

South African Labour Bulletin

Mass Action Against the Bill

Unions and Community Struggle
Natal

Co-ops

Metal Wage Tales

Engineering Profits Up

Palestinian Trade Unions

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South African Labour Bulletin

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The South African Labour Bulletin

303 Geldenhuys, 33 Jorissen Street, Braamfontein, South Africa
P.O. Box 31073, Braamfontein 2017, South Africa
Phone 3398133

Editorial Board

Cape Town:

Johann Maree, Dave Kaplan, Di Cooper

Durban:

Rob Lambert, Ari Sitas, Bonginkosi Nzimande, Charles Meth

Johannesburg:

Eddie Webster, Phil Bonner, Doug Hindson, Karl von Holdt

Production:

Maimuna Suliman, Jabu Matiko, Karl von Holdt

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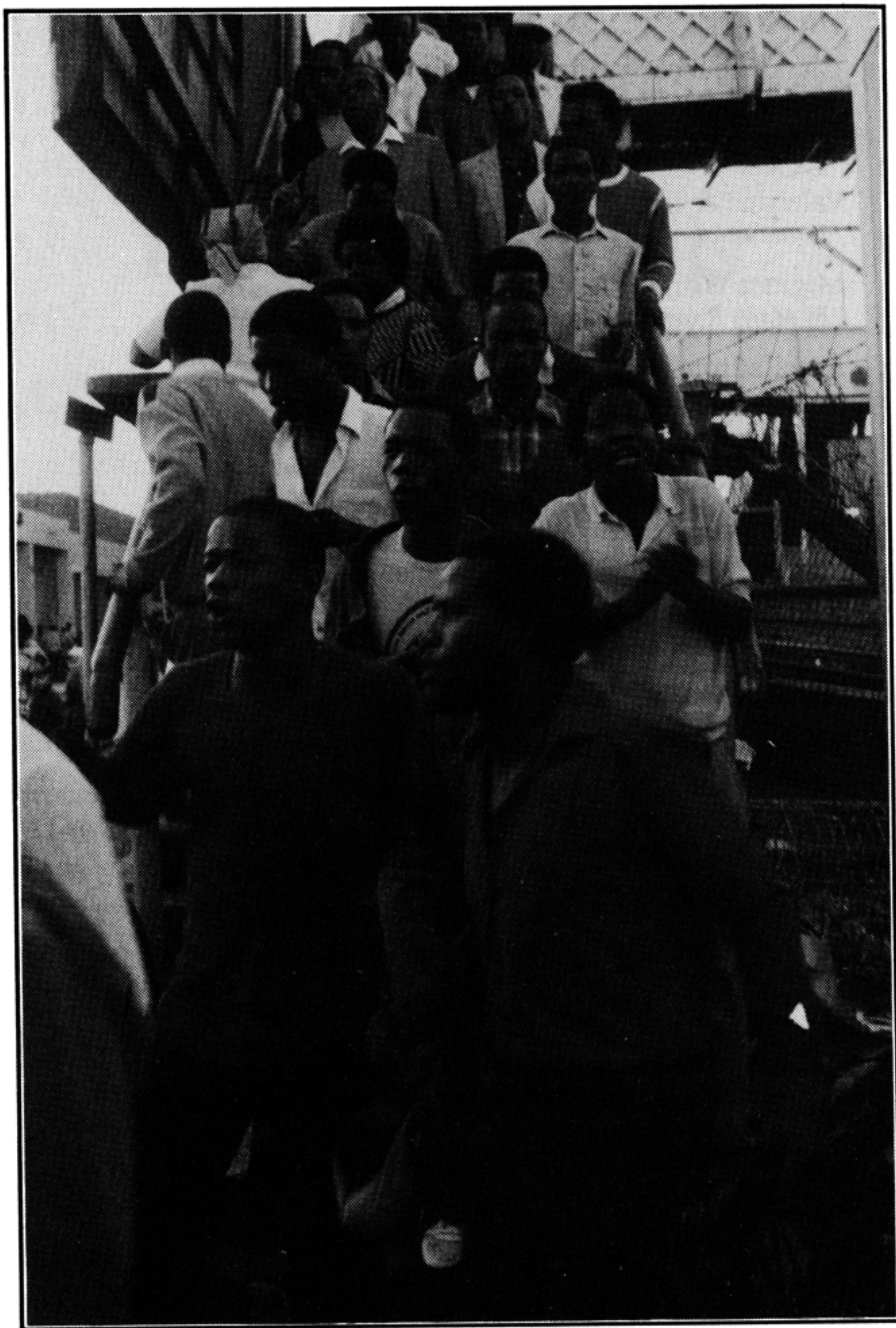
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MASS ACTION AGAINST THE BILL

Workers are expressing a growing anger about the Labour Relations Amendment Bill and the political restrictions placed on COSATU and the broader democratic movement. Several COSATU affiliates have developed a campaign of factory demonstrations against the Bill. Some of the demonstrations have spilt over into the streets. KARL VON HOLDT describes this and other union strategies against the Bill and the restrictions.

It is 6.30 am at a railway station in Johannesburg Industria. Crowds of workers get off the trains in the grey light, men and women, old and young. Workers pack into the cafe outside the station, buying pies, cigarettes, coffee. Others gather on the pavements, meeting friends. The air is filled with the hubbub of greetings and conversation and the clatter of trains. The Sowetan's van arrives and a queue quickly forms in front of the vendor.

Then, above the noise, there is the sound of voices singing. This is the sound of the *toyi-toyi*. The group of workers dance and sing and stamp over the pedestrian

bridge, high above the trains. More trains pull into the station packed so full that workers are hanging out of the doors. Each train has several coaches full of workers singing freedom songs. The workers descend from the bridge and split into smaller groups heading for their different workplaces. They go singing down the road, they go into their factories singing about the struggle for freedom. An elderly woman tells us, "They sing like this every morning."

Soon the crowd of workers has disappeared, the Sowetan is sold out, the sun rises. Another working day has begun.

Photo: Tsuks Mokolobate/Learn and Teach



Singing about freedom on the way to work
Photo: Tsuks Mokolobate Learn and Teach

Workers take to the streets

Later the same day, Tuesday 15 March workers at a number of factories take their lunchtime demonstrations against the Bill onto the streets of Industria. Striking workers from a small factory march out singing. As they pass the gates of a furniture factory, they are joined by more chanting workers. The neighbouring metal factory joins

in, as does a warehouse down the road.

Placards express a mixture of factory and political issues - "Workers Unite against the Labour Bill"; "Away with the Bill - Forward to Socialism"; "Transparent - negotiate in good faith"; "Don't provoke us - Save the Sharpeville 6"; "Sharpeville Six - Down with Execution". Another column of workers appears. The two groups dance towards each other, one group in

blue overalls, the other in red. The groups meet, red and blue mingling. They swing round in formation and sway slowly up the road, their powerful voices chanting in unison, their boots stamping with perfect timing. By this time they number 1500 or more.

Small groups of white managers and receptionists and foremen gather to watch from a distance. For the most part their faces are expressionless behind dark glasses and small moustaches. Some look irritable. A Mercedes hoots and speeds past angrily.

The workers gather in the road. There is a lot of laughter, waving of placards, singing. It is a festival of workers' culture, a moment to enjoy as well as to display unity and defiance. Then lunchtime is over, factory sirens wail, and the workers go back to their machines.

Police break up demonstration

On 29 March, workers held a demonstration in Industria. According to the **Weekly Mail**, a spokesperson for the South African Police in Pretoria confirmed that "police used batons and patrol dogs to disperse an illegal gathering" and said 21 people had been arrested. As the criminal case against the people is still pending, we cannot comment further on the incident.

Workers in the two factories where employees had been

arrested immediately stopped work. One of the factories resumed work the following day, after management had agreed to pay bail and provide legal assistance since the arrests were carried out on factory premises. But the next day, when the arrested workers appeared in court, both factories again stopped work. Many workers attended the court hearing.

Twenty-one workers from Steele Bros, all members of Paper, Printing, Wood and Allied Workers Union (PPWAWU), and 104 Food and Allied Workers Union (FAWU) members from United Tobacco Company, were charged with attending an illegal gathering. Several of the accused appeared with injuries; according to **The Star**, "One man had a bandage on his head, another a swollen eye, and a third had blood on his face and shirt".

Workers at Matthey Rustenberg Refineries in Wadeville on the East Rand planned to take their demonstration onto the street on 29 March. However the workers, members of the Chemical Workers Industrial Union (CWIU), abandoned the demonstration when they saw a number of police vehicles at the factory gates.

Demonstrations put pressure on management

There is a growing anger among workers about the Labour

LABOUR BILL

Bill, as well as about the political restrictions imposed on COSATU and other organisations by the state. CWIU shop stewards, interviewed in Germiston, believe the government is trying to "reverse all our gains. If we look back we suffered in the past. Then the union came and alleviated our suffering. If we have to go back to that life it will be death. Because these people will be avenging. We prevented what they were doing to us, and they did not like that. If they win back the opportunity to oppress us they will overdo it this time. We are going to lose a lot."

COSATU has called on all affiliates to organise lunchtime demonstrations against the Bill, and to request management to sign a letter dissociating itself from the Bill. These letters will then be sent to the Minister of Manpower. Some unions, such as PPWAWU and CWIU, began organising lunchtime demonstrations before the COSATU call. These have been spearheaded in the Transvaal, but they are beginning to spread to other regions.

Besides demonstrations, unions have run education programmes, produced pamphlets explaining the implications of the Bill, and have requested management to sign the letter. The process is, however, uneven. Some unions have just begun to mobilise against the Bill, while others are well advanced.

The response by management has varied. Dozens of letters are beginning to arrive in union offices. Some letters unequivocally condemn the Bill. Most however avoid taking a stand, but associate themselves with the position of the Association of Chambers of Commerce (ASSOCOM) and the Federated Chamber of Industries (FCI).

Unionists believe that employers are beginning to realise the depth of antagonism to the Bill amongst their employees. Workers in many factories are beginning to step up the pressure by extending the demonstrations into working time, or holding joint demonstrations with a number of factories. Shop stewards report that management is complaining that the demonstrations upset company customers. Multinationals in particular are worried about the publicity.

As the demonstrations escalate, the police seem keen to act against them. This threatens to bring violence and resistance to the factory gates or even into the factories themselves, a situation management would probably wish to avoid. It is difficult to imagine how the police could contain simultaneous demonstrations in many industrial areas.

The NUMSA Campaign

NUMSA has produced 150 000 copies of an anti-Bill pamphlet

and discussed it with members in the "vast majority" of their factories, according to a union spokesperson. This has completed the first phase, of informing members of the implications of the Bill.

The second phase of the NUMSA campaign is to take the issue to the national Industrial Council negotiations with the metal employers. At the first meeting of the Industrial Council, on 15 March, the International Metalworkers Federation (IMF) affiliates - of which NUMSA is by far the largest - jointly tabled a demand that the employers association in the steel and engineering industry, SEIFSA, dissociate itself from the Bill. SEIFSA responded that they "did not understand the demand".

The IMF Negotiating Committee has decided in principle that, if SEIFSA does not agree to their demand, they will recommend to their membership that a dispute be declared with the employers. This would open the way to legal industrial action. The anger of shop stewards was clear at a report-back rally held by the IMF unions in Johannesburg. Worker after worker spoke of the danger presented by the Bill. A number of speakers suggested dropping all other demands, including wage demands, at the Industrial Council, and concentrating on the demand that SEIFSA oppose the Bill because

"wage increases will not stop repression".

Lunchtime demonstrations have been discussed in NUMSA locals, but have been taken up sporadically, depending on the level of awareness of the Bill.

Co-ordinating the campaign

Although many of the unions are campaigning against the Bill, there is as yet little co-ordination between unions. Co-ordination is needed both at local and national levels if the campaign is to develop a mass momentum. At the local level co-ordination seems to have developed in some areas. But most of the unions appear to be running their campaigns in isolation from each other. For example, the Wadeville workers who planned to take their demonstration into the streets on 29 March knew nothing of the demonstrations in Industria on the same day.

At the national level, the aim of the Special Congress called by COSATU for early April is to develop a co-ordinated national response to the Bill and the political restrictions on COSATU and banning of UDF and 16 other organisations. The Congress has, however, been postponed 7-8 May, so as to facilitate "the broadest consultation with membership."

The problem of co-ordinating across industrial sectors a



Chamber of Mines embarrassed – FEDTRAW demonstrates against political restrictions and Labour Bill

Photo: Jill de Vlieg/Afrapix

campaign which at this stage is directed at the employers, was spelt out by the NUMSA spokesperson. "For our own organisational reasons, as a union located in the metal sector it also makes sense to focus our campaign on SEIFSA - and

SEIFSA has refused to meet with wider union groupings or federations. The question really is how to mesh our campaign with a broader campaign. We believe there is a very serious need to co-ordinate the campaigns of the various unions - and more

broadly. Until then the campaign will be patchy and not very significant."

Alliances

NUMSA also believes the campaign has to be broader than COSATU, that alliances should be built with other trade unions, as well as with other working class organisations. NUMSA is already co-operating with NACTU affiliates in the metal sector wage talks, and clearly feels there would be benefits in extending co-operation to NACTU as a federation.

NUMSA also sees a role for community and youth organisations, and hopes "that COSATU will open up a dialogue with them, as well as with service organisations." This position is shared by most COSATU affiliates. The potential of such alliances has been shown by a FEDTRAW (Federation of Transvaal Women) placard demonstration outside the Chamber of Mines, and student demonstrations against the restrictions on campuses.

The aims of the campaign

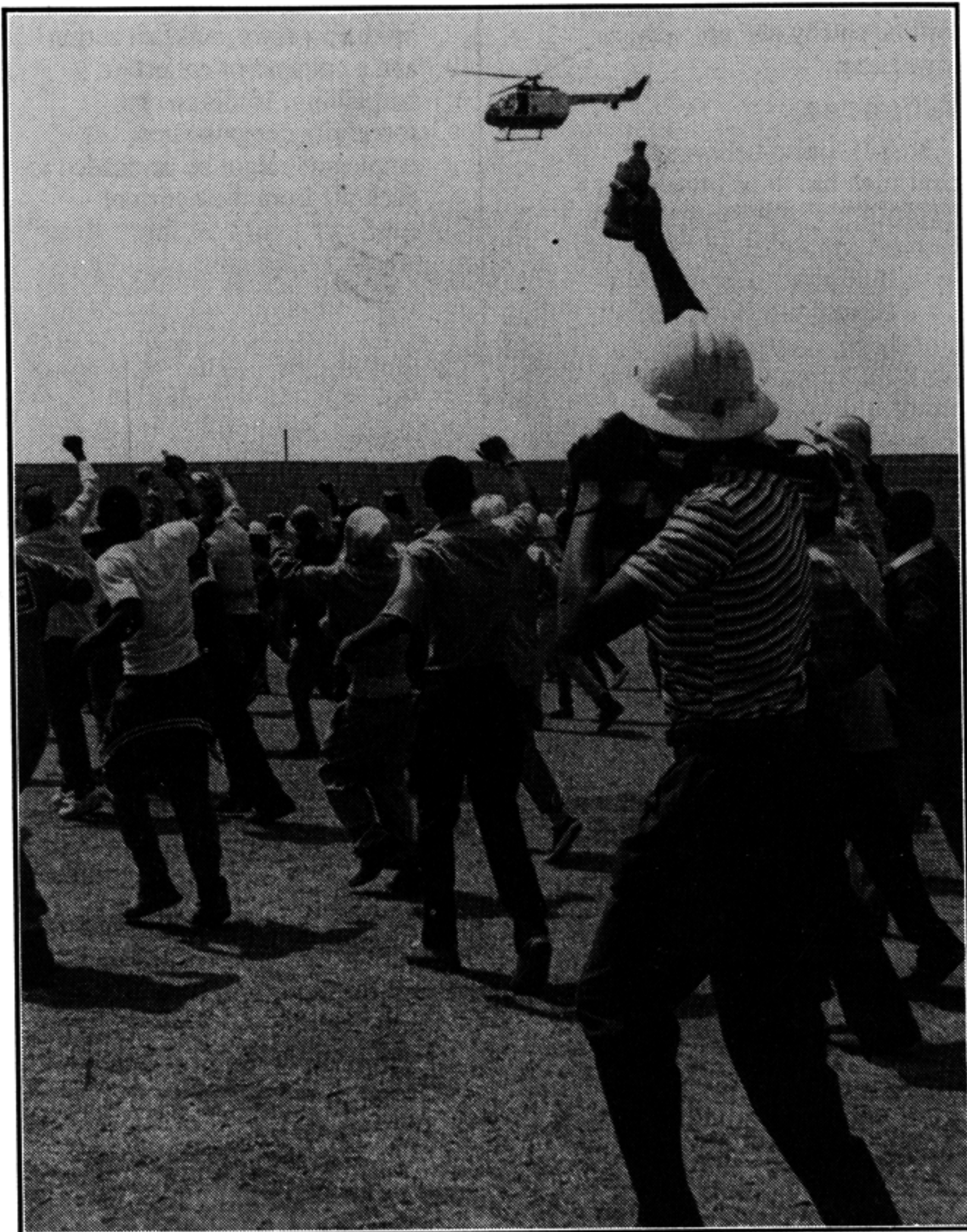
The most immediate aim of the current campaign in COSATU is to bring pressure to bear on employers to reject the Bill. The aim is, firstly, to demonstrate the universal condemnation of the Bill by organised workers, and secondly, to demonstrate that the Bill does not promise weaker

unions and industrial peace, but on the contrary, militant action and a collapse of collective bargaining. If this can be forcefully demonstrated, employers might be persuaded to back off from their current support for the Bill, and pressurise the government to withdraw it.

To quote the NUMSA spokesperson, "The Bill is going to outlaw many aspects of industrial relations and will make it extremely difficult for unions to operate. Workers will be driven to look for alternative forms of pressure that fall outside of established industrial relations practices. Employers are going to find it enormously difficult to deal with that kind of activity and action - as are trade unions. Members are going to be forced into different kinds of action, which we will have great difficulty exercising any influence or control over. That's the bullet employers are going to have to bite."

But a successful campaign will not only have an effect on employers. It would also show the government that the Bill is unworkable.

The campaign will however only be successful if it is fully co-ordinated, and if it draws in the vast majority of factories. If this does not happen it will simply isolate the most militant factories and unions and expose them to state repression and



State intervention in the unions: workers show defiance

Photo: Sandy Smit/Afrapix

management victimisation. It is this that makes the achieving of political and strategic unity in COSATU so critically important.

Response to the political restrictions

Although unions have not yet developed their response to the political restrictions imposed on COSATU and the banning of UDF and other organisations (that will be decided at the Congress), shop stewards interviewed by SALB expressed great anger and a belief that it is necessary to take action. Most argued that the Bill and the restrictions must be seen as part of a comprehensive attack on the trade unions and the democratic movement as a whole.

This desire for action was expressed in the Sharpeville stayaway on Monday 21 March. There had been a national call by UDF affiliates for a "day of protest". COSATU had neither endorsed nor rejected the call, preferring to concentrate on preparing for the Congress. Some unionists supported the call, others opposed it. Shop stewards interviewed in Germiston and Johannesburg on the Saturday before the stayaway were adamant that all factories would support the stayaway, and had already informed management that they would not be coming to work.

Shop stewards' reasons for supporting a stayaway ranged from putting Sharpeville Day on the agenda as a public holiday, to

protesting the death sentence of the Sharpeville Six, to protesting against the bannings and restrictions.

It seems that the decision whether to stayaway or not varied from area to area, but that it was probably decided at a local or community level. At any rate, there appears to have been a near total stayaway in Johannesburg and the East and West Rand, in parts of Pretoria, and the Eastern Cape, according to police and other reports. Capital Radio reported the trains carrying between 0 and 10% of their normal passenger load on the Witwatersrand. This is remarkable for an action not formally supported by COSATU, and is a reflection of the level of militance and anger amongst workers.

Stayaways and other tactics

There is general agreement that the trade union movement is facing the most serious threat to its existence. The threat has provoked urgent discussion about the way forward in many affiliates and structures of COSATU. The debate centres around how to analyse the changing conditions confronting the trade unions.

Two years ago the strategic initiative lay with the democratic movement. Since then the state has used every means to try to break the democratic movement

and regain the initiative. The Emergency, detentions, vigilante groups and finally the banning of UDF and several affiliates have paralysed many organisations. The state is using a greater degree of force and repression, both nationally and internationally, than ever before.

Open, public opposition to apartheid has become extremely difficult. The state is moving in on those arenas where the democratic movement still has a powerful presence and profile - the alternative press, the campuses, the churches, and most important, the trade union movement.

Given this situation, the debate centres on how to defend the trade union movement and ensure its survival and growth. Concretely, this involves the short-term question of how to respond to the Labour Relations Bill and the political restrictions, as well as the medium term question of strategies and alliances over the next few years.

The tactic of the stayaway is also being critically evaluated. According to one unionist, "COSATU should seriously consider alternative forms of action to traditional responses such as stayaways. We need to think creatively and innovatively about different responses. Other forms of industrial action can create difficulties for incorporating and involving

non-trade union organisations, but I believe there are a range of ways of incorporating such organisations in joint campaigns without always relying on a stayaway."

However, another unionist argues in favour of the stayaway that "it involves and unifies the whole community. The community as a whole can exert moral pressure to support the stayaway. Other forms of industrial action are OK for organised workers, but what about other sectors and unorganised workers - should they just go to work as usual?"

Whatever the outcome of these debates, several things seem clear:

- There is a deep mood of anger and militancy among organised workers, at least in the Transvaal. Most shop stewards stated that, "The people are ready for action."
- The centre of political strategising and developing links with community organisations is beginning to shift from the national and more bureaucratic levels of the union movement to the grassroots structures. This is reflected in the high level of debate amongst shop stewards, and in the way the decision to support the Sharpeville Day stayaway was taken at a local level. It would be foolish to try and predict how widespread this process is. Nonetheless, it

is highly significant, given the political restrictions that have been imposed on COSATU.

- The debate over how to assess the current situation, and over strategies and tactics, could be a sign of a new level of political maturity in the trade union movement.
- It is probable that the Special Congress of COSATU in May will be the most important in the life of the Federation. Key

issues will be the unity of COSATU, the adoption of an overall political strategy for the next few years, as well as the immediate co-ordination of action against the Bill and the political clampdown. It is no exaggeration to say that at stake will be the future of the labour movement in South Africa, as well as the future of the broader democratic movement of which the trade unions are so important a part

Metalworkers make new proposals on Bill

The International Metalworkers Federation (IMF) convened a special meeting with the Steel and Engineering Industries Federation (SEIFSA) on 30 March, in order to clarify the unions' position on the Labour Bill. At the meeting the IMF affiliates (NUMSA, SEAWUSA, EAWU, EAWTUSA) put forward their demands that SEIFSA

- support the right to strike
- oppose any reduction in the powers of the Industrial Court and corresponding increase in the powers of the Minister of Manpower
- oppose any increase in state interference in collective bargaining

The IMF affiliates felt that these three principles covered all of their objections to specific aspects of the Bill, and undertook to present more concrete proposals at a follow-up meeting.

At a second meeting on 12 April, SEIFSA was not yet able to respond to the three principles. They did state, however, that they would be unable to withdraw support for the Bill if that meant **all** the amendments contained in the Bill. However, they did accept that the unions had serious objections and would consider these.

IMF proposes in-house agreement

At this second meeting as an amplification of the principles, IMF affiliates put forward a concrete proposal for an in-house agreement in the metal industry, which would regulate the resolution of disputes and lay down an agreed strike procedure.

The unions proposed that the agreement would provide for compulsory arbitration of disputes by a panel of arbitrators, and would lay down the areas of jurisdiction of the arbitrators.

They would have the power to arbitrate on disputes over retrenchment, dismissals, recognition and collective bargaining practices, if requested by either party. Decisions reached by the arbitrators would be final and binding.

The IMF unions also proposed that the in-house agreement would contain a strike procedure. This procedure would guarantee that - if the union went on strike after following the correct procedure - there would be no dismissal of strikers, no disciplinary action taken against them, and the union would be indemnified against production losses caused by the strike.

Wildcat strikes are also covered by the IMF proposals. The unions propose that the agreement give the union 48 hours to settle any wildcat strike before the company can take legal action.

The IMF proposal is something of a new departure for the trade union movement. It proposes that the relations between employers and workers in an entire industrial sector be regulated by a negotiated agreement that would exclude state interference in collective bargaining. The IMF unions believe this would be an advance on the current situation of state intervention. It is an open question whether the employers will agree.

Meanwhile, the metal unions have received many letters from company management in response to shop steward demands that management reject the Bill. To date only three companies explicitly support the union demands and reject the Bill.

Shop stewards speak about action against the Bill

CWIU has been at the forefront of the campaign of lunchtime demonstrations against the Bill. SALB interviewed a number of shop stewards from the Germiston local of the union. Here we print the views of two of the shop stewards.

**"Now they can see
the Bill is causing
trouble"**

The speaker is a big strong man with a body like a barrel. He works in a multinational oil company. He speaks fast, and his words are like bullets. He is clearly a man who can be relied on to do what he says he will do.

At our firm we take action every Tuesday. We walk about with placards saying "Away with the Bill". The workers are doing this in all the Reef plants of our

company. I am not sure whether this is happening in other parts of the country.

Our demonstration is in the morning, because later the drivers are out. Work starts at 8.15, but we usually continue with the demonstration to 8.30 or 8.45. Management in the plant did not like this. They were in favour of the Bill, because it would help them bullying us. Now they can see the Bill is causing trouble. They wish we could accept it, but we cannot take this Bill.

At first Head Office management did nothing about our demands to reject the Bill. But now he has written a very supportive letter, which will be sent to the government. In the letter he states openly that the Bill will break his



**"This Bill will take us back and kill our struggle."
CWIU shop stewards demonstrate in their factory**
Photo: CWIU

relationship with the workers and he will suffer. So the demonstration is doing something. The action has shown him people are upset about the Bill, they won't take it.

People are prepared for further action. The shopfloor is ready. People are clear about what the Bill will do, what it will take away from us. People remember what used to happen to us and is no longer happening. You never used to be able to refuse overtime. You did not have the right. Today you can tell him, and he'll accept it because it's your right. I'm simply giving an example.

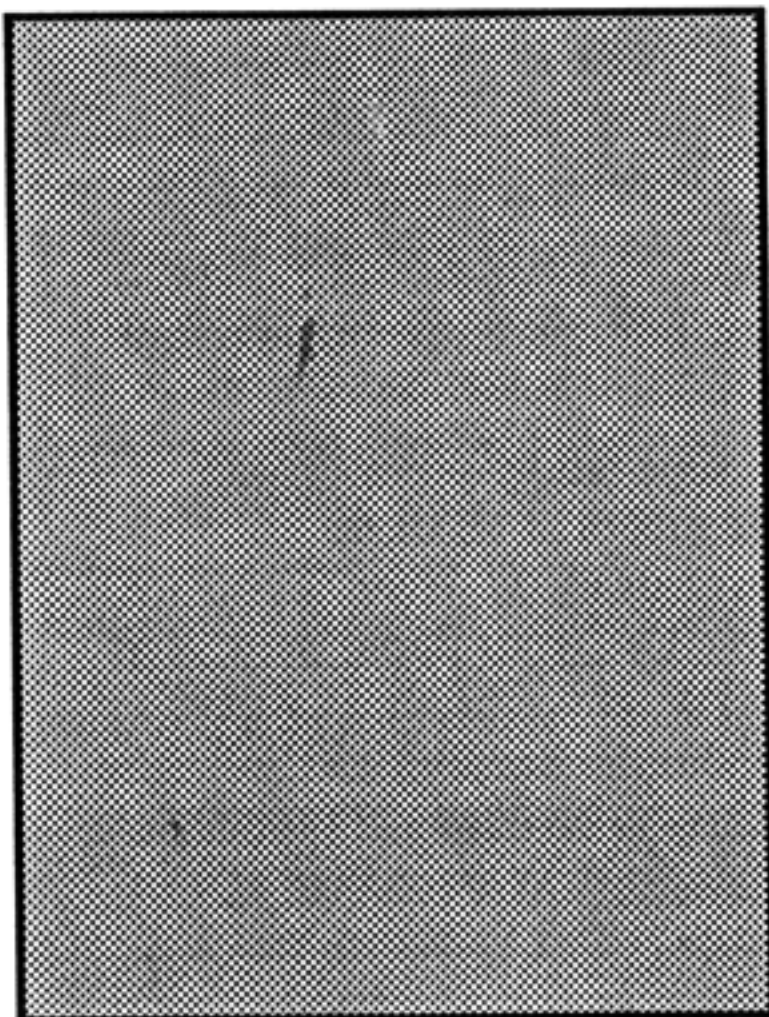
If the political restrictions and bannings work we are done for. We will do our utmost best to challenge them. We have a resolution which says that we will stop at nothing to protect our union - well, we will also stop at nothing to protect ourselves, including non-members of our union.

Our family members are members of all these organisations. Even if you are not in UDF, your father may be in UDF. If your father is upset about the banning of UDF, how can you be happy at home? So these restrictions affect all our lives.

COSATU members are also members of organisations like UDF. They will bring ideas to our Congress about what should be done to protect those organisations. We totally reject such restrictions. We have a right to involve ourselves in our social lives as well as our working lives.

Politics has changed over the past two years. The government is attacking. Now we think we are going to defend ourselves. We must defend and advance at the same time, if you only defend you get pushed into a corner and you won't be able to move out. So we are going to defend and advance.

People are red about the Bill. Even those who are usually fearful and hide behind others so as to avoid being seen by management are mad about it. If management does not watch out there is going to be action.



"The next step is on the way"

The speaker is a young woman. She is a shop steward in a factory of more than two hundred workers. They have been members of CWIU for five years. She speaks softly, but her voice is determined. Her face is fiery when she speaks about the need to fight the Bill.

People feel the Bill will take us back and kill our struggle. If we have no union we will have nothing to say. Management will do as he likes. With the union at the company we feel at home there, and we can communicate with management.

We protest in lunchtime every Tuesday. But we take some extra time, 5 or 10 minutes. We take this time from management, so we are late in starting our work. That is the first step to show we do not like the Bill.

The next step is on the way, it will be hotter.

We have approached management to write a letter to the government rejecting the Bill. But management does not come clear. We are still waiting. He does not want to sign the letter. But never mind the letter, we are

still demonstrating. He is very quiet. The next step may be harsh. Maybe we will stop work for 2 or 3 days. That will affect production.

The restrictions on COSATU and the banning of UDF must not succeed. The UDF is also workers. I feel as the union we must try to help UDF with everything. If they are pointing fingers at UDF they are also pointing fingers at us. If they touch UDF they also touch us.

As shop stewards we go through the newspapers, and if there is something affecting us we address our workforce. We tell them about the government, that it is trying to break the relationship between UDF and COSATU.

Other factories are demonstrating, but we feel worried about our neighbouring factory. We haven't seen any demonstration there. We raised this in our COSATU local, that they should take action. We hope they will this coming Tuesday.

We talk about the Bill, we spread it in the township, in the trains and taxis, in the shops. Everyone must know. Even coming here today I was preaching about it in the taxi.

The lunchtime demonstration is nothing. Workers want to take action. Maybe we will take action for 2 or 3 days. Not just one day, we really want to affect production. Maybe we will start with a 3-hour stoppage. We will go to the canteen and sing and sing. Management will ask about the stoppage and we will tell them it is the Bill.

I feel bad about the Bill. I don't even sleep at night. We must have stoppages to really affect management. We must stop the Bill. We must stop production - that makes management mad. We must refuse to work overtime after a stayaway.

We told management that we are going to stay away on Monday to commemorate Sharpeville. We are also thinking about the Sharpeville Six - we feel bad about that. Management sent a memorandum around the company stating that if anyone wanted to work on Monday they should see management to make special arrangements. It shows that we are ruling the company. It will be closed because of our decision. We are workers. The company cannot do anything without us.

Management responses to union demands

We print below a sample of some of the letters received by Chemical Workers' Industrial Union (CWIU) in response to their demand that management sign a letter rejecting the Bill and send it to the Department of Manpower.

We have for attention your communication in this regard and propose that a meeting be held with yourselves in order to discuss the matter in detail.

We await your response to this proposal.

In response to your request to support CWIU/COSATU's objections to the proposed amendments I have given this matter very careful consideration

Upon a superficial reading of the proposed legislation I share your union's reservations that it may not enhance industrial relations and the resolution of disputes. However, I do not feel that the company is competent to criticise the details of the proposals sufficiently for me to support the direct objections you have proposed. Instead, through our group, we have made our views known to the employer organisations to which we belong and they will present a balanced view to the legislature in due course.

As pointed out to you in the above meeting, the letter in question is extremely vague, making it impossible for Management to understand what our employees are objecting to and why.

However, even if your letter did deal with specifics, management has always applied the principle of making representation to the authorities through the correct channels of organised commerce and industry - in short, through Employer Organisations. A decision in this regard is due to be taken shortly.

Under the circumstances we are of the opinion that any action from our part at this point would be premature and superfluous.

The company believes in the right of the union to make representation in the strongest possible terms on matters affecting its interests and further supports the union's right to make whatever objections it may have in this regard.

In analysing the bill it is our assessment that the bill contains both positive and negative and cannot therefore be summarily rejected.

*LETTER TO THE DEPARTMENT OF MANPOWER FROM
AMERICAN MULTINATIONAL*

Our employees have approached the company regarding the proposed amendments to the Labour Relations Act. They are members of CWIU and through affiliation, of COSATU.

They have stated that the proposed amendments to the Act will seriously disrupt industrial relations in South Africa and prevent the orderly resolution of industrial conflict. They believe that the proposed amendments are a fundamental attack on the rights of workers and on their trade unions.

Therefore they state that they reject, in the strongest terms, the proposed amendments, and have asked the Company to support this rejection

We fully endorse the views of our employees, including the rejection of the proposed amendments, and request the Minister to withdraw the amendments forthwith.

NACTU fights the Bill with recognition agreements

NACTU and COSATU have adopted different strategies in trying to neutralise the Labour Relations Amendment Bill. SALB asked Piroshaw Camay, general secretary of NACTU, and Pandelani Nefolovhodwa, assistant general secretary, about the strategy of their federation.

The National Council of Trade Unions (NACTU) has adopted a strategy of using recognition agreements to protect their relationship with management, should the Bill become law.

NACTU prefers this approach to trying to pressurise business to put pressure on the government to reject the Bill, because they believe neither business nor the government will reject a bill so obviously in their favour. NACTU also refused to make any representations to the Parliamentary sub-committee which has responsibility for the Bill, since that would be "co-operating with state structures."

NACTU's strategy involves

negotiating with management for specific clauses to be written into the agreements. These clauses would guarantee the right to strike, indemnify the union against loss of production caused by strike action, etc. Thus, they argue, their strength on the shopfloor will be protected should the Bill become law.

If management were to try and renege on the agreement by operating in terms of the new law, the union could immediately bring an unfair labour practice case against management for unilaterally breaking the agreement. In this way, NACTU argues, it is using workers' power on the shopfloor to protect its structures from the anti-union

provisions contained in the Bill.

Despite the differences in strategy, NACTU states that it is more than willing to co-operate with COSATU in the campaign

against the Bill. "A worker is a worker," in the words of Nefolovhodwa. "Sometimes we delay unity by introducing unnecessary political differences."

INTERVIEW WITH FCI

"You cannot operate in an unrest situation..."

Is there common ground between capital and labour?

Recently COSATU met with several employers' associations, including the Federated Chamber of Industries (FCI), to demand that they oppose the new Labour Relations Amendment Bill. Bokkie Botha, Chairperson of the FCI's Standing Committee on Manpower and Group Personnel Manager of AECL, believes that capital and labour should look for common ground to build on. SALB interviewed him about the Bill and the political restrictions on COSATU.

What is FCI's attitude to the Bill?

Botha: We see both good and bad in the Bill. We don't see it as a final document - it is still a draft that has been put out for comment.

I feel that it is terribly important for trade union bodies and employer bodies to get together and try to present a joint view. I understand that there were

over 160 submissions to the Parliamentary standing committee - surely it's important for the parties affected to get together and indicate those areas where there is strong agreement.

SALB: Which are the good aspects of the Bill and which the bad?

Botha: The Bill contains

improved Conciliation Board procedure. That's good. We're also pleased by the creation of the new Special Labour Court in addition to the Industrial Court.

Things like misleading recruitment, failure to observe the Act, intimidation, discrimination, freedom to associate or not, compliance with agreements - all of these should in fact be kept in the legislation as unfair labour practices.

We do not see as positive the ability to extend the life of the Conciliation Board indefinitely.

We expressed concern to the standing committee that if the Bill were used to roll back labour reforms it would have the effect of undermining rather than encouraging labour stability.

On the clause about liability for damages [under which it appears that unions could be sued for striking] - we questioned what precisely was intended by this clause.

We believe the unfair labour practice has to be defined as clearly as possible. We have commented on certain aspects of this schedule. It is also the area that unions have been the most concerned about. Some of our views are the same as the union views - not all.

One has to recognise that there are some employers who are concerned that wildcat strikes and that sort of thing are getting out of hand, and they do want to see

greater restrictions placed in the way of unions.

SALB: The unions are most concerned about the damages clause that opens them to being sued, about the narrowing of the options for legal striking, and about the changes in definition of unfair labour practices. What is FCI's response to these specific concerns?

Botha: We are not happy about the probationary period of one year, during which an employee can be dismissed. Employers and employees should reach agreement themselves on probationary periods.

There's no doubt that employers are concerned about the extent of boycotts, the fact that employers who have absolutely nothing to do with the actual cause of the dispute have been subjected to boycotts in some cases. So we've said that the restriction should be on secondary boycotts, those that are unrelated to the dispute itself.

I Think it would be useful to get some good lawyers together to draw up some definitions. That's a proposal we've made to COSATU - let's get our lawyers and your lawyers together and draw up something that's going to be satisfactory to both of us.

SALB: There has been talk of the Bill shifting the balance of

power back towards management?

Botha: We're not looking for a change in the balance of power. I'm talking here as FCI. I've no doubt that there are some employers who would like to see the power of unions drastically curtailed. Of course there are. We're in an evolutionary process in this country. There are a lot of businessmen who feel that they've suffered, that some of their rights have been restricted, and they are going to react against that.

But I think it's most unfortunate that trade unionists persist in stereotyping all employers together. I must say I find it a bit irritating. Do we go around stereotyping all trade unionists? Isn't it ridiculous to think of the Mineworkers Union [for white workers] and NUM in the same breath? It's perfectly obvious they have different standpoints - and so do employers. So do employer associations. In fact there is a wide range of views. The fact is FCI represents organisations which employ well over half the economically active population. So the FCI is an important body, and we're interested in building relationships, not destroying them.

I think trade unionists tend to be better negotiators than we do. They have more practice and they've really developed their

knowledge. But I have no doubt that employers are developing a better knowledge of how trade unions are thinking, than trade unionists are developing about how employers are thinking. I think trade unionists need to start getting to know how different employers are thinking, what their personal philosophies are.

SALB: Unionists claim that managements are generally taking a tougher, more intransigent stand on shopfloor issues. They cite the OK strike, the NUM strike, the aborted NUMSA strike. They draw a connection between this more hardline position and the Bill, as part of a general offensive to roll back union gains.

Botha: There are a lot of frustrations on the employers' side as well. I agree that unions could look at these actions and say there is a harder approach. I have no doubt there is a harder approach - there is in fact a harder approach developing among employers. It is happening because employers are getting to know the legislation better, they're taking good advice, and they're also getting tired of a lot of wildcat action. They are frustrated by the fact of intimidation - and there is a lot of intimidation.

I know the union response - that employers also use intimidation. That doesn't make it right. It's not right on either side. It's true that certain employers are

going to support aspects of the legislation.

On the legislation, I don't see the point in rejecting outright something that has a lot of good in it. Let us find those things that we can build on, and let us agree that those things that are not in the interests of the relationship should be scrapped.

SALB: The COSATU position would be that there is too little to build on, that the Bill should be rejected completely.

Botha: That is not a wise tactic. Do they honestly think that it can be rejected at this stage? The Bill was published towards the end of last year. It is now 4 - 5 months later. After all the meetings, all the discussions, after 160 submissions - do they honestly think that, if they can get some employers to support them, that the Bill will be rejected by the government? It's not going to be scrapped. That's clear.

SALB: If a joint COSATU, NACTU, FCI, ASSOCOM, SEIFSA representation urged that the Bill be scrapped as a whole, and jointly presented a new proposal? Would that not persuade the government?

Botha: Let's come with a new proposal if we're going to talk about a new proposal. Let's not talk about taking government on over an issue where employers in fact believe there is a lot of good in that Bill. We're not going to reject it. It's absolutely true that

there are a lot of things in the Bill which the employers support. We're not going to reject it. In the face of that, is it a wise tactic, to demand that the Bill be completely rejected?

I think it's important that both parties realise that, whatever their disagreements, they are the final parties who should shape the legislation that will affect them in future, and that they better sit down and agree on those things they can agree on, and try to get those things contained in law, and have those areas they disagree on, and at least signal that to each other, and find ways of dealing with that conflict. I'm not sure if shooting arrows back and forth is constructive.

Interestingly enough, there are other countries where in times of trauma capital and labour have got together. Capital and labour have got together in many European countries in times of trauma and have said, okay, what is it that we actually want? I think to persist in saying capital is in collaboration with government is a trite generalisation that does not help at all.

I think it would be useful for all of us to spend more time studying ILO [International Labour Organisation] resolutions, and testing our legislation against them.

SALB: You've argued that the Bill is a piecemeal collection of different ideas, a draft for

discussion and comment, rather than a finished and coherent product. You've put forward the view that it has good and bad elements, that it is open to change, and that it should be negotiated clause by clause. But there is a different view, that it is a very coherent and systematic Bill which attempts to weaken unions and roll back their gains, and that it should be completely rejected.

Botha: Our impression is that it is not systematic. There are mistakes, there are inaccurate clauses, there are clauses that are completely out of touch with current industrial relations.

That argument is focusing on one section of the Bill, the schedule on unfair labour practice, and some other clauses. Most of the Bill is not anti-union. The section on the Industrial Court for example is an infinite improvement - and that's just as important as the unfair labour practice schedule.

I don't want to be placed in the position of supporting the Bill against those who oppose it. But there are parts that we support and we are going to say strongly that we want to see them become law. There are parts we do not like, and we want them scrapped. So we have mixed views. But we do see it as a draft.

SALB: Does FCI believe in the right to strike?

Botha: Yes, we do. We have

stated on many occasions that we would like to see strike action decriminalised. We'd like to abolish the notion of legal and illegal strikes altogether. There are strikes that follow agreed procedure, and there are wildcat strikes which we don't like.

We would like to see strikes only after procedures to settle disputes have been followed. Certain aspects should be regulated by the State - proper balloting, ensuring a mandate for a strike, intimidation.

SALB: So you don't agree with the Bill's restriction on striking on the same issue within 15 months, and its ban on solidarity action?

Botha: We haven't really debated the 15 month provision, so I would not like to comment on that. We don't like rolling strikes. One must be honest, we don't like strikes. But we don't want to limit employees' ability to take action. We want to agree on procedure. But while we have a law we're going to operate in terms of it.

SALB: What is the response of employers to COSATU's campaign of demonstrations at work?

Botha: If it runs into working time it's not going to be viewed with any sympathy. The message is that if trade unions want to get the co-operation of employers, they're going to have to stop aggressively taking on the

employers so as to force them to do something they don't want to do. That's the message. That's what employers are getting tough about.

SALB: What is the attitude of FCI to the restrictions on COSATU and the effective banning of UDF and other organisations?

Botha: The Business Charter puts forward the FCI's basic views on human rights. We are quite obviously in favour of people's right to associate and express their views in a law-abiding manner, and in a manner which does not disrupt the economy or the general peace. In that sense we're not in favour of the restrictions.

We often take up issues with government, without pressure being placed on us, especially where government does things which go against our views in the Business Charter. We express concern about government action, but we don't go running to the press every time we act.

SALB: There is a common perception that business has moved to the right since 1986. Is this the case?

Botha: The 1987 elections showed there has been a general shift to the right among the white population. This is a response to the township unrest and violence. White business reflects this general shift.

This does not mean that

employers are becoming more conservative, tougher, or harder in their attitude to trade unions. I don't think that is happening. I think that its true that there is a general shift to the right on security matters, but at the same time there is an improved relationship on the shopfloor, and a better understanding of each others' power.

SALB: But as far as politics is concerned, you seem to be confirming that business is withdrawing from political involvement after the 1985 visit to Lusaka, after the Chris Ball affair?

Botha: I don't agree. I think business is much more concerned about where politics is going, more concerned to understand the politics which they are not always exposed to because of the media restrictions. Senior business people are making contact with people on the left. There is no doubt people are more aware and more concerned.

SALB: A view among extra-parliamentary organisations that, now that the State has banned and put the lid on township uprisings, business is saying, Well, the problem has been contained, we don't need to think about politics anymore.

Botha: No, I think people are saying, If we have a more peaceful situation then that is better. But we are extremely concerned at restrictions on



Bill aims to curb workers' power. Where do the bosses stand?

Photo: Eric Miller/Afrapix

leadership, that the real voice of the people is being restricted, and the only result is to develop a new underground. That's the concern. That's the sort of thing business is talking to government about.

SALB: The "peaceful" situation has come about precisely through the restrictions, the heavy security force action and so on.

Botha: I agree there is an irony. But there is no doubt from a

businessman's point of view you cannot operate in an unrest situation. It's disruptive. So there is a belief that we need to contain unrest. But at the same time you've got to find a solution that allows people to talk.

SALB: There's no evidence that that is happening. There is simply repression.

Botha: I agree. That's obviously why we are so concerned.

Failure and Success of the Thusanang Co-operative

The Thusanang Co-op in Brits has experienced many difficulties but the members still see it as important. GEORGINA JAFFEE has been a member of the project's Advisory Committee since it started. Here she reports on its failures and successes.

The Thusanang Co-operative project which started in 1984 is made up of three separate production units; a sewing co-operative run by fourteen women who work from an old converted school room at the Catholic Mission at Brits; a fencing project comprising of five men which is also housed in the Catholic Mission and a brick making project made up of five men based in a village in Bophuthatswana. The sewing and brickmaking projects started with approximately twenty members each but over the last two years members have dropped out. Some of the participants in the

co-operative live in the Brits Old location; others live in a number of villages in ODI 1 (Bophuthatswana).

Not only have the numbers of participants in these projects been reduced by approximately half, but they have not succeeded in providing enough surplus for their members to receive regular and adequate payment for their work. From time to time the projects have generated a small surplus giving members between R50 and R200 a month. Generally, they have just broken even, enabling the workers to buy enough raw materials to continue

the production process without payment.

However, the Co-op has played an important role in bringing a group of unemployed people together where they have more control over their work, "We work here for ourselves and we make the rules. There are no foremen here".

Union struggles give birth to Thusanang Co-op

Brits is a decentralised industrial area about 90km north of Johannesburg. Unions began organising the 11000-strong commuter workforce in 1984. Militant unionism spread rapidly as workers fought against low wages, bad working conditions and repressive management so often found in the decentralised industrial areas.

It was the Unemployed Workers' Committee (UWC), in Brits which developed the idea of starting a co-operative. The UWC was the result of confrontations with management leading to dismissals in two different companies during the course of 1983.

The Metal And Allied Workers Union (MAWU) waged a protracted struggle against B&S Engineering in 1982. This is an important factor in understanding the heightened workers solidarity out of which the co-operatives

emerged. The entire workforce of B&S was dismissed. MAWU took B&S to the industrial court. The case was won after a year and this led to the re-instatement of 275 workers and exposed management's union-bashing techniques.

While awaiting the industrial court case, worker unity grew. Workers from B&S met everyday in a church hall where they organised activities and support for themselves. At the same time they encouraged other recently unionised workers to demand their rights. When the court case was won, the B&S workers became an example to other workers in the area of what could be achieved through solidarity, unity and commitment. This victory was unfortunately short-lived as by March 1984 the company had closed down one of its plants. Most of the workers were again unemployed.

Despite this outcome, unionisation continued to spread very rapidly. In addition to harsh conditions at work, commuter workers from Bophuthatswana were becoming increasingly bitter about the controls over their lives and the victimisation taking place against union members. Unions soon became channels for this discontent.

The co-operative vision

Once B&S Engineering had closed down, workers were reluctant to return to similar

repressive conditions in other factories. They were still highly organised; refusing to accept defeat. Discussions about their plight were held with the dismissed workers from Autocable. The Autocable workers had been dismissed for an 'illegal' strike in protest against the dismissal of a shop steward.

The UWC (Unemployed Workers Committee) emerged out of these discussions. The two groups of workers had initially come into contact with one another through the use of the church hall at the Catholic mission. The fact that there was a scarcity of jobs, and that most union members were black-listed at the labour bureau, contributed to their resolve not to seek employment in the Brits area.

During these early discussions the workers' militancy had translated itself into idealistic plans to create their own work and never again be at the mercy of the bosses. There was a strong commitment to equal participation and a collective solution to the problem of unemployment.

Their ability to concretise this by setting up co-operatives was due to the unity and solidarity forged and maintained throughout the year. Democratic structures with high levels of participation had also developed. The experiences of dismissal had produced highly motivated individuals who were determined

to create their own work opportunities. This spirit was carried into the formation of the co-operatives, which was established in 1984 and called Thusanang ('self help' in Setswana).

Planning the co-operative

In the planning stages the UWC, voted in by all those interested in participating in the co-operative scheme, became responsible for examining possible projects. The committee was made up of ex-shop stewards and some of the most militant members of the union. Strong leadership qualities had emerged in the course of the disputes.

The initial task of the UWC was to ascertain what skills people had in common so as to identify the types of work which could be engaged in collectively. After a few months of discussion and exploration about the viability of various alternatives, it was decided that the men would embark on setting up a brick making co-operative and the women a sewing co-operative. Many of the women had rudimentary sewing skills and the men had some knowledge of brickmaking. The women felt that there would be a market for women's and children's clothing in their villages in Bophuthatswana and the men argued that there was a need for bricks because people were

converting their shanties into brick dwellings. At this stage there were about 70 people interested in the projects but by the time they got off the ground many had dropped out. (The fencing project emerged much later.)

With the assistance of the organisation, Self-Help Action for Developing Economies (SHADE), funding proposals were drawn up and training programs embarked upon. It took another six months to receive the money for the required capital equipment and during this time some training took place. The project's aims were to become self-sufficient within a year as well as incorporate more unemployed workers. In the constitution the aims and objectives were to provide employment and work opportunities for its members; promote the interests of all its members; show the community the solidarity of workers and inculcate the spirit of unity and solidarity amongst its members. The workers were committed to sharing equally the proceeds of their labour, and there were hot debates about how this was to be done, and how discipline was to be implemented.

The structure of the co-operative

The participants in the project used their experiences of trade union organisation to structure

the co-operatives. Each production unit was to be regarded as a separate factory which would vote for a number of 'shop stewards' who would be responsible for the running of the project. All members voted in a central committee which was to oversee the co-ordination and finance of the projects. The surplus was to be equally shared between members of the whole co-operative, and it was stated that all the capital equipment would be owned by a project trust.

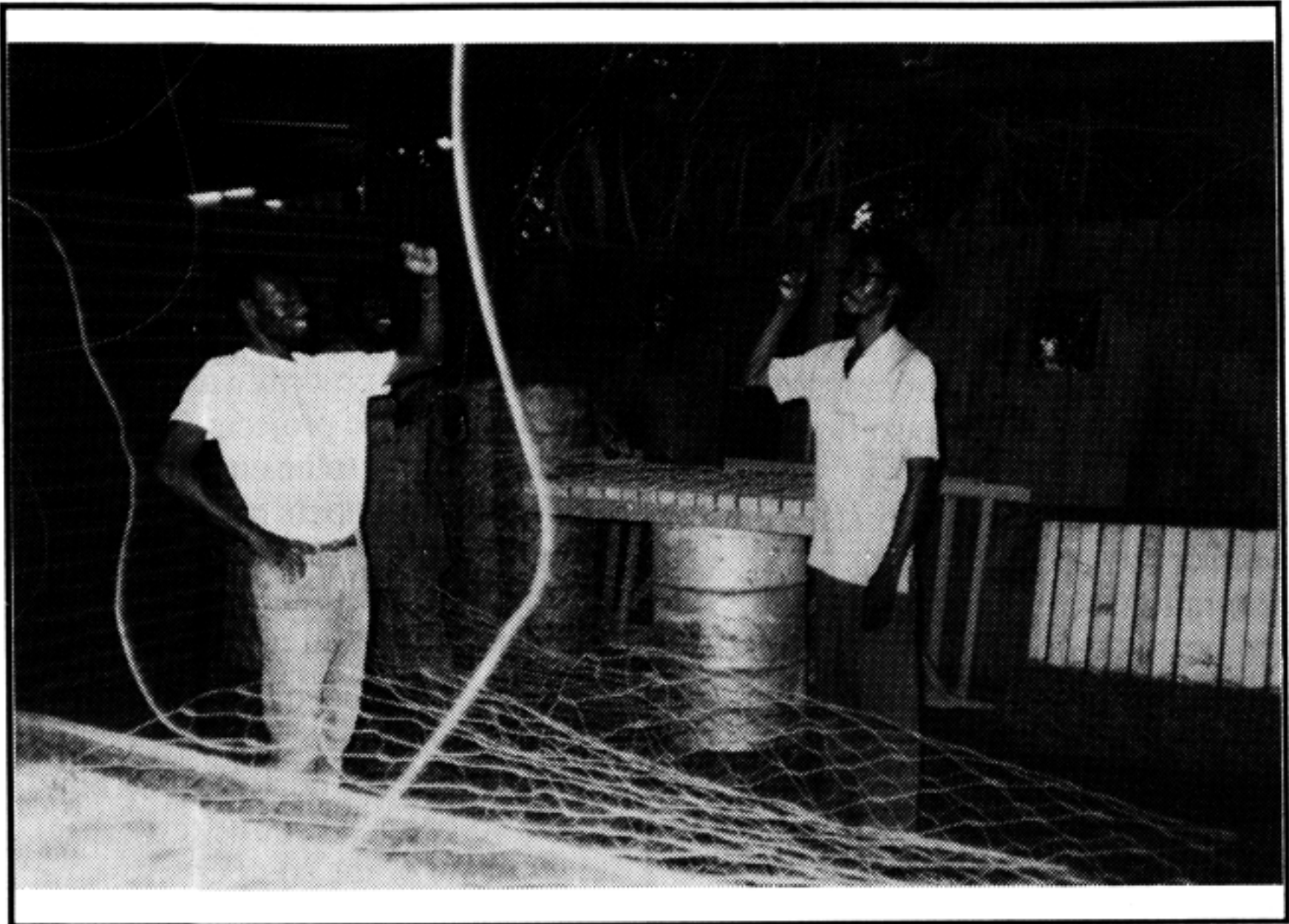
The members of the group therefore used their first experiences of democracy to build the co-operatives. The early structure of the co-operative emerged organically through appropriating and redirecting the experiences of organisation learnt from participation in union structures.

Problems encountered

The co-operatives soon came to experience many of the problems commonly associated with co-operative enterprises worldwide. These have been referred to by some writers as those which contribute to the 'process of inherent degeneration' of co-operatives.

Finances

After a few months it was clear that the projects required much more capital than initially sought. Money was put into machinery but it was soon discovered that



Co-op members are their own bosses. Members of the fencing project; from left to right: Andries Mokala, Jacob Magakwe, Joseph Shabangu, Ephraim Makalakwa. The fifth member is absent

Photo: Georgina Jaffee

what had been chosen was not necessarily the most suitable equipment. Equipment was selected on the basis of lower costs and not on output. For example in the sewing project domestic machines were bought instead of industrial machines. This placed a limit on the production output and meant that the project would never be in a position to produce enough to compete with the same products sold in shops. This was particularly evident when the sewing project attempted to make school uniforms - they were

unable to sell them for less than the commercial price. Another example was the second-hand truck which was bought for the brick project. This immediately broke down and was expensive to repair.

The need for more starting capital became so acute at one stage that this became a reason for a split in the brickmaking co-operative. Half of the workers joined Get Ahead Ltd - a small business development funding agency - which provided them with loans at low interest rates

and promised future support and training.

The projects incurred very high transport costs from the start. Firstly, most of the workers had to travel each day from their villages in Bophuthatswana, which were situated as much as 90km away. This meant that on average each worker spent approximately R45 per month on transport. Secondly, high costs were also incurred due to the need to purchase raw materials from Johannesburg or Pretoria.

Marketing

Marketing became a problem in both the sewing and fencing projects in that there was a limited market in the area for both these products. Due to the limited size of the projects it was impossible to develop the infrastructure to market elsewhere. The fact that these projects developed in a relatively isolated area meant that transport costs would be a huge expense in terms of getting access to other markets.

Problems also arose over credit. The women in the sewing project often received orders for clothes which could not be paid for at the time of delivery. They were therefore forced into a credit system which left them in debt.

Marketing was less of a problem for the brickmaking project as it was based in a village where shanty resettlement

structures were being converted into brick housing. The brick project has had problems mainly with the production process which is highly labour intensive.

Lack of education and training

Although some training in finance, marketing, sales and budget management was carried out this was very rudimentary and when problems developed there was no back-up close by. Service organisations were often incompetent and unreliable.

Workers came to the co-operative with no skills in worker self-management or accountancy and the training which they received was inadequate. The skills required to run the projects were not developed in advance of the project - rather they developed in the process of creating the project. This meant that skills gained were superficial and did not enable complex problems to be solved or systematic accountancy procedures to be maintained.

Problems with expansion

This occurred in the brick project. At one point the project was in a position to incorporate more members. It became impossible to bring in new members on the same terms as the founding members. The new members had not gone through

the same politicising process as those who were party to the formation of the project. They therefore could not accept work which would be based on irregular income. This led to the employment of casual labour at very low rates of pay and consequently set the stage for the development of a small business based on capitalist relations of production.

Isolation

Once the projects were set up formal ties with the union were severed. This was not intentional. MAWU was not in a position at the time to provide financial or educational support although this may have been shortsighted on its behalf. The UWC had expected the union to provide some support for the projects and when it became clear that this was impossible, their initial euphoria and commitment to the unions turned to animosity. This was extremely unfortunate as in the long term these unemployed workers were 'left behind' in terms of the political consciousness developing among the organised working class in the area. It is only very recently that discussions have taken place about this in an attempt to rebuild channels of communication.

The breakdown of democracy and

increased gender conflict

Within eighteen months of the project's formation, it became apparent that the initial democratic structures were being eroded. Joint discussion about the overall aims and the principles of the project occurred infrequently and each project ended up working separately. This trend had partly to do with the lack of ongoing education and debate which was further curtailed because of isolation from other organisations.

Principles and ideals once in the forefront of the members' minds during the planning process were buried in the day to day issues of getting work done and coping with problems. It was also probable that the structures which had developed initially were not the most appropriate for the smooth and democratic organisation of the projects. There was however no process through which these issues could be evaluated or discussed.

Conflict was also generated between the brick and sewing projects which got explained in gender terms. The men apparently accused the women of not working hard enough and also argued that the women did not care about the success of the project because they were being supported by their husbands, some of whom were factory workers. On the other hand the

women accused the men of trying to control them.

Lack of protection

Projects operating in this way provide no protection for the participants or property. When workers split away from the brickmaking co-operative to join Get Ahead Ltd, they took with them a proportion of the capital which was never reclaimed even though legal proceedings were pursued. More importantly, the projects did not consider benefits in the event of accidents or illness. Although a reserve fund was spoken about there was never enough surplus to consider it seriously. Workers thus found themselves in extremely vulnerable positions which reproduced many of the exploitative conditions which trade unions are struggling against in the factories.

Reasons for survival

How does one explain the fact that these projects have survived for three years in spite of all the problems raised above?

Indepth interviews with the women in the sewing project in 1986 revealed the attraction of this type of work. Many of the women, when asked about the differences between factory work and working in the project, referred to the fact that they now had control over their own work and celebrated the fact that there

was no-one exercising authority over them. Being able to work at their own pace was the central attraction of the new working environment.

Women made the following comments:

"Thusanang is our factory. We are not controlled. In the factory we had no say."

"We work here for ourselves and we make the rules. There are no foremen here."

Working in this environment led to the development of closer working and personal relationships. A vital camaraderie replaced the individual misery and alienation of factory work.

"Here if we feel like singing we sing."

"We share our ideas and help each other ... some of the older women advise the younger ones about their boyfriends and other problems."

It is evident that this project provided a different kind of working environment and place where unity could be maintained. Furthermore many of the women felt that they were learning a very useful skill. As one woman said, *"Here I am learning more. I did not know how to make dresses, but now I can. I can make things for the kids and repair my husband's trousers. At the factory, I just worked for money."*

Being able to control their own work meant that the women could

accommodate other responsibilities. They are responsible for most of the domestic work in their households and on average spend up to five hours a day doing domestic chores. The co-operative was structured to take this into account. Working time in the project began at 8a.m. and ended at 3p.m. to allow time to get home and fulfill these domestic duties. At the factory, the women were under a lot more pressure. One woman said, *"It is better here for our time. We get here later than in the factory and leave earlier so that we can go home to cook and clean. When we were in the factory we got home too late. Now there is more time."*

Developing a freer working environment, gaining useful skills and being able to manage their households at the same time as working, explains to some extent the attraction of the sewing project and its survival. Despite the financial problems, this type of work does provide some alternative to the detrimental social and psychological effects of long-term unemployment.

The men in the brick and fencing project express similar sentiments about enjoying the control over their own work and being able to avoid the corrosive disciplined environment of the factories.

Discussion

As producer co-operatives it is

clear that these projects have experienced typical problems which emerge when alternative forms of work organisation occur inside the overall capitalist economies. It is likely that these problems would have only been slightly reduced had the co-operatives been closer to larger markets, more substantially funded and skills more systematically developed. Throughout the world similar problems have arisen in producer co-operatives. In the long term it is unlikely small producer co-operatives of this nature will be able to provide viable alternative work for the unemployed. They do not incorporate many people and secondly they do not provide a large surplus. As E. Webster says, 'they become "band-aids", not feasible alternatives to the traditional firm'¹.

However the experience of the workers in the Thusanang Co-operative suggests something else: that within the context of oppressive formal working environments and the extreme poverty caused by low wages and unemployment where there is no social security, projects such as these can provide some benefits. They bring people together, enabling them to regain some control over their lives; contribute towards the development of new skills and if combined with education, they could provide centres for debate

and discussion about the re-organisation of work.

It may be worth considering the extent to which projects like these could be taken on by the unions so as to incorporate the unemployed into the broader working class struggle. This could only be considered if there was a commitment to funding, skills training, political education and back-up services.

The problem with the Thusanang project was that its relationship with the union broke down and the project became isolated. This was particularly unfortunate as the workers who formed Thusanang developed highly democratic structures, were full of initiative and had engaged in impressive levels of resistance. They may have been able to play an important role within the trade union movement had links been maintained.

The only way in which one could justify supporting projects which are small in scale, unlikely to become self-sufficient or

financially viable, is if they are part of larger progressive organisations. If this is not the case they become ideologically and financially starved and unhealthy and nothing more than failed development projects of which there are already many.

But these types of projects cannot be regarded as models for building the co-operative sector but should alert organisations to the many difficulties associated with worker-owned and controlled enterprises.

There also needs to be discussion or debate on whether co-operatives should be supported and co-ordinated by an independent body or whether they should be controlled by mass democratic organisations like trade unions. The question is, which option allows for maximum grassroots control. A strategy for developing both financially viable and democratic controlled co-operatives is required.

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SACWU versus Sentrachem

In a recent court action brought by the South African Chemical Workers Union (SACWU), the Industrial Court ordered Sentrachem to eliminate all wage discrimination in its plants by August 1988. Humphrey Ndaba of the legal department of SACWU reports on the dispute and its significance.

The union appreciates that in spite of all odds against them, that is detention of its National Organiser, Comrade Manene Samela, and 17 shop stewards, they managed to hold on until the company was put in the spotlight for what it is, rather than what it prefers the world to believe.

It is quite strange that our own South African labour courts made a finding that Sentrachem committed an unfair labour practice by discriminating. The government places severe restrictions on unions handling political issues, but we are here confronted with politics meddling in labour, and we salute our members who did not just fold arms but fought through thick and thin. This victory is not only for SACWU, but the whole labour movement. It also proves wrong

those who believe labour is unnecessarily militant, and shows that labour is controlled in South Africa with the most evil system ever conceived by mankind, apartheid. It is significant that this victory is also for oppressed communities from whose ranks our members emanate. SACWU would like to thank the co-operation of these communities. We hope all community groups will assist SACWU where possible to ensure that by August 1988 Sentrachem completely eradicates discrimination.

Facts of dispute

South African Chemical Workers Union is represented in seven divisions of Sentrachem throughout the country. Originally it was represented in eight divisions, but due to the

dismissal of one official sometime back, he defected with Phalaborwa Fedmis to the Chemical Workers Industrial Union, a COSATU affiliate.

SACWU is represented in Agrihold (Pretoria), Karbochem, (Newcastle), NCP (Germiston), Safripol (Sasolburg), NCP (Chloorkop). Throughout this company's subdivisions SACWU has approximately 3000 members.

The dispute which relates to the current judgement commenced with the union sending wage proposals sometime in 1985.

In these proposals, SACWU was demanding approximately R350 per month across the board. It motivated its demand as follows:

1. That there was a need to close the wage gap.
2. The corrosive effects of inflation.
3. Relating to wage gap, it continued with its campaign to eradicate discrimination in remunerations based on race. This campaign gained momentum in 1984, when the company had introduced the Peromnes grading system. SACWU's wage demand per grade were as follows:

Grade 19	R600.00
18	620.00
17	615.00
16	775.00
15	850.00

14	950.00
13	1 050.00
12	1 150.00
11	1 300.00

The company responded with R450 for grade 19 as the minimum and R1045 for grade 11. In the remaining grades they offered an increase ranging from R40 to R75 per week.

This was at a meeting on the 22nd January 1986. The parties could not reach an agreement.

On the 14th March 1986, another meeting was held, and SACWU reduced its demand to R250 per month across the board with minimum rates per grade ranging from R600 at Grade 19 to R1300 at grade 11. Again there was no agreement.

On the 24th March, SACWU applied for the establishment of a Conciliation Board.

On the 18th April 1986, the Minister approved the establishment of a board. It is important to note that in the meantime the company implemented its offer for non-union members.

The first meeting of the Conciliation Board was held on the 29th April 1986, and the second meeting was held on the 8th of May 1986. At neither of these meetings was there any agreement.

On or about the 8th May 1986 workers balloted and the majority were in favour of a strike.

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The strike commenced on the 12th May 1986. The majority of workers in the seven divisions - about 3000 workers - came out on strike. A month later a meeting was held where the company suggested mediation. At this stage the workers were still out on strike.

The union agreed to mediation. On the 27th June 1986 mediation talks commenced. At this mediation meeting the company offered to eradicate discrimination within a period of three years, and stated that they had set aside R1,5 million to achieve it.

The overall costs of completely wiping out discrimination were estimated by the company at R4 million. Again at this meeting there was no agreement.

On the 10th July 1986 both parties met in the presence of their legal representatives, where the SACWU representatives sought reinstatement of all their members. Again there was no agreement.

The company issued an ultimatum that if workers did not return by the 15th July 1986, they would be dismissed. On 11 August some workers who had not re-applied in time were dismissed. All in all about 800 workers were not re-employed, either because of failing to re-apply or because of alleged intimidation, or for other reasons. In Newcastle the majority of

workers were affected, because they arrived after 15 July.

SACWU applied for a Conciliation Board in regard to the dismissal and wage discrimination. On the 12th November 1986, a Conciliation Board was approved, with the following terms of reference:

"The terms of reference concern wage discrimination and the circumstances surrounding the dismissal of employees during July 1986 and their subsequent re-employment."

Again there was no agreement. In December 1986 following the Conciliation, Sentrachem provided its final proposals to the union, and this was also rejected, and The Company rejected the union's counter-proposal. Subsequently this dispute was referred to the Industrial Court in terms of Section 46 (9) of the Labour Relations Act no.28 of 1956.

It is important to note that for workers who remained in the company and those who re-applied before the deadline of the 8th July 1986, after five meetings SACWU reached an agreement with the company on wages on their behalf.

The minimum was pushed from R470 per month to R600 rands, and on the 18th May 1987 a written agreement on retrenchment procedures was concluded but on the question of

severance pay the parties could not agree.

Judgement and reasons for judgement

The union sought a two-fold order:

1. Elimination of wage discrimination.
2. Reinstatement of those ex-employees not re-employed.

Reasons for judgement on the elimination of discrimination

The union's legal representatives referred to ILO Convention No.111 of 1958, Clause 2, where discrimination is defined as including any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

They argued that the Wiehahn Commission's view was that international standards, as formulated in conventions and recommendations of the ILO, constitute useful guidelines in the development and updating of domestic labour and industrial relations legislation (in paragraph 4.127.20 the Wiehahn Commissions states, "as basic point of departure, the state, employer and employees, either individually or collectively, shall be committed to neither practising

nor allowing discrimination or inequality in the field of labour based on the grounds of colour, race, sex, religious beliefs or national extraction".

The company's lawyer argued that no order on the aspect of discrimination should be made, as the union had failed to submit any proof of discrimination.

The court found that during the course of negotiations the company had made an undertaking to remove discrimination. This was an acknowledgement of its existence. Accordingly, the court made the following order:

"Wage discrimination in the sense that wages paid to black employees at any of the company's divisions are lower than wages paid to other workers doing the same work (unless the difference is due solely to length of service in the job) is an unfair labour practice, which the respondent is required to redress by 31st August 1988."

Union's evidence of discrimination

In Newcastle, that is in the laboratory of Karbochem, the union found that a Indian laboratory worker was getting more than R1000 per month whilst his senior, a black senior laboratory analyst, was getting R800.

In NCP, Chloorkop, where six white unions negotiated with management in 1984, they agreed

on R960 per month for tanker drivers. According to the Peromnes grading system, tanker drivers are grade 13 - but for black tankers who are also grade 13, the company was offering R700. At K.O.P., Chloorkop it was discovered that a black worker who worked for the company for more than twenty years was earning R196 per month.

The union also discovered a situation where black workers in higher grades were retrenched, and their jobs were offered to the whites. Lesser jobs were given to the retrenched workers.

Re-instatement of those employees not re-employed

The union lawyers argued that the termination of the employment relationship is what is decisive, not the termination of contract. This argument is based on the fact that the termination of the contract of employment by the company was legal at common law, because the workers repudiated their obligations to serve, but nevertheless the employment relationship still existed, since after the 8th July, the company still offered re-employment up to the 15th July. A number of cases in the Industrial Court pointing in this direction were quoted, for example the Marievale case, where it was said that, if the

contract can be lawfully terminated but the dismissal is still held to be unfair this, on counsel's argument, is because the employment relationships continues despite the termination of the contract.

The Labour Relations Act's distinction between the contract and the employment relationship was quoted.

Lawyers also advanced argument as to why the employer terminated the employment relationship and not the contract? That is, if the employer terminated the employment relationship, he must advance reasons for such termination, if workers were guilty of any misconduct, reasons must be advanced to that effect, if reasons are retrenchment, proper retrenchment procedures must have been followed. The company has advanced reasons for stating that workers had terminated the contract by striking, but had not advanced any reasons for terminating the employment. The other argument advanced was that the dismissal would be unfair where it appeared to discriminate between two employees whose circumstances are the same. This was the case with company's use of selective re-employment.

It is also important to note that selective re-employment took the hue of retrenchment, workers were given ex gratia payment calculated in accordance with the

company's proposal of severance pay.

Lawyers raised another argument that there was a legal strike, and that workers were deserving of protection against dismissal. The company argued that the strike was illegal on the 12th May because the required 30 day period after a Conciliation Board meeting has failed, had not yet expired. The 30 day period expired on the 18th May.

The court, in regard to this argument, held that the fact that initially the strikers were committing an offence under Section 65, and that the strike was therefore in its inception tainted with illegality, does not mean that it remains an offence.

The court took into consideration that there had been lengthy negotiations which in effect condoned the initial illegality.

The company also objected to the phraseology of the ballot, hinting that it was irregular and thus made the strike illegal. This argument again was rejected by the industrial court.

After the right to strike of workers was referred to, and Section 65 and 79 of the Labour Relations Act No.28 of 1956 was quoted as granting immunity to strikers from penal and civil sanctions, if the requirement of Section 65 of the same act are complied with (although this is confined to registered trade

unions) the court found that the final dismissal and the failure of the company to re-employ was unfair.

The extent of retrospectivity of the court order was reduced. The court also took into consideration that the company was presently operating under a re-organised system with a reduced workforce. Consequently Clause 2 and 3 of the retrenchment agreement between Sentrachem and SACWU, dated 18th May 1987 was excluded from application. These claims relate to notice of retrenchment and alternatives to retrenchment. Their exclusion adversely affects the union.

The court ordered that the workers be re-employed on application not later than the 31st March 1988, and such re-employment be backdated to a date eight weeks prior to the date of application.

In the case of retrenchment, service should be reckoned from the date on which the worker commenced service.

Retrenched workers shall be paid as follows:

1. They shall be given formal notice in terms of applicable statutory notice period plus one month.
2. Retrenched workers will also be paid one week's wages for each completed year of service.
3. Their own total contributions to be pension fund, plus 6%

compound interest increased by 100%.

4. and their annual bonus on a pro rata basis.
5. The re-employment of those applicants not previously re-employed for disciplinary reasons shall be subject to disciplinary procedures agreed between SACWU and the division concerned.

Comments

It is strange that the court finds that the company committed unfair labour practices, which severely prejudiced workers in a situation where the company continued to produce, which meant the balance of convenience was in favour of the company, and still says the company showed great forbearance and tried hard to act fairly, and further gives credit to this by reducing the retrospectivity of its re-employment order to eight weeks, for workers who have been out of work for almost two years. Obviously eight weeks wages will not settle the debts of a worker, which have accumulated over a period of two years while he has been out of work.

This goes a long way to give validity to the contention that as long as the Industrial Court's bench is presided over by people from one section of the community's cultural background and a few token individuals from other sections, fairness will ever

elude us. It is obviously difficult for a man to decide what is fair in circumstances without full knowledge of different cultural backgrounds of communities. In most cases where workers acted unreasonably the court has been quick in dismissing the case, without any compromises. Hence one finds great truth in the union's argument that the court should not divide the period of retrospectivity as Solomon threatened to divide the baby.

Regarding the exclusion of Clause 2 and 3 of the recognition agreement, Clause 2 states that before retrenchment two months notice should be issued, and clause 3 of the recognition agreement relates to alternatives to retrenchment e.g. short-time or lay-offs.

The court in its judgement took into consideration the so-called existing circumstances. That is, that the company for eighteen months has been operating under a re-organised system with a reduced workforce. It is strange that the court takes into consideration this re-organisation that was never discussed with the union, and credits the company with the exclusion of Clause 2 and 3, should the company decide to retrench.

In this particular instance the court detracted from Sweet Food and Allied Workers Union and Another and Delmas Kuikens, (1986) 7 ILJ 628, where the court said, "The Industrial Court must

hold an employer to the system of industrial justice which it voluntarily holds out as being applicable to its plant. "

This accords with the view that industrial justice is primarily the responsibility of the employer. It goes without saying that, if an employer's standard of industrial justice falls short of that which the industrial court would apply, the court should intervene.

It does not follow that the court will intervene as a matter of course where the standard or norm of industrial justice to be applied in a particular relationship is higher than that which the court would apply. It is appropriate for

the court to acknowledge the standards of justice set in a given relationship and to see that they are observed.

In this matter the court replaces a higher standard of justice set by agreement between Sentrachem and SACWU with a lesser one decided by the court. One wonders whether the court has the competence to set aside an agreement, where neither party has asked the court to do so, particularly where the reasons for setting aside an agreement relate to an action which ought to have been subject to consultations, i.e. re-organisation of production.

Getting a Raw Deal : Trespass, the Farmer's Lethal Weapon

by Philip Masia

Soon after the farmworkers of the Rand Water Board became members of the Orange Vaal General Workers' Union, and the union approached the Board for negotiations, all hell broke loose. The stubborn heel-dragging that characterises parastatal concerns was immediately aroused. Many mechanisms to bust the union and intimidate workers were put into motion, ranging from installing security fencing around the farms, posting specially trained guards at the entrance, introducing a pass system for all farm residents including their children to arresting union officials on trespass charges. A systematic campaign of harassment and victimisation of key union members was embarked on, culminating in the dismissal of 16 workers for a number of different reasons which will be discussed below.

The Rand Water Board is a parastatal concern, owning a farm in the vicinity of the Swarkopjies pump station which is the main pump station supplying water to the reef area. The pump station

and the farm, according to the Rand Water Board, are National Key Points as defined in the National Key Point Act, which among other things prevents entry or access to any such points by,

for example, organisers of unions. According to statistics given by the Rand Water Board, 65 % of the manufacturing industry within the Republic of South Africa, and 6 million people, are situated within the supply area of the Swartkopjies pump station. The Board quotes this as the reason why it is a key point.

The Board employs about 54 permanent farmworkers on Swartkopjies. The farm produces meat (beef and mutton), dairy products, wool, maize and fodder. The Rand Water Board runs several pumping stations in and around the PWV area, and employs about 1200 workers at these stations. They have joined the union since the farmworkers dispute.

On 15 January 1987, the Board issued letters to 9 workers, stating that it had "decided to reduce the strength of its staff on the farm Swartkopjies", and promising to pay wages up to and including 28 February 1987, in lieu of notice.

The letter also gave notice that all affected workers and their families vacate the residence occupied by them on the Board's farm by not later than 12 noon on 15 February 1987.

The Orange Vaal General Workers Union (OVGWU), which has a majority membership on the farm, intervened and challenged the reasons for the

reduction of staff. The OVGWU alleged that the affected workers, six of whom were union shop stewards, were dismissed specifically for their trade union activities. The union also pointed out to the Board that the affected workers were dependent on the Rand Water Board for housing, schooling for their work and food, and challenged the eviction on the grounds that alternative housing and schooling was not provided.

At a meeting workers took a decision to stay on after the deadline and to demand that the Board legalise the eviction by acquiring a court order.

Civil proceedings

The Board had no valid reasons for the reduction of staff. It boastfully pointed out that farmworkers were not covered by the Relations Act, and capitalising on this lack of legal protection for farmworkers, it would not consider reviewing its action.

However, on 19 March 1987, the Board served summonses on the dismissed workers to:

- vacate their houses and leave the farm or show cause why they should not;
- pay R1,00 rental per day from 15 January 1987 to the day of vacating;
- pay the costs of proceedings; or

- court should grant them alternative relief.

Through its lawyers, the union answered that the action would be defended. In April 1987 the Board applied to the court to evict the workers, claiming that workers had no genuine defence for their cause, and their applications were solely for the purpose of delaying eviction.

The union, through its lawyers, replied that:

- they denied that the workers had no genuine defence and further argued that the person who applied for the eviction had no personal knowledge of the facts pertaining to the action which was instituted;
- the terms and conditions of the contracts of employment were to provide workers and their families with housing on the farm;
- the right to occupy the house on the farm would exist as long as the contract of employment was in force and could therefore only be terminated by lawful termination of the contract;
- termination of the contract of employment and therefore termination of the right to occupy the house was to be effected only on reasonable notice and subject to other further conditions;

- the contract of employment could only be terminated on good or reasonable cause;
- the parties would act fairly towards one another in the conduct of the employment relationship and, more particularly, the contract of employment (and therefore also the right of occupation) would not be terminated unfairly.

Further it was shown that During June 1986, as a result of numerous unfair labour practices and unacceptable conduct perpetrated by management (including extremely long working hours, poor remuneration and general ill-treatment) many workers decided to join the union.

Subsequent to the workers joining the union, management embarked on a campaign of victimisation and harassment of prominent members of the union in its employ.

As part of this campaign of victimisation, management terminated the contracts of 9 workers. The dismissals were effected without good or reasonable cause and were carried out unfairly and accordingly constituted a breach of the contract of employment. For that reason the workers decided not to accept the dismissals and to enforce the contract. Further the workers argued that even if it could be

shown that the real reasons for the dismissals were retrenchment, the management carried this out in an unfair manner and failed to follow the laid down procedures.

The union further argued that:

- reasonable notice, because of circumstances on the farm, would be a season's notice, alternatively six months, i.e. most farmworkers are not wage-earners, get R10 - R20 per month and a share of the crop, i.e. 20-40 bags of maize, sorghum or wheat at the end of the harvest, that makes up the bulk of their pay. Therefore if the notice period is the interval between pay they should be given a season's notice;
- they had tendered, and still tender, their services in accordance with the contract of employment which still held, and therefore their occupation of the houses is legal;
- they were not indebted to the farm as claimed by management. Instead they claimed one month's wages in view of the fact that their contract was still in force;

Finally, if the court ordered their eviction, they and their families would suffer great disadvantage and be rendered homeless with no reasonable prospects of finding alternative employment or accommodation.

The court agreed to postpone the

case for hearing to May-June 1988, which postponement had the effect that workers could stay lawfully on the farm until that date.

Criminal proceedings

On 15 June 1987, the farm dismissed two more union members, alleging:

- their "conduct was in breach of their obligation as (servants) of the Board in that they wilfully disobeyed orders of their superiors on the farm and behaved in a quarrelsome and insubordinate manner" and demanding that:
- these workers vacate their houses on 22 June 1987 and under no circumstances may they or their families come upon the premises thereafter".

When the workers did not vacate their houses on 22 June 1987, the farm chose not to institute civil proceedings for their eviction, but instead laid criminal charges for trespassing. Both workers were convicted of trespassing, and their sentences were suspended on condition that they did not commit the offence of trespass within the next five years. This had the effect of ejecting them and their families from their houses on the farm. The court in this case concerned itself only with the question of private property and had nothing to do with the employment dispute in deciding the case. It

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held that the workers were, in fact, trespassing and therefore must vacate the farm.

On 5 August 1987, the farm dismissed three more workers stating that, "They have expressed dissatisfaction to the farm manager regarding their present rate of pay and ceased work, have not worked since" and that "the farm hereby accepts repudiation of their services with the Board, and accordingly they will be expected to vacate their residency and leave the farm by not later than 12h00 on 12 August 1987 and under no circumstances may they or any member of their families enter the premises thereafter".

The three workers were not given increases when every other worker on the farm got theirs. The reason was that they remained members of the union even after the victimisation of their 9 comrades in January 1987. When they enquired from the manager, he then dismissed them and claimed that they had repudiated their services. The union intervened and tried to negotiate their re-ntatement. On 11 August 1987 the lawyers acting for the union sent a telex to the Board challenging the dismissals and stating that the notice period was insufficient and unreasonable and demanded a re-instatement, failing which they would launch urgent proceedings in the

Supreme Court, seeking appropriate relief, on Wednesday 12 August 1987. The Board, in its replying telex, denied having terminated the services of the workers but stated that it had accepted the lawful termination of their services by the workers. If proceedings were launched with the Supreme Court an order for costs against the workers would be sought.

Once more the farm elected not to go by way of civil proceedings to eject the workers from their houses, but lodged a complaint with the South African Police (SAP) for trespass. The 3 were arrested, tried and convicted of trespass. The sentences were also suspended on condition that they did not commit the offence of trespass for a period of five years. This also had the effect of depriving the workers of possession and occupation of the homes on the farm.

Having succeeded in employing the police and using the courts to circumvent a dispute by criminalising the right to shelter and the right to negotiate working conditions the Board took further steps. On 28 August 1987, it notified the lawyer acting for the union that despite the civil proceedings which it had instituted, it viewed the retrenched workers' presence on the farm as trespass. Therefore it would once more lodge a complaint of trespass with the SAP.

After this letter, on 10 September 1987 at the trial of the 3 workers mentioned above, a meeting took place at the prosecutor's office, attended by the union's lawyers, the station commander of the SAP at Kliprivier and two officials of the board, where it was made clear that:

- a complaint had been lodged with the SAP by the farm alleging trespass;
- the SAP would carry out their duty and arrest the workers following the complaint;
- the SAP believed that the workers' presence on the farm constituted a threat to the general safety of the area.

At this meeting the lawyers made it clear that:

- the workers had a defence to any charge of trespass;
- a civil action was pending in the Magistrate's Court and that a dispute between the parties would receive a full and proper hearing in that forum.

Nevertheless, on 10 September 1987, at approximately 20h00 final letters demanding the workers vacate their houses were served by 3 members of the SAP, the Board's security personnel and the farm manager and his assistants, armed with pistols and a shotgun.

The letters demanded that workers vacate the property on or

before 17h00 on Friday 18 September 1987.

An urgent application was launched with the Supreme Court of the Witwatersrand Local Division - workers as applicants and the Rand Water Board, the Minister of Law and Order and the Station Commander, SAP Kliprivier were cited as respondents.

Relief sought was:

- an interdict restraining the Board from in any manner dispossessing the workers of their housing and accommodation, pending the outcome of the existing civil action;
- to order the Board to withdraw any charges or complaint of trespass against workers;
- an interdict restraining the Board from causing the SAP to arrest, detain and/or remove the workers from the farm on any charge of trespass;
- to grant the workers such further and/or alternative relief as the court may deem fit.

At the first appearance the case was postponed with the agreement of both parties. At the second appearance the court ruled that it would not grant the order and awarded costs against the workers.

The out of court agreement was that the police would not arrest the workers, but that they should present themselves at a

magistrate's court on a date to be arranged and answer the trespass charges.

The trespass charge was heard at the Meyerton Magistrate's Court and postponed a number of times. It finally went to hearing in late October and workers were convicted of trespassing.

The Senior Counsel acting for the workers appealed against the sentence, which could be heard in eight to twelve months time. Because the effects of the appeal suspended the sentence, the workers then went back to the farm.

On 17 November 1987, the retrenched workers, this time including their wives and some of the children, were arrested on another charge of trespassing.

They spent 18 days at the Leeuhof prison and appeared on 4 December 1987 when the matter was postponed until 9 March 1988. The workers were given bail, on condition they left the property. Workers, despondent, decided to vacate their houses and leave the farm and get accommodation at one of the squatter camps (Wailer's Farm).

The reason for holding on until March or after is that the 9 workers still wanted to be heard in the civil case in May-June 1988, the date set by the Magistrate's Court for the hearing.

Conclusion

What was revealing in the court and significant for the workers, were the lessons learned, which include:

1. In South Africa one can swap one legal forum for another and circumvent one law by using another, for example, in this case the Board swapped the civil case for a criminal one, and got around the normal civil proceedings by using the Criminal Procedures Act.
2. Because of legal protection farmers enjoy, they can use the police and courts to criminalise farmworkers and their families rights to work, shelter and schooling.
3. Because of lack of legal protection, farmworkers are open to abuse by the farmers, the police and the courts.
4. The Trespass Act of 1955 is a piece of legislation out of line with other criminal laws, in that the onus of proving "lawful reason" or good intention for entry rests with the accused. This is an exception to the general principles of criminal liability.
5. Farmworkers in their struggle will face legal obstacles such as the Trespass Act of 1955; as explained above, Prohibition of Illegal Squatting Act 1951, General Law Amendment Act 1962, which states, among

other things, that any person, who in contravention of any law enters or is on any land building or part of building, commits an offence of sabotage. The effect of this Act is not so much to create a distinct offence of trespass but rather render a trespass offence punishable, in appropriate circumstances, as the more serious offence of sabotage. Therefore all talk about legislation or code systems to protect agricultural

workers will obviously be negated by the continued existence of the above Acts, which would still remain a sizeable weapon in the hands of farmers.

6. Until farmworkers organise themselves and become part of so-called "civilised" South Africa they will be faced with producing raw material for that society and getting a raw deal in return, irrespective of the changes in the laws.

Metal Unions Unite for A Living Wage

This year four affiliates of the International Metalworkers Federation have agreed on the principles for a joint position in negotiations with the metal bosses. Jabu Matiko reports.

For the first time in the history of the metal industry wage negotiations metal employers will face a joint campaign, based on agreed principles, by the majority of the South African affiliates of the International Metalworkers' Federation (IMF). The unions have agreed to act only on the mandates received from the general meetings of their members. At the centre of the joint campaign is the principle that metalworkers general meetings would be held throughout the country to give mandates to the unions.

The four unions supporting the campaign are the National Union of Metalworkers of South Africa (NUMSA) affiliated to COSATU, and the Steel Engineering and Allied Workers Union of South Africa (SEAWUSA), the Engineering and Allied Workers Union (EAWU) and the Electrical

and Allied Workers Trade Union of South Africa (EAWTUSA), all affiliated to NACTU.

The remaining three South African affiliates of IMF, the Radio and Television Union, Engineering and Industrial Workers Union and Boilermakers Union are not supporting the joint campaign. None of these unions supports the principle of acting on the decision and mandates received at the joint general meetings. According to a NUMSA national organiser, these three unions support the taking of decisions at their unions' executive committees.

Also taking part in the metal Industrial Council wage negotiations are unions affiliated to the conservative all-white Confederation of Metal and Building Unions. These unions have proposed increases ranging from 52 cents an hour for



labourers to R1.31 an hour for skilled workers.

General meeting of metalworkers

The first negotiation meeting between unions and employers was held on 15 March. The first joint report-back meeting of metalworkers in the Transvaal was held in the Wits region, at Shareworld centre, west of Johannesburg. Metalworkers gathered to discuss the Steel and Engineering Industries Federation of South Africa (SEIFSA) response to their demands.

The situation which prevailed at the meeting was disturbing. The IMF delegation responsible for chairing the meeting was absent. The majority of workers expressed disappointment about this. They also questioned the IMF delegation's perception of the meeting. After a short discussion, a NUMSA official volunteered to chair the meeting, but only to conduct elections of a chairperson amongst workers in the meeting. Nominations and elections took place by show of hand.

Tom Mazibane, a shop-steward from the German multinational Siemens, was elected chairperson. Initially Mazibane expressed difficulties in opening the meeting because of his absence in the planning committee responsible for the general meeting. After some assistance from NUMSA union officials who had some

information about the plans for the general meeting an agenda was formulated. On the agenda the items to be discussed were the report on the SEIFSA wage offer and the IMF wage strategy.

Majority is NUMSA

The level of attendance was low. The majority of metalworkers present were NUMSA members. Doubts about the practical involvement of all IMF unions at all levels of the joint wage campaign was expressed by NUMSA members. Speakers felt the absence of other IMF union members was a potential problem because they were not sure if absent metalworkers would honour the decision taken at the general meeting.

The problem was summed up by one worker: "Some companies have two IMF unions. In my company there is NUMSA, SEAWUSA and Boilermakers' Union. If workers organized by some of these unions don't attend, how will the campaign be effective on the shop-floor?" After a long discussion on attendance, workers resolved to write a letter to IMF noting their worry about the level of participation by other IMF unions.

Militant mood

Despite the problems cited above the meeting proceeded with a militant mood. "We want a living wage!" workers chanted, as the employers' offer was read out

at the meeting. The IMF affiliates have called on SEIFSA to immediately withdraw their support for the new Labour Relations Bill, failing which the unions have declared that they will consider calling a dispute on this matter. Some of the unions' demands are as follows:

- Minimum rate of pay within the industry be raised to R5.00 per hour.
- 21st March, 1st May and the 16th June be paid public holidays.
- Retrenchment payment of one month's wages for each completed year or part thereof be paid and at least one month's notice of any retrenchment be given to the union to enable negotiations between the parties.
- All female employees be entitled to six months paid maternity leave.
- All male employees be entitled to 14 days paternity leave.
- All employees receive equal and increased vocational and technical training.
- Each employee receive an across the board increase of at least R1.50 per hour starting at the lowest grade.
- Increase in overtime rates.
- Increase in shift allowance.

The Steel and Engineering Industries Federation of South

Africa was concessive to wage demands only. According to Peter Dantjie of NUMSA, the employers claim the IMF unions' demands are ridiculous and offered only 21 cents per hour at the bottom and 52 cents at the top. On the new Labour Bill the employers suggested that a committee separate from the wage negotiation forum be constituted to discuss the unions proposals on the Bill. However SEIFSA is known to have openly supported the proposed Bill. According to **SEIFSA NEWS**, the mouthpiece of the metal employers, "SEIFSA welcomes many of the proposed changes to the Labour Relations Act and has submitted representation to Parliament on various aspects of the Labour Relations Amendment Bill."

Workers reject the offer

Workers rejected SEIFSA's wage offer with expressions of anger and militancy. Workers saw SEIFSA's wage offer as a "provocative" response to their demands. A call was made to all metalworkers to mobilise and prepare for a likely confrontation. Emphasis was also laid on the importance of struggling against the Labour Bill. The resolution unanimously adopted by the general meeting was that the struggle against the Bill was more important than the "few" cents SEIFSA might offer in future negotiations. A worker summed up the general feeling about the Bill, saying, "We should make

our struggle against the Bill a priority, more wages won't necessarily stop repression."

IMF wage strategy

The metalworkers general meeting also discussed a proposal to withdraw some of the demands made in the first round of talks with SEIFSA. Initially fifteen demands were presented to employers. According to Dantjie the number of demands created problems for the unions' negotiating committee. "We lose focus if there are many demands. During negotiations both parties are expected to be flexible on their proposals. The IMF unions' withdrawal of some demands is a demonstration of flexibility. Employers are expected to demonstrate the same attitude." However the unions would only withdraw some demands if mandated by the general meeting.

Workers withdraw some demands

There was a thorough debate as workers weighed the relevance of some demands. Initially it seemed the unity of workers at the general meeting was at risk as different perceptions of their demands emerged from discussion. Fortunately common ground was established as the following demands were accepted by the majority of workers in the general meeting:

- Across the board increase of R1.50 per hour
- Minimum demand of R5.00
- 21st March, 1st May and 16th June be paid public holidays
- 40 hour week
- Rejection of the New Labour Relation Bill
- An end to racial discrimination in wage rates in the metal industry

Significance of the joint campaign

For many years there has been strife between most of the IMF unions. IMF unions co-operated at the IMF organisational structures, but were hostile to each other on the shopfloor. On the one hand other IMF unions alleged that MAWU members (now NUMSA) were poaching and intimidating their members. On the other hand some of the other IMF unions were viewed by MAWU as stifling the militancy of workers in factories by signing the national wage agreement with employers, thus making strike action by MAWU members illegal.

During the 1987 MAWU wage campaign the union's national organiser, Bernie Fanaroff, described the nature of MAWU's relationship with other IMF unions at the national wage negotiations: "We do co-operate

with other IMF unions in putting demands. There is a fair amount of co-operation up to the point where we reach deadlock with management, but then the individual unions have to decide for themselves whether they are going to sign the agreement, but in particular, none of the other unions have supported us in industrial action and it seems unlikely that they ever will." The 1988 IMF joint campaign has however created a basis for building the relationships between IMF unions practically in struggle against the metal employers.

The Wits regional general meeting indicates the crucial tasks that must be addressed in order to

intensify the campaign. The general meeting has shown that failure to improve the attendance of all IMF unions might have a negative effect on the unity on the shop-floor and all levels anticipated in the joint campaign. Hopefully all the IMF unions will stand by their agreed position that, "All metalworkers must keep in touch with their shop-stewards regarding future general meetings for report-back on the progress of negotiations" so as to decide how the campaign must continue. This important aspect of the campaign could lead to a "positive development which is going to further unite metalworkers in South Africa."

NUMSA develops campaign structures

The National Union of Metalworkers (NUMSA) is busy with the election of local, regional and national campaign structures. These structures will exist parallel to the existing NUMSA structures. Each NUMSA Shop Stewards Local will elect 5 - 10 shop stewards - depending on the size of the local - plus one organiser to form a Local Campaign Committee (LCC). These shop stewards should be representative of all sectors of the union. Each LCC will elect 5 shop stewards to the Regional Campaign Committee, which will then elect 2 shop stewards to the National Campaign Committee.

According to a NUMSA national organiser, the structure will allow NUMSA to improve co-ordination of mass campaigns. Too often union campaigns get bogged down in the existing structures because of the amount of day to day business they have to deal with. The union hopes that, with the development of structures that will concentrate on campaigns, it will be able to mobilise workers far more effectively.

The campaign structure will be an executive structure, without power to initiate campaigns or decide on demands. Such decisions will be taken in the usual union structures. The task of the campaign structures is to plan, co-ordinate, mobilise and monitor campaigns once they have been decided upon by the union.

Campaigns to be co-ordinated by the new structures are the anti-Bill campaign, the Living Wage campaign, and the campaign for the release of Moses Mayekiso, general secretary of NUMSA. According to the national organiser, elections for all the Local Campaign Committees should be completed by mid-April.

Inkatha - by grace of the Nationalist government?

Part Two

In the last edition of the Labour Bulletin GERHARD MARE discussed the origins of the Inkatha movement. He argued that the KwaZulu bantustan leaders have tried to use two traditions in mobilizing Inkatha. The first is a particular *regional* tradition of 'Zulu' politics based on 'Zuluness'. The second is the *national* political tradition represented by the African National Congress. In this second part of his article, Maré shows how Inkatha's clashes with the ANC, the UDF and COSATU have undermined its national aspirations to the tradition of the ANC. At the same time, Inkatha has moved to consolidate its regional base in the KwaNatal Indaba.

When, in 1979, Inkatha broke with the legitimacy of the ANC, it had already in many ways become part of the system which it opposed. The same people who had been in government in the bantustan for nine years had also been leaders in Inkatha for four years. They had fought for wages for themselves many times greater than the salaries of the people they were representing. They had assumed responsibility for pensions, roads, transport, township management, etc. They

had also taken direct credit for the educational system in KwaZulu.

School boycotts threaten Inkatha

Bantu Education had been done away with, claimed Inkatha's leaders, and in its place there was now the 'Inkatha syllabus'. At first it was known as such with embarrassing honesty. Later it became 'good citizenship', Inkatha's version of 'people's education'. The syllabus did introduce an hour a week of

Inkatha's view of the world and of black struggle, but it did not change the totally inadequate schooling system in the region.

In the 1970s the school boycotts seemed to pass by Natal. But in 1980 the boycotts came to KwaMashu. The boycotts were seen as such a threat to Inkatha and the KwaZulu Legislative Assembly (KLA) that members of the Assembly were sent home from Ulundi to restore the respect for and authority of the elders. The force which was used left few people in doubt about Inkatha's commitment to 'law and order'. For example, KLA member Winnington Sabelo phoned his apologies to Ulundi for his absence at the Legislative Assembly as he had a pupil in the boot of his car!

The break with the ANC

The way in which the 1980 school boycotts were crushed, confirmed the break with the ANC. In 1979 Committee of Ten member, Ntatho Motlana, publicly cast doubt on Buthelezi's claims that Inkatha had had regular contact with the ANC over the years. Motlana said that this could not be the case as the ANC did not deal with 'traitors'. Buthelezi responded in extremely strong language.

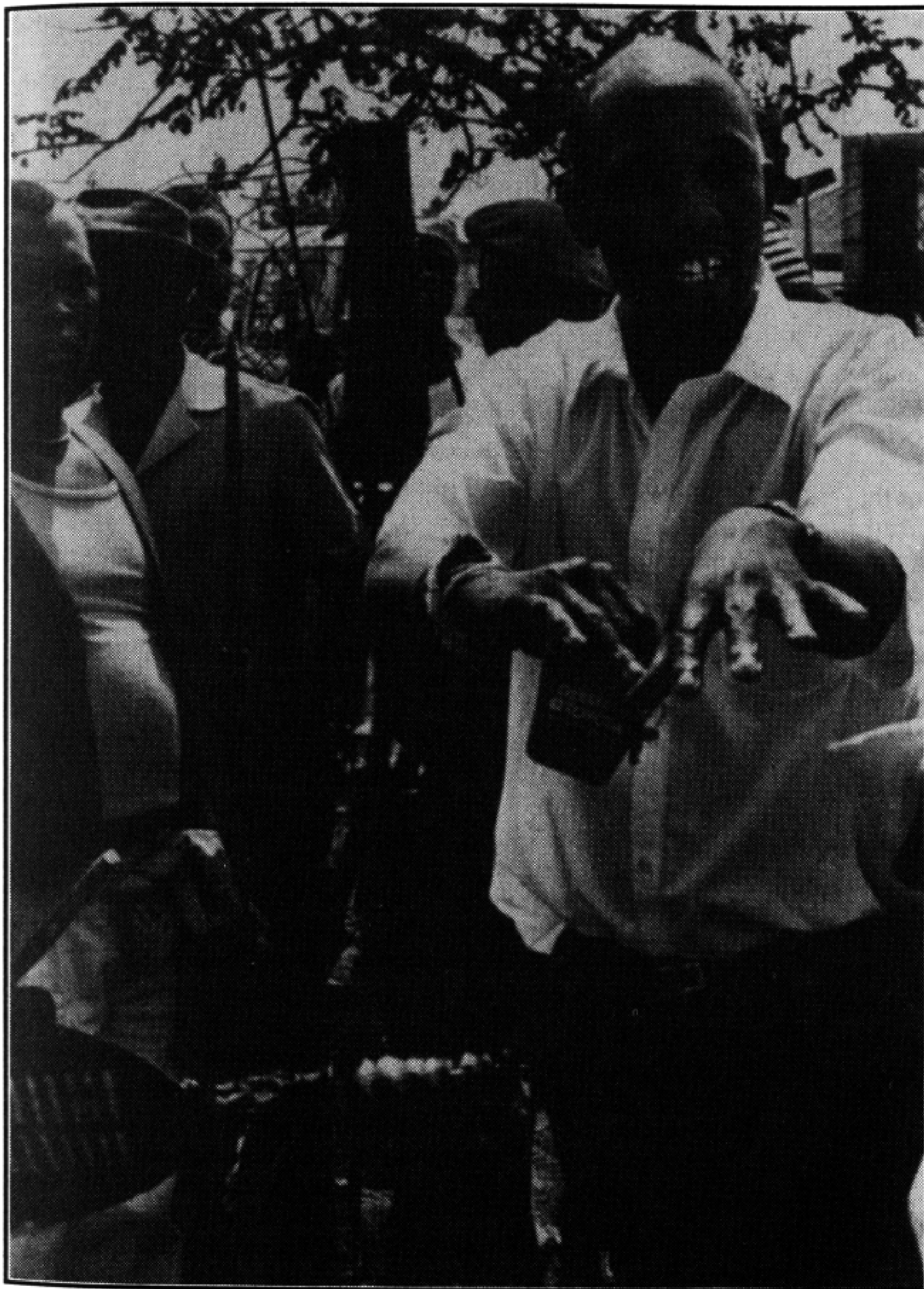
It was shortly after this that Buthelezi led a large delegation to London for meetings which the ANC assumed to be confidential. Conflicting versions of this

meeting exist, with claims being made that Inkatha wanted it to be a highly publicised event to ensure Inkatha's importance as a liberation movement in South Africa.

But the ANC could no longer afford such open contact with Inkatha. The banned movement had been strengthened by the many young people who had fled South Africa since June 1976, people who had rejected the bantustan system. Many of these young people had been brought up in the political climate of the later black consciousness with its total rejection of working within the system. The new recruits to the ANC did not take kindly to Buthelezi's use of the legitimacy granted by the ANC.

Inkatha said about the meeting that the ANC wanted Inkatha to be their internal front. This was rejected on the grounds that it would be like 'the tail wagging the dog'. Inkatha felt that by now, with a claimed membership of 250 000, it was more important and should be given much greater public credit than it was receiving.

Inkatha might have felt that it was denied full recognition as a 'national' and 'liberation' movement, but at the same time its leaders and advisors were realistic enough to suggest that a period of consolidation was necessary after the meeting. The break with the ANC had given Inkatha's national aspirations a



Thomas Shabalala, Lindelani community leader and senior Inkatha member, threatens a KwaMashu headmaster with death for "allowing" pupils to boycott classes, October 1985

blow. Consolidation meant that the regional - and ethnic - base of Inkatha had to be strengthened. According to reports the Central Committee decided to run the risk of being seen as a primarily regional, Natal-based body.

Inkatha's alliance with capital

In 1980 the Buthelezi Commission was set up to investigate a regional political and social dispensation, that would at the same time serve as a model for the rest of the country. The Inkatha Institute was formed at the same time to act as a secretariat for the Buthelezi Commission and to counter attacks on the Inkatha movement.

The Commission was an attempt by big capital, through the academics directly and indirectly associated with it, to shape a reform package as an alternative to the moves by the State to institute constitutional change. Extra-parliamentary bodies and representatives did not participate in the Buthelezi Commission. On the other hand, 11 of the approximately 46 members and alternative members came from State-created, racially-based political structures.

In 1982 the Buthelezi Commission reported on the constitutional and social conditions that would be necessary for 'stability' in the region. It suggested that the province of Natal, including

KwaZulu, be administered as one unit in a federal state, and that a joint law-making body be created. The Commission called its political approach 'consociationalism', which means that consensus between elite leaders is more important than mass democratic participation. Once the elite leaders of variously defined groups have reached agreement, their task is to sell this agreement to their various constituencies.

The Buthelezi Commission had a clear aim - to present an acceptable conservative alternative to the State's political tinkering. Despite this, the Report of the Buthelezi Commission did not find favour with the National Party or the New Republic Party. Afrikaans-language newspapers tried to have the recommendations at least considered by the government, but to no avail. The rejection by the NRP was probably more important in the regional context. The NRP dominated the Provincial Council, and its rejection of the Commission's Report set back attempts at administrative coalition between KwaZulu and the Provincial Council. It took two years before the air had been cleared sufficiently for administrative rationalization to be seriously on the cards again.



Chief Buthelezi comes down to dance with the amabutho at 1986 May Day celebrations

The UDF is formed

Inkatha was now firmly committed to regional consolidation, while other opponents of apartheid were taking on the State at the local level, as well as with nationally co-ordinated campaigns. In 1983 the United Democratic Front (UDF) was formed.

Ironically, at this time the writing was on the wall for Inkatha's own national body, the South African Black Alliance. In 1983 the Labour Party decided to enter the tri-cameral parliament, despite Buthelezi's warning that Indians and coloured people should not become 'second class enemies' of Africans. In 1986 the

only other member of the SABA worth mentioning besides Inkatha, the Inyandza movement of Enos Mabuza of the KaNgwane bantustan, also suffered from Buthelezi's outrage when Mabuza met with the ANC.

The formation of the UDF had implications for Inkatha as well as for the State. While the UDF was clearly not going to spend much energy in attacking Inkatha, Inkatha's national aspirations had suffered another defeat. The United Democratic Front had a greater symbolic claim to the political tradition of the ANC before 1960. It also met with the approval of the 'mission in exile'. The UDF's political practice of boycott and parallel structures

was closer to the ANC's strategies of the 1950s than was the participatory and ultimately ethnic politics of Inkatha.

Buthelezi responded with an ideological trick by lumping the UDF together with the ANC. However the ANC he lumped them with was what Inkatha's leadership has been at great pains to call the 'ANC mission in exile'.

In claiming that the UDF was merely a front or a surrogate for the 'mission in exile', Buthelezi echoed the central government and the security police. However, in these attacks Inkatha leaders were going beyond regional consolidation. They were also making a broad alliance with extra-parliamentary organisations more and more difficult. Inkatha was ruling out the possibility of its own return to national resistance politics.

Consolidating the regional base: KwaZulu/Natal Indaba

The solution, for Inkatha, was to repeat the Buthelezi Commission, but now with a clearer practical political agenda. The KwaZulu/Natal Indaba was convened in 1986. Where the Indaba differed from the Buthelezi Commission was in its public composition; the same interests were at work but in a different form. The Indaba was dominated by the representatives of capital, of political parties already participating in state

structures (such as the tricameral parliament and the KwaZulu bantustan), and second and third tier government in the region.

Other groupings, such as AZAPO, the UDF and the ANC, were invited but it was made clear by at least one of the convenors that their participation would not be desirable. Under the State of Emergency, with the ANC and PAC still banned and rejecting regional 'solutions' and the anti-democratic process proposed for the Indaba, it came as no surprise that these groups rejected participation.

By the time of the Indaba the NRP was wholeheartedly behind the initiative and even the NP had observer status. The hurried process of Indaba, completed behind closed doors, resulted in a set of proposals for regional government which were accepted by a majority of participants. It has been rejected as its stands by the central state.

Since the proposals were revealed at the end of 1986 the Indaba has operated with its own corporate existence, with its own staff, under a director, claiming to be divorced from party politics. Its backers have been engaged in an expensive advertising campaign to sell the product that had been manufactured in the Durban City Hall.

As with the Buthelezi Commission proposals, the

KwaNatal Indaba has stressed the possible use of the proposals in other regions of South Africa. However, that line of argument is undermined by the Indaba's claim that the Natal region has several special features that make it the ideal 'laboratory' for conservative reform.

Some elements of the regional distinctiveness are clearly absurd - such as the 'liberal' character of English-speaking Natal, and the supposed environmentally-determined mellowness of race relations. However, other elements are very real. The presence in Natal of chief minister Buthelezi and the Inkatha movement that he heads, makes it a region very different to any other in the country.

Capital and the Indaba

The Indaba has been the vehicle through which capital has entered the political arena directly. Capital functioning either as the dominant firms (Anglo-American or Premier, etc.) or as sectoral organisations (the Afrikaanse Handelsinstituut or Assocom, etc.) has in the past made its voices heard - sometimes through the platforms established by the central state (such as the Carlton and Good Hope conferences). However, with the Indaba it has committed itself, albeit through regional organisations, such as the Natal Chamber of Industries and the South African Sugar Association, to a political

programme and a political alliance.

The essential partner in this alliance is Buthelezi, preferably with a large and disciplined constituency. 'He is our man', has been the call from such luminaries as Anglo's Gavin Relly, of Tongaat Hulett's Chris Saunders, of the Sugar Association's Tony Ardington, of Old Mutual's Dr. Jan van der Horst, to name but a few.

For them, and for the academics, journalists and politicians who support their vision for a future South Africa, Buthelezi stands for a multi-racial (and maybe even non-racial) capitalism against the socialist future that is also on the agenda: he stands for profits and the stability that will ensure profitability; for foreign investment when there is a strong internal and external lobby for sanctions and disinvestment; for 'moderation' when other groups have been defined as violent; for Christianity when 'atheistic communists' and 'liberation theology' threatens; for compromise when unitary politics and 'majoritarianism' (i.e one person one vote) seem to promise chaos to these interests. This is why the Indaba has been given the kind of money that allows costly advertising campaigns and a staff of some sixty people.

COSATU is launched

The formation of the Congress

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of South African Trade Unions (COSATU) in late 1985 was a momentous event in the history of working class struggle in South Africa. The COSATU launch took place in Durban about four months before the Indaba met for the first time. The formation of COSATU affected Inkatha in two important ways.

Firstly, it shifted the centre of the organised working class away from Natal, where it had been symbolically located after the 1973 strikes. Even after the formation of the Federation of South African Trade Union (FOSATU) as a national federation in 1978, the main centre for the trade union movement was Natal.

With the formation of COSATU that changed. The bulk of COSATU's membership was now based in the industrial and mining heartland of South Africa - the Transvaal. This meant a change in the relationship between the organised working class and Inkatha. The unions were now less cautious about provoking the antagonism of Inkatha. They were more aware of national political activity and needs but less sensitive to regional political and cultural distinctiveness.

Secondly, the formation of COSATU was a final blow to any aspirations Inkatha might still have to become a national resistance movement. From the beginning COSATU took an open

political stand, aligning itself with the Congress tradition. A large section of Inkatha's claimed constituency ('the workers and the peasants') would now be mobilised by an organisation with a national presence, both economically and politically.

Inkatha responded in a predictable manner by accusing COSATU of being another front for the 'ANC mission in exile' (as it had done with the UDF). But Inkatha also took a step which, it has been argued, was a mistake in its own strategy. It formed its own union, the United Workers Union of South Africa (UWUSA).

UWUSA was formed at a mass rally at the Kings Park rugby stadium where COSATU was also publicly launched five months earlier. The formation of UWUSA meant that Inkatha was trying to take on the established unions where they were strongest, on the factory floor. It is also on the factory floor that Inkatha's capitalist allies can least afford disruption due to inter-union conflict. As the outgoing chairperson of the Sugar Millers Association said two months after the formation of UWUSA; '...we will be caught in the cross-fire of their (COSATU and UWUSA's) differences ...' Similarly the Natal Chamber of Industries had to issue 'guidelines' for dealing with 'inter-union rivalry'.

While there has been an attempt by Inkatha to distance itself from



US links: Buthelezi on a US visit meets representatives of IBM, Goodyear, Envirotech International, General Motors, 3M, Mobil Oil and Union Carbide

UWUSA there is no doubt that Inkatha leaders have been drawn into the attempts by the union to recruit members and to fight other unions. The violent clashes at Hlobane Colliery during 1986 during which 11 miners died is a case in point, as were the murders in Mpophomeni.

It has been argued that what counts in UWUSA's favour is the control that Inkatha has over the KwaZulu Legislative Assembly and the Black Local Authorities, and hence the control it has over meetings, labour legislation and its own Code of Conduct. However the KLA's control over a range of services has caused problems for the Inkatha movement, because it brings Inkatha into conflict with mass struggles for better services. In

the same way, the overlap between Inkatha, the KLA and UWUSA will probably in the long run cause great problems for each of these bodies.

Inkatha's control, through the KLA, of the KwaZulu police has already brought it into even closer ties with the repressive bodies of the central state. Through its public statements it appears that these links are not thrust upon an unwilling Inkatha, but form part of its overall regional strategy. The Indaba proposals extend these links into the envisaged future as well, with provision for a 'Natal Regional Force', and for sections of the police and tribal police to be part of the proposed Natal federal government.

Inkatha has become a conservative regional force

Increasingly Inkatha has been thrown back onto a reliance on regional politics. Its use of regional politics has been extremely conservative. Inkatha's conservatism is the result of four major aspects of its strategy.

- Firstly, Inkatha chose to work within the system. Inkatha became responsible for many social services. This meant that when resistance started to focus on schooling and local government in 1976, Inkatha inevitably came into conflict with the resistance politics. Inkatha was now part of the system that it claimed to oppose, and no amount of hairsplitting could change that.
- Secondly, Inkatha's leaders, and especially chief minister Buthelezi, have used fundamentally undemocratic and conservative aspects of 'Zulu' tradition and history.
- Thirdly, Inkatha has cut itself off from the mainstream of national resistance politics by drawing a line between the pre- 1960 ANC and the 'mission in exile'. Thus it has increasingly become an opponent of the ANC.
- Fourthly, Inkatha has antagonised the working class, which is at least rhetorically acknowledged by the progressive movement to be the leading force in the struggle against racial capitalism. Inkatha's politics has little to offer the working class nationally. It is the politics of a petty bourgeoisie that is trapped in the region by apartheid, but aspires to an alliance with big capital. Inkatha's class politics have ingratiated it with local and international conservative governments and capitalists, but they have done little to broaden its national appeal to the oppressed people of South Africa.

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Community and Unions in Natal

Part One From the 1973 Strikes to Independent Trade Unions

The 1973 Durban strikes ushered in a decade of painstaking struggle to build organisation in the factories. Slowly the unions grew stronger, developing considerable strength on the factory floor. The new unions developed a powerful cadre of elected shop stewards. In some parts of South Africa the early 1980's saw the shopstewards and union structures establish links with community and political organisations. But in Natal the trade unions stood apart from the communities where progressive community and youth organisations were beginning to clash with Inkatha. This left the unions and shopstewards powerless to influence events when violent battles erupted in the communities in 1985. In the first of two articles, SHAMIM MEER reports on the ideas and experiences of Durban shopstewards up until 1985.

While popular insurrection raged in other parts of South Africa from 1984 to 1986, Durban was relatively quiet by comparison throughout 1984 and during the first half of 1985. Relatively smaller scale localised battles were taking place in the townships of Lamontville and Hambanathi outside Durban from

the early 1980's. Inkatha and UDF activists came into conflict as communities attempted to organise against high rents. Activists were forced to flee and become refugees in the face of attacks by Inkatha supporters. Students at the University of Zululand and KwaMashu schools bore the brunt of Inkatha's wrath

King Goodwill of Kwazulu urges striking Coronation workers back to work.
His call was not heeded
Photo:LACOM

when they attempted to challenge the education system.

But these were specific battles. They did not affect whole townships, and they left the labour movement relatively untouched.

Then in August 1985, following the assassination of Victoria Mxenge, Durban's townships became battlegrounds. Organised workers were confronted by this violence and they were forced to take sides. Worker leadership, unable to take control of the situation, stood by and watched. The community battles made their mark on the factories as workers in the same union took different sides. The issue of the relationship between organised workers and community and political struggles had to be confronted head on. But it was clear that while the trade unions had been able to assert their strength on factory floors, they were unprepared for the battles that now raged in the townships. In the following months their task became a formidable one, as we show below.

It was against this background that we embarked on a survey, which was designed to assess:

- whether Durban's shop stewards experienced a 'crisis in leadership',
- how workers and shopstewards were responding to conflicts in the communities,

- whether the stronger factories were better able to deal with Inkatha and later, UWUSA-generated conflict and confusion,
- how shopstewards saw themselves dealing with the challenges they faced.

The 1973 strikes

On the morning of the 9 January, 1973, 2000 workers at the Coronation Brick and Tile factory in Durban came out on strike. They were demanding an increase from R8.97 to R30 a week. Other workers soon heard about the Coronation strike. Like a fever the strike spread to other factories. Workers all over Durban were demanding higher wages and better working conditions.

The police were brought in to deal with the strikers. They came with FN rifles, batons and teargas. In some instances workers were arrested, some were fined.

At some factories workers won their demands. At other factories they gave in, returning to work to find new forms of struggle against management.

The 1973 strikes marked a break with the "quiet 1960's". By the 1960's the ANC and SACP had been banned and the mass resistance of the 1950's was a thing of the past. SACTU was no longer able to function. There

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were very few strikes and very few workers were unionised.

The early 1970's brought with them much unemployment. Prices of basic foods and transport were

rising. Wages remained stagnant. Workers suffered economic hardship. The explosion of strikes in 1973 showed that they were now prepared to act in support of demands for a better life.



1973 Strikes spread like fever.

The survey

We selected 100 large factories in Durban. One third of Durban's workers work in these factories, which belong to all the industrial sectors.

From the 100 factories we then selected all the factories that were organised. We contacted the union organising each factory, and arranged to interview the shopstewards. By November 1986 we had managed to interview 36 shopstewards.

The average shopsteward interviewed was an African man in a COSATU affiliated union. He was 37 years old and had completed Standard 7 at school. He started work in 1970, had joined the union by 1981, and was a semi-skilled worker earning an average of R569 per month. He had a family of six dependants to support, and he rented accommodation in a township, which his family sometimes shared. At the same time he had strong links with the countryside, with family and dependants living in a rural area of Kwa Zulu

The shopstewards interviewed were therefore not an entirely urban labour force. The majority had substantial families and dependants in the countryside. Because they were not permanent residents they did not have great material interests in the Durban townships.

Twenty-two of the shop stewards interviewed had been in employment during the 1973 strikes. Of these, ten had actually participated in the strikes. All ten were in COSATU affiliated unions at the time of the interviews. Despite participation of their factories in the strikes, they struggled to convince workers to join unions in the face of threats from bosses, state harassment, and the creation of liaison committees instead of trade unions by their management.

The shopstewards talked at length about their experiences during the 1973 strikes;

- In one factory, "We heard the textile factory is on strike and another factory near us. So we joined the next day. We were on strike for three days."
- Another shopsteward said, "We were new in the factory. We helped influence the older guys. Management called a meeting after the strikes broke

out to tell us not to take action because they would give us an increase. But when they failed to give the increase we went on strike.

"We were not well organised. We decided tomorrow we would strike. We stopped workers outside the factory gates. Day shift were coming in at 6.30 a.m. and we were leaving after our night shift. We asked to talk to the managing director, demanding a R25 increase. We left at 11 a.m. He elected a committee. We asked for Barney Dladla. They called Solomon Ngobese, the mayor of Umlazi. He was a sell-out. He told us to go back to work. Management offered a R2 increase for every year of service. We agreed to go back. The police were all there. We told them we wanted an increase."

Building the unions

On the factory floor some workers took the initiative and struggled to recruit others into the

union. They had seen that strike action alone would not bring the increases they had demanded. So they began to organise to set up strong trade unions based on workers' control, strong shopsteward structures, and non-racial organisation.

In May 1973 the Metal and Allied Workers Union (MAWU) was formed. In August 1973 the National Union of Textile Workers Union (NUTW) was formed. The Furniture and Timber Workers Union (FTWU), Chemical Workers Industrial Union (CWIU), and the Transport and General Workers Union (T&GWU) soon followed. In 1975 all these unions came together to form the Natal based federation - the Trade Unions Advisory and Co-ordinating Council (TUACC).

But setting up the unions was not an easy task. Shopstewards talked of the difficulties experienced among workers in their factories. Most workers were cautious and not immediately ready to join the union. Many were not sure what the unions could do. Some were afraid. Many wanted to wait and watch before they took the step of joining a union.

The bosses and the state were concerned at the strength workers had displayed during the strikes, and they tried to stop attempts to set up unions. The government changed the laws to allow African workers to form liaison

committees, hoping to use these committees to control African workers. But workers saw that the liaison committees were under the bosses control and were ineffective in bringing meaningful change in the factories. The bosses tried to intimidate workers. In 1974 and 1976 the government banned many union officials.

But the process of recruiting gradually got off the ground as workers saw the gains of belonging to a union. Majority memberships were won when a union successfully took up issues like victimisation, reinstatements, and after workers won strike demands.

Using the liaison committees

In many factories workers who were committed to setting up the unions used the liaison committees as a means for winning trade union rights.

- One shop steward related the experiences in his factory.

"I was elected as a member of the liaison committee. I did not know about unions. A friend told me about unions. He took me to Gale Street (where the unions had their offices). An organiser gave me a form and told me to get others to join. I couldn't go and preach the gospel of the unions. Workers did not know how they would gain from joining. I left this union because there was no progress.

"I continued on the liaison committee. When I left this factory there was still no union there. I started at Dunlop. There was a union for whites, Coloureds and Indians. For Africans there was a liaison committee. The liaison committee and the management preached the gospel that, if you joined the union, benefits would be taken away from you and your increase would be taken away.

"Workers did not know what the union could mean. People organising at the time battled to get us to understand. They called us to the union offices and showed us videos and all these things."

Management used threats and racial divisions to block workers' attempts to form unions. Another shop steward told of his experiences:

- "I served on the liaison committee. But this was not too good. Management refused to have anything to do with the union. They said David Hemson and others were causing trouble in the company. There were three liaison committees - one for Africans, one for Indians one for whites.

"In 1976 my best friend in the factory and I decided to go to Durban to find the union office. The organiser explained to us what is a union. How it works. He told us to go to the factory and

organise those who would be easy to organise, and we did this. We were organising African workers only. In 1977 we decided to try to elect union members on to the liaison committee. We achieved this except for one department. At union meetings we would plan how to tackle management.

"It was not easy to recruit. Some were scared because management threatened. They said they did not want an unregistered union. By 1979 most workers were in the union. Then we lost membership. Management said that we must organise all workers - not only Africans. But Indian workers were not wanting to join. The company began to employ more Indian workers to make sure we wouldn't have a majority.

"Then in 1982 the company tried to retrench without looking at the 'last in first out' principle. One guy with ten years service was retrenched at 4 p.m. Next day all joined the union. We went to negotiate a recognition agreement. Indians joined as well and even staff."

- Another shop steward added that:

"Workers were living under intimidation of being fired by their management if they associated themselves with the unions. Learning that I and some other few workers had joined the union, management started to call each of us to give an account of

our action. Well, we told the employers the plain truth. That we joined so that we would be protected from exploitation.

Those others who had not joined were afraid that we would be fired as it was the case with other factories. Fortunately we were not. It is then that workers from our firm got the courage to join. On the other hand this union was attracting many workers and that was even published in *Ilanga*. That also boosted my factory workers to join. So in 1983 the union had a big following."

Slowly the unions grow

Once the majority of the workers in the factories represented by these shop stewards were unionised, they engaged in a series of campaigns over wages, unfair dismissals and working conditions. Before long they were fighting over political issues beyond the factories. They participated in stoppages and stayaways, in protest against the deaths of Aggett and Raditsela, in support of the SARMCOL workers and of Moses Mayekiso, and to celebrate May Day.

The experiences of the shop stewards show that trade unions did not take off immediately after the 1973 strikes as is often believed. Rather, 1973 set a process into motion and it was through struggles located in individual factories and linked across industries, that trade

unions gradually became strengthened and grew.

In 1979 Natal's TUACC joined with other independent unions to form a national federation, FOSATU. By the mid-1980's the FOSATU trade unions had the lion's share of Natal's organised workers. Other independent unions that had branches in Natal were Food and Canning Workers Union, General Workers Union and the South African Allied Workers Union.

Community resistance and trade unions

Resistance in the country was growing. At the same time as the trade unions were pushing back the frontiers of control in the factories, in the communities people were challenging rent increases, transport increases and in fact the whole community council system of control.

But in Natal the two movements of resistance developed parallel to each other. The trade unions continued to focus on the factory floor, and were wary of any alliances with non-worker organisations. The community organisations were mixed class organisations with a national democratic focus, taking up township and political struggles.

In 1983 the progressive community-based organisations came together to launch the UDF. The immediate tasks the UDF set itself was opposition to

the Koornhof Bills and the proposed tricameral parliament. FOSATU declined to join the UDF, but addressed the same issues through a separate campaign within its factories.

The country was increasingly in the throes of conflict between the people and the state on a scale never seen before. Organised workers responded to the situation they faced in the townships by setting up shopstewards councils. In November 1984, workers and students in the Transvaal and Eastern Cape came together in mass stayaways against actions of the state and capital.

But while townships were on fire in other parts of the country, and shopstewards elsewhere were beginning to engage in community politics, Natal's shopstewards and workers experienced a different reality. Townships were relatively quiet.

Shopstewards continued organising in their factories and were under no pressure to reconsider their relationship to progressive community and political organisations in their townships.

Conflict in the communities before 1985

Although Natal in comparison with townships in the Transvaal and the Eastern Cape was relatively quiet, there had been

some conflict in townships around Durban before 1985. These conflicts were largely between Inkatha and the organisations taking up issues of rents, transport and incorporation of townships into KwaZulu.

When it was formed, Inkatha had support in the townships and rural areas. Many of its officials were people who had been involved in Congress organisation of the 1950's. Inkatha seemed to represent a liberation movement and to hold the hope of a better life. But soon after its inauguration Inkatha and the KwaZulu government came into conflict with students, and democratic organisations in the townships of KwaMashu, Lamontville, Chesterville and Hambanathi.

The Institute for Black Research documents some incidents of unrest before 1985 in their publication 'Special Report, Unrest in Natal, August 1985.'

In 1980 Inkatha supporters were reported to have acted with police in teargassing students to break the schools boycott. In 1983 students at the University of Zululand were attacked by Inkatha supporters resulting in five deaths and many injuries. In 1983 JORAC (Joint Rent Action Committee) was formed, bringing together communities of Lamontville, Chesterville, Shakaville and Hambanathi to resist rent increases, transport increases and incorporation into

KwaZulu. JORAC came into conflict with Inkatha and the state. In 1983 Harison Dube, who had been active in organising on these issues in Lamontville, was assassinated.

In 1984 over 100 residents of Hambanathi were forced to flee their homes after attacks by Inkatha supporters. Conflict in Hambanathi continued into 1985. 'Busloads of Inkatha supporters and combi- loads of impis invaded the township, and armoured 4-wheel drive vehicles equipped with flame-throwers set ten houses alight including that of Alfred Sithole who was murdered.' Houses of nine other JORAC members were attacked and set fire to and in one instance two visitors were killed in the attacks.

But the unions stand aside

These conflicts were between Inkatha supporters and community organisations. Although they occurred in townships where Durban workers lived, they did not involve the trade unions that workers belonged to. FOSATU, which organised the majority of these workers, had adopted a position of non-involvement in political organisations and of caution towards Inkatha. The battles that raged before 1985 then did not involve the unions in a specific way. They also did not involve the largest township of Durban,

Umlazi, or the sprawling informal settlement of Inanda.

So, while they gained valuable experience in creating unity in the factories, the shopstewards had no experience in taking up issues in the places where they lived. Nor had they any experience in community organisation.

Unlike the Transvaal and Eastern Cape, Natal did not see the rise of shopstewards councils with their involvement in community politics in the early 1980's. Shopstewards councils in the Durban- Pinetown region were highly politicised but were more recently set up and were not easily able to take on the role of straddling township and community conflicts. A series of industrial disputes at Dunlop, Sarmcol and Durban bakeries had led to closer co-operation between FOSATU unions and communities. This contributed to the unions moving in a political direction.

But there were many factors that limited the relation between unions and community and political organisation. Durban workers are dispersed in townships far apart from each other. Many of Durban workers are migrants whose homes are in fact not in Durban townships but the countryside. Communities that have attempted to act on issues of rents, transport, etc., through links with Congress identified organisations have come under attack from the state

and from Inkatha supporters since the early 1980's, and have, as in the case of Hambanathi and Lamontville, become communities on the run.

Nevertheless, worker leaders as individuals participated actively in community issues. Of the 13 shopstewards that were involved in community organisations five were with UDF affiliated youth organisations (1 in Kwa mashu, 2 in Umlazi and 2 in Lamontville), two were active Inkatha members (one, a CUSA shopsteward was with Inkatha in Umlazi and the second a Leather Workers Union shopsteward was the Hammersdale area Inkatha chairman), two were with the church (in Kwa Mashu and Umlazi), three had been involved in organising around specific issues in Umlazi, and one was involved in the Clare Estate Resident's Association.

There was a similar level of participation in community issues on the part of shopsteward's families.

30% had family involved in organisations - four in the church, three had brothers and a sister in youth organisation, two had fathers in Inkatha. Two migrants

said that their fathers and uncle had been members of the ANC.

Despite massive problems like high rents, overcrowding, high bus fares, and no amenities in all the areas where the shopstewards lived, there was in fact very little organisation of whatever kind directed at these issues at all.

The shopstewards talked of community conflicts in the period before August 1985, conflict between Inkatha and UDF in Umlazi and Kwa Mashu, between the supporters of two councillors in Inanda, and between hostel dwellers and township residents in Clermont. These conflicts did not affect the entire community. They remained outside of the shopsteward's direct experience, and did not challenge the FOSATU position of independence from non-worker organisations.

The massive and violent battles that broke out in August 1985 were to change all that.

The second part of this article will be printed in the next issue of the SALB. It will describe the battles of August 1985 and the response of shopstewards in the factories to the problems in the communities.

**This article was written while the author was a member of the Workers' Resistance in Natal Project, based at the University of Natal. The author would like to thank the other members of the Project - Rob Lambert, Zim Nondumo and Ari Sitas - as well as the people who assisted with interviewing, for their help*

Class Alliances in the Struggle Against Inkatha

Inkatha's bureaucratic control over Natal communities often rests on its ability to co-opt the petty bourgeoisie. NKOSINATHI GWALA argues that the mass democratic movement must build its own alliance with the petty bourgeoisie in order to isolate Inkatha.

The aim of this article, which is based on research carried out in Pietermaritzburg recently, is to try and understand the social and political basis of the recent violence there. Because of the complexity of Maritzburg townships, I have decided to focus only on Edendale, which is the largest township, if the Vulindlela area is excluded. The population of Edendale is currently estimated at about 100 000 people, and it is also where the violence started.

The central argument of this article is that the violence is a reflection of a very deep legitimacy crisis facing Inkatha as an organisation claiming to be a 'liberation movement'. Pietermaritzburg is a very

dramatic example of a pattern in the townships in Natal, i.e., that more and more African people are questioning the credentials of Inkatha as a liberation movement.

The violence reveals what some people would like to turn a blind eye to, the fact that Inkatha's support base is shrinking. As an organisation it is relying more and more on bureaucratic domination and repression to maintain its support base.

The origin of Edendale

Edendale as a community has a very long history which dates back to the early nineteenth century. It started as a mission station, initially inhabited by early African Christian converts, the Amakholwa. This community

came to acquire land with the backing of the missionaries, whose philosophy was that converted African Christians should also be taught to fully participate in the colonial economy. Through these economic ventures there emerged a wealthy African group of landowners, whose major business activities were trading and farming.

As Pietermaritzburg became industrialised, large numbers of workers came from many areas of the Natal midlands and as far away as Lesotho and the Transkei. They became tenants on the landowners' property and began building huts. Large tenant families were paying ground rent directly to the landowners.

In fact the current landowners are the direct descendants of this Amakholwa group. Edendale is one of the few places where Africans have freehold property. It is the ownership of the land that has given the landowners unusual independence from the state and other institutions in extracting rent from their tenants.

The state has inevitably been very unhappy about the prospects of an independent African community which is neither under its direct control, nor under the control of a bantustan administration. Over the years the state has refused to give Edendale any measure of autonomy through its local government legislation. This has worried the landowners.

Their major concern at present is to try and secure an independent status for Edendale. They have repeatedly asked the state to give it the status of a town board.

The other party interested in Edendale is Inkatha. Inkatha is eager to increase its control and support base in this predominantly Zulu-speaking community.

In this instance the interests of the state and Inkatha coincide. For the state, it would be ideal for Edendale to be under the direct administration of the KwaZulu bantustan, controlled by an increasingly collaborative organisation like Inkatha. For Inkatha control over Edendale would give substance to its claim to represent the so-called "Zulu nation", as well as its claim to have membership of 1.5 million members.

Reasons for the violence in Maritzburg

There appear to be four reasons why there is such violence in Maritzburg and such determined resistance from the local community to Inkatha domination:

- There is evidence that Maritzburg is traditionally a very strong ANC area, at least up till its banning in 1960.
- Inkatha, since its formation in 1975, has never been strong in the Natal Midlands, nor in fact in the whole of Natal south of the Tugela river.

- The political re-awakening of Maritzburg in the 1980's was largely led by the progressive labour movement and the UDF, which was formed in 1983. The people of Maritzburg waged some intense struggles, notably the Sarmcol strike and the subsequent stayaway and consumer boycott in 1985.
- These struggles were marked by the significant absence of Inkatha support. Instead Inkatha actively opposed the stayaway and the consumer boycott - ultimately breaking the latter. Later Inkatha co-operated with Sarmcol in organising scabs who took over the Sarmcol workers' jobs. The workers and the whole Maritzburg community learnt their lessons about Inkatha through these events.
- The fourth reason why the conflict between Inkatha and the Edendale community took such an ugly turn was because of the absence of what I would call Inkatha's usual bureaucratic control at a place like Edendale. This point is crucial to an understanding of the violence in Maritzburg as well as its intensity.

Inkatha and bureaucratic control

Inkatha's leadership of the Zulu-speaking communities in Natal is very suspect, and its claimed leadership is largely

becoming dependent on "bureaucratic control", patronage and distribution of resources rather than being based on voluntary mass support. Community resistance to Inkatha leadership has been most successful in those townships which are not administered by the Inkatha-controlled KwaZulu government.

It also seems that such resistance has been easily crushed by Inkatha where it has total administrative control, e.g. Umlazi, KwaMashu, Madadeni, etc. Control over business trading licenses, community councils and schools, to mention just a few, are some of the points through which Inkatha can control the community.

In Edendale these bureaucratic controls are absent. Edendale does not fall under KwaZulu administration. It is this reality in an area where Inkatha has never had support, that saw Inkatha-supporters undertaking a forced recruitment drive. There is also an increasing propensity towards violence on the part of its supporters in other areas of Natal where these bureaucratic controls are lacking.

If their forced recruitment drive fails, as it clearly has in Maritzburg, Inkatha supporters appeal to the state for more administrative and repressive powers. That is why Inkatha is now pushing for more areas to be incorporated under the KwaZulu

government and for more police powers in the form of the KwaZulu Police. These powers are almost always requested in areas where Inkatha is experiencing problems.

The Maritzburg violence also illustrates the vicious cycle of violence within which Inkatha supporters are caught. Because of the trail of hostilities they leave behind their violent actions, they can no longer freely and democratically mobilise without reprisals from aggrieved communities. This then throws the Inkatha supporters deeper and deeper into dependence on the apartheid state for more bureaucratic powers. They often become more violent.

The frustration of Inkatha supporters is even more heightened in a place like Edendale where the landowners are somewhat more independent because of the freehold status of their land. In other words these landowners do not need help from anyone in order to collect rent from their tenants. At this level the interests of the landowners and those of their tenants coincide in that neither of them need or want Inkatha or the KwaZulu administrative apparatuses it controls.

Consolidating the defence committees

Pietermaritzburg is currently Inkatha's big 'ulcer' in Natal. Inkatha has met determined and

wide-scale resistance to its attempts at domination. For the mass democratic movement (MDM) as well there is obviously a lot at stake in Maritzburg. Isolating and neutralising Inkatha is crucial in creating space for advancing the struggle in Natal. It is also important for the mass democratic movement to realise that Inkatha has forcibly diverted the struggle away from the main enemy.

This needs to be taken much more seriously than has happened thus far. The energies of the MDM are going to be increasingly tied to engaging Inkatha in Natal for some time. Therefore it is important to start more serious strategising on this question than has been done so far. The crucial question now is how to consolidate the gains that have been made through the transformation of the defence committees into permanent democratic community structures.

The role of capital

Another lesson can be drawn from the involvement of capital in the peace process in Pietermaritzburg. The initial pressure brought about by the COSATU Local on business, provides a basis for systematic pressure to be applied to business in future to monitor the activities of its ally, Inkatha.

The KwaNatal Indaba for instance, while strengthening both the economic and political

alliance between Inkatha and business also makes business more immediately vulnerable to pressure, particularly by the labour movement, to control the actions of its allies. For instance business has deliberately become 'blind' to the actions of Inkatha in the townships. But applying pressure on capital at strategic points could subject Inkatha's actions to a wider public scrutiny than has so far happened.

Class alliances and the mass movement

Finally, Edendale raises the question of class alliances. It makes very clear the importance of the alignment of the petty bourgeoisie in the struggle against both the state and Inkatha. Inkatha often gains control of a community by winning over the local petty bourgeoisie, largely through its patronage networks, and turns them into its instruments of domination.

This then points to the importance of winning over the local petty bourgeoisie as a means of isolating Inkatha. This question has not been given the attention it requires within the MDM. For instance there are two dominant positions within the MDM on this question, both of which are problematic.

The first position is the one which tends to dismiss the African petty bourgeoisie as a class whose economic interests are incompatible with the

working class. This position tends to treat the petty bourgeoisie as already co-opted by virtue of being a petty bourgeoisie.

However the Edendale traders and landowners cannot be said to be already co-opted. At best they are 'neutral', and at worst they are co-optible. It is also quite clear that the landowners, in their own struggle for independence, need the people of Edendale. There is a convergence of interests there between the landowners (as a landed petty bourgeoisie), and the masses in so far as neither of them want Inkatha or state domination.

Despite the well-known interests of the landowners, which should be properly understood, they can be brought onto the side of the MDM. For example progressive organisations can offer a defence against the encroachment of the state on the land, in return for guarantees that rent will be negotiated. Progressive organisations could also demand that the land be developed according to the needs of the people rather than the landowners.

The ultimate alignments of the landowners will largely be determined by the attitude of working class and progressive organisations towards them. A correct strategy at this point in time would be to avoid alienating this grouping. Whenever possible the MDM should actively seek an alliance with it.

The consequences of turning the landowners against the MDM at this stage are all too clear in that they might be thrown into the hands of the state or Inkatha. The urgency of moving towards that direction is underlined by the fact that, as soon as the state realises that Inkatha has failed and the MDM is strong, it might turn around and seek the co-operation of the landowners by conceding to some of their major demands in return for co-operating in the smashing of the MDM.

This possibility is also not too remote because of the state's gradual change in its attitudes towards freehold for Africans. It is therefore dangerous to just dismiss the landowners as petty bourgeois. It is concrete class struggle that will determine where the petty bourgeoisie stands, rather than an abstract idea about their 'reactionary' class interests.

It is important to analyse classes

The second position on the question of alliances with the African petty bourgeoisie, which has tended to gain the upper hand within the MDM since 1985, avoids or even actively discourages the analysis and exposure of class differences and contradictions within the oppressed. Such an analysis is sometimes treated as if the analysis of differences, in itself, creates these contradictions and tensions within the oppressed. It

is therefore treated as divisive and delaying the realisation of a strong, united anti-apartheid alliance.

It is in fact extremely important to analyse and understand the class forces and interests at play within communities-in-struggle. A proper understanding of the class forces and contradictions enables the movement to grasp the nature and content of anti-apartheid alliances in specific places and situations. Such an understanding starts opening up possibilities for the MDM to make strategic and well-informed decisions.

For instance there is no doubt that the immediate interest of the landowners is to protect their property as well as convert it into further means of making profit. No doubt, then, for them apartheid is primarily an obstacle in so far as it undermines these goals. Having such an understanding of the landowners gives the concept 'anti-apartheid alliance' a concrete meaning, by making clear what kind of compromises and concessions are required in such an alliance.

Resolution of these class differences within an anti-apartheid alliance cannot be postponed until after apartheid and exploitation is demolished. Such postponements have in many an African states been the breeding ground for neo-colonialism, reactionary coups, and counter-revolution.

Palestine and Israel

On a street in Nablus on the West Bank, a crowd of young Palestinians throw rocks and bottles at a squad of Israeli soldiers. The soldiers spray the street with rubber bullets and tear gas. But the Palestinians - most of them 16 years old or younger - are defiant. They wave the Palestinian flag - which is banned - and constantly taunt the Israeli soldiers. "The Israelis are afraid of us," says Amar, one of the group's leaders. "We will never surrender, and this makes them afraid."

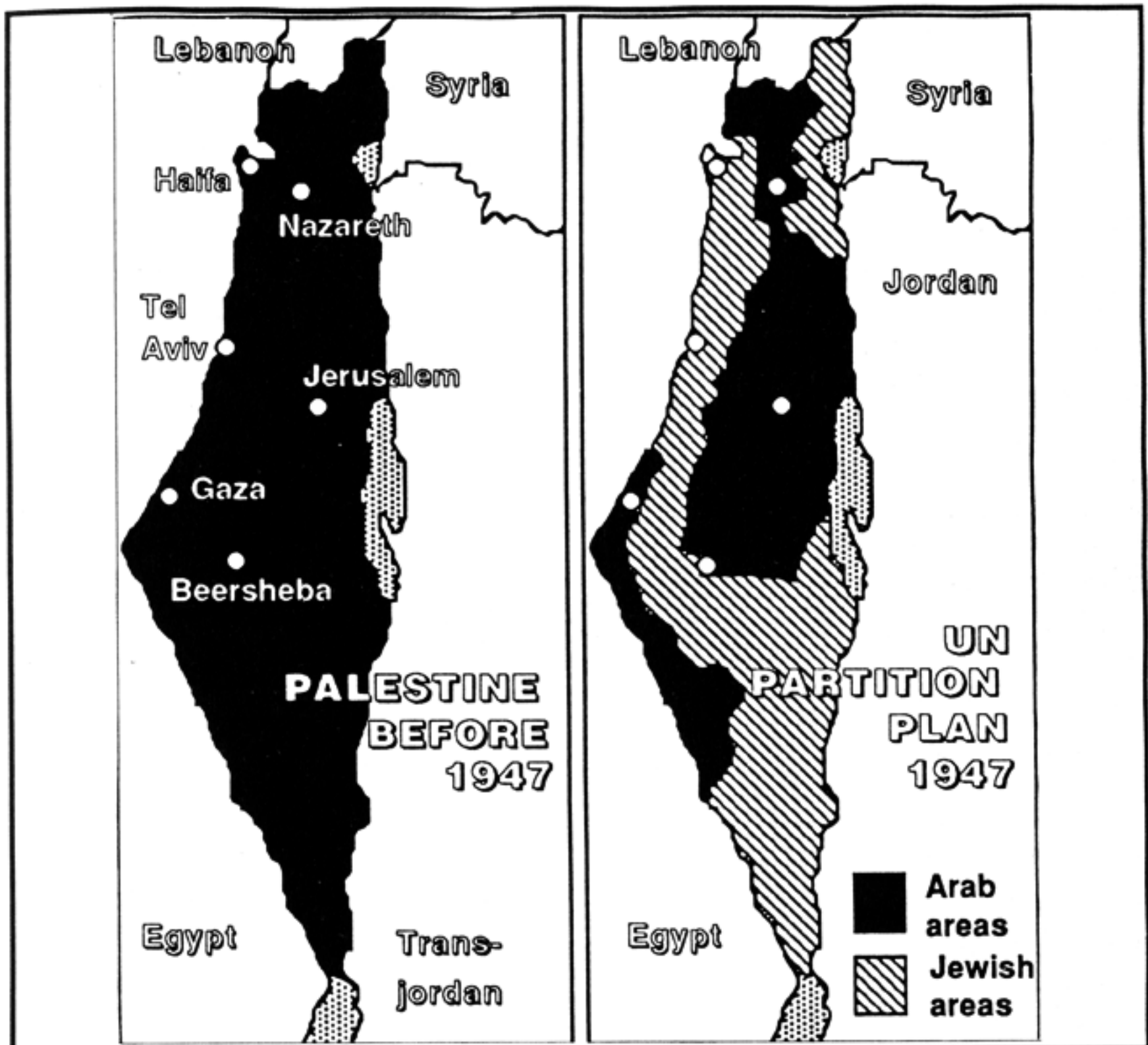
This incident, which was described in *Newsweek* earlier this year, is typical of the struggles taking place in Gaza and the West Bank. The mass rebellion of the Palestinian people against the Israeli occupation of these territories started in November last year. Israeli troops have responded with great force, using bullets against the stones of the Palestinians. So far about 150 Palestinians have died. The Israeli army responded to the world outcry at the number of deaths by giving their soldiers wooden

batons. As a result, a great number of Palestinians have been admitted to hospital with broken bones. But despite the force, the protests and street fighting continue.

How Gaza and West Bank were occupied

In the 1967 Six Day War Israel seized Gaza and the West Bank. These became the Occupied Territories, where more than a million Palestinians live in great poverty without political rights.

But the problem has roots that go back 20 years before the Six Day War. In 1947 the United Nations divided Palestine into two parts, one for Jews and one for the Palestinian Arabs. At that stage Jews were only 30% of the population and held only 6% of the land. The Arabs were determined to resist the division of the land they lived in. Armed conflict then broke out between Arabs and Jews. The result was Israel, founded as the "Jewish state" envisaged by Zionism. Laws were passed declaring that



How Palestine was divided

any Palestinian absent from his home on the day of Israel's independence automatically lost his property.

Through this and other means, tens of thousands of Palestinian Arabs lost their land and went into exile. Many ended up in refugee camps in Lebanon, Jordan and other countries. Their demand was to return to the land of their birth, for the end of Israel as an exclusively Jewish state,

and for the founding of a Palestinian state where Jew and Arab could live side by side.

The Israelis, however, argued that according to the Bible Palestine belonged to the Jewish people, and that they would only be secure if they ruled themselves in an exclusively Jewish state.

Many of the Palestinian exiles were in refugee camps in Gaza, which was controlled by Egypt,

and the West Bank, under the control of Jordan. In 1967, with the invasion of the Israeli army, they came under the control of Israel.

The Palestinian revolt

The Palestinians have mounted many protests against the Israeli Occupation. The Israelis have responded with detentions, beatings, shootings, deportations, cutting off water supplies to villages, and more recently, blowing up houses of suspected "agitators". However the resistance of the past four months has been the deepest yet, and shows no signs of being crushed.

Their struggle has not, however, been confined to Gaza and the West Bank. Palestinians living in Israel itself - of whom there are some 700 000 - have mounted mass demonstrations and strikes in support of the Palestinians of Gaza and the West Bank. At the same time, Palestinian migrant workers have launched several stayaways. These have had a strong impact on those sectors of the Israeli economy which depend on them.

The revolt has deepened divisions in Israeli society, with growing numbers beginning to realise the need for Israel to withdraw from the Occupied Territories and to open negotiations with the Palestinian Liberation Organisation (PLO), which is recognised by the United Nations as the political



representative of the Palestinian people.

Many Israelis are beginning to feel morally outraged at the brutality of the repression, as this story from the **International Herald Tribune** shows: 'In a fashionable boutique in Jerusalem a middle-aged Jewish woman put down her sandwich as she read an article in the newspaper about a blood-spattered wall in a yard in the West Bank town of Ramallah where Israeli soldiers had taken Palestinians to beat them. "I can't eat my sandwich anymore," she



Youths on the West Bank hurl rocks at Israeli soldiers

burst out. "This is what was done in the camps [the concentration camps of Nazi Germany where 6 million Jews were killed in World War II]. I can't eat anymore."

Imperialism seeks a solution

The Israeli government presently rejects a political solution, and relies solely on repression. Pressure from their United States (US) allies is beginning to mount, however, as they realise the depth of the crisis. US imperialism has begun to search for ways to accommodate Palestinian aspirations, but without sacrificing US interests in the region. The US hopes to arrange such a solution by means of an

agreement between Israel and its Arab neighbours, Jordan and Egypt, thus going over the head of the Palestinian people. The US is particularly keen to prevent the participation of the 'radical' PLO.

The PLO, on the other hand, demands an international conference, held under the auspices of the United Nations. The major parties to the conflict in the Middle-East, including the PLO, would participate as equals in the conference. The object of the conference would be to create an independent Palestinian state in the Occupied Territories of the West Bank and Gaza.

Palestinian trade unions

In this edition of SALB we publish two articles from

International Labour Reports.

The articles examine the position of Palestinian migrant workers in Israel, and the growth of Palestinian trade unions in the Occupied Territories. In the next edition, we will carry an article on the Israeli trade union federation, the Histadrut.

Meanwhile, the latest news in **International Labour Reports** is

that union offices in Gaza and West Bank were raided and closed down by Israeli soldiers in January. The Army has accused the unions of organising resistance to the occupation by means of commercial strikes, riots and hooliganism. Unionists dare not go near the offices for fear of being detained.

Palestinian Workers - Migrants in Their Own Land

Forty years ago the Palestinian people were ousted from the territory now called Israel. Now they are migrant workers, paid less than Israelis and needing special permits to sleep there overnight. Marty Rosenbluth describes the life of Palestinian workers in Israel, and analyses Israeli union attitudes towards them.

By 4 a.m. on Sunday mornings, the first day of the Israeli working week, Palestinian workers who work in Israel gather in the squares and bus stations of refugee camps and villages in the West Bank and Gaza. From there they board buses, trucks or taxis to get to work. Some will return that evening, but many will not be back until Friday night. Instead of returning to their families, thousands spend the week inside the so-called 'green line' which separates Israel and the Occupied Territories.

The Palestinian workers go into temporary exile because commuting is time consuming, expensive and difficult. To commute from Khan Yunis in the

Gaza strip to Tel Aviv can take as long as three hours each way. The distance is not great, but the permanent military check-point can add well over an hour onto the trip. The fare costs about half of most workers' daily wage. Some, like those who have two jobs in order to make ends meet, and agricultural labourers who work from dawn to dusk, could not get home even if they wanted to.

Illegal sleep

Under Israeli law, it is illegal for any resident of the Occupied Territories to be inside Israel between the hours of 1 and 5 a.m. To sleep legally inside Israel,

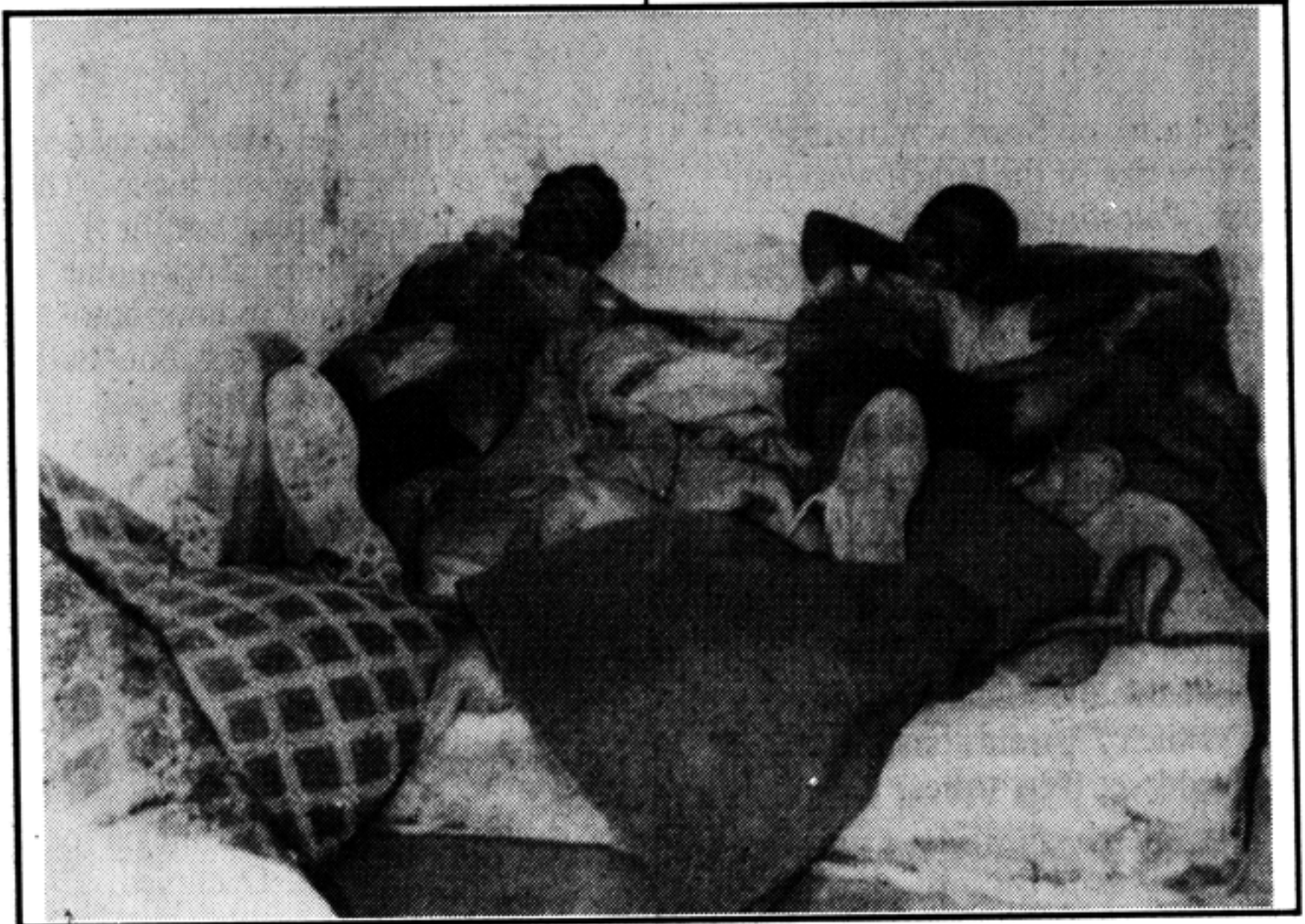
INTERNATIONAL

workers from the West Bank and Gaza, even those working the night shift, must have a special permit from the military authorities. These are difficult to obtain, are often denied for "security reasons" and must be renewed every three months. So, many workers simply stay the night illegally, risking harassment, fines or even imprisonment - under a 1985 law the penalty is up to year in prison.

The exact number of Palestinians from the Occupied Territories who sleep illegally in Israel is not known. A report issued by the Knesset, the Israeli Parliament, in 1985 indicated that

up to 50,000 workers sleep each night in Tel Aviv alone.

For those few lucky enough to obtain permits, living conditions are often overcrowded, unsafe and unhealthy. Some stay in housing provided by their employer, others in privately run workers' 'hostels'. The law requires an employer to provide at least 3 sq.m of space per person, hot and cold and running water, toilet and shower facilities, facilities for preparing food, and adequate doors and windows for ventilation. The law is rarely respected, and there is little monitoring or inspection. The police and other authorities, like



Migrant workers sleep illegally in Israel

Photo: ILR

the 'Mishmar Ezrachi' civil defence patrols, are more concerned with checking workers' permits.

Big as cats

In Eilat, isolated geographically from the rest of Israel, the construction and service industries rely heavily on workers from the West Bank and Gaza. A Knesset committee in 1982 criticised conditions in hostels there as unsafe and demanded improvements. A Histadrut (the Israeli trade union federation) delegation a year later found them "inhuman", reporting that some of the building contractors were keeping their workers in huts like "stables". At one site 300 workers were living in a building designed for only 60.

But the Histadrut itself is not without blame. The Histadrut-owned Solel Boneh construction company has been criticised by workers living there as being no better than the other hostels in Eilat. Daoud (not his real name) worked as a construction worker for Solel Boneh for 14 months. He told me, "The company hostel was more like a jail. At night they would lock us in. The rooms we slept in were 4 metres square and we had six workers sleeping in them. There weren't enough beds for everyone so four would sleep in the beds and two would sleep on the floor, and we would take turns. The blankets were dirty and had holes in them. Sometimes

we would have mice bigger than cats running around us."

Daoud continued, "Only a few days each week would we have hot water. The food was no good, but they took 10% of our wages just for the food."

"If we went out in the evening, we would get harassed or sometimes beaten by the police. As soon as they recognised that we were Arab they would stop us. They would demand our identity cards, make fun of us or insult us. Because of this few workers went out. We would just work and sleep." By law, Palestinians must be in their assigned lodgings at night and are not allowed to walk freely in Jewish areas. Even with a sleeping permit, a worker from the West Bank or Gaza caught in a Jewish area after midnight can be arrested and imprisoned.

Many workers cannot go anywhere at night anyway. Their employers lock them in each night, from the outside, in spite of the fire risk. A Tel Aviv factory owner told me, "I lock the door in the evening and know that in the morning I will find all of them on the premises. I won't have to run to the police to look for them and waste time."

Certified madmen

It is not usually the Israeli Police who keep a tight check on the migrant workers, but the civil defence patrols. These 'Mishmar Ezrachi' patrols are a volunteer

auxiliary force, with free access to any building in which they suspect illegal workers are sleeping. Although armed, they wear no uniforms, only a simple armband. Members of the civil guard, some of whom are still in high school, have the same powers as the police, and the same immunity for actions carried out 'in the line of duty'.

I interviewed several workers who claimed to have been beaten and robbed by these patrols. None of them reported these incidents for fear of losing their work permits or of being put in jail for sleeping in Israel illegally.

Despite the sweeping powers of the civil defence patrols, there is little monitoring of their actions. A recent report found them to be in possession of over 1240 more guns than were allotted to them by law. One of Mishmar Ezrachi's own commanders commented that, "20% of those serving are criminals and another 5% are certified madmen."

At least prisons have blankets

Radwan is a Palestinian working on a Moshav agricultural project in Israel. "Some of us sleep in chicken coops, some just in the open air. It's hard on us and it's hard on our families. We come home and are too tired to be part of the family. We are forced into this work because our families need the food. But our work is like a prison. We can't

leave and our families can't visit us. We are guarded with guns. What's the difference between that and a prison? At least in a prison you have windows and doors, and they give you blankets."

About 14% of the Palestinians from the West Bank and Gaza who work in Israel are employed in agricultural work. Many of them work on or near the land of the villages that their families were forced to flee during the war in 1948. They are migrant workers on their own land.

In an orange grove not far from Tel Aviv, I met workers who picked oranges on 'Moshav' projects. Their 'home' was a half-destroyed house which, along with its surrounding orchards, belonged to an Arab family forced to flee to Hebron during the 1948 war. Now the fields belong to a 'Moshavim'. One of the orange-pickers told me, "When we sleep in the orange groves the insecticides get into our bedding, our food, our clothes, everything. Because we don't have water to wash, this is a big problem. Sometimes they even spray while we are in the fields."

Two Moshavim, Mishmeret and Herut, near Netanya built a camp for their workers from Gaza, fixing up some old buses and buildings with electricity, toilets and running water. The government accused them of improper use of state land by

letting 'foreigners' sleep there, and threatened to confiscate the land.

The Moshav movement also attacked the camps, likening them to Soweto. A columnist on the 'Jerusalem Post' concluded. "As long as the workers went back

and forth each day ... or as long as the Moshav they worked for put them up for the night in some hut with no facilities, the Moshav movement was silent. Only when two Moshavim provided decent housing for the workers, was the organisation moved to act."

Israel's Iron Fist

Twenty years ago the Israeli military engulfed the West Bank and Gaza turning them into Occupied Territories. But Palestinian trade union activity in both areas is on the upturn, as Jorst Hilterman reports.

Hidden behind a blanket hoisted by a friend, a trade unionist calls out the names of the seven candidates up for election. At each name, the small crowd assembled in the Red Cross compound in Gaza cries 'yes'. Within an hour, the Gaza Commercial and General Services Workers' Union has elected its administrative committee by acclamation. All the while, Israeli soldiers perched on the roof of a nearby house focus their zoom lenses on anyone who passes through the gate. Army jeeps block off the street.

That was 4 April this year. The Israeli military authorities had declared this election illegal, like

all union elections in Gaza, and that morning had sealed off the union offices and detained the leadership. So the second line of activists had moved the elections to the Red Cross compound.

Taken off-guard, and apparently unwilling to breach the relative sanctity which the Red Cross enjoys, the Israelis failed to halt the election. A new chapter was written in the history of the Gaza labour movement.

Revival

The six trade unions in Gaza established during the Egyptian period were closed down in 1967 following Israeli occupation. The military authorities allowed them



Israeli soldiers

Photo: ILR

to re-open in 1979 but still prohibited them from holding elections or recruiting new members. They had offices and an old-guard greying leadership, but there were no activities worth mentioning and few members. In the mid-1980s the growth and rejuvenation of the Gaza labour force, coupled with changing political strategies in the nationalist movement, created the demand for an active union movement. In 1986 young activists decided to revive the six unions. The authorities responded instantaneously, arresting the leaders, temporarily closing down union offices and the union clinic,

and banning all meetings.

But things have changed in Gaza. Brutal repression no longer yields to the occupier the dividends it used to. The union activists stood firm and on 17 February this year the Carpenters and Building Workers carried out elections, defying the ban. Even a severe physical assault on the son of a trade unionist, Muhammad Sha'ban, has not deterred the four other unions from planning elections.

Detentions

While the Gaza unions are making their first bold steps to return centre-stage, unions in the

West Bank are burgeoning. They first revived in the late 1970s, when the option of armed struggle began to show its limitations and people saw a need for social services to retrieve for them a little normalcy out of the harsh conditions of military occupation. Organising and providing services to workers strengthened the trade union movement such that it is now too strong to be easily suppressed. It has even survived Israel's 'Iron Fist' repressive policy dating from August 1985.

In the latter part of 1985, twenty-one union leaders were put under 'administrative detention' without trial for six months and two were deported to neighbouring Jordan. Organisations such as the Worker's Unity Bloc, the Progressive Workers' Bloc, and the Workers' Youth Movement have all been targeted. Harassment and intimidation continues to be part of daily life, with offices regularly raided, people entering them body-searched and photographed, documents seized, and so on.

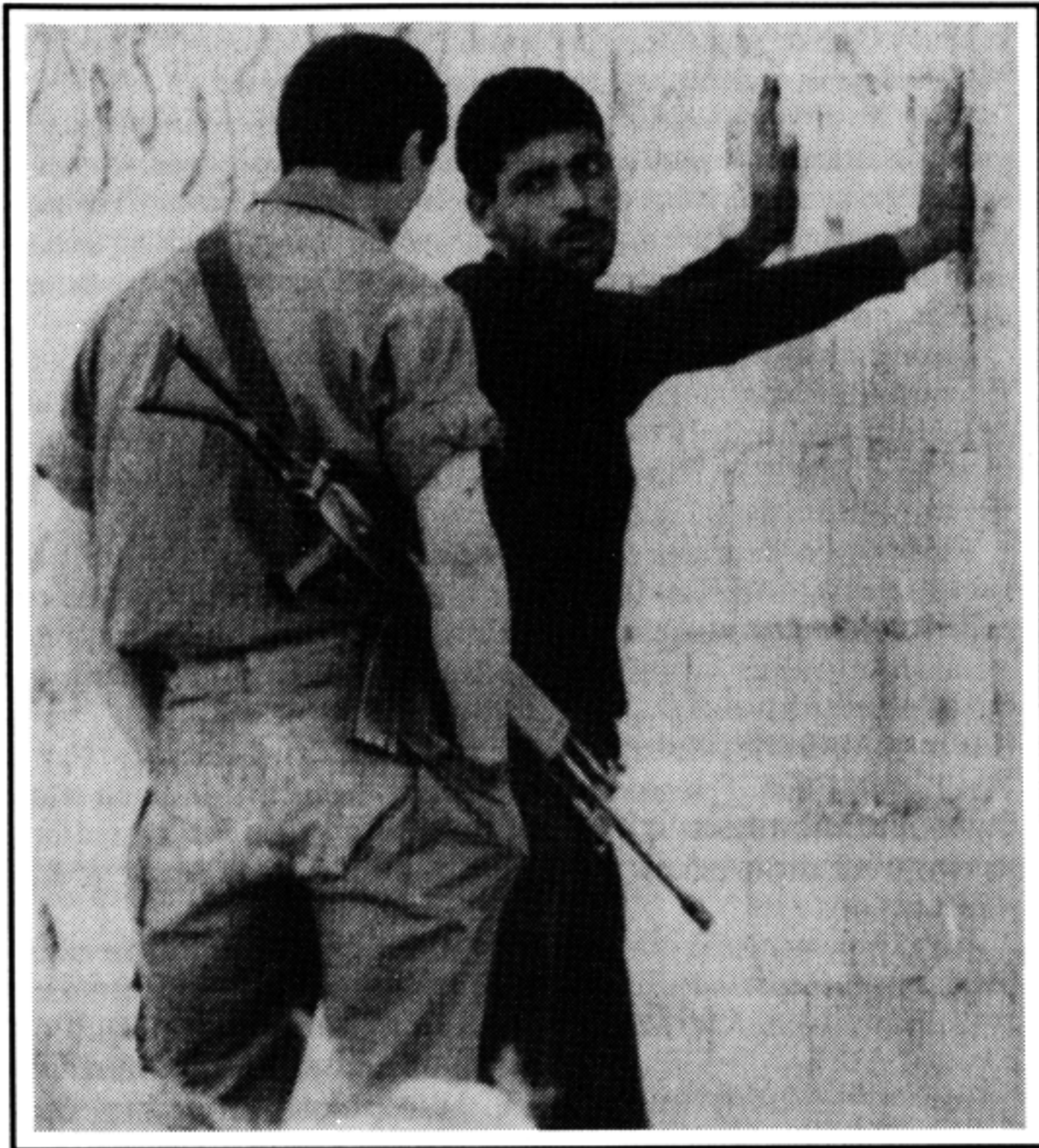
Many union activists have spent time in jail, often for short periods and without being formally charged. One told me he had been detained eleven times, each time for 18 days, the maximum time someone can be held without having to be brought before a military judge. Research of 1983 military court records

show that a Palestinian accused of membership of an 'illegal organisation' receives a stiffer sentence if also active in the labour movement. Though membership of a union is not illegal, there is little recourse for those convicted on charges of activism, as there is no appeals procedure in military courts in the Occupied Territories.

'Class alliance'

It is sometimes surprising that, given these conditions, unions are able to recruit at all from among the 250,000 workers in the Occupied Territories. Yet the services they offer and their activist stand on issues of national importance continue to attract members, from both those working in the Territories and those across the 'green line' inside Israel. About 20% of the West Bank labour force has joined a union, where more than 100 unions now exist (though only about 40 of these are legally licensed, the rest being rejected or ignored by the authorities).

Much union work focuses on educating workers, and the unions themselves, about workers' rights. In the Occupied Territories they also provide low cost medical and legal services to their members. These services are open to members employed inside Israel but the Palestinian unions are not allowed to organise in Israeli workplaces.



Israeli force in Occupied territories

Photo: ILR

In the Occupied Territories the unions have successfully negotiated many collective agreements between workers and Palestinian employers. Strikes are rare there since employers tend to reach an agreement early on during a conflict. Antagonism is reduced by the so-called 'alliance of classes', the perception by both Palestinian employers and workers that they need each other to survive under a military

occupation that has sought to squeeze economic life in the Territories. Unions officially 'froze' the class struggle in the early 1970s.

Strikes by West Bank or Gazan workers inside Israel are more frequent but usually short. Leaders are immediately fired or subjected to harsh treatment by the 'Shin Bet' security services. Also, the complicated legal situation and general ignorance

industrial action against Israeli employers.

New energy

In the Occupied Territories, the 'Iron Fist' continues to be felt. At the time of writing, seventeen trade unionists are under town arrest and another six are in 'administrative detention'. Two unions in Nablus, the Union of Public Service Workers and the Union of Construction and Public Institutions Workers shut for a year by military order, reopened their doors in August. Others are still facing closure orders. In Gaza, unionists active in reviving

the six old unions have been prohibited from entering union offices and doing union work. Several are facing charges of 'violating military orders'.

Palestinian trade unions are bracing themselves for a prolonged struggle, trying to provide services to workers who face daily oppression both in Israel and in the Occupied Territories. There is no reason to fear that they will buckle under the strain. At the moment they are tapping new energies and finding new tactics.

Thatcher's Employment Bill - A Scabs Charter

by *Dinga Sikwebu

The writer is a staff member of the International Labour Research and Information Group (ILRIG).

Workers and their organisations in South Africa are going through difficult times, as the bosses and the State employ every trick to weaken them. Their fellow workers in other countries seem also to be going through a dark period. The precise methods of weakening workers and their organisations may differ, but the international capitalist class is speaking a common language of wage cuts, privatisation and deregulation.

As worker organisations in South Africa face bannings, restrictions, and persecution of their members, their counterparts in Britain have also been subjected to severe bashing, ever since Margaret Thatcher's Conservative Party (the Tories) came to power in 1979. When one compares the strategy adopted by the Tories with the recent union-bashing in South Africa, it

seems that in this regard the South African ruling class is following in the footsteps of their British counterparts.

In its aim of threatening worker solidarity, of limiting worker action and of interfering in unions, the Labour Relations Amendment Bill here in South Africa is a carbon copy of Tory laws introduced over the last nine years. Although there is no

evidence of direct consultation, it is obvious that the South African ruling class is learning from the strategies adopted in Britain.

The Tories came to power in a period when Britain was experiencing the worst economic crisis since World War II, and had the task of rescuing the crisis-ridden system. Faced with declining profits, inflation, and the beginning of a deep recession, the Tories cut government spending on social services, privatised government-owned companies, and cut wages - all as a remedy to this economic crisis. To do this, the Tories had to contend with a powerful labour movement. So they had no option but to weaken that powerful movement.

This they have tried to do through their social and economic policies. Increasing unemployment, and cuts in unemployment benefits and other social security benefits, have created a climate of fear for workers. As part of this campaign to weaken the working class, the Tories have also come up with laws aimed at hitting the most powerful organisations of the working class - the trade unions. These anti-union laws have over the last few years limited the right of workers to take industrial action, like strikes and picketing. Again this year, the Tories are preparing another assault on the workers' movement.

On October 23 last year, four

months after the Conservative Party's victory in the June election, it published a new Employment Bill. During the election campaign, the Tories publicised the points now contained in the Bill, as a vote-catching exercise. By publishing the Bill, the Tory government is continuing along the path which it promised to take if elected - that of union-bashing.

Previous Tory laws have been aimed at tilting the power scales in favour of the bosses. But the present Bill distinguishes itself by the rights that it gives to scabs. In every way, this Bill is an attempt by the British ruling class to make the unions timid and weak, by undermining their capacity and spirit to fight. This article looks at the ways in which the Bill hopes to do this.

Threatening worker's unity

The power of the closed shop is one of the gains won by the British working class. As a strategy to undermine the power of the unions, the bosses were employing people who were not union members, and who were willing to work for worse pay and conditions than what had been negotiated by the unions. The workers and their unions had to struggle against this. They won the right which stipulates that a person has to join an appropriate trade union if he or she wants to work in a particular factory. This

right has been under attack from the Tories since 1979, and continues to be under fire by the new Bill.

Between 1980 and 1982, the government tried to attack the right of the closed shop by saying that such agreements had to be approved by ballot every five years. This backfired when 88 out of 113 closed shop ballots showed that more than 85% of workers supported closed shop agreements. Now it seems that the Tories, regardless of this support, are determined to make closed shops illegal.

The Bill states that no worker can be dismissed for refusing to join a union. This is the same as making the closed shop agreement illegal. The Bill also says that any action by the union to try and enforce or maintain closed shop agreements will be illegal. If the Bill becomes law, then any campaign by unions in favour of the closed shop agreement will also be illegal.

What this Bill proposes to do is to take away a right that has overwhelming support from workers, and also to make it illegal for unions to oppose the taking away of this right. This shows how dictatorial the Conservative Party rule has become.

By making closed shops illegal, the Tories are trying to open the way for the establishment of many unions in one factory. What

British workers had won in terms of using the closed shop to establish one union in one factory, is now being taken away. The unity which the closed shop helped to build against the onslaught of the bosses is being threatened. Instead of being confronted by a united workforce, the Bill intends that the bosses will be faced by workers scattered in many, small unions, or by workers who do not belong to any union. It is no secret that this disunity favours the capitalist class and not the workers.

Protecting scabs

It is clear how the removal of the closed shop favours reactionary workers, who refuse to stand together with their fellow workers in a union. The Bill not only makes it illegal for the majority of workers to ensure that such workers are dismissed, it even goes further by giving these reactionary workers state assistance.

The Bill proposes the establishment of a Commission for the Rights of Trade Union Members, which will give legal advice and financial assistance to individual workers who want to take legal action against unions. The Commissioner of this new body will be a state official, and not elected by workers. But this does not prevent him/her from reclaiming the costs of this legal action from the union, if such

action is successful against the union.

The new Bill also promises state assistance to individual union members for other purposes. These are:

- any member has the right to call for a ballot before any action can be taken by workers, such as strikes, go-slows, boycotts, work-to-rule, etc.
- any member of a union can ignore whatever the majority decision is in his/her union, without risking disciplinary action from the union.

The Bill, by insisting on ballots before any action, is hoping to stall things and take out the steam from the workers. The irony of the whole thing is that after the ballots, members can still ignore majority decisions. It is clear that the Bill is calling on reactionary workers and scabs to undermine and break the power of the unions, in return for state protection. It is no wonder that the British workers are labelling the new Bill "a Scabs Charter".

Further limiting of industrial action

The whole Tory strategy - not only its laws, but also its economic and social policies - are geared towards destroying union militancy. One of the main targets of this attack has been the ability of workers to take industrial

action. The new Bill is a further attack on the ability of workers to use their most powerful weapon - the strike.

For the Tories, it is not enough to give scabs the legal right to continue working, even when the majority of their fellow workers have voted for a strike. The new Bill says that such scabs can take their union to court, if they feel that the union is supporting an illegal strike. Up to now, this right has only been enjoyed by the bosses. If this new Bill becomes law, it means that individual workers can take legal action which could lead to injunctions against unions, and the confiscation of union funds.

Interfering in internal union business

British society is slowly but surely becoming less and less democratic, as the Conservative Party tries to destroy any remains of democratic participation. As part of this process, internal union democracy is also being undermined. What used to be internal issues within unions are now being removed out of their hands, to be decided on by courts and other institutions over which the union membership has little or no control.

Traditionally, unions in Britain have had the right to discipline their members when union rules had been broken. These disciplinary measures have

included imposing small fines, or a temporary loss of union benefits.

The new Bill proposes that it be unlawful for a union to take any disciplinary action against members who refuse to support a majority decision to strike or who want to take their union to court. The Bill argues that such disciplinary action is an infringement of the "rights of the individual".

Although it is difficult to follow the logic of this argument, the "protection of the individual" goes as follows:

- if a union is about to decide on certain action, any individual member has the right to call for a ballot;
- after a decision has been taken by ballot, any individual has the right to go against this majority decision;
- but the union has no right to discipline such members, despite the fact that they have broken ranks and gone against the majority decision.

The Bill does not only prevent unions from disciplining their members, it also allows the courts to interfere in union affairs. In the past, complaints against a union have been dealt with inside the union as a strictly internal issue. The measures for dealing internally with these complaints have differed from union to union.

The new Bill proposes that in future, a union has a time limit of

six months in which to deal with complaints against it. If, for example, a member complains that a certain organiser is inefficient, this complaint must be resolved within six months. If this does not happen, then the member who raised the complaint can take the union to court.

The Bill interferes with union elections

The new Bill interferes further with the internal running of unions, by stipulating how the election of officials must take place.

The law as it stands now only stipulates that all voting members of an executive must be elected by secret ballot. Although the law recommends that the secret ballot must be by post, this has not been enforced.

What the new Bill demands is that any individual who attends or speaks at an executive meeting must be elected by secret ballot. This now includes people who are employed by the union, like newspaper editors, information officers, or organisers. A union cannot have these people sitting in its executive meetings and contributing to discussions unless they are also elected by secret ballot. According to the government, these employed members of staff might influence decision-making. The fact that they do not have a vote is irrelevant. When voting takes place, the "damage" of

influencing members' opinions has already been done.

According to the new Bill, these people must be elected as other executive members - by secret ballot. The Bill specifies that all ballots must be by post. The election of presidents and general secretaries cannot take place with the election of the rest of the executive, but must be done separately - also through secret, postal ballot.

All such postal elections must, according to the Bill, be supervised by a "qualified, independent person - a scrutineer". It is to this person that the voting paper must be sent, and not to the union. The scrutineer will then draw up a report and send it to the union. It is then the duty of the union to inform its members of the outcome of the election, by sending the scrutineer's report to their home addresses.

The reasons the Tories give for insisting on secret, postal ballots is to avoid "intimidation". This may sound innocent to some people. But to remain silent about the role of the mass media in "intimidating" people when they make decisions at home, is inconsistent. The decision to have decisions taken by workers at home has nothing to do with the

"sober environment" they are supposed to enjoy there. It has everything to do with the fact that the Tories recognise that it is at home that workers are most isolated, and forced to operate as individuals rather than as part of a collective class force.

Conclusion

Although the effect of the Tory measures in the last nine years seem to have dampened the fighting capacity of the workers, this onslaught has not gone unchallenged by the workers. The 1984-85 miner's strike was the highest point in attempts by workers to defend themselves. The recent strikes by nurses, motor workers at Ford and Land Rover, and train drivers is a sign of the preparedness of some workers to engage the ruling class in battle, regardless of what the laws say.

It is always workers' actions which frustrate the plans of the bosses and the State. How the British working class is going to respond to this latest attack is something which cannot be predicted. But what is clear is that only a united response of the whole working class can reverse the defeats that workers have suffered under Tory rule.

Ford Workers in Britain Win Major Gains After Two Week Strike

In spite of Thatcher's programme of anti-union laws, and crushing defeats in strikes over the past few years, sectors of the British working class are still prepared to fight back. In February this year 32 000 Ford workers launched a major strike.

Dagenham: On the surface, the two-week long strike by 32,000 Ford Workers in Britain resulted in a handsome pay rise - 14 per cent over two years and other gains for the workers, but a closer analysis suggests that it is one of the most significant strikes in Europe in the 1980's.

Firstly, it showed the vulnerability of Ford's integrated international operation to strike action. The walkout in England disrupted many factories in Europe.

Secondly, it showed the determination of the workers to control and have an effective say

via their unions in the introduction of new practices in the workplace.

Thirdly, despite eight years of anti-union legislation and aggressive anti-union management in Britain, the readiness of carworkers to fight for a fair deal has not been eradicated.

Fourthly, the patiently built-up contacts between Ford unions in Europe and the United States within the framework of the IMF paid off. There was a constant flow of information between Ford unions in Britain, the IMF and Ford unions elsewhere.

Ford was unable to offset



A Ford striker talks to a member of management going into the main Dagenham works in England.

(Photo: Stefano Cagnoni, "Report," London)

production losses in Britain by transferring work to other plants in Europe, and its world headquarters in America was under constant pressure from the IMF to settle the strike. The latter point should not be exaggerated. The issue was settled by the determination of British Ford employees and the negotiating skill of their union representatives, but the international impact of the Ford strike is a major new development in industrial relations in a single European country.

Ford management wanted a three-year deal and to introduce massive changes in working practices on the assembly lines. Both demands were presented as essential management

requirements. Both were rejected and eventually withdrawn.

Ford management in Britain appears to have hoodwinked itself into believing that the anti-union laws passed by the Thatcher government had permanently subdued trade unions and their members.

In fact, in secret ballot after secret ballot, and by massive majorities, the workers continued to vote for strike action until Ford managers had collapsed.

The Ford strike, therefore, suggests that the anti-union drive of British industrial relations this decade has not worked and new thinking is needed. Part of that new thinking will have to include the fact that Ford is now so

INTERNATIONAL

internationally integrated that a stoppage rapidly crosses frontiers and shuts down factories in other countries. In a message to the IMF, Ford's AEU negotiator, Jimmy Airlie, thanked all Ford unions for their support in achieving "an historic settlement for Ford workers in Britain." However, as the dust settles, the IMF is arranging a meeting of all

Ford unions in Europe to discuss the consequences of the strike and to discuss "plans for closer coordination."

A proposal for a Euro-wide Ford committee was made by Mick Murphy, the TGWU's Ford negotiator, at the IMF Ford World Council meeting in Chicago in June 1987.

Namibia Update

Namibia Update is compiled by Wolfgang Werner from a range of Namibian newspapers.

Namibian Mineworkers' Congress

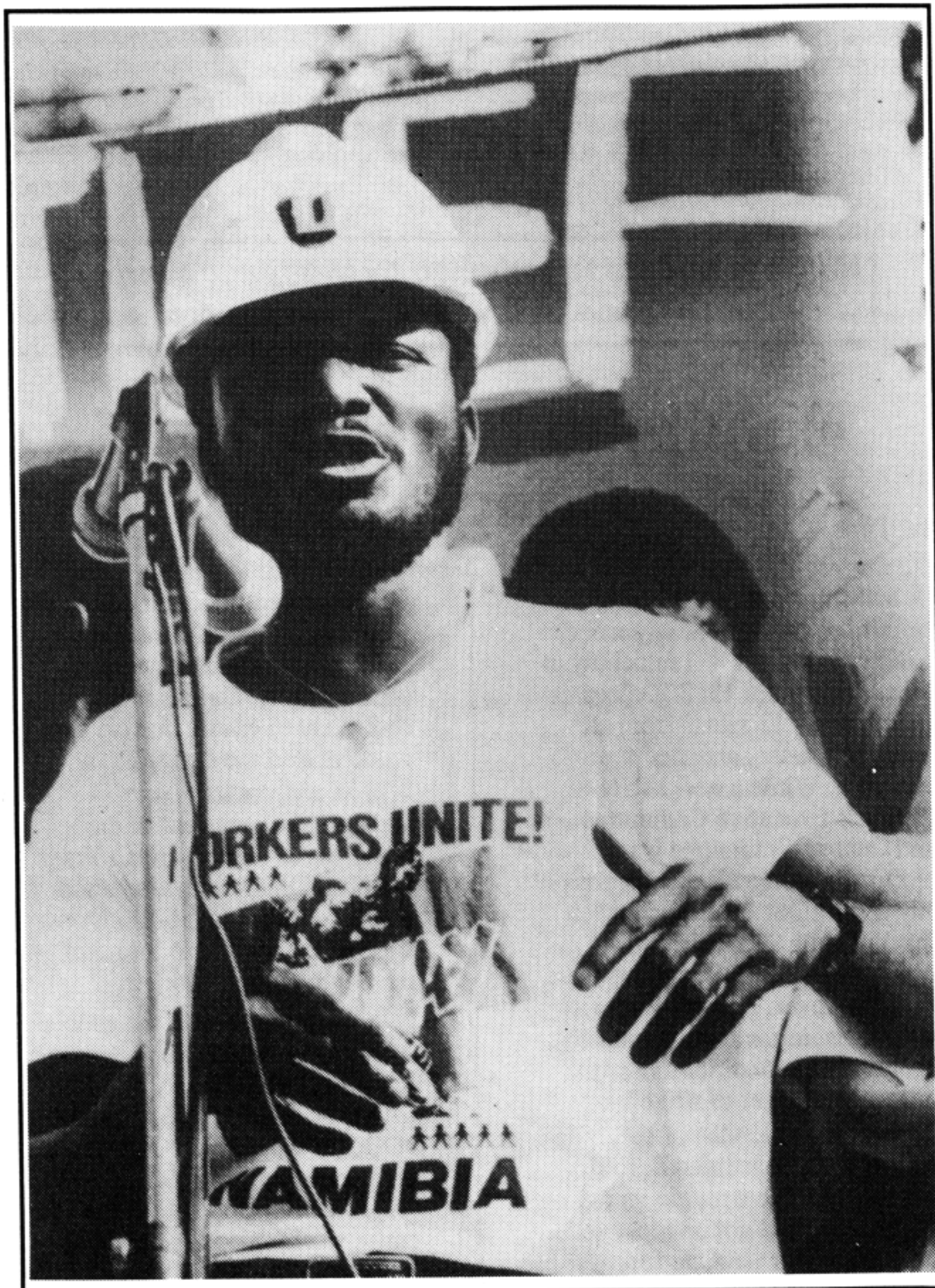
The Mineworkers' Union of Namibia (MUN) held its second national congress in Tsumeb from 14 to 16 January 1988. Delegates representing 12 mines from all over the country attended the congress. While a new MUN National Executive Committee and Central Committee was elected the congress did not pass any resolutions, as delegates felt that not enough members had been consulted. Discussions were held, however, on such issues as low wages in the mining industry, bad working conditions and "the intransigent right to strike".

Outgoing chairman of the NUM, John Shaetonhodi, told a meeting that the struggle on the shopfloor could not be separated from the wider struggle for liberation. "As a union, MUN must influence the wider political struggle. Through interaction

with community organisations we would develop the principle of worker-controlled democratic organisations. Unions must act decisively to ensure that we as workers lead the struggle."

In an address to a large audience the president of the Congress of South African Trade Unions, Elijah Barayi, stressed that the fate of Namibian unions was intimately tied to future of the South African worker.

In his annual report the general secretary of NUM, Ben Ulenga, revealed that the MUN had tripled its membership from about 3000 to more than 9000 signed up members during 1987, "representing close to 50% of the entire workforce in the mining industry." The MUN now had 12 active branches, the biggest of which existed at Consolidated Diamond Mines, a wholly owned



Ben Ulenga, General Secretary of MUN, addressed a May Day rally

Photo: ILR

subsidiary of De beers, with a 4600 members, followed by TCL and Roessing with 2800 and 1300 members respectively.

Ulenga also criticised working conditions and safety measures on mines, as well as insufficient medical and health facilities. He pointed out that the average wage for miners at CDM, TCL and IMKOR mines was R200 per month.

The second congress was followed by the First Extraordinary Congress of the MUN, held in Windhoek during the weekend of 13-14 February, during which a number of resolutions were passed. Representatives from every mine in Namibia were present on this occasion. Among the resolutions adopted were the following:

- that the National Executive establish as soon as possible what workers regard as a minimum living wage;
- to fight for this minimum living wage to be automatically linked to the rate of inflation;
- that the MUN shall not hesitate to take political action to defend and advance the interests of its members and the working class in general;

- That MUN fully supports the campaign for immediate implementation of Resolution 435;
- that MUN shall maintain and consolidate links of solidarity and cooperation with South African miners under the NUM;
- that the MUN will not affiliate at this juncture to any of the international trade union movements, but undertakes to strengthen fraternal links with progressive worker organisations in all countries which are committed to our struggle for freedom and independence, and to the building of true international working class solidarity;
- to initiate a relentless campaign which will allow workers full freedom of association, assembly and picketing for strike action. This requires that all forms of security legislation that deny these rights be removed;
- to campaign and respond vigorously against police and State intervention in strikes or industrial disputes;
- to fight for the right of trade unions to establish strike funds.

Other Namibian Trade Union News

New Transport Workers Union

The Transport and Allied Workers Union (TAWU) was founded on 29 February 1988. It is affiliated to the Namibia Trade Union, a small federation under the presidency of Mr Alpha Kanguchi. Other unions affiliated to the NTU are the Automobile and Metalworkers Union, the Transport and Allied Workers Union, the Farm Workers Union, the Sweepers and Cleaners Workers Union and the Domestic Workers Union.

In another development, Alpha Kanguchi of the NTU announced that his federation would meet with the National Union of Namibian Workers (NUNW) for talks over the possible amalgamation of both federations

Retrenchments in the Fishing Industry

About 80 "seasoned fishermen who have skippered and crewed puse- seiners" for up to 20 years were arbitrarily fired in Walvis

Bay at the beginning of February. This represents roughly 20% of the total pelagic crew of 400 at Walvis Bay, or a third of 'coloured' crew numbering about 300. A rush of newcomers from South Africa are waiting to take the places of the retrenched crewmen

Arbitration Court for Namibia Building Workers Union

The so-called Cabinet of the Transitional Government has appointed an arbitration court in the dispute between the Building Workers Union and the Master Builder and Allied Trades Association, which represents 63 companies of 70% of the employers in the building sector. Among the issues discussed was the provision of stop order facilities for building workers, to which the MBA has agreed in principles.

The NBWU claims to represent 5000 workers out of a total workforce in the sector of 8000

ECONOMIC NOTES

Large Profit Increases for Electronics and Engineering Companies

Over the past year electronics and engineering companies have been making large profits. The combined profits of twenty-one companies, surveyed by the LRS, showed an increase of fifty five percent!

These companies have managed to increase their profits without actually expanding. They have not built more factories or bought a lot more machinery. They have not taken on more workers. In fact, the number of workers employed by these companies has declined.

Because of the downturn in the economy many companies were forced out of business. Other companies retrenched workers and sold off machinery.

Some of the bigger companies bought the machinery and factories of these companies at a very cheap price, often without taking on workers.

With the recent upturn in the economy these bigger companies have been able to make big profits with their lean and trim factories.

The table below is a summary of the sales, the profits before tax and the number of workers employed by the twenty-one companies surveyed.

Summary for twenty one companies surveyed

In millions of rand	1986	1987	Percentage Change
Number of workers	113 014	103 704	- 8%
Total sales made	R8 025	R9 488	+ 18%
Total profits made	R 550	R 851	+ 55%

While average sales per worker for the twenty one companies increased by 29%, average profits per worker increased by more than twice as much. A small increase in business has resulted in a large increase in profit.

This means that worker's productivity has soared. Measured by **profits made by each worker**, productivity rose by 69% in 1987!

For workers this means that companies are able to pay higher wages - their "ability to pay" has improved. More than any time during the past

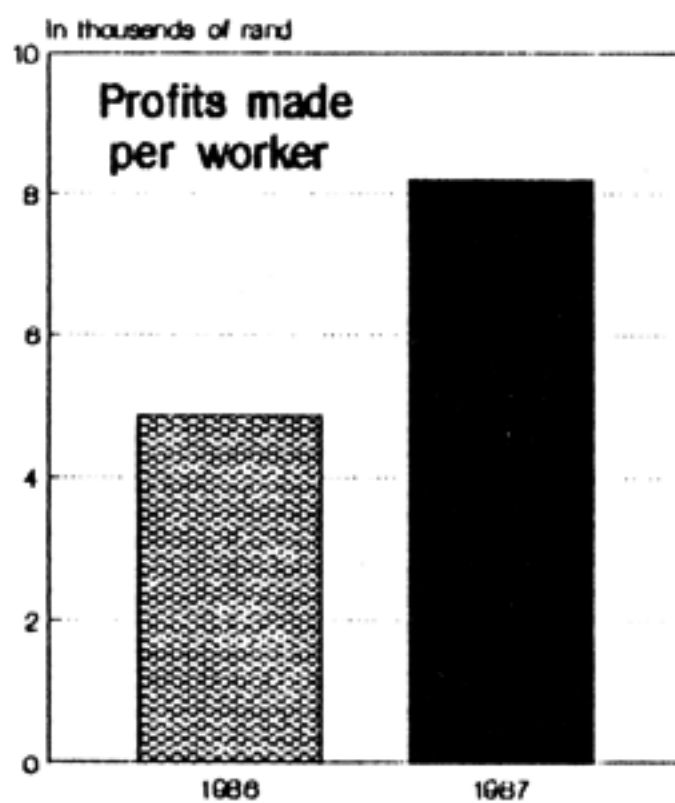
ECONOMIC NOTES

four or five years workers' wage demands can be met by management. The following table lists the companies surveyed with their sales and profit per worker.

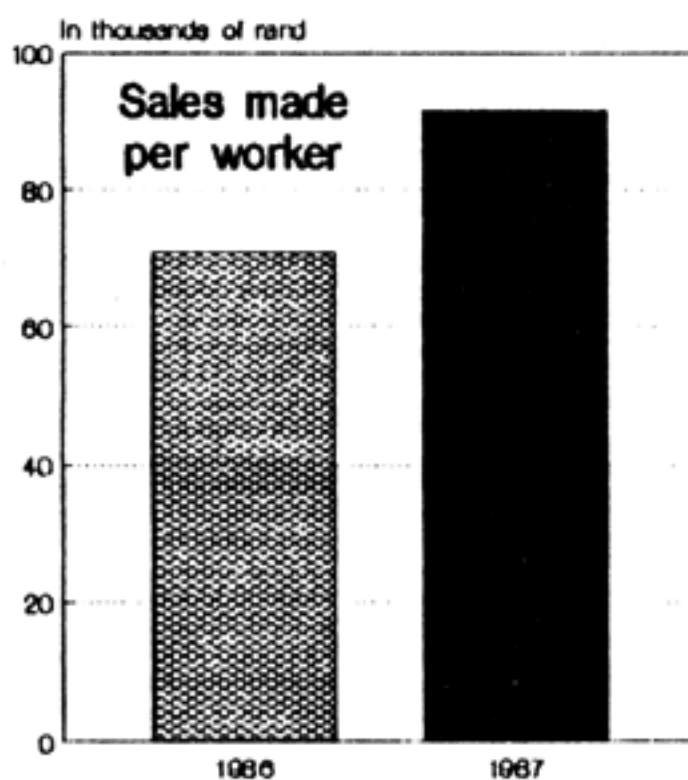
A SURVEY OF PROFITS AND SALES - ELECTRONICS AND ENGINEERING COMPANIES

Company Name	Sales per worker Percent 1987 Change	Profit per worker Percent 1987 Change
1 Gold Fields Industrial Corp. Limited	R148 413 + 47%	R14 286 + 2257%
2 Reunert Ltd	R 99 020 + 37%	R 6 458 + 2252%
3 Highveld Steel & Vanadium Corp. Ltd	R109 865 + 18%	R13 176 + 132%
4 Hudaco Industries Limited	R168 845 + 21%	R17 756 + 118%
5 Aberdare Cables Africa Limited	R128 235 + 41%	R 9 309 + 94%
6 Dorbyl Limited	R 63 117 + 13%	R 2 625 + 91%
7 Television & Electrical Holdings Ltd	R 99 031 + 123%	R 4 440 + 73%
8 African Cables Limited	R103 159 + 8%	R15 202 + 66%
9 Power Technologies Limited	R 99 718 + 42%	R 5 192 + 40%
10 African Oxygen Limited	R 74 140 + 9%	R14 782 + 35%
11 Robor Industrial Holdings Limited	R141 500 + 8%	R 9 024 + 27%
12 Vereeniging Refractories Ltd	R 44 257 + 14%	R 4 177 + 21%
13 Abercom Group Limited	R107 423 + 52%	R 5 115 + 21%
14 Haggie Limited	R 83 732 + 20%	R11 023 + 19%
15 Allied Electronics Corp. Limited	R109 983 + 28%	R12 574 + 18%
16 Central African Cables Limited	R 61 667 + 8%	R11 667 + 6%
17 Allied Technologies Limited	R124 326 + 15%	R20 585 + 5%
18 Landlock Ltd	R 59 924 - 36%	R 1 749 - 121%
19 Unihold Ltd	R 48 504 - 21%	R 1 585 - 129%
20 National Trading Co Ltd	R146 507 + 32%	R 5 123 - 69%
21 Valard Ltd	R107 120 + 58%	R 8 091 - 413%
Average per worker	R91 501 + 29%	R 8 206 + 69%

Electronics & Engineering companies - a survey



Electronics & Engineering companies - a survey



Labour Research Service

Inflation

Area	Consumer Price Index (1985 = 100) February 1988	Annual rate of inflation (% increase over 1 year) February 1988
Cape Town	147.5	13.1%
Port Elizabeth	150.1	14.7%
East London	144.6	13.6%
Durban	141.6	12.6%
Pietermaritzburg	144.6	13.1%
Witwatersrand	149.0	13.8%
Vaal Triangle	147.0	13.2%
Pretoria	154.8	14.8%
Klerksdorp	155.2	14.1%
Bloemfontein	139.2	10.9%
OFS Goldfields	151.6	15.3%
Kimberley	145.5	14.7%
SOUTH AFRICA	148.2	13.7%

Source: Central Statistical Services.

The annual rate of inflation in February 1988 fell to 13.7%, compared with 14.2% in January.

The annual rate of inflation has been falling since May last year.

All this means is that the speed at which prices are rising, has slowed down.

But prices are still rising!

Prices on average rose by 13.7% in the year to February 1988. But meat prices rose by 25% and clothing prices by 20%.

The rate of inflation is expected to increase again in the next few months. Unions should plan for price increases of over 15% during 1988.

SALB Publication Guidelines

The South African Labour Bulletin is a journal which supports the democratic labour movement in South Africa. It is a forum for analysing, debating and recording the aims and activities of this movement. To this end, it requires contributors to the Bulletin to conform with the following publication guidelines.

* Constructive criticism of unions or federations in the democratic labour movement is welcome. However, articles with unwarranted attacks or of a sectarian nature which have a divisive effect on the labour movement will not be published.

* Contributions to the Bulletin must not exceed the following lengths:

analytical articles	8,000 words
debate, reviews, documents, reports	5,000 words
briefings	1,000 words

Articles should be submitted in a final and correct form and in duplicate. Articles are refereed and may be edited. In the event of the editors deciding that other than minor editing changes are required, the article will be referred back to the author.

Briefings should concern topical events and developments of concern to the democratic labour movement. They should be easy to understand and keep footnotes and references to a minimum. Debate, reviews, reports and documents are designed to make more widely available important statements emanating from the labour movement; reviewing new literature or other material of relevance to the movement; making available more in-depth reports and research; and allowing for debate on important contemporary issues.

* Contributions must be written in a language that is clear and understandable.

* All contributions to the Bulletin must be typed and where applicable include proper footnoting and references.

* Except in the case of public documents, all submissions to the Bulletin will be treated in confidence.

* The editors reserve the right to recommend to the author of any submission that it be placed under another category to that under which it was submitted.

* For more details contact the editor.

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