

We won the war but the battles continue

1974-1983



1974-1983

1974-1983



As we pass the first decade of democracy, the South African Labour Bulletin – one of the last remaining of the independent publications which emerged during the apartheid era – looks back on the last 30 years. The Bulletin was conceived and emerged out of a need to assist the growing labour movement after the 1973 Durban strikes. Since then it has recorded the evolution of the labour movement and sought to contribute to and help drive debates of the day. In celebrating its rich history the **Labour Bulletin** looks back on some the key debates and struggles – some of which continue today.

The struggle from below

1974-1983

The case for African unions formed the focus of the first edition of the *Labour Bulletin* published in April 1974. A number of former editors and board members recall the early years of the *Bulletin* and the debates which took place around the organisation of black workers see p10. At this point black unions were still not recognised by the law. The Black Labour Relations Regulation Act sought to entrench works/liaison committees for black representation at company level, instead of unions. But, by 1976 it became clear that this legislation was not dealing with so-called black worker militancy, and the Wiehahn Commission was set up in 1977. Prior to this the *Labour Bulletin* had questioned governments' (and employers') support for liaison committees. This was not appreciated by the regime, which banned a number of editions covering this issue. One of the founding members, Eddie Webster says the editions were banned for 'promoting worker unrest, and 'opposition to the government's alternative to unions for black workers.'

Anglogold/Ashanti CEO (then working in Anglo's industrial relations department) Bobby Godsell argued that to compare the SA system of works committees to those operating in Western Europe was misleading as in Europe the committees were viewed as an extension to union rights while in SA they were a replacement for these rights. Numerous high profile strikes during the late 1970s and early 1980s relate to the rejection of liaison committees in favour of the right of unions to operate. These included the strike at *Leyland* (see p14) and *Heinemann* (see box).

Former trade unionist Siphon Kubheka recalls the Heinemann strike. He says the strike was the last straw for the state as he and Gavin Andersson of the Industrial Aid Society got

arrested for incitement, for being at an illegal gathering and for obstructing the police. 'That was a warning of what was to come. He and Andersson were later banned

He also recalls how political differences in Mawu became more intense in 1976. 'Some of us were labelled as populist because we were interacting with the ANC-SACTU people... We were seen to be people who were endangering the workers' struggle... People did some very wrong things. I remember there was a time when one of the anti-ANC people went to one of those who was pro-ANC. He said to him: 'Look, we think that you are now the target of the state. They know that you have links with the movement. Here is the money, skip.' They were removing people so that they could gain entry and control the union... Immediately we were banned this ultra-left group took over.'

In the aftermath of Wiehahn, unions intensified their fight for recognition, with lengthy and at times, violent strikes. A key feature of some of these strikes was the relationships forged between the unions and community organisations, especially where consumer boycotts were called for such as in the Fattis and Monis strike, at Wilson Rowntree and the Cape meat workers strike.

The *Labour Bulletin* wrote in December 1980 that the meat workers strike 'stands as a significant landmark in the history of worker struggle in SA... It was the longest and possibly the most systematically organised strike of 1980. More importantly, the strike raised the question of the relationship between worker organisations and the community'. The meat strike, sparked off by the demand for the recognition of democratically elected workers' committees, was driven by the Western Province General Workers Union (WPGWU) - who had been instrumental in spearheading a debate on registration.

THE HEINEMANN STRIKE

Mawu began organising at Heinemann in 1975 and resisted employer attempts to introduce a liaison committee. The union ran a campaign to ensure recognition with the result that most workers joined the union. The union claimed police and management were harassing shop stewards and union members.

In March 1976, the company dismissed a group of workers, including some shop stewards. The workers gathered outside the factory and demanded to meet with the managing director. The next day they arrived at the factory to find police at the gates and they were informed that they had all been dismissed. The workers returned on the Monday and demanded yet again to see the MD. This request was refused and workers were given 30 minutes to leave. A skirmish broke out and some workers were injured.

Mawu organisers were convicted of inciting workers to strike. Management only agreed to re-employ those workers who agreed to support the liaison committee. The union lost this battle.

'No assessment of the meat strike is complete without an explanation of the heavy-handed intervention of the state and an analysis of the effect of the strike on state policy... The state's extreme response to the meat strike was probably generated by a number of factors,' he said. These included the mobilisation of the community organisations in an environment where unrest was already taking place and the fact that the union had adopted such an explicit



FATTIS AND MONIS

The management attempted to force the workers to 'choose' between the liaison committee and the union. The manager of the Fattis and Monis plant told these workers there would be 'moelike ty' if they chose the union. Subsequent dismissals of those involved in drafting a petition to demand the negotiations of increases were dismissed - this sparked off a seven-month strike. An important feature of the strike, was the solidarity shown between African and coloured workers... From the start of the strike in April 1979 the state and management tried to break down the solidarity between workers of different race groups. Another distinctive feature of the strike 'was a national consumer boycott of Fattis & Monis products in support of the striking workers.' As part of this community support students and pupils from various universities and schools in the Cape organised a blitz on supermarkets.

opposition to registration. 'The fact that the state should respond in this way to our explicit opposition to their attempts to control the union by way of registration is not surprising.' The strike forced government and employers to rethink their position around registration and some employer organisations advised their members to 'talk to unregistered unions'.

The meat strike was more or less in the same mould as the Fattis and Monis strike over a demand by the Food and Canning Workers Union (FCWU) to negotiate over wages.

While these strikes were mainly over struggles for democratically elected worker representation (and opposition to liaison committees), the Frame strike was more characteristic, the Bulletin said, of the 'generalised labour unrest which has taken place throughout the country'.

Black workers had won the right in law to join trade unions and the struggle shifted to how they should organise and how and/or whether unions would participate in the system. This unleashed some dramatic debates and divisions within the emerging labour movement around registration and whether unions would be drawn into the system, most notably the industrial council system. The editor at the time **Merle Favis**, who was detained in 1981, recalls some of these debates and the environment in which

the Bulletin operated see p19. There was initial resistance and suspicion from some of the emerging unions as they saw such structures as part of the apartheid system and also feared that participation would weaken shopfloor militancy.

The Wiehahn Commission report noted that unregistered unions had grown and therefore rejected prohibiting these unions from operating as it would drive them underground. The answer was to bring them under 'protective and stabilising elements of the system and its essential discipline and control.' Unions such as the WPGWU (under the leadership of Dave Lewis) opposed registration, while a large number of unregistered unions (within the Fosatu fold) decided to register. The WPGWU produced a memorandum on their position, which was eventually published in the Bulletin see p20. This sparked off an acrimonious debate within the Bulletin.

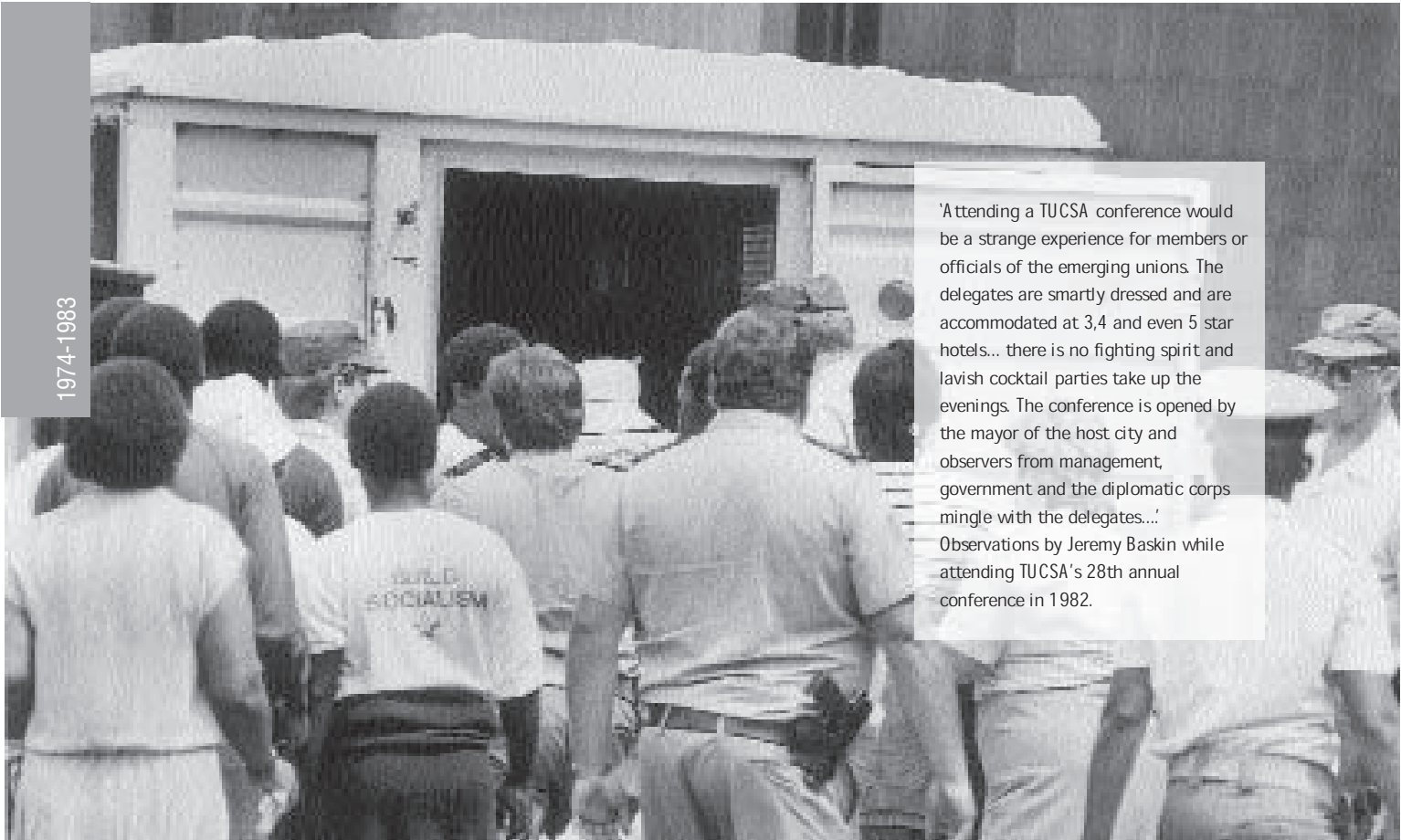
Two positions emerged. Those that argued that it was tactically wise to register included Fine, de Clerq and Duncan Innes and those who saw it as surrendering to state control included Fink Haysom and Martin Nicol who wrote an article on registration and emasculation see p22.

Participation in the industrial council system proved to be almost as heated as the registration debate. Nadia Hartman, in an article published in the Bulletin said the

debates were twofold: What are the consequences for democratic unions of participating in Industrial Councils (ICs) and whether ICs as institutions of collective bargaining promote or undermine workers' interests. Based on a case study of a union operating in the baking industry in the Cape she concluded that the union, lacking in democratic practices (lack of rank-and-file participation in decisions and policy-making), had been further weakened by participation in the IC. 'The IC tends to promote bureaucratisation. This has the effect of eliminating any need for rank-and-file participation'.

By 1983 unions such as Mawu had decided to participate in the council system and joined the Metal and Engineering Industries Industrial Council.

The Wiehahn Commission not only put pressure on the emerging unions to define themselves, but also forced the established (registered) labour movement to rethink its strategies. The established registered unions



'Attending a TUCSA conference would be a strange experience for members or officials of the emerging unions. The delegates are smartly dressed and are accommodated at 3,4 and even 5 star hotels... there is no fighting spirit and lavish cocktail parties take up the evenings. The conference is opened by the mayor of the host city and observers from management, government and the diplomatic corps mingle with the delegates...'
Observations by Jeremy Baskin while attending TUCSA's 28th annual conference in 1982.

had come under some severe criticism for becoming bureaucratised and seen to be nothing more than 'benefit societies'. See p28 for Ishmail Mohammed's account of TUCSA's 1983 conference and his arguments around the claim that the organisation had become bureaucratised and unable to deliver to its members. Carol Cooper and Linda Ensor argued in an article on the conference that 'TUCSA's main concern is to prevent the emergence within the

registered union movement of a more militant trade unionism and one which will challenge, rightly so, the privileged position of white workers in the labour structure.'

Until 1979, the registered unions (such as those belonging to TUCSA and the exclusively white SACOL) had adopted two competing strategies towards black unions. SACOL supported liaison committees while TUCSA believed union rights should be extended to black workers.

Since 1973 some affiliates had started up parallel unions. However, some African unions remained sceptical of TUCSA's intentions because of its 1969 decision not to allow black unions to affiliate. This was amended in 1974. At its 1979 conference TUCSA took a decision to give its affiliates a free rein in the organising of black workers into parallel unions. This decision was taken in the aftermath of the launch of Fosatu in 1979. LB

NUMSA JOINS COUNCIL

Intense debates took place within the union around whether to join or not. Fosatu unions (including Mawu) had fought against employers for the 'right' not to sit on Industrial Councils. Former Numsa (and Mawu) official Bernie Fanaroff recalls these debates. Some unionists, he says, argued that participation was a tactical decision, as the union could not consolidate itself by engaging in plant-level bargaining countrywide. The union did not have the resources to achieve this. Others argued that the union would be considered to be a sell-out if it participated in a corrupt structure, as the council was an institution

established under apartheid legislation.

Councils were also viewed, as 'councils of the bosses, like vamped-up liaison committees'. Former Numsa general secretary Moses Mayekiso says he was opposed to joining the council, as he believed it would weaken the union. He acknowledges however, that the union was caught in a catch 22 scenario. The union agreed to become party to the council on a number of conditions. Fanaroff says: 'All the conditions were proposed so that the union did not become like some of the other unions operating in the industry. The conditions included:

- The union would not abandon its demand for plant level bargaining

- The union would not be party to any agreement or actions with which its members did not agree;
- It would insist on facilities to report back during negotiations and it would withdraw from the council if necessary.

Former Numsa officials acknowledge that attempts were made to comply with the original principles of participating in the council but resources became stretched over time. Mayekiso says: 'We thought we could change the council from inside. We were however, swallowed up by the bureaucracy and in the process failed to maintain shopfloor bargaining and ensure shopfloor structures would not be weakened.



**WE RESOLVE EMPLOYMENT &
COMMERCIAL DISPUTES
QUICKLY & COST EFFECTIVELY**

- Mediations
- Arbitrations
- Chairing Enquiries
- Investigations
- Facilitations
- Training



The name TOKISO means “fix it up” in Sotho. In South Africa, it means a new era for independent dispute resolution and prevention.

info@tokiso.com Tel: (27) 11 325 5706 Fax: (27) 11 325 5791