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South African

LABOUR BULLETIN

November 1989 Volume 14 Number 5



Anti-LRA campaign
Constitutional Guidelines
Natal: violence and exploitation
Interview with Wilton Mkwayi

The South African Labour Bulletin

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South African

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Volume 14 Number 5 November 1989

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Editorial notes

SWAPO victory

SWAPO won the Namibian elections with a clear majority of 57%. This exposes starkly the lie used by the apartheid regime to justify its brutal occupation of the territory - the lie that SWAPO was a terrorist group with no support from the people. Pik Botha was shameless enough to state that the election was a victory for democracy - as if he were responsible for it! One wonders when the government will abandon its lies about the ANC and the SACP, and allow the people to make their choice.

Although SWAPO won a majority, it did not gain the two thirds necessary to control the constituent assembly. This is not necessarily a bad thing. It will force SWAPO to develop its ability to compromise and accommodate a range of interests, and to solve problems *politically*.

The elections revealed that SWAPO has majority support in the urban centres of Windhoek, Swakopmund, Tsumeb and Luderitz, and in Owamboland, but nowhere else. Thus it cannot claim that at present it represents all sectors of the nation. The



election results should focus SWAPO's attention on building an organised mass base, and on extending their support to all areas of the country. Without these factors, unifying the nation and transforming Namibian society will not be possible.

Nonetheless, the result is a tribute to the heroic resistance of the Namibian people. After one hundred years of the most vicious and bloody colonial oppression they are free. Progressive South Africans will celebrate with them, while at the same time they watch with intense interest the debates, compromises and decisions of the constituent assembly.

Constitutional guidelines

In South Africa too the constitutional debate is hotting up. This edition of *Labour Bulletin* carries a debate on parliament, revolutionary democracy, and the constitutional guidelines. This issue becomes specially important as the question of negotiations is placed on the political agenda

The article by Karl von Holdt argues that multi-party parliamentary democracy is necessary, both in transi-

tional society and under socialism. However, he argues that it needs to be supplemented with independent mass organisation. Barbara Klugman describes a non-parliamentary form of democracy in Uganda, where village councils elect district councils, which sends delegates to the regional council, which in turn elects the national council.

Visiting the Soviet Union

Readers will be interested to know that two *Labour Bulletin* staff members have just returned from the Soviet Union, and our next edition will publish their experiences, together with interviews with trade unionists who have also been there recently. Perestroika and the dramatic events in Eastern Europe are raising an enormous amount of discussion in trade unions and other organisations. Much of the debate centres on questions of democracy and politics in a socialist society. Thus it is valuable to have access to experiences of those who have been to the Soviet Union and other socialist societies.

Independent trade unions

One of the issues arising out of developments in the socialist world concerns the view that trade unions in a socialist society should be independent. A number of articles in the *Bulletin* this year have explored the issue, as do the interviews with Namibian and Nicaraguan unionists in this edition.

New writer

Labour Bulletin would like to welcome a new writer, Devan Pillay. Devan has just completed a doctorate on South African trade unions and politics at Essex University. He has extensive labour research experience, as well as activist experience in UDF affiliates. With the addition of Devan and recently-employed Renee Roux, we now have an extremely powerful team at the *Bulletin*. So readers and non-readers - pay up your subscriptions!

Apology

We would like to apologise for an error in the last edition. The writer of the article on health and safety struggles of the stevedores was left unnamed. It was written by Dawn Garisch of Industrial Health Research Group in Cape Town.

Karl von Holdt

Remember Vuyisile Mini, Zinakile Mkaba and Wilson Khayinga

Statement by the SOUTH AFRICAN CONGRESS OF TRADE UNIONS (SACTU)

The 6 November 1989 marks the 25th Anniversary of the execution of Vuyisile Mini, leading member of SACTU, ANC and SACP. In 1964, Mini was executed together with 2 other patriots, Zinakile Mkaba and Wilson Khayinga on trumped-up charges of committing acts of sabotage, and although not proven guilty, with involvement in the death of a police informer in January of that year.

Three other men were later hanged for the killing of the informer - these comrades were: Jonas, Mpentse and Ndongeni.

Mini - a singer, actor, songwriter, poet, trade unionist and revolutionary - and his comrades Mkaba and Khayinga, walked to their death defiantly and courageously singing:

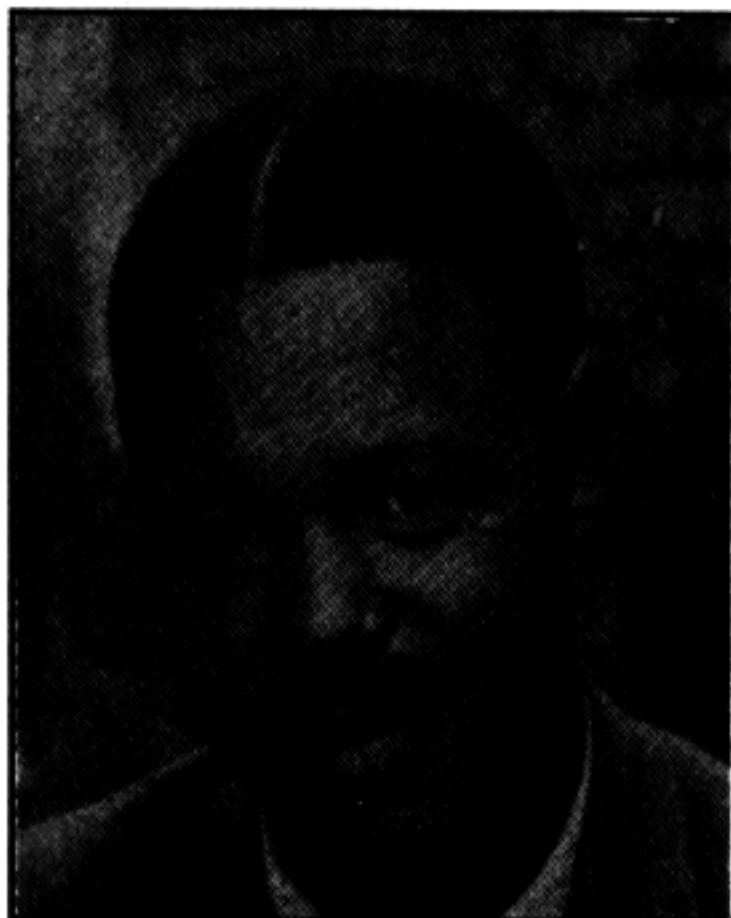
Nants' indod' emnyama Verwoerd!

Vuyisile Mini was an executive member and an organiser of the Port Elizabeth SACTU Local Committee. He organised dockworkers into the Port Elizabeth Stevedoring and Dockworkers Union which affiliated to SACTU. These workers carried out a prolonged strike in 1957 - 58 which eventually required the combined forces of the bosses and the state to crush. The SACTU Local Committee formed a cultural club which attracted

scores of cultural workers, inspired by Mini, a singer, dancer, actor as well as freedom fighter. Mini was notable for his dedication to revolutionary cultural work.

Refusal to sell out

Thirty-three days before their hanging, Mini, Mkaba and Khayinga were visited by the fascist security police with an offer to



Vuyisile Mini - hanged in 1964

Photo: Organise or Starve

“save themselves from the gallows” by giving information about sabotage activities in the Eastern Cape, and specifically about Wilton Mkwayi. All three brave patriots contemptuously refused to have any dealings with the murderous special branch and instead went to their deaths defiantly singing freedom songs.

Since the early 1900's a number of trade union leaders have been executed by the racist police, tortured to death and many others have died mysteriously. Vuyisile Mini is remembered for his ability to organise workers into the trade unions, for his spirit of defiance and resistance. He is a symbol of the militancy of the working class of our country.

Repression intensifies

Over the past 25 years since the execution of comrade Vuyisile Mini, and his two comrades, Khayinga and Mkaba, the repression against the oppressed masses, in particular against the trade union movement, has intensified greatly. Detentions have continued to increase with hundreds of patriots in detention.

Despite the promises to deal with the issue of detentions after the national hunger strike during which detainees demanded to be charged or released, more detentions are occurring all the time. Detentions are increasingly being used under the State of Emergency to prevent activists from carrying out their work, and therefore as a means of destroying the mass democratic movement. In the

event of detainees being released, severe restrictions are applied which in effect amounts to another prison sentence. Scores of trade unionists are serving long jail sentences.

Another extremely disturbing element is the number of patriots sentenced to death for political activities. Between 1980 and 1988 at least 1 070 people were hanged in South Africa, with 97% of those executed being black. About 300 people are on death row having been convicted by white judges in racist courts operating laws designed to suppress all opposition to the apartheid system of exploitation.

Unionists on death row

Amongst these are a large number of trade unionists including patriots from CCAWUSA, NUM, SARHWU and TGWU. Through intense pressure, both internationally and internally, some of these trade unionists have had their death sentences commuted to long term sentences, such as CCAWUSA's Ntombela, TGWU, and NUM activists. However the SARHWU four remain on death row.

Given the continued repression and violence by the apartheid state against the workers and the mass democratic movement generally, we believe that special tribute must be paid to the sacrifice of these comrades and that the opportunity should be used to mobilise opposition to the increasing number of executions and to focus on repression generally. ☆

Editor attends conference on Gramsci

by *LABOUR BULLETIN*

The editor of *Labour Bulletin*, Karl von Holdt, was recently invited to attend an international conference on Gramsci convened by the Gramsci Institute in Rome.

Gramsci: communist leader

Antonio Gramsci was one of the founder leaders of the Italian Communist Party (PCI) in 1921. Before the founding of the party, Gramsci was active in the factory council movement in Turin. This movement established democratic factory councils after the First World War as a militant challenge to the reformist trade unions. The factory council movement culminated in a wave of factory occupations in 1920.

In 1921, Gramsci and Bordiga led a breakaway from the reformist Socialist Party, to found the PCI which affiliated to the Communist International. Gramsci became leader of the party in 1924. By that stage the fascist Mussolini had come to power, and the party was operating underground. Two years later Gramsci was arrested

and jailed. In jail he studied and wrote on many political issues, including culture, hegemony, leadership, and political strategy. He became very ill in jail, and died soon after his release in 1937.

Crisis of the left

The conference was attended by intellectuals and academics from Latin America, the United States, Europe, Czechoslovakia, the Soviet Union and China, amongst others. Many of the papers referred to crisis and disillusionment among left-wing forces in capitalist countries, especially in Europe and the US, due to the failure of orthodox Marxism-Leninism. Others referred to the crises of orthodox communism in Eastern Europe, brought about by earlier Stalinist policies and their collapse.

Most argued that what linked the crises in East and West was the struggle for democracy. They argued that the struggle for radical democracy offered a new strategy for the left in capitalist countries, at the same time as it is central to the renewal of communism in the East. They saw the writings of Gramsci as offering a new direction for Marxism because of his concern with democracy and leadership, civil society and hegemony.

Gramsci and the Soviet Union

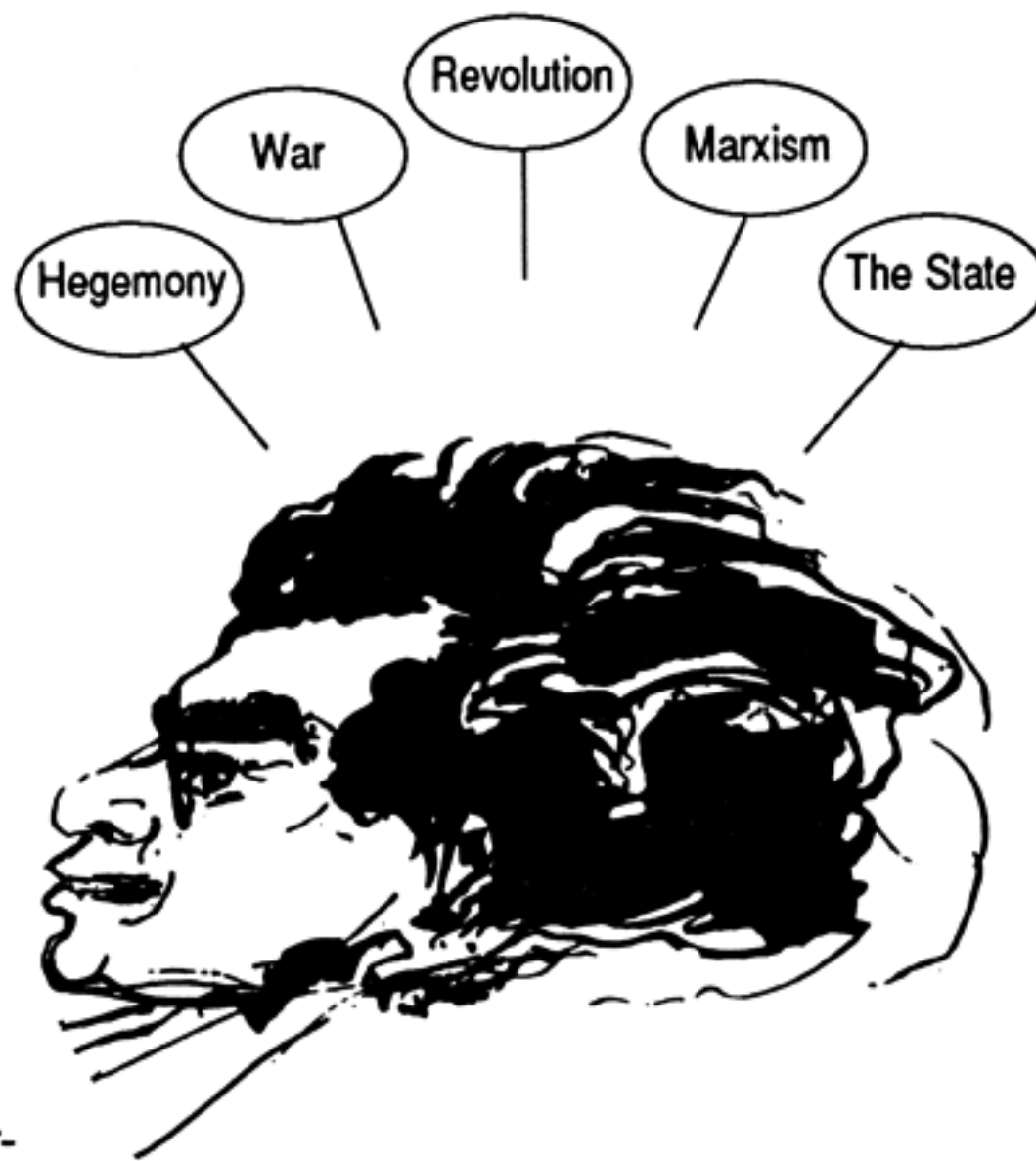
Some papers argued that perestroika, glasnost and democratisation in the Soviet Union have opened up the

space for what Gramsci called a civil society to emerge - that is, the emergence of organisations and activities which are *independent* from the party and the state, and which allow for a stronger and more dynamic socialism. Soviet academic Irina Gregorieva gave a particularly interesting

paper. She argued that in his writings, Gramsci explored precisely those questions that are central to perestroika - democracy, civil society, leadership and the party, the role of intellectuals. She reported that there is a rapidly developing study of Gramsci in the Soviet Union, and that this is linked to the processes of perestroika.

SALB editor speaks on war of position, war of movement

Von Holdt's paper differed from the others. He argued that in South Africa, unlike in many other countries, the left is confident and it is the regime which is in crisis. He reported that Gramsci is not particularly influential in political circles, and that there is virtually no theoretical investigation of Gramscian concepts. Where



his writings have been read and discussed, it has been to enrich and deepen the understanding of current strategies, rather than to formulate new strategies. For example, Gramsci's writings on hegemony helped to en-

rich the strategy of pursuing broad alliances. The concept was also used to critique the narrow workerism then current in the major unions. On the other hand, some of Gramsci's earlier writings on factory councils had some influence on the unions.

But Von Holdt went on to argue that the current strategies and experiences of the democratic movement could be used to enrich and deepen some of Gramsci's key concepts. He referred specifically to the concepts of hegemony and war of position.

He argued that the current strategies of isolating apartheid by building the broadest anti-apartheid coalition; of mobilising international isolation of apartheid; of gaining influence and leadership within churches, sports organisations, universities and other institutions of civil

society; of strengthening militant mass struggle and organisation; and of launching armed struggle, all add up to a war of position as understood by Gramsci.

Von Holdt argued that the insurrectionary uprisings of 1984-6, what Gramsci called war of movement, are simply one element of the war of position. He said that South African struggle revealed a profound connection between war of movement (insurrection) and war of position: the uprising created divisions and confusion in the ruling bloc, and also attracted a wide range of social forces among the people towards the forces of the democratic movement.

This created the conditions for a rapid advance in broad alliances, and accelerated the isolation and paralysis of the apartheid regime. This has become clear in the tremendous successes of the anti-apartheid struggle this year. In other words, the war of movement has strengthened the overall process of building a counter-hegemonic anti-apartheid bloc, under the overall leadership of the Mass Democratic Movement and the ANC.

The paper was received with interest, many delegates wanting to know more about the South African struggle. They were impressed by the strength and optimism of the struggle here, where practice is in some respects in advance of theory. ☆

Film and video workers organise

by WILLIE CURRIE

The Film and Allied Workers Organisation (FAWO) was launched in Johannesburg on 28 August 1988. At its founding Congress, FAWO recognised the critical role of film and video in the struggle for democracy in South Africa. The organisation committed itself to unite progressive film and video workers to advance the struggle for the creation of a non-racial, non-sexist, united and democratic South Africa and to encourage building a progressive film culture.

Background to the formation of FAWO

Two historical events helped in the creation of FAWO. One was a conference of film and video workers held during the Weekly Mail Film Festival in April 1987. This brought film and video workers together for the first time and made people think about the question of forming progressive structures for film and video. The second was the Conference for Another South Africa (CASA) held in Amsterdam in December 1987 which brought cultural workers from inside and out-

side the country together to discuss the question of culture and struggle in South Africa. Arising from this discussion, a resolution was passed to form organisations in the various cultural disciplines. The film and video workers attending the conference brought this resolution back into the country and a steering committee was set up which prepared for the launch of FAWO.

FAWO, together with other single discipline organisations, like the Congress of South African Writers (COSAW) and the Theatre Alliance as well as with the cultural units of COSATU, aims to build a progressive culture in South Africa. FAWO believes that a progressive culture is one that involves the majority of the people and reflects the cultural heritage of all South Africans. FAWO is thus part of the Mass Democratic Movement (MDM) and opposes the divisive culture of apartheid in all its forms.

Problems of film-making in South Africa

The major task of FAWO is to help build a progressive film culture in South Africa. The apartheid system has promoted racist film and television industries. The commercial film industry serves the interests of the ruling bloc as a whole and promotes apartheid. It does not make films that speak about the experience of the oppressed majority in South Africa. The television industries project an image of South Africa where racism is

regarded as normal. They show a world that lives in terms of white minority rule. TV1 is for whites. TV2 and 3 are for blacks. Bop-TV is for the citizens of a bantustan. M-Net is for the rich people who can afford a decoder to receive their programmes. There is no truly national television for all South Africans. There is only apartheid television. One of the tasks of liberation is to build people's television - television that is for all the people of South Africa regardless of race and class. FAWO wants to play a role in this process of developing people's film and television.

There are two aspects of this task - one is to challenge the cinema and television of apartheid. The other is to actively build a progressive film culture in South Africa.

The Role of FAWO

FAWO has set itself four priorities. Firstly, to develop film and video that is for the oppressed majority. At present the commercial film industry does not make films that look at the world through the eyes of a mineworker or a domestic worker. It does not make films that address the questions of racism and exploitation. Nor does it make films about the struggles of ordinary people to earn a living or to find somewhere to live. The commercial film industry makes films that hide the reality of people's lives in South Africa. And the censorship system prevents people from seeing the few films which challenge the authority of apartheid - films like *Mapantsula*.



FAWO - marching in defiance

Photo: FAWO

Secondly, to develop film which is made by the oppressed majority. Historically the majority has been excluded from the processes of film and video production. Few black people were trained and those that were, ended up doing menial tasks. Apartheid effected a racist division of labour on film sets. Blacks were there to carry equipment while whites performed the creative tasks and made

the decisions about the films. So film education is a priority, as is the production of films by members of the oppressed.

A third priority lies in the area of the distribution and exhibition of progressive films. Ster-Kinekor and Nu-Metro hold a monopoly control over what films South Africans can see. These tend to be films from the United States film industry in Holly-

wood. They are shown in expensive cinemas which are beyond the reach of the average person. The cheaper cinemas that operate in the poor areas of cities and townships show cheap low-quality films. So workers see mainly low-budget action or kung fu films which focus mainly on sex and violence. No progressive films are shown in these cinemas and one of the challenges facing FAWO is to build a distribution network where progressive films can be shown to the people.

A fourth priority is that of research and information. In order to engage in progressive film education, production and distribution, FAWO needs information on the film and television industries in other countries like Cuba, Canada, Nicaragua, Australia and the Soviet Union. This will provide ideas for building new structures for film and television in our country. Information is needed on how people view films and videos and what types of films people like. This knowledge is needed both for developing a progressive film culture and for the discussions that the people will have in deciding on the best structures for a post-apartheid film and television industry.

Community video

In order to deal with these tasks, FAWO has established committees in the areas of production, distribution, education and research. As part of its task of broadening the base of skills, FAWO is in the process of developing

a community video education programme in the Transvaal. Starting in Alexandra, FAWO is training two video groups from the Alex Arts Centre in the use of video. Students are taken through the skills of camera-work, lighting, sound and editing as well as through viewing and discussion sessions on aspects of South African documentary. After a year's introduction to the medium, the groups are now working on their first documentaries on life in Alex.

FAWO aims to extend this education programme to other communities (which could include trade unions, civics, women's groups, youth congresses, student organisations as well as cultural forums) and to develop a full-time course in community video. The aim of community video is to make videos which reflect the important issues facing communities as well as to document events and people's lives as part of a visual history of struggle. Such videos are best made by people from within those communities who are accountable to the community organisations that lead the people.

Film productions

FAWO has also developed a trainee scheme to place members of the oppressed on film productions. The aim is for such trainees to learn the basic skills in the camera, sound, editing, art and continuity departments of a film that is being shot. FAWO is also organising script-writing workshops with COSAW (Congress of

South African Writers) to help develop this important skill in film-making. This year FAWO placed trainees on the shoot of *Operation Weissdorn*, a film about the Nazi spy, Robey Leibbrandt, who was sent to assassinate General Smuts during World War 2. This film exposes the mentality of the far right and provides a historical criticism of the actions of the AWB today.

In the area of the production of films and videos, FAWO is looking at ways of stimulating the production of progressive films. As part of this process, FAWO is beginning a Film Development Fund. This fund will help film-makers develop their scripts and raise money for film-making. The FAWO production committee is also concerned about the working conditions of film and video workers on film sets. It is developing guidelines around minimum wages, reasonable hours of work and respect for certain calendar days such as June 16th and May 1st.

Distribution of films

In the area of the distribution and exhibition of films, FAWO's distribution committee is exploring three ways of expanding the distribution of progressive films to the oppressed. The first way is by building up a network of video libraries from which organisations can borrow videos to show at their meetings. The second is to build up a network of independent cinemas where progressive films can be shown.

The third area is to develop a range of film festivals for the people where all kinds of films are screened. In these ways, FAWO hopes to start taking films and videos to the people who have been excluded from enjoying progressive films by apartheid and its censorship system.

Building FAWO nationally

At its Second Annual Congress held in Johannesburg on 13 - 15 October 1989, FAWO looked at the question of developing into a truly national structure. The Western Cape region of FAWO merged with the Transvaal region. FAWO members from the Eastern Cape agreed to work towards developing FAWO in their region. The Natal Organisation of Video and Allied Workers (NOVAW), a fraternal organisation to FAWO, is considering joining up with FAWO at the next Congress. So the stage is set for a fully national organisation of film and video workers by the end of 1990.

FAWO believes that its members should also be involved in issues broader than film-making. Progressive film and video workers need to be part of the struggle and not simply stand on the sidelines with a camera - however important film and video work is. As part of this process, FAWO adjourned its Congress for several hours on Saturday 14th October to join the march against the Labour Relations Act and to celebrate the release of Walter Sisulu and other leaders.

The Second Congress also elected the following people to leadership positions for the coming year:

Chairperson:

Laurence Dworkin

Vice-Chairperson:

Nyana Molete

General-Secretary:

Harriet Gavshon ☆

Things don't go well with Shell

by *CHEMICAL WORKERS INDUSTRIAL UNION (CWIU)*

Shell has consistently boasted about its enlightened political policies in SA through numerous weekly newspaper advertisements. However, this is not matched by its employment and labour relations practices in SA. In an opinion poll conducted by CWIU amongst its shopstewards and organisers in the petroleum sector, Shell ranked the lowest in terms of labour relations practices. A number of experiences by CWIU in its dealing with Shell have vindicated this position.

Worker victimisation and strikes

At the end of 1988, CWIU declared

a dispute with all the major petroleum companies due to their refusal to bargain with the union on an industry-wide basis. The dispute was eventually resolved with most of the companies, except for Shell and Mobil. Other companies at least agreed to have national company-wide negotiations. It appeared that even this was too great a concession for Shell.

The union then pursued the dispute with the company and opted for industrial action. When the union held a strike-ballot during early 1989 the company openly victimised two leading shopstewards. One shopsteward at Veetech Durban (a Shell subsidiary) was suddenly transferred and demoted for no apparent reason and another, Macvicar Dyasopu (Port Elizabeth) was dismissed for allegedly holding the strike-ballot during working hours. Despite weeks of negotiations and industrial action the company refused to re-instate Mr. Dyasopu. He was eventually reinstated during April by private arbitration.

Soon after the company issued Mr. Dyasopu with a final written warning for allegedly transgressing the conditions of the arbitration award. This was disputed by the union and eventually resulted in a 4 week long strike during October this year, with BP workers in East London and Cape Town refusing to handle Shell products.

During August this year, a representative of the CWIU met with a Dutch employee of Shell. Upon this worker's return to Holland he learnt that he had been demoted, for no ap-

parent reason.

The union has had a number of strikes on various issues at Shell installations or its subsidiaries during the last two years. They are Sapref Durban (the largest refinery in Africa), Shell Oil (Durban and PE), Veetech (Durban), Cera Oil (month-long strike in Johannesburg) and Price's Candles (East London). This probably represents the

highest rate of industrial disputes or strikes for any single company in the chemical sector.

Shell undermines provident fund

The union has experienced deliberate and blatant attempts by Shell to undermine its introduction of a provident fund into the chemical industry. After refusing to negotiate retirement benefits with the union at one of its subsidiaries, Price's Candles, it still went to individual employees seeking confirmation of their membership of existing company funds. Forms were handed to individual workers for them

FREE THE DEMOCRATIC PROCESS

Shell urges Government to:

1. End the State of Emergency
2. Release and unban all political leaders
3. Lift restrictions on democratic organisations
4. Allow and encourage freedom of expression



What are Shell's real objectives?

to sign. The signing of these forms was clearly intended not only to confirm workers' membership of existing retirement benefits, but also to bind them permanently to the company's pension schemes.

During 1989, the CWIU managed to secure an agreement with Reef Chemicals (Johannesburg) that they will be party to the union-initiated provident fund

(Chemical Industries National Provident Fund.) However, after Shell took over ownership of the company, the union learnt that the company would no longer be joining the fund.

Shell misleads the public

The CWIU's view is that Shell is consistently giving the world and the South African public a very false and misleading impression of its activities and purpose in South Africa. The expressed purpose of Shell's presence in SA is not primarily to provide employment, uplift the economy, support freedom of the press or even less, to ensure democratic participation of all

South Africans in the political life of the country. It is obvious to us that Shell's objectives are to secure a good return on its investment in South Africa on the basis of exploiting South African workers and assisting the upholding of the status-quo, and consequently the apartheid regime.

As CWIU members of Shell are saying: "Things do not go well with Shell". ☆

Report on the 11 October march in Uitenhage

*by LABOUR BULLETIN
correspondent*

On 11 October 80 000 people marched through the streets of Uitenhage. This march will probably be remembered for years to come in Uitenhage. It was significant in many ways.

A month prior to the march a lot of discussion was going on - in the community and in the factories. Finally an MDM meeting was convened and it was decided that the march would be on the 11 October. The Mass Democratic Movement (MDM) is made up of COSATU, community organisations, traders, taxi-owners - in fact,

almost all sectors are represented. MDM meetings take place on a regular basis - at least once a month and twice a week when important issues are on the table as in the case of the march

The COSATU local secretary was mandated to make an application for the march to be held. The route was jointly worked out by a committee with one representative from each organisation. While waiting for the response from the magistrate, the plans were made. Report-backs were made on a daily basis at the different factories and meetings were convened in the community. The youth in the coloured areas were also starting to mobilise, reviving youth and community structures.

A total stayaway was called. Workers accepted the call readily. A meeting was convened on 9 October. At this stage, we were still awaiting permission for the march. The decision, however, was to go ahead with the march and to defy.

On the day, 80 000 people responded. No workers reported for work at the Volkswagen and Goodyear factories. During the march, a list of demands was handed to the town's Chief Magistrate and to the Divisional Inspector of the SAP. These included:

- the establishment of a non-racial municipality for Uitenhage
- lifting of the State of Emergency
- the unbanning of the ANC and all political organisations
- the unconditional release of all political prisoners, lifting of restric-

- tions and the return of exiles
- the removal of the SADF, SAP and municipal police from townships
- the abolition of apartheid and the scrapping of all discriminatory legislation
- an end to all apartheid hangings and the granting of prisoner-of-war status to all freedom fighters
- one person, one vote in a unitary South Africa, and the abolition of the tri-cameral system
- a free and compulsory non-racial education system for all
- the upgrading of schools in all black communities
- the recognition of democratically-elected student representative councils, and the right of students and teachers to organise
- the scrapping of the Labour Relations Act and the recognition of March 21, May 1 and June 16 as paid holidays. ☆

Commercial and Catering workers re-unite

by RENÉE ROUX

After division and a power-struggle that took its toll on organisation for four years, workers in the commercial and catering sector have finally

united. All this time there was almost no co-operation, except for a tenuous alliance during national wage negotiations eg. with Checkers or OK Bazaars.

The efforts of the last few months have borne fruit. On 11 November 1989 unity was finally achieved. CCAWUSA's two factions and the third faction of HARWU and Cape Liquor formally merged at the inaugural congress of SACCAWU (South African Commercial Catering and Allied Workers Union).

The July Third National Congress of COSATU gave all the factions a strong push to unite. A resolution on the unification process received overwhelming support. The next COSATU Central Executive Committee appointed 4 mediators, who then met on a regular basis with a Unity Executive Committee.

A 42 page unity agreement was negotiated: agreement was reached on 8 November and signed by all parties at 10 a.m. on the morning of the inaugural congress three days later.

The spirit of workers at the congress was high and hopeful for the future. The meeting lasted all of three hours, with all 350 delegates endorsing all resolutions and decisions that were embodied in the merger agreement. From beginning to end, there was not a single dissenting voice on any issue!

A conscious effort was made to include leadership from each of the previous factions in the new leadership of SACCAWU. Thus, the new union's elected office-bearers are:

President:

Duma Nkosi (ex-Kganare)

First Vice-President:

Miller Moela (ex-Mtwa)

Second Vice-President:

Chris Molamatsi (ex-HARWU)

Treasurer:

Amos Mthapho (ex-Mtwa)

General Secretary:

Vivian Mtwa

Assistant General Secretary:

Papi Kganare.

Education Unit:

J. Naidoo (ex-Kganare)

G. van Wyk (ex-Mtwa)

**Collective Bargaining/
Organising Unit:**

J. Daphne (ex-Mtwa)

A. Horwitz (ex-HARWU)

I. Mkhize (ex-Kganare)

The union will have two sectors - commercial and catering. Now that divisions are a thing of the past, the union looks forward to consolidating its organisation and building a powerful force in the industry. Now it can also take its rightful place as one of the biggest and most consistently militant affiliates of COSATU.

The divisions in CCAWUSA have taught COSATU affiliates a great deal about political debate in mass organisation. It is now commonly held that when an organisation splits over political differences the membership suffers as does the broad political leadership that the organisation is able to give. In addition, intolerance and division does not mean one or the other position will become widely acceptable. All parties in SACCAWU seem to have learnt this lesson and have

committed themselves to discussion and debate before adopting a formal political policy. By encouraging greater participation of the active membership they also stand a chance of reaching greater consensus within their ranks. ☆

UWUSA supporters, vigilantes, in East Rand killings

by *KARL VON HOLDT*

In August this year *Labour Bulletin* published a number of articles on violence on the shopfloor (Vol 14 No 3). Recently NUMSA and SACWU contacted *Labour Bulletin* about violent attacks on their members. NUMSA members have been shot dead at Haggie Rand's Germiston plant, at Kempton Park, and in Kagiso on the West Rand. NUMSA believes that UWUSA supporters are responsible for several of these assassinations. And SACWU reports that four members were axed and stabbed by vigilantes during a wage dispute at Plastic Bag. One of the workers was raped in the same attack.



NUMSA members and organisers discuss the attacks

Photo: Labour Bulletin

Clashes at Haggie Rand

Workers at Haggie told *Labour Bulletin* that on 11 September "a gang of UWUSA supporters" at the factory knocked off early and left the factory. Twenty minutes later Haggie night-shift workers were attacked at the station, as they were alighting from the train. The attack left Msimbu Ntenga, a worker activist, dying in hospital. The following morning, as the night-shift left the factory, workers were attacked again. One was critically injured.

Workers believe that these attacks were linked to the fact that an UWUSA member had recently been shot dead in Katilehong township. UWUSA supporters alleged that NUMSA was responsible.

After the attacks workers held a general meeting and threatened to

strike unless management solved the problem. Four days after the attacks a joint meeting was held with NUMSA shopstewards, management and UWUSA supporters. All parties agreed that peace was necessary, but no concrete proposal was agreed on.

Some days later UWUSA supporters contacted a NUMSA shopsteward, Moto Radebe, and asked for a meeting with Zulu-speaking members of NUMSA. Shopstewards decided that in the interests of making peace they should compromise their principles, and appointed a delegation of four Zulu-speakers, including Radebe, to meet UWUSA and hear their proposals.

Shopsteward shot dead

"Unfortunately, when they met the UWUSA supporters said that the meet-

ing should be postponed indefinitely for them to sort out some problems. Clearly there was division among them over the peace talks." A few days later, Radebe was gunned down outside his home.

Three workers have been arrested in connection with the two murders.

Workers approached management, and told them, "We are a peaceful organisation. We arranged peace talks, but now the comrade who arranged them has been shot dead. We do not know where it will end." Shopstewards are suspicious about management's role. "They say they can do nothing, but this favours the UWUSA supporters because it is our members who are being killed. It is part of a strategy to weaken and crush organisation."

They say management has blamed the overtime ban launched in the factory on 4 September for the violence. Workers launched the ban after a deadlock in negotiations over job grading, an issue left outstanding when the 1988 Haggie strike was settled (see *Labour Bulletin* Vol 13 No 7). "Management says, if you stop the overtime ban you will stop the violence. Supervisors say the same thing. This sounds almost like a threat. We reject this argument - we have never forced anyone to engage in the ban."

Shopstewards say the situation on the shopfloor is very tense - "you never know what may happen next." On 9 November they found an unsigned letter pinned to the company notice-board. "The letter accused us of causing suffering to the company

and the workers through the overtime ban. It stated that we must die, or not return to the company in January."

UWUSA organising on the East Rand

But shopstewards are confident that the UWUSA supporters will not be able to break their unity or organisation. "They are not more than 20. Workers will not join UWUSA, because it does nothing for them on the ground. They are organising in the hostels. They are trying to organise the Zulu nation on one side. Sometimes you find workers who are a bit reluctant during industrial action - UWUSA will target those ones. One or two workers will respond to this idea of the Zulu nation.

"Management seems to recognise UWUSA, because they are always referring to them. But we have never seen a ballot for shopstewards, we have never been notified of their shopstewards."

Haggie Rand is not the only factory with this problem. NUMSA regional office-bearers claim UWUSA supporters are organising in hostels in Vosloorus, Benoni and Katlehong. "They want to make East Rand a base. They say they will eliminate Xhosas, COSATU and ANC." There are small groups of UWUSA supporters in several NUMSA factories. One of them is Steel Pipe in Kempton Park.

On 4 August three workers from this factory were shot from behind on their way to work. One, Alpheus Temba Skosana, died instantly.

NUMSA regional secretary Rolly Xipu says: "Workers feel that Natal violence is coming to our Wits region."

Haggie workers advise shopstewards in other companies to work hard to maintain unity, and build powerful union structures. They also believe that defence committees should be established in every company, industrial area and township to defend workers against vigilantes. Workers at Haggie now make sure they leave work together in large groups for protection.

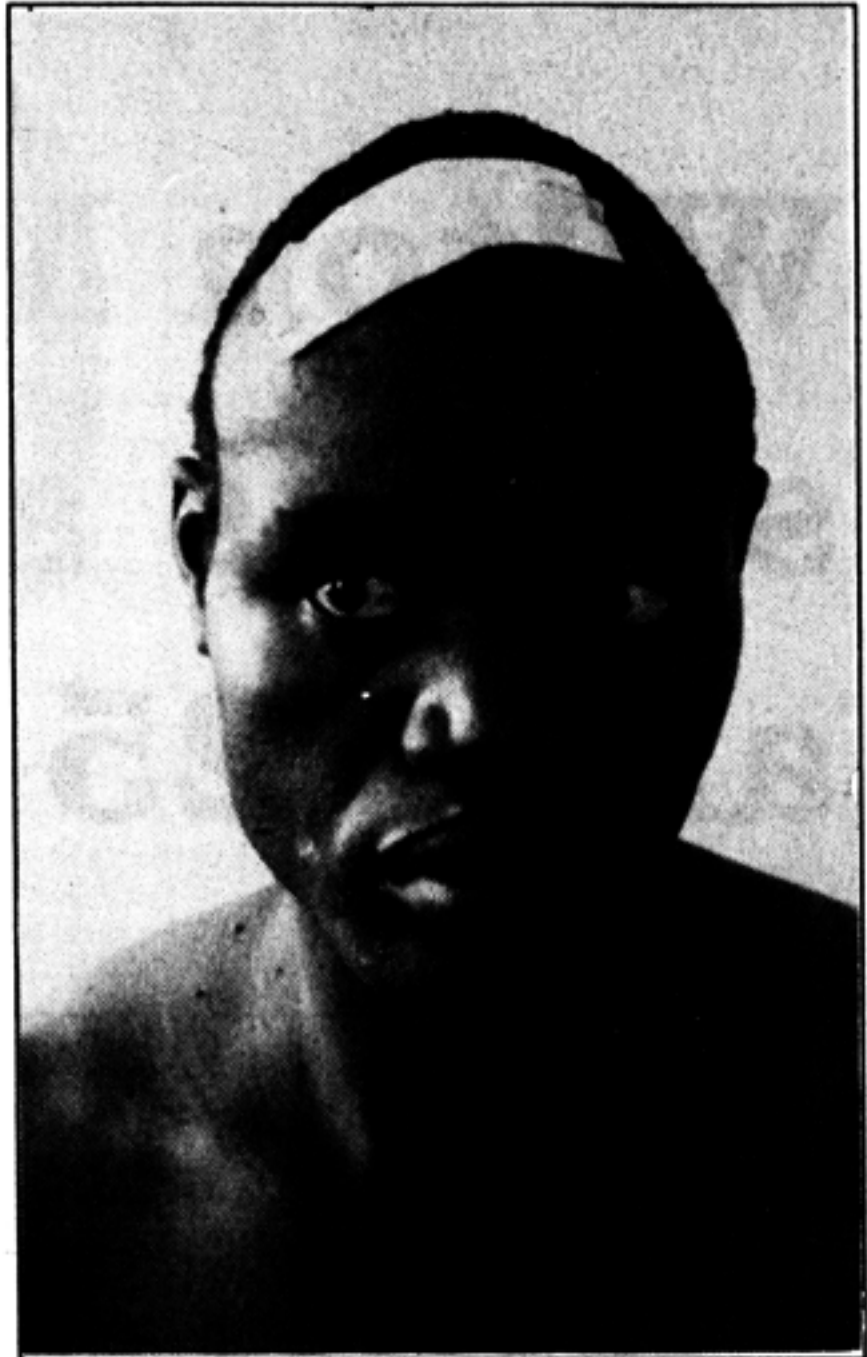
West Rand local

NUMSA's West Rand local has been subjected to police raids, threatening phone-calls and violent attacks in the past few months. In July a stash of viciously racist Wit Wolwe pamphlets was found outside the offices. On September 3 an active shopsteward, Mandla Mahlangu, was found shot dead in a Kagiso street.

Six days later Abessai Nkoe, local organiser, was assaulted and suffered serious head injuries. His attackers are unknown. A month later the local office received an anonymous phone-call threatening organiser Chris Leeuw with death.

More violence at Haggie

Since the Haggie Rand shopstewards spoke to *Labour Bulletin* more violence has erupted at the factory. NUMSA member Dumisani Mngconggo is in hospital in a 'serious' condition after being shot at home on 18



SACWU worker after attack

Photo: Labour Bulletin

November. Some days before he was shot he noticed a carload of Haggie workers stop in front of his house for a while, looking at it.

The day before, five men visited the house of NUMSA member Frans Mampuru while he was out. They threatened his wife with guns and then abducted her, a friend and her three children, and left them standing in the water of a nearby spruit all night, too terrified to move.

Meanwhile, two UWUSA members at Haggie have also been the target of violent attacks. One survived a shooting attack, and the other was burnt to death. ☆

Wilton Mkwayi speaks again - after 25 years

WILTON MKWAYI was released from prison in October this year after serving 25 years of a life sentence. He was a trade unionist, an ANC leader and a commander of Umkhonto we Sizwe before his arrest in 1964. He spoke to the *Labour Bulletin* in Soweto.

I first joined the African National Congress in 1940. I was 17 years old and so I was still short of a year to be allowed to be a full member of ANC, according to the constitution, but fathers joined for their boys who were 16 or 17 or so. Our fathers were angry, because they were forced to move from the area where they were, and because of that, the ANC found good ground for organising. But it was only later on in '46 in PE, that I had a feeling of really belonging to the ANC because I was active in bus boycotts, rent boycotts and so on.

I first started working at Saldhana Bay during the war, where they were building houses for soldiers. But I left because there was no water in the place. Water was brought once a week

by ship from Cape Town. So I left and came back to Somerset West dynamite factory. There I was working as a sort of clerk. But I soon left to go home because my mother had died in that duration. I didn't know she was late for a year because nobody at home could write to me about it. Somebody I was working with went home taking things and he wrote back to say she is late. So I went home and didn't return to Somerset West.

Then I worked in PE for the railways as a stevedore. What I must make plain is that while working there, we didn't really know properly what a union was. So we joined the staff association and attended meetings, but with no understanding about what we were doing. But later on I



Wilton Mkwayi speaking after his release

Photo: Labour Bulletin

met two men who told me and others about trade unions. That was the late Gladstone Tshume and Raymond Mhlaba. They were the ones who groomed me on reading in English and on trade unions. Although they were known communists, they never recruited me.

Tshume and Mhlaba were communists in the ANC. They were the ones who were trusted by the people in general, because the people would say that if you are having a problem, they have got time to sit down and help you with your problem. They are the ones who visit you at home to see that your problem is solved. We tried to copy them, by the way. And that is how we got to know the people.

Shopsteward at Metal Box

After working for the railways as a stevedore, I worked at Metal Box tin factory in Port Elizabeth. This was now 1950. There I joined a trade union. I was shopsteward and chairman of the executive and it went smoothly for some time. But we had problems because management did not want us as shopstewards collecting funds inside the factory. So as soon as we knocked off, while others were still having showers there, we rushed to the gate to collect. But we often found the municipal police there. You needed a permit to collect. They said that it was a public street in front of the gate. But management

RELEASE OF LEADERS

didn't want us to stand at the gate, we must be outside.

This problem resulted in us doing something that I am still not sure was right. Once there was a funeral. We organised workers to attend that funeral. And they found that having come for a funeral, they were asked there for their subscriptions. We were there collecting for the trade union.

And when we look at those problems and we look at today's situation, you find that today that is not the case. Shopstewards are recognised by most firms or companies, let me not say all. It seems in most there are shopstewards who take up issues. In our case, we found that only when management saw there was going to be a strike, they would allow shopstewards to discuss, but after that those shopstewards would be dismissed one by one. The slogan of 'an injury to one is an injury to all' wasn't used in those days, in that there were no sympathy strikes by other workers when there was a strike in one of the factories.

In 1952, there was a strike and I was arrested and sentenced even though I was on night-shift and didn't even know about the strike at first. And so I was out of that job. I became an organiser of the tin workers union, but only for a short duration because Tshume was banned at the end of '52. At the time, he was the secretary of African Textiles Workers Industrial Union. So in '53, I became organising secretary of African Textiles in the PE and Uitenhage branch. This I did until 1960 when I left SA during the State of Emergency.

SACTU

In '56, of course, I was arrested with others in the Treason Trial, but when going home during recesses, I continued organising. And even though Tshume was banned, I used to go to him for help because it was still difficult for me to reply to letters from employers and so on. And he would draft everything for me.

During the formation of SACTU, I was there representing Textiles. SACTU was formed because in 1953, there was this Native Labour Settlement of Disputes Act. This now brought the angle of saying that unions should be divided completely. There must be a white union in the textile industry, a second one that's coloured and Indians and these would be registered, and then an unregistered one for Africans. We as Africans were also not allowed to negotiate on wages and so on.

After SACTU was formed, I became Treasurer for the Eastern Cape region. I have seen a newspaper which says that I was the National Treasurer of SACTU, but in fact I was treasurer only for the Eastern Cape region until I left the country in 1960.

Things then were not like you find today. Unions have lots of funds today and unionists are getting paid. But for us as secretaries and organisers, maybe we were told we were getting R30 a month. But if we got a straight R30 for 3 months in a year, that year was a good year for us. In other words we were not paid.

SACTU used to run night classes to

teach people, especially about trade unions. This was done with the help of the Communist Party and others. You find that most people who were loyal attenders were squatters, people who come from rural areas, because there was also an element of general learning being taught through these classes. They found there were willing people, specially whites who would teach some of them how to write.

Wild with happiness

You don't know how people feel after a short duration of some 6 months or just a little more, having not much problem in writing their own language, that is Xhosa or whatever. You don't know how it feels when they write home and then they receive a letter saying 'we did this and this'. People would go wild with happiness that their families at home have read all they have written themselves when they could not write before.

Many of these rural people who started because they wanted to learn to read and write, became staunch members of their trade unions. With the result that in the 50s, especially from '56, the ANC attempted to get people from the Ciskei and the Transkei to organise the unemployed from home so that when there are strikes in town, they must not rush there to scab by replacing striking workers.

I was also the treasurer of the ANC New Brighton branch and the Eastern



Cape region, but not of the province, until I left. And I was the volunteer-in-chief for the New Brighton branch and Eastern Cape region. This was first for the defiance campaign in 1952, but we kept volunteers after that too. We had them doing organisational work until the

ANC was banned in April 1960.

When the SOE was first declared, the treason trial was still going and they wanted to arrest all of us who were on trial. But I escaped. Then, because we had been wanting to send somebody to the formation of the All African Trade Union Federation and most people couldn't get passports, it was decided I must leave with Moses Mabhida and go there and represent SACTU. We also represented SACTU in consultations with the World Federation of Trade Unions. SACTU was affiliated to the WFTU.

Travels to socialist countries

During that time we travelled to the socialist countries - China, the Soviet Union, Czechoslovakia - and saw a lot of things you don't see in South Africa. We visited factories and saw the social services offered to the working people. For example, there were creches in the factories for the children of workers, something we are not used to in South Africa. There was maternity leave for mothers and when they had had their children and came back to the factory, they were allowed an hour off each day to see their child-

ren. Also there were many cases where women were in very high positions, in charge of whole factories. There was one young woman - she said she was old already, she was 26 - she was in charge of a workforce of about 25 000 people on each shift. This was in the Soviet Union. I don't know if such things can happen here, our people are very traditional in the question of women.

Umkhonto we Sizwe

Well, while I was away, it was decided to form Umkhonto we Sizwe and so I went for training. We used to say when organising people, that you cannot be a good trade unionist if you do not belong to the ANC, and as a worker, you cannot be a good ANC member if you do not belong to a trade union. So there was a link there. So I was an ANC person and it was the ANC which decided to embark on armed struggle.

After training, I returned to South Africa and went to stay at Rivonia. I was lucky again because when people were arrested there, I managed to escape. I then became commander-in-chief of MK, because the other comrades were in jail. But unfortunately, I was also caught eventually and sentenced to life imprisonment.

Unions stronger than ever

In our first years in jail, we didn't hear much about developments at first. In fact, it took some time before we knew about the strikes in Durban

in 1973 when trade unions started to come up again. But we did begin to hear more in later years and we were proud, very proud indeed, of what was happening. The trade unions have become stronger than they have ever been before. Most especially, we are happy to see the strength of the mine-workers because that is something that we could not build in our days.

Now that COSATU has been formed, the question arises as to what role SACTU should play. This is a question which must be addressed by the democratic movement as a whole.

I want to say also that it is exciting to see the development of the ANC, how it has gained strength here and overseas. Such advances make us very happy as members of the ANC. But the ANC must be allowed to operate openly. We cannot talk of negotiations if our organisation is banned. That is even what we said in 1960.

It must be clear that the ANC never wanted violence. We wanted to negotiate. No-one is going to get up on a platform and call for violence if there is open political activity. But the government did not want to negotiate, and so they continued to arrest people and to ban our organisations. So the decision to start the armed struggle, after 50 years of trying to negotiate, was to push the government to come to the table quickly and negotiate. Nobody wanted violence because through violence you will end up dead and dead people cannot negotiate. But we were wrong. They did not agree to negotiate and so the armed struggle continued for much longer than we ex-

pected and it continues today and will continue until negotiation happens.

But I am still not sure if the government is serious about change and negotiation. I think it may still take a long time. And it is no use to say to Mkwai or to Sisulu, you must come and talk to us. We cannot talk to anyone as Mkwai or Sisulu, we are members of the ANC and if the ANC says we must talk, then we will do it. But for now this will not happen because our organisation is still not free.

But there are some things that did not make us happy. For example, I think that the youth got too wild when they went around burning people. We were not happy about that. If a person thinks differently to you, you do not go and burn that person. You must try to talk to them. If your neighbour belongs to a different organisation, then you go to your meeting, and he goes to his and then you come back and have coffee together.

But we see situations now where neighbours won't even go to the funeral of the person who lived next door because of different politics. Now that is not our culture. So I think unity is very important. COSATU and NACTU must talk to each other, they must invite each other to their meetings, we must see real unity in our struggle. That is one thing we were unhappy about when COSATU was formed, that NACTU did not come in.

There is also another question about the youth and about those who are at school. The other day, some school students from Pretoria came to greet me. I asked them why they came

to see me and they said it was because I was a commander of Umkhonto.

Education is the spear and the shield

So I said to them, okay, then I will give you a command. I said to them I will give them a spear and a shield. The spear is education. The shield is education. My command is that they should go back to school and study. They are the leaders of the future and they can only be leaders if they have an education. I am very unhappy to see children roaming the streets when they should be in school learning.

The *Labour Bulletin* is good work, it is educating the workers and the people. I think it is good that the *Bulletin* is trying to get to the workers, that it is not just for intellectuals at universities. But it must be next to the workers and not controlled by them. While there is COSATU, there is also NACTU, independent unions who are not affiliated with any side at the moment. And the *Bulletin* should cover all. Now once it is kept next to the workers, but not controlled by them, it is easy to do that. It must cover everything that is happening on the ground.

To those who read the *Bulletin* and to workers as a whole, I want to say they must continue to read it, they must increase the numbers that are sold. If something is said in the *Bulletin* which they do not like or do not agree with, then they must criticise and they must contribute. But most importantly, they must educate themselves. ☆

Parliament and revolutionary democracy: debating the constitution of a new South Africa

In the first of two articles, KARL VON HOLDT argues that it is in the interests of the working class to establish a multi-party parliamentary democracy in South Africa, as outlined in the ANC's constitutional guidelines. But for democracy to be revolutionary, it must be complemented by mass organisation and mass struggle at all levels of society.*

"The guidelines lay down broad and general principles of government structures and powers, and the fundamental rights and liberties of the people. They are framed in a broad, pragmatic, and flexible style. It is this flexibility that makes them a lethal weapon in the struggle against apartheid.

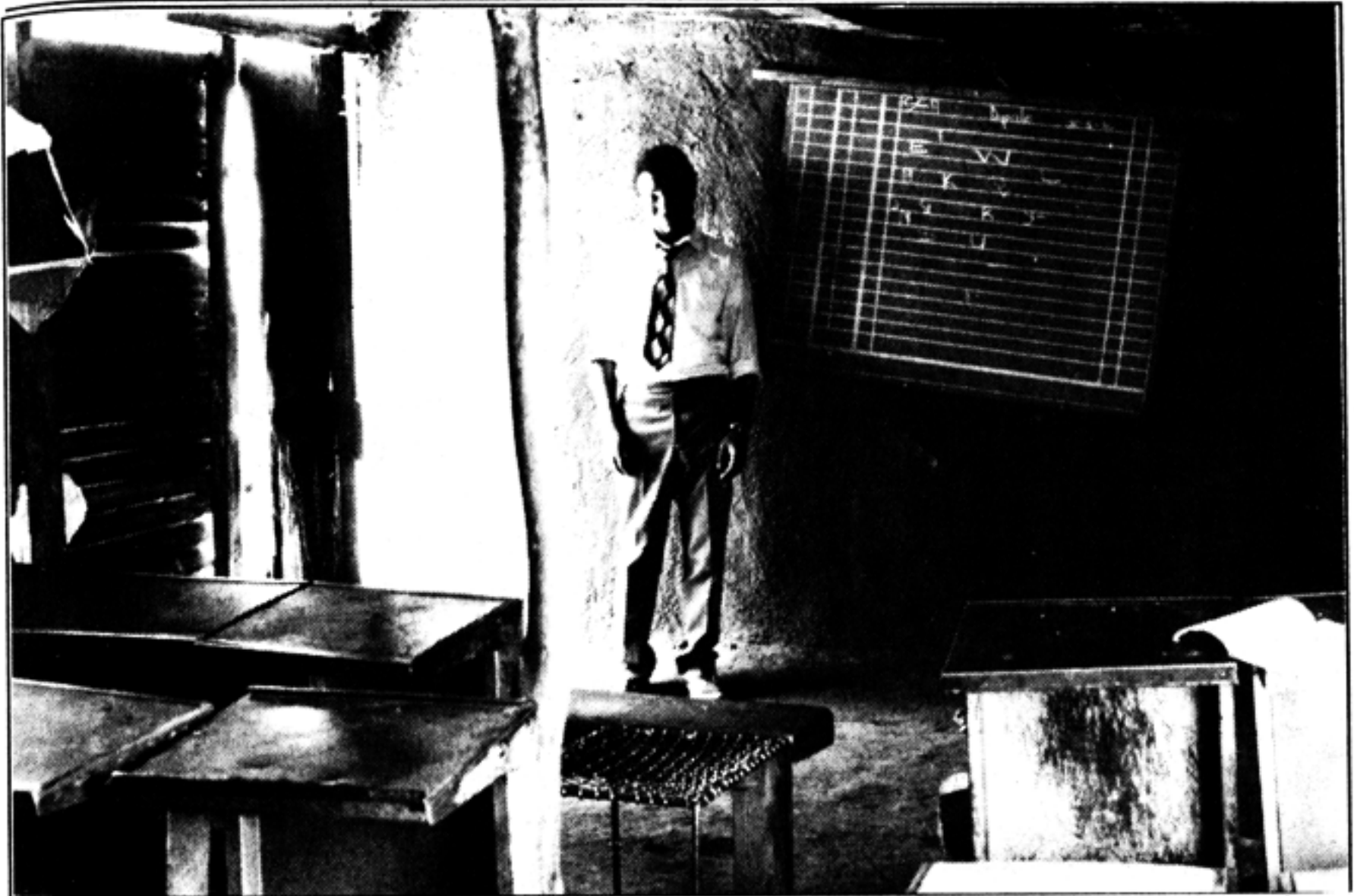
"We regard constitutions as living documents dealing with the real problems of our contemporary generation. The real problems that we are facing now, not only the problems after liberation. They have been tabled for deep

study, bold and realistic discussions by the broadest spectrum of our people. Through this debate we hope that the guidelines will be further enriched. Through them, we hope to achieve the greatest mobilisation and organisation of all possible motive forces in the struggle against apartheid."

- Zola Skweyiya, Constitutional & Legal Dept, African National Congress

The fundamental goals of the democratic revolution in South Africa are contained in the Freedom Charter. The Charter sets forward the vision of the people of South Africa for a trans-

* This article is based on a paper delivered at the NUSAS July Festival in Cape Town this year. Some of the ideas expressed were developed in discussions and seminars of the Mass Democratic Movement. However, this article is a discussion paper.



Apartheid education - transformation into people's education is a massive and urgent task

Photo: Anna Zieminski/Afrapix

formed, liberated society.

The tasks set out in the Charter are massive. What it envisages is the destruction and eradication of apartheid, and all apartheid institutions. These tasks cannot be implemented in one day.

To take simply one example, education: there are 17 education departments in this country, all racially and ethnically defined. There are tens of thousands of bureaucrats located in those departments. There are enormous inequalities between different departments and different schools. Syllabuses are completely inadequate to the task of building a united nation. And even more seriously, there are tens of thousands of teachers who have been trained and

who have years of teaching experience within the institutions of apartheid education.

This is the education system that the new government will inherit after liberation. It is this system that will have to be transformed into one unified, non-racial educational system that unites the people of South Africa and builds a unified nation. This is an enormous and difficult task, yet it will be extremely urgent.

Similar tasks will confront the democratic movement in all spheres of our society. Apart from the destruction and eradication of apartheid institutions, we have to build something new. We have to build national unity, we have to build a national culture, we have to take forward

reconciliation between white and black. We have to do these things at the same time as we are setting in motion revolutionary changes that empower and liberate the masses.

Fundamental to the eradication of apartheid, is the reallocation of resources on a huge scale. In the apartheid cities resources will have to be reallocated from the white areas to the townships. The rural areas have been exploited and impoverished by apartheid. Resources will have to be poured into those areas to develop them. National wealth will have to be devoted to improving the lives of the majority, rather than increasing the wealth of the few.

Forces resisting democratic transformation

There is no doubt that there will be a range of forces located at different levels in South Africa and outside South Africa that will be trying to stall these changes, to demobilise mass organisation, to prevent the people and their political organisations from reconstructing South Africa in their own interests.

- Most whites are likely to resist the changes that are needed in order to reallocate power and resources towards the people. The concentration of whites in skilled positions in the economy and the state will give them a powerful bargaining position. Rightwing groupings may well expand and step up their terrorism.
- Imperialism, and big business in

South Africa, will be trying to preserve capitalism and prevent the deep changes desired by the people. These capitalists will strive to build an alliance with the black middle-classes and sections of the democratic movement to block a deepening revolution.

- People with skills, such as engineers, researchers, doctors, accountants, managers and so on, will also seek to preserve their own privileges and authority. The same applies to all the various layers of middle classes, both black and white. Their needs and legitimate interests will have to be accommodated.
- In many African countries after independence the middle classes and emerging capitalists used their control of the newly independent state as a base to consolidate their position as the new ruling class. They also rapidly assumed senior positions in multi-national corporations. They gained increasing control over the economy either through nationalising industries, or by using the state to support and expand their private businesses. In neither case did they meet the demands of the people. We may expect the black middleclass in South Africa to try to do the same.
- The bureaucracy at all levels of the South African state - the massive white bureaucracy as well as the burgeoning black bureaucracy - are likely to be a conservative force, paralysing progressive decisions. They will strive to protect their



own power and privileges, and to undermine the power of the people.

This means South Africa after libera-

tion will be characterised by very deep struggle by different forces. It will be a struggle over the direction of democracy, over the direction of the democratic revolution.

The constitutional guidelines

What sort of constitution will be able to embody the vision of the Freedom Charter? What sort of constitution can accommodate these struggles over transformation, and facilitate the struggles of the masses to realise their interests?

The ANC has published the constitutional guidelines as the basis of thought and debate on this question. The Freedom Charter says 'The people shall govern'. The guidelines put forward a set of proposals about how the people shall govern the country.

Multi-party parliamentary democracy

The guidelines propose that South Africa should be a multi-party parliamentary democracy, with universal franchise, one person, one vote.* All

political parties will have the right to organise and take part in political processes, except those that advocate racism, fascism, nazism, or the incitement of ethnic or regional exclusiveness. These would be excluded by law.

There has been a lot of debate around the question of parliamentary democracy, and to what extent it is appropriate for our country. A multi-



The vote - source of oppression under apartheid, source of freedom after liberation

Photo: Eric Miller/Afrapix

* Members of parliament can be elected on a proportional or constituency basis, or a mixture of both. This important issue is not addressed in the guidelines or this article.

party parliamentary democracy allows a range of different social forces and organisations to organise and articulate their interests in the struggle for parliamentary power, seats and votes.

Many people will question the need for this. Why allow capitalists to organise politically, when they will simply be trying to reverse the gains of the masses? Why allow liberals and middle-class political parties, when they will simply try to protect their privileges? Why allow small ultra-left political groupings to confuse the masses and disrupt unity?

I would argue that there are at least four good reasons why such a democracy is essential for a liberated South Africa.

1. A national parliament would bring together representatives of all the people of our nation, with their different cultures, historical experiences and demands. Thus it would serve as a unifying and integrating national institution, helping to create a liberated, non-racial nation.

2. A multi-party parliament is the foundation of broad alliances. The strategy of the national democratic struggle is based on building broad alliances. This strategy will have to continue after liberation. There will be forces that will seek to destabilise a liberated South Africa, to sabotage the people's government, and to develop right-wing terrorist groups, whether black or white. Such forces can do tremendous damage, as in the case of the SA-backed Renamo in Mozambique, or the US-backed contras in Nicaragua. The more alienated and

dissatisfied people there are in South Africa, the easier such destabilisation will be. The best way to combat this danger is through a political strategy - a strategy of maintaining the broadest social base for a democratic South Africa. This means consolidating the broadest possible alliances.

But these social forces will not be interested in an alliance if they are not allowed free association, if they are not allowed to operate as political parties, and to win seats in parliament. It is essential to allow different social forces to organise and to articulate their interests. Otherwise there is no basis for alliances.

A multi-party parliamentary democracy can accommodate a range of different social forces - even antagonistic forces - in a framework that is mutually acceptable. And here we are talking about capitalist forces, about different middle-class forces, about different interests amongst the people being articulated, interests that may not be the same as those of the masses, that may be opposed to those of the mass democratic movement. But a multi-party democracy provides a framework within which those differences can be asserted. It is a framework which can *contain* these different interests, so they do not serve as a base for counter-revolution. It provides a framework within which the struggle for hegemony and leadership of society can take place.

3. Democracy reveals the balance of forces. Free political activity gives organisations of the masses a practical understanding of the balance of

forces, of the different political interests in society, and of their own weaknesses and strengths. In Nicaragua for example, in the 1984 elections, the FSLN found they had very little support in some areas of the

what different sectors and classes of the population are wanting. This makes it impossible to develop a political strategy for advancing and deepening the democratic revolution while accommodating different inter-



Parliamentary democracy - allowing different social forces to organise and express their interests

Photo: Guy Tillim/Afrapix

countryside. This showed they had not done enough work among the peasants, and that their rural policies were lacking. Likewise, the elections in Namibia show where SWAPO is weak and has not done enough work.

If all opposition is suppressed you cannot understand your own strengths and weaknesses, nor can you grasp

ests, and isolating and dividing those forces opposed to it.

4. Parliament gives the people power to voice their demands. It is only through genuinely democratic institutions that the leadership can stay in touch with the people, and that the working class can develop its leadership over society. This is not only true

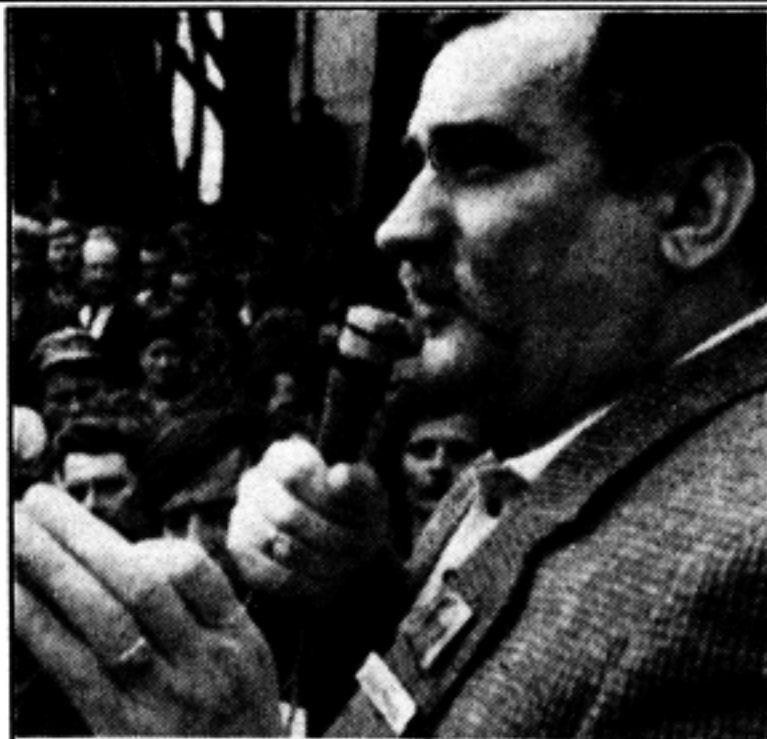
for a transitional national democracy, but for socialist societies as well. The current crisis of communism in Eastern Europe, and the democratic strategies for renewal, have much to teach us.

In Poland, Hungary, East Germany - and in the Soviet Union - we find political parties that ruled for decades without genuine democratic institutions. Parties

became autocratic and divorced from the lives and problems of the people - so divorced that the leadership could not foresee or understand the mass protests and revolts that broke out this year. Leadership after leadership has been rejected and replaced with democratic reformers. Constitutions have been rewritten to establish parliamentary democracies. Different social forces and interests are now allowed to mobilise, organise, agitate.

In Poland, Hungary and East Germany multi-party democracies are being established. In the Soviet Union there are wide debates about whether to allow political organisations other than the Communist Party.

Elections in the Soviet Union have showed that many leading communists lack popular support. In Poland the party itself seems to have very little credibility. It is not clear what will happen in elections in East Ger-



Lack of democracy in Eastern Europe - workers fight for independent organisation. Lech Walesa addresses striking workers, Poland 1988.

Photo: AP

many and Hungary.

It is an open question whether the communist parties of Eastern Europe will be able to win back the support of the people. But the point is that they now have to *win* it, in open democratic struggle. The crises have also thrown up forces, especially in Hungary and Poland, which favour a return to

some form of capitalism. That too is a good thing. It allows an open debate and struggle, where the majority can choose whether capitalism or socialism is preferable. After all, socialism can only succeed where the majority of the people support it - and support the socialist government. A parliamentary democracy means that the government has to stay in touch with the wishes of the people, and put forward policies that have popular support.

These are all powerful reasons for supporting the concept of multi-party parliamentary democracy as put forward in the guidelines.

Parliamentary democracy not enough

But in South Africa after liberation there will be many struggles, as argued above. The question is whether

parliamentary democracy can provide the vehicle for the mass struggle for control over society.

I would argue that struggle for popular control, for mass control, cannot be fought out primarily in parliament. The masses and people's organisations will be facing opposition, as described before, at a range of different levels in the society - at the local level in terms of local authorities, in the community, at the city level, in government departments, in business, in institutions like education, hospitals, the courts, in the mass media, and so on.

In all of these institutions, in all of these arenas, there will be forces interested in maintaining the status quo, in defending their privileges, and in keeping the masses passive and subservient. There will be a need to wage struggles at all of those different levels to gain control over society, not only at the level of parliament, not only at the level of passing laws.

Moreover, because there will be different forces in parliament, there will be compromises. Laws will come out of parliament that don't necessarily advance the interests of the people. This will mean people's organisations fighting at other levels to put pressure on parliament, fighting at other levels to actually advance their interests and advance their control.

In addition, it may be difficult for the masses to gain access to parliament. There is a tendency for educated, articulate people and professional politicians to dominate parliaments. Professional full-time

politicians tend to serve the interests of their political party rather than the interests of their constituencies.

This means that the struggle does not end with the vote. The masses will have to fight for power within all social institutions. They will have to establish powerful SRCs and parents committees in the schools. They will have to fight for control in the factories, and for leadership in the local authorities. They will have to struggle for a powerful voice in the mass media. They will have to fight for democratic structures with community representation in hospitals and government departments of health, education, economic planning, welfare, housing, etc.

Independent mass organisation

At the same time, the masses will have to establish and strengthen their independent organisational bases *outside* these institutions and structures - their trade unions and civics, their youth and student organisations, women's organisations and unemployed organisations.

It is essential that the masses have their own powerful mass organisations to articulate their demands and struggle for their interests. The mass organisations provide a base for increasing mass power and mass control inside institutions such as schools, hospitals, government departments, local authorities and factories.

These organisations must be independent, they cannot be under the



Independent mass organisation - a base from which to fight for democracy and transformation

Photo: Tsaks Mokolobate/Learn and Teach

control of political organisations. They should express the views and demands of the masses, not of the political leadership. They should provide a forum where leadership has to listen to the people, rather than the other way round.

One element in the crisis of communism in Eastern Europe and the Soviet Union is that mass organisations - especially trade unions - have not been independent. They have been under party control and closely tied to the state apparatus.

Thus they ceased to express the interests of their members. The result is that workers then seek to express their needs in other ways - like Solidarity in Poland, or the miners' strike in the Soviet Union.

For an example of the role of mass organisation we may return to the issue of transforming education. Mass

organisations of students, teachers and parents can pressurise the bureaucracy if it is slow to introduce changes. At the same time, they can themselves actively begin to shape people's education, by drawing up syllabuses and texts, and by exerting popular control over the schools. Community organisations and trade unions should also be involved in deciding national education priorities and strategies.

In the factories the workers' committees will have to prevent management from sabotaging production. They will have to uncover corruption and insist on safe and healthy conditions of work. They will have to develop their ability to control production and influence distribution. The trade unions will have to ensure that workers have a powerful voice in economic planning, in setting priorities, and allocating resources.

Thus the strategy for building a national democracy does not rest only on winning the vote. It complements a genuine multi-party parliamentary democracy with mass struggle and mass organisation at all levels of society in order to establish the masses - both within parliament and outside it - as the dominant and leading social force. This is what is meant by the slogans, 'Build People's Power' and 'The people shall govern.'

The constitutional guidelines and mass organisation

The constitutional guidelines are virtually silent on the role of mass organisation, on organs of people's power. Is this a problem? Some people would argue that this absence from the guidelines shows that the guidelines are not in the interests of the working class. As I argue below, this view is based on a misconception of the function of a constitution.

Others say that the role of mass organisation cannot be enshrined in a constitution, that it will be won in struggle. They argue that, moreover, the role of mass organisation will be determined by the balance of forces at the time of transfer of power.

This point has some validity. However, I would argue that it is important to refer to the role of mass organisation in the guidelines. Clearly the guidelines cannot establish the constitutional rights and duties of mass organisation, but they can establish the principle that mass organisation has an important role.

This is important, because if the guidelines are used in mobilising and educating the masses, they should provide guidance on this key issue. At the same time, it is necessary to confront our broad allies now with our views on this. Many will be unhappy with it, and need to discuss and become accustomed to it now.

Local and regional government

Although a national parliament has many strengths, as outlined above, it also has weaknesses. One is that it is quite far from the people, remote from their daily lives. This can make it difficult for the people to establish their power in parliament.

It is important, in order to overcome this, to establish local and regional bodies of democratic government which are closer to the people and through which they can gain control over their lives. These bodies would be structures of government (like town councils and municipalities) and should not be confused with mass organisations like civics. These bodies - local and regional assemblies or councils - should have a substantial amount of power over local and regional issues.

The constitutional guidelines are also weak on this issue. They simply devote one sentence to it: central government may delegate powers to local and regional authorities "for efficient administration and democratic participation." This point could be strengthened and elaborated.

The constitutional guidelines and the working class

A number of activists have complained that the guidelines go too far in the direction of a 'bourgeois democracy', that they compromise too much on working class demands, that they do not entrench the interests of working class.

This view is based on a misconception of the role of the constitution of a liberated South Africa. The constitution will have to provide *a framework and a set of rules acceptable to all anti-apartheid forces*. It cannot therefore entrench the interests of the working class only - it has to reflect the interests of a broad range of democratic forces. This does not necessarily mean it will *contradict* the interests of the working class. The constitution will provide the *framework* within which the working class will struggle to entrench its interests and leadership - and of course the framework within which other forces will attempt to weaken and reverse the working class.

But a framework, a set of rules, a constitution, can never be neutral. It has to reflect interests, and it will reflect the domination of specific class interests.

For example, the guidelines say that the state will have the right to limit the power of those who own productive capacity (ie factories, farms, banks, etc) to do as they wish with their property. In drawing up a constitution bourgeois forces will try to weaken this clause so that it is ineffec-

tive. On the other hand, working class forces will try to establish their own right to a say in how factories, mines and land are used.

There are also likely to be struggles over the bill of rights. Bourgeois and petty-bourgeois forces will probably emphasise individual rights and the freedom to pursue their interests, whereas working class forces will emphasise the right to live decently, to end inequality and to redistribute wealth. Thus while the constitution has to be broadly acceptable, it cannot be neutral - it will reflect the domination of specific class interests.

The guidelines are aimed at a very broad range of forces. Some sections favour working class interests - such as the section on the economy, and the section on the bill of rights. Both are based on the Freedom Charter.

Other sections are vague, such as the land section. There are also, I have argued, specific weaknesses on the question of mass organisation, and on local and regional bodies of the state.

It is important for the mass movement to analyse and discuss the guidelines thoroughly, and develop its own positions. These must be put forward and argued. Various liberal and bourgeois experts are doing this very thing, and there is a danger of surrendering the constitutional initiative to them. The ANC has stated that the debate may lead to a reformulation of the guidelines.

Ultimately a draft constitution will have to be taken to the constituent assembly, as the negotiating position of the liberation movement. It is import-



The people shall govern - then we will have a real democracy

Photo: Eric Miller/Afrapix

ant for the mass movement to participate fully in the process of drawing this up, so that it represents strongly the views of the working class.

The balance of forces and a new constitution

The COSATU resolution on negotiations proposes that the new constitution of South Africa will be drawn up by a constituent assembly, as in Namibia. That means the constitution will be negotiated by all the forces present in the constituent assembly.

The extent, then, to which the constitution will reflect the interests of the working class, will depend on the strength of the mass movement and its political organisations both within the assembly and in society at large (success in negotiations always depends on one's strength on the ground outside the negotiating room).

For example, if the constituent assembly meets while half the factories are occupied by militant workers demanding their immediate nationalisation, and while communities are establishing armed militia - under these conditions bour-

geois forces would find it very difficult to impose their views. They would have to accept a constitution that favours working class interests. This is why it is essential for the mass movement to strengthen its position in society in every possible way as South Africa moves towards the transfer of power.

Once the new constitution has been adopted it will provide the framework within which the democratic revolution can develop. It will open up a

period of class struggle in which the masses struggle to build their power and control; imperialism and capitalism attempt to reverse their gains; and various middle class groups try to consolidate a privileged and dominant position.

The direction and depth of the democratic revolution will depend on the balance of power between these contending forces. This again is why it is so important for the mass movement to rebuild and strengthen its

Cuba - a different kind of democracy

The classical Marxist critique of the multi-party parliament is that it is a bourgeois form of democracy, inappropriate for a working class democracy. Its anti-working class tendencies are held to be:

- Members of parliament are not accountable to their constituency, and do not take mandates to parliament.
- Parliament is dominated by professional politicians who are usually highly educated and wealthy. They represent the policy of their political parties and their class rather than the interests of the people.

Like many socialist countries, Cuba has rejected parliamentary democracy and political pluralism (where different political organisations are permitted to exist and to organise), and adopted a completely different approach to democracy.

Cuban democracy is based on a system of local, regional and national assemblies. People in each city or neighbourhood elect delegates to the local assembly. The local assembly has powers to govern the city or neighbourhood.

The local assembly then elects delegates to represent the city or neighbourhood in the regional assembly, which can make certain decisions regarding the region. The regional assembly in turn elects some of its members to the national assembly, where laws are debated and enacted, and national policy is decided. There is no competition between political parties. The only party is the Communist Party. This structure is similar to that operating in Uganda (see p 41).

In contrast to the model of multi-party parliamentary democracy, the Cuban system has the following ad-

organisations, and develop a clarity of political consciousness among all activists and members.

Summary

- The constitution of a national democracy in South Africa should not reflect the narrow interests of the working class alone, but should embody the shared interests of the anti-apartheid struggle.
- The balance of forces at the time of

drawing up the new constitution will determine whether working class interests are the leading interests in the constitution, ie. whether the constitution encourages the advance of working class interests and power. Discussing the guidelines now will affect the balance of forces. As part of that discussion I have argued that the constitutional guidelines should refer to the key role of mass organisation, and expand on the issue of local and re-

vantages:

- Delegates at national level are accountable to regional structures, which in turn are accountable to local structures. The representatives in the local assembly are close to the residents, and it is easier to make them accountable.
- It is easier for 'ordinary people' - workers, housewives, peasants, etc - to become members of local, regional and national assemblies than it is for them to become members of parliament. This is because the elections start off in each neighbourhood, where the masses will elect delegates from among themselves, people who they know and trust.

There are no big national bourgeois elections, where candidates sell themselves and their policies and confuse the voters rather than representing their interests.

But compared to parliamentary democracy, the Cuban system also

has serious disadvantages:

- There is no room for free political activity and for other political parties. Thus there is no basis for broad alliances.
- Delegates are elected in the neighbourhood to the local assembly. They are elected on the basis of local issues and their role in the community. Ultimately the national delegates are selected from these local delegates. At no stage do the people directly elect representatives to the national level on the basis of national issues. This means that democratic participation can be very powerful at the local level, but weak on national issues and policies.

Because there are no opposition parties, the Communist Party does not have to contest its policies and win popular support for them. As a result the relation between party and people can become mechanical and bureaucratic.

gional government.

- Because the guidelines reflect the interests of a broad range of anti-apartheid groups, they help in building the anti-apartheid alliance and isolating the apartheid regime nationally and internationally. They also serve to establish the political leadership of the ANC in the broad opposition to apartheid.
- The constitution of a liberated South Africa will not only be established by debate and conferences,

but by mass organisation, mass action and the development of political consciousness among the people. That is what we mean by shifting the balance of forces. ☆

Constitutional debate in Nicaragua

The constitutional debate in Nicaragua after the overthrow of the dictator Somoza raised an interesting idea about the role of mass organisation in parliament. When the new constitution was discussed in mass organisations, many felt that parliamentary democracy would not adequately reflect the interests of the masses. They put forward a proposal for a second house of parliament, in which delegates from the mass organisations would sit. The political parties would be represented in the first house.

They argued that a second house of parliament, representing the mass organisations, would ensure that the mandated voice of the masses would be heard. This 'House of the Masses' would be able to exert some control over the making of laws in the first house. The 'House of the Masses' would be a national organ of people's power, and involve the membership of mass organisations directly in national political debates.

This proposal was not put into practise in Nicaragua, because all the other political parties in the anti-Somoza alliance rejected it. They said it would give the liberation movement, the FSLN, too much power. Not only would they have the majority in the first house of parliament, but they would also dominate the second house, because virtually all the mass organisations supported or were affiliated to the FSLN.

Nonetheless, this is an interesting idea to discuss in our own constitutional debates. Is a second house, a 'House of the Masses', a good way to build people's power? Is it a good way of counteracting the tendency of a multi-party parliament to be elitist and inaccessible to the masses? Or does it run the danger of bureaucratising and incorporating mass organisations into state structures, as has happened in Eastern Europe and the Soviet Union? ☆

Uganda: debating a new constitution

In 1986 the National Resistance Movement (NRM) took power in Uganda. It ended years of massacres, rape and brutality experienced by the people of Uganda under the dictatorships of Amin and then Obote II. The NRM has initiated a process of mass discussion of a new constitution for the country. BARBARA KLUGMAN, in Uganda for an international women's conference, reports.

The NRM, headed by Yoweri Museveni, set up a broad-based interim government whose task is to create conditions of peace, national unity and democracy. These conditions are seen as the necessary basis from which the people can formulate a new constitution and a new process of government.

The atmosphere in Uganda is one of tremendous openness and debate. After over a decade of dictatorship and terror, the people are actively engaging in decision-making about their lives - village water schemes, primary health care projects, peasant co-operatives. The new Constitutional Committee moves from area to area giving people opportunities to offer their ideas for the new constitution.

How does this process work? The method of decision-making in Uganda

is based on a system of democracy which is rather unusual and in certain ways different from the models of 'peoples power' that were attempted in South Africa in the mid-1980s.

Democracy in Uganda

In Uganda, all representation starts at village level. Every village, made up of about 20 or so homesteads, has a village council. Every person resident in the village over the age of 18, men and women, is part of the village council, called the Resistance Council, Level One (RC1). The village council discusses all matters of concern to the village. It also discusses national issues. For example proposals for the new constitution are taken from RC1 all the way up to the national level, known as the National Resistance

Council (NRC); issues go from the NRC all the way down to the village RC1.

The village council elects nine people to a village executive committee. One of the nine on the executive is a secretary for women's affairs. Her role is to mobilise women into the village council, and to make sure that the council addresses the women's concerns. The executive of the village council meets with other village council executives from the surrounding area. Together they form a parish council (RC Level 2). The parish council elects an executive of nine people, again with a special women's representative.

This process goes all the way up to level five, the district, which is like a parliamentary constituency. The district executive elects a member of the National Resistance Council. The nine members of the district executive committee have special portfolios including women, youth, information, education, health, rehabilitation, development and defence.

MP works in the fields

This process of representation means that people at the grassroots level have a 'direct line' to the NRC. This was reflected in a discussion I had with Victoria Sebagereka, the delegate to the National Resistance Council for the district of Mukono. She invited conference delegates to her home for lunch. There were some women who gave a performance of song and dance. I asked her where

these dancers came from. She said, "We are in the same community - we work on a plot together, we have a joint bank account. When someone dies, or when there is a special event, we help out at the house. So when I have visitors, like today, they come and help - they cooked the food and they decided to do a performance." I asked her whether she too worked on the fields. "Yes," she said, "I represent them in parliament so I must also work with them."

Another woman MP explained to me that legally women cannot inherit land. So many women are forming co-operatives like that described by Victoria Sebagereka and demanding that their District Councils allocate them land to work on. At the same time they are developing proposals for new inheritance laws that don't discriminate against women.

A 'political cadre' on the sub-county executive committee told me that his role is to politicise the local people: "You can't organise society when it is ignorant of how the government is run. My role is to educate the peasants so that they are also involved in the affairs of government. I'm involved in helping them to contribute to the affairs of the nation."

I asked an ex-guerilla now employed in the Directorate of Women in the NRM Secretariat why women's representation is taken so seriously in Uganda. She said that women are on the land, tilling cash crops. Uganda needs women for production, for the whole economy - "women are the backbone of the country".

A representative of the West Nile Womens Association explained the government's concern with women by saying: "When Museveni was in the bush he saw how women live, how hard they work and how they suffer. So he gives priority to the development of women and the politicisation of women." In fact a new ministry has just been started - the Ministry of Women in Development, headed by Gertrude Byekwaso Lubega, who was also a guerilla during the war.

Democracy starts at the local level

The interesting thing about the system of representation in Uganda is that it starts at a very local level - the village. People who become members of the NRC were originally elected by people who knew them personally - friends and neighbours. Once in the NRC they are still accessible to the people, through the Resistance Committee structures.

The other interesting thing is that representation is based on civic structures, with all local decisions being made by local residents. Although there are many other clubs and organisations such as women's handicraft groups or religious groups, these are not formally part of government. Rather, all *residents* in an area form the government.

Political parties do not play a role in this system - in other words it is not a multi-party democracy. Delegates are elected in terms of how their neighbours know them, rather than in

terms of political affiliation.

So this is a different model both from the system of municipal and parliamentary representation in the South African government's system, and from the model used in some of the discussion within UDF on 'people's power' in South Africa in the mid-1980s.

Questions for the South African debate

There are similar process in our country of street committees, then area committees, and then town councils. But it also incorporates student, worker, youth, teacher, pensioner and women's organisation. This raises the question of democratic representation.

What should be the basis of national political representation? Should it be organised in terms of sectors - people being elected from organisations of women, workers, youth, etc. If so, what constitutes a sector? Are the 'health sector', 'education sector' etc. sectors in the same way as 'youth' or 'women'? ie should they also have direct national representation? Should local-level representation be linked to national representation as in Uganda? Or should parliamentary representatives be separately elected? Finally, should there be special representation for certain groupings, such as women, as there is in Uganda?

Uganda provides one example of political representation, and we can draw from their experience as we consider the many options for building democracy in South Africa. ☆

FOCUS

**The
Labour
Relations
Amendment
Act**



Report on overtime ban



The Second Workers' Summit called for workers to stage a national overtime ban in October as part of the Anti-LRA campaign. LABOUR MONITORING GROUP monitored the overtime ban in the Pretoria-Witwatersrand-Vaal region.

On average 36% of organised black workers in the manufacturing industry in the PWV area have participated in the first industry-wide overtime ban in South Africa. But only 15% of employers surveyed said they were prepared to negotiate the demands raised by the Anti-Labour Relations Act campaign. In contrast to SACCOLA

which is actively pursuing negotiations, nearly half of the employers said they intend restructuring their labour force to prevent this kind of action in future. Eighteen percent intend to introduce a new shift system which will make the need for overtime work unnecessary. Three percent are intending to close down operations or relocate their plant to low-union areas; 9% are laying off workers who participated in the overtime ban; a further 9% will in future employ casual labour to work overtime rather than permanent employees working overtime; and a further 9% have removed some benefits enjoyed by permanent employees such as subsidised loans for car purchases, assistance with food and flexibility of starting and ending times.

The overtime ban should be seen together with a range of worker actions starting with plant-based protests on 1 September, culminating in the massive stay-aways of September 5th and 6th and continuing with the call

The Labour Monitoring Group monitored a sample of companies in the PWV area to assess the percentage of unionised workers who observed the call for banning overtime. The call was part of organised labour's campaign against the Labour Relations Act. It is important to note that the data was gathered by questioning Personnel and Industrial Relations Managers. The accuracy of the survey therefore, depends on management supplying the correct information.

The sample of companies surveyed involved all unionised companies monitored by the LMG during the September stay-aways (this amounts to 70% of a 25% sample of PWV companies employing 100 or more employees). Monitoring took place every week for 4 weeks (over the period 2 October to 26 October) in order to investigate the development of the response to the ban over a month long period.



for a ban on overtime, a generalised consumer boycott and a series of protest marches during October.

Average figures obtained from the survey show that 34% of black workers observed the overtime ban in the first week, 42% in the second, 32% in the third week and 38% in the fourth, giving an overall average of 36%.

The results of the survey show a considerable difference in the success of the overtime ban in different sectors. These differences stem from different conditions in the different sectors such as the nature of the production process and the relative importance of overtime work, the relative strength of the different unions, and the extent to which workers depend on overtime rates to supplement their incomes.

The following table shows the percentage of black workers in each sector who observed the overtime ban. The results indicate the labour movement's ability to mobilise a significant section of the organised workforce to enforce a ban on overtime, overcoming the reluctance of workers to forfeiting some of their income.

The construction, commercial and retail sectors were not monitored after the first week as it became clear that no overtime ban was being implemented by the work-forces.

The paper and wood, the metal and engineering, and the chemical industry (in the first two weeks) had significant participation. Metal and engineering, and chemical workers' response dropped off towards the end

Industry	Week 1	Week 2	Week 3	Week 4
Paper & Wood	44%	57%	54%	61%
Metal & Engineering	46%	36%	30%	23%
Textile & Garment	18%	20%	19%	17%
Food	8%	35%	33%	30%
Chemical	46%	53%	24%	10%

of the 4 week period - it appears they were not able to sustain their initial high rate of response because of the loss of income caused by refusing to work overtime. The percentage response amongst textile and garment workers remained constant at around 18-19% of black workers. The food industry, which started off very slowly, picked up in the second, third and fourth week, averaging a 33% response rate over the 3-week period.

The percentage *change* in black workers' response each week can be charted as follows:

Industry	Week 1 - 2	Week 2 - 3	Week 3 - 4
Paper & Wood	13	-	37
Metal & Engineering	-10	-6	-7
Textile & Garment	2	-1	-2
Food	27	-2	-3

This table shows that in most sectors (excluding metal and engineering) the percentage of workers who refused to work overtime increased between the first two weeks, then dropped off in the third week and generally levelled off in the fourth week.

It is clear from our survey that the overtime ban, along with the other pro-

test actions, is putting pressure on the employers. Despite the advanced stage of negotiations between SACCOLA and the labour movement, it is not clear from this survey whether the pressure will force the employers to meet organised labour's demands to negotiate the terms of the Labour Relations Act or not. ☆



NUMSA Strike Survey

NUMSA Wits Region undertook an analysis of all NUMSA strikes over a period of 5 1/2 months (May to mid-October). NUMSA's Hassan Lorgat says the analysis has been extremely valuable for assessing union strategies, strengths and weaknesses. The survey also helps to monitor the impact of the LRA. The survey reveals a sharp deterioration in industrial relations - a return to industrial war.

National strike statistics

One striking feature of all 'statistics' on labour action produced by eminent management consultants Levy, Innes, Beaumont *et al*, is the extent to which their figures conflict

with one another. While Innes claims that 344 386 'man days' were lost during the first quarter of 1989 (excluding private sector and agriculture), Levy claims that there were in fact only 348 614 worker days lost for the first six months of the year and Beaumont follows on with a figure of 75 442 for the first quarter!

An area of some agreement however appears in their "reason for strike" barometers, which all register that strikes over wages (and conditions) outstrip all other reasons for strike action. (Figure-wise however one has again to allow some latitude.) Briefly summarised these barometers suggest the following:

Cause	% of all strikes
Wages	50 - 75
Discipline	8 - 16
recognition	3 - 12
retrenchment	3 - 8

One last point which emerges from the reports of these consultants is that NUMSA remains the most militant of all unions measured in terms of strike action. According to Levy, for the first 6 months of 1989 NUMSA's strike rate of 26,4% was nearly double that of PPWAWU which was in second place with 14,9%, followed by CWIU (12,6%), FAWU (11,5%) and CCAWUSA (6,9%).

NUMSA statistics

Research carried out by NUMSA organisers in the Witwatersrand region for the period May to October



provides quite a different picture to the national "strike barometer" of Innes et al:

Cause of all strikes	
wages	38%
discipline	37%
recognition	10%
retrenchment	15%

What is immediately noticeable in the comparison is NUMSA's relatively *low* incidence of strike action over wages and *high* incidence of action over discipline and retrenchments.

Regarding wages, the period studied (May - October) would have carried within it the highest potential for strike action given that wages at industry and plant level are normally negotiated in all sectors at this time. It is difficult to speculate as to why the incidence of wage strikes should be so low - possibly because there is national bargaining. Now wages were settled at this level, because plant bargaining is on the wane, or (but unlikely) because management was more flexible on reaching agreement on wages at plant level.

Why the high level of strike action over discipline? There would appear to be four main reasons for this. Firstly, there is a tradition which still survives *within plants* of an injury to one is an injury to all - that disciplinary action, particularly dismissals, should be met with collective action. Secondly, the nature of the motor and iron/steel sectors in particular is one of thousands of small employers who generally lack the ability to handle dis-

ciplinary matters in a proper manner, thereby provoking strike action.

Thirdly there remains widespread resistance on the part of all employers to introducing modern dispute resolving mechanisms such as arbitration, thereby obviating strike action. Fourthly, NUMSA members definitely lack the confidence that disciplinary disputes will be fairly handled by the Industrial Court, within a reasonable time - hence for these members it makes sense to confront the issue at the time and point of origin.

The relatively high degree of strike action over retrenchments is encouraging and is quite definitely a product of the job security focus in 1989 which has stressed the need to fight retrenchments, lay-offs, redundancies, etc. The figures are probably also indicative of managerial intransigence in an area which they regard as their prerogative. Further, the metal and motor sectors have an extraordinary resistance to proper severance arrangements. It must be borne in mind, though, that in a number of cases (e.g. RBF Malleable Castings), management have actually provoked strikes over retrenchments (which we did not properly plan) in order to dismiss workers and to avoid severance pay.

A number of interesting facts emerge from the survey:

Less than 2% of all strikes during this period were legal and complied with the Labour Relations Act. This clearly suggests that in as far as the Act is intended to order and regulate conflict, it is a complete failure. It is too complicated, unwiel-

dy and does not enjoy the confidence of workers.

The survey shows a 51% success rate in strike action as against 23% losses and 26% no gains.

The main problem in trying to assess these figures is that there are no other figures available with which comparisons can easily be made. Therefore whether a 51% strike success rate is to be considered high or not is just a matter of opinion and there is no way of gauging whether this success rate constitutes an improvement or not over the years.

Management responses

The study with organisers indicates four main trends in management's handling of strike action:

- Management are engaging far more readily in mass dismissals and conditional re-employment agreements, e.g. Donn Products (U.K.), Valmatex, National Bolts, Academy Brushware. The 'agreements' provide for:
 - (a) selective re-employment in full and final settlement of the dispute;
 - (b) exclusions on the basis of bad disciplinary record;
 - (c) new conditions of employment e.g. no overtime bans;
 - (d) limitations on future strike action, both illegal and legal.
- There is a noticeable increase in the use of violence during strikes involving the SAP and now, more frequently, private security firms. Videotaping of strikes by these security firms is clearly one of the

'services' offered - "identify your agitators", dismiss, then selectively re-employ. Violence has been used at the following companies amongst others: Macsteel, Genrec, Duropressing, Thorn Lighting, Cinqplast, RBF, Oliver Rubber, Barlows (Kew), Haggie Rand, etc.



- Outside consultants are being used far more widely. On the one hand management lawyers are mushrooming at exorbitant costs to exploit the advantages of the Labour Relations Act, particularly the provisions which allow for the interdicting of strikes. Virtually without fail these interdicts are granted by the Industrial Court, often without even hearing the union. While the union response has generally been to comply with such interdicts this could well change. On the other hand so called "industrial relations consultants" are also on the increase. These consultants vary from the brainless boxing manager type (Van Welbergen) to the sophisticated union bashers (Andrew Levy's). For the main they play a negative and destructive role in fostering 'sound' industrial relation. In the union's experience companies would generally do better without the assistance of these washed-up personnel officers and attorneys.
- Companies are becoming better equipped to handle strikes, particularly the big concerns like Barlows who are able to transfer production very quickly from plant to plant.

NUMSA press release

NUMSA is becoming increasingly alarmed at the growing number of self-styled industrial relations consultants plying their limited skills in the industrial relations market.

On the whole NUMSA has found that the interventions by groupings such as Van Welbergen and Associates, Steve Bruce, Denys Reitz and Peter Kerrusch to be extremely unhelpful in resolving what are often very complex industrial relations matters. These consultants are strongly anti-union. Their advice to employers is based on union bashing and ranges in approach from the undercover tactics of Levy and Co. to the aggressive bullying adopted by Van Welbergen and Associates.

Van Welbergen, who gained notoriety a year ago with his threats to sue unions in terms of the amended provisions of Sec 79 of the LRA continues to distinguish himself by: arriving at the Industrial Council for a dispute meeting with the management of Jumbo Products who were armed, threatening to report NUMSA to the SAP in terms of Emergency Regulations for NUMSA's refusal to "reply to their fax" because they allege this constitutes a "product boycott".

NUMSA intends to refuse to have any further dealings with Van Welbergen and is firmly of the view that not only is this firm ignorant of current industrial relations practices but further believes that their advice and interventions are positively harmful to sound management-trade union relations.

NUMSA will be calling on other COSATU unions to also reconsider any dealings they may have with Van Welbergen and also strongly urges employers who have any relations with this 'consultancy' to assess whether it has the capacity to bring positive industrial relations results. NUMSA intends to monitor industrial relations firms more closely than it has in the past, particularly those who are known to be strongly anti-union in approach. The union is seriously perturbed that too many ill-qualified consultants are entering the rapidly expanding industrial relations field, selling themselves to management as 'experts' and making a real mess of employer-employee relations.

In general terms there is a hardening of management attitudes to strike action. Mass dismissals and selective re-employment programmes/agreements are likely to increase. This trend coincides with NUMSA's analysis of capital's response to the current accumulation crisis which, for various reasons, was not able to find resolution in the expansion of markets and had to turn inwards instead - towards increasing productivity in the workplace.

This process, it was suggested, would involve capital intensification/retrenchments and efforts by management to increase the ambit of unfettered decision-making over the labour process.

So much for the statement by SACCOLA and even ASSOCOM that there should be greater acknowledgement of workers' right to strike.

Conclusions

The LRA with its recent amendments, rather than promoting the peaceful resolution of disputes has in fact increased labour unrest and strike action. The wholesale interference by the industrial court in industrial relations, mainly through section 17(11)a orders, has also not stopped strike action.

NUMSA's Wits region in particular is to be congratulated for the campaign against section 79(2) which has turned this provision against the bosses and forced them now to support its being abolished from the legislation.

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Weakness of the Anti-LRA campaign

MARTIN JANSEN argues that the anti-LRA campaign has been weakened by lack of a clear strategy. He argues that a new approach is needed - campaigning against the state rather than focussing on negotiations with SACCOLA.

SACCOLA withdrew from negotiations on the LRA in late September arguing that the labour front was guilty of bad faith conduct. They said they were not prepared to continue "co-operating" with the labour front, while being squeezed by an overtime ban and consumer boycott. Yet it is SACCOLA's members who are using the new provisions of the LRA to lock out strikers, interdict strikes, threaten to sue unions, and retrench workers.



SACCOLA's actions have contrasted strongly with its purported anti-LRA statements, which still remain deliberately unclear and ambiguous. Although SACCOLA returned to the talks a week later, its actions and those of its members pose serious questions about the direction of the anti-LRA campaign.

SACCOLA has not shifted

The labour front's good faith negotiations for over a year have therefore counted for nothing. A hard look at SACCOLA's arguments shows that:

- SACCOLA objects to legalising sympathy strikes and solidarity action.
- SACCOLA rejects including all workers under one labour law. SACCOLA is prepared to accommodate reactionary and racist farmers, by arguing against including farm-workers under the LRA. It also refuses to agree that the LRA should be extended to protect workers in the Bantustans.
- SACCOLA is also still committed to opposing the principle of majoritarianism. Ironically it is the majority principle (50% + 1 representation requirement) which was traditionally used by bosses to avoid recognising non-racial progressive unions.
- SACCOLA continues to argue that issues like job-security, maternity benefits and disinvestment are best left to individual employers and unions to deal with around the

Note: Martin Jansen is Western Cape branch secretary of the Chemical Workers Industrial Union (CWIU). The views expressed here are his own, not those of CWIU.

negotiating table. SACCOLA therefore refuses to acknowledge the duty of the state to enshrine basic rights for workers in law.

No hope of agreement

Even where there is apparently agreement between SACCOLA and the labour front, the agreement is very shallow. For example, when unions like NUMSA refused to play a mediating role in wildcat strikes, bosses began to fear an uncontrollable spate of wild-cat strikes. As a result SACCOLA has now urged the state to review Section 79(2) of the LRA. This is the section which makes it easy for the bosses to sue the unions. But SACCOLA is not calling for the same changes as the union movement. The unions are calling for the clause to be totally scrapped, while SACCOLA only wants the wording to be changed so that the employer has to prove in court that the union was responsible for the loss of production during an illegal strike. This is far from having the clause scrapped completely.

It is clear that there has been no progress in the negotiations with SACCOLA. There is in fact no hope of an agreement. The state of the campaign calls for an assessment. All unions must discuss ways and means of tak-

ing the campaign forward.

An assessment of the campaign

Having tied our hands to fruitless negotiations with SACCOLA, we were unable to take the struggle against the LRA much further after the 3-day stayaway last year (6, 7 and 8 June 1988). Both worker summits gave new life to the Anti-LRA campaign, just when it was losing its momentum. The Third National Congress of COSATU, and subsequently the Second Workers Summit, recognised that the LRA can only be smashed through sustained action. By then the limitations of once-off actions such as the 1988 stayaway had been realised. In the Second Workers Summit the following plan of action was adopted:

- 2-hour stoppages and demonstrations on 1 September
- a 2 day stayaway on 5 and 6 September
- a month-long consumer boycott against white shops as from 13 September to 13 October
- An indefinite overtime ban to be reviewed on a monthly basis.

The summit also accepted that the discussions between the labour front and SACCOLA should continue. This was despite the fact that SACCOLA continued to drag its heels and failed to meet the deadline before the second summit.

One of the weaknesses of the programme of action against the LRA is the lack of a clear focus. The summit

did not clarify how the overtime ban and consumer boycott is linked to the talks with SACCOLA. Instead of giving in to the demands of the unions, SACCOLA opted for pulling out of the talks. Tactically it was a good move on their part. It temporarily gave them the 'moral high ground' with statements of "bad faith bargaining" on the part of the unions.



Action not co-ordinated

They also recognised that the labour movement was not able to co-ordinate sustained action. September 1, the anniversary of the amended LRA, was the day on which the action was supposed to commence. But the labour movement failed to act strongly on the call for a two-hour work-stoppage.

The Western Cape was the only region which displayed widespread support for the call. Here thousands of workers marched in the industrial areas. Their massive demonstration was broken up by police using tear-gas, batons, sjamboks and water canons. A number of workers had to receive medical treatment.

In the Eastern Cape only six unions participated in the action. The only other regions which had co-ordinated action, albeit sporadic, were the Highveld and Western Transvaal. In other regions individual unions organised demonstrations, but these were not co-ordinated with other unions. NACTU's participation in the demonstration was minimal.



Workers question stayaway

Even the two-day stayaway was not as successful as we had anticipated. The alleged confusion around the dates is in itself a sign of major weakness. The failure to successfully co-ordinate a 2-day stayaway says a lot for our ability to organise the future society. The fact that the stayaway call on 6 September experienced greater success, does not mean that we are organisationally strong and militant.

We have also drawn comfort from the fact that there were very few dismissals resulting from the stayaway (especially if we compare it to the 1988 stayaway). But we should be under no illusions. Many union members have received final written warnings which makes them very vulnerable to dismissal during similar occurrences in future. The labour movement should not make the same mistake as with last year's dismissals where no defensive action was planned.

This weakness has serious implications. Workers are seeing that the unions are not adequately defending victimised workers after stayaway action, and many are questioning whether the action is worthwhile in the light of very little progress in the



Worker march against the LRA - militancy but lack of clear strategy

Photo: Zubeida Vallie/Afrapix

campaign. It is important to put our slogan, 'An injury to one is an injury to all' into practice. We cannot sit back with our arms folded while bosses are attacking our comrades. We must defend our fellow workers. This must become a standard item on the agenda of every union meeting.

The consumer boycott should also be assessed. There are definite problems with this action. Firstly, the boycott only affects consumer goods and consequently it is the commercial

sector capitalists which are mostly affected by it. The important sectors like manufacturing and banking are not directly affected.

The fact that the start of the consumer boycott had to be postponed until 22 September, already showed the masses were reluctant to support such a call. In the past consumer boycotts were successful with strict monitoring committees in the townships and strong organisations. With many organisations not functioning in the community, the chances of a widespread, successful consumer boycott were slim.

Overtime ban fragments workers

The overtime ban has given rise to even more problems than the consumer boycott. Unity, a key factor to any struggle or campaign, is difficult to build around an overtime ban. It is 'invisible' behind the factory gates, so it is difficult for workers to see each other united in this action. This isolates and weakens the workers in different plants. Unlike strikes, factory occupations and stayaways, the overtime ban is a fragmented form of action.

It is even more fragmented because not all workers are required to work overtime. Even within a particular factory, overtime might only be confined to certain sections or departments. When isolated groups of workers embark on an action they can easily be victimised by bosses.

Even with the decision of the appel-

late division which upheld the right of FAWU workers at S A Breweries (SAB) to refuse to work overtime, the bosses have continued to harass workers and unions. Many employers have threatened to cancel their recognition agreements. Some have refused to deal with the representative union or even suspended workers. Bosses and their lawyers are still looking for ways of undermining the SAB decision of the appeal court.



Despite the flaws of the overtime ban effort by the unions, it has still provoked the wrath of employers. It has touched a nerve-point. However, the problem remains the difficulty of monitoring and generalising the overtime ban because of its fragmented nature.

Is the campaign dead?

What do all these problems mean for the campaign? Does it mean that the campaign is dead, and therefore to be buried? Not at all! The issue of a LRA is not temporary. It will confront workers and their unions continuously. Avoiding the LRA by negotiating agreements which by-pass the LRA is no solution. It only addresses the problem in a very piecemeal manner, and undermines a sustained campaign by the whole labour movement, including those not covered by the LRA (farm workers, domestic workers and public sector employees). This tactic prevents a united working class resistance to the LRA.



Direct the campaign against the state

One of the problems of the campaign is that it was not directed against the state. Many in COSATU were not convinced that it would be a good idea to do so. This could be because many in struggle adhere to broad frontist politics, attempting to win sections of capital over to the 'Anti-apartheid Camp' or convince them by negotiations of the moral injustice of the LRA.

We must stop toying around with this politically dangerous notion of reaching an agreement with bosses on fundamental trade union rights like the right to strike, sympathy strikes, majoritarianism, etc. These rights themselves have been born out of de-

acades of struggle and will only be maintained and protected by struggle itself.

SACCOLA has repeatedly thrown down the gauntlet to the labour movement. Having come to an agreement with the unions on six clauses that were deemed to be "offensive", the bosses, after the promulgation of the LRA, went ahead to implement the very same clauses which they had acknowledged as being "offensive". For more than a year they have been using the provisions of the LRA to retrench, dismiss, lock-out and threaten to sue workers.

Negotiations cul-de-sac

Even after the bosses had shown their support for the law, the unions



Unions vs SACCOLA - rather target the state

Photo: The Star



foolishly pursued the strategy of negotiating with SACCOLA. Workers did endorse the strategy as they thought there was a possibility of a forced deal with the bosses. Suspicions of the apartheid government also made the idea of directing the campaign to the state unpopular with workers.

However, the negotiations with SACCOLA have made no progress. Only the state has the power to change the LRA. As a result the campaign is in a cul-de-sac. In addition, the campaign is weak on the ground and many union leaders are taking no initiative. These factors force us to look closer at realistic options, like redirecting the campaign towards the state.

The strategy of focusing the campaign on SACCOLA aimed ultimately at pressurising SACCOLA to make joint recommendations, together with the unions, for changes to the law. This simply means that even after agreement with the bosses, we still would have to force the state to change the law.

This we failed to make clear to workers. Many workers are under the false impression that, if SACCOLA agrees, the struggle against the LRA is won. The two-stage nature of this strategy was never made clear to workers.

There is nothing wrong in principal in having discussions with SACCOLA. This tactic should not be ruled out. What should be opposed is the dogged pursuit of this strategy when clearly there are no gains, and the very negotiators on the other side are

implementing the "offensive" clauses.

The campaign and the State

Our anti-LRA campaign is definitely having an impact on the state. In the last few months:

- the National Manpower Commission (NMC) has been given the brief to reconsider section 79(2) (the section which gives the employers more power to sue unions). The NMC has been authorised to circumvent lengthy procedures so that the section can be changed quickly.
- New Manpower Minister, Eli Louw, has announced that the NMC will re-examine the entire LRA - but this will take two years!
- Louw has also appointed a private advocate to investigate allegations that the Industrial Court is no longer fair.
- Louw is also to appoint a commission of parliamentarians and farmers to consider the question of trade union rights for farm-workers. On the question of farm-workers the composition of the commission shows that the view of organised agriculture and the farming industry are paramount. On this SACCOLA and Louw have agreement. They both say that granting trade union rights to farm-workers will destroy the agricultural sector. They also fear that granting trade union rights to farm-workers will drive farmers into the hands of the Conservative Party and



the AWB.

Louw has also stated that any changes to the LRA will not mean a complete overhauling of labour legislation in South Africa. He stated that most of the clauses in the Act will remain, which means he will merely tinker with the LRA.

Just as it would be foolish to applaud the state's sudden open attitude as a victory for workers, it would be equally wrong to dismiss these announcements as cosmetic and of no relevance. The latter position would completely ignore the fierce battles by unions in the last two years to have the LRA changed.

Otherwise why don't we have the state showing a soft spot in other matters like housing, transport, etc? The 'verligte' announcements of the state on the LRA is a direct result of the labour movement's campaign against it. The fact that at this stage the state is only prepared to tinker with the LRA, is a reflection of the relatively weak push we have given the state so far.

Resist implementation of LRA

To date we have been unable to make the LRA unworkable. The campaign has been far too removed from other sections of the working class. This has forced organised workers to fight the campaign alone. We have also failed to resist the actual implementation of the LRA. Instead we have focused on legalistic struggles on paper, far removed from the day to

day realities of of the working class.

Our fight against the LRA should centre around militant united action against bosses attacks like lock-outs, dismissals, retrenchments and the suing of unions. In this way the anti-LRA struggle becomes a living struggle of the masses, as opposed to wrangling with SACCOLA over legal clauses at posh hotels.

Despite our propaganda that the LRA is an attack on the struggle for a living wage, we failed to make the links between the Living Wage Campaign and the Anti-LRA Campaign in united action. Increasingly we see individual unions succumbing to the attacks contained in the LRA.

All this has had an impact on workers. Workers are beginning to doubt their ability to smash the LRA. They know that they stayed away successfully last year and again this year. They have participated widely in the campaign against the LRA. But the LRA remains unchanged. These doubts certainly are reflected in the poor attendance at campaign co-ordinating meetings at all levels. Any way forward has to take cognisance of these factors.

By redirecting the campaign towards the state we will be giving it a new focus. However, a new focus without the eagerness of workers to take the campaign forward is meaningless. Admittedly, at this stage the union movement does not have the capacity to force the state to change the LRA. *We need to build this strength again!* A new plan on how to fight the LRA is needed.

Towards a new plan

1. Test the state's 'liberalism' and the words of Eli Louw

A delegation representing the union movement, armed with a memorandum of our demands, should be sent to meet Eli Louw. We should also inform him that we will give him until the next parliamentary session (February - May 1990) to change the LRA. Any attempts to convince us of the lengthy bureaucratic procedures of the state machinery must be rejected. The delegation which puts our demands to the state must be more representative - it should include regional representatives who are directly accountable to campaign structures.

2. Render the LRA ungovernable through Living Wage struggles

Our wage demands must be put and fought for in a militant manner. We must support them by go-slows, overtime bans and placard demonstrations. The procedures of the LRA should be defied. Threats of lock-outs should be countered by sleep-in strikes. Most important is the open defence with solidarity action by all workers and unions for those who are under attack from the bosses or the state. We should enforce our living wage demands. For example, all workers restrict their work to a 40-hour week.

3. Launch the campaign for a Workers Charter as an alternative to the LRA

4. Convene the 3rd Workers Sum-

mit in March 1990.

This summit should assess the campaign. It should note the response of the state and our capacity to fight on, and plot the way forward. ☆



Interviews: Wiehahn and Ehlers

There has been some controversy in government, industrial court and academic circles over the Labour Relations Amendment Act. *Labour Bulletin* interviewed Professor Nicholas Wiehahn, architect of the more liberal 1979 labour law, and Dr. Danie Ehlers, former president of the Industrial Court.

Labour Bulletin: *Prof. Wiehahn, why do you think the Labour Relations Act was amended in 1988?*

Wiehahn: It was a direct result of pressure from the employers. They tried for years and years to get the Minister to change the law. During the first 5 or 6 years after the Industrial Court was established the trade unions won a lot of cases because they had good cases and good legal advice. Employers felt that strikes were



costing them a lot of money and they wanted to be able to claim damages.

They asserted a lot of pressure to have the law changed.

Labour Bulletin: *Has the right to strike been endangered by the amendments?*

Wiehahn: It has been restricted - yes certainly. I believe that labour law should be based on six fundamental rights: the right to work, the right to associate freely, the right to bargain collectively, the right to withhold labour, the right to be protected and the right to development.

Labour Bulletin: *Unions are calling for domestic, farm, and forestry workers to be covered by Labour Law. What is your view on this?*

Wiehahn: I've always been against restrictions on the organisation of workers. The exclusion of workers from the law should be removed.

Labour Bulletin: *Unions are calling for widespread changes to be made to the law. Do you think it is necessary to make changes?*

Wiehahn: I think that the time has come for us to have a good look at the Act. I think that practice has caught up with the Labour Relations Act. I believe that the Act should not contain a definition of Unfair Labour Practices. It was against my advice that it was originally defined in the law. I've

always been against patchwork. What we need to do is to look at the entire Labour Relations Act. It must be re-designed and re-formulated in line with modern concepts.

Labour Bulletin: *Are you optimistic about the future of Labour Relations in South Africa?*

Wiehahn: Yes, very optimistic. But this is based on labour law being revamped entirely. The National Manpower Commission is currently examining the law. But we have a problem with employers in this country. Many of them are at fault because they don't like trade unions. I think that large and powerful trade unions are a good thing.

Labour Bulletin: *Dr Ehlers, do you think it was necessary to amend the Labour Relations Act?*

Ehlers: I personally don't think it was essential to make amendments. The only serious matter was that before the amendments the Minister had to give permission for the establishment of Conciliation Boards. The Minister is the political head - he shouldn't concern himself with that type of problem. That amendment was a good thing but there were no other serious problems to be attended to.

Labour Bulletin: *One of the amendments makes it possible for the Industrial Court to grant an urgent interdict preventing even legal industrial action if the action is considered*

to be unfair. Do you think this is unfair to the unions?

Ehlers: Yes, one can say so. The situation is that urgent interim relief tends to favour employers. Only employers are really in a position to show the court that irreparable damage will take place if the workers take action. Employees are not usually in a position to do that.

Labour Bulletin: *Do you have other comments on the amendments?*

Ehlers: Since the amendments there have been few cases where employers have tried to claim damages from the union after a strike. This has never succeeded in practice. The employers used to say "we must be able to claim damages." But what's the use? It only estranged employers from their employees.

Labour Bulletin: *Do you think that the campaign by COSATU, NACTU, and unaffiliated unions against the LRA is justified?*

Ehlers: One could conclude that they have reason to be unhappy. It seems that the government could have intended to clamp down on trade unions and its only natural that they would consider it as an attack.

Labour Bulletin: *Why did you criticise the Act earlier this year?*

Ehlers: I felt particularly disturbed by the definition of an Unfair Labour

Practice. The court had been given a fairly free hand before the amendments. We tried to be independent and strive for fairness. I would suggest that the court has been successful in determining whether labour practices are fair or not. Now the court's powers have been substantially reduced.



Labour Bulletin: *What were the consequences of those criticisms for you personally?*

Ehlers: Well, they ignored my unhappiness. I think the main problem was jealousy over the independence of the Industrial Court. We didn't want to be interfered with - we just wanted to make the facilities available.

Labour Bulletin: *Do you think that the law should be re-amended?*

Ehlers: As it is now the Act is really very unsatisfactory. We've had pronouncements in the Supreme Court on a number of occasions where the Act has been criticised. With all this patchwork over the years we're in a position where we have no coherent statute. As I understand it the idea is to have as few constraints on the parties as possible. Let the participants in the industrial relations system sort it out. The National Manpower Commission is currently reviewing the law. One can only hope for a proper statute. I am optimistic that we'll see a more satisfactory Act. ☆

Rocky path to peace in Natal

No longer on the front pages of the newspapers, the Natal violence nevertheless continues. In this article JOHN JEFFREYS looks at the background to the violence and the most recent breakdown in the peace initiative.

Over 1 500 people have died in the Greater Pietermaritzburg area since the killings began in mid-1985. This places Pietermaritzburg in the same category as Beirut in Lebanon, and Belfast in Northern Ireland, as one of the most violent places in the world. Some statistics exist of the death toll. But the number of people who have been injured, or have had their property damaged, or have been forced to flee from their homes, is simply too large to calculate.

The youth in particular have borne the brunt of the conflict. Many have been forced to flee from their parents' homes and seek refuge in overcrowded conditions in safer areas. Large numbers of students had their schooling disrupted when their schools fell into areas controlled by opposing political organisations.

The conflict has created a culture of violence in which killing is the norm and in which force becomes an

acceptable solution to almost every problem.

The causes of the conflict

One of the key factors sparking off the conflict was the rapid growth of UDF-supporting students, youth and residents' organisations in the Pietermaritzburg townships. The years following 1984 saw a rapid increase in political activity in the Pietermaritzburg townships. Issues such as the SARMCOL strike, the schools crisis, the Simba boycott, the Spar workers campaign and bus fare increases provided focal points for organisation and for mass action.

Inkatha portrayed itself as the sole political representative of the Zulus and was dependent on the practical realisation of this image in order to secure its position on the national political stage. Consequently, Inkatha felt threatened by the growth of a mass-

based political organisation, independent of Inkatha and opposed to its policies, in the Zulu heartland.

The already established local government leaders such as community councillors, chiefs, indunas and members of school committees were also threatened by the growth of the UDF in their areas of jurisdiction, as the grievances around which the UDF affiliates were mobilising were often against their own interests. Many community councillors for example felt personally threatened by rent protests, while the school boycotts evoked a similar reaction from some members of school committees.

As many of these people also held leadership positions within Inkatha, the conservative and individually centralised nature of the organisation provided them with an easy method of re-asserting control over their communities. They responded to their crisis of legitimacy by trying to force people to join Inkatha. They hoped that once troublesome UDF elements in their community were subjected to Inkatha's organisational discipline, they would be able to be controlled.

Initially they attempted to coerce people through threats and intimidation, but as these methods failed, they resorted to more severe methods, such as arson and murder. Thus they earned the name of 'war-lords'.

War-lords' wave of terror

Their modus operandi was to target a specific area. Residents were called upon to join Inkatha. If a small propor-

tion were reluctant to do so they would be attacked. If however, the community was opposed to Inkatha a wave of terror would be directed at them. The terror was indiscriminate in that leaders, toddlers and the infirm were all victims. At the very best these intimidatory tactics would result in residents joining Inkatha out of fear. At the very worst, it resulted in UDF organisations being unable to develop as a result of the consistent physical threat.

Their task was made easier by the fact that the rapid mobilisation in the townships had not translated itself into strong organisation. A further factor which existed then was that some sectors of the community had been left behind in the rapid process of political activity and were alienated by the seemingly radical demands of the youth and the students. Thus the Inkatha leadership gained some support in the early stages with their strategy of ending the consumer boycott, and forcing students back to school.

For the state, the conflict provided an additional means of crushing the emerging township organisational structures. By simply turning a blind-eye to the murders committed by the "war-lords" and by refusing to investigate and properly prosecute crimes reported to them, they could eliminate a whole range of political opponents.

The state, however, went further than this. Allegations have also been made of the police supplying guns to the "war-lords" on the one hand, while vigorously confiscating any firearms found in the possession of

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“comrades”; of the police doing nothing to stop clashes between the two groups, or, of only intervening when it appeared as if the vigilantes were losing; and of the police actively participating in breaking the defences of a community under attack.

Effects of the violence

The conflict severely disrupted, weakened and in some parts destroyed, organisations in the

This made it impossible for activists to meet and to build and consolidate organisation.

The conflict also diverted attention away from organising and mobilising people against the policies of the Nationalist government. Township residents joined the ranks of the progressive movement primarily because they perceived it to be opposed to Inkatha. The dominant item on the agenda was defending the community from vigilantes, rather than other



Inkatha supporters 'cleaning up' Lamontville in 1985 - there have been persistent allegations of police collusion with Inkatha

Photo: Afrapix

townships. The war with the vigilantes proved far more effective than direct state repression. In many areas, any people who were simply seen to be associated with the UDF or COSATU were targeted, attacked and killed, or driven out of their areas.

deeper political issues.

Peace was therefore an important issue for the UDF and COSATU, and consistently since the conflict began, both organisations have been engaged in attempts to find solutions to the conflict on both a local Pietermaritzburg

level and in Natal as a region.

Early attempts at peace

The first major attempt at peace was in November 1987, when delegations from COSATU, UDF and Inkatha met under the auspices of the Pietermaritzburg Chamber of Commerce to discuss a process to end the violence. At the first meeting, all parties endorsed the principles of freedom of association and freedom of expression and agreed that disciplinary action would be taken against officials or members involved in forced recruitment. Both parties committed themselves to halting all forms of aggression, and agreed on the need to establish a process through which the violence would be brought to an end.

Inkatha however scuttled this agreement at the next meeting when they produced an article which had appeared in the October 1987 issue of *Inqaba Yabasebenzi*, the Journal of the Marxist Workers Tendency (a small Trotskyist grouping expelled from the ANC). The article criticised the UDF for participating in the peace process, and called for the violence against Inkatha to be intensified. Inkatha initially refused to accept a statement issued by UDF and COSATU stating that the document had nothing to do with them, did not emanate from their structures or reflect their policies or views.

Inkatha then produced a new obstacle by demanding that the peace process be expanded to include na-

tional UDF, COSATU and Inkatha figures and that issues discussed be broadened to include national issues.

COSATU and UDF had just submitted a proposal for such a National meeting when a state clampdown ended the peace initiative. The clampdown was almost certainly in response to the rapid growth of the UDF and COSATU in this period. Between November 1987 to January 1988, over 700 people in the area were detained, and in February 1988 the UDF and COSATU were themselves restricted.

The next major attempt at peace was the COSATU/Inkatha Accord of September 1988. In terms of an out-of-court settlement of a number of interdicts against Inkatha's Pietermaritzburg leadership, Inkatha and COSATU once again agreed on a set of principles to govern the relations between their members.

The Complaints Adjudication Board

The agreement once again recognised the right of freedom of association and rejected the use of violence. In order to ensure that these principles were adhered to, a Complaints Adjudication Board was set up to hear complaints against any COSATU or Inkatha member who was alleged to have breached the agreement. The Board was convened by Justice Leon, a retired Natal Supreme Court Judge, and aimed to be a speedy and expeditious method of resolving disputes. The UDF was unable to par-



Inkatha supporters, KwaZulu

Photo: Cedric Nunn/Afrapix

ticipate in the agreement as it was heavily restricted and its leadership was in detention.

Unfortunately, as with the previous talks, this peace initiative also failed. The day Inkatha's General Secretary, Oscar Dhlomo, briefed Inkatha leaders in Pietermaritzburg about the agreement, violence erupted when two local leaders, Chief Shayabantu Zondi and Induna Ngcoyi, who did not attend Dhlomo's meeting, held gatherings in their own area, and non-Inkatha residents were attacked.

The Complaints Board also ran into problems when Inkatha members who had complaints lodged against them decided not to attend the Board's hearings if they had criminal cases pending against them for the same complaint. They argued that any testimony they might give to the Board, might prejudice their defence in their criminal case. Inkatha refused to exert any pressure on its members who re-

fused to participate.

The Board did however hear two sets of complaints against Inkatha members. One set of complaints was against Chief Shayabantu Zondi for intimidating, harassing and assaulting residents in his area. Zondi refused to attend because he had a criminal case pending on one of the complaints. The Board however found that there was a strong *prima facie* case that Chief Zondi had flagrantly violated the principles contained in the Accord by intimidating and threatening residents of his area on the grounds of their membership of organisations whose policies differed from those of Inkatha. The Board recommended that Inkatha take steps to investigate the conduct of Zondi, and unless satisfactory grounds were forthcoming, that disciplinary steps be taken against him. Inkatha however responded that no action would be taken against him until the criminal cases were com-

plete.

The next complaint was against two Inkatha leaders in Imbali, Councillors Michael Gasela and Thu Ngcobo. The Duma family alleged that the men had attempted to kill the eldest son, Nicholas and harassed the family in other ways. Although no criminal case was pending against him, Gasela did not appear before the Board and gave no reasons. The Board recommended that severe disciplinary action be taken against the two men, and that Gasela be deprived of his office in Inkatha. Once again Inkatha ignored the recommendations, stating that a strong reprimand to the two members was more appropriate.

Inkatha itself failed to make use of the Board and did not bring any complaints against COSATU members.

COSATU finally suspended bringing further complaints before the Board after Nicholas Duma was killed. Councillor Thu Ngcobo was charged with his murder.

More recent peace initiatives

Early in 1989 the UDF and COSATU supported the idea of a group of independent conveners calling a peace conference which would be attended by all organisations and interest groups in Natal. The aim of the conference was to involve a wide spectrum of people in attempts to find peace in the region.

Chief Mangosuthu Buthelezi objected to the suggestion and the role of the conveners. Firstly because the conveners had been approached by

UDF and COSATU, and secondly because he did not wish outsiders to be involved in what he saw as "black-on-black" conflict. He therefore wanted the parties to meet without the intervention of a third party.

In order to prevent the process stalling, UDF and COSATU agreed to a direct meeting. Buthelezi then insisted that such a meeting be held at Ulundi. COSATU and the UDF refused to meet there as they felt that the peace process had not advanced sufficiently to be at a venue so clearly associated with one side. After representations from Anglican Ministers, Inkatha agreed to breaking the deadlock by the establishment of a five person grouping headed by its General Secretary, Oscar Dhlomo, which would negotiate directly with the UDF and COSATU.

In a series of "five-a-side" meetings, a peace process was finally agreed upon. This process was set out in a document signed by all ten members of the "five-a-side" delegation in July. One of the new aspects of this process was the involvement of the ANC which had expressed its increasing concern about the violence. Buthelezi had also demanded the involvement of the ANC and wanted a meeting of the presidents of the ANC, UDF, COSATU and Inkatha. Even though such a meeting would delay the peace conference to be held within the country, COSATU, UDF and the ANC agreed to such a meeting.

The process outlined in the report envisaged a number of steps. The first was the immediate creation of a pub-

lic climate for peace. One of the aspects of this was an immediate end to all hostile propaganda and vilification directed by the organisations at each other. The second step was to be a meeting of delegates from the ANC, COSATU, UDF and Inkatha. Each organisation was to send ten delegates under the leadership of their president to the meeting.

The third step was a joint peace conference. In order to accommodate Inkatha's reluctance to involve non-Blacks in the peace process, it was agreed that the peace conference be divided into three phases. The first and longest phase would be a meeting of UDF and COSATU and Inkatha delegates from the areas affected by the violence and would discuss the practical implementation of the peace process. The second phase would involve a report-back to churches, organised commerce and industry, organised professional bodies, sporting organisations, observers from foreign embassies and other trade unions on the peace process. The last phase would be a public report to the press.

The peace conference would be followed by joint peace rallies. The last step was to be the establishment of joint peace committees and an effective enforced structure. The problem of refugees resulting from the violence and socio-economic causes and effects of the violence were also dealt with.

COSATU took immediate steps to improve the climate. At its Third National Congress, held shortly afterwards, the agreement was pub-

licised. Delegates gave their support to the agreement and made a conscious effort, in both singing and speeches, not to attack Inkatha or Chief Buthelezi in particular. There was acceptance of the leadership report on the need to create a public climate for peace.

Inkatha stalls

Inkatha's Central Committee however stalled the process when they met later that month, by demanding an equal number of delegates at the meeting of the presidents as UDF, COSATU and ANC combined. This was reneging on the agreement by the five-a-side delegation that each organisation send ten delegates to the meeting. They also wanted ANC President, Oliver Tambo to directly invite Buthelezi to the peace conference.

COSATU and UDF put forward a compromise proposal that while the minimum number of delegates per organisation to the meeting of the Presidents be ten, the maximum number of delegates should not be limited. This would have enabled Inkatha to send 30 delegates to UDF, COSATU and ANC's combined thirty if they so wished.

When the Inkatha Central Committee finally met on 23 September 1989 to discuss the issue they rejected this proposal. Instead they felt that additional groupings such as UWUSA and the Natal region of the PAC in exile, (a splinter group from the PAC), should be invited to the meeting of the

Presidents. Inkatha also produced an anonymous document which they alleged had been written by UDF supporters in Pietermaritzburg, and which called for selective violence against Inkatha. In spite of UDF and COSATU already having distanced themselves from the document, Inkatha felt that more serious steps should be taken.

An additional obstacle which Inkatha raised was that Thabo Mbeki and the ANC apologise for remarks made by Mbeki in a press conference in Copenhagen on 27 June 1989. Lastly they resolved that a moratorium on further talks be declared in view of the continuing violence, the lack of progress of the meeting of the Presidents and Inkatha's exclusion from discussion on the national protest marches held by COSATU and the UDF.

It appears that one of the central factors responsible for Inkatha's change of attitude in relation to the peace talks, was that Buthelezi was attempting to assert his equal status with UDF, COSATU and the ANC in anticipation of future negotiations with De Klerk.

Analysing Inkatha's peace strategy

There has been a consistent pattern on the part of Inkatha in the peace process. In both the Pietermaritzburg Chamber of Commerce initiative, the Pietermaritzburg Accord and the most recent initiative, agreements were reached on important aspects that would have meant peace. However

when it came to either further meetings or the practical implementation of what had already been agreed upon, the process would inevitably break down and violence would escalate.

Inkatha used documents which had come from dubious sources which they claimed had the support or at least reflected the views of UDF and COSATU to scuttle two of the initiatives. The escalation in the violence around the time of the breakdown of the peace process was also used as a reason for cutting off further talks, when this in fact should have speeded up the process.

The difficulties experienced in the peace process perhaps reflect the contradictions within Inkatha relating to the violence.

One of the issues that sparked the conflict was the desire of some of the local Inkatha leaders to protect and consolidate their position against the challenges posed by progressive organisations in their areas.

If the violence were to stop and people were free to organise and join whichever organisations they liked, these people could again feel threatened.

If there is freedom of association in Natal, Inkatha could also find that a significant number of its claimed 1,8 million members would desert it. This could prove disastrous for an organisation and a leader attempting to play a central role in the national political stage.

Inkatha however has relied on its image as a peaceful and moderate or-

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ganisation to win support from the white public, business people and foreign governments. It therefore needs to be seen to be involved in major initiatives to overcome the violence.

Inkatha has lost considerable support in the past year from new sectors. The emergence of CONTRALESA, a UDF affiliate aiming to organise traditional leaders, has encouraged a significant number of chiefs to publicly break with Inkatha. Civil servants, a grouping dependent on the KwaZulu government for their livelihood and benefits have also been expressing dissatisfaction with Inkatha and an increasing number are joining COSATU and UDF oriented organisations. Lastly, Buthelezi is even becoming isolated from other homeland leaders.

In view of these problems, Inkatha's approach to peace appears to be that there should first be a political accommodation between Inkatha and the Mass Democratic Movement. Hence they raised severe criticisms of their exclusion from the protest marches and other forms of mass action. Black unity which Inkatha regards as very crucial could secure them the central position they desire as well as prevent a large number of its members leaving Inkatha should the political hostility with UDF and COSATU continue in an era of freedom of association. For the UDF and COSATU the most important issue in their relationship with Inkatha is an ending of the violence. If attempts to end the violence were successful then



Chief Mhlabunzima Maphumulo, a traditional Zulu chief who is also president of the Congress of Traditional Leaders of South Africa (CONTRALESA) which is a UDF affiliate

Photo: Rafs Mayet/Afrapix

this could well lead to a political accommodation. However peace is an essential first step to this.

The role of the state

A further major hurdle to peace is the state, which has derived many advantages from the violence. As has already been stated, the state was able to disrupt progressive organisations without any real cost to themselves. The state was also able to make propaganda gains by portraying the violence as "black on black" conflict that would be a probable feature of a post apartheid South Africa.

Not surprisingly, the state has acted many times in the past to undermine

peace initiatives. The state disrupted the 1987 peace talks by detaining the UDF leadership and restricting the UDF and COSATU. However, apart from clamping down on the one side, the state has other means at its disposal to furthering the conflict. There was a fear that groupings within the state might encourage distant elements on each side to spark off further conflict if peace appeared to be within reach.

Stung by the allegations of their collusion with Inkatha and their inability to control the violence, the police have more recently attempted to improve their image by involving themselves in peace initiatives.

How successful these peace initiatives will be, remains to be seen. In Shongweni, a rural settlement between Pietermaritzburg and Durban, the police received enormous publicity, including coverage on television, for their claim that they had facilitated a peace agreement between the UDF, COSATU, and the Inkatha groupings in the area at the end of August 1989. The major newspapers ran photographs of the leaders of the two groups shaking hands in front of a senior member of the Riot Unit. The leaders, however, subsequently denied that the police had played such a role. They stated that the peace meetings had been initiated by the community itself and that the only suitable venue for such meetings was a school which was also being used as the local police base. Police involvement at the end of the process had enabled them to hijack the initia-

tive and present it as their own.

Spurred on by this success, the police attempted to get involved in peace initiatives in Hammarsdale, Inanda and Camperdown and have distributed pamphlets publicising their version of their role in the Shongweni Accord.

In spite of these strategies, the allegations of police brutality, collusion and ineffectiveness in controlling the conflict continue unabated. Since the Shongweni Agreement, 300 residents from KwaShange, a rural settlement outside Pietermaritzburg marched to the local police headquarters to complain about alleged police collusion during an attack by Inkatha on their community after a Shaka's Day rally. This was followed in October 1989, by a march of over 20 000 Mpumalanga residents to demand the removal of the Riot Unit from their area; and an Imbali youth was forced to ask the Supreme Court for an interdict restraining members of the Riot Police from assaulting him.

It is obvious that the police attempts to bring about peace are simply cosmetic. ☆

Isithebe: hell for workers

COSATU affiliates organising in the bantustan industrial area of Isithebe face intense repression from employers and supporter of UWUSA. LAYLA SONI reports.

The progressive unions began operating in Isithebe in 1982, organising under the Federation of SA Trade Unions (FOSATU). The first unions in the area were the metal workers union, then known as MAWU, and the paper union, PPWAWU. The other unions, ACTWUSA, FAWU, CAWU and CWIU, began operating in the area between 1986 and 1987. Initially, union activity and organising were slow. Towards the end of 1985, now under the banner of COSATU, the unions began to enjoy success, when the area started growing and developing.

Isithebe

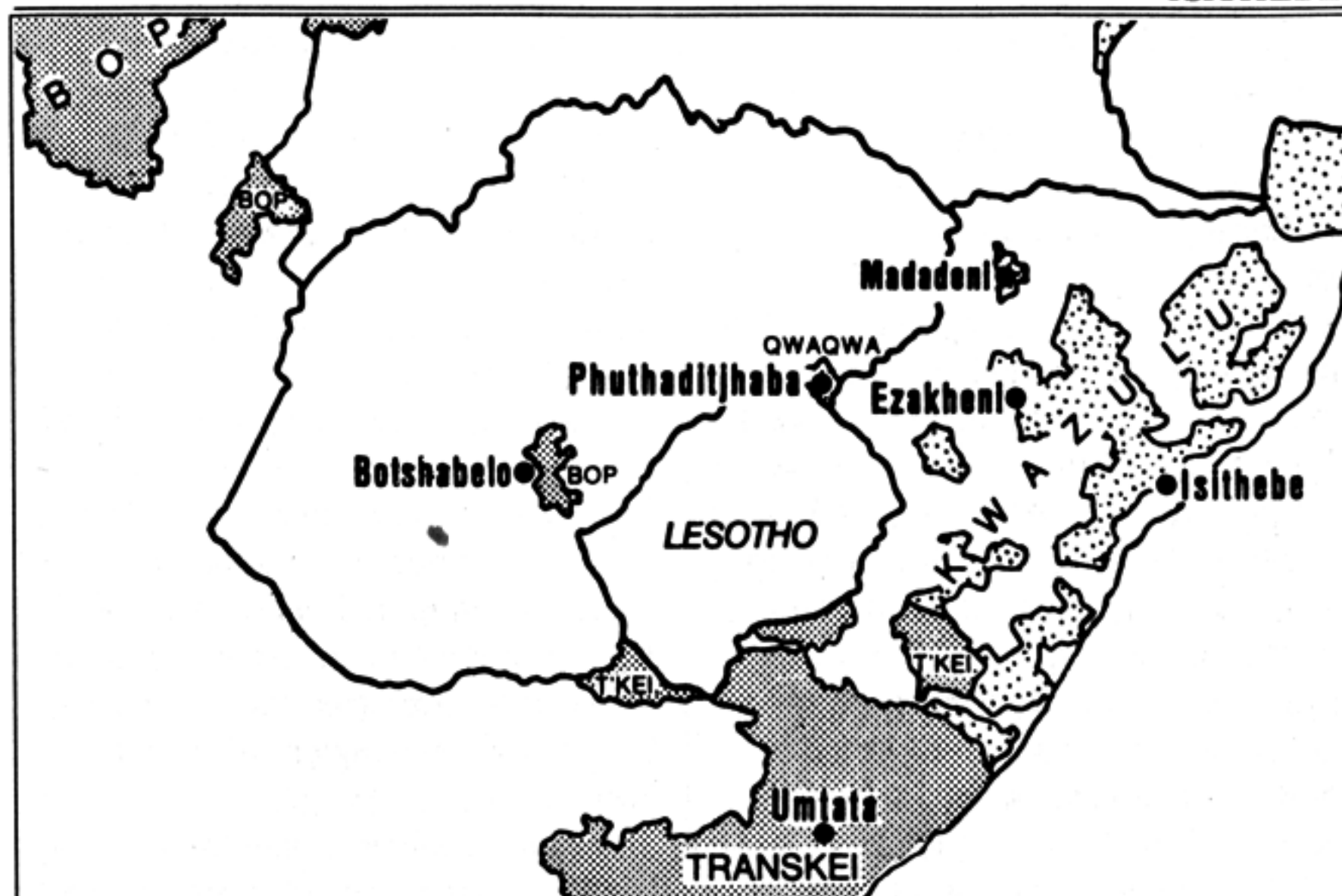
Isithebe lies near Mandini, roughly halfway between Richards Bay and Durban. It was designated an industrial development point in KwaZulu early in the 1970's. Today its 135 manufacturing plants employ a total of 20 200 people. 105 new factories

are due to be established this year.

The main categories of industry in the area are clothing, metal, wood-working, textiles, paper and packaging, chemical processes engineering, furniture and plastics. Isithebe offers major advantages to employers. It is one of the few sites in KwaZulu which boasts enough flat land for industrial use. It is well supplied with water from the Tugela River. It is close to the national road and to port facilities at Richards Bay and Durban. It is the only decentralised area with extensive rail facilities.

In addition incentives offered to industrialists include:

a rail rebate of 50%; a non-taxable cash reimbursement of 95% of the total annual wage bill up to a maximum of R105 per month per employee; an interest rate subsidy on projects of up to R7 million; non-taxable cash reimbursement of 125% for training schemes; and a reimbursement of relocation costs from the



PWV or Durban/Pinetown areas of up to R500 000.

Heaven for bosses, hell for workers

Most importantly, Isithebe lies in a region of high unemployment. Many of the industries that move to the area are labour-intensive. This reservoir of easily exploitable labour is certainly a major incentive for employers. As one industrialist said: "...the labour is cheap - you can't do the same in Durban."

Whilst Isithebe is a paradise for the industrialist, it is hell for the workers. There are no basic wage stipulations for the area and wages range from R25 to R90 a week. "No one can live on the wages they pay here. Employers are making super profits", said one NUMSA shop steward. A

PPWAWU organiser added that most workers in the area are saddled with "disgraceful living conditions as most of them live in shacks in the Sundumbili location where they pay rent of R45 to R50 per month."

Not surprisingly, COSATU has become a significant force in the factories of Isithebe. But it is under severe pressure to withdraw. All forms of organised resistance, including COSATU's presence in Isithebe, are being rigorously challenged by an alliance of the KwaZulu Finance Corporation (KFC), UWUSA and the majority of managements.

"We demand union recognition"

For workers in Isithebe, joining COSATU structures means becoming involved in a long, bitter battle for

union recognition. Workers suffer dismissals and selective re-employment, and also face harassment from UWUSA supporters and Inkatha supporters in the factories and in the township.

The struggle for recognition at metal company KIC early last year is just one example. NUMSA organisers explained that: "After we wrote to the company telling them we wanted to negotiate about representing our members, the company started to harass union members - giving them warnings." The company issued notices to 150 union members, stating that due to 'economic reasons' they would be retrenched the following Friday.

"Sympathetic supervisors in the plant had, however, informed workers that the company's target was union members. This angered the membership, who downed tools. Our members then approached Mr. Palmer, the managing director, asking him if this information was correct. Mr Palmer did not want to discuss the issue - he said that they had all attended an illegal gathering. He then closed the factory, saying that he would only re-employ within 7 days."

After a tremendous amount of pressure from the union, the company re-employed people selectively. But "they started to retrench, using the same old story, and they were going for the union members. Out of 25 shop stewards, 19 were dismissed. All negotiations with the company have been futile, because Mr. Palmer is one of those people who is not prepared to talk to the union."

ACTWUSA wins recognition

ACTWUSA (now SACTWU), has seen similar problems. In January 1988 workers at Kingswear Clothing factory (one of five Isithebe-based subsidiaries of the AMM group) went on strike over non-payment of wages. Management's response was to fire all striking workers. ACTWUSA, according to an organiser, managed to "track down the owner of the company, who was holidaying in Singapore at the time. The issue made headlines in the newspapers overseas, and he was confronted by foreign journalists on the issue."

As a result management re-hired selectively, and agreed to meet workers' demands. But not long after this management made it compulsory for all workers to sign a contract with the company. Apart from agreeing to do anything that the supervisor ordered, working overtime and agreeing not to steal, workers were compelled to accept stipulated wage levels, working conditions and working hours (a 43.5 hour week).

ACTWUSA has had a special problem at Isithebe. The clothing companies all belong to the Isithebe Clothing Manufacturers Association (ICMA). Initially the association insisted that the union get a 50% + 1 majority within the association as a whole. This was difficult to do because some of the industrialists belonging to the association refused to disclose the number of workers employed. When members of the association were approached for com-

ment, I was met with this reply, "I cannot disclose any information about this factory, or the clothing manufacturers' association, or anything else you want to know. And you won't get the information from anybody".

ACTWUSA however continued to apply pressure. After a series of delaying tactics on the part of the ICMA the union managed to win an industry-wide recognition agreement with the association early in 1989. "What this really means", said a representative of the union, "is that we will be able to bargain collectively on wages in the industry for the entire workforce employed by members of the association - provided we can get a majority membership within the industry. Only if we can demonstrate a majority at the factory level will they offer us organisation facilities - stop order deductions and so on. But that would not mean that we can negotiate for wages on a plant level."

Dismissals backfire

PPWAWU had a similar battle to organise Ply Products. The company's first response to the union was that "they are not interested in talking to the union, because they cannot expose their workers to COSATU, which intimidates workers and organises strikes resulting in job losses", according to a union organiser. After a lengthy struggle workers went on strike, demanding union recognition, as well as the dismissal of the UWUSA supervisor, who they allege was encouraging UWUSA members to attack PPWA-

WU members in the factory.

Management's response was typical - mass dismissal. The following day they selectively re-employed. Nevertheless, after a long drawn out battle PPWAWU emerged victorious on October 26th, when the union won an out-of-court settlement, reinstating all the dismissed workers. In addition to this the company has agreed to pay those workers a 6 week severance pay. This has won tremendous support for PPWAWU, who have a membership of 550 out of a total of 600 people employed in the factory. Management has realised the strength of the union and its members' determination, and have agreed to enter into dialogue.

Employers who refuse to negotiate with unions may be creating other problems for themselves. Management in such industries complained about the rising rate of stealing - "it is astronomical", said one clothing manufacturer, "and the rejects - there are boxes of rejects laying in my factory". And the management of a plastic firm complained that he would have to open up a special department to "get rid of the reject products".

Apart from stealing and messing up the job, employers also complained about late coming to work, getting sick on the job and absenteeism. Supervisors complained that, because of the language difference, most workers pretend not to understand instructions. Hence they either perform a task incorrectly, "or they just refuse to do it", said a supervisor. "When you talk to them they just ig-

nore you, pretending not to understand English. But the very same workers will talk to you in English outside the factory.”

Management responds

The industrialists in Isithebe held two meetings during 1988, in order to deal with the growth of unions. In the first meeting five industrialists, representing the Isithebe Clothing Manufacturers Association (ICMA), met with the KwaZulu Finance Corporation (KFC) in Ulundi. At this meeting the clothing industry threatened to withdraw from the area, if the KFC did not get rid of COSATU.

After this meeting the KFC sent COSATU a letter evicting them from their premises, which were owned by KFC. ACTWUSA took the KFC to court, winning temporary occupation of the offices. The lease has since expired.

The second meeting was attended by Isithebe industrialists. NUMSA organisers explained: “The second meeting was chaired by Mr. Palmer, from KIC. It was held in his private club - the Mandini Country Club. At this meeting he explained why he does not want any meeting with NUMSA.” According to organisers a leading industrialist asserted that “the unions are one of the terrorist organisations who threaten the lives of people. NUMSA has intimidated a number of managers and supervisors. Talking to unions is not worthwhile.”

Other employers felt that this attitude could cause severe problems for

the area. Their arguments were dismissed. It is alleged that this meeting was attended by an unknown group, carrying guns. According to organisers “a group of employers walked out in protest because of the hostility towards the union. They immediately informed us about the nature of this meeting, warning that the unknown group was in fact members of the special branch. These people repeated that the unions are going to make this place totally and completely uncontrollable. They said they suspect the occurrence of terror actions in the future”. Subsequently KIC - owned by Mr Palmer - has refused to talk to the union.

As the PPWAWU organiser said - “We have to deal with employers that do not understand anything about how we function, and what our aims are.”

UWUSA: the solution to the problem?

When UWUSA was launched, some employers felt that it would be a solution to their problems in the area. If there must be unions in the area, UWUSA would be used to replace COSATU structures in the factories. “Where UWUSA does not have a presence, the existing COSATU structure must be destroyed in order to establish UWUSA in the factory”, said a COSATU organiser.

This is exactly what happened in Silver Ray stationery. PPWAWU started organising the factory soon after UWUSA’s inception. Supervisors started “employing UWUSA

supporters for the sole purpose of destroying PPWAWU structures". Management rejected PPWAWU's claims that they had the majority, insisting that UWUSA has the majority. But in July 1988, PPWAWU defeated UWUSA in a secret ballot.

Organisers explained that they were able to achieve this "when shop stewards in the factory approached the biggest UWUSA agitator in the factory and won her over to our side. She was the very same person who beat people up and painted them in the name of UWUSA. Of course we were accused of dirty tactics, but this member had her COSATU T-shirt on days before the ballot."

In interviews employers clearly preferred UWUSA to COSATU: "I don't think that COSATU will be of much use to my workers. It claims to do good, but in fact its just hogwash," said one. Another asserted that between the two unions, he would choose UWUSA because "it is the lesser of the two evils." He mentioned UWUSA's slogan, "Jobs not starvation", which is in fact its anti-strike slogan. Employers approve of Buthelezi's support for free enterprise, and opposition to disinvestment.

But the support of management does not guarantee success for UWUSA. For example one company was organised by UWUSA on management's request. After signing stop-order deductions with the company, workers wanted to negotiate a wage increase. UWUSA showed reluctance. Workers then convened their own meeting, and decided unani-

mously to withdraw from UWUSA and join NUMSA. The latter has won a recognition agreement with the company and is in the process of negotiating a wage increase.

"UWUSA is like a toothless dog"

The above is merely one example of UWUSA losing ground in Isithebe. As a worker said: "UWUSA is like a toothless dog. It tells us that the chief minister introduced factories here to create job opportunities. But the factories are coming from areas where they pay high wages, like Pinetown. They come here to exploit us, not to create jobs. It is better to go to the urban areas, instead of the factories coming here." UWUSA's notoriety grew during the violence that flared up towards the end of last year (1988). The problem had its origins in the COPAK factory which PPWAWU is organising, and later spilled into the Sundumbili location.

On 21 November, workers in this factory challenged the dismissal of a fellow worker. Management then re-employed the worker on the very same day. According to a PPWAWU organiser, "The UWUSA supervisor, seeing this as a victory for PPWAWU, organised for some of her members from the nearby CERAMICS factory to attack our members after work. Our members were however escorted home by the South African police who were informed about the attack, as well as by other COSATU members, who waited

for workers from COPAK to finish work. On the same evening PPWAWU members were harassed by UWUSA supporters in the township”.

The following day after work UWUSA supporters confronted workers at the gate, attempting to rip their PPWAWU T-shirts off. The violence then sparked off throughout Sundumbili on Tuesday night. People were beaten up simply because of the incidents at COPAK.

An organiser continued: “Wednesday morning workers staged a work stoppage in order to get management to address the situation. Management then issued a warning stating that if they don’t go back to work, they will all be dismissed. Workers were however holding their ground, demanding that the supervisor be dismissed. Management refused to budge, saying that she has been with the company for a long time now, and was a ‘loyal’ worker. At 8:40 a.m. the second warning was issued, after which workers were dismissed.” The SAP intervened. They removed everybody from the factory and dispersed them with tear gas outside the factory gates. The violence continued in the location the same evening, but this time many shacks were burnt down.

No offices for COSATU

1986 saw the beginning of attacks and harassment of COSATU offices. In mid-1986 the Catholic church in nearby Sundumbili township, where the union offices were based, received anonymous calls threatening to burn

the church down if COSATU remained on the premises. The unions then moved to an office in a shopping complex, also in Sundumbili. After a while the owner of the building received the same calls, threatening to burn the complex down if the unions had not moved out within two months. These two incidents prompted the belief that Inkatha supporters were behind attempts at removing the democratic unions from the Isithebe region.

Undeterred, COSATU then applied to the KFC to rent an office in the Apex building. This was granted towards the end of 1987. Early in 1988 the unions received a letter from the KFC stating that they had until the end of May to vacate the premises.

Lengthy negotiations with the KFC were fruitless. An alternative was to operate from one of the companies, CAPPASACKS, whose labour force is organised with PPWAWU. Management backed out of this plan, fearing expulsion from the area. NUMSA and PPWAWU have also been evicted from their Stanger offices.

“To register or not to register”

A new labour law was promulgated by the KwaZulu government on 1 April 1989. Now, the progressive unions are confronted with a ‘registration debate’. Cosatu affiliates find the law objectionable. Any union which wants to operate in KwaZulu must register and have its head office in the bantustan. The law also stipulates that

each 'race group' must form its own union.

If unions do not register, they cannot qualify for stop-order deductions. Further, choosing non-registration means that the unions would not be able to make use of section 39 of the legislation. As an organiser pointed out, "We will not be able to make applications to the minister to set up a conciliation board, nor will we be able to get the court to make an order concerning an unfair labour practice."

The unions have not yet taken a final decision. There are however strong sentiments in favour of *recognition* as opposed to registration. The legislation makes provision for a registered trade union from South Africa to apply for recognition in Kwazulu. As a NUMSA regional representative said, "Recognition at this point does seem a viable alternative to registration. It would mean that we can operate in the area like we do anywhere else in the country. But recognition depends entirely on the KwaZulu government and we cannot predict the outcome at this stage." So with all these issues to tackle and debate, Isithebe's labour force and the progressive unions still do not have any labour legislation, nor can they refer cases to court.

Workers pour in like rain

Yet despite this opposition the progressive unions have managed to organise the workers. The most active unions in the area at present are

NUMSA, with a membership of approximately 2 563, that is 54% of all engineering and metal workers, and ACTWUSA, having a membership of roughly 3 500, which constitutes 43% of all clothing and textile workers. Organiser say that "...despite the intimidation and fears about supporters of UWUSA and INKATHA, most of the workers are aware of what we in COSATU stand for and workers continue to pour in to our organisation like rain." ☆

Sources

This article is based on:

1. Interviews conducted with ACTWUSA, NUMSA and PPWAWU organisers and industrialists, who preferred to remain anonymous, in Isithebe in January, February, May and June of 1988 and then again in June of 1989. UWUSA officials refused to be interviewed.
2. KFC publications on industrial decentralisation in the Kwazulu region.
3. Pamphlet distributed in Isithebe and Sundumbile in April 1988.
4. Employment contract signed by workers in clothing industry, after the 1988 strike.
5. Green, P: "Northern Natal: meeting UWUSA's challenge" in South African Labour Bulletin, Vol. 12 No. 4 Nov/Dec 1986.
6. Mare and Hamilton: *Buthlezi's Inkatha and the politics of 'loyal resistance'* (Ravan Press, Johannesburg, 1987)

Academics organise

The Union of Democratic University Staff Association (UDUSA) recently held its second National Congress. *Labour Bulletin* interviewed UDUSA General Secretary, MIKE MORRIS.

Labour Bulletin: *UDUSA was launched in July 1988 and had its second congress this July. It now has over 4 000 members and branches at 18 different universities. Why was it formed?*

Mike Morris: The impetus for the formation of UDUSA came from a variety of sources. On the one hand there was a push from academics on the liberal universities. Progressive academics thought it was necessary to take a much harder position on state repression. They also began to identify much more with the conditions on black campuses and felt the only way to cope was through organisation.

The second impetus came from the black universities. There were a number of academics at these universities who were highly suspicious of the white liberal universities, but realised that the only way to put the problems of the black universities on the na-

tional agenda for academics was through a national organisation. They therefore felt that it was necessary to link up with progressive academics at the liberal universities.

A third impetus came from the academic boycott. This was a major problem for many academics. It was quite apparent to some of us that we could only sort out the problem if we dealt with it in organisational as opposed to an individual way. It would also require us to make an organisational commitment to the struggle against apartheid, and that required a mass organisation.

There were other impetuses that came from the deteriorating salaries and conditions of service at various universities. You can't deal with that in any other way than by taking on the Department of National Education and the Committee of University Principals in a national way through organisation.

Labour Bulletin: *Do you see yourselves as essentially a trade union of academics?*

Mike Morris: I don't think that it would be correct to describe UDUSA as a trade union. It is very hard to organise academics into a trade union. Academics have their own historical academic traditions that make them balk at the idea of being a trade union.

We see ourselves rather as a national political association which pulls together progressive academics at various universities and in the process takes up a variety of political, educational and bread and butter issues.

The second reason why we wouldn't call ourselves a trade union is that we have a particular structure which allows staff associations at universities to affiliate directly to UDUSA.

Labour Bulletin: *So what would you see as your main aim?*

Mike Morris: Our main aim is to do what we have done, and that is to bring progressive academics at various universities into a broad anti-apartheid national organisation; to attempt to get a coherent political profile and political line on a national basis; to formulate programmes of action which we shall try to implement in the various universities; and to allow other organisations both national and international to relate to academics as part of the struggle against apartheid.

Labour Bulletin: *So what are your plans over the next year?*

Mike Morris: At our last congress we took up three major themes in terms of a campaign of action. These arose from our own deliberations. In our discussions with the ANC it became quite clear to us that we needed to be much more specific about what we were doing.

The first campaign is democratisation and transformation of the universities. We have a whole lot of issues around democratising and transforming the structures of the universities; changing the racial division of staff and students; dealing with the question of sexual and racial harassment and discrimination.

The second campaign we have launched is against state repression at universities and tertiary education in general. The main issue that we will take up here is exposing state and administrative repression at various universities. The obvious example is Turfloop, which is more of an SADF camp where some education takes place, than a university that is sometimes invaded by the SADF.

We would also like to take up the question of university administrations abusing their own power, and discriminating against staff and students. We aim to protest against victimisation of our members and build solidarity amongst universities to assist those UDUSA members on campuses where there is much less freedom of expression.

The last campaign we are launch-



Turfloop - more like an armed camp than a university

Photo: Steve Hilton-Barber/Afrapix

ing is to build UDUSA's organisation and strengthen it.

Labour Bulletin: *What would you see as your most significant achievement to date?*

Mike Morris: I think our main achievement is not something you can actually see. The most significant achievement is managing to break

down the suspicion and barriers that exist between intellectuals and academics at black universities, intellectuals at Afrikaans universities and at the English-speaking universities, as well as University of Durban Westville and University of the Western Cape.

Labour Bulletin: *Would you comment on the recent visit to Lusaka of an UDUSA delegation composed of delegates from Afrikaans universities, black universities and the so-called liberal universities?*

Mike Morris: I think it was a very fruitful visit. We embarked upon that visit because at our founding congress we took a decision to consult a variety of organisations. We had met with the Minister of National Education to put our point of view across and we felt it was very, very important for us to go as soon as possible to discuss matter with the ANC as well. In any case, our political sympathies lie much closer with those engaged with the liberation struggle than with the Minister of National Education. The visit was very useful, and constructive. The ANC treated us very well. They were very sympathetic to the aims of UDUSA and they gave us the greatest encouragement in our project of organising the intelligentsia in this country.

On the question of the academic exchange, it is a very difficult issue and we have taken a long time to discuss it and the academic boycott. We have taken a year to discuss the matter, and

we have come up with some positions. We put our position of 'selective support' - that is, isolate the regime and support academics who oppose apartheid - to the ANC, and they felt this was quite in tune with their own thinking. They left it to us to carry on our discussions with other organisations inside the country and see if we can formulate an internal position around 'selective support'. Then we can take the matter further.

Labour Bulletin: *Does UDUSA see itself as part of the Mass Democratic Movement in South Africa?*

Mike Morris: UDUSA definitely sees itself as part of the forces in opposition to apartheid.

Labour Bulletin: *What role do you see yourselves being able to play in the broader struggles that are waged by workers in South Africa?*

Mike Morris: On the specific issue of workers there is a particular problem that we have that puts us in a partial relationship to COSATU and NACTU. I say partial because we don't want to pretend we are going to deliver a lot of goods on the matter. The problem that academics have is that the recent Labour Relations Act excluded us from its provisions.

We regard ourselves as employees, albeit intellectual workers of a particular kind, who require access to legislative machinery and negotiating procedures to resolve some of our individual and collective grievances. So

we see ourselves as having similar aims to COSATU and NACTU in this regard when they call for all workers to be under a Labour Relations Act which is significantly modified from the Act we have currently.

Labour Bulletin: *What about the issue that is facing other public sector workers, that of rationalisation. Are you experiencing that at universities and how is UDUSA going to respond to it?*

Mike Morris: Rationalisation and privatisation is a problem for us. We do not have a relationship with any other public sector workers on this issue. I think our situation is slightly different from theirs, but it is a major problem because the state in coping with their own fiscal crisis, is squeezing the university financially. The government is pushing us quite radically into a restructuring of the universities in a technical kind of way.

We see that we have a major role to play in preserving the intellectual traditions of our society, particularly for the decades to come ahead when we will have to give a major intellectual input into restructuring and reorganising society in a more democratic way.

Labour Bulletin: *What role do you see progressive academics playing during this period of transition?*

Mike Morris: One of the interesting discussions that we had in Lusaka



A familiar scene - academics and students confronting the police

Photo: Dave Hartman/Afrapix

with the ANC was around the organisation of the intelligentsia and the future role of the intelligentsia. Where I think we were in major agreement was that it is absolutely essential to encourage the committed intelligentsia in this country to stay and make a contribution to change in the troubled years that lie ahead of us, and to help construct a non-racial, democratic South Africa.

What this specifically means for us is that we have to proceed with the job that we have at the universities themselves. We have to produce a generation of technically competent, committed, non-racial intellectuals who can help to construct a society that is not only non-racial but is more justly organised.

Labour Bulletin: *Could you comment about your links with intellectuals in other countries?*

Mike Morris: We have attempted to speak to a number of teachers' organisations, university organisations, and staff organisations internationally. We have received a very good response from them because for the first time it has enabled them to relate to a progressive internal academic organisation in this country.

If that doesn't happen then they are faced with the prospect of having to condemn and isolate all intellectuals in South Africa and treat them as being on the side of reaction.

By the formation of UDUSA we are able to not only project ourselves into the national arena for change, but are also able to relate internationally to intellectuals, academics and university staff, as well as to anti-apartheid movements overseas who are just as committed as we are to produce a non-racial, democratic South Africa. ☆

Collapse of the printing Industrial Council

In the last edition of *Labour Bulletin* we published a confidential document circulated by employers in the printing industry. The document outlined strategies for blocking the Paper, Printing, Wood and Allied Workers Union (PPWAWU) from joining the industrial council. Here PPWAWU describes the struggle for national bargaining in the industry.

In March this year PPWAWU, a COSATU affiliate, applied to join the National Industrial Council for printing (NICPRINT) - one of South Africa's oldest industrial councils. In May our application was rejected by all parties to the council.

At the beginning of June a major employer party to the council - the South African Printing and Allied Industries Federation (SAPAIF), gave notice that it intended to withdraw from the NIC as from the 31 December 1989. The intention behind the withdrawal was to collapse the coun-

cil and therefore prevent PPWAWU gaining any access to this central bargaining forum.

To understand this rather rapid chain of events we need to offer some background as to why PPWAWU decided to join the council and the conditions that we have faced in organising the industry.

Printing Industrial Council

The printing NIC was established in 1921. The parties that make up the



NIC are as old as the NIC itself. There are two employer bodies - the SAPAIF and the NPU (Newspaper Press Union).

The South African Typographical Union (SATU) is the worker body.

The NPU as its name suggests pulls together employers in the newspaper industry. SAPAIF covers a broad range of employers running varying operations in the printing industry. It is dominated by the packaging giants - Nampak (Barlow Rand), Kohler (Malbak) and Consol (Anglo Vaal). The employee party to the NIC is SATU, an old TUCSA union.

Through the Industrial Council SATU established a closed shop in the industry. Together these parties have developed the laws and conditions governing the 45 000 employees in the printing industry. They are the parties that ensured a lengthy period of class compromise in the industry - with SATU engaging in its last strike action somewhere back in the 1920's.

There were four basic reasons why PPWAWU made a decision to join the printing industrial council:

- To gain access to a centralised bargaining forum;
- To have some say over the benefit funds, and prevent the legal robbery that occurs when PPWAWU members leave SATU;
- To end SATU's closed shop in the industry;
- To expose SATU's continued compromise with the bosses.

Centralised bargaining

In just under five years of organising, PPWAWU has organised 7 000 printing workers onto stop order - representing about 15% of the industry. A high proportion of this membership is concentrated in the three packaging giants - Nampak, Kohler and Consol - and the various companies swallowed up by the Waltons Stationery group. Our membership is spread over 80 different plants throughout South Africa, each with its own recognition agreement and negotiations.

With organised factories spread throughout South Africa, it is very time-consuming and difficult to win uniform improvements for workers in the industry. This, together with the fact that there are a considerable number of small employers in the industry, whose workforce has very little effective power, forced us to consider centralised bargaining as a better alternative.

NIC benefits

In the past five years workers who joined PPWAWU have lost a consider-

able amount of money. Over the years the bosses and SATU have established a number of benefit funds through the NIC - the most important being the NIC pension and medical funds. However membership of the funds is exclusive to SATU members, and workers lose money when they leave SATU and join PPWAWU. When workers leave SATU they lose all the employers contributions to the pension fund, as well as access to the medical fund.

By coming into the industrial council PPWAWU would at least have been able to prevent this legal robbery from continuing.

Closed shop in the printing industry

For a long time the printing industry has been covered by the closed shop - you belong to SATU or you do not get a job. In 1981 in the wake of Wiehahn, the closed shop was extended by the stroke of a pen to cover black workers in the industry. The first exemptions to the closed shop were granted in 1983 - but SATU's closed shop differs from other industries. Even if you have an exemption, you are required to re-new this exemption every year.

The closed shop has been used both by the bosses and SATU to maintain their grip over workers in the industry and prevent the development of any alternative.

Many of our members have faced lengthy delays in getting their exemptions - while waiting they are forced

to continue paying subs to SATU. Two examples show how the closed shop has been used in practice:

1. In Pretoria, workers at SA Bank Note organised themselves and applied for exemption. The response from the local arm of the industrial council was to reject their applications on the grounds that SA Bank Note was a strategic industry because it prints money. This was their decision alone, the union had no ground to contest it in court.

2. Workers in Nelspruit at Lowveld Printers were given letters by their bosses saying that if they left SATU they would be dismissed. Immediately after receiving the letters, the local SATU official arrived to confirm this.

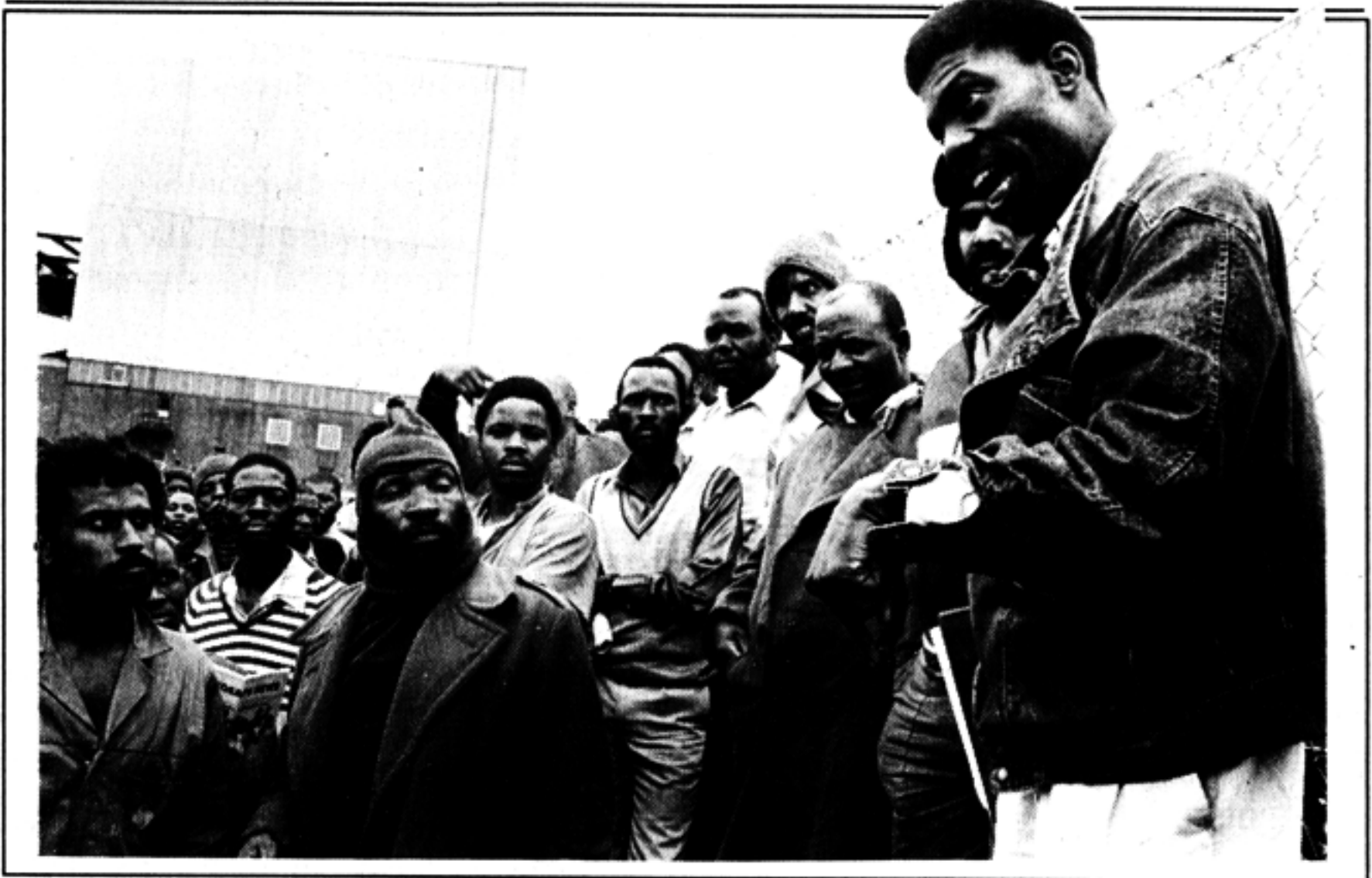
Our experience is that as soon as we introduce the union the bosses get on the phone to SATU, as a tool to 'normalise' the situation. This gives one an indication as to what kind of union SATU actually is.

If we were given access to the industrial council the closed shop as it exists now, would have come to an end.

Exposing SATU's class compromise positions

SATU was formed at the end of the last century to protect skilled craftsmen in the industry. It continues to stand for this tradition.

SATU's structures are fundamentally undemocratic and racist. It has three branches: A for the Whites, B for coloured and Indian workers, and C for African workers. To a consider-



PPWAWU organiser reports management intransigence to Mondi workers, 1989. The paper and pulp industrial council collapsed in 1985 when the union pulled out.

Photo: Rafs Mayet/Afrapix

able extent these divisions also reflect the skill division in the industry. This racist branch structure, which echoes the politics of the Nationalist Party, has been under considerable pressure from rank and file SATU members. The top positions of president and general secretary have to come from grade 1 workers, who are predominantly white.

The power of skilled workers is maintained through an unequal voting system - with grade 1 workers getting one vote, grade 2 and 3 workers getting half a vote and grade 4 workers getting a quarter vote.

The 'CEC' of the SATU is called the governing body. It consists of the President, general secretary, 6 vice presidents and the president of each

branch - a total of 36 people. The blatant inequality of this structure is shown by the fact that B branch in Cape Town has 30% of SATU membership, but is represented by one person out of 36. It is significant that it was this branch alone who questioned the decision to oppose the PPWAWU application to join the industrial council.

The tactics of the SATU bureaucracy are dirty and desperate. Not so long ago they were prepared to take some of their branch leadership to court, in order to get them out of the union. Fortunately their plans were exposed and they were forced to retreat.

For over 50 years SATU has been the dominant union in the industry. It has secured a whole range of benefits

for its members, and maintained a rigorous system of grading at the expense of the unskilled workers. Its last fight with the bosses was over 50 years ago - it is a tribute to the sophistication of the bosses that they have managed to build such a solid 'alliance' with this leadership, which in practice has acted as the organisers and policeman of the bosses - curbing militancy, maintaining racism, and generally perpetuating all the divisions that maintain a divided and weak work force.

A PPWAWU presence on the council and its structures would have exposed the practice of the SATU leadership, and shown who the real fighters were.

PPWAWU tries to join the Industrial Council

So faced with a substantial presence in the industry; a wide spread of plants and the need for centralised bargaining; the closed shop; the legal robbery of workers money through the NIC pension fund; and the need to expose SATU leadership to the rank and file - PPWAWU began a discussion in its ranks around the question of joining the industrial council.

In March this year we applied to join the council. As was expected the employers and SATU were unanimous in rejecting our application. No reason was given to us as to why our application was rejected. We consulted our lawyers and prepared a case aiming to appeal against this decision.

In papers opposing our attempt to

get into the council, both the bosses and SATU put together a shallow and deceptive argument.

Amongst a lot of smears and insults their arguments boil down to 2 points:

1. That our registration certificate does not cover printing workers, and
2. That we are unrepresentative of the industry (SATU is the union that is really representing printing workers).

The real reasons for both the employer and SATU opposition emerged very soon. From a series of secret documents circulated by the bosses (see *Labour Bulletin* 14.4, p 87) it is clear that the bosses are frightened that we will use the council to take national strike action, bargain at two levels, make rapid inroads into SATU's paper membership or 'hijack it' - and in short constitute a grave threat to their profits. SATU on the other hand had similar fears, most particularly that through entry into the council we would gain access to the benefit funds, upset the only real grip they have over their membership and hence their future as a labour bureaucracy.

This coincidence of interests led to a deal later in the year whereby SATU agreed to the dissolving of the council in return for a continuation of the benefit funds. Both avoid PPWAWU.

Barlow leads the bosses

The printing federation moved swiftly into action. It used its regional structures to convene urgent meetings. All employers were encouraged to at-

tend, and invitations spoke of "complete disruption of the printing industry" because of the possibility of PPWAWU getting onto the council. The executive director of SAPAIF, Mr Sykes (a former Nampak employee) and the president rushed around the country personally addressing the regional meetings, and presenting the secret document that outlines the dangers to profits if PPWAWU gets into the council.

Spearheading all this activity is Barlow Rand through its Nampak factories. Barlows put its own decentralised decision-making policy into the dustbin, as all Nampak plants have adopted the same position - clearly responding to a company directive. As Krowther, secretary of the printing council pointed out: "The thrust of Nampak has been enormous on this issue."

Barlows policy of divide-and-rule is well known to those unions who organise in its empire - unions are forced to engage in plant-level bargaining. The company fights tooth and nail against any form of central bargaining.

The secret document circulated by the federation gave the employers four options as to how to avoid PPWAWU:



Barlows and its subsidiary, Nampak - leading the fight against PPWAWU's participation in the council

1. Exclude packaging interests from the industrial council (because of the PPWAWU membership in packaging). But this would not work because PPWAWU still has "many members in non-packaging plants, and this move will not do anything to deter them." Furthermore "we (the federation) might open ourselves to allegations of 'union bashing'".

2. Try and prevent PPWAWU's admission to the industrial council. But PPWAWU's admission is "certain" to succeed, "only the timing is in question".

3. Disband the federation, but this "would leave employers with no cohesion, no unified voice...."

4. Collapse the council - and this is what the drafters of the document are aiming at.

According to SAPAIF, the majority of their regional structures decided to collapse the council. On the one hand they were frightened by PPWAWU, and on the other the smaller employers were blackmailed by the packaging monopolies - who threatened to pull out of the federation, and hence reduce its income by 40%, if they didn't get it their way.

By 6 June the SAPAIF gave notice that it intended to withdraw from the council.

PPWAWU convened a meeting with the SAPAIF in early July. They lied to us, and told us they had decided to withdraw from the council prior to PPWAWU's application. They said it was because they wanted to put the SAPAIF on a more commercial footing, that the council was unable to resolve disputes, and that the needs and requirements of labour are best met at plant level.

In September PPWAWU took the SAPAIF to the industrial court, arguing that the withdrawal from the industrial council was an unfair labour practice. The court rejected the application, concluding in the judgement that the whole issue was theoretical because Nampak, Kohler and Consol intended to withdraw from the federation if our application was successful.

Imagine PPWAWU arguing to the industrial court that an urgent interdict against a strike action was theoretical because if PPWAWU did not back it, our members would leave the union! The union has since applied for a final order against SAPAIF under section 46(9). The hearing has been set for December.

Meanwhile SATU leadership accepted the collapse of the council from the outset. As soon as it became public knowledge that the SAPAIF was pulling out, SATU circulated a memo. The memo encouraged SATU members to immediately get management to sign agreements that it would not alter conditions or stop contributing to the NIC benefit funds once the council collapsed.

SATU bureaucracy protects position

What deals did the bosses make with the SATU bureaucracy? What gains could the bureaucracy make out of the collapse of the central bargaining forum they dominated for close on 60 years?

Clearly SATU leadership was unhappy - but they did nothing to prevent the collapse of the council. Instead all its attention was turned to the question of the benefit funds. Rank-and-file membership in a number of branches challenged the SATU leadership to do something - but the lack of organisation and structures meant that their challenges were largely ignored. On 19 October having negotiated a 'new' benefit fund arrangement with the bosses, SATU leadership agreed to dissolve the industrial council as from 1 December 1990.

In August PPWAWU approached SATU to build a joint struggle to prevent the collapse of the council - but the Deysel clique had already set their sights on the short term preservation of their base, and our offer was rejected as "presumptuous", with the warning that our "... endeavour to enter an arena where you have no *locus standi* is ill-founded."

However our relationship with SATU goes far beyond the self interest of the bureaucracy. During the course of this year substantial contact was made with the rank-and-file. Our printing membership increased by 20% as factories joined, and pockets of SATU members in organised fac-

tories crossed over to us. SATU leadership can no longer even pretend to guarantee the future - not even to white workers.

The final touches are being made now to the new benefit fund arrangements. There is agreement between SATU and the bosses that the pension fund will only cover SATU members. SATU itself will continue to administer the fund and the bosses will continue to contribute.

Together they intend approaching the Minister of Manpower to get the agreement passed into law. A large number of SATU's members are extremely unhappy - nobody except the very top leadership of SATU was involved in these negotiations. SATU members were never asked what kind of benefits they wanted, and many workers wanted a cash payout.

PPWAWU has called the SAPAIF and the major employers to a meeting to discuss the benefit fund arrangements. It remains to be seen whether they are willing to sit down with us. There is a simmering anger amongst the rank-and-file. How this expresses itself will depend on what happens in the next few months.

Conditions will become worse

There are already signs from the bosses that they are preparing to alter conditions in the industry - especially the 40-hour week that has existed for more than 50 years. Workers in smaller companies especially, will find themselves with little or no protection.

SATU has no experience on the shop floor, and it will find itself unable to deliver the goods, as the bosses take advantage of their 'deregulation'. PPWAWU can expect the flood of workers into our ranks to continue. But the real challenge will be to weld the workers into one united fighting force against the profit hunger of the bosses.

The provocative moves to block PPWAWU organising in the industry and the handing over of our money to SATU, will not take away our need for central bargaining nor will it correct the robberies that have been committed. The role of the Barlow Rand empire in this and other union bashing exercises has already galvanised a number of unions to share their common experiences.

Central bargaining aside, it can only strengthen our organisational resolve to build a society based on the Freedom Charter, where these empires are nationalised and returned to the workers that built them. ☆

Worker participation: a trojan horse?

In recent editions of *Labour Bulletin*, Judy Maller and Martin Nicol debated union responses to ESOPS and worker participation. Here YUNUS MOHAMED joins the debate, arguing that Maller's analysis is superficial. He asserts that both Nicol and Maller are too rigid in their approach to strategy, and argues for a flexible approach based on clear analysis.

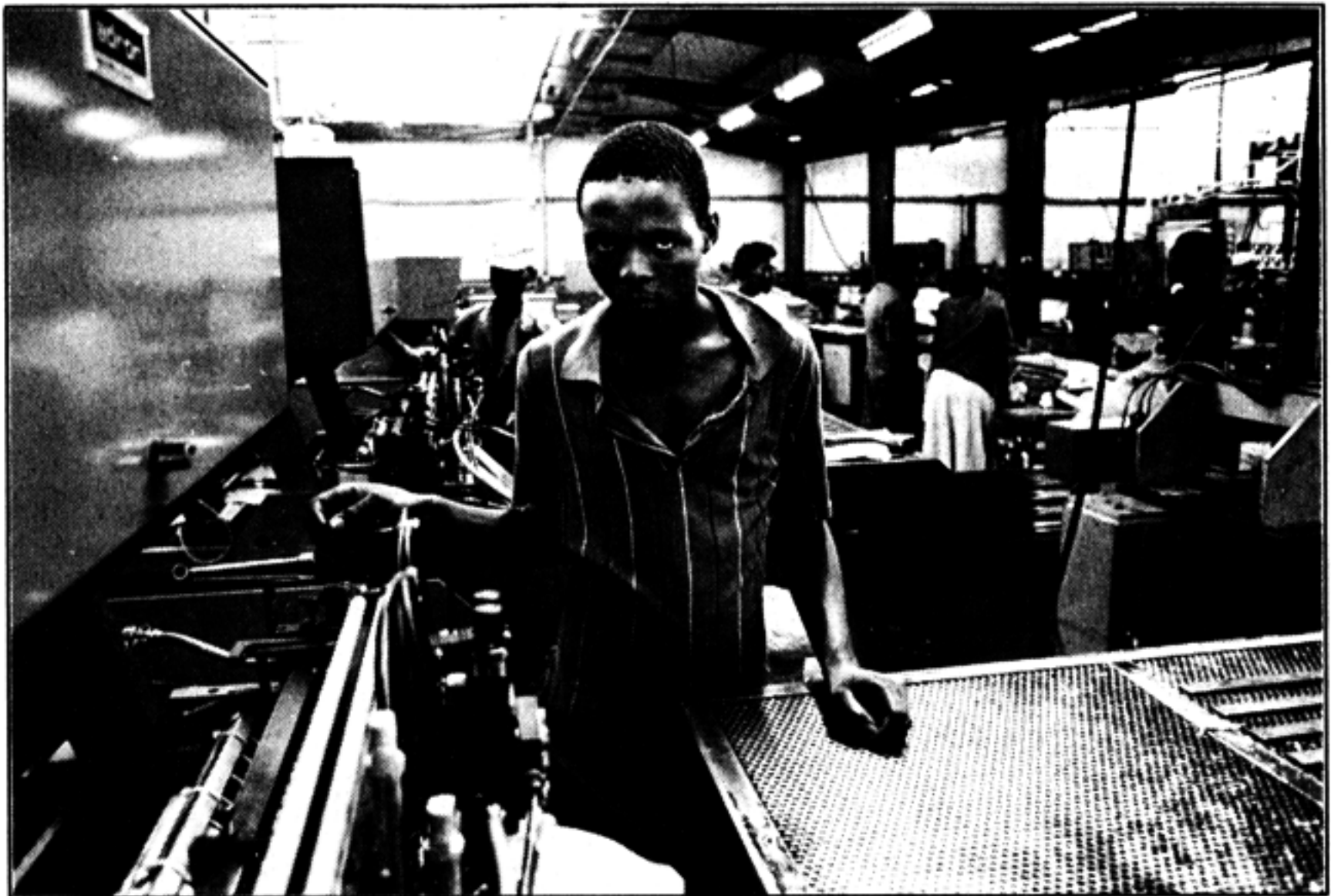
The debate between Maller and Nicol has raised some interesting and important issues. South African management is following in the footsteps of their European, American, and Japanese counterparts, in seeking to use participation schemes to cure their ailing industries.

This in turn has posed new problems for unions, because these schemes are often implemented without consultation. Thus it is important for unionists to be aware of the issues involved and to be vigilant against any strategy that is aimed at undermining trade union action and organisation.

It is within this context that I would

like to raise some of the issues involved in the debate. It is important to situate the debate within its correct context. The issues are not about ESOPs (Employee Share Ownership Schemes - shares for workers) versus a living wage campaign, neither are they about socialism via participation versus socialism via militant trade union action.

The real issues are about managements' drive towards increasing productivity and control on the shop-floor, erosion of worker rights and the enforcement of corporate dictatorial powers, undermining of trade union organisation and the creation of a docile and 'responsible' worker. Most



Exploitation on the shopfloor - no 'joint creation' between capital and labour

Photo: Paul Weinberg/Afrapix

importantly the debate highlights the necessity for democratic structures within trade unions to be able to withstand and fight these initiatives.

Use value and exchange value

Maller begins her theoretical analysis by drawing from the work of Cressey and MacInnes, who differentiate between the use value and exchange value of a commodity within capitalist production. In doing so she assumes that the capitalist relation is neutral in that it is not only capital that employs labour, but labour also 'employs' capital.

Firstly, on a superficial level, workers have no control over the products

or 'use values' produced and are not consulted in the creation of these products. Therefore it cannot be said that they "employ" capital by utilising the machinery and equipment (Maller, 1989: 100)¹. ARMSCOR employs 22 000 black workers. Surely these workers do not see themselves as "utilising the machinery and equipment" in "creating use values"? Workers would not voluntarily create "use values" which are weapons for their own subjugation.

Secondly, the capitalist labour process has developed historically. Capitalists production could only become dominant once many people had been forced off the land so that they owned nothing but their ability to labour. In South Africa this was ac-

completed through taxation and the Land Act, in England through the enclosures. Workers who ask for employment at the gates of capitalist enterprises do so out of necessity and not desire. It is wrong then to assume that they "employ" capital. Furthermore, it is not simply a matter of co-operation or coercion as Maller argues. There is a more complex relation between co-operation and coercion, which has been shaped historically by the uneven nature of capitalist development, and by class struggle. This has resulted in different combinations of coercion and co-operation in different firms and different historical periods.

Thirdly, Maller is correct in saying that workers do contribute towards shaping conditions and organisation of work. But this is not because the capitalist labour process is neutral and contradictory. In other words, the conditions and organisation of work are not a "joint creation" of workers and capitalists. They are determined by class struggle, in which there are gains and setbacks for worker. Management may introduce repressive or seemingly conciliatory policies on the shopfloor. This will depend, amongst other things, on the strengths and weaknesses of trade unions and other working class organisations, who find that they have to constantly defend any gains made.

Fourthly, Maller argues that the capitalist labour process is "internally contradictory". However, what she does not discuss or point out is that it is *exploitative* as well, thus making

her argument no different from liberal economists. The most basic concept in Marx's theory of value is the concept of unpaid labour time, which is the source of all wealth in capitalist societies. By discussing use value and exchange value without considering exploitation, Maller's argument is rendered superficial. Following from this, it is wrong to argue that workers "employ" capital, or that the capitalist relation is a "joint creation". All these arguments hide the reality of exploitation and create the impression of a contradictory but neutral relation between capital and labour.

Productivity

The absence of the concept of exploitation from her analysis emerges even more clearly in her discussion on productivity. According to Maller "an increase in productivity can mean that more goods are produced at the same cost, so prices go down" (ibid: 102). Looking at the price instead of the value of goods opens her arguments to serious problems. What she should have argued instead is that increasing productivity leads to a *decrease in the value of labour power* which in turn reduces the *value of the commodity*. This results in more goods available for consumption, the effects of which can increase the workers standard of living. Thus the generalisation of mass production techniques such as fordism on a world scale have meant better living standards for workers. This however does not mean unions promoted fordism. Unions have chal-

DEBATE

lenged it and will continue to challenge it.

Her analysis is thus unable to show that increasing the productivity of the worker *means increasing the exploitation* of the worker. Increasing the number of products per hour, for example, result in a greater proportion of unpaid labour time. What Maller's argument does is to reduce the relationship between people to a relationship between things.

In other words, for her an increase in productivity leads to a decrease in prices whereas in reality increases in productivity means greater exploitation of the workers and more surplus generated for the capitalists. Productivity increases can benefit workers, but it is within the context of exploitation and the outcome of class struggle. A closer examination of the relation

between productivity and the price of goods reveals a more complex situation. Although critical of Nicol for his simplicity, Maller herself has nevertheless simplified a complex issue.

A number of other problems can be raised with regard to Maller's argument. An important one is that there does not necessarily exist a causal relation between the number of goods produced and the price of goods. Certainly within neo-classical economics increasing supply would reduce the price of goods. Commodity prices are however not necessarily determined by market forces. Price manipulation through monopoly control and the withholding of commodities are old tactics of the bourgeoisie. Productivity increases in the production of consumption goods would supposedly



Productivity increases don't necessarily benefit workers

Photo: Chris Ledochowski/Afrapix

be most beneficial to the working class. Yet it is a well-known fact that surplus products are often dumped into the sea or hoarded rather than distributed at lower prices. Take for example the contradiction of grain mountains in Europe with mass starvation occurring in places like Ethiopia, Sudan, Mozambique, to name but a few.

There are other areas of production where increases in productivity, no matter how great, would not benefit the working class at all. To bring back the ARMSCOR example, increasing armaments production does not directly benefit the working class in any way. Neither does increasing the production of gold or Mercedes Benz cars benefit the workers. Increasing the productivity of workers in the building and construction industry does not lead to more homes for the working class but rather bigger buildings for Anglo American.

Productivity increases may sometimes lead to job losses, especially within a limited or reduced market. Take for example, a company which sells 10 commodities a day, and it needs 10 workers to produce those 10 commodities. If, through productivity increases 5 workers can now produce 10 commodities, and at the same time the company does not want to increase production to 20 commodities, 5 workers will then be retrenched.

Furthermore productivity increases do not necessarily mean higher wages for workers. The statistics of the gold mining industry in South Africa for example, will show that wage in-

creases do not necessarily follow or coincide with productivity increases. An increase in productivity can be an important factor in wage bargaining, but on its own does not lead to higher wages. Wage increase in most cases are the result of worker struggles against management and not because of the benevolence of capitalists whose industries have experienced increased productivity.

Productivity and how it relates to worker struggles and the labour process is too wide a subject to be discussed in depth here. I have merely pointed to some of the complexities involved. In doing so I have emphasised the necessity to avoid crude simplifications and a methodology that merely glosses over the surface of reality.

Flexibility and worker participation

Despite Maller's comment that "Nicol appears to confuse participation and share ownership" (ibid: 98), in *ESOPS Fables* as well as in the subsequent debate, the issue of ESOPs has been raised as part of a wider strategy of worker participation. Both Maller and Nicol make the mistake of not distinguishing between the financial participation of workers - which involves owning shares - and other worker participation schemes which involve the re-organisation of work on the shopfloor.

Nevertheless, it is the latter which is emphasised in this paper since this has been the underlying feature of the debate thus far. Within this context,

Maller has argued that "capital may create a flexible working environment to encourage workers to use their own brain power and creativity" (p100). These seductive views of management which Maller has assimilated are far removed from reality.

The research of various academics² has shown that the underlying features of fordism have not changed. The assembly line still represents the dominant form of commodity production. Although there is an increase in team working, the assembly line remains the same with workers confined to specific work areas doing the same work. Team work involves only a slight variation from fordist rigidity.

This brings to question the extent of re-skilling. With the introduction of new technology workers do generally learn new skills, especially if it involves learning how to operate new equipment. With Quality Circles and other participation schemes, workers also gain skills in problem solving and associated areas. But this is limited in scope since workers are not learning skills which make them independent from or indispensable to the firm.

Similarly one can also argue that there exists a limit to de-skilling. Some intricate assembly line work are almost impossible to de-skill or automate. Thus where management cannot automate, it makes sense for management to reorganise work in a way where workers are not motivated against the work, but in a way which enhances their motivation towards work. One of the crises areas of fordism has been management's inability

to continually increase production without provoking work stoppages or strike action.

Increasing productivity, improving worker co-operation, challenging union power, and other traditional forms of control, are undoubtedly the prime motivators for management to introduce these schemes. These however, do not transcend the shopfloor; management at no stage foregoes ultimate control over production. Behind these cloaks there is no fundamental shift in the distribution of wealth and power. Ownership and control of production remain in the hands of management. Workers do gain new skills, but with the associated trappings of work intensification.

Roads to socialism

Maller also argues that these strategies of increasing workers participation "provide a vision how work could be organised differently in a transformed society" (p101). But Satoshi Kamata shows that worker participation in Japan is geared to intensify production on a shopfloor with new unions. Visions of socialism can only come from a destruction of the capitalist relations and not from within the capitalist relation.

Both Maller and Nicol also make the mistake of debating "roads to socialism" within the context of trade union struggles. Trade unions are limited organisations which do not organise beyond the shopfloor. Their struggles are confined to the interests of their members alone. Being an or-

organisation which merely expresses the class relation, they do not challenge this relation. Roads to socialism can only be debated from within wider political organisations and not trade unions. I do not wish to undermine the political role of trade unions but merely point out that in the struggle for socialism they are inherently limited

strategies, including political statements against management control. In other words, it reinforces the difference between management and workers, and the need for trade unions to be independent of management control. Such responses stem from the view that management strategies are not based on altruistic principles, but



and therefore cannot act as vehicles for socialism.

Trade union responses

This brings us to the question of trade union responses so far. One needs to distinguish between the instinctive or offensive responses of unions and the more strategic or defensive ones. The former are natural responses against all management

rather on profit motives.

Strategic responses, on the other hand, usually follow managements' implementation of a programme. Unions then try to force management to negotiate on the issue with the aim of bargaining the best possible terms for their constituents. Strategic responses demand high levels of consultation between union leaders and the workers they represent.

The difference between the two

types of responses comes out clearly in NUMSA's case. See for example Adrienne Bird's talk on ESOPs where she concludes: "The aim is to benefit a few at the expense of the majority. Organised labour has no alternative but to fight these schemes" (Bird: 50). This is the offensive response. On the other hand NUMSA's lengthy negotiation with Samcor over the implementation of ESOPs (Maller 1988: 23), is the defensive or strategic response. What one sees is an example of the interplay between the offensive and defensive strategies of trade unions.

For Nicol, the offensive response is the only correct response for trade unions to take. Nicol adopts a fatalistic attitude which is ahistorical. It undermines the achievements of workers through shopfloor struggle since it assumes that managements' strategies will obtain their desired effects. Maller on the other hand seems to undermine the offensive response because she sees it reflecting an unwillingness to exploit the contradictions of the labour process.

But it is important and necessary to see the difference between the two responses and the context within which they arise, rather than emphasise one in place of the other.

Given the wide range of schemes adopted by management, and the fact that each scheme is individually designed, it is difficult to prescribe specific strategies for unions to adopt. Unions will define for themselves what actions to take as a result of their specific situations. What needs to be

done is to expose these initiatives of management for what they are; unions must then determine their strategies according to the desires of their members and the extent of managements' offensive.

From the examples of Samcor and Anglo American as presented by Judy Maller, the only concrete advice one can offer to unions is that they pay heed to democratic procedures, develop democratic structures and defend the principle of collectivity. ☆

Footnotes

1. All quotes, unless otherwise indicated, are from Maller, 1988.
2. See bibliography, especially Pollert.

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Ulenga: SWAPO, unions - one struggle

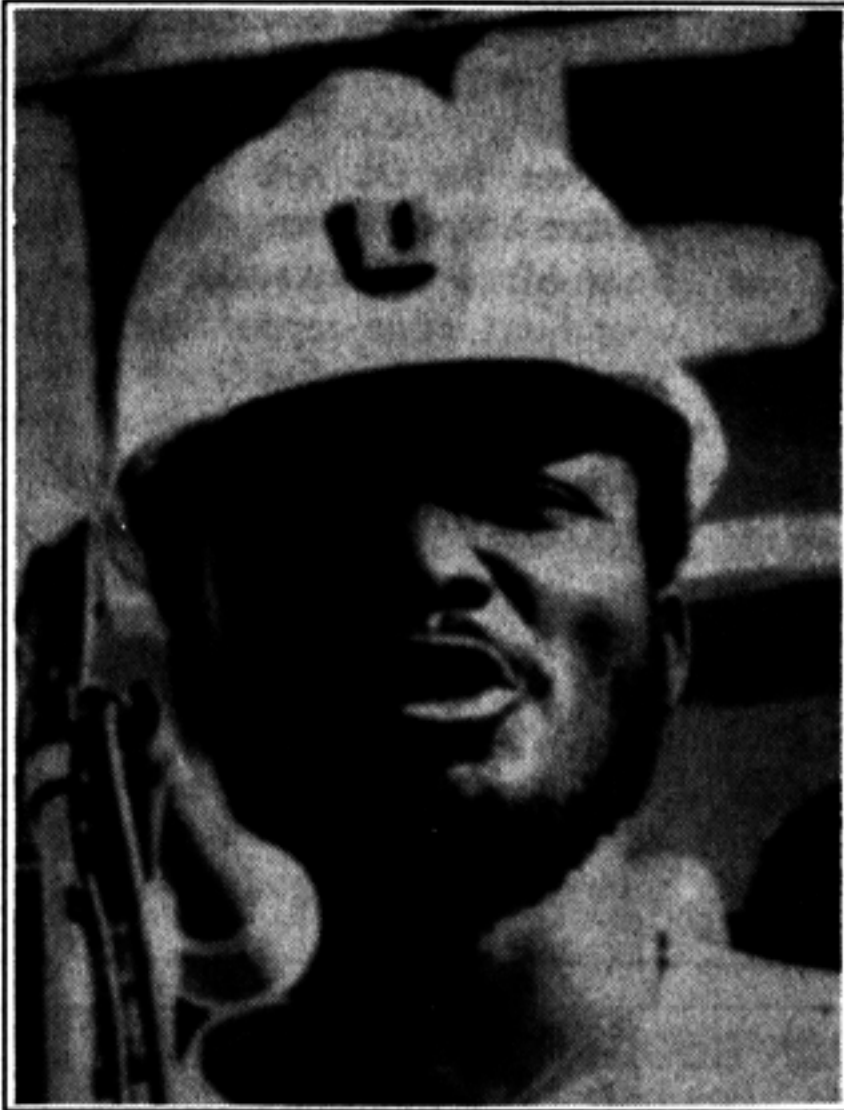
Ben Ulenga is well-placed to speak about both NUNW and SWAPO. In 1974, at the age of 21, he left Namibia to become a SWAPO cadre. After an eventful odyssey through Angola, Zaire and Zambia, he spent a year receiving military training in the Soviet Union. He was captured in 1976, after being seriously wounded in an encounter with security forces inside Namibia. Charged with "terrorism", he was sentenced to 15 years on Robben Island. However, in 1985, after just under 10 years in prison, he was released along with a number of other Namibian prisoners as part of a movement by South Africa toward negotiation. He is now the general secretary of the Mineworkers Union of Namibia (MUN). DIANNE HUBBARD put some questions to Ben Ulenga. This interview was first published in *Cross Times*.*

Dianne Hubbard: *Did SWAPO play a role in the formation of NUNW?*

Ben Ulenga: Toward the end of 1969 there was a SWAPO conference at Tanga, in Tanzania. At this conference it was decided to expand the activities of SWAPO. Quite a few

new departments were opened, such as the SWAPO Youth League and the SWAPO Women's Council. There was also a decision to create a Secretariat for Labour in SWAPO. The tasks for that department were, among other things, to organise workers politically - to go in among the workers and preach the SWAPO gospel - and also

* October/November 1989



to assist workers in forming their own independent organisations.

But I think it was clear within SWAPO even then that the formation of a trade union movement can only take place among workers. The initiative of assisting workers came from SWAPO, but the NUNW was really formed only seven or eight years later when workers here inside the country actively took up the idea of forming trade unions.

It was the first organisation of that kind in Namibia, and people didn't work out properly what sort of organisation they were forming. They organised mainly on a national basis rather than on an industrial basis. Instead of forming a federation, as SWAPO was proposing, people here at home were actually organising a general workers' union.

This continued up until 1980 when the crackdown from the police came.

Some of the organisers were arrested, including Jason Angula, for example, who was at that time the SWAPO labour secretary here at home, and also very active in organising workers. Some others involved left the country after this clampdown.

That was more or less the beginning of the NUNW at home. It was established, but it was repressed before it could develop into a proper body.

Dianne Hubbard: *What factors led to the revival of NUNW in 1986?*

Ben Ulenga: There were many things involved. Among other things, in 1985/86 the masses here were determined to push very hard again, to bring something to the fore after all the years of repression. Before 1985/86 SWAPO was technically banned. All political activities of an opposition nature were banned, and meetings were broken up by the police.

When we came from prison in 1985, one of the things that we discussed among ourselves - especially the young people in that group that came from Robben Island - was what role we could play. We looked into the possibility of resurrecting what was happening in NUNW in 1979/80, and we emphasised the necessity of organising along industrial lines.

But I don't mean to say that this was entirely the initiative of people who came from Robben Island, because the Windhoek branch of the SWAPO Youth League was very ac-

tive in proposing the organisation of workers, and ultimately, when a steering committee was set up, it was at the initiative of the SWAPO Youth League.

We took up contact again with the SWAPO leadership abroad, and of course they liked the idea very much. There was quite a lot of assistance from SWAPO - including financial assistance - just to get the trade unions firmly established.

At a meeting which included people from the SWAPO branch structures and also from the old NUNW of 1979/80, we decided to set up a committee that would link up with workers in the various places, find out what their problems were, and assist in whatever the workers thought could happen.

To our surprise, when we went to the various workplaces we found that some workers already had their own committees. Others were prepared to form workers' committees to deal with their problems. We decided then to co-ordinate these committees as they formed.

In July or August 1986 we had a meeting of various workers' committees, mostly from the food industry, and the proposal that these committees should form a union was agreed on. So, in September, NAFAU (Namibian Food and Allied Union) was established.

It was the first genuine industrial union in Namibia because it was the first that was formed out of a democratic decision taken by workers themselves.

Dianne Hubbard: *Several of the current leaders of the trade union movement have, like yourself, been actively involved with SWAPO. Has this given the trade unions a particularly political character?*

Ben Ulenga: I think so, but it was bound to be like that. You couldn't have a trade union movement in Namibia at this moment which would not be political. And I don't think you can have a politically influenced trade union movement that would be very far from SWAPO, because SWAPO has over the years played the leading role in the politics of the country. The problems that the workers are faced with are exactly the problems that SWAPO has always talked about.

Dianne Hubbard: *How would you describe the current relationship between SWAPO and the trade unions? Is NUNW an affiliate of SWAPO?*

Ben Ulenga: Here you have the problem of definition. What is clear is that the trade union movement and SWAPO have a very close relationship. Most of the people in the trade union leadership are SWAPO members, and the struggle we are waging is actually the struggle that SWAPO has come to lead. This is our understanding, not an instruction that comes from SWAPO.

When you look at the SWAPO Constitution of 1983, it talks about the affiliation of NUNW to SWAPO. What we have been saying here at home is that when you have a trade

union movement it should be controlled by the workers. Decisions are taken at worker forums, like the congress of the unions or of the federation. I don't know whether the affiliation that's mentioned in the SWAPO Constitution was suggested by the SWAPO Department of Labour or by whom, but there hasn't been a body of workers abroad who could hold a congress and decide on this. There can be an official affiliation only if workers come together and decide on it. As I understand it, this has not yet happened.

But this doesn't harm our relationship with SWAPO a bit; it doesn't mean that we are further from each other than we would be if there were an official affiliation. The relation is quite close and very good.

Dianne Hubbard: *What do you see as the role of the unions in the election campaign?*

Ben Ulenga: There is quite a big role for us to play. Right now, for example, during the registration period, each industrial union is trying to encourage workers to register. We are also taking up some issues with management. In MUN for example, we have written letters to all the companies asking them to give leave to workers to go and register if registration doesn't take place at the workplace.



We have taken a decision, first within the various trade unions and later at the federation congress, that we will play a mobilising role among the workers, explaining why voting SWAPO is one of the preconditions for a successful workers'

struggle in this country. There is no way that we can get anywhere with a DTA government.

Dianne Hubbard: *Will the role of the trade unions change after independence? Will it be difficult to move from wholehearted support for SWAPO to a situation where there may be conflicts of interest between the new government and the trade unions?*

Ben Ulenga: I wouldn't really say change. You see, right now the support we give to SWAPO is support on issues that we are faced with right now. Workers have always supported the struggle for independence, and this is why we are supporting SWAPO now.

When independence comes, with SWAPO in the government, there will be specific policies, and we shall react to these policies. We shall of course have our own understandings and our own policies, and the question of whether we shall go along with the government depends on how these two sets of policies are related to each other. ☆

Ten years of freedom for Nicaraguan people

The Nicaraguan people celebrated ten years of Revolution this July. An end to the war waged by the US-backed Contras is in sight, but the economy is in ruins. In this interview Andres Zamora, International Relations Secretary of the Nicaraguan health workers' union FETSALUD, talks about the role of workers and trade unions in the Revolution. The interview first appeared in *International Labour Reports (ILR)*.

ILR: *How would you describe the relationship of your union FETSALUD and other pro-Sandinista unions to the Sandinista Party FSLN and to the Nicaraguan government?*

AZ: It's important to understand that the FSLN is a party that runs throughout the people, it's not run just for its leaders. As a union that defends the people, FETSALUD has common interests with the FSLN. There is no

difference between the work that we do as a union, and the work that the FSLN does as a party.

As a revolutionary health union, we have three main objectives. Our first fundamental principle is the defence of our Revolution. The second is to work towards the improvement of the health of the population, and the third is to better the socio-economic conditions of our health workers. The three objectives are of equal importance, and go hand-

in-hand.

We believe that our job is to reinforce our government because it was us that elected this government, once in 1984 in the last elections, and before that in 1979 in the revolution.

Yet we are sometimes critical of the work of both the party and government. For example, when an administrative representative of the State wants to just wash over the complaints that the health workers have and dictate a line, that's when contradictions arise. But we suggest ways that things can be done better. We are not only a union that makes demands, we are also involved in the administration of our country.

ILR: *How difficult is it in practice to balance these different priorities?*

AZ: I believe that the people have a higher level of political awareness than ten years ago. The people have identified that the economic problems are caused by the war waged by the US to try to destroy our Revolution by any means.

The workers are not going to ask for things that would put the Revolution in danger, because we are sure that the economic problems we face now are a stage that the Revolution is going through and are not going to last for the rest of our lives. It's for that reason that we struggle for peace.

Within FETSALUD, we haven't forgotten the anti-union repression we suffered before the Revolution. Somoza tried to destroy our union. During a strike by health workers in 1978,

many of our leaders were tortured and killed, and 60% of the health workers were sacked. Now we have the freedom to organise, and we have been able to consolidate ourselves as a union. 22 000 out of 24 000 health workers in Nicaragua are members of FETSALUD, from hospital cleaners to specialist doctors.

ILR: *How has the lifting of the State of Emergency in January 1988 affected trade union rights and activities?*

AZ: The 'fundamental forces' and

Who's who?

FETSALUD, the only union for health workers in Nicaragua, is part of the 'fuerzas fundamentales' (fundamental forces), a grouping of revolutionary unions, which includes the Sandinista Workers' Confederation CST, the peasants' ATC, the teachers' ANDEN, the public sector workers' UNE, and the journalists' UPN.

Anti-Sandinista unions of both the right and left are grouped under the Permanent Council of Workers (CPT), whose largest affiliate, the Confederation of Trade Union Unity (CUS), has close ties with the American Institute of Free Labour Development (AIFLD) of the US national union centre AFL-CIO. ☆

the CPT unions (see box) had two meetings, in October 1988 and April 1989. In April it was decided to form a commission with one delegate from each union, in particular to agree on a

new Labour Code to present to the National Assembly, and to tackle the problem of unemployment.

We hoped for co-operation from all sides of the trade union movement

Fighting war, disease and the hurricane

Health workers have been a major target of attacks by the US-backed Contra terrorists. Up to January 1987, 47 health workers had been killed, 31 kidnapped, and 25 raped or tortured by the Contras. 120 health centres were destroyed or closed down due to Contra attacks.

Yet there have been major achievements. Polio, measles and whooping cough have been eradicated or brought under control. Infant mortality has been reduced by 50%, and over 500 new health facilities have been built.

TEACHERS TEST RIGHT TO STRIKE

The lifting of the State of Emergency in January 1988 restored the constitutionally-guaranteed right to strike. However, the Nicaraguan economy has been devastated by years of war and Hurricane Joan, which caused an estimated US\$824

million of damage and fuelled hyperinflation. Inflation was reduced to 150% in early 1989 by public spending cuts. Workers who go on strike have been charged with destabilising the economy.

In May 1989, some 3 000 of Nicaragua's 36 000 teachers, members of the teachers' union ANDEN, staged a strike to press for improved benefits and wage increases.

ANDEN leaders denounced the strike, accusing right-wing parties of manipulating the dispute to force a confrontation with the government.

In a public meeting between President Daniel Ortega and 1 400 teachers, Miriam Corrales, a teacher from Esteli, defended the strike. "Why are we called 'Contras' when we ask for higher wages?" Corrales asked. "We have been at the forefront of mobilisations to end illiteracy, to vaccinate children, and to defend the Revolution. We ask that we be given the recognition we deserve as educators."

At the meeting President Ortega announced improved benefits including hardship pay for rural teachers, free transportation, free eyeglasses, decentralisation of the Ministry of Education, and a 14% wage increase in line with other government workers. ☆

which would filter down to the workplace. But the obstructive stance of right-wing unions like CUS (see box) has made any effective dialogue very difficult. Their knee-jerk reaction is to say that everything the Government does is bad and 'anti-worker'. But we will continue to strive for more co-operation.

The problem is to know what kind of democracy our critics want in Nicaragua. It's difficult to arrive on a common definition of democracy. I believe that democracy is what we have built in Nicaragua.

For workers in the health sector, democracy is reducing infant mortality to half the rate under Somoza, and not having one case of polio since 1982.

For FETSALUD, democracy is having 22 000 members, and having union representation in all the health units in the country.

Democracy is having the right to meet with the representatives of the Ministry of Health to discuss how to improve the health system. Under Somoza, nearly all the hospital managers were lieutenants and captains in the National Guard.

Next February, 22 parties will contest the elections in Nicaragua, including the FSLN. But democracy does not just mean going out to vote every few years. It is something that you have to build every day.

ILR: *You celebrate the tenth anniversary of the Revolution, what are the prospects for peace and an economic upturn?*

AZ: The war is not yet over, and the economic blockade by the US continues. With the US\$66 million of 'humanitarian' aid that was given to the Contras by the US Congress in April 1989, the Contras continue to attack co-operatives, public and private transport, and peasant communities.

Even if we were to reach a definitive peace today, the effects of this war, which has cost us some 60 000 lives, would still last for many years.

But morale is high in Nicaragua. We are quite sure of the role that the Nicaraguan Revolution is taking historically to form an example for other countries not only in Latin America but elsewhere in the Third World.

The principle objective of the Revolution hasn't been lost, that is to create a more just society, based on a mixed economy and political pluralism. This is why we celebrate the tenth anniversary of the Revolution in high spirits, with people who have suffered, with people who have played their part. ☆

Book Review

The life story of Alfred Qabula, worker-poet

by LULI CALLINICOS

'Together we are fighting, we are singing and we are uniting people to create a democratic South Africa without exploitation, oppression and fear.'

NUMSA has just published a new book - *A working life, cruel beyond belief*, by Alfred Temba Qabula. This is an exciting new contribution to working-class culture - the life story of Alfred Temba Qabula, rural outlaw, migrant, factory worker, shopsteward and imbongi. Qabula himself wrote the book in Zulu, and it was then translated into English.

Qabula hails from Bhalasi, an area in Pondoland, where for generations his ancestors ploughed the land. Until his father's generation, the family was able to resist colonisation and wage labour. Qabula's grandfather became a transport rider to earn money for taxes, until the coming of the railways put him out of business. Then he became a herbalist.

But Qabula's father and his brother were forced to seek work in the mines

and the sugar plantations. Qabula's life was scarred by this change. His father, a miner in Egoli, led a harsh and unhappy life, which, Qabula says, he "coughed out" onto his children.

Like so many children of migrants, Qabula was a stranger to his father. For the boy, his father's homecoming between the contracts were marked by the sjambok. The explosions of violence got so bad, especially after drinking bouts, that one day Qabula's mother packed the children and took them to her parents' homestead.

Bring something new and progressive

Qabula's childhood was a life of poverty. There were not enough clothes or books for the children's schooling, so the brothers took turns

to go to school. But Qabula also received his education from other sources. Some of his strongest memories were the exciting new lessons he learnt at Christmas gatherings, when migrant workers returned from the mines, the farms and the factories:

“And everyone returned with something new. I remember one year, the miners came back with a new dancing style learnt from the Bhaca people... They even came with a new way of dressing, with all of them wearing similar hides. It was really beautiful... We learned the lesson that when you go somewhere you should come back with something new and progressive for the community.

“... In the end, although you would find some misunderstanding among the different sectors of our community, we all welcomed any progressive act from our fellow brother or sister no matter whether from the Civilised, the Ndlavinis, the Ndombolas or the Unosikhindis.”

Another important lesson came from the forest. As a herd boy, Qabula spent long hours, sometimes days, with other children, un-supervised by adults. The forests around the area became ‘places of learning’. The lessons that the forest taught Qabula enabled him to survive on its food, to evade his father’s beatings, and in later years to hide from the police and the *amajendevu* (informers) during the Pondoland resistance in the early 60s.

Pondoland rebellion

Qabula was barely eighteen when

the government introduced the Bantu Authorities Act to Pondoland. The apartheid plan was to divide the rural areas into ethnic ‘homelands’, moving people away from their ancestral lands if they were ‘black spots’ which did not fit on the apartheid map.

Coupled with this was the ‘betterment scheme’, which aimed at reducing the number of cattle grazing on the land in order to prevent soil erosion. Not surprisingly, ordinary black farmers, already desperately land-hungry, rejected the scheme. They saw it as yet another step by the white government to dispossess them of their remaining land and cattle. Many chiefs opposed the government plan - Albert Luthuli was one of them. But there were those who went along with the Trust, as the ‘homelands’ scheme was called.

Qabula remembers the huge protest meeting on Nquza Hill in 1960 which triggered off the Pondoland rebellion. The gathering was surrounded by “helicopters, armoured cars, army trucks, fighter planes”. A man was shot, and a riot broke out. To this day, the army’s violent response is imprinted in the memory of the people.

For some time, resistance and persecution followed. Rape, confiscation of cattle and beatings became a regular part of Mpondo life. Soldiers were after members of the ANC, whose membership, under the leadership of Govan Mbeki, was rapidly growing. Supporters of the chiefs who co-operated with the government were attacked by the resisters. Houses of informers were burnt down. Pondoland was in a state of civil war.



Pondoland tribesmen in 1960 at the time of the rebellion

Photo: Eli Weinberg

Like many young people, Qabula was part of this resistance movement. He seldom managed to go to school as he was almost continuously in a state of hiding. He and his friends subsisted in the forests as outlaws. In 1962 the government declared a state of emergency. "There were many things happening in the country which did not appear in the newspapers."

First job in Carletonville

Through all of these struggles, the will to study and learn was strong. With the help of a family friend, Qabula managed to train and qualify as a plumber. In 1964 he followed his cousin to Carletonville on the Rand -

'the place of the hairy jaw' - where he almost immediately got a job as a plumber in a construction firm. It was Qabula's first experience of wage labour, and of the white boss. As a black worker, he experienced the anxiety of the Labour Bureau and the pass system. He spent some time sleeping in a broken-down car in the veld. Only after he was registered in his job, was Qabula able to stay in the local hostel.

*'Tall brown walls crowned
with barbed wire fences
Walls that hide what lives inside
from all outsiders.
And inside them, the inmates
never see
the world outside*

*They hear sounds
rumours of lives
they hear stories.'*

At the end of the year, Qabula left Carletonville - "that place of suffering, with its compounds, its violence, its homosexuality, a place crawling with the spirits of the un-appeased dead miners and workers. The place of gold, dagga, drink and oppression."

Qabula moves to Durban

Qabula joined his uncle in Durban, where many Amaondo had found employment. As a plumber, Qabula had no trouble getting a job. He wrote an exam and passed very well, but to his disappointment, the boss did not give him an increase.

"I was told the Government was against equal pay for all."

Qabula had in the meantime married a childhood friend, Nellie Nqunqa, and his family was growing. Tired of "doing skilled work for nothing", he decided to join Dunlop, the tyre manufacturers. It was there, as an industrial worker in a large firm, that Qabula experienced exploitation and resistance at its most intense. Although he did not know it at the time, he had been employed as a scab - vacancies existed because of the dismissals in the 1974 strike.

The Dunlop working week consisted of 17 four-hour shifts, at three shifts per day. Qabula was trained as a fork-lift driver, spending days and nights driving from the base stores to the mill, feeding the machines with chemicals and raw materials to make

the rubber for the tyres. There he worked for thirteen years.

"There we made tyres of all kinds, of all sizes, for cars we never drive, for 'kwela-kwelas' that chase us in the townships and belts for bulldozers that demolish our shacks."

Qabula joins MAWU

There were many problems that the workers had to face. Besides the long hours and the employers' disregard for the workers' health and safety, relationships with the foremen were bad, and instant dismissals were frequent. The firm also presented workers with hidden costs - they had to buy their own heavy-duty boots for work. Finally, after a number of clashes with supervisors and bosses, a group of fork-lift truck drivers decided to visit the Metal and Allied Workers Union offices.

There followed a lengthy struggle to get MAWU recognised at Dunlop. Employers favoured the 'sweetheart' union, the Durban Rubber Industrial Union, which had only recently opened its membership to blacks. Many months later, in 1983, after police had repeatedly arrested union organisers for trespassing in the factory, MAWU gained official entry. MAWU's strong democratic shop-floor approach had won over the trust of the workers, and the employers begrudgingly accepted MAWU as the workers' union.

Qabula was one of the fifteen shop stewards elected. But the struggles were far from over. In the years that followed, union members fought over

wages, unfair dismissals, home loans and the control of their pensions. Because of a slump in the tyre industry, the workers decided not to go on strike, but to use the weapon of canteen boycotts, go-slows, and finally, the 'siyalala' sit-in.

"We refused to leave because the factory belonged to us. We built it with our sweat and blood. We lost all our energy to this company and so it belonged to us."

lantes, workers from a number of firms downed tools. There were also stoppages for the release of Moss Mayekiso and his comrades. In 1985 COSATU was formed, the biggest union federation in South African history.

"I still praise COSATU today," writes Qabula. "... it is an organisation and a half. It educates the workers from both sides, about the community and about the workplace."



Dunlop national shopsteward council. organised by MAWU

Photo: Labour Bulletin

All these tactics proved to be successful. But, as Qabula pointed out, the successes were won only after many battles.

"Always arguments, always problems. We struggled for everything we had. Nothing came from management to us as a special offer."

The union movement spread. All down the road, workers of neighbouring firms were urged to join unions. Acts of solidarity increased. When people were killed at Hlobane by vigi-

Qabula's poetry

In all the time leading up to that moment of unity, Qabula's involvement in workers' struggles was developing an added, rich dimension. During the wearisome hours on the fork-lift, Qabula was composing poetry in his head. He began to adapt the cultural expression of his home-stead community - the oral poem - to the modern life of the dispossessed black worker. In his mind, he exam-

ined the meaning of the forest at home - its dangers, its images, its "refuge for the homeless and frightened" during the Mpondo resistance. Congress fugitives, "teachers and commoners, it covered their tracks." With the entry of MAWU at Dunlop, Qabula recognised that organised struggle was once again renewed. "I knew the march through the forests had restarted."

Forests and trees

In his poetry, Qabula frequently returns to the images of forests and trees. In their natural strength and beauty, they are the symbols of indestructible creativity and regeneration.

"Songs are the properties of trees, you have to be tall, you have to have stature, substance and trunk to sing."

Out of 'The Dumping Ground', where workers are discarded, forests emerge.

*'Sturdy trees
with large and brilliant-coloured
fruit
emitting scents and beautiful to
taste
have grown
and are available for free
at the dumping ground'*

Although the trees are chopped and torn down, burned and dug into a deep hole, they begin to sprout again. They bear

*'more fruit
more than ever before
Beautiful fruit sprouting-out
from this place of filth
At the dumping ground
They are greater than the farmers*

*yield
and they are for free
and the farmers produce is going
to rot'*

Images of modern industry

But Qabula also draws images from the modern industrial world. The union is likened to a mighty train, its engine assembled by the workers.

*'Its grumbling and churning
has caused unrest in
the stomachs of the capitalists.*

*...What we have made moves
forward*

*When its wheels wear out, our
unity jolts it forward*

*When they block it on its way to
Capetown*

*it does not lose its power, it roars
ahead'*

The mighty machine of worker organisation cannot be destroyed. After the death of his friend, Qabula warned the murderers:

*'Your Casspirs, your teargas and
guns*

*your vans and your dogs
do not dampen the fire
they feed it.*

*...The wheel is turning
the struggle moves forward
we are not to lose strength
we die on one side
we rise on the other'*

Two worlds of the migrant worker

Qabula's combination of rural and industrial images, sometimes in the

same poem, reflect the two worlds of the migrant worker. In these worlds many complexities arise. The working class has developed very rapidly. But it is still very much in the making. Some workers are townspeople, others still see their future on the land, even as that land dwindles before their eyes. Some have jobs, others will probably never be employed in their lives. These differences are exploited to the full, both by industrial capitalism and by the state.

In his own life, Qabula has experienced these differences within the working class. In these times of transition, there are many conflicts and contradictions. In Carletonville he was severely beaten up by Basotho 'Amarashea' mineworkers over the favours of a woman. Qabula also describes with great pain the breaking of traditions by his child's mother. Yet Qabula is no unthinking follower of tradition. He has seen how the state has manipulated tradition to divide the people. Although he feels deeply for ancestral and homestead values, he holds no truck with Inkatha.

"I shall keep on praising my brothers and sisters in the factories and shops, mines and farms - and I shall praise no chiefs."

There are no easy answers. But for Qabula one message rings clear: organisation is the key. Organisation and the creation of a workers' culture - theatre, poetry and song - which plays a major part in mobilising workers. ☆

New generation of worker authors

Luli Callinicos reviews *A working life, cruel beyond belief*, by ALFRED TEMBA QABULA, (NUMSA, 1989) 111 pgs.

Apartheid has created many heartaches, separations and divisions. Yet out of these experiences, a rich biographical literature has emerged. In the 1960s, when both apartheid policies and profits reached their peak, a large crop of black autobiographies was published. Many of the writers had been working for a living as journalists for *Drum* magazine.¹ They powerfully recorded, for the world at large to know, the anguish, humiliation and anger of their lives.

There were other writers, too. Modikwe Dikobe's writing movingly captured the day-to-day lives of ordinary working people - his *Marabi Dance* is set in the Doornfontein yards of the 30s and 40s. Other biographies, such as Luthuli's *Let my people go* were politically inspired, while in the 70s a new generation of angry young writers made their mark.²

Regrettably, only a few biographies of organised workers were published. Clements Kadalie's *My life in the ICU* and Naboth Mokgatle's *The Autobiography of an Unknown South African*

BOOK REVIEW

are two that I can think of, but these were published in England and not easily available to South Africans.³

More recently, though, testimonies of workers themselves, written to mobilise their own class, their own community, and their own families, have begun to emerge. The dramatic growth of the democratic trade union movement, reinforced by popular and working-class culture, has helped to develop the confidence and self-expression of workers.

Early examples of worker literature are Madlenkosi's *Ilanga Lisopumela Abasebenzi*, and Petrus Tom's *My life's Struggle*⁴. Now comes an exciting new contribution to working-class culture - the life story of Alfred Temba Qabula, rural outlaw, migrant, factory worker, shop steward and im-bongi, written in Zulu, and translated into English.

Alfred Qabula has written a valuable book. For that reason, I would like to ask some questions. Why are there no illustrations? If early family photographs exist, it would be interesting to see them.

Perhaps more important, Qabula's story would be enriched by photos of the major social events which form the background to this life story - scenes of the Pondoland rebellion, the homesteads, the contrasting life of the hostels, the 1974 Dunlop strike, the worker plays, the first COSATU rally, the praise poets. The power of the photograph must never be overlooked.

My second question is whether the original script, written in Zulu, will be published for the community to enjoy.

Those who cannot speak Zulu will be grateful to have access to the story and poetry in English. But surely the richness and rhythms of the story and poetry in their original Zulu should be available to those who can read it?

But these are simply questions. What is exciting is Qabula has crafted a new form of empowerment for working people. He has taken a traditional art and employed it in the service of the black working class. Through his words, whether written, translated or recited in his powerful poetry, Qabula is teaching his comrades to fight, to sing, to unite the people.

Inspired by his example, other comrades have begun to use culture to educate and to mobilise. His story helps us to understand a little of where this creativity comes from. We owe Alfred Temba Qabula, and other im-bongi who sing with him, a debt of gratitude for an enduring testimony that speaks to all workers - be they 'the Civilised, the Ndlavinis, the Ndombolas or the Unosikhindis'. ☆

Notes

1. These writers included Zeke Mphahlele, Can Themba, Lewis Nkosi, Todd Matshikize, Bloke Modisane, Casey Motsisi.
2. Many of these writers' works appeared in *Staffrider*, and subsequently were published by Skotaville Press.
3. Clements Kadalie, *My Life in the ICU*. Naboth Mokgatle, *The Autobiography of an Unknown South African* (C.Hurst & Company, London, 1970).
4. Madlenkosi, *Lisophumela Abasebenzi: The Sun shall Rise for the Workers*, (Ravan, 1983); Petrus Tom, *My Life's Struggle*, (Ravan, 1984).

A S A L D R U P U B L I C A T I O N

W A G E B O A R D M I N I M U M W A G E R A T E S
V o l u m e I I 1 9 7 8 - 1 9 8 8

The Wage Board currently prescribes minimum wages for more than 1.2 million workers. These workers have little access to bargaining mechanisms and are thus at the mercy of the Wage Board. This 350 page publication documents and analyses wage rates over the decade 1978 - 1988 and will include the following:

- tables of minimum wage rates for all Wage Determinations in South Africa
- comparisons with Supplemented Living Levels
- analysis of Artisans, Labourers and Watchman's job categories
- hours of work
- economic trends
- deregulation and privatisation
- critique of SLL's
- analysis of various sectors of the economy covered by Wage Determinations
- regional differentiation
- rates of wage revision
- This handbook is an indispensable tool for Trade Unionists, Labour Lawyers and other Industrial Relations personnel.

Send your name, organisation, address and telephone number to the address below for your copy. Please enclose cheque or postal order to the value of **R100**. Special rates for Trade Unions and Service Organisations: **R75**

SALDRU, Economics Research Division, Department of Economics, UCT, Private Bag, Rondebosch, Cape Town.



Letters to the Bulletin

Keep up the good work

I have been a reader of the Labour Bulletin since it started, because it helps me to know and understand the situation at home on the workers' front. However, Vol. 14.4 of October 1989 is the very best and I congratulate you and your team.

In the first place, I longed for the Labour Bulletin to examine company profits, and was actually going to request this. You have taken this initiative and it is a good start.

I congratulate Renee Roux on becoming a full-time writer and for her review on labour action between August and October 1989. I also appreciated Barbara Klugman's article "Woman workers in the unions" and on bringing to our attention the book "NUMSA women organise". It was not simply a book review and I hope that Barbara will write more articles for the Labour Bulletin.

A special thanks to Luli Callinicos for her tribute to Willy Kalk. Perhaps she can find time to write about Issy Wolfson, Issy Diamond, J.B. Mark, Josie Palmer, Gana Makabeni - a few of our early pioneers in worker organisation - and especially women, such as Johanna Cornelius.

Well, dear editor, every article in this issue is good, starting from your editorial notes, and including the La-

bour Monitoring Group report and the article on the Labour Relations Act.

All strength to you and your team.
E.R. Matago

Private arbitration

Could you investigate and publish an article on the use of private arbitration in labour disputes.

The Independent Mediation Services of South Africa (IMSSA) was founded in 1984 and has expanded greatly: they were involved in 5 arbitration cases in 1984, which grew to 194 in 1988.

What do the unions think about this strategy? What are the costs to the unions? Do they regard it as a useful service?

Yours, **E.R. Matago**

Contributors

Please address all letters to:
Letters to the Bulletin
South African Labour Bulletin
P O Box 3851
Johannesburg
2000

We will try to publish all letters that we receive. We reserve the right to edit letters if necessary.

Labour Action

RENÉE ROUX reviews labour action in October and November, 1989

Victory of solidarity action for Cargo Carriers workers

When *Labour Bulletin* Vol.14.4 went to print, 1 000 TGWU workers in 24 Cargo Carriers depots had just been dismissed. Their legal strike was in solidarity with their 282 comrades dis-



missed at the Van der Bijl Park depot.

The strike lasted from 4 October until 7 November, after settlement was reached on 2

November. In terms of the settlement, all of the 1 257 workers dismissed during the initial strike as well as the national strike were reinstated - except for three shop stewards at the Van der Bijl Park depot. In addition the company has agreed to hear an appeal against the dismissal of the worker whose assault case sparked off the strike at Van der Bijl.

The company was absolutely adamant that they would not take back the three 'instigators', but say that they are not precluded from future employment. This compromise was very painful for the workers, who offered

throughout the country to take a wage-cut in return for the reinstatement of their leaders.

In the end the three workers, all of whom also occupy leadership positions in the union structures, convinced workers to accept the settlement, rather than lose everything.

Railway workers stand firm on wages

In *Labour Bulletin* Vol.14.4 we looked at the tense situation developing at a number of SATS depots over unfair dismissals, especially after the dismissal of Ismael Mbira at City Deep on 28 September. Already the union sensed that workers were reaching boiling point over a number of grievances, and that very soon there might be a repeat of the 1987 strike.

A further factor aggravated relations: Clause 19.4 of the SATS Act says that any group of workers not constituting a union can be represented on wages and working conditions. However, when a workers' committee approached SATS independent of SARHWU for a minimum wage of R1 500, SATS refused

SOUTH AFRICAN RAILWAY
AND
HARBOURS UNION



AN INJURY TO ONE, IS AN INJURY TO ALL

to negotiate. When the strike started the main question was whether SATS was more ready in 1989 to

address the far-reaching and fundamental demands of black railway workers: for recognition of their union, for the right to fair grievance and disciplinary procedures, and for a living wage. Through their actions, the use of brute violence, 5 000 dismissals targeting mainly the unskilled hostel dwellers, and refusal to make any concrete offers, SATS has aggravated the strike and created more obstacles to a settlement.

On the other hand, SARWHU has made substantial movement towards a settlement. The demands of striking workers as of 23 November were:

- Some offer on wages, if R1 500 is unreasonable
- Recognition of SARWHU. Agreement in principle to the proposal from SATS (see below)
- Reinstatement of 5 000 workers dismissed since the strike started, and no victimisation of returning strikers
- A date to negotiate other conditions of service, including disciplinary procedures and privatisation.

In contrast to the 1987 strike, SATS has been meeting workers' representatives and developing negotiating positions on workers' demands. At the time of going to print it was not clear whether a settlement could be reached, but there was hope



South African
Transport
Services

in that talks were still continuing.

This briefing looks at respective negotiating positions that developed in a series of meeting in the week between 22 and 28 November.

Recognition

In principle SATS has agreed that SARWHU has proved its overwhelming support in Natal. It agreed to de-recognise BLATU and recognise SARWHU in Natal without any further proof of representivity.

Essentially the new offer here is to cancel BLATU and ease the way for SARWHU to be recognised. SATS is basically saying it will begin negotiating a master agreement in Natal one week after return to work and support its application for registration in Natal. It is estimated that the Natal region could have full recognition within 2 months, while agreements negotiated would have a national effect and would be formally extended as soon a region proved its majority.

While this proposal is reasonable and seems to be a major step forward for the union, the union says that it is not a bargaining chip with which the company can settle the strike. SATS is prepared to de-recognise BLATU because of SARWHU's efforts and support on the ground, and not as a concession. The union is also not happy about the attempts to single out Natal for recognition.

It has been agreed since 1988 that recognition would depend on representivity and in August 1989, long before the strike, it was finally agreed that signed stop-orders, rather than paid-up membership would be adequate proof of representivity. The union says that the company is trying to bargain with something which the union had already won.

Disciplinary procedures and privatisation

The result of thousands of dismissals over the past decade and the conscious state strategy to reduce the work-force for privatisation (See *Labour Bulletin* Vols.14.2 and 14.4) is that workers are demanding protection. While SATS says that this should form part of the recognition agreement negotiations, there is no guarantee of how long this process will take, or that thousands more workers may not be 'weeded out' before agreement is reached. For this reason workers are insisting that fair procedures and protection against arbitrary dismissals should be negotiated soon.

Wages

The union has dropped its original demand for a minimum wage of R1 500, and simply wants SATS to make an offer to improve the present wage-levels. However, SATS' position is that it negotiates in the Labour Council forum and that it gave wage increases of between 10% and 20% in June. It also says that a further in-

crease negotiated with SARWHU would strain relations with other unions. As SARWHU was not represented in the labour council this argument does not hold for workers, especially the vast majority who earn poverty wages.

Reinstatement of dismissed strikers

At the moment the dismissals are an enormous stumbling block in reaching a settlement. SATS taking a devious position, and one which is very difficult for workers to accept. SATS says that if SARWHU drops wages from the list of demands, they will refer the dismissals to independent and mutually agreed arbitration. They are prepared for an arbitrator on the IMMSA panel to decide on the fairness of the dismissals. While one can speculate on the probability of an arbitration order being in favour of the dismissed workers, this method of trading under the present circumstances is crude and provocative.

Many details of the strike resemble the political situation in the country as a whole. Like the state, SATS is forced to recognise the majority. It combines a strategy of reform and repression, and uses devious means to undermine the resistance of workers. One of these is to pretend it has made substantial moves and to try to portray the workers as being unreasonable.

SATS police and other state structures have used as much violence as in the bitter 1987 strike. Workers have

LABOUR ACTION

been shot and migrant workers have been booted out of SATS hostels. At the same time SATS promises to act in good faith and negotiate - and expects workers to trust them.

The bottom line is that like the state SATS doesn't really listen and doesn't really hear how fundamental and deep-seated workers' grievances are, and that workers are no longer prepared to wait or listen to promises. Decades of poverty wages and abhorrent living conditions have created an enormous barrier of suspicion and anger. Only when 'good faith' becomes concrete and when conditions start improving visibly, will there be any hope of fruitful negotiations.

Everite strike settled

Labour Action in *Labour Bulletin* Vol.14.3 reported on the Everite national wage strike. The strike was finally settled at the end of August, after five months and lengthy negotiations. While the company did not change their final offer, certain concessions were granted.



The minimum wage increased from R3,35 per hour to R3,85 per hour for the current wage agreement. The concession is that the wage agreement will span a shorter period, and the 1990 increases will become effective before the normal 12-month term. In addition the company agreed not to claim damages incurred during strikes, and not to

change the conditions of employment of workers who were on strike.

According to CAWU vice-president Simon Majola, who works at the Klipriver Everite plant, the strike did a lot to consolidate CAWU within Everite and more broadly. It also strengthened workers' resolve and commitment - to build their union into a skilful and powerful weapon.

Colgate reinstatement

Colgate workers have forced management to temporarily reinstate two workers dismissed in May (see *Labour Bulletin*, Vol 14.3). Workers allege racial bias in the dismissals. The union referred the case to the industrial court, but the



case has been postponed to April 1990. According to shop-steward Dusty Ngwane, a combina-

tion of worker pressure and international pressure forced management to capitulate.

Workers launched an overtime ban, and key operators in the main plant refused to sell their extra leave to the company. These operators are highly skilled and have worked for Colgate for 20 or more years. This entitles them to extra leave, which they traditionally sell back to the company so that it can continue operations. By refusing to do this, they threatened to shut the plant down a month early!

The company reinstated the two workers pending the outcome of the court case. ☆

Legal Notes

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

The overtime ban

Part six of a worker's guide to the Labour Relations Act

When is an overtime ban a strike? This question has caused much debate recently. Judges have been giving conflicting decisions as to when the collective refusal by workers to work overtime will be a strike. The confusion caused by all these judgments is now over. A case about this issue was referred to the highest court in the country, the Appeal Court in Bloemfontein, and the court has now given its decision. All other courts in the country will now have to follow the judgment of the Appeal Court. In this article, we will discuss this decision and its implications for trade unions and workers. But first let's look at why the case is so important.

The partial strike

An overtime ban is one of a number of actions through which workers can pressure their employer to agree to a demand without completely refusing to work. Such actions are known

as partial strikes and include a go slow and a work-to-rule.

A partial strike (like a strike) has three aspects. It occurs when workers collectively act by, for example, refusing to work overtime, the aim being to force the employer to meet their demands. Therefore if ten workers happen to refuse to work overtime on the same day because of their individual personal circumstances, it is not an overtime ban. They did not decide together (i.e. collectively) and they have no demand that they are directing to the employer.

It is a criminal offence for workers to stage a strike before the dispute causing the strike has been referred to a conciliation board or industrial council and the workers have voted by ballot in favour of striking. This applies equally to strikes and partial strikes. When procedures are not followed, the employer may apply to the Supreme Court to interdict workers from striking because the strike will

be illegal.

This is exactly what happened in the case that went to the Appeal Court. Workers belonging to FAWU went on an overtime ban at a number of plants owned by SA Breweries. At the time of the overtime ban the company and the union were negotiating on wages and working conditions. Although deadlock had been reached the dispute had not been referred to a Conciliation Board. The workers were not obliged to work overtime in terms of their contracts of employment, but had regularly worked overtime in the past. The company argued in court that the refusal by the workers to work overtime was an illegal strike.

The union denied this. It said that because the workers had not signed contracts requiring them to work compulsory overtime. Therefore the refusal to work overtime could not be a strike. The Supreme Court in Johannesburg ruled that the workers' overtime ban did not amount to a strike. It therefore refused to order the workers to stop the overtime ban. The company was not satisfied with the decision and took the case on appeal. The Appeal Court also ruled that that the overtime ban was not a strike as defined in the Labour Relations Act.

Some contracts make overtime a condition of employment

In the case that went to the Appellate Division, the workers were not required by their contracts of employment to work overtime. This is what is

called voluntary overtime. An employer may however require employees to agree that they will work overtime when requested to do so. If the employee agrees, or if a trade union agrees on behalf of a workforce, the employee will be required to work overtime when requested to do so by the employer.

As a result of the decision of the Appellate Division, many employers will now attempt to get workers to agree to systems of compulsory overtime either by including a provision in their contracts of employment or by raising the issue in negotiations. Employers who are particularly serious about introducing compulsory overtime may even lock employees out to obtain their agreement.

Law limits overtime hours.

The Basic Conditions of Employment Act provides that no worker may be asked to work more than 10 hours overtime per week or 3 hours overtime per day. It is illegal for an employer to require a worker to work more overtime than this and the refusal to work excessive overtime can never be a strike.

The Act reinforces the position that employees who have not agreed to compulsory overtime cannot be compelled to work overtime against their will. Industrial Council Agreements and wage determinations may also regulate overtime. For instance, the agreement for the metal industry provides that all overtime in the industry is voluntary. An employer may only

introduce a system of compulsory overtime if it has obtained an exemption from the provisions of the Industrial Council Agreement.

Can an overtime ban be an unfair labour practice?

The Supreme Court can only order workers to stop striking if they are acting illegally. The industrial court however has a wider power to stop an unfair labour practice. Therefore it is possible that even when the refusal to work overtime is not a strike, the industrial court may find that the ban is unfair and order that it stop. The court has often interdicted overtime bans in the past on the basis that they are unfair. Will it continue to do so after the decision of the Appellate Division? This question has not been clearly answered yet. However, there are indications in the judgment of the Appellate Division that the refusal to work overtime should never be seen as being unfair to the employers.

The court says workers can refuse to do non-contractual overtime and may do so even during the course of negotiations with employers. On the other hand, employers will argue that the purpose of collective bargaining is to ensure that there is no industrial action until there has been full negotiation between the parties. They will say that a refusal to do voluntary overtime that has been worked regularly in the past, is against the spirit of collective bargaining, and against the purpose of the Labour Relations Act. They will say that therefore the over-

time ban before or during negotiations will be an unfair labour practice. Who will win this argument in the court remains to be seen.

The anti-LRA overtime ban

Many workers have recently refused to do overtime in protest against the LRA. Will this be a strike? Obviously if overtime is not compulsory in a particular company, it will not be a strike. If the overtime is compulsory and workers decide collectively to ban overtime, it will be a strike if it aims to force the employer to do something. This is true even if the ban is a political action aimed at forcing the employer to take a particular political position.

If however the refusal is staged as an act of protest it will not be a strike. If, for instance, all workers refuse to work overtime so as to attend a political gathering or funeral, that is not a strike because the employer is not being pressured to do anything. But the industrial court is not sympathetic to workers making political gestures at work and it is likely to view such action as an unfair labour practice.

Lock-outs

Does the SAB judgment have any effect on an employers' right to lock workers out? Yes, if an employer now refuses to allow workers to do overtime that they have regularly done in the past, it will not be a lockout. Of course, this situation seldom occurs in practice. ☆

Iscor - rich picking for some

'People's capitalism' has made its debut in South Africa, but the people are not rejoicing. The government's programme of selling off public assets has begun with the sale of Iscor. After privatisation, who owns Iscor? What gains did the government make? What challenges does it raise for workers? CRIC* Privatisation Monitoring Group analyses these issues.

Business gains

In examining business gains, it is necessary to distinguish between ownership and control in public corporations. It is clear what ownership means. But it is not necessary to own a company to control it. It is only necessary to own a part of the company - 50% or even less if there are no other large shareholders.

It is clear that no one company both owns and controls Iscor. In privatising the corporation the state ruled that only 20% of the shares could be owned by any one company or group. But it is also clear that Iscor is now under the control of big business.

If we consider the pattern of shareholding:

Financial institutions	60.7%
Employees: Total	10%
Management	7.5%
Workers	2.5%
Public	8.1%
Industrial Development Corporation (Govt)	16.2%
The State	5%

The majority of Iscor's shares, then, are in the hands of financial institutions. There are over 200 of these institutions. They are a combination of mining houses, pension funds, unit trusts, insurance companies and banks. These institutions are for the most part under the control of the "big seven" monopoly groups: Anglo, Old Mutual/Barlows, Sanlam/Gencor, Liberty, Rembrandt, Anglovaal and

* Community Resource and Information Centre



Ventron. What the government has done, then, is to pass control into the hands of those who already control more than 90% of the Johannesburg Stock Exchange.

In short, Iscor has become part of an interlocking network of control in which the dominant corporations of the country have major shareholdings in subsidiaries, associate companies, and each other. It is likely this will be consolidated in the future, with the shareholdings of the major corporations becoming more direct and greater. Ownership is likely to coincide to a greater degree with control.

The issue of monopoly is relevant in another way. Iscor produces 78% of South African steel, with its nearest competitor being Anglo's Highveld Steel producing 10%-12%. So the steel market in South Africa is clearly under the control of the monopolies. The same monopolies control the industries which use the steel that Iscor makes, such as motor manufacturing, mining, and engineering.

The government has already indicated that it is not going to intervene in the steel market to counter the effects of monopoly control. Before the

privatisation of Iscor, the Competition Board, which is responsible for ensuring that monopolies do not occur, investigated Iscor, and decided that there was no need to break up the company on privatisation. It also did not see a need to regulate the privatised Iscor. The monopolies thus have unlimited access to Iscor's monopoly profits.

Monopoly profits at Iscor

Iscor's profit for 1989 is R812m, a rise of 37% on 1988 profits. Iscor says the massive increases in profits are because of two factors. First, there have been great increases in productivity. In 1989 at least 33% more steel is produced per worker than in 1983. For every rand invested, at least 58% more profit is produced than in 1983, after allowing for the effect of inflation.

But Iscor does not make clear how these productivity increases have been achieved. It follows a harsh process of 'rationalisation' (other parastatals also call it 'commercialisation' or 'corporatisation') to increase profits before privatisation. This has meant closing many plants and using vast resources to install machines to replace workers in those plants that have been kept open.

While wages have increased for those that still have jobs, 23 000 jobs have been lost, which, if we consider families as well, means that over 100 000 people have lost their livelihood. These resources could have been used to create jobs, not destroy

them. Profits have risen as jobs have been reduced.

Second, there has been an improvement in the world steel market. Many steel manufacturers have modernised, enabling them to balance supply and demand more easily with more modern, more adaptable technology, and demand in the world market has also begun to grow.

Iscor is likely to continue to increase profits by reducing jobs. Productivity will continue to improve, as capital investment is being increased from the R300m-R500m level of the past few years, to an average of R1bn per year for the next two years. Iscor has said it does not plan to build any new plants for the next 10 years.

Existing plants will simply be 'modernised'. Iscor has refused to give an undertaking that there will be no further job losses. Many more jobs will be lost, for more machines will replace more workers.

Further growth in the world steel market will also increase profits. The world market is expected to continue growing at 1% pa in crude steel, and 5% pa in stainless steel. Iscor already exports 30% of its production, and expects to be able to maintain this, as it produces steel at 30%-50% of the cost of many other steel manufacturers. This of course depends on the effectiveness of sanctions.

The government's gains

The state is benefiting financially from the privatisation of Iscor in at least three ways. First, it has received

R3,1bn for the privatisation. The state has said that it is going to use this money to reduce its debt, and to finance its reform and township upgrading programme. The government thus hopes to derive political benefit from the privatisation of Iscor.

This R3,1bn is in addition to the R600 million that it got from the Industrial Development Corporation last year, when it transferred shares to the IDC. So the government has made R3.7 billion from selling Iscor.

The government will also, secondly, receive tax from the privatised Iscor. In 1989 this totalled R327m (only R92m was paid in tax in 1988), and should increase by 20% next year and the year thereafter.

The third gain is through its shareholding. The state holds 16% of Iscor through the Industrial Development Corporation, and 5% in its own right, giving a total of 21%. The government will get dividends from Iscor, as will other shareholders. And it might eventually sell its shares, which are worth over R800m.

There are also less direct, non-financial gains. Firstly, the state has removed a commanding height, or key sector of the economy, from state control. This contradicts the Freedom Charter and the Constitutional Guidelines. By doing this the government has limited the ability of a post-apartheid government to transform South Africa's economy without large scale nationalisations.

The state has, secondly, financed its reform and upgrading programmes with R600m of the Iscor money. This

will expand its ability to co-opt sections of the black community into the new middle class, thus sowing division. It has, thirdly, increased its chances of getting new loans from the imperialist powers, as it reduces the government debt.

The state and monopolies in alliance

The state's 21%, and its legislative power, will allow it, in conjunction with big business, to influence the policy and activities of Iscor.

In essence, the state and monopolies are in alliance in Iscor. It is in the interests of both that they be bed-fellows. The privatisation of Iscor continues a process of *toenadering* between the government and business that began with the Good Hope Conference in 1979 and has recently been revitalised by FW de Klerk.

Disagreements between the partners in Iscor are likely to be resolved by quiet negotiation, to the mutual advantage of both. A key sector of the economy, which forms a basis of the entire manufacturing sector, has become the scene of a new form of state/monopoly co-operation.

What about the workers?

Workers are excluded. As a grouping, employees received only 10% of the equity share capital. Production workers received only 2.5%, and

NUMSA estimates that shop-floor workers received only 1%. This 1%, small as it is, did pose a considerable challenge for the major union, NUMSA.

In essence, the government has made a very serious attempt to bribe workers. The worker's share consisted of three offers. First, workers were offered 200 free shares. The second offer was a chance to buy shares at R1.60, a 20% discount (the quantity depending on job grade). Workers could sell them immediately to anyone else for R2.00 and make at least a 20% profit. The third offer consisted of preferential access to shares (an average of 1500 shares per worker) at the normal issue price of R2.00.

The offer was clearly well thought out. It gave workers no real control of or influence in Iscor, as the shareholding was too small. At the same time it offered workers a large

proportion of their monthly salaries - for free. That made the offer hard to ignore.

The experience of the Anglo American share ownership scheme has shown the difficulty of ignoring offers of free shares. In that case, many members took up shares despite the advice of their unions. In Iscor, in effect, the union would be asking workers to throw away R400 or more. On the other hand, the experience of Samcor has shown the difficulty of the union pooling the worker's shares and



holding them in a collective trust - in that case workers then demanded dividends from the shares in a highly divisive process.

Strategically, a NUMSA spokesman viewed the ESOP offer as "simply a public relations exercise. It was not a serious offer of participation, but part of a broad strategy of finding ways of blurring the gap of conflict between management and workers."

NUMSA decided to "stand by the COSATU resolution on ESOPs and look for a strategy to take the money but not the shares", and thus thwart management's attempts to tie the union and its members into share ownership.

NUMSA responded to each of the Iscor offers. In the case of the first offer, the free shares, it advised members to take up the shares and sell them immediately.

For the third offer, the preferential shares, the union arranged with a merchant bank for its member's shares to be bought with a loan of R20m, and sold to the merchant bank straight after listing on the stock exchange. The money is being held in trust for members who work at Iscor, and forms the core of a strike fund. The profit from the free shares is around R1,5m.

NUMSA had also arranged for the discount shares to be bought by the bank. Iscor's permission was needed, however, and it was refused.

In short, NUMSA has attempted to transform an offer that attempted to co-opt its membership while not giv-

ing them any power in the company. The union response means that its members gain the financial benefit of the free shares. In the case of the preferential share offer, the union response attempts to promote the collective interests of its members.

Details of the collective fund are still to be decided. It is clear that the fund will be used for collective purposes. Possible uses include financing general meetings of Iscor workers, running training courses for shop stewards, paying for Iscor workers to attend the funerals of fellow migrants, and a strike support fund.

The challenge for the union is to run the fund. NUMSA regards the running of the fund (and the running of provident funds) as a training process for the worker trustees involved. It is in the course of the running of the fund that problems will emerge and will have to be dealt with.

Conclusion

The Star's headline on 13 September summed up the morality of privatisation: "Iscor's share issue holds rich pickings for investors". Despite the large bribes being offered, there is no talk about paying workers a decent, living wage - either now or in the future. Management has also pointedly refused to guarantee jobs.

The new owners will be even hungrier for profits than the state has been in the past few years. The "rich pickings" are, as usual, for the rich, while workers will be left to continue gnawing on bones. ☆

New words in the South African economics dictionary

by *TIM DLADLA*

Introduction

Given that the South African state faces an economic crisis of a structural nature it is not surprising that new buzz words have appeared in the language of the government and the bosses. These words include deregulation, informal sector, privatisation and black economic empowerment. It is necessary to see beyond the words and find the hidden meaning.

Traditionally state and capital have sought to make a distinction between the economic life and the political life of the working people by emphasising economic activity at the exclusion of political expression. Even more so today, the idea is to give workers the impression that those who cannot prosper have only themselves to blame, especially as new avenues, previously closed to the majority of South Africans are now being opened.

However, the existence of oligopolies (big business tolerating competition only from equals) would exclude a disproportionate number of black aspirants from the mainstream economic system. This would imply

that they will have to fight each other for a place in the marginal economic activity, euphemistically called the informal sector. The Soweto taxi market is an example.

To improve their lot the working people need a government that can articulate their needs by providing some form of state assistance. Historically, those who have had political power, have used it effectively to change their economic position - for example, the Afrikaners took control of the state machinery to serve their own interests in 1948.

However African people do not have means to express their political aspirations other than through those structures prescribed by the existing government and therefore rejected by a majority of South Africans.

The other side of the coin is that those who have had economic muscle have used it to gain political power. Again South Africa abounds with such cases. This was especially true of 'English' capital, and epitomised by Cecil John Rhodes. He amassed a vast amount of capital from South Africa under the protection of the British

crowns and in turn used his acquired wealth to gain political influence. Any form of effective political or economic power that the oppressed African masses have acquired by labour unions and consumer boycotts respectively. The former is now being curtailed through the new Labour Relations Act and the latter is illegal under the State of Emergency.

Despite the fact that the majority is deprived of basic social amenities, the state is using new strategies to shift its responsibility to individual citizens. This is to say that the state is looking for market solutions where they are inappropriate. Poverty and abject deprivation of social needs like housing, medication, schooling, and recreation facilities cannot be addressed by the market mechanism because it has a different world view to that of the poor. That view is dominated by the profit motive.

Deregulation and freer markets

Deregulation, according to its advocates, will bring freer markets, more jobs, increased productivity and therefore more wealth and its distribution. Markets, it is argued, are distorted because of the laws and regulations that govern the South African economy. Examples that are mentioned are minimum wage requirements set by the Industrial Councils and wage determinations for different industries.

Minimum wage requirements, they assert, overprice labour and employers would be unwilling to employ

more workers at prevailing market prices.

Deregulation on the other hand, as defined by the Removal of Restriction on Economic Activities Act of 1986 will empower the State President to suspend laws which he may conceive as impeding economic development or competitive markets. There are four Acts which have been affected by this deregulation:

- the Labour Relations Act (exemption from the Industrial Council Agreements)
- the Wage Act of 1957 (exemption from wage determinations)
- Basic Conditions of Employment Act of 1983 (exemption from regulated hours of work and overtime that may legally be worked)
- the Machinery and Occupational Safety Act of 1983 (relaxing strict safety standards in the industry where there are serious occupational hazards).

It goes without saying therefore that deregulation could prove to be a return to industrial barbarism for workers.

What the deregulation laws do not say is that where there are no laws and regulations governing conditions of employment, workers become subjected to the whims of their employers. Farm and domestic workers are already in this situation. Stephen Mononye, for example, a farm labourer, was kicked to death by two farmers who suspected him of stealing cattle. They had no evidence that he was guilty. Stephen was one of many victims.

Deregulation and the informal sector

Deregulation implies that those laws which inhibit the smooth running of the market should be removed. This would mean, for example, that hawkers would be free to trade without licences. This suggests that many unemployed workers will be attracted to sell goods and services which can range from legal activities like selling peanuts, shoe-shining or driving taxis, to illegal activities such as shebeen-ing, gambling (fah-fee) and taxi pirating.

What is not explained is that this sector is prone to cyclical variations of the economy. Hence during an economic recovery more and more people will enter the formal sector and during a recessionary period, they will have to enter the informal sector to supplement their incomes (known as moonlighting).

A survey by Co-ordinated Marketing and Management (Pty) Ltd in 1986, found out that 40% of its respondents had done informal work while they were formally employed. This suggests that the informal sector is dependent on the formal sector. Generally the trend in the informal sector is that it cannot survive very well without the existence of the formal sector. It is a fallacy to argue that the informal sector creates jobs on a scale that could substitute for the formal sector.

It is hard to imagine that people can buy taxis to engage in trade if they have not worked hard in the for-

mal sector. Firstly, they have to save by working in the mainstream economy before they can get their economic 'independence'. Secondly, it is difficult to believe that those who are shoe-shining can create wealth and employment with the meagre incomes that they get.

The precarious but critical position of the informal sector is well outlined in the Sanlam Economic Survey of April 1989, p10:

"...the economically active population increased by around 2.8 million between 1980 and 1988, whilst only 600 000 job opportunities were created in the entire formal sector. If this situation continues, the gap between the economically active population and employment by the formal sector will widen every year.

The South African economy clearly has a structural problem as regards the creation of sufficient job opportunities in the formal sector. An increasing number of people will therefore have to be accommodated by the informal sector."

The promotion of the informal sector is a further indictment on the failure of the state and capital to create jobs and hence further investment. This crisis cannot be attributed to the disinvestment campaign (Mike Sarakinsky, *SALB*, Vol 14).

Deregulation and subcontracting

Through deregulation, it is argued, big corporations will not have the monopoly of producing manufactured

goods. Instead the small business man will have the opportunity of sharing in this market. Implicitly jobs will be created for the unemployed. Lengthy licensing procedures will be done away with.

Once more, what is not put across is that small manufacturers will depend on those big corporations for their market. Small scale manufacturers in the townships will be forced to accept the prices offered by big companies? They will in all likelihood have a single buyer for their commodity, with the added result that they will have little control over the price of the final product. They will subsidise big business through being low cost producers (low rentals, low advertising costs and low wages).

This low cost production also means long hours of work with no protection from trade unions. Likewise, the reduced need for big companies to keep full-time employees, will further reduce their costs in "benefits" such as pension funds, sick leave, etc.

Interestingly enough, Anglo American Corporation spent more than R1,1 million on small business in the first three months of 1989. In this way they have been able to save between five and ten percent on contracts by subcontracting (*The Star*, 24/04/89). It is in the nature of the dependency of small business on big business that only the latter party will benefit from such transactions.

In the case of the Kew deregulation project, Stephen Gelb (WIP, No. 56/57) established that in the end Rand Barlow was the ultimate benefi-

ciary of the project; furthermore, only negligible jobs were created in the process by the small business enterprises that popped up in Kew.

Deregulation and job creation

It cannot be doubted that deregulation will create jobs, but the quality of jobs is also an issue that needs to be examined. If wealth is to be created in the black communities, it certainly cannot come from the type of marginal economic activity mentioned above. Skills and education are minimum requirements for the creation of wealth. In South Africa, the provision of skills is a political variable; the whiter your skin, the more is spent on your education (SA Race Relations Survey 1987/88).

Privatisation and class division

Privatisation is intending to shift away from government any of its obligations towards its citizens (see *Labour Bulletin*, 14.3). All initiative will supposedly be left to the individual, and individuals who fail to provide for themselves social goods like medicine, schooling, housing and related goods and services, will have to make do with those poor services that the state still provides. For those who are able to provide for themselves, there will be private schools, private hospitals and private housing of relatively high quality.

The strategy is to divide society fur-

ther into those who can afford quality services and those who cannot. By such a strategy, state and capital are hoping to create a new consciousness among the new black power elite in the townships which will preclude them from identifying with the aspirations of the rest.

At the same time it will create a sense of envy amongst those who lack the power and ability to achieve those status symbols. If adverts on SABC-TV are anything to go by, status symbols are easily acquired by anyone who seriously engages in the system, and furthermore, they suggest, the existing political system can provide for all.

Conclusion

The link between privatisation and deregulation is that both are aimed at dividing black people into an elite with high-paying jobs and access to decent services, and a mass of lowly-paid, unskilled workers and unemployed.

It is not trivial to say that state and capital are hell-bent on maintaining the status quo with some degree of respectability. In their attempts to divorce economic life from political life, state and capital are pushing what one may call economism.

They want to create the belief that all individuals, and workers in particular, are only concerned with bread and butter issues. The Minister of Defence recently said that "people are concerned with their economic livelihood - only 10% care about politics."

Needless to say, unions do bargain for more than just wages. On their agendas, they now put housing, pension and provident funds as some of the issues that affect their members. As far as possible, the unions will continue to address these needs on the workers' terms, and not allow management to use workers' rights in a divisive way.

Wage demands will however top the list for a long time and the major battles will continue to be fought over wages. The living wage campaign is fought out in the context of almost nil support for the unemployed, the old and the sick. At present wage levels, even those working can usually not afford housing and social security after attending to more immediate needs.

The struggle for a living wage should unify workers in their fight against exploitation and the poor living conditions that permeate their lives. This struggle should also expose the emptiness of these new buzz words.

What does "Black Economic Empowerment" mean to workers when their rights are emasculated by the new Labour Relations Act?

These issues are taken up and debated by unions and their membership, so as to anticipate management strategies, rather than to simply react. However, unions face continual assaults from management and the state, and resources are stretched to the limit. One thing is clear: there has never been a stronger case for working class alliances and solidarity than now. ☆

Economic Notes

Economic Notes is written by Labour Research Service (LRS), Cape Town

Ferro-alloys boom

The ferro-alloys industry is one of the most successful in South Africa. And despite sanctions, its share of world sales keeps on rising (see also *SA Labour Bulletin 14,4*)

South Africa is one of the lowest cost producers of ferro-alloys in the world. An important reason for this is the low cost of South African electricity. Electricity accounts for around 32% of the cost of producing the ferro-alloy.

If ferro-alloy prices were to drop to 50 or 60 US cents (from the current 80 US cents) per pound, all producers, except for South Africa, Zimbabwe, Brazil and Turkey, would find themselves making losses.

What are ferro-alloys?

- Ferro-chrome: *used to make stainless steel*
- Ferro-manganese: *used to improve toughness of steel*
- Ferro-vanadium: *makes steel tougher and resistant to abrasion*
- Ferro-nickel: *used to make certain kinds of stainless steel*

Production of ferro-alloys is in the hands of a few large companies:

□ **Gencor Group**

Samancor: *ferro-chrome, manganese, silicon and silico-chrome*
 Impala Platinum: *ferro-nickel*

□ **Barlow Rand Group**

Middelburg Steel: *ferro-chrome and silico-chrome*

□ **Anglo American Group**

CMI: *ferro-chrome*
 Highveld Steel: *ferro-chrome, manganese and silico-chrome*

And their profits have grown!

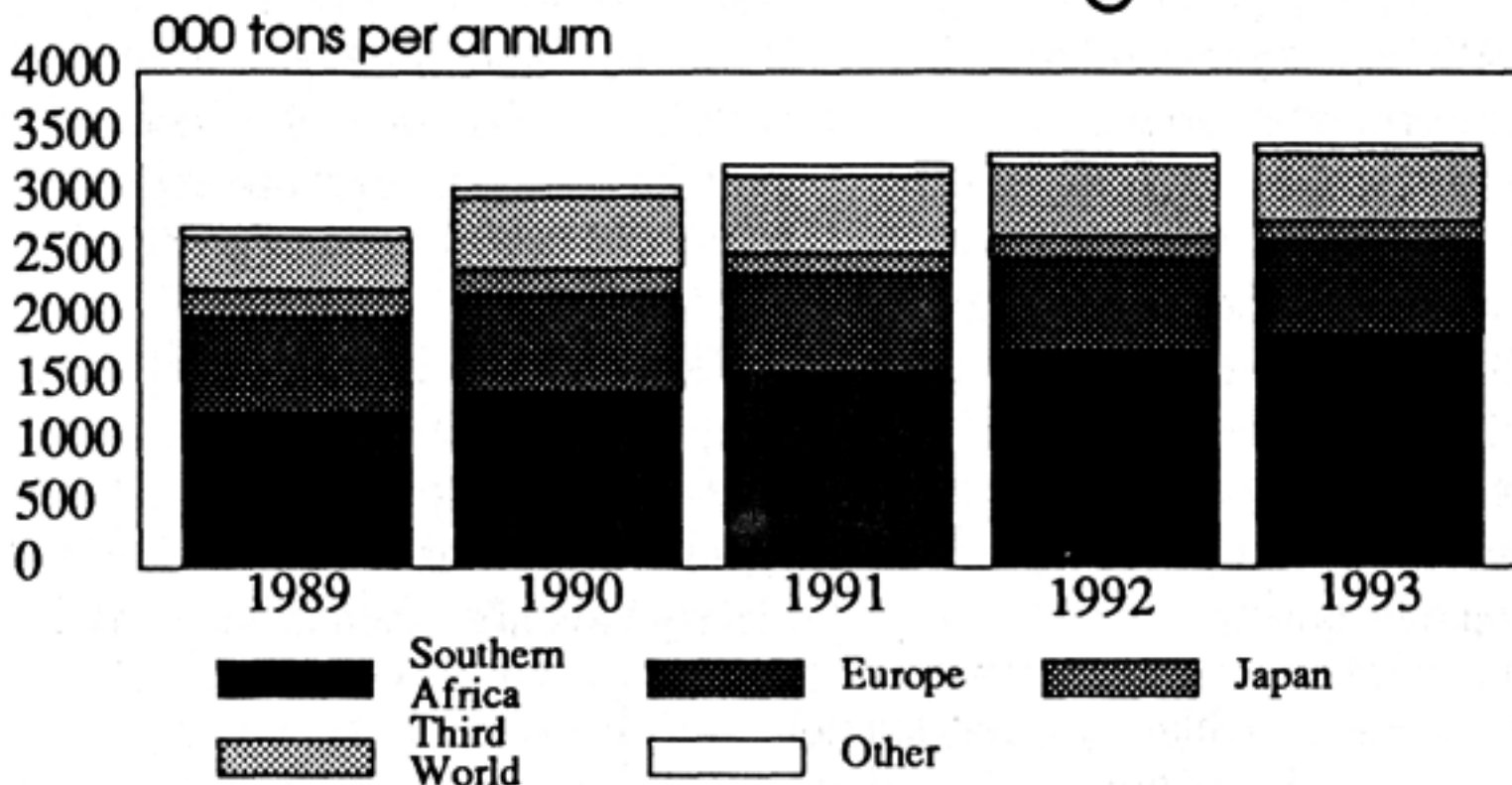
Profits reach record levels	Profits up by:	Shareholders return
Samancor	54%	34%
Middelburg Steel	44%	35%
CMI	33%	55%
Highveld Steel	202%	47%

“Shareholders’ return” is the profits that shareholders received in 1988 as a percentage of the amount they invested in the company. So CMI shareholders got more than half their investment back in a single year!

The ferro-alloys industry is big business in SA. But it could be bigger. South African companies only concentrate on the first two stages of production - mining and ferro-alloys

Supply of world ferro-chrome

Southern African share to grow to 53%



Labour Research Service

production - leaving the next two stages (stainless steel and steel alloys, and fabrication) to overseas firms.

Only Middelburg Steel makes stainless steel and this represents a small fraction of the world's production. Anglo American and Gencor may soon begin building a stainless steel plant. Stainless steel could well become the boom industry of the 1990s for SA's mining houses.

There is no alternative to ferro-chrome in the production of stainless steels, high strength steels, high temperature metals, and corrosion resistant metals. Experts predict that South African production of ferro-chrome will grow by 9,5% every year, for the next five years.

What about wages?

The top labourers' wage in the iron, steel and ferro-alloys sector is only R159 per week, at Rustenburg

Refiners. The bottom wage is R81,23 per week at Impala Platinum Refiners. The average wage of 13 companies in the sector on the AWARD computer is R131,74.

Compare this to the AWARD average for all industries of R142 per week. Clearly, the massive profits in the ferro-alloys industry are passing by the workers who created them. ☆

More news about management salaries

Last month, Bargaining Monitor reported that top management were getting as much as R2 450 per week in cash. This month we examine their fringe benefits.

The fringe benefits which the aver-

age chief executive gets amount to a further R 2 103 per week, on average. This gives a total salary of R4 553 per week - or R236 756 per year, according to P-E Corporate Services.

As you can see, fringe benefits can amount to 46% of the total package. The cash part of top executive salaries is thus only 54% of the total package. What are these "fringe benefits"?

Here are the "non-cash" fringe benefits received each year by the average top executive:

	Chief Executive <i>Cash value</i>	Personnel Executive <i>per annum</i>
Accident Insurance	R780	R410
Medical aid	R1 640	R1 560
Transport	R27 700	R28 880
Loans	R13 130	
Education	R2 900	
Housing	R7 660	R7 260
Recreation	R1 820	R1 980
Pension	R16 550	R11 280
Other	R9 000	R12 770

And here are the "cash" fringe benefits received each year by the average top executive:

	Chief Executive <i>Cash value</i>	Personnel Executive <i>per annum</i>
Standard bonus	R9 520	R6 730
Performance bonus	R26 980	R18 640
Directors' fees	R3 110	R800
Entertainment	R2 480	R2 410

The largest fringe benefit is "transport" (a free car). Fifty five percent of chief executives receive a Mercedes Benz. The other 45% have to make do with BMWs, Audis or Cressidas. The average personnel executive gets a Mercedes Benz (47%) or a BMW (29%).

"Recreation" means that the company pays for the executive to belong to an exclusive sports club or "gentlemen's club"! Top executives clearly look after themselves! ☆

Company profile: Tollgate Holdings

Tollgate Holdings, the owner of the Cape Town bus operator City Tramways, has undergone considerable

changes over the past two years.

During 1988 the Duros Group, owned and run by a team of high flying banking executives, took control of Tollgate holdings and set about a major reorganisation of the company.

Duros management took advantage of Tollgate's "rich asset base" and bought United Passenger Transport Services for R63 million. This doubled the number of busses owned

by Tollgate.

Duros management then sold Rustenburg Bus Services (part of United Passenger Transport Services) for R39 million to the government-run Bophuthatswana Transport Company.

This purchase and sale earned Tollgate a profit of R30 million and increased its fleet of busses from 1 441 to around 2 300 busses.

Tollgate's touring division, consisting of Springbok Atlas and Greyhound Intercity, has been transformed into a complete leisure company known as Entercor Limited. Entercor now operates various sporting, promotion and film processing businesses.

Apart from Tollgate Holdings, Duros recently purchased Arwa, a major clothing manufacturer, and Gants, a food company. Further reorganisation and expansion of Duros is being predicted by stock market analysts.

In 1988 City Tramways received a massive government subsidy amount-

ing to R35,7 million. This was more than double the 1987 subsidy of R14,1 million.

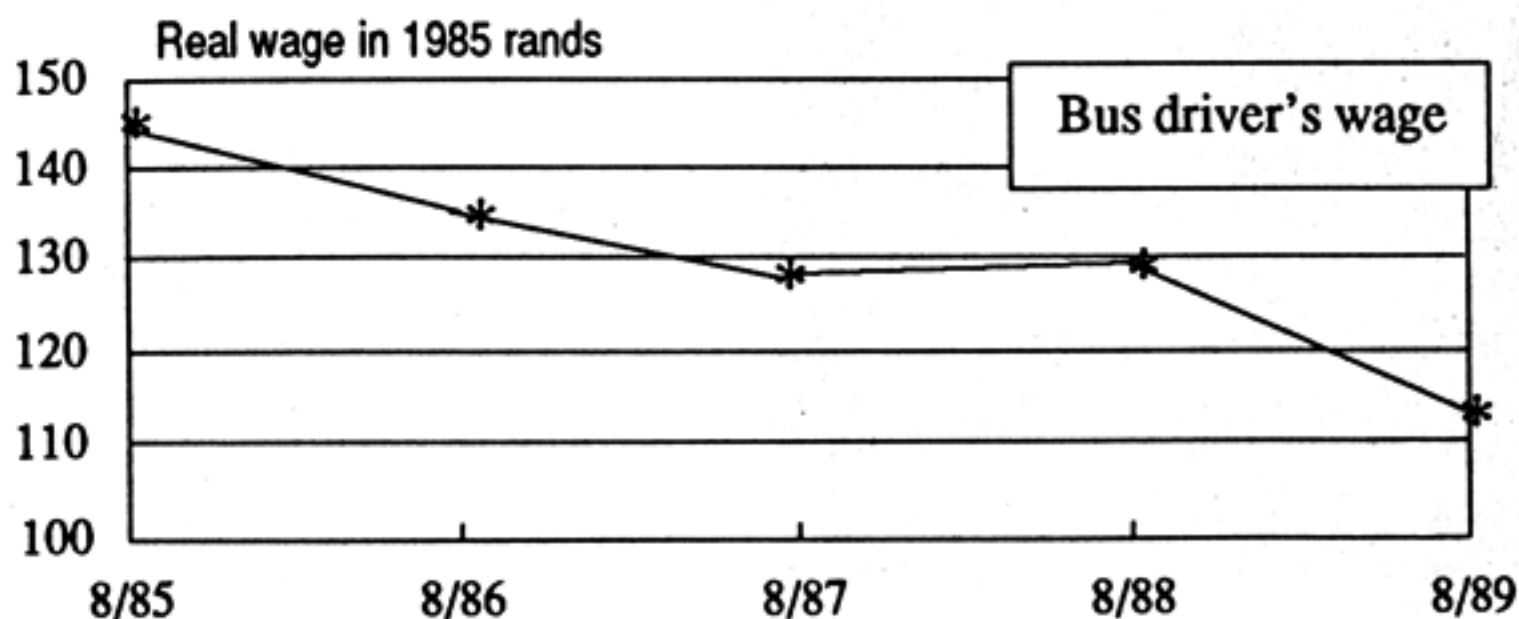
The company claimed this subsidy following a loss of passengers and revenue when the Khayelitsha rail line was opened. This subsidy did not help City Tramways record higher profits in 1988. Its latest financial report shows that profits fell to R4,9 million from the 1987 high of R7,4 million.

Tollgate's profits from all operations in 1988 were, however, at record levels if one takes into account the R30 million earned from the reorganisation of the group.

Over the past few years there has been a major decline in the buying power of wages paid to a City Tramways' bus driver. Between August 1985 and August 1988 the weekly cash wage rose by 36%. During the same period, however, prices rose by 54%.

Drivers now need an increase of 30% to regain the value of their 1985 wage. ☆

A 30% wage increase is needed to restore wage buying power to the 1985 level



Inflation

Consumer Price
Index
(1985=100)

Annual rate
of inflation
(% increase
over 1 year)

Area	Aug 1989	Aug 88 - Aug 89
Cape Town	180,3	15,0%
Port Elizabeth	186,4	16,6%
East London	176,9	14,8%
Durban	172,8	15,8%
Pietermaritzburg	178,3	15,9%
Witwatersrand	183,2	15,5%
Vaal Triangle	177,9	14,8%
Pretoria	191,1	16,4%
Klerksdorp	189,7	13,5%
Bloemfontein	168,3	14,5%
OFS Goldfields	183,2	14,6%
Kimberley	174,3	13,5%
South Africa	181,8	15,5%

Source: Central Statistical Services

Management packages

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You can get *your* copy of this study by writing to the Labour Research Service at: P O Box 376, Salt River 7925.

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 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 must not exceed the following lengths:

<input type="checkbox"/> <i>analytical articles</i>	8000 words
<input type="checkbox"/> <i>debate, reviews, documents, reports</i>	5000 words
<input type="checkbox"/> <i>briefings</i>	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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Labour Research Service

Posts for trainee researchers in Cape Town in 1990

The Labour Research Service provides expert research back-up for progressive trade unions in wage negotiations.

Posts for trainee researchers are available in Cape Town from 1 February 1990. The trainee researchers will participate in an intensive six month training programme. This includes regular seminars and practical on-the-job training.

The programme aims to prepare the trade union researchers of tomorrow and provide trade unionists with practical skills. Employment may be extended beyond the initial six month period.

Candidates should have a matric, be confident with figures and committed to the progressive trade union movement. Preference will be given to trade union members and applicants with trade union experience. Trainees now serving at the LRS were shop stewards or officials from major national unions.

Applications should be made in writing, setting out details of work experience together with two contactable references. Applications should reach the Labour Research Service, P O Box 376, Salt River, 7925, no later than 31 December 1989.

