

# Strikes in SA

## More about fighting inequality

In recent years, strikes in South Africa have become turbulent. The Farlam Commission is currently hearing evidence of the 2012 strike on the platinum belt that was characterised by extreme violence on all sides, writes **Mohamed Motala**.

**M**ining companies, Lonmin, AngloPlat and Implats, assisted by the South African police, displayed aggressive behaviour towards striking mineworkers, which resulted in an elaborate show of force culminating in the biggest post-apartheid massacre in the history of South Africa. Mineworkers under the guise of carrying traditional weapons, but also defending their right to strike, used whatever means at their disposal to keep themselves and other workers from breaking the strike. 'Mister X' appeared before the Farlam Commission giving testimony of how mineworkers armed and fortified themselves physically, emotionally and spiritually with a ghastly array of tools, including human body parts.

So why is it that strikes in South Africa are not characterised by orderly picket lines with neat placards and workers singing Kumbaya, eating sandwiches and drinking tea, as they picket in a country where the right to strike is protected by the constitution?

Given all the mechanisms for representation, mediation and arbitration, conflicts of interest between workers and their bosses ought to be orderly and civil rather

than disorganised and bloody. One would think that with the National Economic Development and Labour Council (Nedlac), the Commission for Conciliation, Mediation and Arbitration (CCMA), the labour courts, several government departments, employer bodies, industrial councils, registered and recognised trade unions, non-governmental organisations (NGOs), universities and think tanks, disputes would be worked out more amicably.

The strike in the metal and engineering sector was driven by the most organised and disciplined trade union in the country, the National Union of Metalworkers of South Africa (Numsa), but still there were reports of unruly marches and non-striking workers being intimidated. Sadly, there is too much media attention being focused on a few cases of disruptive conduct. One has to get beyond the front-page fear mongering about strike violence to locate the hidden reporting on the actual issues like wages, labour brokers and quality of life, which the strike was really about.

At the same time, there were calls for government to intervene in Numsa's strike. There were similar calls for intervention in

the Association of Mineworkers and Construction Union's (Amcu's) strike. This call for state intervention is simply wrong.

There are essentially two types of industrial disputes. One is a 'rights dispute' and the other is an 'interest dispute'. Typically, rights disputes occur when workers feel an injustice has taken place. For example, an unfair dismissal or the imposition of certain working conditions like the introduction of a shift system, which changes working hours. If these disputes are unresolved by a mediation or arbitration process, they can be determined by a court or forced arbitration where a ruling is made and, if not adhered to, can result in the workers or employer being legally compelled to follow the ruling.

'Disputes of interest' occur when workers feel that their interests are being unfairly addressed. Typically, a wage dispute is a dispute of interest. There is no right or wrong party in a wage dispute. It is purely an economic interest battle between the workers and their employers. No court or arbitrator can rule in this instance.

Thus, the calls for state intervention in both Amcu's and Numsa's strikes have simply been

inappropriate because these strikes represent disputes of interest. The problem with this plea for the state to intervene is that it's a thinly disguised demand to get government to force workers back to work. There is no demand for government to force employers to pay higher salaries because the perception is that employers have the choice of relocating their investments, whilst for workers, half a loaf of bread is better than none – and workers should know that.

The collective bargaining system in South Africa has been shaped by earlier workers' struggles. The current arrangements were legislated and established after years of struggle by workers that had significant moments in the 1973 Durban dockworkers' strikes and the 1987 mineworkers' strikes, which led to the formation of the Congress of South African Trade Unions (Cosatu).

Yet throughout the second half of the 1980s and preceding the dawn of our democracy, strikes were highly disciplined. In the 1987 mineworkers' strike, which saw 360,000 workers go on strike, there were only 11 fatalities. More recently, the mineworkers' strike on the platinum belt consisted of 70,000 workers and the body count was closer to 50.

The difference between then and now is the closeness of current trade unions to the ruling party in government and the internal organisational discipline and strength of trade unions.

In their early years, Cosatu-affiliated union strikes were well organised and demands had a level of sophistication with issues like a living wage linked to workers' family lives. Today's strike demands are reduced to crude annual wage increases and basic trade union recognition tussles. These kinds of demands indicate poor trade union organisation as well as the fact that little worker education is taking place.

The Numsa strike was different in that it also had demands regarding labour brokers, the Employment Tax Incentive scheme, a housing allowance and training for workers. These go beyond simple wage demands and reflect a level of policy engagement as well as a return to issues that have been well thought through.

However, what is more widespread in many of today's trade unions is the fact that legal support, assistance from organisers, leadership education and training are low on the agenda of union leaders; 70% of shop stewards in the 2012 Cosatu Shop Stewards' survey indicated that they received no help from their union. A key reason for this is that there is far too much party politics getting in the way of solid factory floor organising.

At present trade union congress deliberations are simply dominated by Alliance politics (African National Congress – Congress of South African Trade Unions – South African Communist Party). The tangled web of Alliance politics has simply drawn unions away from their core mandate and created a hazardous vacuum inside the labour movement. The situation is further complicated by a ruling party with strong ties to multinational corporations that allows these big companies to use the police as their own private army against workers.

The influence of political parties on the labour movement is also organisationally damaging and corrupt. Pension funds are being looted and women sexually harassed. Patronage is evident at the highest level. Take the case of the appointment of the former president of the National Union of Mineworkers (NUM), Senzeni Zokwana to the position of Minister of Agriculture in President Jacob Zuma's cabinet. This is a former union leader who paid his farmworkers a wage of R26/day

when the legislated minimum is R111/day. One would expect him to be paying the legislated minimum, at the very least.

In the absence of credible, independent, well-organised trade unions and with current arrangements not addressing the huge gaps between their salaries and those of their chief executive officers, today's workers view violence as an option. Given that the game is unquestionably rigged against them, it shouldn't be hard to understand why 83% of Cosatu shop stewards surveyed believed that non-striking workers ought to be 'engaged with politically'.

Promisingly, however, there are also signs that the current realignment of worker organisations away from the ANC will be accompanied by the rebuilding of strong democratic trade unions, which is far from what the ANC's mediation of the conflict within Cosatu is likely to yield. Despite the challenges faced by the striking Amcu workers, the intimidation they faced and allegations of violence they withstood, the important improvements to the minimum entry-level wages that the platinum strikers ushered in will have a lasting impact on closing the inequality gap.

It is high time that ordinary South Africans took a long hard look at why workers on strike need their support. Whilst the violence accompanying strikes may be difficult to support, perhaps understanding it beyond the obvious anger faced by poverty-stricken workers will help to resolve strikes faster and close the wealth divide that is tearing this country apart. **UB**

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