

ers' struggle in South Africa.

But CNETU also faced many problems. By the end of 1942 it became clear that the advance of the Japanese armies had been stopped. The South African government also argued that strikes were causing inflation. They therefore passed a law, called War Measure 145, which said that anyone who went on strike would get a fine of 500 pounds (R9 000 today) or three years in prison.

Strikes now became much less frequent. This was partly because trade union leaders were afraid of the fines, but there were other reasons as well. Many of the strikes in 1941 and 1942 had been spontaneous and had been started by workers without the involvement of the trade union leaders. A part of the trade union leadership had got into the habit of relying on the Wage Board and the Labour Department, and did not pay enough attention to building up a strong factory floor base. Also, when Russia joined the war on the side of Britain and America, many South African communist party activists argued that the most important job of workers was to help the war effort. They felt that production for the war should not be damaged by strikes.

There were also other organisational problems. Firstly, most of the CNETU unions had difficulty in building up strong factory floor organisation because of the rapid turn over of workers in their fac-

ories. Workers in many industries only stayed a few months in one job before moving on to another. In transport, for example, labour turn over was 157 percent (that is 157 new workers were employed for every 100 jobs within one year). In the steel industry turn over was 101 percent, while in the food industry it was 90 percent. With so much movement of workers in and out of jobs it was difficult to build up strong factory floor leadership or organisation.

Secondly, CNETU was a national federation, but its affiliated unions were usually not organised nationally. In 1945, for example, when CNETU had 158 000 members, these were divided among 119 affiliates. There were often two or three separate CNETU unions in the same industry. Almost none of them organised beyond one local area.

By 1943 these problems had created serious strains within CNETU. From early on, there had been at least three political 'tendencies' or positions within CNETU. Some of the union leadership supported the South African Communist Party, others supported a 'Trotskyite' position (this was socialist but opposed the South African Communist Party and the policy of supporting the war), still others supported an ANC position. These differences blew up over the issue of strikes. Daniel Koza, who was linked to the Trotskyite group and who led the African Commercial and Distributive Workers Union, demanded more militant strike action and formed

the Progressive Trade Union Group within CNETU. In the 1945 annual conference of CNETU they made their challenge to seize control of the organisation. This failed, and they were expelled.

CNETU was seriously weakened by this conflict. It was finally broken by more repressive government action. After the war ended in 1945 the CNETU unions felt more free to use the strike weapon. By this time, however, it was already too late because the government also felt free to use more repressive action. This became clear in the 1946 mine workers' strike. In August 1946 over 70 000 African mine workers came out on strike for higher wages, led by the African Mine Workers Union. Thirty-two mines out of 45 on the Reef were affected. Police repression was extreme. Striking workers were driven out of the compounds by batons and bayonets and forced to go to work. Twelve strikers were killed and 1 200 injured. CNETU called for a general strike in support, but it was already too weak to carry this out.

More blows to CNETU, came with the arrests of many of its leaders and the banning of many trade union and political leaders under the Suppression of Communism Act of 1950. By 1953 CNETU had split up. The workers' movement was left leaderless. Only in 1956 was this gap filled when the South African Congress of Trade Unions was finally formed.

The families of the 20 people who were shot dead at Langa on March 21 will find no comfort in the findings of the Kannemeyer Commission.

Mr Justice Donald Kannemeyer has acted much like a father who has found out that his child has seriously erred but is scared to give him a good hiding, instead he only gives the child a sharp rap on the knuckles.

And like a rap on the knuckles, the Kannemeyer report will soon be forgotten. There is little chance that a mere rap on the knuckles will get the South African Police to mend their ways. It was Sharpeville in 1960, Langa in 1985 — where next?

Mr Justice Kannemeyer, appointed to investigate the the Langa shootings, found that:

- Captain Goosen deviously obtained an order banning funerals on Sundays by arguing that if they were held on Sunday they would endanger public peace. He then proceeded to obtain another order saying that the funerals could only be held on Sunday because, if held on a weekday work would be boycotted.

- The funerals planned for March 21 having been banned, the scene was set for a confrontation, an eventuality with which the police were not equipped to deal. Those stationed at Uitenhage had no teargas, rubber bullets or birdshot which are the three standard types of equipment used in riot control.

- The fact that Warrant Officer Pentz had no tear gas prevented him from attempting to disperse the crowd at Maduna square by using it.

- The fact that no rubber bullets or birdshot was available is a matter of grave concern. For riot control police to be in a position where, if they are compelled to take action, the death of rioters was all but inevitable, is one which should have never been allowed to occur.

- The fact that only SSG and no birdshot cartridges were issued both at Uitenhage and Port Elizabeth can only be the result of a policy deliberately adopted.

However, Mr Justice Kannemeyer concludes that 'the blame for the deaths of the persons killed in the incident and for the injuries sustained by others cannot be attributed to the error of judgement or the human frailty of any one person'.

This conclusion is reached by Mr Justice Kannemeyer in spite of the fact that he found that 'had the holding of the funerals not unnecessarily been prohibited on doubtful grounds there can be little doubt that the procession would have passed through Uitenhage without incident along the normal route from Langa to Kwanobule which happens to pass through part of the town.'

And that 'had proper equipment been available the gathering may well have been dispersed with little or no harm to the persons involved.'

Not surprisingly, the government's only response to the Kannemeyer Report has been to say that it would review the procedures for applications for bans on funerals and that it would constantly review the manpower, equipment and training needed by the police to carry out riot control efficiently.

The government has also set up a Board of Inquiry to consider 'matters relating to certain findings by the commission'.

Although, Mr Justice Kannemeyer clears the police of blame for the deaths, in the report he is highly critical of much of their version of what happened at Langa on March 21.

He dismisses the police's story that the crowd was on its way to attack the white residents in Uitenhage because, he says, if this was their intention 'it is improbable that girls and children would have been included'.

Also, he says, that the police's evidence regarding the weapons carried by the crowd is 'exaggerated'. The police had claimed that the crowd was armed with sticks, metal pipes, planks, petrol bombs and stones.

He adds that 'no petrol bombs were thrown at the police or at their vehicles during the confrontation'.

But, he accepts police evidence which said that a Rastafarian and another man near the front of the procession were in possession of petrol bombs although neither of these bombs were ignited.

On whether a boy on a bicycle was at the front of the crowd or not, Mr Justice Kannemeyer says that the boy's presence 'at or near the head of the procession must be accepted and that the police evidence explaining the presence of the bicycle on the scene after the shooting must be rejected'.

Moving on to the 'hail of stones' police claim was thrown by the crowd, Mr Justice

Kannemeyer says 'surprisingly enough none of the crew members of either Casspir were hit by a stone and not a single stone fell into either of the Casspirs....It is incredible that a hail of stones thrown from a distance of ten paces or less should miss all the people at whom they were aimed.'

'No police witnesses can explain why the tarred surface was not strewn with stones immediately in front of the Casspirs. Fouche's suggestion that they must have bounced back and rolled down the incline is unacceptable,' he adds.

'The inevitable conclusion is that the stone attack as described by Fouche and his men was fabricated in order, in part, to justify the shooting. Fouche eventually admitted that the shooting was not caused by this stoning,' he concludes.

However, Mr Justice Kannemeyer dismisses the evidence given by witnesses who said that after the incident police had gathered stones and put them on the road.

'It is improbable that the stones were placed on the roadway by police. First, had they wished to create evidence, one would have expected far more stones to have been used....Had the police decided to fabricate evidence it is inconceivable that they would not have placed stones close to the Casspir,' he says.

In the report, Mr Justice Kannemeyer is also critical of the taunting remarks made by police in Maduna Square before the shooting.

Witnesses said that police in a Casspir shouted 'throw, throw' and 'Ons gaan julle wys vandag'.

Mr Justice Kannemeyer says these remarks are 'particularly disturbing because they were provocative and would have been likely to incite the crowd to retaliation and violence.'

'These are not the types of remarks which the members of a patrol whose duty it is to maintain law and order should make and show a serious lack of discipline.'

However, having said 'some of the police evidence was exaggerated', Mr Justice Kannemeyer goes on to accept the rest of their evidence and concludes that the police were justified in making a stand where they did and that the 'awesome' decision to open fire was understandable.

It is difficult to understand how Mr Justice Kannemeyer can accept that the crowd was on its way to a funeral and not on its way to kill whites in Uitenhage and yet conclude that the police were justified in shooting at least 20 people and injuring at least 137 others.

And his only message to the police at the end of the report is: next time make sure you are properly equipped to disperse 'riotous crowds'. This is hardly enough to prevent the same thing happening again.



Police photograph taken moments after the Langa shooting

Kannemeyer Report