not guilty of overt victimization of active trade union members.

Employees in their six month probationary period are worse off in retrenchments. If the employer complies with relevant provisions in an applicable agreement, wage determination or contract of employment, the retrenchment will be fair.

Other dismissals

The procedures that must be followed in a retrenchment apply to all dismissals not for disciplinary rea-

sons. These procedures also apply to dismissals for incapacity (where a worker cannot perform the job for which he was hired, or is prevented from doing so by illness or injury).

Where a dismissal follows a strike, but the reason for the dismissal is a downturn in business caused by the strike or because the employer has hired permanent replacements, these procedures must be followed. In such a case, and in all cases of dismissal for a reason other than discipline, the employer will have to consult with a recognised trade union or with the employees as a group.

Selective re-employment

The new definition also regulates selective re-employment of dismissed workers. The re-employment must be made in terms of fair criteria.

However, the Act does not list any "fair criteria", except to say that the failure to re-employ because of a worker's trade union activities will not be fair. It is likely that the court will accept that the criteria for a fair retrenchment can be applied to cases of selective re-employment.

Conclusion

These changes to the law do not contain any improvements for workers and trade unions. The law may be clearer than it was, but it is much worse.

In the next *Labour Bulletin*, we will discuss the changes in the procedures for referring disputes to an Industrial Council or applying for a Conciliation Board. There have been major changes to these procedures. If, in the meantime, you have a dispute that must go to an Industrial Council or Conciliation Board, you should seek the advice of your union's legal officer or a lawyer. ☆

“Job grading and wages”

A new workers' book from the
Workplace Information Group (WIG)

'Most black people did not go to school, because they looked after cattle. Others grew food for themselves, and they did not have enough money to go to school. So now it is very difficult when you are looking for a job. If you get a job, you must work as a labourer and you get a low wage. The educated people get richer, like doctors, lawyers, nurses, businessmen, teachers, because they get higher wages. The poor people get sick often because they do not get enough food. And so doctors get richer, because often labourers give all their money to doctors. I think all people must be on one level. They must get the same wage and live the same.'

Worker from Crossroads in Cape Town

This book is about job grading. It explains why management uses job grading. The book explains different kinds of job grading systems. It talks about problems with job grading, and what workers can do to make grading better.

You can also read about wages in Cuba and about workers co-operatives in Spain.

You can get copies of this book at the offices of Workplace Information Group (WIG). They are at: 6th Floor, Merchandise Centre, 350 Bree St Johannesburg

You can also write to:

WIG PO Box 5244 Johannesburg 2000

Telephone: (011) 402 5363

The worker price for the books is R1.00 each.

Economic Notes

Economic Notes are by Labour Research Services, Cape Town

Overtime

Cutting overtime could create 100,000 new jobs

A study by the Labour Research Service reveals that 100,000 new jobs could be created by cutting overtime.

At present, the average worker in the manufacturing sector is working 4.7 hours per week overtime. The average construction worker is doing 3.2 hours per week. Considerable overtime is being worked while about 2,000,000 workers have no work at all!

The extra 100,000 jobs could be created simply by reducing overtime to an average of 2 hours per week. These two hours per week would provide ample flexibility to cover rush jobs for emergency situations. Then the remaining overtime hours could be consolidated to provide new jobs for 100,000 unemployed workers.

Ban overtime!

Cuts in overtime were demanded at COSATU national congresses in

1985 and 1987. These COSATU congresses passed resolutions which said that all workers should have the right to work. But under conditions of capitalist exploitation, this right is denied to many. Unemployment also makes it possible for scabs and anti-union vigilantes to operate. COSATU has therefore called for a national union for unemployed workers, which is now in the process of formation. Moreover, COSATU called for "a ban on overtime so that extra jobs can be created."

500 hours overtime, or more

More overtime is worked in South Africa than in many other countries. Many countries place strict limits on overtime. In some countries the limit is 120 hours per year while South African workers can work up to 500 overtime hours each year. The Transvaal motor transport industry's "limit" is 1,250 hours per year!

Other countries discourage overtime by making employers pay a high "premium". This means that employers have to pay an extra 50% or even 100% for overtime work. But

most workers in South Africa get only 33.3% more for overtime. Some overtime hours worked in South Africa don't even get extra pay!

The economy recovers without more jobs

The graph shows how overtime hours have been rising since 1985. The economic recovery has caused bosses to increase overtime for their workforce without much increase in the number of workers employed. So fewer workers are now expected to work longer hours to cope with increased production.

Unemployment - which figures are right?

How many people in South Africa are unemployed? Several different figures for unemployment have been published. But which is right? Here are the most important ones:

Department of Manpower:

According to this department

there were only 148,582 registered unemployed in February 1988 - or, 2.7% of the economically active population. Transkei, Bophuthatswana, Venda and Ciskei (the so-called TBVC states) are excluded.

1985 Population Census:

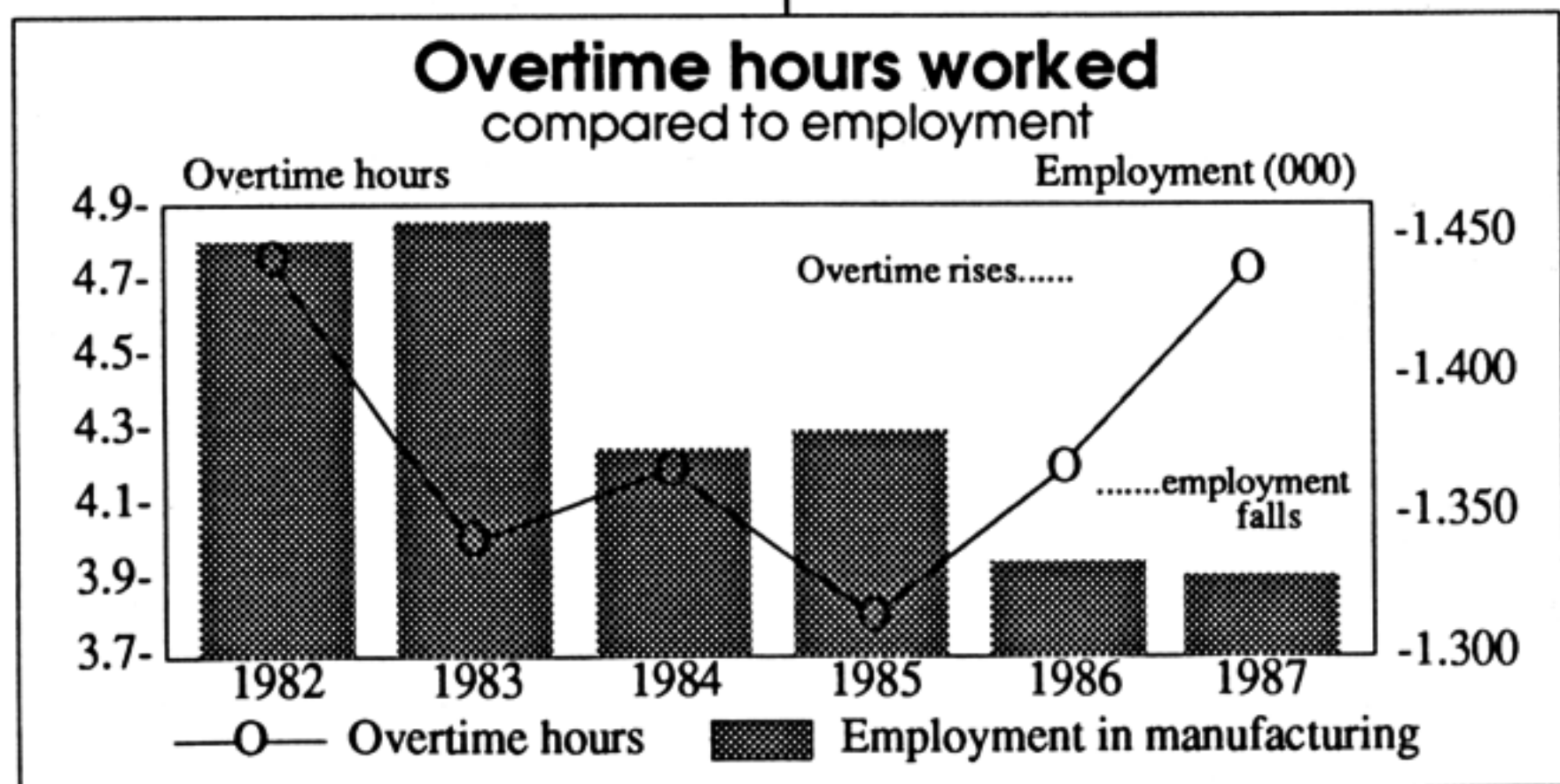
This census reported that about 800,000 people of all races were unemployed, or 9% of the economically active population. But the census did not cover the TBVC states.

Current Population Survey:

Their most recent figure, for May 1988, is 963,000 African unemployed, or 15.8% of the economically active population. It also excludes the TBVC states. By an expanded definition, the Current Population Survey says that 1.1 million Africans are unemployed.

Professor Charles Simkins:

His calculation included the TBVC states. He estimated that there were just over 2 million unemployed in 1981. He also made provision for under-employment - that is, for



people who work only a few hours each week.

Professor Jeremy Keenan:

He updated Simkin's figure. He says that unemployment could have risen to between 4.1 million and 5.3 million by 1986.

Statistics are not needed to show that unemployment is very high. Trade unionists know this from their own experience. Drastic measures are needed to create jobs and raise living standards. ★

Sappi Company Profile

Sappi produces half of South Africa's paper and it is one of the world's 25 biggest pulp-and-paper producers - the largest on the African continent.

Sappi is essentially a forest products company. It grows trees, produces the pulp, makes the final product, paper and linerboard, and then sells this to its customers around the world.

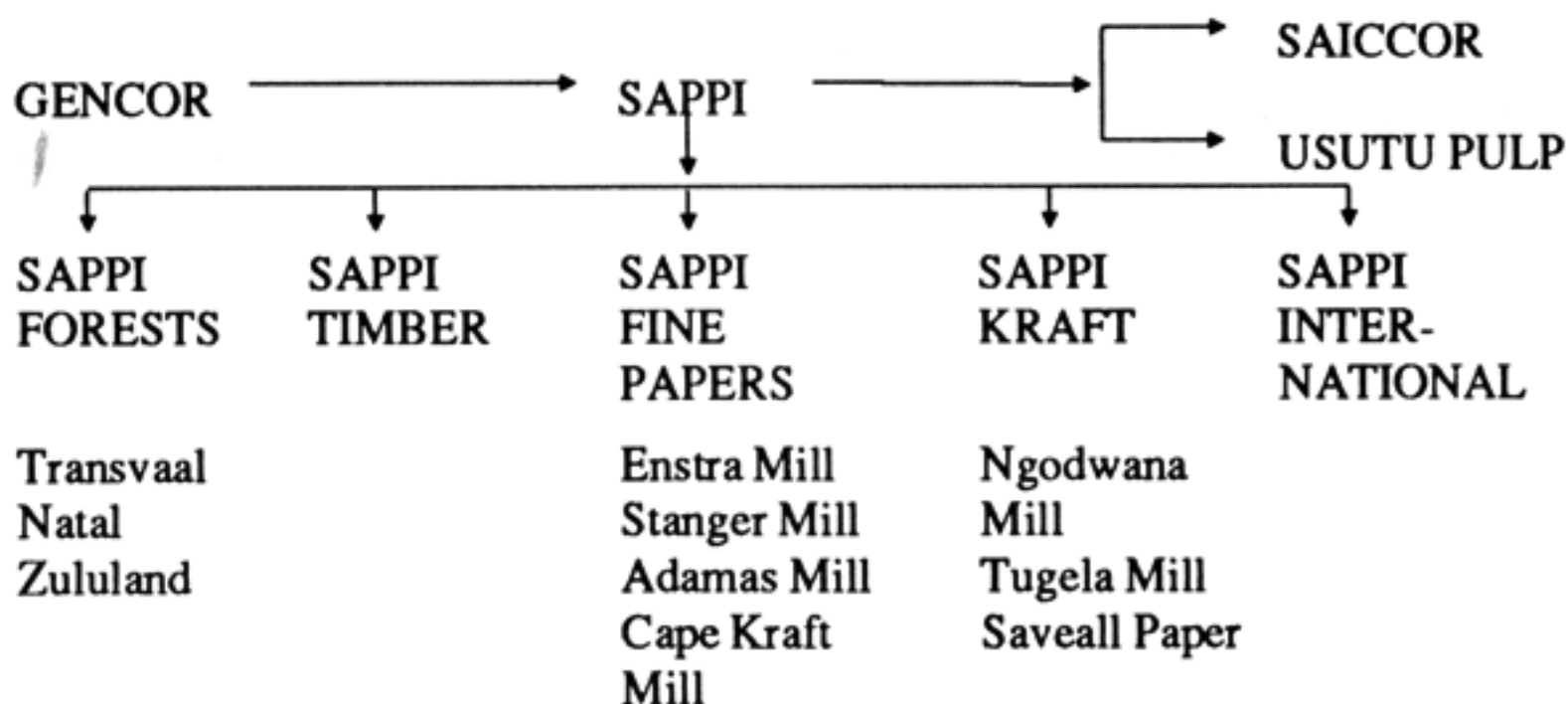
This manufacturing process takes place in Sappi's seven divisions which were recently expanded by the purchase of Saiccor and Usutu Pulp Company.

The Ngodwana Mill, which began producing pulp and paper in 1985 cost Sappi nearly R1,500 million to build. It was also the biggest single private sector investment in South Africa.

Of similar magnitude is Sappi's recent purchase of Saiccor and Usutu Pulp from the Courtaulds group, a British multinational, for R1,000 million.

The Ngodwana Mill increased Sappi's workforce by only 800. The

SAPPI - Company structure



Saiccor purchase will, however, bring in a further 10,000 employees. Sappi now employs over 24,000 people. Sappi's sales are expected to be over R2,000 million in 1988. This is more than double the sales made by Anglo American-owned Mondi, its largest African competitor.

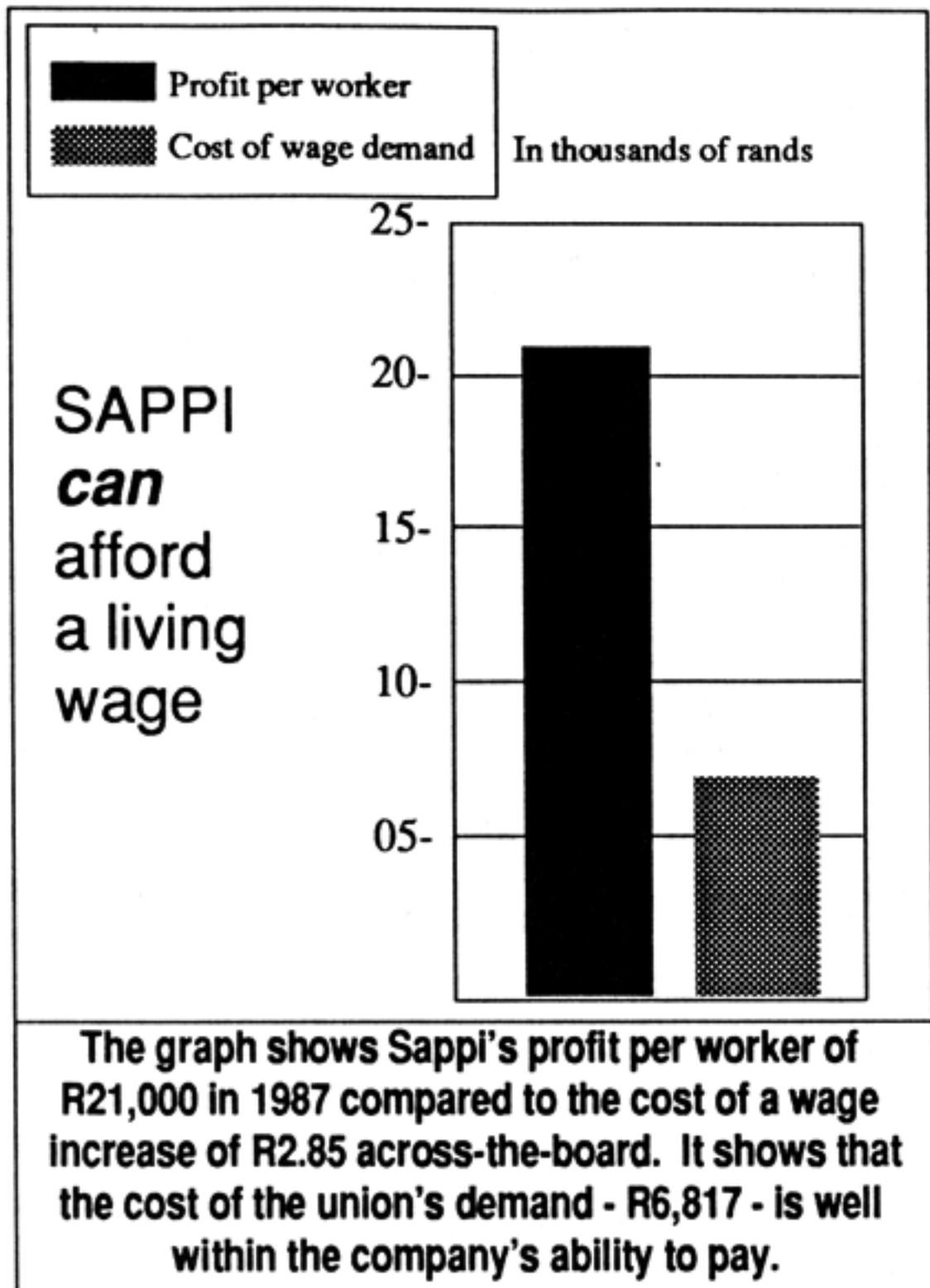
Sappi profits were big in 1987 and latest results show that they are going to be even bigger in 1988. A key question facing workers and their union PPWAWU is: can Sappi afford to pay a "living wage"?

Sappi Fine Papers Saveall in Port Elizabeth pays R2.15 an hour. Assuming the union's demand is for a minimum wage of R5.00 the increase would amount to R2.85. An across the board increase of R2.85 would cost Sappi an extra R6,817 per worker per year.

(i.e. R2.85 [wage increase] x 46 [hours per week] x 52 [weeks per year] = R6,817)

Director's pay

Sappi's directors were paid R38 per hour in 1987. This is an increase of R10 (34%) on their 1986 pay. This large increase stands in stark contrast to the promise made by Derek Keys, the chairman of Gencor, that "those



salary and wage increases which it (Gencor) decides itself will be substantially below the current rate of inflation." ☆

Inflation

**Consumer Price
Index
(1985=100)**

**Annual rate
of inflation
(% increase
over 1 year)**

Area	Sept 1988	Sept 1988
Cape Town	159.3	11.8%
Port Elizabeth	162.0	12.3%
East London	155.8	11.5%
Durban	151.6	11.1%
Pietermaritzburg	156.5	11.8%
Witwatersrand	160.8	13.0%
Vaal Triangle	157.2	11.4%
Pretoria	166.1	12.8%
Klerksdorp	168.7	14.9%
Bloemfontein	148.7	10.0%
OFS Goldfields	161.8	12.8%
Kimberley	155.6	10.6%
South Africa	159.6	12.4%

Source: Central Statistical Services

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South African Labour Bulletin Publication Guidelines

The South African Labour Bulletin is a journal which supports the democratic labour movement in South Africa. It is a forum for analysing, debating and recording the aims and activities of this movement. To this end, it requires contributors to the Bulletin to conform to the following publication guidelines:

1 Constructive criticism of unions or federations is welcome. However, articles with unwarranted attacks or of a sectarian nature which have a divisive effect on the labour movement will not be published.

2 Contributions to the Bulletin must not exceed the following lengths:

- *analytical articles* 8000 words
- *debate, reviews, documents, reports* 5000 words
- *briefings* 1000 words

3 *Articles* should be submitted in a final and correct form and in duplicate. Some articles may be refereed where necessary; all articles may be edited by the Bulletin. In the event of the editors deciding that other than minor editing changes are required, the article will be referred back to the author.

4 *Briefings* should cover topical events and developments of concern

to the democratic labour movement. They should be easy to understand and keep footnotes and references to a minimum.

5 *Debate, reviews, reports and documents* are intended:

- to make important statements and information from the labour movement more widely available;
- for reviewing new literature or other material of relevance to labour;
- to make more in-depth reports and research available to readers;
- to allow for debate on important contemporary issues.

6 Contributions should be written in clear, understandable language.

7 Contributions to the Bulletin must be typed and, where applicable, include proper footnoting and references.

8 Except in the case of public documents, all material submitted will be treated in confidence.

9 The editors reserve the right to recommend to the author of any material that it be placed under another category to that under which it was submitted.

**For more details, please
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Witdoek vigilantes greet Police Minister Vlok three days before municipal elections

Photo: Rats Mayet/Afrapix