

# Strike violence

## Crisis of workplace regime

This year's strike season has been the bloodiest in recent memory. The anger of the striking workers was not only turned against the employers, but against fellow workers as well, who were beaten, shot, hacked to death or stabbed. The reason for this was that either the workers were seen as strike breakers: scabs or blacklegs, or were targeted because they supported another union, write **Crispen Chinguno** and **Elijah Chiwota**.



Strike violence is not unique to South Africa and was a common feature of early industrialisation in the United States of America, Britain, and Australia. This was because of the shift from the feudal to the capitalist mode of production. Research on strike violence conducted in these developed countries concluded that it was a result of the lack of institutionalisation of industrial conflict and the exclusion of labour from politics.

In South Africa the early years of industrialisation were similarly marked by strike violence and other forms of industrial conflict. For example, there is the Rand Revolt/Massacre of 1922 where the state used violence that led to the killing of over 153 workers by government military and air force. The gold miners were protesting against blacks taking 'white jobs'. There was also violence by workers when strike breakers were assassinated by white miners' snipers from the top of Johannesburg mine dumps.

Strike violence is not a new occurrence in South Africa's labour relations history as it was common during the struggle against apartheid. At that time it was easy to understand because black workers had no right to strike.

'Indeed, the very absence of the right to picket may itself lead to outbreaks of violence which may otherwise have been avoided or controlled,' wrote Eddie Webster.

In reference to the Afcoll strike of 1988 he remarked: 'In practice this means that the union requires some sort of sanction which can be used to ensure that the majority decision is carried out. When a minority of workers rejects a democratic decision and attempts to "scab", or where "black-legs" are employed to replace striking workers, thereby

threatening to break the strike, this usually results in great bitterness. It is important that institutionalised ways should exist for dealing with disputes of this kind, otherwise they are likely to be resolved by violence.'

Therefore, there were many reasons for strike violence during apartheid. According to studies, strike violence was thus attributed to incomplete institutionalisation of industrial conflict and a repressive industrial relations regime. Webster and Graeme Simpson argued that institutionalisation requires strong industrial relations institutions that allow collective action as well as broader political incorporation.

Strike violence was a rejection to the impartial institutionalisation of conflict and this explains why workers were reluctant to use the industrial relations system. Violence also enforced cohesion so as to maintain worker collective solidarity.

Trade unions were deeply shaped by political identities forged beyond the workplace and were part of the strategy of black resistance against apartheid. It is important to highlight that political and industrial relations issues were interwoven as there was interplay of industrial relations and politics.

Therefore, the political struggle undermined the institutionalisation of industrial relations. The aim of strike violence was the political overthrow of the apartheid regime. Workers saw the state and private companies as opponents because of their support of apartheid. In this sense strike violence challenged the state.

The political nature of the trade union struggles were influenced by the nature of the power relations in the workplace and by the political repression

experienced by black workers outside the workplace. Strikes were not necessarily about collective bargaining and there was a belief that power can be gained from strike violence. This violence challenged an apartheid workplace regime that was dominated by white workers.

Violence can be seen as a contest of orders such as the state and workers orders. For example, the white miners were crushed in 1922 but adopted a political strategy against the government as they had political citizenship. Thus in 1924 they aligned with the farmers and voted out the government. They voted a labour friendly Pact government, which was an alliance between labour and the ruling political party.

Drawing perhaps from the experience of the early industrialised countries the solution to this was found in the institutionalisation of industrial conflict. Hence in 1924 we had the promulgation of the Industrial and Conciliation Act which allowed centralised bargaining for white workers but excluded black workers. In 1946 the state violently crushed the strike by black workers led by the African Mineworkers Union.

The 1973 Durban strike towards the late 1970s saw an escalation in industrial conflict. The 1977 Commission of Inquiry into labour legislation (Wienehahn Commission) recommended institutionalisation of conflict by embracing black workers. It recommended that blacks be allowed to register trade unions and have them recognised. Among other things, the commission recommended the elimination of job reservation for whites by the state.

In 1981 collective bargaining legislated for black workers, but right-to-picket to gain moral power was excluded.

## STRIKE VIOLENCE POST-APARTHEID

However, since democracy in 1994 institutionalised ways have been found that includes collective bargaining. Strikes are also allowed. What then has continued to cause the resort to physical violence against other workers? Are workers also contesting the new political order that emerged after 1994?

Strikes and violence usually mean a watershed or turning point in the industrial relations system. According to Tilly the attainment of democracy is usually associated with the broadening of political participation, extension and equalisation of political rights, regularising of non-violent means of making claims and the establishment of third parties to intervene against violent resolution of disputes over claims.

Post-1994 industrial relations fully institutionalised under the new industrial relations regime. But strike violence remains a significant phenomenon in our industrial relations such as the 2006 security guards strikes in which over 60 workers were killed and many similar violent strikes.

It seems to be the case that the repertoire of collective violence of the past established as a tradition of conflict and struggle in South Africa has become part of the country's industrial relations practice.

### MINERS' STRIKES

At Impala Platinum three workers were killed, 50 severely injured and 100 charged with public violence. At Marikana 10 people were killed including two police officers, while the state killed 34 workers on 16 August. There was also intimidation, arson and violence. Workers at Marikana demanded pay of R12,500, which became the benchmark of strikes that followed after.



*Strikes are more and more taking the same style as that of community service delivery protests like that of Khutsong.*

The National Union of Mineworkers (NUM) has been accused by critics, including rival union, Association of Mining and Construction Union (Amcu), of abandoning workers and working in cahoots with employers. The union was accused of prioritising Alliance politics of the African National Congress (ANC), Congress of South African Trade Unions (Cosatu) and the South African Communist Party (SACP) at the expense of shop-floor issues.

The workers interviewed claimed that the NUM is alienated from its membership and that the union is no longer a voice of the workers, but a tool for managerial control. Institutionalisation of industrial conflict has resulted in co-option of the union. According to Lester's orthodox industrial relations based on an American study, as trade unions grow changes occur. Democracy, rank and file participation would

decline and a professional leadership of the union which is moderate, accommodating and 'responsible' in the eyes of management emerges. According to this thinking a process of goal displacement happens when the union leadership move closer towards representing the interests of management and drifting away from the interests of their membership.

However, Cosatu believes that there are a lot of factors that should be taken into account when discussing the miners' strikes. 'Our affiliate, the NUM, has been at the forefront of calling for radical change in the industry. But its efforts have been frustrated by unilateralism on the part of the bosses, by the blind encouragement of splinter unions by the bosses, by competition for positions of shop steward, by the resuscitation of tribalism in some areas, and the resistance of our government to ban the practice of labour broking. In the platinum sector employer resistance to collective bargaining had added to frustrations.'

### TRUCKERS' STRIKE

Recently, the South African Transport and Allied Workers Union (Satawu) organised a truckers' strike that was also marred by strike violence in which a worker was killed for scabbing. Some workers who decided to turn up for work were beaten up while trucks were burnt to ashes.

Commenting on the strike violence, Cosatu Western Cape provincial secretary, Tony Ehrenreich said: 'The truckers strike is supported, but the barbaric assaults and murder of innocent people are condemned and the full might of the law must be brought against those perpetrators.'

'Cosatu will never support violence and intimidation, and

calls on its members to expose those, using the cover of the strike to carry out these horrendous attacks on other workers.'

'Cosatu is an organisation of discipline and solidarity, this kind of violence has no place in our ranks. It is a sad day when workers are set alight and murdered under the banner of the right to protest. Let us show our solidarity with the injured and families of those killed and expose the criminals, committing these crimes.'

'We will do all we can to support the legitimate struggles of workers, but will never allow a situation where other workers are killed and injured in the name of a strike.'

However, the Cosatu *Workers Survey* presented at its recent Congress showed that its members approved strike violence and thought that it was 'necessary'. The survey said better information was needed and that there should be discussions about it.

The workers' beliefs draw parallels with what Karl von Holdt and others remarked in *The smoke that calls: Insurgent citizenship, collective violence and the struggle for a place in the new South Africa*. The report argues that violence has its repertoire such as ignoring the lawful route.

Accepted practices of peaceful strikes were always flouted when strike violence was used. This could be seen as ignoring the accepted way of doing things: the normal order of things.

'The violent disruption of the dominant symbolic order constitutes a popular or subaltern symbolic order with its own morality, and its own rationales, which explain and sanction the use of violence.' One protester quoted in *The smoke that calls* said: 'I am Christian, but when the strikes start you put the Bible down and then you fight. It is necessary to use force. The water is clean now because of the strike.'

The report remarks: 'Violence is integral to insurgent citizenship in South Africa. Violence – both against the state and against collaborators in the community – was very much part of the insurgent movement of the anti-apartheid struggle, which at its heart was a struggle to assert the rights to citizenship of the black majority, and provides a repertoire of practices when frustration and anger become too much.'

'Violence is understood as a language, a message, a way of calling out to higher authorities about the state of things... This comment suggests that collective violence is a means of forcing the powerful to acknowledge the dignity and legitimacy of the powerless and hear their collective demands.'

### CONCLUSION

The post-apartheid workplace regime is characterised by worker fragmentation and precarious living and working conditions. There is also an erosion of power for some of the more established and powerful trade unions. A breakdown and undermining of the institutionalisation of industrial relations is also common. The rejection of the moral order of inequality may signal an end to a regime of exploitation of black labour.

What is emerging after this wave of strike violence is an unstable, precarious, volatile industrial relations regime and work-place order. The post-apartheid social order has also become unsettled and it is now being contested. The degree of institutionalisation in both apartheid and post-apartheid eras depended, to a larger extent, on broader political and social factors. <sup>18</sup>

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