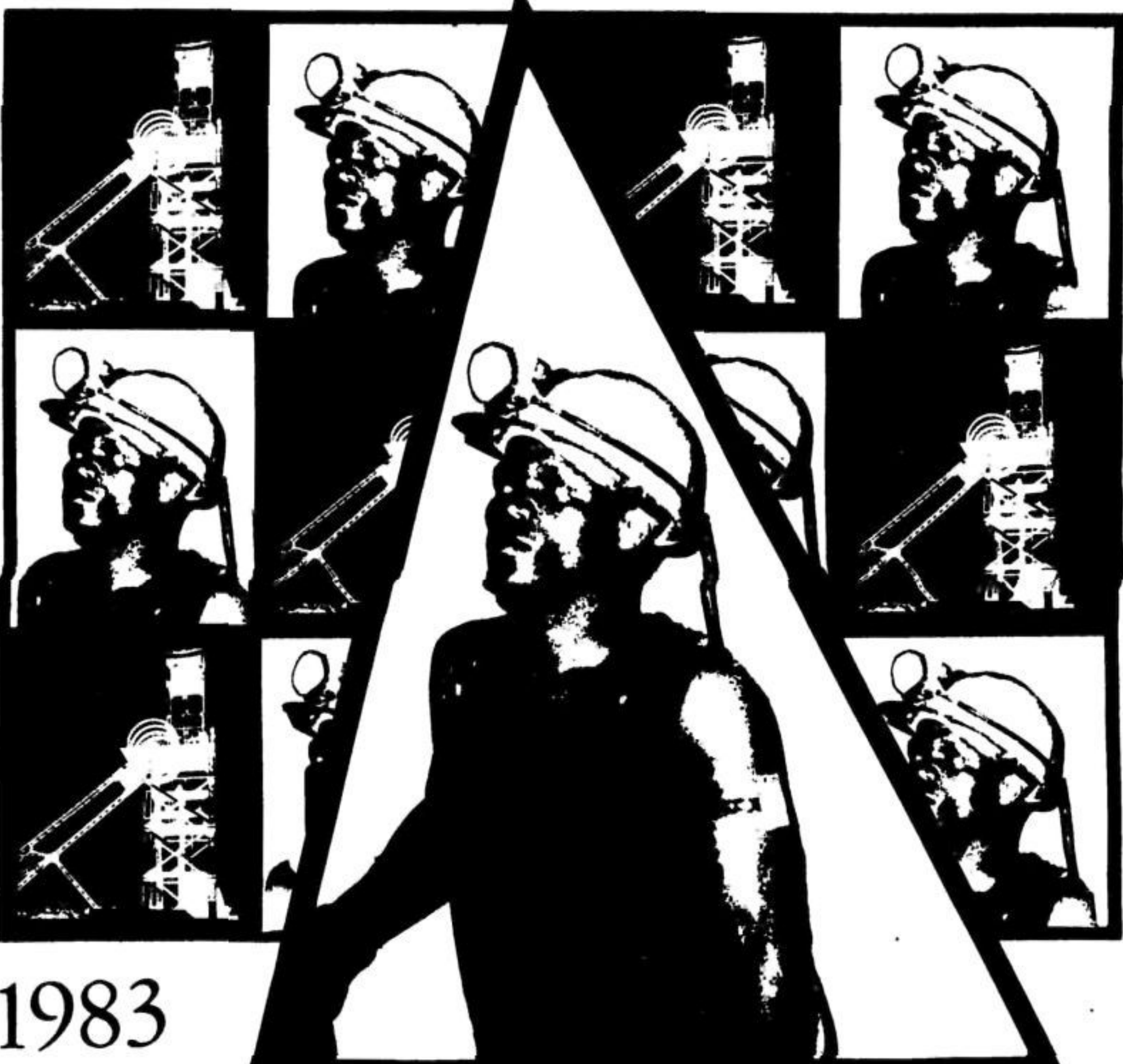


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1983

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[Cover by Kevin Humphrey]

WORK IN PROGRESS 25 - February, 1983

# EDITORIAL

The re-formation of the old Transvaal Indian Congress has created something of a stir. One of the oldest political organisations in South Africa - its origins pre-date the creation of union in 1910 - the TIC was an integral part of the ANC-led Congress Alliance.

The alliance, based on an adherence to the Freedom Charter, comprised a number of different organisations catering for specific constituencies: the African National Congress, the white Congress of Democrats, Coloured People's Congress, Indian Congress, and the South African Congress of Trade Unions (SACTU).

While Congress' organisational form was therefore multi-racial, it adhered to a non-racial position as set out in the Freedom Charter.

With the banning of the ANC and the Congress of Democrats, Congress' multi-racial organisational form became less relevant, and the ANC has for some years now admitted non-african members.

Now the reconstitution of the TIC has again raised questions about a racially specific organisation adopting a non-racial position. AZAPO publicity secretary Ishmael Mkhabela has stated that the formation of TIC will strengthen the forces of ethnicity. 'From our point of view any ethnically-based organisation by Indians, coloureds or Zulus is directly in line with Pretoria's policy of apartheid. We find the decision to reactivate an ethnically-based organisation a retrogressive step', said Mkhabela.

Others disagree with AZAPO. General and Allied Workers' Union president Samson Ndou sees the TIC as a people's, not an ethnic organisation. Transvaal anti-SAIC chairperson Essop Jassat points out that South African laws have forced different people to live in separate ghettos. 'It is easier for them to organise and mobilise politically from their respective areas', says Jassat.

And GAWU's Sydney Mafumadi suggests that 'how the Transvaal Indian Congress is structured is not fundamental. The fundamental issue is that its aims and objectives are non-racial'.

AZAPO's categorisation of the TIC as 'ethnic' needs to be assessed in the light of three factors:

- \* the TIC's adherence to non-racialism;
- \* whether it manipulates ethnicity and racial symbols in its activities;
- \* the interests which it represents.

Non-racialism does not necessarily demand multi-racial forms of organisation. The Congress Alliance comprised racially or nationally specific organisations, linked through organisational structures and joint campaigns. Non-racialism involves a statement about a future society in which racism will be eradicated; it also implies that race is not the most important social category in society. This suggests that the class structure of South Africa is a more fundamental force than racial factors.

Ethnic organisations mobilise on the basis of a set of perceived ethnic interests and symbols. This, for example, is a component of

Inkatha's Zulu nationalism. But there is no indication that the TIC, or any of the other racially specific congress organisations, operated on that basis.

Finally, there is the question of the interests which an organisation represents. This involves the relative weight that working class, petty bourgeois, peasant or other interests enjoy within an organisation or alliance. An attempt to establish the primacy of working class or popular interests is unlikely to merit the ethnic tag.

These are some of the issues which need to be raised in assessing AZAPO's attack on the TIC, as well as their rejection of the anti-constitutional proposals united front which AZAPO has called a 'conglomerate of ethnically-oriented groups which perpetuate ethnicity and tribalism'.

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Work In Progress has received a communication from Phiroshaw Camay, general secretary of the Council of Unions of South Africa, concerning the article 'Trade Unions: The AFL-CIO delegation' (WIP 24:21-27). In this article, a WIP contributor stated that during 1981 CUSA had reportedly received an amount of R800 000 from the ICFTU. Mr Camay has asked us to point out that CUSA is not the only trade union grouping to receive financial support from the ICFTU. He says that the support given to other organisations by the ICFTU in some cases exceeds that given to CUSA on the basis of rands per member.

Mr Camay also points out that the CUSA records are open for scrutiny by members and other interested individuals, and that he is happy to tell us what amounts CUSA has received from the ICFTU.

If our contributor has made an error in his statement, we can only apologise for this. He informs us that the figure of R800 000 was supplied to him by a usually accurate source, but concedes that there may be an error in this case.

22 MAY 1991

# LABOUR PARTY: a constitutional decision?

When David Curry rose to his feet in the Eshowe town hall on 4 January this year and said 'We in the Labour Party have decided we are going inside', the cabinet, and especially Minister of Constitutional Development and Planning Chris Heunis, must have breathed a collective sigh of relief.

The agreement of the 'coloured' Labour Party to the constitutional proposals was at that stage widely seen as the minimum amount of respectability government would need to press ahead with its 'reform' proposals.

Had the Labour Party (LP) rejected the plan, senior government men were already saying it would have been back to the haphazard business of constitutional planning. Either more concessions would have to be made to entice 'moderates' into the fold, or else the prospect of an escalated and more direct form of military rule was on the cards.

Curry, national chairperson of the LP, could not have used a more apt phrase to describe the LP decision if he had tried. 'Inside' is where they have gone, and already the repercussions of that decision are beginning to come into the open.

Those on the 'outside' have begun the campaign to mobilise against the decision. Indications already are that this will be one of the biggest mass resistance campaigns in South African history. Significant about the campaign is that it cuts right across racial divisions, directly affecting every sector of the population in one way or another.

This article is primarily an examination of the Labour Party and its history, its entry into the Coloured Representative Council (CRC), how they used that body and the 'boycott tactic' to break it as an institution, and whether the LP in its history can ever have laid claim to the title 'progressive'.

On a secondary level, the article looks at the Eshowe congress, the

composition of the voting delegates and the way in which the eventual resolution to go 'inside' was framed to avoid dissent, and the undemocratic nature of the procedure used to push the resolution through.

It examines the limits and possibilities of using the tri-cameral parliament as a means towards achieving fundamental change or of further splitting the power bloc, and looks at the justifications currently being offered by the LP leadership for 'going inside'.

Finally, the article looks at the practical repercussions and implications of the LP decision, and the response thusfar from progressive organisations mobilising to resist the new phase the state has entered and of which the LP has become a part.

## THE LABOUR PARTY IN RECENT HISTORY

In the wake of the LP's decision to 'go inside', much has been made in government circles and the liberal press of the fact that the LP is the biggest 'coloured' political party

This cannot be disputed - it is the largest FORMAL political group of coloured people operating in the country. But to say that the LP represents the majority of coloureds is rather like saying that the white parliament represents the majority of South Africa's people. The percentages are about the same.

The party was formed on 13 October, 1965, to contest elections for the Coloured Representative Council. Its first leader was the present rector of the University of the Western Cape, Dr Richard van der Ross.

The founding constitution stated that the party would fight to raise the status of all workers in South Africa by working for the provision of minimum basic wages at a 'civilised level', 'adequate' working conditions pensions, sick benefits, housing at

economic standards, home ownership and 'adequate' education for all according to age, aptitude and ability.

The LP would 'Strive for the effective participation of all workers (later amended to "people") in the government of the country, by participation in the councils of the nation, in particular by ensuring that all persons attaining prescribed qualifications - to be decided later by the party congress - (later changed to read "all persons reaching the age of 18") shall vote for and be eligible for membership of parliament, provincial councils, municipal councils and other instruments of central and local government'.

The party would also 'Work for the elimination of the colour bar in legislation as well as in the practical applications thereof; strengthen the trade union movement (this clause was later removed); develop a political arrangement for the country so that all sections of the population are treated, to their own satisfaction, fairly and justly, so that the rights of all minority groups are protected, and, in particular, to ensure that those qualifying for membership of the party shall not be disqualified from full citizenship, or full participation in politics...by reason of race, colour or religion'.

The constitution stated that the aims of the party would only be promoted by legal, constitutional methods. Membership of the party, in terms of the Improper Political Interference Act, was restricted to 'coloureds', although the party would work to 'consolidate the position of all oppressed South Africans'.

Already we see the essential nature of the LP emerging. How could a party which claimed to represent 'the workers of South Africa' call for a qualified franchise, even if this clause was later dropped?

The party has always taken a firmly anti-Marxist approach, and since its formation, has strongly opposed any form of disinvestment from the South African economy, only emerging in favour of disinvestment very briefly in recent years.

The youth wing of the party announced at the time of its formation in 1970 that all applicants

for membership would have to sign a pledge that they were 'anti-communist'. The preamble to the constitution still contains a clause which reads: 'The party is dedicated to vigorously opposing communism in all its forms'.

Testing its strength for the first time, the LP fought the 1969 CRC elections on an anti-apartheid ticket, opposing five pro-apartheid parties, the most significant of which was the Federal Party (FP).

In an election which saw 286 957 votes cast out of a possible total of 573 985 (a 50 percent poll), the LP took 140 631 as opposed to the FP's 87 781, and a combined total of 58 545 for the four remaining parties.

The LP took 26 seats, the FP 12, and the National and Republican Parties one each. Then, in one of the supreme acts of political cynicism seen in South Africa, government nominated 20 apartheid supporters - mainly FP members - to make up the total of 60 seats required by law. This gave the FP an effective six person majority on the council.

During the election the LP had told voters that if they won they would refuse to take up their seats and 'prove in this way that the coloured people reject apartheid and the CRC'. Despite this and despite the government attitude towards the party, as indicated by the cynicism of their move in appointing their own people to a majority position, the LP elected to enter the CRC as an opposition party.

In the first issue of its newsletter, Steadfast, the party said that it had forced the Nationalist government to 'expose the politically fraudulent nature of (the CRC) by packing it with its own supporters. It demonstrated to South Africa and the world in absolute terms the complete rejection of the government's discriminatory policies by a section of the South African population', and had given 'greater point to Labour's policy that the only solution to the people's problems is direct representation in the real governing bodies of the Republic on a non-racial basis'.

Exactly two months later, the then leader of the party and now member of the President's Council, Sonny Leon, called on the government to abolish the CRC and replace it with

full citizenship rights for coloureds.

The second test of the LP's strength came in 1975, when the party's stance was being critically examined and rejected by progressives in the coloured community, particularly in the Western Cape. Labour received 62 percent of the vote in a nationwide 46,7 percent poll. In neither of the elections did the LP achieve more than the support of about 10 percent of the 'coloured' people, or 16 percent of adults.

Labour took 31 seats, and government nominated four more LP members out of their total of 20. This gave the party a 35 - 25 majority in the council. The then leader of the party, Sonny Leon, accepted the position of executive chairman of the council amid accusations that he had sold out.

The LP also fought this election on a promise to close the CRC if elected. This time round, it not only chose to enter the council, but also accepted the five executive positions with their higher salaries and official cars. LP leaders were now in an even more ambivalent position than before - they were working within and in nominal charge of a system they had pledged to destroy. So they prepared themselves for a limited confrontation. Instead of 'playing the system' like the bantustan leaders, they would actively work towards wrecking it, they said.

At the same time, government announced its intention of going ahead with the Coloured Persons Representative Council Amendment Bill, which gave it automatic powers to scrap the CRC and take over its functions. This only became a reality in mid-1980.

In September, 1975, the CRC suddenly adjourned itself for six months, without having passed its R158-m budget. This was followed in November by the dismissal of Leon from his position of chairman and his replacement by Alatheia Jansen.

The LP had side-stepped all the legislated procedures laid down for the passing of the budget, which they refused to pass on the grounds that they would be 'administering apartheid'. In the absence of a CRC vote on the budget, the executive, the chairman or any CRC member appointed by the Minister of Coloured

Relations, or even the Minister himself, could approve the budget.

Leon suddenly sprang to a position of national fame, receiving the backing of even the conservative Cape Teachers' Association and militants like Hassan Howa.

#### THE 1977 CONSTITUTIONAL PROPOSALS

In view of the current debate on constitutional change and the LP's decision to go inside, it is significant to look at the party's reaction to government's 1977 constitutional proposals, on which the present proposals are largely based.

The statement of rejection issued by the party's national executive read in part:

'The proposals are designed to entrench apartheid in the constitution by preserving the so-called ethnic divisions of "coloureds, Indians and whites". We see the plans as a subterfuge for using "coloureds" and "Indians" as tools to entrench exclusive National Party rule by effectively excluding opposition political parties which are necessary to a truly democratic society.

'The plans aim to give dictatorial powers to the State President by giving the person elected to this post wide powers which will affect the lives of all South Africans.

'The plans are solely and exclusively those of the government and as such do not in any respect accord to the democratic principle that all the people of South Africa could, through their authentic representatives, have an effective say in designing a new constitution and that their approval for such a constitution be sought through the democratic procedure of a national referendum.

'The plan seeks to create an alliance of whites, coloureds and Indians and even if this alliance were to be comprised of fully equal partners, which it does not since it fully accommodates white domination and an inferior status for coloureds and Indians, such an alliance is totally unacceptable to the Labour Party because it will completely accelerate the intensifying racial conflict instead of eliminating it.

'The only solution acceptable to us would be the holding of a National Convention representative of all South Africans in order to formulate a new constitution for the country. This will provide the means to find a just solution to the problems facing our country'.

If the same statement had been issued in 1983 as a response to the government's constitutional proposals, it would have been tailor-made for the situation, without any changes having to be made in the wording. It is interesting to note here that the LP's demand for a national convention is exactly the same demand being made now (as in the past) by progressive movements who reject the constitutional proposals. The reasons given by the LP for rejecting the 1977 proposals are similar to those being given by progressive groups presently rejecting the latest proposals.

#### THE CRC COLLAPSES

By 1978, the CRC had reached something of an impasse. The LP continued to play a largely obstructionist role, forcing the government to resort to dictatorial methods in getting policy, budgets and appointments through. But the party itself, viewed from the start with a certain degree of scepticism in the coloured community, was coming under increasing fire for its ambivalent stance - talking the politics of liberation, but practising the politics of collaboration.

In a November, 1978, interview, Professor Jakes Gerwel of the University of the Western Cape said: 'I have been a great critic of the Labour Party for its part in a separate institution like the CRC, but in retrospect it has played a significant role in politicising the coloured people. But the fact is that the Labour Party gave life to a dead horse by going into the CRC in the first place. Most of the so-called coloured people are not participating in the CRC'.

In April, 1979, the CRC's du Preez Commission, set up to investigate alternatives to the government's constitutional proposals, came out with a report which was

unanimously accepted. Its main proposals were: one person, one vote in a unitary South Africa, irrespective of race; and the removal of all legislation which classifies people in terms of their colour. The commission described the envisaged establishment of three separate chambers of parliament as a 'gross deception'.

Hendrickse, then as now leader of the LP, described government's 1977 constitutional proposals, which do not differ fundamentally from the 1982 plans, as indicative of 'decadence, immorality and a sick society and an attempt to entrench racism in the constitution'.

When the LP refused to give evidence to the Schlebusch Commission investigating constitutional changes, PW Botha bluntly told them that if they would not co-operate with him, he would find coloured leaders who would. He added: 'I want to give you a final warning. I say again: One man, one vote in this country is out. That is definite. And now I want to say something further: Don't try to do anything unconstitutional....you will be sorry for yourself....and any man who tries that will be sorry for himself'.

The CRC was finally abolished by the government in February, 1980, and replaced by the fully-nominated Coloured Persons Council (CPC). This council never got beyond the planning stage.

Curry hailed the decision as 'a victory for the party and a ratification of its stand for using the platform of the CRC to destroy the basic structure of the policy of separate development as far as the coloured people are concerned. It is a recognition of the power of the LP and an admission by the government that it fears coloured voters by appointing a fully nominated council and not holding elections.

'It also clearly exposes the bankruptcy of the government when it has to resort to legislation to remove elected leaders - elected in terms of its own policy. The people nominated to the new council will be looked upon as representatives of the government and not of the people'.

The collapse of the CRC was hailed by not only the LP, but also

by some progressive organisations, as a victory of the people. With the end of the CRC, LP members lost their salaries of R15 000 a year, although the longer-serving members got a 50 percent pension. They had refused to occupy their official residences in protest against the living conditions of the coloured people, although members of the executive nevertheless made full use of official vehicles and chauffeurs allocated to them.

At this stage, it is appropriate to examine briefly the LP's participation in and 'wrecking' of the CRC, and to evaluate the effectiveness of that participation. This examination is especially pertinent in view of the fact that in every speech currently being made by the party's leadership, they stress their role in the CRC as being a major victory of the past. They claim that should participation in the tri-cameral parliament not live up to their expectations, their modus operandi in the CRC will again guide their actions.

This writer believes that the praise which has been accorded the LP in the past for their role in destroying the CRC is misguided. Professor Gerwel summed up the situation when he said in November, 1978, that the party had given 'life to a dead horse'. They had already proved their point about apartheid institutions in 1969 when the government appointed 20 apartheid-supporting nominees to the council to nullify the LP majority.

Their participation in and outspoken criticism of the CRC gave it a credibility it could never have achieved had they refused to take up their seats, or, more effectively, refused to even contest elections. It is pertinent to note that once the LP no longer played ball, and refused to have anything to do with the CPC as established in 1980, government simply allowed the whole thing to die a natural death and sought a more 'acceptable' facade of 'reform'. Perhaps they realised that, without the LP, the system would not even achieve the minimum amount of credibility usually looked for when dummy bodies are established.

## LABOUR PARTY AND THE PC PROPOSALS

The next step in the LP saga was their refusal in 1980 to serve on the President's Council, and their repetition of the call for a national convention. The LP had participated in the 1978/79 boycott of Fattis and Monis products in support of the strike - although it was forced to withdraw from the co-ordinating committee in the face of opposition from UWC students. The LP also refused to have anything to do with the 1981 Republic Day festivals.

In June, 1981, Curry again rejected the proposed separate parliaments for whites, indians and coloureds, and repeated the call for one man, one vote in a unitary South Africa. At its December congress that year, the party finally repealed their opposition to disinvestment, and called for a full economic boycott of South Africa. But it also called on the party leadership to go ahead with negotiations with Botha for 'a new and acceptable constitution for South Africa'.

However, the LP continued to serve on coloured local management committees, the coloured version of the african community councils, and the party has never taken a principled stand on this issue. Indeed, Curry is still the chairman of Assomac, the Association of Management Committees.

Their stand on this issue was laid out at the December, 1981, congress, when a code of conduct for participation was adopted. This read in part that:

'Party members serving on management committees shall extract from their service every political benefit possible for the party and shall not co-operate with their respective local authorities in any manner that might serve to entrench the current system of local government'.

In addition, LP members were banned from attending mayoral and mancom ceremonies, 'except where contact can be made with and influence exerted on foreign dignitaries and people who can further the interests and objectives of the party'.

At the annual Assomac congress in October last year, the association rejected government's constitutional proposals because they entrenched



apartheid and white domination.

Here, as in the CRC, the LP has given powerless, ineffective bodies a credibility they do not deserve. Through the use of radical rhetoric and co-optation of progressive issues, they have managed to build an image of being a left-leaning party, an image which, in the writer's view, is totally undeserved.

The final point to be looked at in this brief history of the LP, is Curry's response to the constitutional proposals of the President's Council - which differed from those originally put forward by government only to a minute degree. In fact, the only real deviation from government's proposals was from a liberal perspective: minor checks were imposed on the executive president, this not being part of government's proposed constitution.

Interviewed after the second report of the PC's constitutional committee was released, Curry said that the proposals were 'a clever and sophisticated scheme for entrenching white baaskap'. He said he could not believe the proposals would be acceptable to the coloured community', and that 'they seem to be a new version of the same recipe for conflict that we had in the old CRC'.

This from the same Curry who 42 days later rose to his feet and said 'We in the Labour Party have decided we are going inside'.

#### THE ESHOWE CONGRESS

The first point to note is that the congress was loaded with delegates from the rural areas. LP members like Louise Boesak and Norman Middleton, who resigned from the party in protest against the decision to 'go inside', alleged afterwards that small country constituencies like Upington, Victoria West and Kakamas, which normally never sent any delegates to the annual congress because of the expenses involved, were represented this year by four or five delegates each.

The rural presence is significant because in most rural areas the LP is the only political platform farm labourers and other workers have for articulating their grievances. The only alternative is the NG Sendingkerk, which although it adopted a number of

progressive positions at its four-yearly synod in Belhar last year, is notoriously conservative in most rural areas.

A second consideration is that the management committees are far stronger in the rural areas than in the cities, where they have been largely discredited by progressive community groups which command the majority of popular support, especially in the western Cape.

Management committees in the rural areas deal on a day-to-day basis with ultra-conservative white town councils and village management boards, and their support base consists mainly of farm workers. The farm workers, in turn, have generally been subjected to an ongoing process of brutal exploitation and denial of even the most basic of human rights. Their main aim is simply to maintain a day-to-day existence and ensure that when their children are old enough (and often when they are well below the legal age) they are able to work for a farmer in the area without being blacklisted as 'agitators'.

As Solly Essop, chairperson of the Karroo region of management committees and head of the Beaufort West Farmworkers' Union puts it: 'Our people have been so brutally deprived on a sociological, political and economic level - not to talk of the more practical aspects like education - that we could almost be termed a race on our own. Even our physical development has been retarded because of bad feeding, slave-type labour conditions and our general living conditions. You would be amazed looking at our people and their physical characteristics. Many of them do not look like so-called coloureds even. For us not to co-operate with the local authorities would mean suicide; it is a matter of survival - and that is no exaggeration' (interview with the writer, December, 1982).

Although the LP began as a primarily urban party, it has increasingly drawn its support from the rural areas, and as was indicated in the party's code of conduct for management committees, 'party members serving on management committees shall extract from their service every political benefit possible for the party'.

The second section of the code - 'and shall not cooperate with their respective local authorities in any

manner that might serve to entrench the current system of local government' - has largely been ignored as mancom members face the twin demands of trying to derive some benefit for their communities from the mancoms, and the need to survive comfortably in the face of the naked edge of apartheid and white racism.

It is clear then that rural delegates had by far the most to win from a decision to 'go inside'. They are the ones on the cutting edge of racism who have to deal far more directly with the system than their urban counterparts - and the LP power clique at the congress fully exploited this voting bloc.

The power clique consisted mainly of four men - Hendrickse, Curry, the Transvaal leader, Jac Rabie, and the western Cape chairperson, Carter Ebrahim. Rabie and Ebrahim were both on the committee which drew up the final resolution committing the party to full participation in the new parliament.

Curry chaired the entire congress, only handing over the chair to Hendrickse when he himself spoke. He ran proceedings with an iron fist, not allowing speakers to deviate too far from the point under discussion, and yet, on the surface, allowing full democratic debate. The crux of the congress came late on the Tuesday afternoon, when the resolutions committee, which included in its membership two of the power clique, Rabie and Ebrahim, retired to draw up the final resolution.

While they were deliberating, Curry delivered his 'going inside' speech, drawing a standing ovation from the crowd. Then Hendrickse read out the resolution, which was framed in ambiguous language, to say the least.

It read:

'The Labour Party of South Africa believes in the effective participation of all South Africans, irrespective of race, colour or creed in the councils of the nation at all levels. The party does not see the proposals of the National Party as being the answer to the constitutional demands of the people. Because of the exclusion of the greatest number of people, the Africans, it is not the answer to the constitutional demands of our time. It entrenches ethnicity. We reiterate our demands for and

belief in one man, one vote in a unitary system, the latter being negotiable.

'However, the Labour Party believes that its participation within the tri-cameral parliament and subsequent standing councils can assist us in the achievement of our goals and constitutional objectives,' and further instructs its leaders to continue on the road of negotiation with the government of the day.'

Hendrickse read the resolution out in English and Afrikaans 'so there can be no misunderstanding', and then called for a show of hands, without having first called for amendments or objections. There were nine votes against, and about fifty abstentions.

Norman Middleton, former deputy leader of the LP who resigned from the party the next day, recalls later that:

'Most of the people there didn't really know what they were voting for. It was a massive confidence trick. They thought they were rejecting the proposals, when in fact they were selling the soul of the so-called coloured people in exchange for the guaranteed comforts of the party elite. People came up to me that day and said "Norman, why have you resigned? We have rejected the proposals, we have told the government they have not gone far enough". They were tricked into selling black unity down the river' (interview with the writer, January, 1983).

He and other leading members of the party also alleged that at no stage was the decision to 'go inside' - which was decided upon at least two months before the congress, according to PFP members who had close contact with Curry and Hendrickse - discussed with members of the party's national executive who were known to be part of the LP's 'militant wing'. These members included the deputy national leader, Miley Richards, Ms Boesak and Middleton.

If there were any illusions left about the stand taken by the party, Hendrickse and Curry dispelled them the next morning at a press conference, when they told journalists that they were going to parliament unconditionally, that no guarantees of change had been asked for or given, and that no timetable had been set for the removal of apartheid or for fundamental change

to South African society. 'PW Botha's speech in Bloemfontein was a sufficient declaration of intent,' Hendrickse said.

#### AFTER ESHOWE

Subsequent to the congress, Curry, Hendrickse and Rabie (who has emerged as a leading figure in the party this month) have been using all the rhetoric of the left to justify their stand. They have unabashedly quoted verbatim from a speech given by Nelson Mandela in February, 1958, where he distinguishes between boycott as a tactic and boycott as a principle to be adhered to regardless.

They deny that they have accepted the government's proposals, and point to the preamble to the motion of acceptance as proof of this non-acceptance. They maintain that if they cannot make the system work for them, they will destroy it in the way they forced the CRC to collapse, and will use their position within the parliament to gain full political rights for all South Africans and the removal of apartheid legislation.

In a recent article, Rabie talks of 'the great Nelson Mandela' and says: 'With its national conference held at Eshowe, the LP arrived at a crucial stage in the history of the party, its people and the black communities. It was realised that the politics of protest only was over, affirmative action was imperative, and that we must think in terms of power at this stage.'

'We were fully aware that, in the boycott instance there is the failure to draw the vital distinction between participation in the new scheme of things by people who accept racial discrimination and who wish to cooperate with the government in the oppression and exploitation of their own people, on the one hand, and the participation - not because of any desire to exploit them, but in the interests of the liberation struggle and a true democracy - on the other hand ...

'... I can therefore only say to our critics: Stop dividing the community even further. We have never condemned the strategies you applied in the total liberation struggle. To say the LP has "sold out" smacks of opportunism and naivety of the highest order. The

use of such distasteful divisionary tactics is the brainchild of the oppressors to perpetuate our oppression ad infinitum.'

But the facts remain. It is not the critics of the LP who are dividing the community, but the LP itself. The decision to 'go inside' should have come as no surprise to any students of the history of the LP. The decision was fully in keeping with the party's past and its collaborationist stance adopted in the CRC. The CRC was small potatoes - the new parliament is the big pumpkin that has turned the LP from being a Cinderella party on the outside to being the darling princess of the government on the inside.

So where to now?

The LP has committed itself fully to a parliament which is based on two premises: both Botha and Heunis are on record as saying the removal of the Group Areas Act and the inclusion of africans in the new dispensation constitute non-negotiables.

The party, representing a minority of coloureds, has committed the coloured people to full military service, to fighting in the war zone in defence of apartheid against black fellow South Africans and Namibians.

Both Botha and Heunis, in the campaign to retain party support following the split in the NP last year, stressed at public meetings that 'we cannot expect coloured and Indian people to help defend the country if they do not have the vote.'

The LP has entered the parliament reassuring its supporters that if things don't work out they will treat it in the same way they treated the CRC and make it unworkable.

It would be charitable in the extreme to believe that they, in turn, really believe this. The government learnt its lessons well from the CRC debacle. The new parliament - although at the time of writing draft legislation was yet to be published spelling out all the finer details - will operate on very low quorums which will allow two chambers, or even one, to continue operating and pass legislation should one chamber decide to boycott proceedings.

White domination is entrenched in the constitution and the 4:2:1 representation ratio for whites: coloureds:indians can only be removed by a two-thirds majority of all three

chambers sitting simultaneously.

The powerful executive president will be elected by an electoral college, the majority of whom (50 out of 88) will be elected by the ruling white party. The president, in turn, appoints 25 members of the new-look president's council, with the remaining 35 members elected on a 20:10:5 basis by the three chambers. The PC, in turn, has a life or death say over legislation on which the three chambers cannot reach consensus. In the final departure from any accepted democratic norms, the cabinet, which will be wholly appointed by the president, will be the initiator of most legislation.

This is the structure to which the LP has committed itself, a structure which will continue to be responsible for the administering of apartheid laws and repressive legislation on the security front, which will administer influx control and the continued resettlement of africans in impoverished rural areas, and which will continue to have nominal control over South Africa's war machine.

As Dr Allan Boesak put it at the congress of the Transvaal Anti-SAIC Committee on 23 January: 'These are the junior partners of apartheid. From now on, they will share the responsibility for apartheid, for the creation of yet more homelands, for the resettlement of black people, for the rape of our human dignity.'

Referring to Botha and Dr Andries Treurnicht, he said:

'The argument between these two gentlemen is not about the ideology of apartheid but about the most effective way in which white control of the economy and white political domination can survive.'

The government, in the short-term, has found the most effective way to maintain white control of the economy and of South Africa's political life, and in the Labour Party, it has found a very willing junior partner.

It is pointless to speculate about what was offered to the leadership in purely material terms in return for the pre-guaranteed results of the Eshwe congress. Some say Curry will become Minister of Sport and Hendrickse Minister of the Interior. Certainly they are both destined for cabinet positions with all the concomitant housing,

financial and other fringe benefits which go with the post. No amount of radical rhetoric will convince progressives in the community that their talk of reforming the system from within is sincere. The possibilities for action within the new parliament are so limited and the mechanisms for entrenched white domination so crude that it would have taken far lower intellects than those of Curry, Hendrickse and Rabie to be fooled by them.

#### OTHER RESPONSES

Along with the LP's decision to 'go inside', has come an entirely new challenge to progressive organisations - how to counter the new constitution and work towards a democratic South Africa.

At the TASC congress in Johannesburg, a significant new body was formed, a united democratic front. According to the TASC chairperson, Dr Essop Jassat, it will 'fight together side by side against the government's constitutional and reform proposals' and would urgently seek to unite progressive organisations on a non-racial basis to fight the new constitution.

Any organisation which subscribes to the united democratic front's declaration of intent - including the PFP and Inkatha if they agreed to the declaration - would be allowed to join although the right was reserved to exclude certain, unspecified organisations. It called for a national convention to be held, a prior condition to which would be the return of all exiles and those banished, the unbanning of all persons and organisations, the release of political prisoners and the repeal of all unjust laws.

It would seem at this stage that the united democratic front will be able to unite a broad front of democratic opposition in one of the biggest mass resistance campaigns seen in South African history. Only one organisation on the 'left' has thus far rejected the united democratic front, the black consciousness group, AZAPO.

A movement formed in response to the proposals in the Cape, the People's Congress Party, replacing PC member,

Lofty Adams' Congress of the People, has announced that it will form a 'front' dedicated to fighting the Labour Party in elections and then refusing to take up its seats in the new parliament - the same strategy announced but never adopted by the LP with regard to the CRC. Cape community leaders have already denounced this plan as being divisive and naive, and even those who have recently resigned from the LP, like Middleton and Ms Boesak, have warned that the new parliament is not a 'plaything like the CRC'. At best, the intentions of the PCP can be described as naive - at worst as gross opportunism and divisive in the extreme.

A third and somewhat bizarre front has also emerged - that of Inkatha president and chief minister of KwaZulu, Gatsha Buthelezi, in concert with one of the most repressive 'leaders' in southern Africa, George Matanzima of the Transkei, and Cedric Phatudi of Lebowa. Phatudi said after their meeting that they hoped to gain the support of the SACC, the Committee of Ten and 'Indian leaders'.

At an earlier meeting between Buthelezi and Matanzima it was agreed that a strategy would be adopted whereby KwaZulu and other bantustans would 'hold out' and not accept 'independence' while the Transkei and other 'independent homelands' would oppose any constitutional changes leading to a confederal framework.

Certainly, the LP will no longer be allowed to be a member of the SA Black Alliance, of which Buthelezi is the president.

Then, they no longer need the backing of this somewhat dubious coalition as they are now part of the full apartheid alliance - and therein, it seems, lies the future of the Labour Party.

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# dissertations

**DSG/SARS DISSERTATION SERIES\***

The Southern African Research Service (SARS), in conjunction with the Development Studies Group (DSG), is publishing certain dissertations which would not otherwise become easily available.

The first in this series, submitted as part of a BA (honours) degree at the University of Witwatersrand by JM Perimen, is entitled

**The State and the African Working Class in the Pretoria - Odi Area: Population Relocation, State Management and Class Restructuring.**

This publication will become available during August 1982 and can be ordered from either

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The cost in South Africa will be R1,50 per copy.

This dissertation, by John Perimen, examines the policies, practises and structures through which the South African state has tried to regulate the residence, movement and employment of the african population - and the working class in particular - in what the author calls the Pretoria - Odi complex.

The focus is mainly on Ga-Rankuwa and Mabopane, which are townships in the 'independent' bantustan of BophuthaTswana; on Sothangwe which was excised from BophuthaTswana in 1976; and on the densely settled 'squatter' areas of Winterveld and Mankus which border on these townships.

The Pretoria townships of Mamelodi and Atteridgeville are also discussed and examined.

\* The DSG/SARS Dissertation Series complements and expands a similar service run by the Africa Perspective group. Forthcoming titles produced in both series will be announced from time to time.

# RECOGNISING BLACK TRADE UNIONS

THE CHAMBER OF MINES RECENTLY DROPPED UNION REGISTRATION AS A CONDITION FOR DEALING WITH TRADE UNIONS ORGANISING AFRICAN MINE WORKERS. THE CHAMBER'S 1981 POLICY GUIDELINES ON THE UNIONISATION OF AFRICAN MINE LABOUR SPECIFIED THAT NEGOTIATIONS WOULD NOT TAKE PLACE WITH UNREGISTERED UNIONS. HOWEVER, SINCE THEN A NUMBER OF UNREGISTERED AFRICAN UNIONS HAVE MADE HEADWAY ON CERTAIN MINES, AND IN DECEMBER 1982 THE CHAMBER REVERSED ITS POLICY ON REGISTRATION.

IN A FOLLOW-UP TO THE WIP 24 ARTICLE ON 'UNIONISING MINE WORKERS', GEORGINA JAFFEE INTERVIEWED NATIONAL UNION OF MINeworkERS' GENERAL SECRETARY CYRIL RAMAPHOSA, AND ANGLO-AMERICAN'S INDUSTRIAL RELATIONS OFFICER, BOBBY GODSELL.

Towards the end of 1982, unprecedented developments occurred in the labour relations characterising the mining industry. For the first time in the history of South African mining, the way was officially opened for both registered and unregistered unions to recruit members on mines throughout the industry.

During the year mining bosses bemoaned the effects of recession on the price of gold and base metals. Some companies closed selected mines, requested state subsidies and cut capital expenditure projects.\* However, for the 600 000 african mine workers there was reason for some optimism at the prospect of bettering wages and working conditions through the formation of trade unions.

In September 1982, the Chamber of Mines signed its first recognition

\* It was reported in June that more than a quarter of the 47 mines were operating at a loss after the price of gold dropped to \$300 an ounce during the same month.

agreement with a black union, the Federated Mining, Explosives and Chemical Workers' Union (FMECWU). This opened the way for negotiations with other black unions which had begun moving onto the mines during the course of the year.

The National Union of Mineworkers (NUM), an affiliate of the Council of Unions of South Africa (CUSA), claims significant progress in negotiations for recognition with both the Chamber of Mines and individual mining houses. It was recently reported that the Chamber was considering an application from NUM for recognition of certain categories of workers at Western Holding's Welkom Division, as well as at the Elandsrand mine.

The National Union of Mineworkers, with a claimed membership of 14 000, began organising in September 1982. It has shattered the complacency of an industry which has historically attempted to break all forms of african worker organisation on the mines.

Sources close to the union movement confirm that other independent unions have also acquired significant membership of the mines. But so far, only the NUM has had formal dealings with the Chamber.

According to NUM general secretary Cyril Ramaphosa, access to mine property has been granted by Anglo-American, Goldfields and Rand Mines. Approaches to JCI and Gencor have proved fruitless.

Anglo-American's Godsell confirms that the NUM has between 10 000 and 12 000 members on this company's mines. The union has been granted access to the hostels, meeting facilities, and has also been given an office on mine property.

Godsell says that NUM was granted access to Anglo-American mines well before the Chamber revised their criteria for recognition. Previously, the Chamber had insisted that registration be a criterion

for the recognition of black mine unions. However, in December 1982, a policy shift was announced which withdrew the registration demand as a criterion for recognition. This appeared to be a direct response to NUM's announcement at its inaugural meeting of 4 December, 1982, that they had no intention of applying for registration:

'We viewed registration as a method of controlling unions in that you have to be answerable to the state - we do not want state interference', said Ramaphosa, adding that the union had been very surprised at the Chamber's revised recognition guidelines.

Explaining the Chamber's decision to drop their registration criterion for recognition of unions, Godsell said that this 'was not a reaction to the NUM's decision but should be seen as a development in employer thinking on what is important in union - management relations. There has been a growing feeling in most employer organisations that registration is something that regulates the union by the state, and not something material to union - management relations. There is now a consensus view that legitimate interference should not go beyond the types of controls and submissions which are placed, for example, on quoted companies'.

Besides the Chamber's policy shift on the registration issue, other new criteria for recognition have been set out. These include

- + acceptance of the union's constitution by the Chamber;
- + proof of a union's representivity;
- + the union must sign an agreement with the Chamber detailing which job categories at which mines the union will represent;
- + there will be joint negotiation by unions with the Chamber in the event of more than one union representing the same job category of workers;
- + a union will lose its recognition if it is no longer sufficiently representative.

Policy on check-off facilities for payment of union dues has also changed in the Chamber's new recognition guidelines. The collection of union dues via an automatic wage deduction was previously a benefit

reserved for registered unions. This facility can now be obtained by unregistered unions which gain recognition from the Chamber.

Despite these changes, the NUM remains dissatisfied with many of the stipulations set out by the Chamber. These include the job category registration procedure, and the Chamber's requirement that unions bargain through a central body rather than with individual mine managements.

According to Ramaphosa, job category registration is a 'ploy by management to divide the workers'. Nevertheless, NUM has decided to apply for job category recognition. 'It is being done as a means to an end - we would like to show our members that we can represent them in wages and grievances. At the present time we have covered 21 job categories on the mines where we are represented. We will apply with our strongest, best represented category. This will be the Team Leaders. It is our strategy to get them organised first so that they can then recruit members'.

The Chamber's insistence on collective bargaining procedures through a central body are also seen as problematic by the union. The Chamber will maintain control over arbitration procedures by insisting that unions join centralised negotiations. Bargaining must take place within this Chamber - union agreed framework. This means that if the union has applied for recognition of one category of workers on one mine, and negotiated an increase for these workers, the percentage increase will have to be agreed to by all the other mining houses before being implemented. This could benefit the union where increases are gained across the board for a particular category of workers. However, the process of centralised bargaining cuts off the possibility of a union negotiating higher wages with a mining house more accommodating than the Chamber.

The recent development of *amalgamated mining operations* in the industry will also obstruct unions in negotiating higher wages on individual mines. The precise details and implications of this have not as yet been clarified.

According to Anglo's Godsell,

the central question is whether it would be possible to pay different wages for the same job category. If this is the case, it will have the effect of restructuring the entire hierarchical wage structure, including wage scales for white mine workers.

There has already been widespread reaction from the white mine unions. In November 1982, it was announced that the all-white Council of Mining Unions had disbanded and a new Confederation of Associations and Mine Unions formed. This is the first time that all these unions have joined forces in the mining industry.

The new confederation now includes those unions affiliated to the old Council of Mining Unions, as well as the officials' associations. There was an initial hope that the new confederation would open its doors to african and coloured members, but soon after its formation it refused membership to the FMECWU. This has led to further divisions within the industry, and the possibility of the formation of a federation for black unions which may include both the FMECWU and the National Union of Mineworkers.

Further resistance against the new labour measures was displayed by white miners when the Mine Workers' Union announced on 3 December that it had launched a campaign to recruit white metal workers on a large scale. This is part of the MWU's plan to organise all white workers into one large union.

After a three-year delay, the Department of Manpower recently granted the MWU the power to grant affiliated bargaining rights to Iscor (Vanderbijlpark) workers. This means that the MWU can now recruit white metal workers at Iscor and private plants in Pretoria, Witbank and Vanderbijlpark.

These developments have placed further obstacles in the way of relations between the new mining confederation and the emerging unions. Nevertheless, the new unions will have an important impact on the industry's relations with white workers and their unions.

Godsell feels that the MWU 'will be envious of the types of agreements which will be signed

with the new black unions. This will have the effect of establishing a more workable industrial relations system with white workers which up to now has not given the white miners control over their positions, leading them to rely on state intervention to protect their jobs'.

Opposition to job reservation was expressed in a NUM resolution passed at its December conference. This remains one of the most controversial issues in the industry. According to Ramaphosa, job reservation is a major grievance of NUM's new membership. On this issue, the stage is set for an acrimonious battle between black and white mine workers.

However, the major grievance of african mine workers remains low wages. Ramaphosa expects to play an active role in the mid-1983 wage negotiations. With the recent increase in the price of gold, the union may have a better chance of achieving important increases for african miners. Ramaphosa hopes to tie up as many negotiation agreements as possible before this year's wage negotiations. According to Godsell, there is enough flexibility to achieve advances on present wages and for wages to keep up with the inflation rate.

Against this background of what appears to be a positive policy revision by the Chamber and mining houses, there are still many obstacles to the development of representative unions for mine workers.

Ramaphosa reports that incidents of intimidation and harassment of union members have become common from lower and middle management - even on mines where the union has established a good working relationship with head office.

In addition to this, there appears to be much scrutiny from the Chamber of the type of unions acceptable to the industry. Godsell remarked that although the registration requirement had been withdrawn, 'the industry wants to make a judgement about the bona fide nature of the trade union - that is whether it is a trade union or a type of organisation like PEBCO, a political organisation. This is why we look at the union's constitution. Bona fide unionism



became the primary question for the granting of access (to mine workers)'.  
Ramaphosa does not fully accept Godsell's definition of trade unionism. He responds that: 'As a trade union, our first loyalty is to the members in their working environment. Obviously his working environment is affected by his social and political environment. It is obvious that we won't only be looking at his working environment because these other environments affect his working place. So as a trade union our first task is to get recognition and to represent workers. And wherever they are affected by social oppression then we as a trade union have to face that. Otherwise we would be failing in our role to uplift workers' living conditions, as our constitution says. We are not at this stage saying that we won't say anything on politics because job reservation itself is political. Yes, we will be tackling issues that affect the workplace, and issues that affect (workers') lives entirely'.

Asked to explain the difference between this conception of trade unionism and that held by, for example, FOSATU, Ramaphosa said that 'They (FOSATU) are talking about working class struggle - and we talk about the workers' struggle. This is, I guess, an ideological difference. Affiliation to CUSA means that we uphold the black leadership concept. We ourselves



as a union want to uplift the workers so they can get into leadership positions as we believe that this country is going to be run by black people. If that is the case they have to get into leadership positions right now and as a union this is what we want to promote'.

#### FURTHER INFORMATION

A comprehensive article entitled 'Unionising Mine Workers' appeared in Work In Progress 24, (October 1982). This included information on job reservation on the mines, procedures

set out by the Chamber of Mines for collective bargaining, and a list of unions involved in organising black mine workers.

A detailed mining survey appeared as a supplement to the Financial Mail of 22 October, 1982.

For a description of team leaders - the category of workers which the NUM is concentrating organisational efforts on - see a paper by TD Moodie, 'The rules

are there to protect those in power only: structures of domination on a South African gold mine': History Workshop, University of Witwatersrand, 1978.

# RESERVE FOUR RESISTS REMOVAL

Three thousand Natal families have been living under the threat of removal since 1973. They stay in Reserve Four, a relatively fertile part of KwaZulu, north of Richards Bay. Their proposed relocation area is Ntambanana where soil is poor and drought an ongoing problem.

There are two chiefs' wards in Reserve Four - the Sokhulu ward and the Mbonambi ward. People in each of these wards have expressed hostility to being moved. The Sokhulu chief points out that Reserve Four is agriculturally more productive than other areas. 'This land supplies even different wards with food. Even during the drought, we had food and others brought their cattle here to graze. We are very concerned when we are told that we are to be removed. We prefer to die here,' said the chief.

The strong opposition of the people in Reserve Four appears to be the main reason why the removal of families has not yet taken place on a large scale. However, government officials have made it clear that the people will be relocated. The legal status of the area has been changed. It is no longer scheduled as part of KwaZulu. It is now a white area in terms of the Group Areas Act, but it is being administered at present by the South African Development Trust (the SADT).

Reserve Four stretches northwards along the coast between Richards Bay and the St Lucia Estuary. It has an area of 23 000ha (230 square km).

In the context of Natal, Reserve Four is an underdeveloped area. The contrast between it and the booming development point of Richards Bay to the south, where in recent years the state has been spending millions upon millions of rands on infrastructural development, is a telling one. Access roads, particularly in the Sokhulu area, are very poor, many being no more than sandy tracks through the plantations.

Most households in Reserve Four depend on wage labour to supply the major part of their income. Many

workers are employed in the docks and industries of Richards Bay. While some of these workers manage to commute on a daily basis, the poor roads and inadequate transport services see to it that many of them are weekly or monthly migrants. There is no high school in the area, although there are a number of primary schools - four in the Sokhulu ward. (It is not known how many there are in Mbonambi.) There are no permanent clinics in the reserve either, although mobile clinics do visit both the wards twice a month. Shops are few, small and expensive; in the Sokhulu ward there are five local shops and one bottle store.

Nevertheless, compared to most other parts of KwaZulu, the area is well-favoured, with valuable agricultural and mineral resources. Its potential is large - a potential earmarked by the planners in Pretoria for white control.

## GOOD FARMING LAND

Reserve Four is climatically one of the most favoured areas of KwaZulu. It lies within the sub-tropical coastal belt, in a high rainfall area. Its mean annual rainfall is between 1 200 and 1 400 mm, and its growing season is one of the longest in Natal, being over 200 days per annum. Although much of the soil is sandy and not especially fertile, there is a very fertile stretch on the south bank of the St Lucia estuary which is highly suitable for intensive cultivation, including that of sugar cane.

Much of the reserve is suitable for plantations and large parts have been planted, mainly with eucalyptus trees. Some of this is owned by local individuals who sell their wood to nearby sawmills and the rest is owned by the KwaZulu Department of Agriculture and Forestry, which leases the land from the Tribal Authorities. The annual income to the Sokhulu Tribal Authority from their lease is R2 600, which

is used to improve local facilities, particularly the schools.

The land is well grassed and erosion free. Homesteads are widely spaced. Most are sturdy and well-established, the materials used include wattle and daub, wood and reed, and bricks. Many of the homesteads are fenced with wire or wooden poles and surrounded by family plantations. Neither fuel nor water are problems although the latter, in springs and streams, is unprotected.

Agriculture plays a very important part in the domestic economy of the area, making a substantial contribution to the general well-being of the people. Although much of the agriculture practised is at a sub-subsistence level, there are people who make an independent living out of the land. In some cases a fairly extensive form of agriculture is practised. For those living close to the coast, fishing makes a further valuable contribution to household subsistence as well.

People grow a variety of sub-tropical fruits - avocado pears, bananas, pawpaws, etc. In the south, family roadside stalls line the main road into Richards bay and some of the women claim to make a reasonable living out of selling their surplus produce at their front doors. There are private and communal vegetable gardens. According to the Sokhulu chief, 'we plant bananas, madumbe, potatoes, sweet potatoes, cabbage, tomatoes, onions - all in abundance'. In the Sokhulu ward a number of interested farmers have also recently come together to form a Cassava Farmers' Association, and are experimenting with this crop, with technical assistance from the University of Zululand.

In a letter to the Natal Mercury condemning the proposed removal of the reserve, a former (white) resident of the area neighbouring on Reserve Four described the agricultural achievements of the people thus:

'The Sokhulu and Mbonambi people ... have a commendable record of self-help. Encouraged by the evident success of their white neighbours, and indeed in some cases assisted by these neighbours, the tribesmen have established numerous eucalyptus timber lots and small plantations throughout the area. Furthermore, they successfully grow orchard and garden crops such as avocados, bananas, pineapples,

pawpaws, etc as well as sweet potatoes and madumbes. Much of this has been achieved with the meagre cash input from the wage savings of the migrant male workers. I doubt if there is significant poverty in this reserve, and certainly the people are aware of the economic progress they have achieved, and of their potential for further development.'

#### POTENTIAL WEALTH FROM MINERALS

Reserve Four has very extensive mineral wealth. This wealth is not controlled by the people of the area, but by the SADT, which is the registered owner of the land.

The minerals are rutile, titanium oxide slag, low manganese iron and titaniferous magnetite. These minerals are used in the manufacture of a variety of products including paint, rubber, plastic, paper, iron castings, electrodes, glass and ceramics. They are being mined by a company known as Richards Bay Minerals (RBM) which signed a 25-year lease with the SADT in 1976.

In 1980, sales by RBM topped R60-million. The operation is the world's second largest producer of zircon and third largest producer of titanium. The mineral deposits are expected to last 30 years. In 1981, the Financial Mail described RBM as 'secretive' about its long-term plans. Company general manager, Roy MacPherson, told the FM he could divulge no information on the group's expansion plans unless he had the prior approval of the board. He also declined to provide any information on the company's export markets, saying this could be 'prejudicial to the company's interests'.

RBM is owned by South African, Canadian and United States interests. According to the Financial Mail, its shareholders are the:  
Quebec Iron and Titanium Corporation of Canada;  
Union Corporation of South Africa;  
Industrial Development Corporation (IDC);  
SA Mutual Life Assurance Society;  
Southern Life Association.

When mining started in the area questions were raised about the ecological damage that it would cause to the indigenous dune forests. The mining is carried out by a suction dredger that 'eats its way through the dunes

day and night' at a rate of between one and three metres a day. The mining companies (some of whom had apparently previously come under fire from conservationists in Australia, where a similar procedure was being used to mine titanium) have assured conservationists that the land being mined will be rehabilitated. In terms of its lease RBM is obliged to plant the denuded areas under trees and has apparently done so - although it is questionable whether exotic eucalyptus trees can be regarded as a full replacement for indigenous forest dunes.

It appears that no questions were raised about the mining being carried out in a scheduled reserve; the few press reports dealing with the establishment of the mine do not touch at all on the issue of compensation for the two tribes whose land is the source of such wealth.

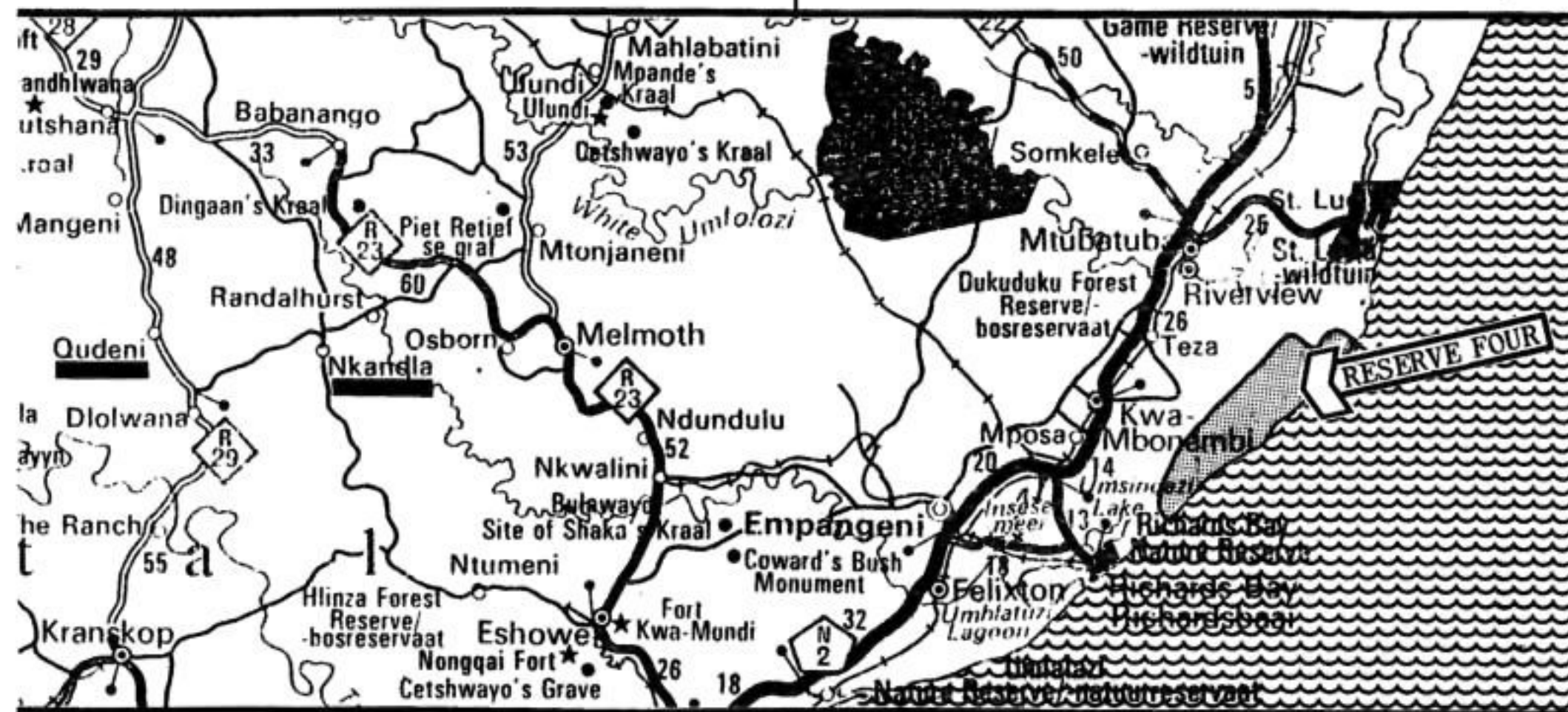
In terms of the lease signed between the SADT and Tisand (Pty) Ltd in 1976, the mining company undertook to pay a royalty calculated at 10% of its annual profit or R15 per ton of mineral concentrate (whichever was the higher), but no less than R50 000 in any one year, to the SADT. What this royalty amounts to at present is not known - but with RBM's sales topping R60-m in 1980, it is clearly way beyond R50 000 and must run into the millions. In 1977 the Natal Mercury reported that the mine would be producing 787 000 tons of processed minerals annually, valued then at R100-m.

income is not known either but it appears that very little, if any of it, is spent directly for the benefit of the people of Reserve Four. The money is presumably paid into the SADT's central funds in Pretoria; it is not inconceivable that it is being used to help finance the government's consolidation programme and could, therefore, end up being used to remove the people of Reserve Four from their land.

RIGHTS TO THE LAND

The question of mineral rights and ownership of the land raises fundamental questions about the legal status of the african reserves. In terms of the 1936 Development Land and Trust Act, all scheduled and released areas in South Africa are vested in the SADT. The legal position of the people living on that land is substantially that of tenants of the Trust. They have no claim to title to the land and thus no particular claim to the assets of that land. They may, in fact, be removed from the land by proclamation. Although they are entitled to compensation for any improvements they have made, they are not entitled to any compensation for the value of the land itself.

While the SADT is legally bound to administer the land on behalf of and for the benefit of the african people, its responsibility in this regard is of a general nature, ie it is not bound



to use the resources of a particular area specifically for the benefit of the people living in that area, but may use them as part of its general revenue. Thus the people of Reserve Four have no legal claim to the mineral wealth of their land and, as they have discovered, no legal claim to the land itself.

#### CONDITIONS IN NTAMBANANA

The advantages enjoyed by the people at Reserve Four become even more apparent when compared to the conditions at Ntambanana, their proposed relocation site. Ntambanana is a large wedge of Trust land jutting into an area of KwaZulu about 30km west of Empangeni. It was bought up by the SADT in the early 1970s, in anticipation of the removal of people out of the Richards Bay area. Climatically and agriculturally, it bears no resemblance to Reserve Four. It is dry, rugged country, suited for extensive cattle ranching, perhaps, but totally unsuited for dense settlement and crop cultivation. Its annual rainfall is substantially lower than that of Reserve Four - about 800 mm, on average - and drought is a recurring problem. In 1981 a farmer who had 'battled for 28 years to make a living there' and eventually left the area 'penniless', described it in the Natal Witness:

'I know what it is like to farm in Ntambanana. It's impossible. It is dry, thorn country with not one permanent running stream in the whole area. The soil is shallow, unfertile clay and the main river, the Enseleni, consists mostly of polluted pools unfit for humans or animals.'

A number of relocation areas have already been laid out at Ntambanana. About 6 000 people from Reserve Six were relocated into the northern section in 1976; they have been struggling with inadequate water and other problems since then.

Approximately 10km away, several hundred people from a small part of Reserve Four that has already been cleared in 1977 are housed in a closer settlement adjoining the Ntambanana police station. In addition, on the opposite side of the police station, there is a huge unoccupied 'fletcraft' settlement that stretches over several hillsides. It was erected in 1978/79,

presumably in preparation for removals that were regarded as imminent at that stage, but has been standing empty ever since: an eerie reminder of what is to come.

It seems that this ghost tintown was initially established for the people from Reserve Four, but the delay in their removal plus the hostility that they have shown to the area and the negative publicity that has surrounded the proposed removal may have produced a change of plan. It has been suggested that the government now intends to move the people from Reserve Four not into the closer settlement itself, but into the area to the north of it. Nevertheless, regardless of where in Ntambanana the government intends to place them, it is indisputable that the proposed relocation area does not compare at all with what the people of Reserve Four already enjoy.

The Sokhulu chief says:

'We are to be moved to a place which is dry. We're not used to it; we won't be able to cultivate it. It is stony. We've already developed this place. That place where we are to be moved - there is nothing there, only bush and stones. During the dry season there is no water and grass there. When we went to see it, we saw monkeys. Baboons are also there. Now it is said we must go and live there, leaving our lovely place where we have no complaints.'

#### HISTORY OF LAND OWNERSHIP

The Sokhulu and Mbonambi people have been settled in the area now known as Reserve Four long before Zululand was annexed by Natal in 1897. The present chief of the Sokhulu people is the ninth in a succession of chiefs stretching back at least to Shaka's time. He says: 'The Sokhulu people originated in this place - during the reign of Shaka, the Sokhulu people were already here. There were no white people here then. When they came they found us here.'

With the annexation of Zululand to Natal, Sokhulu rule was brought to an end. The present boundaries of the reserve were established by the Zululand Land Commission of 1902/04. According to one of the present Sokhulu councillors, the boundaries fixed at this time entailed a significant loss of land:

'These traditional lands called the reserves do not have their traditional boundaries. Most of the land was taken by the government and sold as farms to white farmers or proclaimed as State land.'

In 1909, ownership of Reserve Four and the 21 other Zululand reserves was vested in the Zululand Native Trust. This further restricted the people's claim to their land. The lands were to be held in trust 'for occupation by the Natives of Zululand and for their support, advantage and well being', but the individual reserves were not reserved exclusively for the particular tribes residing in them. The Trustees were empowered to exercise the 'removal of Natives from the land' and the 'removal of Natives from one part of the land to another'.

The establishment of the Union of South Africa in 1910 shifted control of Reserve Four away from the settler government in Natal. In 1912 the Zululand Trust, along with other similar Native Trusts, came under the administration of the Minister of Native Affairs, and in 1936 it was absorbed into the South African Native Trust (SANT) - later the SA Development Trust (SADT) - which thereupon became the registered owner of Reserve Four and the other Natal and Zululand reserves. Reserve Four was scheduled as an african area in 1913, in terms of the Natives Land Act.

From the late 1950s the reserve was drawn into the bantustan system of government. Tribal Authorities were established first in the Mbonambi ward, in 1959, and then the Sokhulu ward, in 1968. In 1968 these two Tribal Authorities, along with six other nearby Tribal Authorities were grouped together into the Amangwe Regional Authority. When the KwaZulu Territorial Authority was established in 1970, the Amangwe Regional Authority was included in its area of jurisdiction, and in 1972, when the KwaZulu Legislative Assembly was established it became an 'area' of the Assembly. In this way both the Sokhulu and the Mbonambi wards of Reserve Four were incorporated into KwaZulu.

#### FIRST THREATS OF REMOVAL

The first threat to Reserve Four came in 1973. It was isolated as one of

the african areas to become white in terms of the government's revised consolidation proposals for KwaZulu (a recommendation that was repeated in the 1975 set of proposals). Both sets of proposals were approved by parliament.

A number of factors came together to isolate Reserve Four as one of the areas to be recategorised - its proximity to the growth point of Richards Bay; its general situation along a coastline regarded by the government and the military as strategically sensitive; and its favourable agricultural prospects. Of these, its relationship to Richards Bay was probably the most important factor.

Work on the Richards Bay harbour started in 1973 and clearly the consolidation plans for the surrounding reserves were designed in relation to the massive development plans for the region: a development that the government had already insisted would remain in the white area. Reserve Four was one of three reserves ringing Richards Bay. The other two were Reserve Six, lying immediately to the west of the bay, and Reserve Ten, lying to the south. Reserve Six fell squarely in the way of the development of a town at Richards bay and it was also proposed for excision in the 1973 and 1975 proposals - its removal was seen as a priority and was rushed through in early 1976. Reserve Ten, however, was retained as the site for the new township of Esikhawini, whose construction as a labour reservoir for Richards Bay was announced in early 1975. It appears that while the planners wanted to keep a part of KwaZulu next to the growth point as its labour supply, they did not want to hem in the planned 'industrial giant' with pieces of KwaZulu on either side.

Strategic considerations reinforced this view. There has long been a general military interest in controlling occupation and use of the northern coastline, since this is regarded as a particularly sensitive area strategically. Reserve Four's proximity to Richards Bay probably further inflamed military fears about it as a potential shelter for subversives. It is one of the seven areas that have been proposed for excision in the coastal plains stretching north from Richards Bay to Mkuze and Sodwana Bay. If carried through in their entirety, the effect of these

removals will be to bring the whole of the northern coastline between Richards Bay and Sodwana Bay, as well as the land to the north and west of Lake St Lucia, under direct white control. Thus far only the proposals with regard to Reserve Six (removed in 1976) and Reserve Four and the Sodwana Bay area (excised from KwaZulu in 1981) have been implemented; so clearly the removal of these areas is considered the most pressing.

In addition, although not the primary incentive, the agricultural potential of Reserve Four as a timber area and, in the extreme north, a sugarcane growing area, probably served to seal the decision to excise it. It seems unlikely that the mineral wealth of the reserve played a direct part in the decision, since this was being exploited already; however, it is possible that it highlighted the general development potential of the area for government planners.

#### REMOVAL OF SMALL PORTION

In 1977 the first phase in the removal of Reserve Four was set in motion when a small portion of land in the south was excised and its people subsequently removed to Ntambanana.

Details of this removal are not known. The area involved was a little over 40ha in extent, the people numbered a few hundred. It appears that the land on which they were living was taken over by the state because of the construction of the Richards Bay airport in the vicinity. According to residents in Reserve Four, the people who were moved to Ntambabanana are struggling to make a living there and a number of residents of this area who wanted to avoid being relocated to such a place moved by themselves further up into Reserve Four in 1977/78.

#### PRESSURE TO REMOVE WHOLE AREA

Pressure on the rest of Reserve Four began to mount from 1978. In August, 1978, the Department of Plural Relations sent the Department of the KwaZulu Chief Minister a memorandum outlining the proposed excision of the reserve and requesting KwaZulu's help in organising a meeting with the chiefs of the reserve to discuss their relocation

to Ntambanana. At this stage what was being discussed was not excision from KwaZulu as such, but excision from the schedule of land reserved for african occupation in terms of the 1913 Land Act - ie the de-scheduling of the area so that it could revert to white occupation and ownership.

Although the Department did not commit itself to a date for the removal, it anticipated that this would start towards the end of the year. The memorandum stated that evaluators were planning to visit Reserve Four in October/November of that year to assess the compensation due to the people for their improvements, while the construction of the relocation site at Ntambanana was 'proceeding satisfactorily'. Their assessment of the ease and the speed of the removal of the reserve was soon proved to be unduly optimistic.

It does not appear that any evaluators did visit Reserve Four, either at this time or later - or if they did, the residents of Reserve Four were not informed and do not know what the results of their assessments are. However, a meeting between a Pretoria official and at least one of the chiefs, at Sokhulu, did take place in October 1978 - whether by the arrangement of Ulundi or not, is not known. At this and all subsequent dealings with officials, the Sokhulu people made their objections to being removed very clear. In February, 1979, the Department of Plural Relations notified the KwaZulu Secretary for the Interior that the meeting had taken place but gave no details on the discussion or their proposed follow-up to it. However, according to the Sokhulu Tribal Council, the official told them that Chief Buthelezi had agreed to their removal.

The Council refused to be drawn by this ploy, saying that they would need to get confirmation of such an agreement first. Subsequently the councillors went by themselves to Ntambanana, to see the area at first hand, and rejected it outright. On 5 November, 1978, they appealed to the KwaZulu Minister for the Interior to help them resist the removal; their objections to being moved were duly passed on to the Department of Plural Relations.

## PARLIAMENTARY APPROVAL

In early 1979 Prime Minister PW Botha announced the establishment of the Van der Walt Commission to re-examine the question of consolidation. Although heralding a new era of uncertainty about the final outcome of consolidation in Natal, the announcement did not materially affect Reserve Four - the government had already made up its mind on this area. In May, 1979, the Department of Plural Relations tabled a memorandum in parliament recommending that Reserve Four be de-scheduled.

The matter was then referred to the Select Committee on Plural Relations and Development, which produced a series of recommendations that mirrored those drafted by the Department. These were presented to the House of Assembly on 14 June, 1979, and, predictably, approved, with only the opposition Progressive Federal Party objecting. From the House of Assembly the recommendations were forwarded to the Senate for its approval. It has not been finally established whether a proclamation actually descheduling the area was subsequently gazetted or not; however, the formality of parliamentary review as stipulated in the 1936 Development and Trust Act had thus been met by mid-1979.

These preliminary steps in the removal of Reserve Four passed by virtually unnoticed in the press. The people living in the reserve were not informed of what had happened, although Ulundi had been kept informed of Pretoria's intentions.

## COMPENSATORY LAND

In terms of the 1936 Development Trust and Land Act, the total area of land scheduled as reserves in 1913 in each of the four provinces cannot be reduced. Thus, if a scheduled area is excised, then compensatory land of equivalent agricultural and pastoral value has to be added to the schedule in return. It would appear that the form of this requirement has been met with regard to Reserve Four, but what requires further investigation is the degree to which land 'of equivalent agricultural and pastoral value' has been added to the schedule. (The issue of compensatory land in this instance concerns the schedule, not the people

who may be removed - their claim to compensation is for their improvements only, and not the land. As has happened in the case of Reserve Four, the people to be removed need not necessarily be allocated the compensatory land that is added to the schedule.)

In finding compensatory land for Reserve Four, Pretoria made a revealing switch in plans between 1978 and 1979. In August, 1978, in its discussions with Ulundi, the Department of Plural Relations indicated that the compensatory land was to be found on the Makhathini Flats in the Ingwavuma district, north of Reserve 15.

However, by the time its proposals were tabled in parliament, in May, 1979, it had changed its mind. Instead of land in the Ingwavuma district, it earmarked Trust land in the Nkandla district as the required compensation to the schedule, and this was duly approved. The significance of the change was not apparent at the time but, in retrospect, it was clearly occasioned by Pretoria's intention to hand the Ingwavuma district over to Swaziland: a step which would make the Makhathini Flats unsuitable for compensation purposes since that would involve a further reduction to the schedule at a later stage. Although this proposed land deal did not surface as a major political issue until 1982, it was reported on as early as June, 1979, as one of the proposals being promoted within government circles by the Van der Walt Commission.

The fact that as late as August, 1978, the Ingwavuma state lands were being considered for incorporation into the Natal schedule indicates that the subsequent attempt to hand that area over to Swaziland was part of a more recent initiative to force the pace of building Pretoria's 'constellation of States', one which only took off in late 1978/early 1979, and which the establishment of the Van der Walt Consolidation Commission was intended to promote. The fact that Pretoria could switch round the compensatory land for Reserve Four so readily, and so abruptly, shows how secondary the issues of planning and development in the bantustans are in its overall plan for this constellation.

The compensatory land eventually added to the Natal schedule consists of 20 098ha of land stretching from the village of Nkandla in the east and



to Qudeni in the west ~ 3 374ha of land less than the 23 472ha of land at Reserve Four. The Act does not stipulate that land of exactly the same area has to be added to the schedule, although the broad intention is to keep the area of the scheduled reserves roughly constant. It does, however, stipulate that it should be land of equivalent value. It is not clear how such a comparison can be made between the coastal, sub-tropical Reserve Four and the high, upland region of Nkandla. Nor is it clear whether the assessment must be based on present agricultural potential or the likely future condition of the land. The designated land at Nkandla is Trust land that has been used since 1967 as a relocation area and that has been earmarked as a target area for future relocation on a large scale.

While there are at present large open areas in the Trust land, the population density is bound to increase enormously as a result of this planned influx of people, and an increasing strain on resources and consequent deterioration in the quality of the land can be expected to follow.

A further question relating to the comparable value of the two areas is whether the mineral resources of Reserve Four have been taken into account or not. The extent of these resources has been described already. These reserves are legally owned by the SADT. However, they are part of the overall wealth of Reserve Four, which could be utilised for the benefit of both the people who live there (but who have been deprived of title and security) and the african population of Natal in general, the promotion of whose welfare is supposedly the primary concern of the SADT.

The final question relating to the compensatory land cannot be answered in terms of the existing laws, but is extremely pertinent nonetheless. It was made by the Sokhulu people in July, 1979, when they reiterated their objections to being moved in a letter to the KwaZulu Minister for the Interior: 'Although it is said that there will be another compensatory land in the Makhathini Flats, the Tribe does not see how it will benefit by that land, which is totally strange to it, while residing on the Ntambanana farms, a distance of about 300 kilometres.'

Of note is that although this letter was written two months after the government's intention to compensate the schedule with land in the Nkandla district (and not the Makhathini Flats) had been published, the tribe had not yet been informed of the change. This simply underscores their point, that in this process their interests have been totally disregarded by the government.

#### KWAZULU'S POSITION

In objecting to the excision of these areas, members of the PFP referred to the objections of the KwaZulu government to this step. Dealing with the recommendation concerning Reserve Four specifically, Ray Swart of the PFP stated:

'The exchange is disapproved of by the KwaZulu Government and we do not believe that it is in the interests of the situation at the present time, or at any time, for this land to be treated in this way and for the people to be removed.'

Two years later, in May, 1982, Dr Koornhof was to claim that 'agreements' were reached between Pretoria and Ulundi in April and again in August, 1979, concerning the excision of the four areas from KwaZulu. It is not altogether clear what these 'agreements' were about, especially since the immediate issue at stake in mid-1979 was the descheduling of land, not its excision from KwaZulu. At the time when Dr Koornhof made this statement Chief Buthelezi vehemently denied that any agreement indicating approval of removals had been reached; it appears that what was agreed upon were the administrative procedures to be followed in the areas pending their final removal. In a statement issued in June, 1982, to try to clarify the issue and appease Chief Buthelezi, Dr Koornhof explained:

'In view of the fact that Parliament ... adopted certain firm decisions in connection with the consolidation of KwaZulu, Chief Buthelezi informed me that he had no alternative ... other than to sign this agreement ... because he felt he could not shirk responsibility for his people once the decision by Parliament in Cape Town had been taken.'

What does emerge from this murky

and confusing incident is that KwaZulu was informed of Pretoria's intentions before Reserve Four was de-scheduled and before it was excised from KwaZulu, but that it did register its objections to any removal of people that would follow. To what extent it passed this knowledge on to the people of Reserve Four and tried to mobilise their own strong objections to the removal into an effective political force is less clear.

Dr Koornhof also claimed in 1982 that representations that the affected areas should not be excised from KwaZulu were received from residents after the above agreement had been signed. Once again he appears to be confusing the excision from KwaZulu with the earlier excision from the 1913 schedule. However, certainly in the case of Reserve Four, people's strenuous objections to being moved - the ultimate purpose behind all the legal manoeuvrings on the part of the government - were registered with the Department of Plural Relations before April, 1979. Further representations against being moved were lodged with the KwaZulu Department of the Interior in July, 1979, as well.

#### EXCISION FROM KWAZULU

The next step came on 23 January, 1981, in the form of a proclamation. This amended the schedule defining the area of jurisdiction of the KwaZulu Legislative Assembly and excised from KwaZulu all of the four areas that had already been isolated in 1979; Reserve Four, the Sodwana Bay triangle, the Driefontein farms, and the Paulpietersburg block. Direct authority for the administration of those areas thereafter reverted to Pretoria, although in practice the change did not have immediate effects - teachers' salaries continued to be paid by KwaZulu, etc.

The news that their land had been excised from KwaZulu was conveyed to the people of Reserve Four by the local magistrate towards the end of February, 1981. At a general tribal meeting held in Sokhulu on 20 February, the people repeated their objections to being moved. The magistrate reportedly told them that all he knew about the matter was what was contained in the proclamation.

This excision of Reserve Four from

KwaZulu brought its eventual removal one step closer. However, achieving this goal was taking considerably longer than the Department of Plural Relations had expected when it started drawing up its plans in 1978. Pretoria has not given any indication of why it took 18 months for this sequel to the descheduling of the area to be achieved. During the course of 1980 its general consolidation programme for Natal and the rest of the country was becoming increasingly bogged down in political and financial problems. In September, 1980, PW Botha 'admitted' that traditional consolidation was no longer possible. Local opposition was probably stronger and more resilient than anticipated as well - in Reserve Four both chiefs have stood firm against removal from the beginning. The fact that Reserve Four and the other three areas were finally excised, however, showed that Pretoria had not finally abandoned the 1975 proposals despite the appointment of the Van der Walt Commission and signs of a more pragmatic approach.

#### DENIAL OF SUPPORT BY KWAZULU

The excision of these four areas passed by unremarked for several months, with no immediate response from Ulundi. Only in May, 1981, did the matter get into the press, when Dr Koornhof announced that removals were to begin soon in all four of the excised areas. The ensuing controversy focused initially on Sodwana Bay in isolation from the other three areas; it concerned both the morality of moving people to make way for a white pleasure resort and the degree to which KwaZulu had been informed of and/or condoned the removal. The dispute simmered on throughout 1981 and into 1982, until eclipsed by the Ingwavuma land deal during May, 1982. One effect was undoubtedly to delay further the implementation of the intended removals.

Chief Buthelezi denied publicly that he had any knowledge of the excision of Sodwana Bay, saying 'It is possible that the Minister responsible, Dr Mdlalose, may have been notified but I have no knowledge of the move'. He promised to investigate. Later that month Dr Mdlalose met with the Deputy Minister of Land and Development and urged that the removals in these areas

be abandoned. One of the chiefs from Reserve Four, from the Mbonambi ward, was present and put in a plea for his area as well. The Deputy Minister sidestepped the question of a reversal of the removals - there would be legal problems with that, he said - and suggested instead that steering committees be formed to deal with each particular case. The KwaZulu representatives accepted the idea of steering committees but subsequently, when their purpose was spelled out as an advisory one, to make the process of removals function more smoothly, they distanced themselves from them.

In April, 1982, Dr Koornhof claimed that the excision of Reserve Four and the other areas from KwaZulu had been agreed to by KwaZulu, in April and August, 1979. This led to a heated denial by Chief Buthelezi in the KwaZulu Legislative Assembly, and resulted in Dr Koornhof issuing his press statement on 6 May, 1982. This, as already pointed out, exonerated KwaZulu from the accusation that it had signed an agreement and that it had been informed of what was going on.

Subsequently, when the PFP MP, Graham McIntosh, pressed the Minister for details on the nature of this agreement, pointing out that KwaZulu denied having made one, Dr Koornhof appealed to him not to stir up trouble and to come and discuss the matter with him personally instead, 'to prevent a wedge being driven which would create serious problems in the country'.

KwaZulu has used Dr Koornhof's press statement as evidence of its complete uninvolvedness in the whole matter. In July, 1982, a Sokhulu councillor wrote to the Minister of the Interior at Ulundi to seek clarity on the issue. The reply, received from the Secretary for the Interior, stated that Chief Buthelezi had explained in the legislature that no agreement had been reached and the Minister of Cooperation and Development had then issued a statement 'indicating that KwaZulu never "agreed" to have any land excised ...'.

#### REMOVALS WILL TAKE PLACE

The government has not wavered in its intention to remove Reserve Four. In September, 1981, in answer to a series of questions in parliament, Dr Koorn-

hof confirmed that the area had been excised 'because the people resident in Reserve Four are ultimately to be resettled elsewhere', but evaded a question on whether the people were being moved voluntarily or not. He said that that would be a matter for a steering committee that would be established to handle the removal of Reserve Four to decide:

'That can be established after the steering committee, on which they will also be represented, has been formed. Then it will be possible to determine how the people themselves feel about the removal.'

When questioned further about why the removal of Reserve Four was to take place, he was even more evasive.

In November, 1981, the Daily News carried a prominent story reporting that a 'temporary halt' had been called to the removals. It quoted a 'spokesman' for the Department of Cooperation and Development who attributed the delay to opposition by people of Reserve Four:

'The people were shown the area to which it was planned to move them and we are aware they do not like it. It is our policy to try to reach consensus before moving people.'

Two days later the delay was denied by another spokesman who reported that 'the plans to remove the people from Reserve Four will go ahead'. In April, 1982, the intention to remove Reserve Four and the other three areas was confirmed once again by Dr Koornhof when he made his controversial statement about KwaZulu's agreement to the excision of these areas. However, his reply did indicate indirectly that the removals would not be immediate and that opposition from within the communities was a factor they were having to consider:

'The Black communities concerned will be resettled after further consultation on the compensatory land earmarked in the districts of Babanango, Ubombo, Lower Umfolosi and Klip River and after the necessary housing facilities, sanitation, water reticulation, school and clinic facilities and other infrastructure have been provided. A survey must still be conducted to determine the exact number of people involved.'

## POSITION IN 1982

Four years after the Department of Plural Relations predicted that the removal of Reserve Four would start by the end of 1978, the people are still on their land. Although their legal position has deteriorated significantly, their political bargaining position has improved; if it had not, they would have been moved already.

Escalating costs and significant opposition to consolidation within Natal are succeeding in curtailing Pretoria's general removals programme; KwaZulu's legal victory in the Ingwavuma land deal has acted as another temporary brake. More significant, anger at the prospect of being moved is general in Reserve Four and their opposition has been repeatedly and articulately voiced by chiefs and councillors. Reserve Four has acquired a reputation for militancy locally which may stand it in good stead.

Pretoria is clearly wary of risking a major confrontation and would prefer to remove Reserve Four by gentler forms of persuasion. Thus far the established leaders have stood impressively firm against all talk of removal but one can expect that the pressures on them to abandon their stance will mount. As in other rural communities, the people of Reserve Four are vulnerable to the corrosive effect of rumour and intimidation and divisions do exist, most notably at this stage between the two chiefs' wards which have not been responding to the threat they both face as a single body. Local leaders are aware of the problems and there are

indications that steps are being taken to counter them.

That the people of Reserve Four do not want to leave their land and that they will suffer serious loss if they are forced to move, is indisputable. In September, 1982, at a general meeting attended by about 200 people, the Sokhulu people reiterated their opposition: 'We the people of Reserve Four, Sokhulu Tribe have today, the 26th September 1982, passed a resolution unanimously that we don't want to be moved from this traditional place of our ancestors.'

'If you take a fish out of its water and put it in the sun, it will die', the chief has commented - and that, he says with knowledge, is what will happen to them if they move to Ntambanana.

[This article has been compiled from a section of the soon to be published reports of the Surplus People Project into relocation in South Africa.

Sources used included government publications such as Hansard and Government Gazettes; newspaper reports; interviews conducted by Association for Rural Advancement staff; and the preliminary Development Plan drawn up for KwaZulu by Thorrington-Smith, Rosenberg and McCrystal in 1978.

Fletcraft huts are the metal rooms in which relocated people are housed while they are supposed to build their own shelters. Rows of these silver coloured shelters in the bare veld are a sure sign that a removal has taken or is about to take place.

Scheduled areas, in terms of the Natives Land Act of 1913, refer to land then occupied by africans.]



# STAY-AWAYS: mass strike or demonstration?

SINCE 1950, THE STAY-AWAY HAS BEEN PART OF THE SOUTH AFRICAN RESISTANCE TRADITION. BUT THERE HAS ALWAYS BEEN SOME CONTROVERSY OVER WHAT THIS WEAPON OF STRUGGLE INVOLVES. IS IT A MASS STRIKE, OR A DEMONSTRATION? GLENN MOSS LOOKS AT SOME OF THESE ISSUES.

The stay-away weapon has been a feature of resistance history in South Africa for many years. The 1949 Programme of Action adopted by the African National Congress (ANC) called for a national one-day stay-away from work to protest against government policy. From then on, through the 1950s and up to 1961, stay-at-home campaigns were organised on a number of occasions.

Between May 1950 and May 1961, township residents were called on to stay away from work on eight occasions. Almost all of these campaigns involved stay-at-home calls for between one and three days, and were either in protest against some government action, or else in support of a specifically stated set of demands.

Although used relatively often during the 1950s, 15 years passed between the May 1961 stay-away and the reappearance of this tactic in 1976.

Since June 1976 calls for township residents to stay away from work have been made on a number of occasions - for example in Soweto and Cape Town during 1976 and 1977; as part of a rent struggle in Soweto during 1981; and in commemoration of 16 June.

There has been some controversy over exactly what a stay-away is - a general strike or a demonstration, a tactic of struggle or a strategy to overthrow the ruling classes? In this article, these questions are considered in a very general way. An article in a future edition will examine the four stay-aways called in Soweto during 1976

as a way of assessing the value and limits of stay-at-home campaigns.

It has been suggested that a stay-away is much the same as a general strike, in that it involves a general withdrawal of labour which is not directly related to issues on the factory floor:

'The term stay-at-home largely reflects the tactical approach of the liberation movement to what is in effect a general political strike. In view of the difficulty of organising on the factory floor, and the prohibition of strikes by Africans, stay-at-homes have been organised on a township rather than a work-place basis and the black community as a whole asked to literally stay at home, off the streets'.

Others have been more critical of stay-aways, suggesting that in 1976 the militant township youth accepted without question the stay-away weapon which had been used by their parents in the 1950s. One writer has argued that the ANC 'used the stay-at-home extensively during the 1950s, with outstanding success on some occasions, and with equally disastrous failures. Far too little thought was given to the nature of the tactic, and the youth therefore adopted it uncritically. Some believed in 1976 what their fathers had thought in 1950 - 60: that a withdrawal of labour would lead to a collapse of the entire South African economy'.

One of the most detailed discussions of the mass or general strike was undertaken by the European socialist, Rosa Luxemburg. It is therefore useful to see what she said on this question in an attempt to establish the differences and similarities between a mass strike and a stay-away campaign.

Luxemburg was very careful to distinguish her idea of the mass strike from the one put forward in the anarchist programme. Bakunin, an important anarchist leader, argued that the mass or general strike is 'the lever which will be used for introducing the social revolution. One fine day (according to the anarchists) all the workers in every industry in a country, or perhaps in every country, will cease work, and thereby compel

the ruling classes either to submit in about four weeks, or to launch an attack on the workers so that the latter will have the right to defend themselves, and may use the opportunity to overthrow the old society....'

Engels pointed out the flaw in this programme for overthrowing state power which, on the face of it, seems a feasible strategy. However, it would necessitate perfect and total organisation of the whole working class, together with sufficient strike funds or savings to maintain those striking (all workers) and their families for 'about four weeks'. But if such a level of working class organisation existed, and if such considerable resources were available to revolutionary forces, the working class could inaugurate social revolution without resorting to a general withdrawal of labour. '(I)f they had these, they would not need to make use of the roundabout way of the general strike in order to obtain their object'.

In opposition to the anarchist programme, Luxemburg put forward her argument for the mass strike on very different grounds. For her, the mass strike is 'the method of motion of the proletarian mass...the rallying idea of a whole period'. It involves 'creating for the proletariat the conditions of the daily political struggle'.

The mass strike is not a strategy which aims at overthrowing the old order through a general withdrawal of labour. In Luxemburg's terms, it is also not a specific or isolated tactic, aimed at the achievement of specified short-term goals. It does not involve 'the planned and orderly demonstrative action undertaken for strictly defined and limited objectives, but (involves) the very content of a revolutionary or pre-revolutionary period'.

Luxemburg saw the mass strike not as an event but as a process, advancing proletarian struggle while at the same time creating the conditions for that struggle. This distinction between the mass strike as an event - even if prolonged - and as an ongoing process is at the core of Luxemburg's position.

As a process, the mass strike

was not seen as either a 'political' or 'economic' strike, but rather the manner in which these flowed into each other, breaking up into specific economic struggles, only to break out as political activity again.

'Political and economic strikes, mass strikes and partial strikes... - all these run through one another, run side by side, cross one another, flow in and over one another'.

#### FORMS OF THE MASS STRIKE

In her discussion of the mass strike, especially as it emerged during the 1904 - 05 revolutionary period in Russia, Luxemburg identified a number of different forms which the process takes. She suggested that the general strikes of that period were often set off by immediate causes which were in themselves trivial. Demands revolved around many different issues - wages, the length of the working day, piece work, general political demands, working conditions. This is a major feature in a period of mass strike, with a continual interplay and interaction between economic and political demands, between political strikes and economic struggles.

Luxemburg isolated a number of actions as part of the process of mass strike in Russia during 1905 - demonstration strikes, memorial services, protest demonstrations, anniversary celebrations, demonstrations of sympathy. Within these various forms, she notes a basic distinction between demonstration strikes and fighting strikes. The former show the greatest degree of party discipline and conscious direction. While they may appear as the most mature manifestation of the mass strike, their major role is in fact played in the beginnings of a revolutionary movement. As revolutionary struggle develops, so demonstration strikes lose importance and the fighting strike - the more developed form of the mass strike - emerges as the dominant form of working class action.

The demonstration involves a high degree of direction and control; it coincides with the beginnings of a revolutionary period. The 'fighting'

mass strike, on the other hand, involves a whole period of class struggle. As such, it 'cannot be called at will, even when the decision to do so may come from the highest committee of the strongest social democratic party'.

#### SHORT AND LONG TERM GOALS

Luxemburg's support for the mass strike as a process of struggle is based on two main points. The first of these involves the effect which a period of mass strike has on its participants, while the second touches on the relationship between short-term demands and long-term goals.

It was argued by Luxemburg that socialism and socialist consciousness could not emerge from the daily struggles of the working class. One answer to the problem of developing socialist or class consciousness amongst the proletariat involved the period of mass strike. It was here, in the theatre of political and general economic struggle that socialist consciousness would develop.

To overthrow an existing order, 'the proletariat requires a high degree of political education, of class consciousness and organisation. All these conditions cannot be fulfilled by pamphlets and leaflets, but only by the living political school, by the fight and in the fight, in the continuous course of the revolution'.

The second pillar which Luxemburg rests her support of the mass strike on involves the relationship between minimum and maximum goals and objectives, between daily struggles and a socialist end: 'on the one hand, a set of demands responding to the immediate, everyday concern of the masses and which could be realised within the framework of capitalist society; on the other hand, ultimate socialist objectives'.

Minimum demands could supposedly be obtained within the framework of capitalist relations, while the 'maximum programme' involved a more distant socialist goal.

With the growing strength of revisionist and reformist policies,

the link between minimum and maximum demands became weaker and weaker. Luxemburg noted that a struggle for minimum demands which was not based on the maximum programme did not involve a more 'tranquil, calmer and slower road to the same goal, but a different goal.....Our programme becomes not the realisation of socialism, but the reform of capitalism'.

The mass strike, as defined by Luxemburg, aimed at attacking the dangers inherent in the separation of minimum and maximum programmes. Aims contained in a maximum programme can easily become bare of practical import, because they are situated in some unspecified future. 'The effective activity, the real tactic, these are tailored only to winning the minimal demands'. Luxemburg's notion of the mass strike was aimed at building a bridge between minimum demands and a final goal.

The mass strike process enabled the maximum programme to influence and shape struggles around minimum demands, and to develop forms of struggle which could move from immediate demands to questions of state power by educating workers in mass action. The most important aspect of the mass strike period is therefore not the achievement of limited or partial demands. Rather, it is the period's effect on the working class, 'the intellectual, cultural growth of the proletariat, which proceeds by fits and starts, and which offers an inviolable guarantee of their further irresistible progress in the economic as in the political struggle'.

#### MASS OR DEMONSTRATION STRIKE?

Eight stay-at-homes were called in South Africa between 1950 and 1961. Almost all of these were for a one day period, the exceptions being the April 1958 campaign which was planned for three days, but called off after one; and the 1960 call of the Pan Africanist Congress (PAC) for africans to withhold their labour indefinitely.

The majority of these stay-aways were called and organised by the African National Congress, usually in conjunction with one of its organisational allies. The issues

around which the stay-aways were called usually involved specific demands or protests. They included a protest against the introduction of the Suppression of Communism Act; a protest against the Unlawful Organisations Bill together with 'a day of mourning for all those Africans who lost their lives in the struggle for liberation'; a call for a day of protest, prayer and dedication, and for a minimum wage of £1 a day; a protest against the all-white general election, where workers were called on to 'make themselves heard' as voters went to the polls. In this last case, the initial call had been for 'a day of mass prayer and dedication to the freedom cause', but was radicalised to focus on two slogans: 'Forward to a £1.00 a day victory', and 'The Nationalists must go'.

Other stay-aways called during this period involved a national day of mourning after the Sharpeville shootings, a call for a National Convention, and the PAC's call for Africans to refuse to carry passes and not to work until the pass system was ended and a minimum wage established. In this last case, the PAC believed that 'with the overcrowding of prisons and a total strike, the government would have to meet these demands'.

The stay-away campaigns of 1950 - 1961 bear very little resemblance to the mass strike as put forward by Luxemburg. Almost every feature rejected by Luxemburg as characterising a mass strike period is present in the eight stay-aways called in the 11 year period. Both in form and in content, the stay-aways of 1950 - 1961 are best characterised as protest or demonstration strikes, 'the assumption being that the government would make concessions

when faced with this wide-scale protest'.

Called for by central political organisations for defined time periods, and aimed at achieving specific demands, the stay-at-home campaigns involved a discipline and form of organisation which Luxemburg would have characterised as demonstrations, rather than mass strikes. The one partial exception to this categorisation - the PAC's 1960 call for an indefinite withdrawal of labour - falls within an anarchist tradition.

Luxemburg's idea of the mass strike involved an ever-changing balance between economic and political demands; she also saw the mass strike as including mass participation and involvement.

These features are not present to any degree in the stay-away campaigns of the 1950s. Indeed, the calls often demanded of participants a passivity, literally asking them to stay in their homes and off the streets. This is consistent with a dignified and orderly display of protest in the hope that such pressure will force the authorities to meet the demands made.

At the time of the stay away campaigns, some reservations were expressed. After the failure of the 1958 call and its abandonment after the first of its planned three days, a report to an ANC conference suggested that the stay-away had failed for a number of reasons. These included:

1. insufficient preparation, four weeks being hopelessly inadequate to mobilise on a national scale;
2. the lack of tight organisation: Duma Nokwe drew attention to the failure to implement the 'M plan' with its emphasis on slow and tedious house to house work, whereas at





present the ANC preferred mass meetings;

3. inattention to political education;
4. disunity within the ANC because of the Africanist opposition and because sections of the ANC failed to involve themselves with the working class'.

#### A CRITIQUE OF THE TACTIC

A critique of the tactic itself came from outside of the Congress Alliance. In two documents produced by the Socialist League of Africa, it was argued that the stay-at-home was a powerful weapon:

'It was easy to organise such a campaign in the compact, crowded townships where thousands of workers were concentrated. By closing a few entrances (or stationing pickets appropriately) an entire town's working population could be organised into mass defiance.....

The compactness of the township made contact easy....(A)s Trade Unions were weak...and industrial strikes were illegal....this new industrial action in the residential areas seemed to

offer a solution to the problem of effective working class action'.

At the same time, reservations regarding the stay-at-home weapon were also put forward:

'(T)he people of the townships cannot stay home indefinitely. To do so is to starve... The townships can be sealed off and starved out only too effectively by small detachments of the army and the police. But, far worse, the army and the police...could go from house to house, drag the inhabitants out, beat them up and force them to work... (B)y staying in the townships, the worker surrenders all initiative. He cuts himself off from his fellow-workers in other townships. He divides himself from his allies in the rural areas, and he surrenders his entire economic centre to his enemies'.

More recently, Eddie Webster has expressed a similar reservation to the stay-at-home weapon:

'The central problem with the tactic lies in the fact that the maximum weapon of the stay-away against the system is a simple absence through



The state mobilizes its forces to victimize strikers during 1958 Stay-at-Home

the withdrawal of labour. In essence, the worker surrenders all initiative to the employer'.

To summarise: the stay-at-home as developed in a South African context bears little similarity to the mass strike. As advocated by Rosa Luxemburg, the mass strike is a strategy, involving the process of struggle over a long period; on the other hand, the stay-away is a tactic, a demonstration strike, usually with a specific goal or demand, and called for a specific period of time.

Nonetheless, the stay-at-home has developed as a tactic of struggle in South Africa, and even its critics have accepted that it is a powerful weapon:

'It can and will be used to test the response of the people to calls from the liberation movement. It will continue to be a very sensitive thermometer of the political temperature of the peoples' struggles'.

With these ideas in mind, the four stay-away campaigns called for in Soweto during 1976 will be examined. The purpose of this will be to explore the tactic as it was used in a specific situation. This will be done in a future issue of this publication.



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# INFORMATION

## courts

### TREASON TRIALS

Barbara Ann Hogan (30).

The accused faced a main charge of high treason, with alternative charges under the Terrorism and Internal Security Acts.

Detained by security police in September 1981, she was held under section 6 of the Terrorism Act until her first court appearance in March 1982. Thereafter she was held in custody, as an awaiting trial prisoner, the attorney general having refused to allow her bail.

Hogan's trial began in the Rand Supreme Court in August 1982. She was alleged by the state to have joined the ANC in September 1977, and to have carried out certain acts in furtherance of its aims.

The state claimed that Hogan accepted instructions from the ANC to work in the labour field on behalf of the ANC. She set up a system of dead letter boxes and codes to communicate with the ANC. On several occasions she visited Marius Schoon, an ANC member based in Botswana, conveyed information to him and the ANC, and received further instructions regarding her ANC activities.

Three documents were alleged by the state to have been drawn up by Hogan and sent on to the ANC. These were entitled:  
Social problems of working class leadership;  
Problems arising from internal political work;  
Close comrades.  
Hogan admitted to drawing up the last two of these documents, but denied that she had drafted the first.

The accused was also charged with negotiating with the South African Allied Workers' Union (SAAWU) over the possible establishment of an unemployed workers union. The state

claimed that this was done with the intention of advancing ANC aims and objects. She was also charged with working closely with various ANC supporters in South Africa, and attempting to win over various groups, individuals and organisations to an ANC position.

At the beginning of her trial, Hogan pleaded guilty to the alternative charges under the Internal Security Act, namely membership and furthering the aims of the ANC. However, she pleaded not guilty to the treason and Terrorism Act counts.

Hogan admitted most of the allegations levelled against her by the state. However, she denied that the exclusive aim of the ANC was to overthrow the state by violent means, or by other means which included the crippling of the economy. She said that she had associated herself with those ANC aims and activities which did not include violence.

The state's main witness was ex-spy Major CM Williamson, who gave detailed evidence on the ANC and its activities.

For the defence, university lecturer Tom Lodge argued that the accused could have associated herself with the ANC without necessarily participating in or associating with its programme of armed struggle. He testified that after the formation of Umkonto we Sizwe, the ANC's armed wing, the organisation had continued to run non-military activities separate from military activity. The ANC, according to Lodge, has a 'multi-dimensional strategy', and anyone in broad sympathy with its social aims as set out in the Freedom Charter could be incorporated into its activities.

Industrial sociology lecturer Eddie Webster testified that strikes, boycotts and trade union activity did not necessarily cripple or prejudice industry and the economy. Neither did the organisation of unemployed workers.

Webster claimed that, in industrial disputes, these activities were an attempt to put pressure on employers once all else had failed. An unemployed workers' union could prevent scab labour from taking the jobs of strikers, and thus prevent

conflict between workers.

Verdict: Guilty of high treason, and of ANC membership (an offence under the Internal Security Act). Presiding judge van Dyk found that Hogan was a staunch supporter of all the aims of the ANC who had not joined the organisation on the spur of the moment. Her actions, he said, were clearly done to swell the ranks of the organisation and in furtherance of all its aims.

In mitigation of sentence, defence counsel contended that the 'crimes' to which Hogan had admitted were not very serious. The judge was urged to take note that although the accused had been convicted of high treason, she should be sentenced as a person who had contravened the Internal Security Act through membership of the ANC. The usual sentence in those sorts of cases, argued the defence, was two or three years imprisonment.

Hogan's case was a particularly important one, in that it involved a treason charge with no allegation of violent activity. Previously, only ANC guerilla fighters had been charged with high treason, while members involved in political activity tended to face lesser charges under the Internal Security Act. In this case, the state sought to establish in effect that membership of the ANC coupled to an act in furtherance of its aims constituted the offence of high treason.

Sentence: 4 years imprisonment under the Internal Security Act, and 10 years imprisonment for high treason. Because these sentences were ordered to run concurrently, the effective sentence was 10 years.

An application for leave to appeal was surprisingly turned down by the presiding judge. Given the novel nature of the case, it was widely expected that the judge would grant leave to appeal in order to enable the appeal court to review the matter.

Even more surprisingly, Chief Justice Rabie turned down a petition for leave to appeal. This means that the appeal court has declined to decide for itself the new point of law which Justice van Dyk has ruled on.

The conviction and sentence of Hogan drew angry response from a

number of unexpected quarters. Leading businessman and Witwatersrand University Chancellor Mike Rosholt noted that Hogan's actions had been motivated by a desire for social justice, and referred to her imprisonment as a tragedy for South Africa. The Black Sash's Joyce Harris suggested that the Hogan trial indicated that it was now time to censure society rather than the individuals who tried to change it. And the Detainees' Parents Support Committee of Johannesburg warned that no-one should gloat over the success of the security police in gaining a conviction against Hogan. Rather, they suggested, 'one may well ask who is endangering progress? It is the law makers and the laws they enforce which may well be the real enemy of the South African nation as a whole'.

Cedric Radcliffe Mayson (53).

Detained in late November 1981 in a nation-wide swoop by security police, Mayson, an editor of the now banned Christian Institute journal *Pro Veritate*, was originally charged with Barbara Hogan. However, the trials were subsequently separated, and after over 14 months in custody as a detainee and awaiting trial prisoner, his trial begins in the Pretoria Supreme Court in February.

Mayson faces a main count of high treason, with alternative charges under the Terrorism and Internal Security Acts.

The state alleges that Mayson conspired with the ANC to commit certain acts with the intention of overthrowing or coercing the government of South Africa.

Inter alia, Mayson is charged with having discussions with ANC officials; with distributing a tape of a speech by Oliver Tambo, as well as other ANC literature. He is charged with assisting various people to leave South Africa unlawfully so that they could continue their ANC or SACTU activities.

During July 1981, Mayson allegedly met the ANC's Thabo Mbeki in London, where the accused received the following instructions: to investigate the setting up of area political activities in South Africa to co-ordinate ANC activities;

to obtain information about churches and other religious bodies with a view to infiltrating them on behalf of the ANC;  
to encourage a boycott of government-created institutions;  
to advise people to refuse to undergo military training in the SADF;  
to recruit people into the ANC;  
to determine targets for sabotage;  
to examine to possibility of storing weapons in churches;  
to obtain information about various people in South Africa and supply this to the ANC.

During September/October 1981, the accused is alleged to have discussed the possible formation of ANC political committees in South Africa with Jabu Ngwenya, Frank Chikane, Auret van Heerden, CF Beyers Naude, and someone referred to only as Norman.

Suzman Nkopane Mokoena (22).

The accused in this trial, an ANC guerilla fighter, faced a main count of high treason together with various alternative charges under the Terrorism Act.

The state alleged that he underwent military training under the direction of the ANC, and that between September and November, 1981, he established a cache of arms and explosives in GaRankua.

Mokoena was charged with being a member of the ANC's Gebuza Machinery, a task force which, inter alia, planned to sabotage the Rosslyn electric sub-station, the Eerste-fabriek railway line, and the Waltloo petrol depot near Mamelodi.

A number of witnesses who had been part of the ANC testified against Mokoena. Their evidence, which was heard in closed court, included the allegation that the accused was a member of the Gebuza unit supposedly headed by Joe Slovo. There was also testimony that Mokoena had taken part in an attack on the Rosslyn substation.

A witness described how the group which sabotaged the Rosslyn target had connected limpet mines to TNT with tape, and then attached mines to the electrical transformers. Plans to blast the Waltloo petrol depot were underway when the group was arrested.

A security policeman told the

court that after he had arrested Mokoena, he had led him to an underground hide-out in GaRankua. In this underground base, police found a trunk of ammunition.

Verdict: Guilty of high treason.

Sentence: Both the SACC's Bishop Tutu and the father of the accused appealed to the presiding judge not to impose the death sentence on Mokoena. Sentence of 20 years imprisonment was imposed.

(Pretoria Supreme Court, 25.10.82).

## TERRORISM ACT TRIALS

Alan Morris Fine (29).

The accused, detained in September 1981 and originally charged with Barbara Hogan and Cedric Mayson, faced a main charge of Terrorism with an alternative count under the Internal Security Act.

The state alleged that, by involving himself in the activities of the South African Congress of Trade Unions (SACTU), he furthered the aims of the banned African National Congress. SACTU, although in alliance with the ANC, is not a banned organisation.

During late 1977, the accused was alleged to have visited Jeanette Schoon, an official of SACTU in Botswana. He sent information to Schoon for the use of SACTU through the use of dead-letter boxes, ordinary post, and meetings in Botswana.

Fine admitted that he had sent certain legal information to Schoon between late 1977 and September 1981; however, he denied that this involved a conspiracy to further the aims of the ANC via SACTU. He also denied the state's allegation that SACTU aimed to organise workers to play a militant role in a revolutionary process.

Major CM Williamson, security police spy who informed on ANC activities, gave evidence in the trial. He testified that while SACTU had its own separate identity, it was also part of a revolutionary alliance led by the ANC.

The ANC was regarded as a mass democratic organisation working towards national liberation. It was supported by various other organisations like the Communist Party and SACTU. The revolutionary

aim of the national liberation movement meant that radical changes in society would have to take place. Williamson admitted that these could occur by violent or non-violent means.

Williamson agreed that it was not necessarily unlawful to send information to SACTU. He also conceded that the fact that a person operated in a clandestine manner, using dead letter boxes, did not make the communication unlawful. He agreed that people on the left tended to behave clandestinely for fear of banning or detention, even if what they were doing was lawful.

Fine, in his evidence, said that he understood that SACTU was an independent organisation, and that in working for SACTU he did not believe he was breaking any law. However, because SACTU officials and supporters had suffered harassment, he decided to communicate with Schoon in a clandestine manner.

Fine explained that he was prepared to associate himself with SACTU, as it had declared its objective to be the principles contained in the Freedom Charter. He believed that radical change could take place without violence, and that a strong trade union movement could exert pressure for non-violent change.

Industrial sociologist Eddie Webster testified that strikes, boycotts and trade union organisation did not necessarily aim to cripple South African industry. According to Webster, strikes are considered to be the ultimate weapon when all else fails in a dispute between workers and employers.

The defence argued that Webster's evidence put the activities of the accused into a proper perspective. He was participating in normal, lawful activities which were part of a continuing process of change in South Africa. In so far as he supplied SACTU with information about labour matters, he did not endanger the maintenance of law and order.

The state claimed that Fine's activities had the likely result of endangering the maintenance of law and order, and that he should accordingly be found guilty of Terrorism. Alternatively, according

to the state, he entered into a conspiracy with SACTU which furthered the aims of the ANC. This would render him guilty of the Internal Security Act charge.

Verdict: Not guilty. Presiding magistrate W Rosch found that Fine's activities were not of an inherently 'terroristic' nature. To gain a conviction under the Terrorism Act, the state therefore had to prove his guilt, rather than Fine prove his innocence. The state had failed to do this.

As far as the Internal Security Act charge was concerned, the magistrate found that SACTU was involved in both legal and illegal activities. However, there was no evidence before him that Fine was involved in its illegal activities, nor that the information he had passed on furthered the aims of the ANC.

(Johannesburg Regional Court, 09.11.81).

Rogério Chamusso (32).

The accused, a Mocambican citizen, was charged with murder, Terrorism and Sabotage. The state alleged that he underwent ANC military training in Mocambique and Angola between 1979 and 1981; sabotaged an Escom substation in Witbank on 23 October, 1981; was in possession of explosives, ammunition, a Makarov pistol and limpet mines; murdered Abraham Mans and Hendrik Booysen near Ogies on 23 October, 1981.

An unidentified youth told the court that he had worked for Mans and Booysen and was present when Chamusso came looking for work on 23 October. He said that he saw Chamusso follow Mans into a caravan, which Booysen was already inside. The youth claimed that Chamusso then shot into the caravan several times.

During the course of the trial, Chamusso pleaded guilty to the Terrorism Act charges, admitting that he had undergone military training, blown up the Escom sub-station, and been in possession of a limpet mine. However, he denied murdering Mans and Booysen.

The defence contested the admissibility of a statement made by Chamusso before a magistrate. It was claimed that the magistrate had not explained the implications of making a statement to Chamusso. In

addition, Chamusso claimed that he was deprived of water by security police, and this induced him to make the statement. The presiding judge finally ruled that the statement was not admissible as evidence against the accused.

In his evidence, Chamusso told the court that he had decided to join the ANC after his wife and child had been killed in the SADF raid on the Maputo suburb of Matola. He claimed that he was a South African citizen, not a Mocambican, and that his correct name was Patrick Shange.

Verdict: Guilty of Terrorism, but not guilty on the murder charges. The evidence of the only eye-witness to the murders was found by the judge to be unreliable.

Sentence: The state asked the judge to impose the death sentence, or imprisonment of 40 years. Chamusso was sentenced to 10 years for undergoing military training, 12 years for sabotaging the Escom sub-station, and 6 years for possession of explosives. Because certain of these terms are to run concurrently, the effective sentence is 24 years imprisonment.

(Pretoria Supreme Court, 06.12.82).

Abel Mazala(33).

The accused faced a main count under the Terrorism Act, with two alternative charges in terms of the Explosives, Arms and Ammunition Act. The charges emerged from a live hand grenade of foreign origin allegedly found in his garden.

Raymond Dlamini, in giving evidence for the state, told the court that the accused, alias Siphon Mandela, had told him that he had been trained in the use of weapons in various African states. According to his evidence, Dlamini then called the police and told them of Mazala's claim.

Verdict: Guilty.

Sentence: Mazala, who had been in custody for 14 months, was sentenced to 6 years imprisonment.

(Johannesburg Regional Court, 20.09.82).

Stanley Radebe (27), Ephraim Mthutheze Madalane (24), Ernest Lebana Mahakalala (23), and Innocentia Nankululeko Mazibuko (20).

Charge: The accused face charges relating to the South African

Youth Revolutionary Council (SAYRCO). They are alleged to have joined this organisation, recruited others for it, travelled to Botswana and Lesotho on SAYRCO business, and infiltrated the Azanian Students' Movement (AZASM) with the aim of furthering SAYRCO's objectives.

The presiding magistrate sentenced Lazarus Majalefa Shole to 18 months' imprisonment for refusing to testify for the state in this trial. Shole explained to the court that as he was involved in youth programmes, he could not testify. If he did so, he would lose respect in his community.

Radebe contested the validity of a statement he made to a magistrate while in custody, claiming that he was assaulted before he made it.

A long-term prisoner at Groenewald prison in the Free State said that he had seen Radebe being led out of a cell by two whites in civilian clothes, and that Radebe's face was swollen and his shirt blood-stained. Five other long-term prisoners corroborated this evidence in support of Radebe's claim that he had been assaulted. Some of them said that they had heard him screaming.

The magistrate hearing the case allowed Radebe to be x-rayed to determine whether he had sustained injuries to his ribs during the alleged assault.

Thozamile Gqweta and Sisa Njikelane. Charges against Gqweta and Njikelane, president and vice-president of SAAWU, were withdrawn after the acquittal of Alan Fine.

Both accused were detained in December last year, and originally charged with Barbara Hogan, Cedric Mayson, Alan Fine and Sam Kikine.

Charges against SAAWU unionist Kikine were also withdrawn.

The effect of this means that none of the many trade union-related people detained by security police in the September and November, 1981, swoops, were convicted of any offence.

#### INTERNAL SECURITY ACT TRIALS

Lillian Keagile (24).

The accused in this trial is alleged to be an ANC member and to have

carried out its activities by sketching a plan of the Inhlazana power station in Soweto, and sending the drawing to the ANC in Botswana.

Former general secretary of the Black Municipality Workers' Union Philip Dlamini refused to give evidence against Keagile. He said that the union to which he currently belonged had an international reputation and would lose credibility if he testified. The statement he had made to the state was incorrect as he had made it in the fear of being detained indefinitely. The magistrate sentenced him to 18 months imprisonment.

Keagile contested the admissibility of two statements made by her in detention, claiming that she had been pressurised into making them. She described to the court assaults on her by security policemen, including a sexual assault. Three children between the ages of two and six were in her custody when she was arrested, and they were held by police in order to pressurise her. One of these was her own child.

The presiding magistrate provisionally accepted the statements made by Keagile, saying that there was insufficient proof to show that they had been made involuntarily.

Thabo Lerumo (19) and Akila Mapheto (21).

The accused, detained in November, 1981, and held in custody ever since, were charged with taking steps to undergo military training, and recruiting others to undergo training as well.

They were arrested near the Lesotho border in the process of leaving South Africa.

Verdict: Guilty

Sentence: 3 years each.

(Johannesburg Regional Court, 12.01.83).

Peter Mokaba (23).

The accused, a former student at Turfloop university, faces eight counts under the Internal Security Act. Allegedly a member of the ANC, Mokaba is charged with gathering political information and sending it to the ANC in Swaziland. The state also claims that he underwent military training, and was found in possession of a Makarov pistol and ammunition.





were freed.

In upholding the appeal, the judges criticised police methods of interrogation in the case. 13 of the witnesses who testified in the trial had testified that they had been induced to make statements by threats of assault and indefinite detention.

The judges were also critical of the trial magistrate, who they said had misdirected himself very seriously by not taking into account the evidence of the 13 who alleged coercion.

#### TRIALS IN 'INDEPENDENT' BANTUSTANS

Jane Ntsathe (25) and Laurence Peter (21).

The accused in this trial face charges of Terrorism in a Ciskei Regional Court. They are alleged to have incited people to join the ANC and to have recruited them to undergo military training.

In addition, the Ciskei authorities have charged them with being office bearers of the ANC, and the distribution of banned publications.

Two witnesses were jailed for refusing to testify against the accused. An 18 year old youth was sentenced to two years imprisonment, and an unidentified 24 year old to three years.

Argument was presented by the defence as to whether statements made by the accused while in detention could be regarded as evidence. The defence argued that the statements could not fall within the ambit of Ciskei law because they were taken by a South African magistrate in Afrikaans. Afrikaans is not an official language in the Ciskei.

The presiding magistrate ruled that the statements were provisionally admissible pending a Supreme Court decision on the question.

Peter told the court that Ciskei police had taken him in handcuffs and leg irons to the grave of Steve Biko, where his interrogators had threatened that he would 'die in the same manner Biko died' if he did not give the police the information they wanted.

When they returned to police headquarters, he claims that he was

made to strip and ordered to tell his co-accused (Ms Ntsathe) about terrorism, while she was made to stand on a wet spot.

Boyboy Mpulampula (27).

Charge: This young boxing trainer was allegedly found in possession of banned publications during September, 1981.

He was acquitted after his defence lawyer pointed out a 'strange coincidence' in the documents handed in as exhibits during the trial.

The defence lawyer showed magistrate Dracatos a number (48) which appeared on a copy of Umkhonto Lerumo, allegedly found in the accused's possession. However, a copy of the same publication was an exhibit in another trial sitting at the same time as these proceedings. The document was exhibit number 48 in this other trial.

The magistrate said that there was doubt about the number, and acquitted the accused.

Bongani Nondula (23) and Sindile Mfana (23).

The accused were charged with membership of the ANC, joining its military wing, and recruiting people to undergo military training in Lesotho.

The state's case relied largely on four witnesses, one of whom refused to testify, and was sentenced to two-and-a-half years imprisonment. All three other witnesses testified that they did not know the accused, and that they had been assaulted while in police custody, and forced to make statements.

After a defence application for the discharge of the accused, the presiding judge acquitted them on the grounds of insufficient evidence. (Ciskei Supreme Court, 16.09.82).

Alfred Xobololo (60), Ezra Sigwela (42) and Wilson Fanti (55).

The accused face charges under the Transkei Public Security Act. It is alleged that between January 1981 and August 1982 they took part in ANC activities in that they transported people to Lesotho for 'indoctrination' by the ANC.

A state witness, BS Mstshontana, told the court that he had conveyed messages from a certain Tolo in

Lesotho to Fanti. He said that Tolo had told him of the strategies and tactics of the ANC.

A second witness, M Qstywe, was charged with perjury for giving evidence which contradicted a previous statement he had made.

Verdict: Not guilty.  
(Umtata Regional Court, 7.01.83).

James Kati (56), Mvelili Saliwa (21), Mzwandile Mbethe (24), Mkangeli Manford Matomela (23), Peter Bawoshe King (56).

The accused are alleged to have contravened the Transkei Public Security Act, which prohibits taking part in, being and office bearer or member of, or associating in any way with a banned organisation.

The Transkei administration claims that the accused participated in 'terroristic' activities between November 1979 and September 1981, their offences being committed both in the Transkei and in other parts of southern Africa.

It is alleged that they conveyed and received messages, subversive literature and money from ANC representatives in South Africa and Lesotho, and that they harboured ANC members who were travelling to and from Lesotho.

The accused are also charged with inciting people to undergo military training, and possessing explosives, arms and ammunition.

49 people are listed in the charge sheet as alleged conspirators of the accused.

Charlton Ntuli (73).

This 73 year old Transkei man is alleged to be a member of the ANC, being in possession of banned literature, and operating a dead letter box for receiving and sending messages to and from Lesotho.

Curiously, he is also alleged to have recruited members for the PAC-linked organisation, Poqo.

Ntuli told the court that he had been a member of the ANC, but that his membership had ceased when the organisation was banned in 1960. He claims to be the only surviving former member of the ANC in his village.

# labour action

## WESTERN CAPE

Company: Good Hope Bakery

Date: December

Workers: 28

Union: Bakery Employees' Industrial Union

The workers downed tools protesting against the dismissal of two of their colleagues. After management and the union had engaged in lengthy talks, it was agreed that 25 workers would be re-employed.

Company: Servix Engineering (at the Koeberg nuclear plant)

Date: 12-14 October

Workers: 79

Union: -

The workers, some of whom are Ciskeian contract workers, downed tools in protest against the dismissal of a fellow worker. They agreed to return to work after management had undertaken to reinstate him.

## EASTERN CAPE

Company: Cherry Tree Bakery

Date: 11 October

Workers: 25

Union: General Workers' Union (GWU)

Workers staged a three-hour stoppage in protest against the arrest of a colleague. They demanded his immediate release, and the withdrawal of a charge against him by the manager who alleged that he had used a company vehicle without the owner's consent. Police arrived at the scene with dogs and observed while management negotiated with the workers. Management promised to secure the release of the worker and undertook to reinstate him. (Eastern Province Herald, 12.10.82).

Company: Ford (Port Elizabeth)

Date: 4 October, 1982

Workers: 12

Union: National Automobile and Allied Workers' Union (NAAWU)

Twelve workers who refused to work overtime were dismissed. They were told they could appeal against their dismissals, but no such action has been reported. (RDM, 05.10.82).

Company: Langeberg Co-operative (East London)

Date: 28 October

Workers: 860

Union: African Food and Canning Workers' Union (AFCWU)

Workers downed tools demanding an increase in their bus subsidies, as fares had been increased. The workers refused to return until their demands were met. Management said that they (the workers) were considered as having dismissed themselves.

Talks between the union and management at the weekend were, however, fruitful, and in a joint statement both sides said they expected work to resume on the Monday (1 November). (Weekend Post, 30.10.82)

No further news.

Company: Motor Industry in the eastern Cape (for previous coverage see WIP 24:51-2)

The dispute was finally settled in November with negotiations taking place through the Eastern Province Employers' Association, as an alternative to the Industrial Council. The companies had refused to bargain at plant level.

The unions and their members reluctantly accepted the across-the-board minimum hourly rate of R2,20, granted in August, and the planned ten cents increase in February, 1983 (bringing the minimum wage to R2,30). New wage talks would commence in March.

The parties agreed to six-monthly wage talks during the two year contract settlement. A joint union-employer committee would be formed to supervise the grading of workers, with further provisions covering redundancies, severance and long service pay. (RDM, 21.11.82).

After the wage settlement the scheme to set aside R2-million from the Unemployment Insurance Fund for the white workers in the motor industry who were affected by the strike, fell away.

Company: National Society for the Blind (Mount Road factory, Port Elizabeth)

Date: 11 October

Workers: 20

Union: -

Six workers were dismissed and 14 others walked out in sympathy with their colleagues. Workers said their main grievance was the fact that from week to week they did not know what they

would earn because random deductions were being made without any reason being given. They said that the only way they could air their grievances was through the National Society, which involved a lengthy procedure, or through the local Society's committee, which meant channelling grievances through the factory manager.

One of the six dismissed workers was interviewed by the press. According to the worker he was threatened with dismissal by the manager, Glenndinning, after a fight had occurred between the two men. On pay day (Friday) the worker's pay packet was R8,00 short. He and eight other workers who had also been underpaid pleaded with Glenndinning for their full pay. A fist fight between Glenndinning and the workers broke out. On Monday morning six workers were locked out and paid termination wages.

The chairperson of the National Society for the Blind, Professor Theo Pauw, has appointed a committee to investigate grievances at the Mount Road factory.

No further news.

Company: Provincial Roads Department (Beaufort West)

Date: 8 November

Workers: 350

Union: Farm Workers' Union

The workers went on strike after a sick colleague had been dismissed. The entire workforce was then dismissed on 17 November. None, however, collected pay.

After the Farm Workers' Union had intervened on behalf of the workers, a settlement was reached with the Department, which agreed to reinstate the workers unconditionally and pay them for the five days on which they were absent.

A workers' committee which was established was recognised by the Department and would hold monthly meetings with officials. (Argus, 18.11.82).

Company: Veldspun International (for previous coverage see WIP 24:52-3)

Date: 4 August

Workers: 1 000

Union: TUCSA-affiliated Textile Workers Industrial Union (TWIU) and the FOSATU-affiliated National Union of Textile Workers (NUTW)

Workers in Uitenhage resolved to boycott

white-owned shops in an attempt to force Veldspun to re-employ the strikers who had been locked out illegally. Wits students also participated in the campaign against Veldspun and addressed themselves to Mike Rosholt, Barlow Rand chairperson, who is also chancellor of their university.

The students' Economic Research Commission (ERC) issued a booklet and a pamphlet attacking Rosholt's role as chairperson of Barlow Rand in the dispute between Veldspun and the NUTW. They accused Veldspun of paying poverty wages (Veldspun is the lowest payer in Uitenhage), of practising 'brutal retrenchments' and of refusing to deal with the union.

FOSATU's central committee resolved that their general secretary, Joe Foster, would write to Prime Minister Robert Mugabe calling for an embargo on Barlow Rand products. The committee supported the call to reinstate all workers dismissed during the dispute. Subsequently the Barlow Rand shop stewards' council of the Transvaal branch of the Metal and Allied Workers' Union (MAWU) issued a press statement expressing solidarity and pledging support for the Veldspun workers.

More than 300 students attended a meeting at Wits university to protest against the dismissals on 22 September. Union organiser, John Copelyn, addressed the meeting. He reacted strongly to the statement by Veldspun management that the lay-offs had been approved by the union. The union, he said, had been presented with the lay-offs as a fait accompli. The negotiations had only taken place after the dispute had been publicised through the students and the media.

At the beginning of November, Veldspun agreed to gradually re-engage 214 of the dismissed workers. The NUTW had, however, been making demands that more workers be reinstated. It also demanded that management supply it with a list of those workers who would not be re-employed. Veldspun undertook to do this, and a spokesperson for management said that union membership would not be a criterion for re-employment. Unionists have viewed the settlement, as it stands, as uneasy.

No further news.

Company: West Beach Cafe  
Date: 9 November  
Workers: 14

Union: -

The entire staff walked out in sympathy with the cook who had been dismissed for being absent from work for three days. The workers said they had intended returning to work, but that management had replaced them without discussing their grievances.

TRANSVAAL

Company: Associated Diesel Company (Adco)

Date: 20 January

Workers: Entire workforce

Union: -

The dismissal of a colleague sparked off a sympathy strike by the entire workforce at this company. Additional grievances were low wages and long working hours without lunch or tea breaks.

No further news.

Company: African Explosives and Chemical Industries (AECI) (Sasolburg)

Date: about 11 - 17 January

Workers: 600

Union: SA Chemical Workers' Union

Workers downed tools in protest against two supervisors whom they alleged had addressed them in abusive language. In addition the workers claimed that the supervisors were responsible for the unfair dismissal of several of their colleagues under the guise that they were being retrenched.

Management agreed to investigate the instances of employee abuse and the strike was called off.

Company: B and S Engineering (Brits)  
(for background see WIP 24:49)

Date: 7 September

Workers: 1 000

Union: Metal and Allied Workers' Union  
Two MAWU members who were leaders in the strike at this firm were charged with intimidating workers. They were released on bail. One of the worker's bail conditions restricted him from entering the B and S factory. When the men appeared on 13 December the charges were dropped as two key witnesses for the state failed to appear.

Company: Balalaika Hotel

Date: 1 December

Workers: 5

Union: -

The workers struck after being subjected

to racist remarks made by their manager and after R20 had been deducted from their pay packets because he claimed they had stolen cutlery. When they reported for work the following morning they were all dismissed. The workers reported the matter to the Hotel Industrial Council, which is investigating the matter.

No further news.

Company: Baragwanath Hospital

Date: 1 November (07h00-09h00)

Workers: ?

Union: -

Administrative staff, demanding wage increases in the wake of new increases for nursing staff, allegedly walked out of their jobs. The hospital superintendent, Chris van den Heever, however, denied that the strike had taken place. He said that negotiations were under way.

Company: Biltons Insurance Brokers

Date: 4 November

Workers: 7

Union: -

Workers walked out of their jobs as a result of a dispute over delayed commission payments. They alleged that their former employer had not paid their basic R400 salary and the commission. Management claimed that there was never an agreement between them and the staff that they would receive a basic salary, and also claimed that their commissions could only be paid once the insurance companies had accepted the policies referred to them.

No further news.

Company: Central News Agency (CNA)

Date: 25 October - 1 November

Workers: 600

Union: CCAWUSA

A week-long strike at the CNA at the end of October last year, which ultimately involved about 600 workers, was precipitated by a refusal by management to allow three worker representatives to accompany union officials to a meeting to discuss workers' grievances. Earlier workers, members of CCAWUSA, had instructed union officials to set up a meeting with CNA management to discuss union recognition and wage increases.

The meeting was cancelled when management refused to meet with the workers, because 'they did not know

whether they were representative of the work force'. A mass meeting held on Sunday, 24 October, decided to strike in the face of management intransigence, and the following day workers at the CNA warehouse plus three city branches 'downed tools'. Added to the list of demands was the reinstatement of six workers from the Carlton Centre branch who, the workers said, had been unfairly dismissed the previous week - an allegation denied by management.

As the strike continued it spread to more branches - by the end workers from about 26 branches were involved, including 16 in Johannesburg and others in Sandton, Eastgate, Bedfordview, Boksburg, Benoni, Springs, Krugersdorp and Pretoria.

Management said that many who wanted to work had been sent home for fear of intimidation and others had been 'stopped at railway stations and in the streets'. However, by Wednesday J Lowman, CNA's managing director, acknowledged that 'the strike seemed to indicate the union was representative and the company would be happy to talk to CCAWUSA'.

But attempts to resolve the dispute were initially hampered by management's reluctance to talk until the strikers returned to work, while workers insisted on a start to negotiations before returning.

It was not until Thursday, 28 October, that management contacted the union and proposed that a meeting should be held the following day. It was held and attended by union officials and worker representatives, and it led to the end of the strike. At the meeting management agreed in principle to the following:

- 1) Recognition of CCAWUSA and CNA shop stewards;
- 2) A review of the six dismissals;
- 3) Wage negotiations to begin by mid-November;
- 4) No loss of pay for the week of the strike.

Report-back meetings at the weekend and on the Monday morning voted to accept the proposals, and that afternoon the workers were back at work.

The following day, at a meeting between management and union officials and shop stewards, it was agreed that the six Carlton Centre workers should be reinstated.

On 19 November a wage agreement was signed. The minimum monthly wage for workers in urban areas (92% of the black work force) was increased from R160 to R235, while minimum wages in rural areas increased from R140 to R190. In addition all workers earning under R450 per month would receive a bonus of R20. The union had originally asked for R250 minimum wage and a R100 bonus.

Negotiations over a recognition agreement are presently in progress.

Company: Chamdor Training Centre  
(Krugersdorp)

Date: 25 November

Workers: 34

Union: -

Apprentices at the centre went on strike over an alleged assault of a colleague by several of the security guards. According to the apprentices, there had been other assaults prior to the incident. They said they lived in constant fear of the guards.

Management denied that there had been a strike at the centre.

Company: Datsun-Nissan (Rosslyn)

Date: 8 December

Workers: 4 500

Union: None

Workers struck in protest against the size of their Christmas bonuses and their year end wage rise. The workers stated that their bonuses had been lower than in recent years. Workers were also unhappy with the proposed increase of 10 cents or 15 cents an hour - depending on the grade of job.

One worker claimed that the company had stated that this was necessary because times were bad. However, workers said that they were working as much overtime as ever.

Police were called in by the company and dispersed the workers. Police alleged that they had intervened after workers began damaging cars. They stated that their attempts to disperse the crowd peacefully failed, and they were forced to use violence (sjamboks, teargas, and rubber bullets) after the workers threw stones and sticks at them. Police stated that four security guards were injured - one seriously. An unknown number of workers were treated at a hospital and by a local doctor.

As a result of the strike Datsun sent all the workers home and decided

to close on 8 December.

A spokesperson for Datsun said that for the last two years workers had been given a special bonus over and above their normal one, because of good company results. This was not possible this year. Datsun claimed that it had informed the workers and the work council of this well in advance, but workers had reacted angrily and struck when they received their pay packets.

Workers gathered at the plant on 9 December to collect their pay.

Company: Deluxe Dry Cleaners (for background information see SARS Information Sheet, August, 1982:1, and WIP 20:43)

Date: 10 September, 1981

Workers: 150

Union: General Workers' Union of South Africa (GWUSA)

In the trial of GWUSA secretary, Donsie Khumalo, charged with 'inciting' workers to strike, two state witnesses testified to this effect. They were both provided with indemnity from prosecution if they gave satisfactory evidence. Elsie Nkonyane said that on 9 September, 1981, Khumalo had addressed a meeting, telling workers to stop work at 10h00 the following day, when he would be negotiating on their behalf. Rebecca Mogale said she had joined the strike in the hope that the workers' grievances would be resolved. She later added that she had been forced to strike.

Khumalo was found not guilty.

Company: Gallo (Bedfordview)

Date: 10 January

Workers: -

Union: CCAWUSA

Five union shop stewards at this firm were dismissed. Workers staged a short stoppage in protest. Shortly after it started management met with worker representatives and agreed to reinstate the five dismissed men. The union represents 90% of the 120 workers at the firm.

Company: Hillbrow Hospital

Date: 11 November

Workers: about 400

Union: -

Workers struck, demanding a 50% pay increase and better working conditions. The workers appointed a delegation to hand a memorandum containing pay

demands and grievances to the hospital superintendent, Dr J Nach. He agreed to meet an elected committee consisting of representatives from all sections of the striking staff to discuss worker grievances.

Company: Kleenem Brush Works (Newclare)  
Date: 28 September  
Workers: about 300  
Union: Brushes and Cleaners Workers' Union

A work stoppage lasting a few hours occurred at this firm. Workers downed tools in support of higher wages. They returned to work when management agreed to hold talks with their union.

Wages were later increased by R5 a week, although the workers were demanding a R10 weekly increase.

Company: Kmetcon Welding  
Date: 27 October  
Workers: 6  
Union: -

Employees at this firm refused to return to work until their manager agreed to stop insulting them. They were all fired because the manager claimed that they had staged an illegal strike and had, therefore, dismissed themselves.

Company: OK Bazaars (Rosebank, Johannesburg)  
Date: 6 - 7 October  
Workers: ?  
Union: CCAWUSA

When two workers were arrested the remaining staff at this store went on strike in protest against the arrests. According to management the police were called in when a cashier refused to sign a form detailing that the money in her till was short. The workers returned to work when both their colleagues who had been arrested were released, and charges against them were dropped.

Company: Putco (Vosloorus depot)  
Date: 21 January  
Workers: 200  
Union: -

The drivers went on strike protesting against what they considered excessive disciplinary measures by supervisors. About 52 buses were damaged by commuters affected by the strike. Fifteen of the drivers were charged with obstructing traffic and their cases have been remanded to February and March.

Company: Reckitt and Coleman Pharmaceuticals  
Date: 4 - 8 November  
Workers: 200  
Union: Chemical Workers' Industrial Union (CWIU)

A driver who had worked with the company for 15 years was dismissed for refusing to undergo a breathalyser test. Production and distribution workers downed tools in protest. The workers returned to work on 8 November, although the dismissed driver had not been reinstated (he had been paid compensation).

Company: Screenex Wire Weaving Manufacturers (Alberton)  
Date: 10 December  
Workers: 140

Union: Metal and Allied Workers' Union  
On 10 December, when 11 workers were retrenched (despite a guarantee by their employers that their contracts would be renewed) the other workers downed tools in protest.

MAWU has alleged that the company has, since mid-1982, refused to enter into any discussions with the union. After the strike began, management still refused to negotiate with the union. The workers reported to work on 3 January, after the holiday break. Management responded by calling in the police who arrested six workers.

The company has begun hiring about 73 migrant workers and some coloured and indian workers to replace the skilled operators.

According to the replaced workers, the company cannot produce without its old workforce who are already skilled in operating its machines.

Screenex manufactures wire screens mainly for the mining industry. It supplies the Anglo American, De Beers and Gencor mines here and in neighbouring countries. MAWU is considering calling for a boycott of Screenex products.

Company: Sigma (Pretoria)  
Date: 24-5 September  
Workers: 130  
Union: National Automobile and Allied Workers' Union (NAAWU)

Workers downed tools in protest against the 'unjust' sacking of four of their fellow workers, including a NAAWU shop steward. Sigma agreed to suspend one of the workers and the shop steward

for a week, instead of sacking them. The company was not prepared, however, to alter its decision on the other two workers. The strike was called off and all the workers returned the following day.

Company: Stobar Reinforcing (Elandsfontein)

Date: 16 - 20 August

Workers: 78

Union: MAWU

The entire work force staged a go-slow in August, 1982. According to management they were regarded as having dismissed themselves. In November the union lodged an application with the Industrial Court for the reinstatement of 51 of the workers.

The union argued that the dismissal of the workers was an 'unfair labour practice': firstly, because an employer should have reasonable grounds for dismissing an employee; and secondly, because a worker should be given an opportunity by the employer to present his side of the matter. *Both these practices had been absent in Stobar's handling of the dispute, it was alleged.*

Furthermore, the union alleged that the workers were fired without warning by the employer in an attempt to avoid negotiation over retrenchment, so that the company could carry out 'disguised retrenchment' by sacking all the workers and rehiring only some.

The court ordered the reinstatement of the 51 workers with effect from 1 October, 1982, until 29 January, 1983. The ruling is significant as it is the first time that african workers have been temporarily reinstated in the light of arguments presented by the union. The written judgement is still awaited and its full significance cannot be ascertained yet.

Company: Teltron

Date: 16 November

Workers: 150-200

Union: CCAWUSA (Commercial, Catering and Allied Workers' Union of SA)

Labour relations at Teltron - distributors of hi-fi and other electrical equipment proved to be decidedly unharmonious during 1982. This culminated in a strike during November, and charges against six of the leaders under the Intimidation Act.

Earlier in the year, during July,

workers in the workshop and despatch departments held a brief work stoppage demanding wage increases. Management responded with a promise that increases would come into effect as from September. Until that time workers' interests at the firm had been represented by a liaison committee and it was only thereafter that membership of CCAWUSA at the firm began to grow. According to a shop steward who had been a member of the liaison committee, the committee dealt only with matters such as toilet cleanliness and the organising of sporting events. Attempts to raise issues like wages, dismissals, etc, were not allowed by management.

September pay day came and went without any sign of a wage increase. When inquiries were made management said that the increases had been postponed until the following April. The personnel manager was reported to have said that the firm 'had conducted a wage review but decided that because it paid more than its competitors there was no need for one until next year'.

By early November almost the whole black work force of about 200 were members of CCAWUSA and it was decided to ask the union to write to the firm. The letter dealt with the absence of wage increases and also demanded recognition of the union and the reinstatement of a colleague who the workers felt had been unfairly dismissed.

By this stage feelings amongst the workers were running high and an almost immediate reaction was demanded. This was not forthcoming so on Tuesday, 16 November, workers decided to gather outside the Teltron building and wait until management gave a reply to their demands. A letter was then handed to worker leaders, which asked for copies of the CCAWUSA constitution and registration certificate, as well as proof that the union was representative of the Teltron work force.

At the same time management delivered an ultimatum to workers saying that unless they returned to work immediately they would be considered to have dismissed themselves. A request by the workers to be allowed to consult with union officials first was refused and they then decided to march to the union offices.

The following day management contacted the union with the offer of a meeting, which was held that afternoon.



Worker representatives gave management a copy of the union's constitution and invited them to the union offices to verify Teltron membership figures. However, the union refused to give management a copy of the registration certificate saying that registration was irrelevant to the union's representivity and to the demands of the workers. The meeting ended in deadlock, with Teltron management refusing to discuss the workers' demands on the grounds that they were no longer employees of the firm.

The strike continued into the following week, with the striking workers meeting daily at the union offices. Hopes for a settlement of the dispute were raised on the Wednesday with the scheduling of a further meeting between the two parties. In addition to the matters already raised the negotiating team was mandated to discuss other grievances, including some relating to work procedures, dismissals of pregnant workers, and lack of meal breaks for some.

At that meeting management agreed to meet some of the demands, including a review of the dismissal, a wage review and also to talks on the recognition of CCAWUSA. However, because many of the 'vacancies' left by the strikers had already been filled and because the company had decided to reduce its work force, Teltron would take back only 50 of the strikers - newspaper reports put the total number at between 150 and 200.

A mass meeting of the workers the following day completely rejected the settlement offer. A statement by the union issued after the meeting accused the company of hypocrisy and said that the offer was 'obviously aimed at undermining the unanimity of the united workers to be heard and appeased collectively. Teltron cannot divide them and they can't respond to the humiliating offer of 50 vacancies'. It added '... the workers vehemently reject your paper (offer) and Teltron should forget about fooling around with the workers. They have got their pride too - you can't succeed and they won't be humiliated by you.'

The following week management made a 'final offer' to re-employ 84 workers, but this too was rejected.

During December two further events occurred. Firstly, after being called

in by management, police took a CCAWUSA organiser, who had been distributing leaflets outside Teltron, to John Vorster Square. He was later released. The union had previously vowed to organise the new Teltron employees.

Secondly, six of the Teltron strikers have been charged under the new Intimidation Act. The six men are out on bail and the case has been postponed until 3 March.

Company: Tensile Rubber (a General Tyre Subsidiary)

Date: 18 - 20 October

Workers: about 100

Union: Metal and Allied Workers' Union (MAWU)

The workers struck in protest at the withdrawal of their transport scheme and at their general working conditions. They were dismissed when they did not return on the deadline management had issued. On 18 October they were re-employed on a selective basis.

#### NATAL

Company: Alusaf (Richards Bay) (for background see SARS Information Sheet August, 1982:3)

Date: 16 June

Workers: 1 700

Union: Metal and Allied Workers' Union (MAWU)

Sipho Khuzwayo and Enoch Shongwe have been charged with intimidation, following the strike at the plant. They were released on R200 bail each.

No further news.

Company: Bata Shoe Company (KwaZulu factory) (for background see WIP 22:31 and 23:50)

Date: 22 February

Workers: 700

Union: National Union of Textile Workers (NUTW)

The NUTW reported this company and its labour practices to the International Textile, Garment and Leather Workers' Federation. The Federation enlisted the support of the Canadian Labour Congress, which asked for support from the Canadian government to put pressure on the company. It is likely that an international boycott of Bata products could result, because of its malpractices.

A recent development in the unfair treatment of workers at Bata is the fact that the company retrenched

two-thirds of its work force. The remaining 300 workers are now working on short time. Rumours that the factory might close down have been spreading.

Company: David Whitehead (for previous information see SARS Information Sheet August, 1982:3-4)

Date: 1 July

Workers: 2 000

Union: NUTW

The dispute on the validity of a recognition agreement between the company and the union was settled out of court. Both parties agreed that the agreement between them is legally binding. They also agreed upon a procedure of strike ballots in case of future disputes. The eight shop stewards who were fired will receive a total of more than R17 000 in severance pay. Furthermore, the company has undertaken to re-employ 45 of the workers sacked after the strike. The union has accepted that the present wages will hold until 30 June, 1983.

Company: Greystones Enterprises  
(Durban)

Date: November

Workers: 50

Union: -

Fifty machine operators struck when their manager told them to look for two men who had failed to report for work. The workers, employed by Greystones Enterprises which is involved in excavation and bulk handling at Glen Anil, also claimed that R10 was deducted from their pay packets every week, supposedly as a pension fund contribution. They alleged, however, that it was not refunded when they left.

K Morrison, a company director, denied the claims. He claimed that the workers walked out after six men were fired for various misdemeanours.

The workers also claimed that they did not receive enough protective clothing for handling dusty and at times dangerous substances with the payloaders which they operated. One man claimed that when he had been badly affected by the substance and couldn't see, Morrison had stated that he should work as there was nothing wrong with him. Morrison said that he could not get a doctor's appointment on Monday and the following day the workers had gone on strike.

He hoped the men who were highly

trained would return to work. He said he did not put slips in workers' pay packets to protect them from muggings. The company had spoken to the SA Allied Workers' Union. The Department of Manpower was investigating the workers' grievances.

Company: Hulett's (various mills)

Date: 29 October

Workers: 1 200

Union: Sugar Refining and Manufacturing Union

Workers downed tools in support of higher wages. On 2 November, when they refused to call off the strike, they were all fired. This was at the Amatikulu and Darnall mills. Management said it would consider workers for selective re-employment. The workers were demanding a food increase from R30 to R107 per month. Management had been providing workers with two meals a day which cost them R30 per worker. The workers decided they wanted to buy and cook for themselves, and were asking for R107 each per month. Management was prepared to offer a R10 increase and did not object to the workers cooking their own food.

Negotiations had taken place over a period of three months between management and the union, prior to the strike. About 160 workers lost their jobs as a result of the strike.

Workers at Hulett's Mount Edgecombe and Felixton mills also downed tools over food allowances. They have all returned to work.

Company: Mtubatuba sugar farm

Date: 29 November

Workers: 100

Union: -

The National Iron, Steel, Metal and Allied Workers' Union, an affiliate of the National Federation of Workers, reported that workers had downed tools in response to the dismissal of a colleague. Reports have suggested that the strike spread to other farms in the area. The dismissal, according to Peter Hitchins, who owns the farm, was as a result of a letter he had received from the union to all farms, calling for a minimum monthly wage of R180.

The strikers were dismissed and were told that the farm would be closed until May. A spokesperson for the union said that Hitchins would not be re-employing the workers.

Company: SA Health Protecting Services  
(Durban)

Date: Early October

Workers: 12

Union: SA Allied Workers' Union (SAAWU)

Workers were dismissed after they struck in protest against the retrenchment of several of their colleagues. Talks between management and SAAWU resulted in the strikers being re-employed.

Company: Trans Umzimkulu Transport Services

Date: 30 November

Workers: -

Union: -

Drivers who were dissatisfied with their new management struck in protest. They returned to work later that day.

MINING

Company: Consolidated Diamond Mines (CDM) (Oranjemund)

Date: 22-7 October

Workers: approximately 5 000

Union: -

The entire african work force struck, bringing production to a standstill. The strike was in protest against the assault by a white supervisor on a black worker, Mr Gabriel, and the subsequent dismissal of him and his colleague who came to his aid. One of the main grievances was the fact that the two black men were arrested and not given medical treatment, while the white supervisor was taken to hospital.

Gabriel appeared in court and was fined R500 while his friend was fined R100, which they paid. According to the workers the men were then dismissed and sent to Lüderitz.

The workers returned to work after CDM had promised to recall the two men from Lüderitz, to remain in Oranjemund until an inquiry into the incident was conducted.

No further news.

Company: Gold Fields Kloof Mine (Westonaria) (for background see SARS Information Sheet, August, 1982:9)

Date: 4 July

Workers: 12 000

Union: National Union of Mineworkers (NUM)

Sixty of the workers arrested during the unrest had charges of public

violence against them withdrawn on 31 September. Fifty-five of them, who could not afford bail, had been in jail since July. After representations by the union, management agreed to take back all 60 workers. The NUM is consulting its legal advisers as to whether or not there are grounds on which to take legal action against the police for wrongful arrest.

SASJ vs SAAN and Argus Companies:  
Conciliation Board Dispute

Chronology of the events:

14-18 October: South African Associated Newspapers (SAAN), followed by the Argus Company, announce their intentions to withdraw 16 newspapers from the SA Newspaper Press (Editorial) Conciliation Board.

25 October: The Southern African Society of Journalists (SASJ) meets to discuss the withdrawal. In a press statement the SASJ referred to management's decision as 'a threat to Press freedom. The freedom of the Press is inseparable from the freedom of journalists to organise as they please and to bargain collectively.'

10 November: Talks between the SASJ and employers result in deadlock.

12 November: SASJ refers the dispute to the Industrial Court for a ruling as to whether the employers' action may be regarded as an 'unfair labour practice'.

14 December: Judgement in the dispute is reserved.

28 December: Industrial Court orders SAAN and Argus not to withdraw from the Conciliation Board and to negotiate with the SASJ within a month. Reasons for the judgement forthcoming.

The withdrawal of SAAN and then the Argus Company and SAPA from the (Editorial) Conciliation Board would have meant the destruction of the instrument of negotiation and conciliation which has been used to push up pay levels and secure better conditions in the editorial departments of the newspaper industry for nearly forty years.

The Conciliation Board was set up in 1945 after a 25 year struggle by the SASJ since its formation. Unlike other negotiating structures, ie industrial councils, it is a non-statutory body. It consists of eight representatives of each side who meet

to discuss wages and working conditions in the newspaper industry.

What prompted the two largest English-language newspaper groups in South Africa to walk out on negotiations? The SASJ has since 1979 been exerting more and more pressure on employers, and has been less compromising in its demands. The employers' reasons for withdrawing from the negotiating process reflect their refusal to negotiate with what they consider to be an increasingly militant group. At the hearing, Lane, for the employers, stated that 'the applicants showed such a rigid approach that on their own showing they cannot negotiate.'

The major disagreements between the two parties were the issues of across-the-board increases for senior journalists, and regionalisation. The SASJ refused to concede to management on either of these issues.

SAAN, Argus and SAPA were against paying across-the-board increases to senior journalists. They also argued that wages be standardised at a regional level, in order that they may pay journalists at smaller coastal newspapers less than those in larger centres. Their attitude is inconsistent with the current trend in management, which is to negotiate at industry (ie national) and not at plant (ie regional) level.

The walkout (from the Conciliation Board) is in itself ironical in that the media, which consistently encourage management to negotiate with trade unions, has blocked this procedure at their own companies. Rather than continuing to negotiate, the SAAN and Argus managements chose to destroy the very mechanism of collective bargaining designed to resolve disputes.

At the hearing, therefore, the real issue at stake was the right to collective bargaining by a representative union. The SASJ argument was that the withdrawal was unlawful and that it constituted an 'unfair labour practice' in terms of the Labour Relations Act.

A full bench of the Industrial Court was present during the hearing. The full significance of their ruling will emerge only when judgement is delivered. What the ruling means, at least, is that the employers will be forced to negotiate with representative unions with which they have had a bargaining relationship in the past.

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# ASSESSING THE REGISTRATION DEBATE

SHOULD DEMOCRATIC TRADE UNIONS PARTICIPATE IN THE STATE'S INDUSTRIAL RELATIONS SYSTEM? THIS HAS BEEN A FIERCELY DEBATED QUESTION IN THE PAST FEW YEARS. SOME UNIONS HAVE OPTED FOR REGISTRATION, WHILE OTHERS HAVE STEADFASTLY REJECTED BOTH REGISTRATION AND PARTICIPATION IN THE SYSTEM OF INDUSTRIAL COUNCILS.

AT CORE, THE DEBATE REVOLVES AROUND THE EFFECTS OF REGISTRATION AND INDUSTRIAL COUNCIL PARTICIPATION ON DEMOCRATIC TRADE UNIONISM. DOES GOVERNMENT'S NEW LABOUR DEAL INVOLVE REAL CONCESSIONS TO TRADE UNIONS WHICH SHOULD BE TAKEN ADVANTAGE OF, OR IS ITS EFFECT TO WEAKEN UNIONS IN REGARD TO SHOP-FLOOR DEMOCRACY AND WORKER CONTROL?

SOME OF THESE QUESTIONS HAVE BEEN RAISED IN THE SOUTH AFRICAN LABOUR BULLETIN (SALB) BY VARIOUS CONTRIBUTORS. IN A DEFENCE OF FOSATU-AFFILIATED UNIONS' DECISION TO REGISTER, BOB FINE, FRANCINE DE CLERCQ AND DUNCAN INNES ARGUED THAT THE PRIMARY POLITICAL GOAL OF BLACK UNIONS HAS BEEN THAT OF STATE RECOGNITION. THEY SUGGEST THAT 'NOW THAT THE STATE, IN THE FACE OF CONSISTENT AND MILITANT OPPOSITION, APPEARS FINALLY PREPARED TO MAKE ITS FIRST CONCESSIONS ON THESE DEMANDS, IT WOULD SEEM TO US THE HEIGHT OF FOLLY FOR THE UNIONS TO TURN THEIR BACK ON THESE CONCESSIONS'.

IN REPLY TO THIS, THE GENERAL WORKERS' UNION (GWU) ARGUED THAT THE REGISTRATION PACKAGE WOULD FORCE WORKERS TO GIVE UP EXCLUSIVE CONTROL OVER THEIR UNIONS: INITIALLY, GWU 'REFUSED TO CONSIDER REGISTRATION BECAUSE OF THE CONTROLS CONTAINED IN THE REGISTRATION REQUIREMENTS'.

THESE INVOLVED, IN GENERAL, A 'COMPLETE WEB OF CONTROLS OVER THE UNION'S CONSTITUTION, FINANCES, ELECTIONS AND GENERAL INTERNAL FUNCTIONING'.

GWU WENT ON TO ARGUE THAT REGISTRATION ALLOWED FOR STATE INVOLVEMENT IN A UNION'S INTERNAL AFFAIRS, REMOVING DIRECT CONTROL FROM MEMBERS. REGISTRATION, IT

WAS ARGUED, IS NOT A NEUTRAL OR TECHNICAL EXERCISE. IT 'ACCENTUATES THE MENTAL/MANUAL DIVISION IN THE UNION PLACING IN THE HANDS OF THE INTELLECTUALS EXCLUSIVE CONTROL OVER FUNDAMENTAL ASPECTS OF THE UNION'S ACTIVITIES'.

IN THE ARTICLE THAT FOLLOWS, PAUL TOURIKIS CONTROVERSIALLY SUGGESTS THAT THE DEBATE ON REGISTRATION AND THE NATURE OF STATE CONCESSIONS HAS THUS FAR FAILED TO POSE A KEY QUESTION. HOW, HE ASKS, IS THE REALITY OF THE NEW LABOUR CONCESSIONS TO BE ASSESSED? ON WHAT BASIS CAN IT BE ESTABLISHED WHETHER THEY ARE REAL OR FRAUDULENT?

TOURIKIS ARGUES THAT THIS CAN BEST BE TESTED BY ASSESSING WHETHER CONCESSIONS OFFERED BY THE STATE ADVANCE OR IMPEDE THE POLITICAL MATURATION OF THE BLACK WORKING CLASS. HE CONCLUDES THAT IF LABOUR REFORMS HAVE REALITY IN THE FIELD OF POLITICAL STRUGGLE, THEN PROGRESSIVE UNIONS SHOULD TAKE ADVANTAGE OF THEM. HOWEVER, IF CONCESSIONS HAVE REALITY ONLY IN THE REALM OF ECONOMIC STRUGGLE, THEN THEY NEED TO BE ASSESSED IN RELATION TO POLITICAL STRUGGLE AS A WHOLE.

THE ISSUES ASSOCIATED WITH THIS DEBATE REMAIN IMPORTANT. GWU AND FOSATU, PREVIOUSLY REPRESENTING OPPOSING POSITIONS, HAVE RECENTLY MOVED CLOSER TOGETHER ON THE QUESTION OF INDUSTRIAL COUNCILS. THE GWU NATIONAL CHAIRMAN HAS RECENTLY STATED THAT THE DIFFERENCES BETWEEN FOSATU AND GWU WERE NOT THAT GREAT. 'WE BELIEVE THAT FOSATU HAS BECOME A MORE DEMOCRATIC ORGANISATION AND WE BELIEVE THAT THEY ARE MORE WILLING TO TAKE CRITICISM.....OUR DIFFERENCE OVER INDUSTRIAL COUNCILS WERE NOT SO IMPORTANT. IN MEETING TOGETHER FOSATU ALSO BROUGHT US SOME GOOD ADVICE, ESPECIALLY ON THIS QUESTION OF INDUSTRIAL COUNCILS'.

THE MOVING CLOSER TOGETHER OF THESE TWO IMPORTANT UNION GROUPINGS WHICH PREVIOUSLY REPRESENTED OPPOSING POSITIONS MAKES IT VALUABLE TO RE-THINK SOME OF THE QUESTIONS

ORIGINALLY POSED IN THE DEBATE ON UNION STRATEGIES.

SOME OF THE MORE CONTENTIOUS POINTS MADE BY TOURIKIS ARE TAKEN UP IN A SHORT RESPONSE FOLLOWING HIS ARTICLE.

The aim of this article is to assess the direction that the debate on registration of black unions has taken. The debate, I will be arguing, has made little progress, in that the basic difference between the contending positions has not been thrashed out. To put it more strongly, I will be arguing that there is a sense in which the debate has not really begun.

The central purpose of this contribution is to point to the method by which concessions and controls like registration can be assessed. I will attempt to provide a basic criterion by which the reality of state concessions can be most usefully debated.

The reality of the concessions offered by the state to the labour movement has not been investigated in any meaningful way by the various contributors to the South African Labour Bulletin debate. Fink Haysom himself makes this point when he notes: 'The article (by Fine, de Clercq and Innes) indicates that the decision to register should be based not on an automatic reflex, but on an assessment of the controls, on the question of the terms on which the unions should register. This is a question which Fine et al astonishingly fail to answer themselves'.

Duncan Innes, in his most recent contribution to the debate, does attempt such an assessment of the concessions offered. But the way in which he does so, I will be suggesting, is extremely problematic. The absence of a method by which concessions can be evaluated causes Innes' examination of the effects of registration to fail.

Haysom correctly stresses that the crux of the debate centres around attempts to evaluate the reality (or otherwise) of state concessions. It revolves, furthermore, around attempts to define what constitutes working class advances. In a perceptive passage, Haysom argues that 'We are told (by Fine et al) the

obvious: "the duty of the trade union is to assess whether the package deal advances or retards the workers' interests". Fine et al are unable to answer that question until they explain how the working class "advances" or what constitutes an "advance". We are told that there are rights and restrictions in the package deal.... (But) Fine et al never define a "right", particularly one which advances workers' interests.... We assert that the nature of rights in general, and each right in question, be explored within the context of the whole'.

Fine, de Clercq and Innes agree that 'It is around this issue of the nature of these concessions - are they real as FOSATU argues or are they simply fraudulent - that much of the debate turns'. Would they, however, agree that the most meaningful way of testing the reality of all concessions is by asking whether they facilitate or impede the political maturation of the black working class?

Surely this is the most meaningful criterion of 'reality'. Concessions, furthermore, might be real in the sense that they constitute real gains on the part of the working class in the area of economic struggles. They might none the less limit the political autonomy of the trade union movement, ie the freedom to engage in community struggles.

#### POLITICAL OR ECONOMIC CONCESSIONS?

To the question 'Are the recent state concessions fraudulent or real?' we need to reply with another question: 'Do you mean fraudulent/real in relation to economic or political struggle?' Gains in the former might prove to be obstacles in the latter.

To clarify: political struggle involves above all else the political education of the working class. This can only be brought to workers by training them to actively respond to all cases of tyranny and oppression, no matter what class is affected. The 'self-knowledge' of the working class involves an understanding of the relationships between all the various classes of society, and the relationship of these classes to state

and government.

State-offered concessions which impede the political education of the working class are fraudulent in the realm of political struggle, although they might constitute advances in economic struggles.

Fine et al argue in a central passage that those who have called for a boycott of labour concessions have mixed up tactics and principles 'by rejecting in advance the possibility that black workers could force the state to make real concessions which they could usefully exploit. They argue that, to the extent that any real concessions are made by the state, it is only with the intention of incorporating a section of the black labour movement, and that the use of these concessions would necessarily compromise the unions involved. Thus, even when concessions are "real" they are to be boycotted since, if the unions took advantage of them, they would compromise their independence from the state.....This approach treats advances made by workers as if they were traps that will automatically lead to their incorporation. It is this that we take issue with'.

This passage seems to be dealing a devastating blow to the 'boycotters'. But it is indicative of the whole approach of both 'boycotters' and 'others' that the word real is left undefined.

In the Fine et al position quoted above, it needs to be asked in what arena of struggle these concessions are considered as real? If this refers to political struggle - ie if they allow the black working class to engage in community struggles - then obviously such concessions need to be taken advantage of. If they are real in relation to economic struggle - ie if they allow the working class to sell its labour on better terms - then their value to the working class movement must not only be assessed in relation to themselves, but also in terms of their relation to political struggle as a whole.

A real concession that strengthens the economic class position of the working class could at the same time act as an obstacle to political struggle. It is in these terms that the question of registration

needs to be posed.

Participants in the debate have at times referred to the question of political struggle. But this has usually been done very superficially. Fine, for example, refers to the effects of the legalisation of trade unions on their political independence. But he then goes on to say that 'The trade union fight for state recognition is one way by which black workers can put themselves at the head of this struggle (ie the fight for democracy)'.

This, surely, is precisely what has to be researched and debated. Fine is simply making a statement. What is needed is an argument.

#### WORKERISM vs ALLIANCE POLITICS

The debate on the reality of state concessions has not really started in that such concessions have not been evaluated in terms of both economic and political realms of struggle. What is worrying is that Fine et al might actually be unable to contribute meaningfully to the debate. This is because they have exhibited a form of crude workerism that cannot take account of popular democratic struggle - and hence political struggle - in South Africa.

Let me deal first with this rather unkind accusation of workerism - which is best evident in Innes' response to the article by Alan Hirsch and Martin Nicol. For Innes, the argument put forward by Hirsch and Nicol that the working class must seek alliances with the african petty bourgeoisie 'disregard(s) the potential power of the working class movement'.

It is here that Innes reveals the essential workerism of his position. For the working class does not seek alliances with other classes because it is weak, but because this is a central aspect of ideological struggle in capitalist societies.

The struggle between 'the people' and 'the power bloc' (ruling class political power) is in essence a struggle between the working class and the bourgeoisie over who will absorb petty bourgeois popular-democratic ideology within their class ideology.

The working class can establish its political and ideological leadership in society only by entering popular-democratic struggles and absorbing popular-democratic ideology into its socialist perspective.

It is a central objective of the working class to absorb the petty bourgeoisie within its own ranks. Innes' workerism does not allow him to see the crucial importance of popular-democratic struggles. For him, such struggles usually occur when the working class is so weak that it has no alternative but to seek alliances with other classes.

There is another reason why the working class should seek alliances with other classes always, not just when it is organisationally weak. Unless the working class is trained to respond to all cases of tyranny and oppression, no matter what class is affected, it will not gain an understanding of the relationships between the different classes of society. Without this understanding, struggles will remain economistic, and the challenge to the state will not become a reality.

A popular-democratic alliance under the leadership of the working class is the central most important force capable of challenging ruling class power. Contrast this to Innes' workerist position which isolates the working class from other social forces. He states that 'We are concerned...to analyse the most important source of pressure on the state to reform its labour policy and we identify the black working class, utilising their trade unions, as being this source'.

What of a popular-democratic alliance between the petty bourgeoisie and the working class? Innes deals with it in the following way:

'Of course, there are "other" pressures. We specifically refer to populist struggles and to this may be added pressures from the black petty bourgeoisie and from employers. But these latter are not the most important pressures and that is why we did not refer to them'.

It is all too obvious that for Innes the petty bourgeoisie should be located outside the working class movement as mere 'other pressures'.

Innes counterposes populist struggles to worker struggles. But this is a surprising position for a South African social analyst, given that the nature of racial capitalism has rendered working class struggle both social and national in character. These involve a variety of classes and fractions that have been denied a legal independent power base and direct access to the state on the basis of colour.

If Innes and his colleagues represent a workerist tendency, then their ability to contribute to the registration debate is limited. A workerist tendency cannot, by definition, take account of the two different terrains of class struggle.

Fine et al totally misunderstand what political struggle involves. This is clearest when they argue that 'Most important of all (insofar as extensions of the trade union movement into politics is concerned), is the struggle for recognition from the state, since it is this which establishes membership of trade unions as a political right for workers'.

Contrast this definition of politics with what has been argued above: the political arena involves the participation of the working class in, its response to, and its examination of all forms of protest by any section of the dominated people. Only involvement and struggle in such a terrain generates a genuine class consciousness.

## POLITICS AND TRADE UNIONS

The concessions offered by the state to trade unions can only be assessed in the context of present political struggles of the black working class. In this regard, two points need to be taken into account in the course of the debate on registration of trade unions.

Firstly, present conditions in the country tend towards the generation of spontaneous township struggles that unite elements of the african petty bourgeoisie with the working class. As argued throughout this article, such all-inclusive struggles are of crucial importance to the working class movement in that they create a 'global consciousness' amongst



workers.

The existence of such conditions in the current situation has been pointed out by Rand Daily Mail columnist Steven Friedman, who writes: 'Firstly, next year (1983) is likely to see lay-offs increase at the same time as inflation remains reasonably high.....Secondly, the recession weakens worker muscle inside factories, forces them on the defensive and makes it more difficult for them to gain pay rises. But the rise in worker awareness over the last few years raises the chances of sharp reaction to bread-and-butter issues such as bus fare increases. If workers cannot react inside factories, they may well do so outside them'.

Insofar as state concessions are meant to stifle such spontaneous all-inclusive struggles, the debate on registration will have to consider the extent to which registration further limits the autonomy of trade union operation in political struggle.

The second point to be taken into account in the debate is that of the possible co-optation of a certain section of the black working class. The petty bourgeoisie can be absorbed into the ranks of bourgeois power through an exclusively political/ideological struggle. This is because of their separation from the most important economic relations. Their conflicts and tensions with ruling class power are therefore political and ideological, rather than economic.

In contrast to this, sections of the working class can only be co-opted in specific historical situations. Such conditions currently exist in South Africa. Co-optation can only be avoided by involving all sections of the black working class in the most diverse struggles of the community from which it comes.

Innes suggests in his most recent article that 'there is room for an agreement between the tendencies....represented by FOSATU and SAAWU, as long as their underlying theoretical differences can be thrashed out and resolved'. But the resolution of these differences cannot occur until both groups specify what they mean by political struggle.

In this connection, a number of questions need to be posed. To what extent is the central political objective the forging of a working class movement able to assert its dominance in a popular alliance? To what extent would both contending groups agree that the most important force challenging existing power relations is not the working class by itself, but a popular-democratic alliance?

The theoretical differences between these trade union positions cannot be resolved until the nature of concessions offered by the state is evaluated within the context of political struggle. It must be asked whether each concession impedes or advances political struggle. Such a debate is urgently needed. As Innes says, 'It is to be hoped that the present moves towards unity will provide an ongoing organisational forum within which a process (of thrashing out theoretical differences) can commence'.

#### BACKGROUND READING

The South African Labour Bulletin debate on registration is well represented in volume 7, number 1/2 (September, 1981); and volume 7, number 3 (November, 1981).

On the question of trade union unity and some of the issues involved, see Social Review 19/20, (October, 1982).

## COMMENT ON REGISTRATION

The article by Tourikis is an important one in that it raises explicitly questions that have only been dealt with implicitly. However, the article is crippled by some misconceptions and unwarranted deductions that necessitate the following comment.

These misconceptions are by no means confined to Tourikis' article but have permeated much of the recent debate concerning trade union strategies. They linger on precisely because, as Tourikis points out, explicit questions concerning the relation between trade union strategy

and the political struggle of the black working class have not been openly debated.

However, it must be pointed out that amongst the mixed causes for this neglect there are at least two arguable reasons. That trade unions determine their policy through their own membership, and that outsiders are reluctant to open rifts or make damaging organisational associations in public fora.

While Tourikis may be right in pointing to the lack of explicit exposition on this question, he is very wrong that the issue is altogether absent from the debates on registration. These debates appeared to drip with implicit assumptions and even explicit challenges on the nature of working class political struggle. The task is to make these assumptions explicit, and to unravel their consequences. This task is as important as checking the score-card in the registration debate.

#### POLITICS AND IDEOLOGY

Tourikis' argument, stated repeatedly, is that the decision to register can only be assessed by the extent to which it advances working class 'political' struggle. Advances on the 'economic' terrain are worthless in themselves. Politics, he baldly states, means political education (see page 54). True political education/maturation is the development of something he calls 'global consciousness' (page 56). Global consciousness occurs where the working class involves itself in protests on behalf of all classes in society (page 54). Community struggles in particular develop global consciousness, and what's more, they are the only way to prevent the cooption of the working class into the 'power bloc' (page 57).

It is certainly not the aim of this critique to take issue with Tourikis' central concern - the political struggle of the working class. But the way in which he has developed his argument does require some critical comments.

In the first place, what is striking about his argument is the rank idealism. Not only are questions of organisation entirely neglected, but he interprets the motor of history as the diffusion of consciousness. A measure of materialist respectability could still have been attained if the development of

such consciousness could have been related to concrete conditions and institutions. But alas, it seems a reflex adventure into the oppression of traders, shebeen owners, professionals and the lumpen proletariat by workers will bring about this 'global consciousness'.

Global consciousness, as it appears in his article, is a vacuous concept. All we are told is that it is a kind of awareness of other classes on the part of workers. But apparently it is not an awareness of working class interests by the working class. We are not told how the workers should involve themselves in struggles on behalf of other classes so as to gain this consciousness 'which passeth all understanding'.

The crucial question is neglected. Should workers participate in multi-class (popular) struggles as workers, or simply as members of the community, without asserting a class position. Political education will not leap like St Elmo's fire onto the heads of eager disciples. That is an entirely biblical happening.

#### ECONOMICS AND POLITICS

Tourikis consistently sets the economic terrain as a category rigidly distinct from the political. This distinction is simply assumed, and not argued. In this way, his position is not dissimilar from the workerism he attacks. The workerists assume that politics means trade union politics. The politicists assume that economics is a-political, and this assumption leaves them free to down-grade trade union struggles to mere economic phenomena.

Following Tourikis, the struggle by workers against both the state and the bosses for an eight-hour working day, or the right to strike, or the right to a living wage, or the right to form trade unions dealt only with economic issues. Tourikis describes these as merely enabling the working class to sell its labour on better terms. They must, he stresses, be related to political struggles to count for anything.

However, his definition of the political is so narrow (community struggles) that he cannot see the political nature of these phenomena. In short, Tourikis has mistakenly superimposed the reform/revolution couplet on an economic/politics

couplet in which all political struggles are real, and economic ones reformist. What makes a struggle reformist is not that it deals with an economic issue or a political issue, but the way in which that issue is dealt with.

This is not to advocate economistic unions. On the contrary, it is simply suggested that a proper critique of economism cannot be built on a flabby conception of politics.

## TRADE UNIONS

Extending Tourikis' argument - if registration crippled a trade union's organisational strength but promoted participation in community politics, it would indeed be an advance to be welcomed.

This error is possible because of his failure to ground the trade union with all its limitations and potential as an organisation. It is precisely this feature which Tourikis shares with the workerists. The workerists believe their trade union is a political party, while their critics talk despairingly because of its failure to become one.

While there is no doubt that a trade union should not distant itself from political and community issues, and this is nearly impossible in South Africa given the entanglement of political, workplace and community issues, it is nonetheless by definition grounded in the workplace. Unions, no matter how militant, who have no following in the workplace are shadow boxing.

Unions who have membership in the townships, but no coherent shop floor strength can only enter that struggle at the risk of debilitating defeats.

Trade unions are a specific kind of working class body. They are not the only kind, nor are they an exclusive representation of the working class. It is essential to note the specificity of this organisation in order to comprehend its limits and its potentials.

The trade union offers one of the most disciplined and democratic forms of organisation. Because workers come together daily with clearly defined, common interests in organisable units and numbers, the trade union offers a structure for active participation by workers at all levels while engaged in concrete struggle. Their members may actively control their organisation through the waiving of subscriptions and by reviewing policy decisions in each

enterprise through shop stewards. In contrast, very few organisational sites can provide such a natural terrain for rank and file participation.

Furthermore, trade unions are working class organisations. While they may be conservative or militant or racist or corrupt, the organisation is a working class one. This does not imply that the union is inevitably progressive. It simply means that the trade union has the potential to develop progressive working class consciousness and organisation based on objective class interests and their engagement in struggles around (but not necessarily against) exploitation.

This progressive potential derives precisely from the grounding of the organisation at the shop floor. But this foundation also undercuts its ability to be the workers political party. Founded on capitalist work relations and committed to the struggle over the terms of this relationship, it is an expression of the separation of the work place from political life. When a trade union assumes the role of a political party, it risks collapsing politics into economics. In order to challenge class power - crystallised in the state - it has to be an explicitly political organisation with a political programme. Because a trade union fails to meet this requirement, its own struggles should not be devalued. Limited in its ability to be a political party, it can still maximise its role and reduce the effects of this limitation by supporting the political struggles of the working class.

## COMMUNITY STRUGGLES

While Tourikis may be ambiguous concerning trade unions, he gives unqualified approval to community struggles. Such struggles may, of course, be progressive. But they cannot be viewed in the unproblematic way that Tourikis does. Communities are not homogeneous groups of 'dominated persons' (see page 57). They are composed of many classes and some of these struggles - stamped in form and character by non working class elements - are not simple popular struggles. They may even be opposed to worker interests. This, however, will always be a question of concrete political analysis.

Community struggles cannot be seen as 'true politics', in opposition to

'reformist' unionism. Community struggles are in their short-term demands always reform oriented. What can make them more than this involves the nature of the organisation and its relation to working class political struggle. This will include alliances with other classes. Tourikis gives us no idea of what would constitute such struggles as progressive.

The Tourikis contribution is far off the mark when it suggests that community struggles enable the working class to 'absorb' the petty bourgeoisie within its ranks. Even worse, he seems to imply that the petty bourgeoisie may become a class within the working class (page 56).

While the idea of working class leadership of popular struggles is to be endorsed, it cannot be supported on the basis set out by Tourikis.

However, he goes even further. He argues that the only way workers can be prevented from defecting to a petty bourgeois class position is by uniting with, and taking up issues on behalf of, the (black) petty bourgeoisie and (black) bourgeoisie. Here his confusion about politics is fully at one with his misconception about class. In real effect, his position involves a call for a reversion to the politics of black consciousness.

## SAAN SCANDAL

The nine-month-old Sunday paper, Golden City Press, is due to undergo a name change, and has narrowly avoided being closed completely.

The paper was launched early last year under Golden City Press Pty Ltd, jointly owned by SA Associated Newspapers and New Publishing Company. SAAN and NPC each had 50% of the shares. Under their agreement NPC's directors would have day-to-day control of the paper, while both partners would cover the paper's monthly debt until it started showing a profit.

Until January, 1983, the system worked reasonably well. The paper expanded faster than expected and by November had topped the magic 100 000 circulation figure, taking over from the Sowetan as the country's biggest English-language paper aimed at the black market. Herein lies the secret to the paper's problems. SAAN, which has for some time been considering closing the black editions of the Rand Daily Mail and the Sunday Times, apparently began to see in GCP its means of retaining a foothold in the black reader market, while at the same time ridding their other papers of their 'liberal-black' image, and concentrating them exclusively on the white reader market. This would leave the market open to GCP.

On 14 January, therefore, SAAN directors Clive Kinsley and Ian MacPherson summoned GCP's Jim Bailey to SAAN headquarters and instructed him to sack the entire GCP staff.

Bailey, also a director of SAAN, refused, and called a SAAN board meeting. His gamble failed. At the meeting only he voted against a SAAN ultimatum to NPC to give up the daily management of GCP to

SAAN, or face SAAN withdrawal from GCP - effectively closing the company.

Here it may also be possible to see the shadowy hand of the Argus company, which has a 40% stake in SAAN. Although, Argus last year officially withdrew from decision-making in SAAN, it made no move to sell off its SAAN shares. So Argus can still twist arms at SAAN. As the Sowetan has now fallen behind GCP in circulation, it may well have chosen to do so.

But Bailey withdrew from the board meeting, on the basis that he didn't want to sack 46 GCP employees. He saw no reason why, given that the paper had exceeded sales expectations and would soon be in the black, he should surrender the financial management. He informed SAAN he had no intention of meeting the ultimatum.

Bailey set about hunting down the R3-m it would take to keep the company going for the next six months - with some success. GCP staffers were told that even if it were forced to close down because of SAAN withdrawal, and the staff sacked, they would be re-employed by NPC or a newly launched publishing company.

The paper's name is more problematic. The title is owned jointly by SAAN and Bailey, while Bailey holds the 'Golden City Press' copyright. Some dispute is therefore likely over the name. If it has to change its name, the 'new' paper's Audited Bureau of Control sales figures would be non-existent, despite the fact that the same staff has been putting out the same paper with some success for the past few months.

ABC figures are of great importance, as they determine the amount of advertising a newspaper can attract, and how much it can charge for that advertising. A name change could delay GCP's financial break-even date.

So the paper is not yet out of the woods, and may yet close.