

inside cover

RIGHT ^{TO} FIGHT

A selection of 15 years of Inside Labour columns
from Business Report, South Africa's most widely
read business newspaper

Introduction

MANUALLY, digitally or mechanically, labour is the source of all production, distribution and exchange. It provides all raw materials, manufactures the implements, vehicles and devices used in the process, transports, warehouses, retails and is the essential ingredient in every service in between. But labour is people, men and women — all too often, children — who sell their skills and abilities, their hands and brains, to create and operate the world as we know it. As such, the legions of labour, if organised, make up one of the potentially most powerful forces on earth.

In simple terms: if every worker— every seller of labour — stopped work at midday tomorrow, the world as we know it would stop; but if every company director went off to play golf for a week, it is unlikely that there would be any perceived difference, other than congestion on the golf courses.

Of course just stopping work or having company directors disappear for a period is no answer, but it does underline the crucial role of those who labour and, therefore, of trade unions that are the basic organisations of those who sell their labour. This is why, no matter how this power is used, abused or frittered away, labour and its right to fight back against exploitation, matters.

Which is why, in 1996, when Peter Bruce, first editor of Business Report, offered me the opportunity to write a weekly column about labour, I readily agreed. Since then, over 15 years, I have provided this column to five other editors, James Lamont, Alide Dasnois, Jabulane Sikhakane, Quentin Wray and now, Ellis Mnyandu. In the spirit of open debate and freedom of expression, none has ever interfered with the content or rejected any column.

And they never wavered in the face of occasional attacks — both verbal and written — on my writing. These came from senior political and trade union figures as well as from the business sector. As a result, I have felt it necessary to explain, from time to time, that the Inside Labour column is not an expression of my views, however much I may agree with some of the points made; that it is about issues, developments and thinking within the labour movement and its right to fight.

Of course, I make the decision about the topic of each column, and this is subjective. But the topic is also dictated by how readily available the information is. And I do have an agenda: to encourage debate and discussion about real issues that affect the labour movement by reflecting arguments and questions which arise within the trade unions and among trade unionists.

I am also an admitted socialist and life-long trade unionist, so I have an interest in promoting trade unionism and worker unity. And I feel this interest is best served by open, democratic debate, not by ignoring unpleasant realities or sweeping awkward issues under the carpet.

Nor do I see it a betrayal of the trade union cause to cast the spotlight of publicity on mistakes, corruption or acts of stupidity within the movement. We ignore these at our peril. If they “give ammunition to the bosses” then it is all the more important that they be addressed by the unions.

To paraphrase an ancient dictum, the correct course is not to shoot the messenger, but to heed the message and debate its contents.

The cartoons



FIFTEEN years ago, when Inside Labour first appeared, the first of the annual collections of cartoons by Jonathan — Zapiro — Shapiro was published. As an avid fan I have a copy of that first book — and each of the 14 that followed. To my mind, these provide the most succinct analysis of major political and economic developments in each year. So I was immensely grateful when Jonathan agreed to allow one of his cartoons to be used as a cover illustration and to provide 15 labour-orientated cartoons to introduce each of the annual selections of Inside Labour columns.

1996



The end of the transitional government of national unity (GNU), a result of the Codesa negotiations at Kempton Park, arrives. So too does perhaps the world's most liberal Constitution and the year also sees the launch of GEAR — the government's neo liberal Growth Employment and Redistribution proposal. It comes at the same time as the Social Equity proposals by the labour movement that are based on a diametrically opposite premise and provide the basis for ongoing economic debate and acrimony. Here is the start of the conflict between government's macro-economic policy and the ideals and ideas of the labour movement, especially in terms of attitudes towards privatisation.

This year also sees the the first prominent whistleblower about political corruption — Bantubonke Holomisa — sacked for exposing the fact that Sol Kerzner, the gambling and hotels tycoon, had bribery and corruption charges dropped after giving a R2 million handout to President Nelson Mandela and the ANC. Holomisa goes on the form the United Democratic Movement.

The Truth and Reconciliation Commission (TRC) also gets underway and — controversially — the first indications appear that former defence minister Magnus Malan and the apartheid dirty tricks establishment, along with letter bomb killers such as Craig Williamson, will be let off the hook.

For the labour movement, the primary focus is the application of the new Labour Relations Act, with its inclusion of the Commission for Conciliation Mediation and Arbitration (CCMA). It also sees many unions moving from militancy on the margins to the mainstream.

Silencing the privatisation protests

Despite all the hullabaloo and proclamations of union power, last week's national framework agreement on privatisation contained nothing new.

It was simply a reiteration of established positions. Yet it will probably serve the purpose of taking the steam out of protests about privatisation.

Significantly, most of the top brass in Cosatu were missing from the launch in Cape Town. They were tied up in their Johannesburg headquarters, dealing with much more important matters: discussions with their trade union federation counterparts from Swaziland.

This provided another illustration of the usefulness of the symbiotic nature of government in South Africa.

It would have been a diplomatic blunder of the first magnitude for the South African government to enter into discussions with the leading opposition force in a neighbouring state. But Cosatu, though a member of the governing alliance, could do so.

For Cosatu loudly trumpets its independence. At one level, this is a valid claim. The trade union federation is, in the final analysis, subject to whatever pressures are exerted by its rank and file members. But, at a leadership level, Cosatu is very much part of the ANC-led alliance in government.

This means that decisions taken by government — on anything from privatisation to the state of affairs in Swaziland — are usually agreed on by all members of the alliance.

The partners constantly confer, debate and reach compromise solutions on issues such as the restructuring of state assets, a term that implies more than simple privatisation.

This does not make the new framework agreement a victory for the unions over uncontrolled privatisation. Rampant privatisation was never intended.

But it made for a classic straw man. And knocking it down has apparently worked.

Only the 110 000-strong Municipal Workers Union refused to endorse the agreement in the closed executive meeting at which it was discussed.

This should not be surprising as the Cosatu leadership remains very much in command.

The use of the term “reconstruction” is important. It is not synonymous with privatisation.

Privatisation means just what it says: the sell-off of state assets. Reconstruction, on the other hand, can include the sale of these assets. But in the present South African context, it also implies the probability of a continued state or state-linked presence in these reconstructed sectors.

The government is seeking a middle way. It faces the same problems as any regime committed to social equity in a harshly competitive world: government political priorities tend to run counter to the dominant economic rationale.

The result is the reconstruction balancing act. It is an attempt to straddle the divide between the demands for social equity and those for profit, with the probable end result of pleasing nobody.

But after so much talk and so many claims, confusion and apathy seem a much more likely outcome than conflict and anarchy.

A tale of union anger — and collapse

WHEN John van Wyk and 58 others have their day in the industrial court in Cape Town in coming weeks, it will signal the end of a brief but tumultuous chapter in South African labour history. It will not close the book on the conditions and circumstances which gave rise to considerable turmoil in the trucking industry over the past 18 months.

All 59 are long-distance truck drivers claiming wrongful dismissal from Mainline Carriers. The merits and details of the case cannot, for legal reasons, be commented on.

But these are not really the pertinent issues for those outside the immediate process. Nor is whether they win or lose, although this will obviously have an effect.

What should be of immediate interest throughout the labour movement, and to all those concerned with labour relations, is the fact that every one of the complainants is a trade unionist — yet no trade union is involved. All were former members of the Transport and General Workers Union, of which Van Wyk was a senior shop steward.

All became disgruntled with the lack of service they received from the union and the conditions under which they worked. All became members of the Turning Wheel Workers Union, founded during the dramatic blockade of the Mooi River toll plaza in KwaZulu Natal in August 1994.

The subsequent blockades saw troops of the newly democratised government used for the first time against trade unionists. Agitators and hidden hands were seen to be behind the emergence of what promised to be a highly militant union in a very strategic sector.

Yet the blockades — copies of the actions of French farmers, as seen on television — and the formation of the Turning Wheels Workers Union were perhaps as close to spontaneous as any such actions ever can be. All the drivers needed were strongly felt grievances and a proposal which could be capitalised on.

Richard Madine, a self-professed socialist and member of the Worker's List Party, whose early political life had been with the Independent Socialist Movement on the East Rand, was the man who seized the moment. A former Transport and General Workers Union shop steward who had harboured the notion of an independent truckers union, he signed up hundreds of protesting drivers.

Madine then announced the formation of the Turning Wheels Workers Union. In a gesture of solidarity, the Worker's List Party provided office space in Johannesburg and CapeTown.

Fellow Worker's List Party member and former Metalworker's Union shop steward Ben Petersen was appointed national organiser in Cape Town. The peripatetic Madine, contactable through one of three cellphone numbers, was general secretary. The entire organisation, Madine announced, was being set up on the run. Initially it grew quite rapidly, then almost as dramatically, the Turning Wheels Union began to collapse late last year.

Again there were accompanying blockades and clashes with the police — against the background of an acrimonious fall-out between Madine and Petersen.

Last week Petersen, in a letter to the 59 former Turning Wheels Workers Union members, announced that he had become a born-again Christian and had “resigned from the union”, which had, certainly in the western Cape, ceased to exist. Madine, either in Johannesburg or Durban, continued to claim that the Turning Wheels Workers Union was growing.

“But it's all over,” says Van Wyk. “We all have lessons to learn and we had better learn them because nothing basically has changed.”

In short, the factors which gave rise to the anger and militancy are still in place, as are those which triggered the later organisational collapse of the new union.

The union banker sounds a Keynesian chord

When Sam Shilowa, the general secretary of Cosatu, last week warmly referred to Vella Pillay, the economist and banker, as “the only banker within the South African trade union movement”, he gave the clearest hint so far of the alternative economic strategy the trade unions would promote. For Pillay, the economic adviser to the Bank of China, is a man with clear ideas about the way forward for the South African economy.

Then this week Pallo Jordan, the communications minister, requested the National Institute of Economic Policy, of which Pillay is the director, to draft a response to the South Africa Foundation’s *Growth for All* economic strategy document.

This was the document that brought Pillay back from the margins of economic debate to the centre.

But he has for some time been listened to in a trade union movement determined to influence economic policy to encourage “growth with social justice”. Once openly tipped — in the euphoric days after the release from prison of Nelson Mandela — as the first ANC governor of the Reserve Bank, London-based Pillay is a bitter opponent of the conventional monetarist orientation of Reserve Bank governor Chris Stals.

He and his Johannesburg-based collaborator and financial consultant Charles Millward have lobbied and written for nearly two years about the “misguided” policies of the Reserve Bank and the government.

But they appeared to make little headway. Their decidedly heterogeneous audience in the ANC and trade unions tended to react to agendas being set by business and the Reserve Bank.

The shortcomings of this reactive posture were shown up clearly with the recent release of the foundation’s document and the government’s economic growth strategy. The government’s document was long on targets and extremely short on detail.

In contrast, the foundation spelled out policies which, in the present jargon, were neo-liberal, promoting rapid privatisation, free trade and an unfettered labour market.

Even when he castigated the foundation document as “an affront to democracy”, Tito Mboweni, the labour minister, could only promise that the government would respond to the proposals “at a later date”. Jordan — to the broad approval of most of the trade union leadership — has pushed that ball squarely into the court of Pillay.

This is likely to raise a number of hackles because Cosatu unions are still committed to “socialism” and given Pillay’s links with the unions and China, accusations of “creeping socialism” will probably be made. This would be a mistake. The course Pillay has promoted owes nothing to the ideas of Karl Marx, but a considerable debt to those of John Maynard Keynes, the father of the modern interventionist capitalist model.

This is why it would find support among sections of the business community and fierce resistance among elements in the trade unions. What Pillay proposes is a heavily interventionist package in which the state plays a major role in creating the conditions —and dictating the direction — of economic growth. Public spending lies at its core, as does a policy of a managed exchange rate with a devalued rand and lower interest rates.

His argument is that South Africa cannot open up to a fiercely competitive world without first addressing the disadvantages the country faces.

The national currency, he and Millward have maintained, should be priced at a level which would make local manufacturing competitive and generate substantial foreign exchange reserves.

Last week, Pillay told several leading trade unionists that this approach would reflect that of many of the Asian tigers, including Japan.

Exchange rates were deliberately devalued by these countries to generate sufficient hard currency to finance current account deficits without having to resort to borrowing.

He said it appeared nonsensical that while South Africa “digs some \$20 billion of minerals from the ground annually” it had only \$3 billion in reserves.

The arguments struck an extremely responsive chord.

They are likely to continue to do so within an administration becoming desperately concerned about rising rates of unemployment. A future corporatist state — its dynamic capitalist, but co-managed by the state, business and labour — now seems a distinct possibility.

April 4

Leaving policy to the specialists and executives

COSATU’S official alternative economic strategy document, tabled this week, was never referred to its affiliates. It was drawn up by specialists, discussed by the executive and decreed the official position.

The government’s municipal infrastructure investment framework document was also drawn up by specialists, approved by the now-disbanded RDP office and released to stakeholders. The RDP office admitted to trade union representatives that the document was not an official position but “a discussion document”.

These two documents are the latest shots in the battle to determine future economic policy for South Africa. How they were drawn up gives a clear indication that this battle is being fought in an increasingly rarefied atmosphere. Teams of specialists undertake the work, commissioned and sanctioned by executive committees.

It could be argued it is more efficient, and more expedient, to conduct policy debates in this way. But these arguments are not made public. Instead there are constantly reiterated commitments to transparency and democratic debate.

In the Cosatu offering, specialists, operating through the labour caucus of the National Economic Development and Labour Council, were from the National Institute for Economic Planning, headed by Vella Pillay.

Those behind the government document, operating through the urban infrastructure investment planning team, were drawn from the Development Bank of Southern Africa and the World Bank.

This area of investment was addressed behind closed doors at a two-day conference in Cape Town last week where trade unions were conspicuous by their absence.

The Cosatu executive was meeting at the same time in Johannesburg to discuss its broad economic vision. Top leadership could, therefore, not attend what was billed as a major event.

Only two trade union representatives sat in on the Cape Town conference. One was a Paarl municipal worker delegate, representing the Federation of South African Labour Unions, the other a municipal workers’ union official, representing Cosatu. Neither seems to have been impressed by the proceedings and there was little debate or mention of the response presented to the government by the South African Municipal Workers’ Union (Samwu).

Samwu's document should be released next week. Its proposals to "limit the influence of private capital on the form and content of the restructuring process", contradict an official view from the Cape Town conference.

Marinus Daling, the chairman of Sanlam insurance company, said the conference opened the way to private investment in infrastructure projects. But his market-based approach contradicts the Cosatu and Samwu documents.

There is also some stirring among trade unionists over Cosatu's proposal to cut overtime to increase jobs and because nobody asked if the rank and file approved.

April 19

Effects of moving from militancy to the mainstream

ADJUSTING to the changed circumstances wrought by the government of national unity has caused considerable strains within the trade union movement. A multitude of political strands, trends, and tendencies, some in small independent unions, were held together by the ideological cement of opposition to apartheid. They have been free from this compelling unity now for two years.

One early result of the change was the drafting, from the mainstream trade union movement into the parliamentary political arena, of leading trade unionists. Many of these came from the loose but extremely prominent formation of syndicalists — politically non-aligned radical trade unionists — who often dominated the early unions. They were simply absorbed into mainstream parliamentary politics. Among the individuals once numbered with them is cabinet minister Alec Erwin, former MP and now company chairman, Moses Mayekiso and the director general of the recently dissolved RDP department, Bernie Fanaroff.

But their move to the mainstream accurately reflected the sentiment among the overwhelming bulk of the rank and file. For all the cries of "forward to socialism" and loudly expressed desires for union independence, most union members — as election results and other indications of ANC support have shown — fell in behind the banner of parliamentary reform and support for the tripartite alliance.

This left most of the revolutionary political tendencies — ranging from Trotskyists and Maoists to radical black nationalists — largely stranded as isolated outposts in a sea of reformist sentiment. For those individuals and tendencies in the major unions this merely meant adapting to minority positions. In many of the smaller independent unions where often articulate and tightly organised radical groupings held dominant positions, matters were not so clear-cut.

Frequently represented in only one or two provinces, these smaller unions — referred to disdainfully within the Cosatu leadership as "mushrooms" — opposed any alliance with government. But they have become increasingly marginalised. This has led to two tendencies in the struggle to survive: to seek alliances or attempt to hold the line against change.

This latter course has resulted in a number of minor explosions, the latest of which has struck the National Council of Food and Agriculture Workers (NCFAW). NCFAW is the only union with a dominant influence exerted by the secretive and avowedly "Maoist" Communist Party of South Africa (Marxist-Leninist). After a bruising conference in East London late last month which was boycotted by the majority of Eastern Cape branches, it now faces legal actions brought by rebel members.

The Port Elizabeth, Aliwal North, Grahamstown and Queenstown branches stayed away. They maintained that the conference was being "manipulated" and was "unconstitutional". A court hearing is scheduled for next month.

Many among the rebels are now talking of rejoining the Cosatu-affiliated FAWU, despite their opposition to Cosatu's alliance with the ANC. "We must be part of a bigger unity and make the arguments [about

independence] inside,” said one of the rebel organisers who wished to remain anonymous.

The Eastern Cape was also the scene on April 13 of unity talks between smaller unions organising in the hotel, catering and restaurant sectors, several of them breakaways from the Cosatu-affiliated catering union, Saccawu, and one an Azanian People’s Organisation (Azapo) dominated union.

Driving force behind the talks was the newly renamed and Western Cape-based Hotel Allied and Restaurant Workers’ Union (Harwusa) whose general secretary is Bevil Lucas, well-known as a member of the Workers Organisation for Socialist Action (Wosa). “We need to come together on a federal or unitary basis to have a national presence,” noted Lucas. “And political affiliations should not matter. We are trade unionists and our members belong to all manner of political groups.”

The object is not mere survival. At earlier talks Harwusa and the other unions agreed that the object was to establish a national, politically unaffiliated trade union. It would organise exclusively in the hospitality industry at a time when the larger unions tend to be spreading their range of coverage.

It should make for a handy niche. But still on the margins.

** Many of the unions involved then are no more and, with the exception of the SACP, that dominates the Cosatu bureaucracy, there is little or no influence of other minority political tendencies.*

June 7

The Nedlac terrain of struggle

IN THE fairly euphoric wake of the first annual summit of the National Economic Development and Labour Council (Nedlac) a storm is brewing. The turbulence, which could severely rock Nedlac, comes from the glaring contradictions which have emerged in positions adopted by the main trade union federation, Cosatu,

At last weekend’s summit, for example, all the parties at Nedlac — unions, business and the government — passed an eight-point resolution, emphasising a united approach to the forum. It defined Nedlac as “a process of social dialogue and agreement making” in which “confidence and trust” should be built.

The overall atmosphere was one of co-operation and mutuality. Yet, only six weeks earlier, at the Cosatu Living Wage Conference, a resolution referring to Nedlac as “a terrain of struggle” was adopted. Far from calling for the building of confidence and trust in the process, the 350 delegates to the conference, a virtual mini-congress of the federation, resolved “not (to) put all our hopes in Nedlac”.

Tito Mboweni, the labour minister, who was a leading speaker at both conferences, was aware of the Cosatu resolution, which was why he launched such fierce criticism of both labour and business in the run-up to the Nedlac summit. He stressed that differences be resolved in the interests of co-operation.

Certainly there was no reference from the trade union side of the most recently adopted official attitude to Nedlac. Small wonder, as the 10-point resolution, which ended with a “commitment to a vision of socialism” and a call to “keep the red flag flying high” was passed amid a chorus of “Viva socialism”.

It would have been enough to cause a series of apoplectic fits in boardrooms across the land, especially since the resolution was moved by the National Union of Mineworkers, seconded by the Food and Allied Workers’ Union — and adopted unanimously.

But aside from the rhetoric, the Cosatu resolution clearly sees Nedlac in a wholly different light to the way it has been portrayed over the past week. The second point of the resolution states that Cosatu needs to “use Nedlac to challenge and change the power relations in favour of the working class”.

Nedlac is seen as “a terrain of struggle to be contested” and in which “we must sharpen class

contradictions". Such sentiments and terminology may be dismissed by Mboweni as outmoded. But the simple fact is that it was in these terms that one of the most representative of Cosatu's gatherings of recent months chose to put forward a position which obviously has considerable, if not majority, support.

Ignoring it will not cause it to vanish. Yet this seems to be the approach being adopted. The official Cosatu publication, the Shop Steward, for example, last month carried a brief reference to the resolution. This noted that the resolution restated "Cosatu's position on the role, function and limitations of Nedlac". It also mentioned two of the less contentious points among the 10.

But no amount of fudging the issue or playing with words can obscure the fact that there are obviously two strongly held, and diametrically opposed, points of view within Cosatu about the role and nature of Nedlac. The root of the question lies with whether or not the historic differences of interest between employers and employees can be welded into a common platform.

This question, for all the admonitions from ministerial level, has not been resolved. The very gentle Nedlac summit resolution, which was agreed by Cosatu representatives, does nothing to answer the very combative Cosatu position adopted on April 20.

Since much of the Nedlac debate centres on the question of economic restructuring and privatisation the issue, for Cosatu at least, may be resolved on the streets on July 2. It is then that the Transport and General Workers' Union — it now has the support of Cosatu and all its affiliated unions — has called for mass action. This should give a good idea of what policies the unions are calling for, and how strongly the members feel about them.

June 21

Pap and gristle

THERE ARE two causes of poverty in South Africa: no jobs and bad jobs. That is one statement from the labour market report tabled yesterday with which the trade union movement will agree wholeheartedly — and about which there can be little dispute.

The more controversial figure on overall unemployment produced by an International Labour Organisation survey, and released at the same time, has also been welcomed in many trade union quarters.

This is because, in maintaining that the unemployment rate is much lower than even the official figure of 32 per cent, the ILO survey strengthens the position of the unions in society. But the simple truth is that nobody knows how many of the workforce are actually unemployed — or even exactly how large the workforce is.

The last census was carried out in such an erratic manner that it took six months of reworking the data before it could be packaged in an anywhere near acceptable form. Certainly, until now, the trade union movement, from Cosatu through to most of its affiliates, has consistently maintained that unemployment ranges above 40 per cent.

The government said 32 per cent and now the ILO has said, "possibly nearer 20 per cent".

While waiting for the results of the next census, some radical rethinking on unemployment will be necessary for all parties. But the apparent confirmation of the relationship between many jobs and poverty has given an important focus on wages — just as the annual wage bargaining season gets underway.

"We are often portrayed in the media as being greedy by asking for what seem like huge wage rises," said a Cosatu spokesman.

“We read about unions demanding 50 per cent or even 100 per cent pay increases, but the reports never say what the pay is to start with.”

The National Union of Mineworkers was quick off the mark to illustrate the point. The NUM is preparing to go into wage talks with the Chamber of Mines next week and on May 2 tabled demands for pay rises which ranged from 18 per cent to 100 per cent.

“This has been published and makes it seem that we are asking for huge amounts of money,” said Judith Weymont, the NUM spokesman. “Set in context, this is far from true. For example, 100 per cent (increase) of R390 is only R780.” And this is the context for miners.

For, next to domestic workers and farm labourers, miners contain among their number probably the lowest paid employees in the economy.

At the bottom of the wages league are the coal mines. On some smaller coal mines men are working underground for as little as R360 a month. These are miners for whom a 100 per cent wage rise would mean elevation to little more than the recommended minimum wage for a domestic worker.

According to NUM figures, only five mines or quarries in the country pay more than R1 500 a month — the “living wage” level set by Cosatu about three years ago.

And while some of the worst conditions are to be found on small, often family-owned coal mines, they are by no means exceptions.

Top payer for mining labourers is Rio Tinto at R2 046. Bottom is Freddie Minerals at R300 a month.

In a number of cases, miners on some of the lowest wages also do not have canteen facilities or rations. Yet the provision of food and accommodation is usually quoted as justification by apologists for low wages.

However, even where food and accommodation is provided, it is often of a dubious standard. “If you don’t mind 16 men to a room and pap and gristle twice a day, then I suppose this is a great benefit,” said a NUM official.

But low wages and poor conditions combined with often arduous work can be found throughout the employed sector. Most cases are obvious legacies of the apartheid system, but while they exist they will continue to provoke anger and industrial disruption. Against this background, the promotion by the labour market report of a prices and incomes policy seems at best naive.

July 26

Unlocking the lock-out riddle

THERE HAS been a lot of publicity about the battle over the rights of employers to lock workers out and the rights of workers to strike. And there will probably be a lot more. But most of it so far has been based on a complete misreading of the facts.

The most recent argument about these rights was in the Constitutional Court hearings where the employers lost their demand that the right to lock workers out be enshrined in the constitution. The unions won that battle and the right to strike will accordingly be part of the constitution, when it comes into effect.

But just because the constitution does not entrench the right to lock workers out does not mean that employers may not do so; they can, under laws governing labour relations and the conduct of disputes.

These matters are covered by the Labour Relations Act (LRA) or, rather, Acts, because there are two of them. Act 28 of 1956, as amended at various times, dates from the apartheid era and is still in force. The

new post-apartheid Act of 1996 will only become law and supersede Act 28 by the middle of next month. So disputes like the present one in the clothing industry are covered by the old Act. Both employers and unions have followed it in carrying out the lockout and strike. If the new Act was in operation though, there would have been little difference, because it also allows for strikes and lockouts.

“Both the employers and ourselves probably did everything legally according to both Acts,” said Wayne van der Rhee, the Western Cape secretary of the South African Clothing and Textile Workers’ Union. “There really is not much difference on the ground.” Nor will the new constitution change things much.

Sarah Christie, a senior legal researcher at the University of Cape Town, agreed. “What the constitutional provision does is grant an overriding right (to strike),” she said. This means that parliament may not simply pass a law removing the right to strike, but would have to amend the constitution. It can, however, remove the right to lock workers out.

This amounts to a great advantage for trade unions and their members because it is much easier to change a law than to change the constitution. That is why employers fought so hard to make the right to lock workers out a constitutional provision. But their legal right to do so has not yet been challenged. In fact, it cannot be challenged because it is in both the 1956 Act and the 1996 one, albeit in a slightly modified form. “The only way the trade unions could evoke the constitution against lockout might be if they tried to have the LRA declared unconstitutional,” a labour lawyer noted.

Since the Act was the result of agreements made largely in the National Economic Development and Labour Council between business, union and government representatives, that is hardly likely. In any event, Sam Shilowa the general secretary of Cosatu, called it a victory.

It certainly tidies up the racist legislative swamp of the apartheid era. Lockout and strike procedures are clearly laid down.

These rights and the exercise of them seem unlikely to cause any more friction than they have in the past and they should certainly not be a central concern.

But the new Act has the potential to trigger bitter conflict between employers and unions. It conceals a legal time bomb that the dispute in the clothing industry has revealed all too clearly: the right to employ replacement labour or, in emotive trade union jargon, scab labour. This is legal under the new Act.

If a trade union gives notice of a strike, as the clothing union did in the present dispute, employers may respond with notice of a lockout.

And when a lockout is precipitated by a strike, employers have the right, under section 76.1(b) of the new Act, to employ replacement labour.

From the middle of next month, this will probably be the law. It will only be a matter of time before some employer somewhere uses it and the unions respond.

October 11

Democracy is a lengthy process

ALTHOUGH the recent congress of Numsa, the powerful metalworkers’ union, rejected the government’s growth and redistribution (Gear) strategy, the economic arguments were not explored fully nor, as a consequence, understood by most delegates. That was agreed at the Numsa congress.

At Kempton Park’s World Trade Centre two weeks ago, the whole question of “pro-active” involvement with the government and even the question of support for “restructuring” the economy — which was passed — caused consternation. Given time restraints, the arguments were often bitter, but always brief.

Only the delegates from the Eastern and Western Cape regions presented comprehensive resolutions on economic policy. Others — and many from the Eastern and Western Cape — felt that there was insufficient time to deal with and explain such complex matters as fiscal policy and the niceties of the balance of payments.

There was, in fact, little attempt by most of the union's nine regions, to tackle the question of economic policy. The upshot was a call for a national conference on economic policy and the attitude of the union towards it.

But it did not stop there. One long weekend in three years was also felt, by many delegates, to be inadequate to address critical areas such as the ANC-led political alliance, the whole question of collective bargaining and the issue of socialism.

In common with Cosatu and most other trade unions in that federation, Numsa remains dedicated to an undefined future labelled "socialism".

The Western Cape, KwaZulu-Natal and one of the Gauteng regions also supported the Numsa 1993 resolution calling for Numsa to withdraw from the ANC-led tripartite alliance. Among the arguments for this resolution was the fact that, once the ANC became the government, it would also become a major employer; that it would be contradictory for a trade union, representing worker interests, also to be allied with an employer organisation.

Similar arguments surfaced again at Kempton Park. There were some strong words and at least one delegate publicly slammed the "notorious" reputation of Numsa regions in provinces not controlled by the ANC. "That left a sour taste," noted a Western Cape delegate.

In the name of a common approach and unity, it was decided that more discussion was needed. "We want a common approach to all these issues," said a regional official. "We also have to understand exactly what we are talking about."

Over the next few days the various Numsa regional offices will be receiving the bulky reports and resolutions from the recently concluded triennial congress. At report-backs and discussions among shop stewards, the issues of the additional conferences will be raised.

Although Numsa is apparently committed to staging them, it is difficult to see how this could be managed. When the union decided to meet nationally every three years, one of the arguments was financial. The fifth national congress now seems to have put forward the demand for another four national conferences.

Most of the pressure to stage such gatherings is likely to come from regions which have already shown an active interest in areas such as the maintenance of the tripartite alliance and the detail of economic policies. These are in the minority.

In any event, there should be room to discuss such topics — they fall under the broad heading of the future of the unions — through workshops and other forums organised with reference to the September commission's activities.

The majority of the Numsa congress felt "we needed to find common ground," said the regional official. "The trouble is that democracy is a lengthy process.

The Kwere-kwere walk softly in a hostile land

INNOCENCIO Macaia Nunes paid in more ways than one for his taxi ride home from work on October 2. In the first place, he paid with his life when the taxi, carrying night shift workers, crashed. But the fare for that uncompleted final trip was also deducted posthumously from the few days' pay owed to him up to the time of his death.

The pay itself — from a branch of a national fast food chain — was little enough: R720 a month and meals to the value of R180 for a six-day, 42-hour week. But it was the best of a number of jobs this trained marine electrician and welder had managed to find. For Innocencio was a kwere-kwere, a foreigner, an alien — a refugee. As such, he found himself near the bottom of the South African labour pyramid.

“But not right at the bottom,” said Carl Wesselink of the Lawyers for Human Rights (LHR). “That status belongs to another group of migrant workers: internal migrants from the desperately poor rural areas.”

However, Wesselink's comment related only to legal workers, whether foreign refugees or internal economic migrants. Illegal, mainly farm, labour — primarily Mozambican peasants in Mpumalanga and Basotho on farms in parts of the Eastern and Western Cape — form yet another, often virtual slave, category.

But refugee workers frequently find themselves lumped together, in the minds of bosses and fellow workers, with the illegals, the victims of exploitative greed on the one hand and xenophobic fears on the other. They also tend to find themselves working — irrespective of formal qualifications — in sectors notorious for exploitation: farming, construction, transport, restaurants and security. Better-qualified migrants such as Innocencio and his two friends from the war-ravaged north of Angola, had skills which kept them in the urban areas.

Like other “Aliens Act” workers in South Africa — refugees accorded the right to live and work in the country — Innocencio lived his life by six-monthly instalments. “Every six months we go to home affairs for the permit,” said his friend, Joao. As such, they feared ever doing anything which might jeopardise their status. “This is something unscrupulous employers can use,” said Wesselink. It is also an excuse not to guarantee any employment beyond six months.

In the case of Innocencio and his friends it was certainly used. Joao, for example, was promised R150 a week to work as a labourer helping with the wiring of houses. Within a week, he was doing the wiring on his own and was paid R60 a week. “The boss he just kept saying he was short,” said Joao. But the hours were long and there was little time to look for other work. Innocencio and the second friend, Pedro, helped out by providing some cash and making contacts.

Today both Joao and Pedro remain fearful of drawing attention to themselves and refused to allow the use of their proper names. Both now work as security guards, drawing a basic wage of R1 071 a month for a sometimes 50- or 60-hour week. They managed to pay for and complete three courses, each of one month, before landing these jobs. Their pay slips show that there are no deductions for unemployment insurance, for medical aid or for pensions. They are, it seems, “permanent casuals”.

“It's illegal of course,” said Wesselink. Even under the present legislation, anyone working for three consecutive days must be accorded full rights. There should be no such thing as a permanent casual.”

It is also a situation likely to continue, despite new labour laws. Refugees, often with language difficulties, living their lives from permit to permit, are easy victims for exploitative employers — and xenophobic South African workers. Realisation of this has led to talks among a group of non-governmental agencies about the need to establish some structure to which the refugees could turn for help. “A relatively high

degree of xenophobia meant that the trade unions could not initiate such a project,” said a participant.

Under the aegis of the LHR, and steered by LHR intern Jeff Handmaker, a conference of consortium members will be held on November 14. From it may emerge some means of protection for refugees — and some means of educating and informing South African workers about the facts concerning “Aliens Act” workers.

It may even provide suggestions for dealing with the case of Innocencio Nunes. More than a month after his death, his body still lies in a Cape Town mortuary, waiting to go home.

November 15

The legacy of the old order lingers on

THE NEW era of post-apartheid labour law has arrived. But the legacy of the old order lingers — and nowhere more so than with the BTR-Sarmcol dispute. One of the great signposts of the international anti-apartheid struggle, it spawned a classic example of protest theatre, which toured Britain, and a poignant television documentary shot by Melanie Chait, now of the SABC. The township of Mpophomeni, home to most of the strikers, became almost as widely known as Soweto and Sharpeville.

Because of its international profile at a time of censorship and repression on the home front, the BTR-Sarmcol dispute is probably more widely known in Britain, home of BTR — formerly Birmingham Tyre and Rubber — than it is in South Africa. But in the minds of most activists, there as well as here, the dispute has long since passed into history.

Yet it is far from over. The latest round in a 12-year saga will get underway in the new year when the metalworkers’ union Numsa, takes a decision of the labour appeal court to the appellate division. Beyond that, lies the prospect of the Constitutional Court as the final battleground in this marathon industrial war.

It is a war which made statistics of worker activists in KwaZulu-Natal’s “political violence” after they were kidnapped from their homes and butchered. Simon Ngubane, the BTR-Sarmcol shop steward whose story was told in Chait’s film, was one. The film — and news of his death weeks after its completion — provided a rallying cry for anti-apartheid activists of the late 1980s.

“But those times were very different from today,” said Phillip Dladla, a former shop steward at BTR-Sarmcol and now a Numsa organiser in Pietermaritzburg. On the one hand, it was a time categorised by former president PW Botha as a “total onslaught”; on the other, a time which was often a confusing maelstrom of grassroot hopes and aspirations, compounded by the demands of competing political tendencies.

Characters as diverse as Ishmail Mohammed, the new chief justice, Jay Naidoo and Alec Erwin, government ministers, and the late Harry Gwala, the fiery communist militant of the Natal Midlands, all had walk-on roles. Out of the resultant tangle of perceptions and accusations have come two separate mythologies, one tailored by labour movement activists and their supporters, the other by management.

“The facts are clearly contained in the latest court judgement,” said labour lawyer Graham Giles who had represented BTR-Sarmcol throughout the dispute. It was the only comment he would make. “Not so,” said Numsa spokesman Jenny Grice. “It fails to acknowledge the industrial relations environment of the time.”

This environment, according to Numsa, was “characterised by racism, anti-unionism supported by apartheid laws and inequality in the power relations between the parties”. Dry legal arguments could never convey the emotive force of those times, whichever decision they supported.

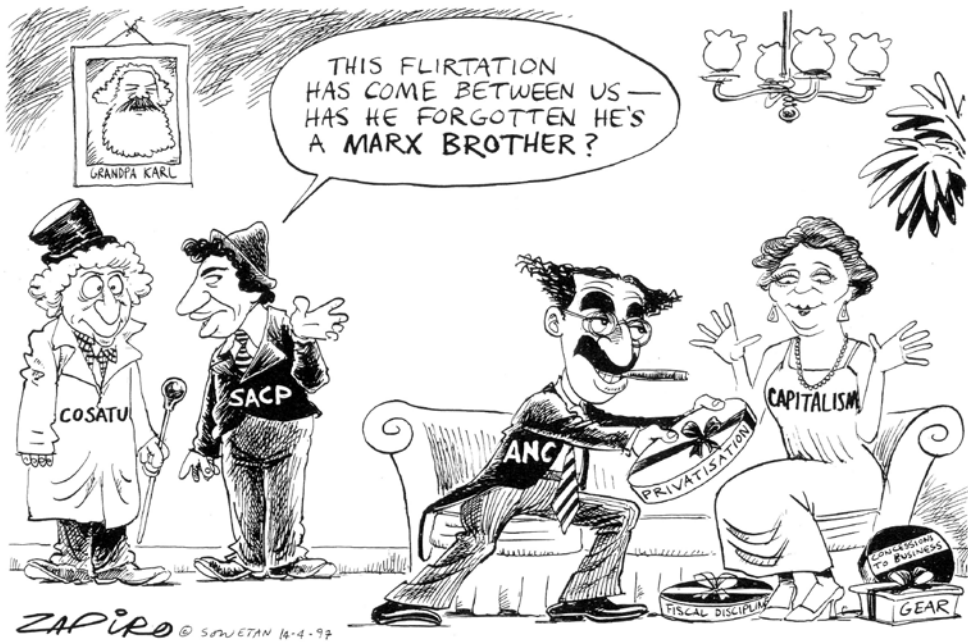
The undisputed facts are that there was a strike at the BTR-Sarmcol plant near the sleepy little KwaZulu-Natal village of Howick on the eve of May Day, 1984. There were talks, to-ings and fro-ings of union representatives and labour lawyers — and the eventual sacking of the entire workforce of 1 000.

Then came the employment of replacement labour — “scab” labour, according to the unionists — the legal battles, the formation of worker co-ops, the bloody clashes between Inkatha and United Democratic Front supporters, the deaths and the bitterness. The legal argument now hinges on whether the strike was an illegal protest about May Day or a legitimate battle for union recognition.

Last year there was a “without prejudice” R1.5 million offer from the company to settle the matter. Numsa made this public — and demanded R75 million. “There are still more than 600 of the strikers around Howick,” said Dladla. Some were elderly, some unwell and nearly 100 had died during the 12-year wait.

As Natal University researcher Debbie Bonnin discovered last year, several among the survivors are bitter. Almost without realising it, they played a brief, but vital role in the battle for trade union rights and against apartheid. They paid a heavy price and now feel discarded.

These feeling persist today. “Many people climbed up there because of our struggle,” said one, “and now they forget us”.



The TRC continues its hearings with more exposés of murder and mayhem along with denials and evasions from former president F. W. de Klerk and the National Party; the Pan Africanist Congress continues to implode and the ANC's Alan Boesak is charged with fraud while Bantubonke Holomisa seems to be heading into a political wilderness. The National Party transforms itself into the New National Party under a former military intelligence officer, Marthinus van Schalkwyk.

The main focus for the trade unions is the ongoing threat of privatisation with the first of many rows with business and government about the increasing casualisation of labour. The controversy of the Springbok rugby kit being made abroad also brings to the forefront the already evident threat to the local garment industry. The Deelkraal mine disaster at Cartonville also raises — again — the issue of mine safety when 19 miners die and 24 are injured.

One promised improvement hailed within the labour movement is the undertaking that a 40-hour working week will be introduced over the following five years ending, in South Africa, a more than century-old union demand. Fourteen years on, the unions are still waiting.

A double-digit start for the new year

INSIDE Labour is back today after the festive break — with news that the first wage award of the new year is likely to be solidly into double digits. This may cause some jittery comments in business circles, but should gladden the hearts of trade unionists girding up for the annual wage round. It should also provide another feather in the cap of the newly established Commission for Conciliation, Mediation and Arbitration.

For it is under the aegis of the commission — set up by the two-month-old Labour Relations Act — that employers and union representatives from the deadlocked security industry talks met again yesterday.

Nine of the 10 unions in the industry caucused earlier in the week with the knowledge that the employers had raised their offer to 12 per cent.

The unions had been demanding a 15 per cent increase when the deadlock was declared last month.

Although there was no official comment yesterday, it seemed clear from both sides that agreement would be reached on an average pay rise of 12 per cent. This would be made up of R150 — 15 per cent — a month pay rise for the lowest paid, with 10 to 12 per cent for higher grades. Should the deal be struck — it would also include improvements in provident fund arrangements and in cleaning and nightshift allowances — an announcement will be made today.

The agreement has then to be approved as a wage order by the labour ministry, something which all parties seem to regard as a formality. The order would take effect from March 1 when the current order expires.

The entire process might have been a textbook example of dispute resolution under the new Act — were it not for the turbulence which continued to erupt on the margins. It was this which attracted most media attention and which seems likely to dampen enthusiasm around the settlement.

“We think a settlement at 12 per cent would be a victory,” said one union negotiator, “but the confusion and troubles will hurt trade unions.” Focus for the turbulence was the tiny, Western Cape-based National Union of Security Officers and Guards (Nusog) and its founder-chairman, Charles Gerald Wilson. A disbarred lawyer and former labour consultant, Wilson proved adept at gaining media coverage and initially worked within the trade union caucus.

He then moved in and out of the negotiations amid accusations of belligerence, drunkenness, threats and abusive behaviour. The tenuous wage talks unity forged among the unionised fragments of the industry were often strained as a result. Wilson also accused the Transport and General Workers’ Union and the eight other unions last month of conspiring with the employers to “cook up sweetheart deals”. He maintained that workers were betrayed when the unions lowered their claim from an initial 50 per cent or a minimum of R1 500 a month.

“This caused a lot of confusion among workers,” admitted Jerry Ngcobo, of the Transport and General Workers’ Union, the largest union in the industry. “We would like a minimum wage of R1 500. We think workers deserve that. But we have to be realistic.”

According to union negotiators such realism was determined largely by the current economic climate and the fact that union organisation within the sector was notoriously weak.

So, while Wilson continued to attract attention with his antics on the sidelines — he has demanded the dismantlement of the national wage bargaining forum — the main event continued. It now seems to be reaching a conclusion, but the fireworks on the margins still seem far from over.

Wilson now seems likely to be the main focus following his boast that “I never have — and never will” face a criminal charge. The statement led to inquiries at the Western Cape attorney-general’s office where it was confirmed last month that a file concerning Wilson and a matter of R82 000 of missing trust funds could not be found.

Yet the file — “as a matter of course” — should have been forwarded to the office by the Law Society following the Supreme Court hearing which found Wilson guilty of “unprofessional, dishonourable and unworthy conduct”.

This week, as the meeting of the commission gathered, the attorney-general’s office confirmed that a file had been forwarded and a police dossier opened. A fraud investigation was under way.

The swirl of allegations has led to confusion — and considerable disillusionment. “We even have some shop stewards talking now of starting their own unions,” said Ngcobo. “Yet what we need now is to build more unity.”

A double-digit pay settlement may provide some help.

** Charles Wilson shut up shop and disappeared from the scene.*

February 7

Inevitably, the anti-privatisation drive gets underway

A CONCERTED effort to counteract the drive toward privatisation of state assets has begun. At a national meeting of the South African Municipal Workers’ Union (Samwu) last weekend, the outline of a comprehensive anti-privatisation campaign was drawn up. Starting first among the public service unions, it is planned to spread to other unions and civic organisations.

It was perhaps inevitable that such a move would be made. To have expected the rapid and apparently total ideological *volte face* of recent years to have melted away without at least a loud murmur of protest would have been naive in the extreme.

What also tends to be forgotten is that, as little as five years ago, the policy of the ANC remained the nationalisation of the “banks, mines and monopoly industries”, which accorded with the broad orientation of its allied trade union movement, Cosatu. Industries and services already in state hands — a substantial quantity of the national wealth — obviously required sometimes radical restructuring to remove apartheid distortions, but there was no serious talk of privatisation.

All that has now come full circle, with President Nelson Mandela stating categorically last year: “Privatisation is the policy of the government.” The Cosatu leadership and the leaderships of affiliated unions obviously found this transition rather more difficult to accept and there were a series of defensive battles.

Responses from union quarters tended to be convoluted and often contradictory. However, Samwu was in a rather different category from other unions. Because of the nature of local government, its area of influence fell politically under the local government ministry of Valli Moosa rather than Stella Sigcau’s public enterprises ministry. Over the past two years, a series of talks resulted in agreement between the government and Samwu about local government restructuring. “The government has simply reneged without any reference to us,” said Lance Veotte, a Samwu organiser.

But while the specific problems between the union and government over municipal restructuring was a prime focus, Roger Ronnie, Samwu’s general secretary, stressed the broader nature of the new campaign. “Until now, the way in which the whole privatisation argument has been posed has accepted that public ownership is, of itself, bad,” he said. “We accept, in local government, for example, that there are

problems with bloated bureaucracies and a lack of transparency. That does not constitute any reason to privatise. Problems can be remedied and the enterprise can remain in public hands.”

The prime problem, as Ronnie and his union see it, is the lack of adequate information on the economic and social effects of privatisation. To fill this gap, Samwu has commissioned the International Labour Resources and Information Group (Ilrig) to provide data on privatisation around the world.

This, and other information gleaned through local unions, would be published in a bulletin which Samwu hopes to distribute widely. Using its own resources, the municipal union is also drawing up alternative proposals for a number of areas such as water and sanitation which have been ear-marked for privatisation.

“But this does not mean the union merely accepting so-called market principles and becoming another, profit based organisation competing to run the resources,” said Ronnie. “We intend to take the long view, not the approach which looks only to short-term financial gain, often for the very few.”

The first specific campaign by the union will be aimed at moves to “contract out” water services in Cape Town, Johannesburg and Durban. A “lead up” to this will be a series of “information activities” planned by Samwu next month during National Water Week.

But was this not just a case of tilting at windmills, especially since the seemingly Damascene conversion of the government to market principles and privatisation? “Not at all,” noted Ronnie. “We may have started late, but that was because we didn’t think it would be necessary to campaign.

“The facts, when you look at them closely, are on our side. Our campaign is neither futile nor too late in coming.

February 21

Plunging into investments — and contradictions

THAT VOCAL, anti-investment minority within “liberation movement” circles may soon feel themselves justified. It was they who warned that organisations committed to broad concepts of social equity and economic justice should not venture into the marketplace in search of profit. Such dabbling, they said, would result in confusion, bitterness and conflicts of interest which would damage the organisations involved.

They argued that trade unions and community development organisations comprised responses to the dangers of gross exploitation; that they were forms of collective protection against the unscrupulous and unjust.

Such organisations were, by their nature, part of the checks and balances in a profit-driven system — and should never be confused with those driven by profit. This was a simple acknowledgement that the interests of employers — to maximise profit — and those of employees — to improve their wages and conditions at the expense of greater profit — were contradictory.

That these warnings went largely unheeded is clear from the number of “liberation movement” investment vehicles planned or which have come into play in recent months. So there was not much surprise when the South African Communist Party (SACP) announced this week that it was considering the investment plunge. But the SACP may well reconsider this tentative decision. For the inevitable has happened: the first of the predicted conflicts between unionised workers and a perceived “liberation movement” company has occurred.

Small, and heavy with irony, it involves 139 catering workers at the University of Cape Town. They are employed by Kagiso Khulani Services (KKS) where a major shareholder — and generally perceived owner — is Kagiso Trust Investments (KTI). The chairman and chief executive of KTI is Eric Molobi, a man with impeccable liberation movement credentials who is also chairman of KKS.

“We thought this was a black company and they told us the workers would be well looked after,” said National Education Health and Allied Workers’ Union senior shop steward Leonard Malukazi. “The workers all joined Nehawu and were put on a three-month probation on their old wages. A year later, the wages are still the same R1 000 a month.”

KKS chief executive Nigel Dunlop refuted union allegations that there was any offer of an increase in wages after three months. He pointed out: “KKS is part of an extremely competitive industry and our wages are determined by the market.”

“They told us we would have a living wage,” countered catering section shop steward Simo Gqomo. He and his co-workers define a “living wage” as the R1 500 a month proposed some four years ago by Cosatu. The company is offering an across-the-board 8 per cent pay rise at what Dunlop said were “very early stages of negotiation”.

“We thought first that Eric Molobi cannot know what is happening to us here,” said Gqomo. “Now we are worried.”

The concern comes from a realisation that KKS had to tender for the contract; that the budget and conditions set by the university meant that wages could not be any higher. It also stems from the fact that workers have now discovered that Molobi does not own KKS; that KTI is in partnership with Tongaat-Hulett, a subsidiary of Anglo American, which is controlled by the Oppenheimer family. Family head, Harry, retired as chancellor of UCT in June last year.

The irony is not appreciated by the workers. Nor is the fact that the Tongaat-Hulett holding in KKS is just 20 per cent. “We feel cheated,” said Gqomo.

The fact that KKS has a profit sharing arrangement with UCT administration has also done nothing to dampen sense of betrayal and anger. “I don’t care about this business giving money to the community. Workers are the community,” said Malukazi in response to a statement by Molobi that KTI ploughed back its profit into community development. “Kagiso Trust, which owns KTI, has funded over 750 projects nationwide,” said Molobi. In the past 10 years more than R1 billion had been paid out in grants to impoverished communities, R24,6 million in the Western Cape alone.

“So they must exploit workers to give something back to a few,” retorted Malukazi. “Why do they not just pay a living wage? For the KKS workers that would be less than R1 million in a whole year.

March 27

Privatisation and ‘tactical restructuring’

THINGS are not always what they seem. And that may well apply to the acceptance — even the apparently warm welcome — accorded by the labour movement to the Telkom joint venture deal. It could, in fact, lead to some acrimonious debate between government and the unions in the National Framework Agreement (NFA) forum.

For, despite appearances to the contrary, most of the trade union movement has not done a complete about-face on the question of privatisation. What has happened is that “limited privatisation” has become accepted as a tactical necessity. Moreover, one which might even be reversed in future.

The official view of the Communication Workers’ Union (CWU), for example, is that the Telkom joint venture was established “for a particular purpose”. This purpose was to enable Telkom “to expand telephones throughout the country and, in particular, to the disadvantaged communities”. Acceptance of the market and of a market economy does not feature in this line of reasoning.

The CWU view might seem naive or, in the eyes of some critics, cynically manipulative, but it is the dominant one among the labour movement hierarchy. It is the reason for the constant stress on the term

“restructuring” rather than on the often-dreaded “p” word. Much more than semantics is at stake, and that should become clear as the arguments emerge over the Telkom deal.

Although they were not aware in advance of the details of the agreement between Telkom and the Telekom Malaysia/SBC Communications consortium, labour leaders almost across the board were prepared to give it the nod. But they did so on the basis that the deal was heavily qualified. Borrowing from the jargon of the World Bank, it was described by Selebogo Kiti, general secretary of CWU, as “subject to conditionalities”.

The prime condition to which the labour movement considers the Telkom deal is bound, is that job losses will be avoided. “In fact, there should be job creation,” said Kiti.

According to the CWU, the government accepted, through the NFA, four key union demands before entering into negotiations for the Telkom joint venture. These were seen as non-negotiable and were to guarantee:

- employment security;
- development of human resources;
- penetration of services to disadvantaged communities; and
- retention of benefits for employees of Telkom.

It was the conviction that such conditions existed — and would be honoured — which enabled the unions to maintain their stance against privatisation in principle while accepting “elements of privatisation” as part of a restructuring package. And it is against these conditions that the joint venture will be judged by the unions and found acceptable or lacking.

Which is not to say that there were not warning bells ringing within the CWU. But they have been subdued — muffled by the security blanket of a conviction that “conditionality” would apply.

The fact that there was only one bidder for the 30 per cent Telkom stake raised concerns about the growth of what are seen as international telecommunications monopolies. In the final analysis, this was dismissed as merely providing more evidence of “the fallacy of what is termed the free market”.

But there were rumblings from the Telkom shopfloor following a recent statement from within the public enterprises ministry that jobs under the joint venture might not be secure. Siphso Shabalala, the deputy director-general, described the job retention agreement reached between government and the unions at the NFA as “more of a gentlemen’s agreement than a contract”.

“It is a binding agreement,” responded Kiti, “and any breach entitles the aggrieved party to take relevant action.” Such action would, in the first place, be confined to the NFA and its “dispute settling mechanisms”.

At this early stage, nobody is publicly saying what might happen if the labour movement’s “conditionalities” are not met and cannot be resolved through the NFA. Instead, there is emphasis on what might be learned from the “Telkom experiment” and how such lessons might be applied to other parastatals such as South African Airways and Eskom.

“We have confidence that the government will honour its agreements,” said a senior Cosatu official, “so you shouldn’t keep asking what would happen if they don’t.” He also backed the CWU argument that there should be no further sales of Telkom shares.

The CWU has argued that the Telkom sale be restricted to 30 per cent to “ensure that the ownership of the company in the years to come will still be in the hands of the state”. This, it seems, is the difference between still unacceptable privatisation and the “tactical necessity (of) restructuring with an element of privatisation”.

** In 2003 Telkom listed on the Johannesburg Stock Exchange with the state retaining a 50.7 per cent stake in the company and, in October 2011, Cosatu was promising another fight should the government go ahead with the sale of 20 per cent of Telkom to a South Korean company.*

A far cry from the days of Mama Ray

AMID a swirl of controversy, tight security and with a star-studded political guest list, featuring five Cabinet ministers and the deputy president along with a clutch of ANC and Communist Party (SACP) luminaries, the bi-annual conference of the Food and Allied Workers' Union (Fawu) got under way this week. By the time it ends this afternoon there may be some dramatic changes.

If there are, it will almost certainly be a case of rank-and-file members having flexed their collective democratic muscle to again exercise their right to direct their union.

They were certainly urged to do so in the first featured Fawu speech of the conference. Ray Alexander the octogenarian honorary life president, set aside her prepared notes and reminded worker delegates: "This union is yours." She said while the ANC had inherited "a corrupt government", Fawu members had not inherited a corrupt union. Delegates were on their feet, applauding, as she demanded: "No corruption, no cover-ups."

Stirring stuff — and the veteran trade unionist ensured it was recorded. Unfortunately the tape was held by officials acting in the name of Mandla Gxanyana, the general secretary. And they made it clear it would not be released, certainly not during the conference. Reports of Ray Alexander's speech had to be taken from the notes and comments of guests and delegates.

The belligerent head of security made it clear that only "approved" media would be allowed near the conference. No media met with approval. This was saddening for me as a trade unionist and journalist. It was the first time I have been evicted from a trade union conference. In more than 30 years I have been kicked out of other places, but seldom with so much menace.

The touchiness was understandable: at the centre of a vortex of allegations is Gxanyana and a network of associates who are alleged by most of the now-suspended national office bearers to have killed the union's democratic traditions. Gxanyana, who filed a motion to discipline and suspend Ernest Buthelezi, his assistant general secretary, for contravention of the union's rules on housing allowances, was suspended by the now-suspended office bearers. This followed an Independent Mediation Service (Imssa) investigation into dealings by Gxanyana in shares and Krugerrands. In both cases, the union general secretary acted without authorisation, but the share dealing, involving Oceana fisheries where Fawu has members and a trade-off with Real Africa Investments, seems to have financially benefited the union. There was no evidence that Gxanyana personally benefited; so there was no "negative finding".

In the case of the purchase of 135 Krugerrands for R256 200, including a R22 612,50 commission, the Imssa inquiry found it could be argued that a prima facie case of fraud existed. The commission was paid to Fez Mahlati, a financial consultant, who now works for a financial consultancy which apparently handles most, if not all, Fawu pension and provident fund business.

On the basis of this report, most of the national office bearers — Ernest Theron, the vice-president, Papiki Moeng, the second vice-president, and Richard Mpongose, the treasurer — suspended Gxanyana in January. The move started a costly round of executive musical chairs. Two controversial national executive meetings, one of them apparently inquorate, brought together delegates from around the country. In between, there was a court application and ruling. On February 7, Gxanyana was reinstated and Theron, Moeng and Mpongose were suspended. Two weeks later the suspended officials were reinstated, only to be suspended again on March 1.

A subsequent high court action by Theron, Moeng and Mpongose was then lost — again controversially. They decided against an appeal, determined to "win the political battle" at the bi-annual conference from which they were banned. All of this is accounted for the tight security touchiness and tension at the conference.

The acrimonious politics in the Fawu leadership are not those of the barricades. Dividends and commissions, directorships and market ratings are the contested terrains. It is a far cry from the “tickey union” described by Ray Alexander. Those were the days, nearly 50 years ago, when workers paid three pennies a week in subscriptions, and organisers such as “Mama Ray” slept on the floors of labourers’ cottages as they recruited members on the basis of democracy and worker control.

July 25

Nike stitches the unions and employers closer together

THE STORM of controversy surrounding the reputed R22 million Springbok rugby sponsorship — which, in reality, was a great deal less — continues to create gusts and ripples of anger and apprehension. But much of this has nothing to do with accusations of nepotism and gravy surfing by rugby supremo Louis Luyt and his son, Louis Jnr, who picked up a 10 per cent commission on the sponsorship.

Concern about the details of the sponsorship and the commission paid seems to be restricted to the sports and particularly rugby fraternity. But the emergence of Nike as perhaps the highest profile sponsor in South African sport, has again brought to the surface questions about the globalisation of industry and of international labour standards.

These — and the example of Nike — were fresh in the minds of a number of trade unionists when the sponsorship deal was announced.

The issue had been discussed a week earlier, with Nike as the example, at a trade union negotiations school in Johannesburg. At the school were representatives of all three local trade union federations: Cosatu, the Federation of Unions of South Africa and the National Council of Trade Unions.

Nike was the obvious choice for discussion as it epitomised the modern age of global manufacturing and “concept” marketing. The company does not own factories, plant and machinery or employ the thousands of workers who produce millions of Nike products each year. “Nike outsources all its production,” said a Western Cape clothing manufacturer. “It’s a great way to make money.”

The prominent emergence of Nike has created an unusual unity of feeling among trade unionists and employers in the garment industry. Both see in Nike an example of the icy winds of global competition, bringing factory closures and job losses. But while anger and anxiety are prevalent within both sectors, public response has been muted.

Industry executives and trade unionists in the garment centres of Cape Town and Durban confirmed this week the Nike sponsorship deal had brought to the fore problems facing the South African garment industry. But most would only speak off the record or anonymously.

Those who spoke on the record were circumspect. Raymond Wienburg of Judron, makers of Springbok rugby shorts from 1967 until this year, said only that “we no longer make the shorts. That’s business.”

Maxmore, a jersey knitter which was recently bought out by New Zealand’s Canterbury, said Springbok jerseys, apparently made by a Cape Town company, had not been made by the factory. “But we would not have expected Nike to ask us to make them, we are a competitor in sponsorships as well,” said Peter Inglis, the managing director.

Part of the problem for employers is that they do not wish to jeopardise any chance of landing outsourcing contracts from Nike. Another is the fact that several South African manufacturers are relocating their own manufacturing to cheaper labour areas outside South Africa. Some, such as the Pep Stores empire of Christo Wiese, have already done so.

“Pep has a place in Malawi where they pay garment workers R140 a month,” said a Western Cape manufacturer. “That’s less than half we pay in a week.”

The issue is also complex for the trade unions. Cosatu and the other federations support the idea of a “social clause” linked to external trade. This would stipulate that trading partners adhere to minimum labour standards. But this raises issues of national sovereignty and becomes entangled in the multilateral relations between states and governments.

Cosatu, as the major federation and a member of the ruling alliance, has to tread carefully. The often cumbersome democratic processes of the federation also make speedy response to complex issues difficult.

Cosatu’s policy remains insistence on the social clause and “international solidarity” with workers in other countries. The problem will be in applying such principles in the face of what threatens to become a globalisation gale.

August 8

Failed plans and the struggle for the first prize

IT IS appropriate that the funeral of Dorothy Mokgalo should be held tomorrow, National Women’s Day. This is the day the labour movement and the broader anti-apartheid forces set aside as a time for rededication to the struggle to achieve equality for the most exploited half of the workforce.

Mokgalo, the organising secretary of Cosatu, the International Labour Organisation member for Africa and a former metalworkers’ union militant, in many ways epitomised the fighting spirit of the country’s new trade unionism.

Her main concern may have been the position of women, but she never divorced this from the broader concern for the welfare of all working people.

Only a week ago, at a briefing for the media officers of Cosatu unions, she displayed the same militant enthusiasm which characterised so much of her career, which she began as a shop steward and gender and education Officer for Numsa and its key predecessor, the Metal and Allied Workers’ Union (Mawu).

She stressed the demand that all working women be guaranteed adequate — and paid — maternity leave. She also made clear her commitment to demands such as the 40-hour working week for all workers.

Her tragic death in a car accident will be a considerable loss to Cosatu at a time when the federation is attempting to adjust to the realities of a recessionary economic climate and the demands of being a member of a governing political alliance.

That, in death, she was treated so callously — apparently by the police, the traffic department and other authorities — in itself provided a sad reminder of residual attitudes of the past. Tomorrow there will be much sadness, but there will also be statements of rededication to the cause of equity she held so dear. Mokgalo will be wished Hamba Kahle, farewell, but her memory will be saluted by the rededication: a luta continua — the struggle continues.

This call will be taken up again next week when agreement is reached between the government and Cosatu on the basic conditions of employment proposals; the agreement will fall short of Cosatu’s demands, although even Tito Mboweni, the labour minister, agreed this week that a 40-hour week, for example, remained a cause to be struggled for.

In the meantime he cannot regard it as being politically or economically possible to institute better than a 45-hour week. Cosatu will be obliged to agree. With a few adjustments, probably outside the “core issues” of the working week, maternity leave, child labour and no variations on conditions, “sufficient consensus” between the ANC and Cosatu should be achieved by the end of next week.

“In life you do not always get the first prize,” Mboweni said on Tuesday about the need for compromise.

The issue will then probably go to the National Economic Development and Labour Council (Nedlac) for the formal stamp of approval from business, labour and government.

Mboweni has already said his proposals, even in unadjusted form, would provide an often vast improvement for many workers.

Earlier this week he specifically singled out domestic workers, the overwhelming majority of them women. Various surveys have revealed many domestic workers work 60 and 72-hour weeks, sometimes for as little as R65 a month.

So the Cosatu leadership is likely to concentrate its attention on those workers who may benefit from the new dispensation. This will mean it will attempt to find ways to enforce whatever basic conditions are agreed for the benefit of the most exploited workers.

“Most domestic and farm workers do not know their rights,” Nowetu Mpati, a Cosatu spokesman said. “Many workers are also desperate for any kind of work.”

Given this state of affairs, the application of basic conditions would be difficult. With this in mind, Cosatu plans to establish a series of advice centres around the country. Details will probably be finalised at the Cosatu congress next month.

Their congress should also set up a new “service” union which will cater, among others, for domestic workers. Whether these plans reach fruition or not, one thing is certain: the struggle for the first prize will go ahead.

** The new union never materialised but basic rates were determined for domestic workers and the SA Domestic Workers’ Union continues to exist in shared office space.*

August 15

Reaffirming the unity of the tripartite alliance

THE ANC-led political alliance which includes the main trade union federation Cosatu remains intact and under no threat. There is also no embryonic, trade union-based mass workers’ party about to burst on to the South African scene.

This much became perfectly clear over the week as irate trade union leaders raged against recent media reports implying that terminal fissures in the ANC-led alliance were about to cause its imminent collapse.

They were able to back up their statements with pro-alliance resolutions taken by every Cosatu union and which will go to the Cosatu congress next month. These seem likely to swamp even more conclusively than in the past the diminishing voice proposing a break with the alliance.

“There is a minority which calls for us to leave the alliance,” said Muzi Buthelezi, the chemical workers’ union general secretary.

“At our congress in June, only one region put forward that position — and it was defeated.” Numsa, the metalworkers’ union, said to head the hardline attack on the alliance, was equally emphatic. “There is no way we are going to break the alliance,” said its spokesman Dumisa Ntuli. This was borne out by congress resolutions and by affirmations at shop steward council meetings as recently as last month.

However, all the unions at the same time expressed solid opposition to the basic conditions of employment (BCE) proposals of Labour Minister Tito Mboweni.

And nearly all remain resolutely opposed to the government’s growth, employment and redistribution (Gear) policy. Opposition to government plans to privatise certain public services also remains strong.

On Wednesday, for example, Provincial Affairs Minister Mohammed Valli Moosa assured investors the private sector would be involved in future water delivery. At the same time, Samwu, the municipal workers' union, was putting together an anti-privatisation alliance among all the ANC-alliance partners in Mpumalanga.

Given these apparently glaring contradictions, it is small wonder so much confusion exists about the political intentions of Cosatu and the future of the ANC-led alliance.

Such confusion is also often compounded by copious use of verbal smoke and mirrors as alliance leaders attempt to find new and innovative ways to hold their structure together. The fact is that the alliance, as constituted at present, is an unwieldy construction made up of ill-fitting components held together by common, majority, conviction. While the bond of conviction remains strong, it is possible to cement even the most unlikely components to bridge the apparently unbridgeable.

So it will be with the BCE proposals. Resolution of the complex jigsaw of contradictions may be tortuous and difficult, but not impossible. Meetings last night and today between the ANC and Cosatu may be able to conjure up an appropriate formula. From Cosatu's point of view, it seems the only missing ingredient may be a schedule attached to the BCE legislation. This, Cosatu maintains, should contain a proposal for reducing the hours of the working week to 40 over a set period of years.

In the unlikely event that agreement cannot be reached today, then the smoke and mirrors will come trundling out next week in the form of province-wide strikes. A budget to provide for publicity and transport for these events was agreed by Cosatu on Wednesday. But — and despite warnings by Mbweni to the contrary — the BCE proposals will still, it seems, go to parliament. Labour and business could then make submissions to the relevant parliamentary standing committee.

This would bypass the national economic development and labour council (Nedlac) but, according to a senior ANC official, would “not undermine Nedlac in any way”. The Bill, in much the same form as it is today, would then be tabled in parliament — and be passed. In the opinion of one senior trade unionist, this would constitute the ultimate “loss with dignity” which Cosatu General Secretary Mbhazima Shilowa has said would be acceptable.

Cosatu would have debated democratically, as “an alliance within an alliance” — and lost by democratic vote. It could then continue to struggle to win its demands.

Clearly, it seems that come hell, high water or the BCE, the alliance remains intact.

August 22

‘Forty hours to 50 litres’

TODAY is an historic day in the annals of South African labour history. This morning the country's main trade union federation, Cosatu, presents its vision of the future of trade unions in the form of the September Commission final report.

Ninety minutes later, a special executive committee meeting of Cosatu should start. It will discuss and debate the basic conditions of employment (BCE) proposals in the form in which Cosatu will accept them. Another circle will be squared, probably accompanied by cries about the need for the struggle to continue.

But the special executive will also discuss matters such as the now postponed alliance summit which will bring together the leaders of the ANC, Cosatu and the South African Communist Party (SACP). It was to have begun today, but has now been put off until next week.

The summit, an expression of alliance unity, is designed to allow alliance leaders to formulate common platforms and ways forward. In this respect, admitted a senior Cosatu official, the summit was similar to the Nedlac forum which brings together business, government and labour. “Only, we meet and make

our decisions in two days, unlike business in Nedlac which takes 16 months to move nowhere.”

This was an obvious jibe at the failure of business to soften its stance over the BCE proposals. And it was business which was the target of BCE protest strikes this week although the proposals on the table were not those of business, but of the ANC in government. It was another example of the move away from an “equal partners” alliance and to the promotion of the ANC in government as some form of neutral arbiter between business and labour.

The development of this arm’s-length relationship has caused concern within several Cosatu unions. It is reflected in some of the resolutions put forward for next month’s national congress.

Resolutions also call for the constant review of the alliance. But there is one common strand throughout: unity of the alliance. At least for the time being. And that, in a political context, means up to and beyond the 1999 election.

This certainly does not mean that the sort of tensions manifested in the recent bouts of war dancing and political prestidigitation over the BCE proposals will cease. Far from it. In fact, before the dust has time to settle over the BCE, privatisation should again provide a rallying call to the armies of labour.

Government is committed to “public-private partnerships” for the delivery of water. In the words of Kader Asmal, the water affairs minister, these do not constitute privatisation. The municipal workers’ union, Samwu, disagrees vehemently. Cosatu and its other affiliated unions are also, at least nominally, opposed to “any form of privatisation” of a service such as water.

This has led to glaring contradictions in the positions of the alliance partners. Last week, for example, provincial affairs minister Mohammed Valli Moosa assured potential investors that the private sector had a role to play in water delivery. On the same day, a Samwu delegation was putting the case against private sector involvement to the ANC provincial leadership in Mpumalanga.

The Mpumalanga capital of Nelspruit has already called for private sector tenders to manage its water and sanitation services. The winning bid is scheduled to be announced by next month.

“But the council has agreed to meet us before then,” said Samwu water campaigns organiser, Lance Veotte. “If we are listened to and given the opportunity to put our proposals into effect it will be to the benefit of the community and the workers.”

Samwu lobbying has already won over the ANC, Cosatu and SACP branches in the Nelspruit region, along with the local region of the ANC-supporting national civics organisation, Sanco. By the end of the month, Samwu will have to put before the council a proposal for public sector water management.

However, Samwu has stressed that this is not a case of the union competing in the open market with private companies. It opposes the profit motive being introduced to water provision although it supports the most efficient and effective delivery, with the goal of every individual being guaranteed 50 litres of clean water a day.

The 50-litre campaign does not have as long a pedigree as the campaign for 40 hours in the working week. But because it involves a dispute between the ANC government and its allied unions, with business on the sidelines, it could be much more difficult for the alliance to resolve. So while the row about 40 hours may go on to the back burner for today, the fuss about 50 litres has only just begun.

Managed consensus and Mandela magic

FORGET the rows and the rhetoric; ignore the media confusion fuelled by conflicting official statements: the ANC-led alliance lives. It will also almost certainly be even stronger in the wake of the Cosatu congress which ends in Kempton Park today.

But it will also carry forward an even greater burden of contradictions. How is it possible for such a contradictory political vehicle to remain intact is partly a function of a shared history together with a fear of the political wilderness; it is also much more a function of what has been called the Mandela magic.

This potent factor — very much in evidence when President Nelson Mandela addressed the opening day of the congress — has been analysed by University of the Western Cape academic Andrew Nash. He sees it as a form of traditional, patriarchal rule by “managed consensus”.

What this means is simply that all stakeholders in a community are called together by the elders to discuss various issues with the aim of reaching at least “sufficient consensus”. When agreement cannot be reached, the decision is made by the elders and all who wish to remain within the community agree to go along with it.

This certainly seems to be the essence of what is keeping the alliance together. In line with the fervent, election-rally atmosphere at the start of the sixth triennial congress Mandela hailed the long years of joint struggle against apartheid; those days when “we had to contend with a powerful and evil enemy”.

But the presidential magic did not comprise mere mantras; it had substance. This was contained in three points which, together, gave an excellent example of managed consensus.

“There will be cases where we can agree from the start,” Mandela said. Then there were cases where conflicting views were resolved by compromise. Finally, there were situations where agreement could not be reached. These, he said, would have to be resolved by government.

This made irrelevant the subsequent arguments about whether there had been “sufficient consensus” between labour and government on the Basic Conditions of Employment (BCE) Bill.

It was Mandela himself who triggered the row by congratulating Cosatu general secretary Mbhazima Shilowa and labour minister Tito Mboweni on having achieved agreement on the Bill.

But the row only erupted after Mandela left and the delegates had trooped off to lunch. Cosatu vice-president, Connie September, introduced the afternoon session with the announcement that John Gomomo had a message “of national importance”.

He stated bluntly that there had been no consensus on BCE. He did not know who had informed the president, “but it certainly isn’t us”. Shilowa underlined the point and, perhaps significantly, noted that “we can now get on with the real business of this congress”.

In fact, as this column pointed out more than a month ago, a high degree of consensus has existed for some time. But, in the end, it does not matter.

Once the issue goes to parliament, whatever the ANC has agreed will be passed. That the passage of the Bill may be accompanied by 24-hour strikes is also still likely — and allowed for within managed consensus.

Such demonstrations should affect neither the Bill nor the cohesion of the alliance.

Who's afraid of Virginia Swart?

WHEN women delegates to Cosatu's sixth congress denounced the idea of gender quotas, they condemned the concept of patronage. Women, they said, should be empowered — encouraged to stand up and fight for themselves in a sexist and discriminatory society. They painted a picture of a new woman in a new South Africa, a confident working class woman, conscious of the power of solidarity but capable of standing on her own two feet.

They could have been describing — and echoing — Virginia Swart who goes to the labour court in Cape Town on October 3. She will probably become the first person in the country to argue a case of age discrimination — at the age of 29. “All I wanted was a job,” she said. That pursuit began in November last year. Ten months later, via mediation, an arbitration award — both rejected by the prospective employer, Western Cape video chain Mr Video — and two labour court appearances, the pursuit continues. But the end is now in sight and next month's labour court appearance should be the last.

The core of the argument has been whether Virginia Swart could be deemed unsuitable for a job as a video shop assistant because she was older than 25. According to the Mr Video chain, the R1 000 a month offered for the job “is normally only acceptable to young people”. More importantly, the company felt an “older person” might be reluctant to accept instructions from a younger person.

“I thought this was unfair and unreasonable,” said Virginia Swart. But she felt she could do nothing about it — until she read a magazine article that explained the new labour laws. “It told about the Commission for Conciliation, Mediation and Arbitration. That's how I found I could fight back,” she said.

“I don't think any of us — Mr Video, the commission or the labour court — knew what was going to hit us,” said an official of the commission.

But had they known something of the background of Virginia Swart, they might not have been so surprised. One of five daughters of a single mother, she grew up in remote Nababeep in the arid centre of Namaqualand. By 14, with only two years of secondary school behind her, she had to fend for herself. Like so many others, before and since, she fled south to the low-pay, bustle and camaraderie of the garment industry. Despite her youth — “I was a big girl and I lied about my age” — she found a job and a place to stay.

Three years on, while devouring the magazines she still keeps at hand, she saw an advertisement. “It said you could do your matric by correspondence. I didn't have a boyfriend and nothing to do in the evenings so I wrote off,” she said.

Exactly one year later Virginia Swart matriculated in English, Afrikaans and four legal subjects. With her new qualification, she considered joining the police force.

“But by then I had a boyfriend,” she shrugged. She fell pregnant and that put paid to her plans. After staying home until her son was “out of nappies and off the bottle”, it was back to the rag trade and Sactwu, the garment union.

Yet her matriculation paid off. She moved eventually from the shop floor in a clothing factory to the office of a cash-in-transit company. “I did the wage packets; millions of rand,” she said. She had the job for three years before the arrival of her third child.

With her youngest daughter settled, Virginia Swart looked through the newspapers for a job. There was one offered as a video shop assistant in the neighbourhood. “It said they wanted someone between the ages of 18 and 25. I was 28, but the manager said it didn't matter.” In the event, it most certainly did and so began a drawn out process.

“I never thought it could go on like this, but I’ve learned a lot,” she said. Throughout the mediation, arbitration and labour court appearances, she has represented herself. She telephoned from the public call boxes near her home, faxed from the machine at the corner cafe and kept a neat — and growing — file of legal documentation. She also advised the video chain manager to lodge a complaint with the commission when he announced that he was to be fired for failing to reach a satisfactory settlement with her.

A company attorney, who failed to keep a labour court date because he said he had only seen one page of a two-page fax sent by the court, also received a tongue lashing. Virginia Swart told the court that either the attorney was lying or else he employed incompetent people in his office, “Either way, I don’t see why I should suffer.”

She faces an advocate when she makes her mark on labour history on October 3 by exercising her new-found rights. She is unconcerned. “All I wanted was a job,” she said. “Whatever happens, I still want a job.

November 7

Justice and Virginia Swart

JUSTICE and the law are only occasionally acquainted and access to justice despite recent improvements, is still decidedly unequal. It could not be otherwise: equal treatment within one of the representative structures of an unequal society is a contradiction.

Yet the law, in one or other form, is the only legitimate avenue through which to pursue justice. But the application of the law takes time, and time is money. Therefore, if one has money, access to the law — and to the prospect of justice — is greatly eased. Nothing in the new dispensation has changed this fact. The old trade union dictum of there being one law for the rich and one for the poor therefore still holds true.

That was the harsh lesson given yesterday to Virginia Swart, the first person in the country to pursue an age discrimination case. Virginia featured in this column in September after she had — on her own — gone through the conciliation procedure and gained an arbitration award through the Commission for Conciliation Mediation and Arbitration (CCMA).

The prospective employer, the Mr Video video shop chain, had rejected her apparently on age grounds, and refused to accept the CCMA ruling. The matter was duly referred to the labour court for September, some ten months after the dispute began.

When Virginia arrived in court to seek justice, the case was adjourned. The advocate retained by Mr Video could not make the date. But at least Virginia became aware that she would be facing an advocate. Court officials and friends advised her to seek legal aid; the matter was too complex for her to handle alone. “It would be a pity to lose on a technicality,” she noted at the time.

Her original belief, technicalities aside, that the road to justice was now open to all, had already become jaundiced, but she had begun a fight and was determined to finish it.

She applied for — and got — legal aid. Cape Town labour lawyer Jerome van der Schyff took on her case, which was set down for Monday this week, almost exactly a year since the dispute began. But on Monday morning Jerome van der Schyff was nowhere to be seen when Virginia again strode across the grey slate and marble inlaid entrance of Cape Town’s new labour court. However, the attorney and advocate for Mr Video were present.

An angry Virginia offered to go it alone again. Labour Court judge J. Basson, ruled otherwise. It would not be fair. He also did not take up the application for costs by Virginia’s legal opponents. The case was adjourned to yesterday.

This time, Jerome van der Schyff turned up. Sitting on a bench outside the wood-panelled opulence of the newly refurbished courtroom, he explained that he had been involved in another case on the Monday. It was not a legal aid matter. But he now understood that Mr Video's legal team, Nel & Rautenbach, could not make it.

Summoned to judge Basson's chambers, he emerged into the corridor again to state that Monday might be possible — or perhaps a date in January? Virginia was enraged, but her foray into the inner precincts of the court — against the advice of Van der Schyff — only took her as far as the judge's assistant. Again she was warned that it would be inadvisable to proceed without legal help, a fact she acknowledged.

"But I am tired now," she said. "I want this thing over." She had believed that the system, "especially the new system", could deliver justice. But she had come to realise that justice and the law were, at best, only nodding acquaintances.

Van der Schyff admitted that the scales of justice were rather unbalanced. "It's not a question of justice," he said. "I can only help a client to assert their rights and dignity for one day in court"

He also agreed with the statement of another well-known attorney that legal aid work was done "rather for love than money". Attorneys working under the instructions of the legal aid board forfeited 20 per cent of their taxed fees. As a result, a few advocates and a large number of attorneys refused legal aid work.

On condition of anonymity, several other attorneys agreed that there was considerable pressure on anyone working in the legal aid field to prioritise "the commercial clients". Legal aid cases were often "shunted into the background" when "the real bread and butter" clients demanded attention.

A year on, Virginia Swart is still hoping to win the right to earn her bread and butter, despite being four years over the age limit of 25.

** Sadly, tired out by her individual battle, with her husband having lost his job and with three children to support, Virginia Swart reluctantly accepted a R1 500 cash offer from Mr Video to drop the case. She left Cape Town and I lost contact with her.*

December 12

The contradictory shotgun marriage to Gear

TRADE union delegates to the ANC's crucial Mafikeng congress this coming week seem certain to spearhead the debate about the government's macro-economic policy. These delegates, members of unions affiliated to the country's leading federation, Cosatu, have a clear mandate to oppose the "neo-liberal" orientation of the government's growth employment and redistribution (Gear) policy.

Cosatu, which this month celebrated the 12th anniversary of its founding in Durban, is a substantial voice within the ANC-led alliance and has more paid-up members than the rest of the alliance partners combined. However, the alliance remains ANC-led and Cosatu members at the congress — many of whom are also members of the third member of the alliance, the Communist Party (SACP) — will also be ANC members.

Although the SACP claims 75 000 members, only some 15 000 are understood to pay their monthly dues. The ANC is cagey about its membership figures, but although it demands only a single, annual R12.50 subscription, its membership is generally considered to be no more than 250 000. Cosatu, on the other hand, claims 2 million members, nearly 1.8 million of whom pay their monthly dues.

But the pure numbers game does not work either within the alliance as a whole or between individual member organisations. After all, many of Cosatu's members are obviously not members of the ANC

although most are supporters. The SACP, although it has the smallest membership, holds the clear majority on the Cosatu executive, with Cosatu president John Gomomo and general secretary Mbhazima —“Sam” — Shilowa both on the party’s central committee. Another SACP central committee member, mineworkers’ union (NUM) general secretary Kgalema Motlanthe, is also the sole pre-congress candidate for the post of ANC secretary-general.

The overlaps can be extremely confusing, especially since the three partners maintain their separate identities and now have officially divergent views regarding the way forward for the government and the country as a whole. However, Cosatu does have a complete alternative strategy in its Social Equity and Job Creation document which still remains official Cosatu policy although copies of it are quite hard to come by.

Social Equity and Gear start from very different premises. The question of whether government should prioritise economic growth or social equity or whether job creation should take precedence over investment are critical. They are, it has been argued, oil and water choices: they do not mix.

But the non-mixing of oil and water is in the realm of science. In the realm of politics, as in soap operas, almost everything seems possible. So circles can — and probably will — be squared: the ideals of the reconstruction and development programme (RDP), whose parentage is claimed by Cosatu, may yet march into a shotgun marriage with the Gear creation of the ANC leadership.

The 12-year history of Cosatu has been peppered with such contradictions, as well as with the struggle highlights contained in the Cosatu secretariat’s commemorative press release. The release makes reference to the fact that “one of the chairpersons of the launching congress, comrade Cyril Ramaphosa, remarked at the time that ‘a giant is born’”.

Cyril Ramaphosa also said at the time: “..... the wealth of the society must be shared among all those that work in this country. It is important that the politics of the working class eventually become the politics of all the oppressed people of this country”.

Today Ramaphosa, a multi-millionaire businessman, promotes “black business”. Former Cosatu general secretary, Jay Naidoo, is now communications minister in the ANC government and ran headlong into the contradictions when he addressed a Durban Cosatu meeting earlier this month. Cosatu delegates chanted: Down with Gear — and Naidoo castigated them for this. Naidoo, in his turn, was accused by Cosatu assistant general secretary Zwelinzima Vavi of having administered a “huge stab in the back”.

Such rhetoric is unlikely to damage the feelings of camaraderie at the congress; they seem to be mere ripples created by a transition process which has confounded the beliefs and prejudices of many participants. Attitudes, once polarised and inflexible, have softened. Indicative of this change is the fact that scarcely an eyebrow is raised about the head of the country’s mightiest union federation being married to one of the rising stars in the business firmament who holds a clutch of directorships, including Tiger Oats and Telkom.

However, compromises cannot indefinitely hold the growing contradictions at bay. As Cosatu heads into its teenage years, the ANC household may find itself facing some troublesome times.

1998



The economy falters, interest rates soar and the exchange rate value of the rand goes through a period of collapse. The unions blame GEAR, an argument summed up by Gwede Mantashe, general secretary of the National Union of Mineworkers (NUM) who refers to the country “driving forward in reverse gear”. Finance minister Trevor Manuel appears oblivious to the dangers and deputy president Thabo Mbeki states categorically that there will be no change in economic policy.

The TRC hearings continue, with only Adriaan Vlok, fingered for ordering bombings, coming forward to request amnesty. Stoffel Botha, the apartheid state’s homes affairs minister until 1989 and a prime censorship campaigner, dies.

In September, while acting as president, IFP leader Mangosuthu Buthelezi orders the “SADC intervention” of Lesotho in order to halt a suspected coup. Troops from Botswana lose their way and only SANDF forces invade. President Nelson Mandela subsequently endorses the decision and invasion.

On the union front, the battle against privatisation continues and the landmark age discrimination case involving Virginia Swart reaches a sad end. At the 50th conference of the ANC, Nelson Mandela takes his first steps away from leading the country and Thabo Mbeki becomes president of the ANC.

The AIDS denialism row gets fully underway with health minister Nkosazana Dlamini-Zuma, with the support of Thabo Mbeki, backing the development of virodene, proved later to be a toxic substance with no proven benefits whatsoever

Setting a contradictory course for the ship of state

SOUTH Africa's governing ANC-led alliance does not have an agreed macro-economic policy. At a time when the world is being buffeted by the economic turbulence caused by the massive slump in the Far East and the much-vaunted job creation targets set by the government are in tatters. The ship of state has no agreed course as it sails into what are dangerous and little charted waters.

However, to continue with the nautical analogy: the skipper of this ship, President Nelson Mandela, has insisted that a course has been set. It is contained in the Growth, Employment and Redistribution (Gear) document. But he has also admitted that this may be subject to some changes; it is not "set in stone".

That was the position last month in the pre-ANC conference period. Then, it seemed that a form of words might be found to bridge the diametrically opposed views of the ANC and Cosatu. This could have allowed the Gear course to be followed with a little judicious tacking from side to side while the parties maintained that we were sailing in divergent directions at the same time.

In the immediate aftermath of Mafikeng, it seemed that such an agreement had been reached. But this was not so. Cosatu made that abundantly clear this week. "Gear will never be a Cosatu policy. The ANC is dreaming to have said in the congress (at Mafikeng) that Gear is an alliance policy. It has misled its own members," was the official stance.

Studies by Naledi, the research wing of Cosatu, had also revealed "the consequences of Gear", said spokesman Nowetu Mpati. In some instances it was a case of belt-tightening to the point of starving to death. The 20-day delay in the payment of old-age pensions in the Eastern Cape had, for example, resulted in many elderly people going hungry or being forced to the *mashonisas* (money lenders) to borrow against their pensions at interest rates of some 30 per cent.

Naledi researcher James Heintz whose work had concentrated on job losses, had also studied the effect of Gear on education and job creation. "Where are the 250 000 jobs that Gear was supposed to have created in 1997? Where are the textbooks in the schools? Teachers and public service workers in general are frustrated and demotivated," said Mpati.

Zwelinzima Vavi, Cosatu's assistant general secretary has already made similar points. He concluded: "A macro-economic policy which fails to deliver is wrong."

So the battle lines are drawn. On the one hand is Gear, based on liberal, laissez-faire principles. On the other is social equity and job creation, based on the state as beneficial regulator. Although often dressed up in the rhetoric of Karl Marx, it owes its origins to John Maynard Keynes, who sought to avoid the violent booms and slumps of the modern economy by state intervention.

In other words, there is no apparent intention to abandon the broad direction of capitalism; merely an argument about which course to follow to minimise the leaks and losses incurred in a voyage towards some hoped-for land of plenty.

There are a few cries to take over the ship and head it in a radically different direction. But these are barely audible, coming usually from well below decks and from a minority among the huddled crew and passengers.

So Cosatu, the numerically larger of the partners will exploit every opportunity in the coming months to dump Gear — to put it crudely. The chosen tactic seems to be to negotiate to modify Gear out of existence.

But the rows should rumble on until June. Then, between June 23 and 25 at a specially convened mini-congress, Cosatu plans to "concretise" the anti-Gear strategy and possibly produce the federation's proposals for an alliance platform for the 1999 election. A zig-zag course along the Gear route may yet be on the cards.

Unemployment and declining union numbers

An International Labour Organisation report last year hailed South Africa's trade unions as the only growing labour movement structures anywhere. The report revealed that trade unionism was in general decline; only in South Africa was the trend in the opposite direction. South African trade union growth was also explosive, it said.

The report is broadly accurate. It is also out of date. The statistics used refer to the decade between 1985 and 1995. This covers the years of tumultuous struggle against apartheid, which culminated in the non-racial general election of 1994 and the immediate post-election period.

But what has happened in the years since 1995? That is the more important question. And it is one partially answered by the massive rise in job losses. About these there can be no doubt, and only some argument about the precise numbers.

The level of unemployment has continued to rise, as have the consequent tensions and tears in the social fabric of society. The precise level of unemployment also continues to be debated, with figures ranging from 24 per cent to 48 per cent of the workforce.

Much of the debate is futile, focusing on definition. Is the seller of single cigarettes on a township street corner employed or unemployed?

For trade unions the loss of jobs means the loss of existing and potential members. In most cases it also means a depletion of the union's main income source. Job losses in any sector also tend to create feelings of hopelessness and apathy, conditions in which trade unions do not grow.

The government, of course, often gets the blame, especially when civil servants are involved in various rightsizing and downsizing exercises.

When the government, at national level, includes the major, and formerly rapidly growing Cosatu federation, further confusion is sown.

Industry has also been quick off the mark to exploit loopholes in new legislation, drafted and justifiably hailed by the alliance partners as an advance on the previous racially biased Master and Servant Acts. A case in point is the Labour Relations Act (LRA). The specific section which provides what seems to be an increasingly used loophole is 198, which deals with the self-employed.

Almost since the new legislation came into force, unions have been confronted with employers circumventing it by effectively declaring workers to be self employed contractors. This absolves employers from various responsibilities under the LRA and makes union organisation much more difficult.

Even at the Saldanha Steel site on the west coast north of Cape Town, where an agreement exists that should preclude such practices, several artisans on the site confessed to being employed as contractors, hired through labour brokers by subcontracting companies. They maintained that most artisans were in the same boat.

"It is a big problem," agreed an organiser for engineering union Numsa. He pointed out that the union was currently engaged in a dispute with a company in the Simonstown dockyard. "There they fired the workers one day and hired them the next as individual contractors."

This type of action by some employers, capitalising on a generally glutted labour market, has also left its mark on union morale and recruitment.

It is against this generally bleak background that the Cosatu executive committee met in ordinary session last week for the first time since Cosatu's congress in September.

On the agenda were job losses, public sector restructuring (read: more job losses), with a “special focus” on “the education and mining crisis” (for which read, major job losses).

The Cosatu executive had to face the harsh fact that, in the first 26 days of this year, 113 515 jobs were lost within the mining industry alone. Many, if not most, of these miners would have been union members.

Other unions have been similarly afflicted. Food union Fawu, for example, has seen its membership in the Western Cape plunge from more than 30 000 to little more than 11 000. The garment workers’ Sactwu has also shed jobs — and members.

The Cosatu executive is now determined to reverse this slide by launching an “autumn offensive” in April, aimed at bolstering union recruitment and retaining existing jobs.

Since the federation officially sees the government’s economic policies as a major cause of the job shedding, this could mean another rough ride for the alliance in the months ahead.

May 29

Political number crunching you can’t count on

TO PARAPHRASE the quotation attributed to that wily 19th century British premier, Benjamin Disraeli, there are lies, damned lies and then there are statistics. In recent weeks, this condemnation of political number-crunching has had a particular resonance within the labour movement, and especially among the teachers.

For more than a year the South African Democratic Teachers’ Union (Sadtu), often in alliance with the other smaller unions, has been up in arms about retrenchments. As confusion reigned about who was being laid off where, Sadtu estimates some 17 000 teachers have lost their jobs over the past two years.

This week in parliament Sibusiso Bengu, the education minister, admitted that the government had spent about R1 billion in retrenchment packages for 21 165 teachers. But he made the statement less than 48 hours after his spokesman, Bheki Khumalo, announced the ministry was convinced that the number of teachers had grown by 83 000 in the past two years.

“The simple truth is that we do not know what the figures are,” said Thulas Nxesi, Sadtu’s general secretary: “In some areas of the country such as the Eastern Cape we still don’t know how many schools there are, let alone how many teachers.”

For two years Sadtu had been demanding a comprehensive audit to ascertain the numbers of schools and teachers together with course options offered and teacher qualifications. “Without such information, you simply cannot have a retrenchment programme or any planning,” Nxesi said.

Sadtu has never seen the results of any audit, but various figures, quoting audits, have been bandied about. Comments and decisions have also been made which often profoundly affected schools and the lives of students, parents and teachers.

“It’s complete madness, but we’ve always been very gentle with the government because we’re part of the alliance,” said a Western Cape Sadtu official.

That gentleness may go today when the Sadtu national executive meets in Johannesburg, after having declared a national dispute. Decisions on action — a national strike is proposed — should be announced this afternoon.

What has particularly angered teachers is the fact that Khumalo and other officials have also made categorical statements about ghost teachers.

Like the disputed statistics in the mining industry over the past week, there may be some truth in the ministry's claims. But nobody knows how much.

In the case of the mines, George Molebatse of the National (NUM) maintained that 12 500 miners had been retrenched from the Driefontein mine. Not so, said the mine owners. There had been redeployments.

"Actually, what is happening is that miners are being sent home on extended unpaid leave," said Ben Molapo, a NUM spokesman. "It is really a matter of job-sharing, with two people now doing one job."

Strictly speaking, this does not qualify as retrenchment since all miners are still employed, but only for half the time. "Which means jobs are still lost," said Molebatsi.

But, from a statistical viewpoint, it all depends on definition, which is something the looming jobs summit will have to address, as will the alliance summit this weekend. Any talk of unemployment and how to tackle it will depend on what is defined as a job and how many jobs are being created or lost.

Zav Rustomjee, a trade and industry ministry director, has gone on record to state that the job loss trend has been reversed. As evidence of this he said 17 000 new jobs had been created in the manufacturing sector in the last quarter of last year.

This may be true. However, the government's own central statistical service puts the overall job losses for last year at 116000. This is also disputed by other agencies which maintain that the total job losses figure could be as high as 155 000.

Then, of course, there is the statement by Trevor Manuel, the finance minister, that he cannot believe 32 per cent of the working population is unemployed because a country without a welfare net could not sustain such a jobless level.

To which Zwelinzima Vavi, Cosatu's assistant general secretary replied: "Of course it can. Those in work provide the unofficial social welfare net."

How widespread that net is and how many jobless benefit at what level from how many in work is not known.

"The precise figures do not matter," said Nowethu Mpati, Cosatu's spokesman. "Unemployment is simply too high and jobs are being lost. It's a crisis, and everybody now seems to recognise it as such."

June 26

Facts that mock good labour laws

GROWING unemployment in a country where nearly a quarter of the population is estimated to be living in dire poverty and 70 per cent of people are regarded as poor can make a mockery of great advances in labour legislation. That thought was very much to the fore as 450 Cosatu delegates met in Randburg this week to debate and resolve their positions on various socio-economic issues.

These were the issues which time and perhaps political constraints left undebated and unresolved after the triennial congress last September. The decisions of this "mini-congress" determined the positions to be taken by Cosatu when the union federation and its tripartite alliance partners finally get together for the summit meeting which is supposed to produce a common election platform for next year.

After yesterday's final session, the debates will undoubtedly rage about whether it will be possible to reconcile Cosatu's decidedly interventionist macro-economic stance with the laissez faire model adopted by the government. There will also be debates about the resolutions adopted on such matters as union investments.

Driving all these debates will be the question of jobs and job creation.

This has become the main focus for the trade union movement. As Cosatu deputy general secretary Zwelinzima Vavi has pointed out, South Africa's high unemployment rate is sustained by an unofficial welfare system operated by those with jobs. Lower wages — often a consequence of a plethora of desperate job seekers — and fewer jobs merely means more poverty.

But there is evident pressure toward lower wages, mainly through casualisation: turning permanent jobs into casual employment or classifying employees as self-employed contractors.

A blatant example emerged this week in a letter from an employer which was referred to Saccawu, the catering union. In it the employer incorrectly informed the workers that the new labour laws made it clear that lunch breaks would be for only half an hour and that, since the workers were "deemed to be casual", they did not qualify for sick leave and sick pay.

In fact, the workers, as employees of the company, qualify for a one-hour lunch break in a normal working day. They are also entitled to sick leave, sick pay and paid holidays.

"It's happening all the time," said Saccawu organiser Sakhiwe Metshe.

"Especially in the restaurant trade, there are employers who use the threat of so many unemployed people who are ready to take semi-skilled jobs."

But there are seldom cut-and-dried confrontations. Employers may be acting illegally, but workers are desperate for jobs and are aware that disputes, even if won, can drag on for months or even years. But sometimes when a case is won, it sets what labour lawyer Glyn Williams calls "a most useful precedent".

He was referring specifically to the decision handed down this week by the industrial court which held that the dismissal of workers — members of the metalworkers' union, Numsa — at the Bosal Afrika plant in Atlantis in 1995 had been unfair. This was because of the Bosal management's "failure to consult properly" with its national workforce.

The finding may be appealed, but it implies that companies may not close plants and dismiss workers until and unless they have consulted their full workforce and canvassed alternatives.

"That's great for people already in work," said Michael Nkwali, the general secretary of the Unemployed Graduates Union in the Western Cape.

This week he gave notice that 550 unemployed technikon and university graduates intend to march to parliament to petition President Mandela about their plight.

"We struggled and got qualifications. Now we need jobs," he said.

July 10

Contention and ideal: GEAR and the RDP

JEREMY Cronin, South African Communist Party (SACP) deputy general secretary, announced earlier this week that his party would be looking for an alternative to the government's growth employment and redistribution programme (Gear).

The statement puzzled a number of people in the labour movement since Cosatu, which is led by senior members of the SACP, already has a comprehensive alternative which it plans to put before the coming summit meeting of alliance leaders.

This alternative framework starts, of course, with the Social Equity and Job Creation document produced only weeks before the government published its Gear proposals.

It is reinforced further by the resolutions taken at last month's "mini-congress" central committee

meeting. These are currently being edited and will be produced in book form for distribution throughout the movement and to members of the ANC-led alliance.

The complex contradictions and confusion over Gear and membership of the tripartite alliance have obviously not been put to rest despite the comments last week by President Nelson Mandela and his deputy, Thabo Mbeki.

Mandela said bluntly that Gear was government policy and would be changed “over my dead body”. He was backed up by Mbeki, who pointed out that those who claimed that Gear had replaced the ideals of the reconstruction and development programme (RDP) were lying.

It is this last comment, interpreted as a reiteration that the RDP remains the cornerstone of government policy, that will form the thrust of the argument for an alternative macro-economic policy.

A second thrust will be that of democratic decision making. It will be argued that Gear was never thoroughly canvassed among the alliance members before being implemented by the government.

“As the president of the country, Comrade Mandela has to support the policies of the government. Gear is government policy,” said Cosatu spokesman Nowetu Mpati.

“But it is not the policy of the ANC. It was never debated at the ANC congress, and no decision was taken on Gear by the ANC.”

This true. The executive National Working Committee of the ANC has endorsed Gear. But as far as Cosatu is concerned, the democratic processes have still to be followed.

The opportunity to do this would be the proposed alliance summit, which may now be held before the end of this month. The official Cosatu position is that all partners in the alliance, together with the government, support the redistributive ideals of the RDP.

This point of agreement will be the starting point for discussions about the best way to attain the redistributive ideals of the RDP. But neither the SACP nor Cosatu nor, for that matter, a large segment of the ANC itself, sees policies based on Gear as a probable answer. The fundamental argument remains unchanged: redistribution through growth or growth through redistribution — laissez-faire versus benign intervention. The confrontation, which alliance leaders have tried to avoid by every means from diplomacy and double talk to diktat, still looms.

Before the clash of ideas takes place — or is again avoided — at the alliance summit, Cosatu will embark on a “mass action” campaign to underline some of the demands contained in its alternative economic framework.

One of these is that interest rates should be “substantially reduced”. Targets of this campaign will be the Reserve Bank and the commercial banks.

Details should be finalised this weekend and will be distributed to regional Cosatu congresses next week.

Because of soaring lending — and especially mortgage — rates, the campaign could attract substantial support. The argument made in the past by the trade unions has been that the commercial banks are “greedy”.

This point will again be made over the mortgage rate increases, which have been justified by the rise in the repurchase or “repo” rate levied by the Reserve Bank on money borrowed to make up daily monetary shortfalls.

Money borrowed on the repo rate has been costing more than 22 per cent. “But this is not the money lent to homeowners with bonds,” said a Western Cape trade unionist. “The money we have to borrow to buy homes comes mainly from our own credit balances on which the banks pay less than 10 per cent on average.”

Also likely to form part of the campaign is an attack on the profitability of leading banks, many of whom have shed staff in recent months.

But this campaign may cause fewer jitters in the business community than the fact that Cosatu has again, in its alternative framework, raised the spectre of nationalisation.

The federation lists eight “key strategic sectors” in a mixed economy which it says “must remain or be placed in public hands”. These are: water, education, housing, municipal services, health, energy, communications and land.

A luta, it seems, will continua.

August 14

Solid strikes and angry moods

MALICE, deliberate distortion or plain ignorance are what lie behind accusations that striking auto and petrochemical workers are highly paid, economically short-sighted, selfish and greedy.

That is the view of many strikers and certainly of their union representatives who have had these charges levelled at them over the past week. They feel that companies which can record pretax profits of up to R218 000 per employee should not quibble about double digit pay claims.

The reason the strikes have appeared so solid and the mood so angry is that those involved feel they have right on their side and the evidence to prove it. Tony Kgobe, the national co-ordinator for the auto and tyre sectors of Numsa, the metalworkers’ union, pointed out that the average wage of the reputedly highly paid trade union “elite” in the motor industry was R2 830 a month.

“This is in an industry which had a 30 per cent gain in productivity between 1993 and last year — and lost 5 000 jobs,” Kgobe said. Representatives of CWIU, the Cosatu-aligned chemical workers’ union, and Ocgawu, the small, breakaway oil and chemical union, had a similar response.

They claimed that if productivity was the guide, it was the employers who were greedy: they had failed to provide a fair share of increased wealth to the workers who created it.

The general union view of the strikes is also that they involve more than wage levels — they are part of a struggle to turn the economy around. “It is a myth that increased wages destroy industry,” Kgobe said. “Fewer jobs and low wages reduce purchasing power and contribute to crippling the economy,” added Dumisa Ntuli, the Numsa spokesman.

The argument is another bout in the continuing battle between exponents of the concept of economic growth through redistribution and those advocating economic growth as the priority. It is Cosatu’s social equity versus the government’s growth, employment and redistribution (Gear) programme; benign intervention versus “trickle down”.

There are fervently held views on both sides of this argument, which has been raging for years. “But the facts speak for themselves,” Kgobe said. The facts, or strongly held perceptions about what the facts are, certainly reveal why the strikers feel they have right on their side and why, on the basis of productivity, they feel they deserve a double digit increase.

According to Numsa negotiators, massive job losses coupled with greater output, had pushed up productivity levels throughout the motor industry. They quoted findings by the Massachusetts Institute of Technology’s international motor vehicle programme. The studies confirmed a 30 per cent rise in productivity between 1993 and last year.

“The wages of workers in the sector certainly didn’t reflect that,” Kgobe said, maintaining the industry was making “huge profits”.

This last claim is impossible to prove one way or the other. Only one of South Africa’s seven car makers

— Toyota — is quoted on the JSE, and its most recent annual report shows a more than 14 per cent decline in profit to R164.1 million. Turnover, however, was up from R6.21 billion to R6.57 billion.

“Dividends to shareholders were increased by more than 10 per cent,” Kgobe said, “but the workers who created the wealth are not expected to want their fair share.”

Numsa members are also dubious about claims of hardship from the companies. “One of our battles is to gain full disclosure of their finances,” Ntuli said.

Striking petroleum industry workers had more access to financial data. Engen’s last annual report revealed a nearly 9 per cent loss of jobs against an increase of over 34 per cent per employee in pre-tax profits, while Sasol’s comparative figures were 1.2 per cent job losses and a 22 per cent rise in profits.

The fact that both companies also recorded double-digit rises in total assets is also seen as vindication of union claims for higher wages.

September 9

Rubbing salt into living wage wounds

ON JULY 26 two years ago, in this column, I warned that then not-yet promulgated and much hailed Labour Relations Act (LRA) contained a “legal timebomb” which “has the potential to trigger bitter conflict between employers and unions”. I pointed out that section 76.1(b) of the LRA allowed for the use of replacement — or, in trade union parlance, “scab” — labour, and that it “will only be a matter of time before some employer, somewhere uses it and the unions respond”.

I came under heavy criticism from some senior figures in the labour movement at the time who decried my “negativity” and questioned my suitability to write a column such as this.

But the time has come. One of the reasons that the bitter, near-three-week long strike in the motor sector is continuing can be attributed directly to section 76.1(b) of the LRA.

Only this time it is not me saying it. The attribution comes from Numsa, the metalworkers’ union. Around the country, numerous employers, mostly in the service station sector, have resorted to lock-outs which are the prerequisite for employing replacement labour. “This has been a provocation to our members and has given employers confidence to continue,” said Dumisa Ntuli, Numsa organiser. “The clause in the LRA is a problem,” he added.

Ntuli made the statement as the usual recriminations followed the failure of talks on Wednesday. Numsa officials were convinced on Tuesday afternoon that the strike, which has involved some 50 000 workers, would be over by yesterday. Now further talks are scheduled for Sunday.

Unionists accuse the employers of provocation and employers accuse the unionists of intimidation. As in any lengthy strike, intransigence on both sides is a feature, and the accusations from both sides are probably equally valid. Only this time, the employers can claim the major provocation of which they are accused amounts to the application of a statute which the unions not only agreed to but praised.

What this LRA section does is effectively negate the power of the last-resort weapon in the trade union armoury. A strike is the ultimate stand-off. Workers suffer through loss of wages and employers through loss of production and, therefore, profit.

In normal circumstances, it is a matter of finding a balance between personal suffering and material loss.

But, through section 76.1(b) the scales are weighed wholly in favour of the employers. “This makes workers angry, and it is difficult to stop them intimidating scabs,” Ntuli said.

The union sought to maintain a calm atmosphere, but this was made almost impossible when lockouts and replacement labour were used by employers who often relied on the police for enforcement. Over 400 Numsa members had been arrested since the strike began and there were more than 150 complaints of assault.

A similar situation could not occur in the auto industry. "There skills are involved which cannot be taught overnight," Ntuli said. It was not just a matter of "getting by" with untrained staff. "They need our members and only our members," he said.

At service stations and in certain sections of the component industry this did not apply. It was here that the "problem clause" of the LRA had come into play. "We will have to tackle this issue and, if necessary, get the LRA changed," Ntuli said.

In the meantime, the union would continue to fight what it has categorised as the "*skop en donder*" management approach of the South African Motor Industry Employers' Association (Samiea). It would also try to continue to get across the message that the strike was not simply about a difference in wage demands.

Samiea, which was offering 4.5 per cent against the union demand for 12 per cent to 18 per cent, wanted any pay rise to apply only to minimum rates, not to what workers actually earned. Because of previous struggles and long service, many workers earn more than the minimum. They would, under the Samiea proposal, not receive any increase.

"Yet, as we keep saying, most workers in this industry earn poverty wages," Numsa's Hosea Morapedi said. The Samiea proposal would increase the minimum monthly wage in cities by R33.57 and the minimum wage in small towns and rural areas by R23.17. This would mean less than R780 a month in major urban centres and some R538 a month elsewhere.

This raises another question long in the forefront of trade union demands: the living wage. "In this sector, no worker gets a living wage," Ntuli said. "That's why we are so determined."

November 6

Brief promises of marching together

THE JOBS summit was never going to deal with the fundamental issues of the economy on which jobs and job creation ultimately rest. But it did create a brief image of business, government and labour marching together along a common path paved with vague promises, some financial commitment and the intention to establish work brigades.

Within days, however, the usual varying directions and internal contradictions manifested themselves. The international Jubilee 2000 campaign to wipe out the debt of poor countries is a good example. The South African leg was launched in Cape Town last night, supported by elements from all three wings of the governing alliance in a broad coalition peppered with clerics of various denominations.

Jubilee 2000 has the hallmarks of a moral crusade of the highest order, with a wealth of facts revealing the extent to which banks, international institutions and the aid and export organisations of richer countries have effectively pillaged the world. But South Africa is not a heavily indebted nation on the international stage. The debt and interest payments which form the largest single element in the national Budget are domestic.

This is also "apartheid debt" in that the burden was inherited from the previous government. It has grown substantially since then, but largely because of the need to borrow more in order to pay interest on previous borrowings, a classic debt trap.

But the alliance government has already rejected calls to declare a moratorium on internal debt or to save billions by unilateral restructuring. Yet this one of the calls which will be made by local Jubilee 2000 campaigners — supported by Cosatu.

Government fears moves to cancel any of the debt to financial institutions would severely harm business confidence. It is a case, therefore, of pragmatism having to supersede deeply held principles of justice and fair play.

The trade union movement too faces such dilemmas. Marcel Golding, former deputy general secretary of NUM, the mineworkers' union, and now head of Hoskin Consolidated Investments (HCI), this week attacked that cornerstone of union principle, the exercise of the right to strike. Strikes, he pointed out, damage profitability. As such, HCI — a trade union investment company — is affected.

Golding made his plea because investments — and not just trade union investments — are under pressure in the present economic climate. Were there a global boom under way, there would be no need for him to have issued such a warning. In boom conditions — the time when much of Africa accumulated its mass of debts — there would also probably be no Jubilee 2000 campaign.

A revenue-rich government would also almost certainly have been able to service its debts without increasing its accumulated deficit or having to cut social spending.

But these are not boom times. We are in the midst of a global crisis which frequently masquerades in the media as the “Asian contagion” or the “Russian flu”. These terms imply various geographic causes for currency collapses and job cuts, but actually add nothing but further confusion to the debate.

Yet, within the broader trade union movement at all levels, there is a clear explanation for the cause of the present crisis. It is summed up by June Dube, president of the Transport and General Workers' Union. “Overproduction,” he said. “The world is suffering a crisis of overproduction.”

Calls for greater productivity (more products produced by the same number or fewer workers) and greater competitiveness (more products being produced more cheaply) therefore amounted to “pouring oil onto a raging fire”.

On a practical level, as the Food and Allied Workers' Union has pointed out, it means goods such as heavily subsidised canned tomatoes from Italy selling in South Africa for little more than the cost locally of the can and label.

According to Dube and others, it is all part of a vicious cycle where competition forces job losses, which reduce the customer base for the increased number of products. But there still seems no widely accepted solution.

So the oil of productivity and competition continues to be poured on to the destructive fires of surplus. At the same time, Jubilee 2000 campaigners and the task teams from the jobs summit will try to create some firebreaks.

December 11

Gains by labour that flatter to deceive

THE TRADE union movement faces a fairly rough 1999, which may seem something of a contradiction considering that this year has ended with the introduction of the new Basic Conditions of Employment (BCE) legislation.

Taken together with the Labour Relations Act (LRA) introduced in November 1996, South Africa, from a trade union viewpoint, arguably has the best labour laws in the world.

Before Christmas, a framework agreement covering conditions for private sector involvement in municipal services will also, finally, be signed.

It states that the public sector is the preferred option for the delivery of municipal services and that the private sector may only become involved when there is no alternative.

This, again, is an apparent high note for a labour movement that still flies the flag of anti-privatisation.

However, whether there is an alternative or not is a matter for interpretation. Government and union negotiators have shown several times during the protracted talks that they agree to differ.

In any event, the issue of which agreements are covered by the framework has also not been resolved. So the battle over the privatisation of waste and water services in Nelspruit and on the Dolphin Coast will spill over into the new year.

Also promised for the new year is a review of the new labour legislation. This follows rather strident cries from business about the cost, especially of the BCE, and murmurings in government circles, about the need for greater flexibility.

So further battles lie ahead. But they will take place on an economic terrain hardly favourable to the labour movement. Market tightness triggered by gluts and over-capacity, has led to continued layoffs throughout the year, swelling an increasingly desperate army of unemployed.

In some cases, such as in the motor industry, this has led to outbreaks of militancy, but the unions have not made any real headway in their demands for moratoriums on retrenchments and for job creation. They cannot, because the strength and political influence of the labour movement is a far cry from the dominance claimed by most of the official employer organisations.

The mainstream of South Africa's labour movement, mainly represented by Cosatu, but also by Nactu, made up much of the weight and the spearhead of the anti-apartheid struggle. As such, labour demands, across the board, were to the forefront at the time of the transition. This is no longer the case. Even the existing LRA and BCE amount to compromises with union demands.

Militancy has waned, and there has been a retreat from once devoutly held positions, particularly on socio-economic policy. Arguments about why this has happened will continue among the politicised minority, but it is a simple fact the unions have had to give way — while still maintaining verbal resistance — to the government's liberal economic orientation, which shapes what is possible and is deemed desirable.

But then it should be noted that, again contrary to popular misconception, unionised workers in South Africa remain a minority. There has also been a probable decline in overall membership.

Cosatu, by far the largest of three federations, has under 2 million members organised into 19 unions. Fedusa, which draws together 32 regional and national unions, has a membership of some 540 000. Nactu has 18 affiliated unions with a total membership of some 220 000.

Beside these 69 unions with perhaps 2.6 million members, there are now an additional 429 registered trade unions with another 282 awaiting registration.

Several of these unions are virtually — or totally — moribund, others are small. But some, such as SA Food and Allied (Safatu) a breakaway from the Cosatu-affiliated FAWU, appear to organise perhaps the majority of workers in the sector.

In the harsh global economic climate, with a government committed to fundamentally laissez faire policies, this organised minority may have its work cut out next year just to hold onto the gains it has so far made.

1999



Election year and voters are slow to register, but prisoners get the right to cast their ballots. The New National Party seems on the brink of oblivion as the floor crossing "window period" allows MPs to change parties and Pan Africanist Congress president Stanley Magoba upsets fellow Methodists and many others by calling for the amputation of limbs for criminal offences.

The AIDS denialism row continues and former United Democratic Front leader, the Reverend Allan Boesak is convicted of theft. An assets forfeiture unit is set up under advocate Willie Hofmeyr while in Cape Town the People Against Gangsterism and Drugs (Pagad) group takes to explosives.

With the International Monetary Fund threatening to sell off gold stocks, the price of the metal falls, causing consternation both among the mining houses and the unions. Concern grows about unemployment, with the combined labour movement setting up the Job Creation Trust, financed by the donation of one day's wages from all union members.

The South African National Defence Union wins the right in the Constitutional Court to form unions in the military, freeing both the SANDU and the SA Security Forces Union to organise. Controversially, the government signs a \$4.8 billion arms procurement deal and, also controversially, Manto Tshabalala-Msimang becomes health minister.

The Lesotho invasion and union alliances

LESOTHO'S tiny and fractured trade union movement, like its business community, is slowly trying to deal with the aftermath of the political crisis and the September Southern African Development Community (SADC) military intervention and riots.

The SADC intervention — referred to unanimously by the unions as “the South African invasion” — not only left large areas of Maseru's commercial centre in blackened ruins, it resulted in an estimated 20 000 workers being either “abandoned, laid off or retrenched”.

In the “abandoned” category are the former employees of Crayon Garments, the clothing manufacturer owned by Wheedon International of Taiwan.

During the traditional December break for garment workers, management appears to have stripped the factory bare and decamped across the border with stock, machinery and all moveable items. “They did just disappear,” confirmed a spokesman from the Lesotho National Development Corporation.

The three union federations here — small by almost any standards — have formed a tripartite alliance. This has, in turn, entered into a tripartite alliance with business and government to respond to the ongoing human tragedy.

Personal differences, which seem to have underlain several of the splits in the union movement, have been buried, as has some of the wariness about the government and political parties in general.

Not that there is any likelihood of convergence in the immediate future, certainly not between the combined unions and government, or even between the three union federations.

“But there is a possibility that we and the biggest federation, Coletu (Congress of Lesotho Trade Unions) will get together,” said Makatleho Nyabela, one of the few women general secretaries anywhere and who heads the Lesotho Federation of Democratic Unions (LFDU).

The concept of a single federation is also supported by the newly named Lesotho Trade Union Congress (Letuc), the smallest but oldest of the federations. Simon Jonathan, the general secretary agreed that unity would be to the benefit of workers. “But I have given up trying,” he said.

“We and the LFDU organise on the basis of one industry, one union,” said Sechaba Makhasane, Coletu general secretary and former leading National Union of Mineworkers (NUM) activist in the historic 1987 miners' strikes in South Africa.

“There are some difficulties between us, but they may be overcome.” Letuc traditionally organises on a geographic rather than industrial basis.

Makhasane, a former Witbank miner, who was banned and deported to Lesotho after the 1987 strike, is the only one of the three general secretaries who does not dispute the government's audit of union membership. It found Coletu has 9 800 members. “We claim 10 000, so there is not much difference,” he said.

Nyabela felt the criterion used by the department of labour to assess membership differs from that of the unions. While the LFDU claims some 2 000 members, the government audit gave it 1 400. Letuc is credited with only 400 members.

In addition, there is a variety of independent unions — and a branch of South Africa's NUM — making for a probable total unionised workforce of a little over 20 000 out of an estimated 60 000 workers in full-time employment in the formal, private sector.

Among these independent unions is the Lesotho Association of Teachers (LAT), widely criticised as a government-sponsored “sweetheart union”.

The Coletu-affiliated teachers' union, LTTU, claims the education ministry deliberately sabotages attempts to recruit into LTTU.

Ironically, LAT is recognised by Cosatu-affiliated Sadtu, South Africa's major teachers' union, as representing unionised teachers in the mountain kingdom.

But that may change as Coletu, which only held its founding conference last year seeks to renew and extend contacts with the South African union movement. "This is an issue we will certainly be taking up," Makhasane said.

"With a number of South African companies operating here, it is essential we have closer links with Cosatu and Nactu in South Africa," said Justice Tsukulu, general secretary of Cawule, the Coletu-affiliated construction workers' union.

Tsukulu was this week signing up construction workers for the next phase of the controversial Lesotho Highlands Water Project.

"This should give us a substantial boost in membership," agreed Makhasane. "But we are small and need to grow and to be more united, not just in Lesotho, but in the region.

May 7

Learning — and using — lessons from the privatisation battle

THE trade union battle to halt the privatisation of waste and water services in Nelspruit and on KwaZulu Natal's Dolphin Coast has finally been lost.

This often-announced event appears at last about to be confirmed since the unions' final round of ammunition has proved to be a dud.

Cosatu and its affiliated municipal workers' union, Samwu, were relying on the clauses of the national framework agreement on local government restructuring in order to mount a rearguard assault. But legal opinion, sought by Cosatu, was that the framework agreement, struck between the unions and central government in December last year, was simply "not enforceable".

According to the lawyers, the agreement, which stressed that the public sector should be the "preferred option", could not legally be relied on.

Union hopes of a possible constitutional challenge to the Dolphin Coast deal were also dashed when Cosatu was informed that this was also unlikely to succeed.

This amounts to a severe defeat for the anti-privatisation lobby and will give encouragement to other councils contemplating outsourcing and privatisation measures. It also signals perhaps the final turning point in ANC-alliance local government policy

The formal truce in the Nelspruit/Dolphin Coast battle, which has strained relations between the ANC and substantial numbers of its trade union allies should be declared today. The announcement should come after a meeting of the sectoral forum on local government restructuring.

This "10-a-side" gathering of government representatives and trade unionists — six from Cosatu and four from the independent Federation of Unions (Fedusa) is scheduled to discuss both the Dolphin Coast and Nelspruit public-private partnership agreements.

The inclusion of this item on the agenda is apparently an attempt to smooth union feathers, which were badly ruffled by the manner in which the deals were done.

There does not seem to be any other reason, since both contracts have already been signed and the parties are, therefore, legally bound by them. There is no provision in either contract for new amendments.

However, as an evident sop, the department of constitutional development and provincial affairs has offered, in the case of Nelspruit, to “assist Cosatu” in putting pressure on the council to amend the agreement should it not meet with the conditions previously laid down by the unions.

But, at the same time, the department also announced that, having studied the agreement, it was satisfied that it complied with all conditions.

This is likely to raise a few hackles since the contract was given to the department to peruse and not the unions. But the seven “bullets” or conditions laid down by the unions are likely to have been met. In any event, the unions do not appear to have any legal basis to object.

This has caused some anger directed, particularly, at the department, coupled with vague verbal pledges to fight on. Yet there seems nothing more that can be done as regards Nelspruit and the Dolphin Coast.

It was an awareness of this fact that caused Samwu national office bearers to fight so hard at a meeting with the Johannesburg council on Tuesday.

Debating the Igoli 2002 restructuring proposals, they managed to gain agreement that all such matters be dealt with through the local division of the national bargaining council.

The union had obviously learned a few lessons from the Nelspruit and Dolphin Coast experience. They played a variation on the same legalistic game: decisions of the bargaining council are legally binding. Johannesburg is now committed to negotiating its proposed changes with the union on a metropolitan basis in a manner that may be legally binding.

Samwu intends to demand similar arrangements from Pretoria, Durban and Cape Town, where councils are contemplating wide-ranging restructuring.

“We remain committed to fight hard to ensure that the public sector remains the preferred option,” said Roger Ronnie, the Samwu general secretary, “and we will use whatever means are available to us.”

May 28

An alternative to GEAR, written by the unions

A RECENT survey claimed that few workers understood what the government’s growth, employment and redistribution (Gear) programme was all about. But then the majority of workers are not committed to Gear.

However, more than 2 million workers, through membership of unions affiliated to the country’s trade union federations, are formally committed to the Social Equity and Job Creation programme.

To the best of my knowledge, nobody has conducted a survey to discover how much unionised workers know about their own, alternative, economic strategy. Or even if they know that it exists and that they are technically committed to support it.

This is hardly surprising since copies of the impressive, 46-page Social Equity document issued by the labour caucus at the tripartite Nedlac forum in 1996 are very hard to come by. Nor have there been regular workshops or other similar attempts to explain where the trade unions officially stand and why.

Yet, from a trade union perspective, all that has altered in the intervening years in this regard has been that the Federation of SA Labour (Fedsal) has changed its name to become the Federation of Unions (Fedusa). Organised labour is, therefore, overwhelmingly committed to support the macroeconomic proposals outlined in the Social Equity document. Although no formal survey has been conducted, it

seems that a probable majority of independent unions may also take this stand.

Since organised labour — in the form of the largest federation, Cosatu — also makes up the numerically largest component of the governing ANC-led alliance, this is an extremely important point to make. So what does the Social Equity document propose?

It is actually based on what it calls “six pillars”, the first being job creation which, of course, is the declared target of Gear as well. But the unions’ proposal starts off with a demand for large-scale public works and mass housing programmes.

It also flies in the face of the World Trade Organisation (WTO) free trade proposals by calling for “pragmatic trade and tariff policies”. This means, simply, that the government should put the home market first by means of tariff barriers. This would be difficult, but perhaps not impossible, in a globalising world economy.

The second pillar calls for “redistributive fiscal policies”, by which is meant spending money to benefit the poorer sections of society. Housing and healthcare for all are the prime catch-cries. This, the document proclaims, should be financed by increasing the tax rates for companies as against those for individuals.

This idea of increasing corporate taxes is directly contrary to the Gear philosophy, which has continued reducing the tax burden on companies. The Social Equity document points out that, in 1970, 47 per cent of government income came from company tax and 18 per cent from individual taxpayers. By 1995, individuals contributed 42 per cent while companies added only 14 per cent to government coffers.

This year there was a slight reduction in tax rates for lower income earners, but a 5 percentage point cut in the corporate rate.

The third pillar is, in certain quarters, the most controversial. It calls for the breaking of “the stranglehold of big business” on the economy. The tendency of leading local corporations to move their primary stock exchange listings and headquarters abroad notwithstanding, this calls for a move against the merger mania of recent years via the implementation of an antitrust policy.

The fourth and fifth pillars demand improved worker rights and greater worker democracy. Some of the demands in these categories have been achieved with the introduction of recent labour legislation.

The sixth pillar is “championing economic development and worker rights internationally”. This clause recognises that South Africa operates in a global market and it calls on the WTO to become a tripartite body with representation from the government, labour and business. The obvious model is Nedlac, which, significantly, is the model chosen by representatives of the Lesotho government, business and labour for the reconstruction of its shattered economy.

These are extremely practical policy proposals. The same can doubtless be said for Gear. So perhaps, in line with the suggestion from Cosatu that sloganising be avoided in upcoming debates, the merits or otherwise of theories of Keynes, Friedman and the Chicago school should be set aside.

Perhaps we should look instead at simple, practical issues, such as: if we have enough land, more than enough building materials and numerous and hard-working builders unemployed, why do we not have enough houses?

The overproduction madhouse and the odd bedfellows

THE greatest economic irony of the modern age has resulted in considerable verbal thrashing about by metalworkers, miners, garment and leather workers and their respective employers.

The irony, of course, is that we face more retrenchments and greater economic hardships during a time of massive international surplus of all the basic necessities.

There is also clearly a great deal of work to be done, from mending potholes in the roads and building houses to providing health care and cleaning services.

Yet with all this work to be done, willing workers sit idle and, in the midst of plenty, many starve and lack fair shelter.

It is a worldwide phenomenon, one which has, again with considerable irony, triggered two reactions among local employers. The first is a demand that workers accept lower standards and effective wage cuts, or forgo wage rises altogether, to make the enterprises in which they work more competitive.

The second is an approach to unions to form a common front with employers against cut-priced imports, which are causing many of the local problems.

This is not, of course, a problem which affects gold miners. But they too are the victims of surplus. The fact that gold, once seen as a final store of value is now regarded merely as another commodity, and a not very useful one at that, has destroyed the national reason to hoard the metal.

Central banks and other collectors of bullion, whose vaults contain the bulk of all the gold ever mined, now wish to trade and sell it. This is perfectly in line with the liberal economic philosophy propounded by the World Trade Organisation, but it threatens to cripple South Africa's now highly efficient gold mining industry.

This has caused both antagonism and co-operation between the major mining houses and the National Union of Mineworkers (NUM). On the one hand, the Chamber of Mines is proposing wage rises of some 4 per cent against an initial union demand of 25 per cent.

On the other hand, the chamber and the NUM are united in demanding that international institutions and banks refrain from going on a gold-selling spree that will further depress the price of gold.

Particularly galling for the NUM has been the chamber's suggestion that mines be exempted from the provisions of the Basic Conditions of Employment Act.

But this sort of demand, along with that for a united front, is becoming more common as employers try to reduce costs in a world of declining prices.

"This is what we have to be careful about," said Dumisa Ntuli, a spokesman for Numsa, the metalworkers' union. "In this madhouse of over production we are prepared to join with the employers to protect jobs, but not to get our throats cut at the same time."

Numsa is already in talks with cable and steel tube manufacturers about a common approach to government to seek protection for this sector as part of a possible national strategy.

Other steel fabricators have also approached the union. There has been some talk of linking up with the textile, garment and footwear sectors, which face similar problems.

"We have got to do something about it," said a senior executive of a steel fabricating company which initiated talks with the unions this week. "We are faced with Chinese product being sold in this country for less than the price to us of the basic steel."

But as and when the unions and employers do form a common front to demand action from the government, it can only be the start of a process.

The next major question will then have to be faced: can there be national solutions to an international problem?

If South Africa erects barriers to imports, retaliatory barriers could also be erected against exports from this country. In which case, highly competitive export sectors such as ferroalloy and certain steel production could be badly affected.

At least nobody is yet proposing the sort of solution seriously considered a decade ago for the huge overhang in the cocoa market: destroy all surpluses to enable a fresh start with better prices.

** Banks and international institutions did hold back on sales of bullion and the gold price went from \$258 an ounce in June 1999 to \$1 500-plus in 2011. But the situation as outlined remains the same.*

July 9

Pay-back time demands and post-election tension

PRESIDENT Thabo Mbeki's new government has not had a political honeymoon. Cabinet ministers barely had time to settle into their new posts or terms before they were shaken by a series of rumblings within the ANC-led tripartite alliance; some caused by leftover disputes shelved for the election, others by international factors.

This amounts to pressure for change in economic policy direction and comes primarily from the trade union segment of the alliance, backed by the Communist Party (SACP). They do not yet pose any threat to government unity, but there is a potential for serious fissures to develop in the alliance façade.

Many of the unionists concerned worked hard for the government's landslide election victory. Members of the three public sector unions involved in protracted and deadlocked wage talks with the government were no exception.

Unions are now saying it is pay-back time. But for government to accede to the 10 per cent wage demands of Nehawu, the education and health union, Sadtu, the democratic teachers' union, and Popcru, the police and prisons union, would be to go against its macro-economic policy.

This it is unwilling to do, as Geraldine Fraser-Moleketi, the public service minister, has made clear.

The government may be able to buy time with the offer of fresh negotiations. But the issue of pay and retrenchments, if not the more fundamental one of economic policy, will have to be faced, sooner rather than later.

Just as serious for the government is municipal restructuring and, in particular, the flagship Igoli 2002 scheme for metropolitan Johannesburg.

It faces apparently solid rejection from Samwu, the municipal workers' union, which seems to have equally solid backing from the SACP locally and from sections of the ANC. Again, this is a direct reflection of attitudes to macro-economic policy.

In Johannesburg yesterday, Samwu started a two-day workshop to train trainers from around the country in the legal and other aspects of local government restructuring.

Next Friday, the day the public sector unions are scheduled to start their first bout of mass action, Samwu will stage another workshop to strategise its opposition to outsourcing and privatisation.

This workshop is designed to draw up a future campaign strategy for all metropolitan areas. A British

researcher from the international public service union network, which backs Samwu's anti-privatisation campaign, is scheduled to attend, but there will be no immediate action.

Demands for immediate action relate to the question of continuing job losses, brought to a head this week with the liquidation of the ERPM mine. This is the first major casualty of the depressed gold price, exacerbated slightly by the strengthening of the rand.

Only hours after the ERPM announcement came news of possible mass retrenchments at Spoornet. This has brought into play Satawu, the new Cosatu-affiliated mega-union of transport and allied workers.

Zwelinzima Vavi, Cosatu's acting general secretary, promptly summonsed an urgent meeting of all Cosatu affiliates. He said in the face of current job losses "we cannot afford to fold our arms".

But this campaign meeting, which starts this afternoon, will almost certainly not launch into a frontal assault on the government's economic policy.

Cosatu and the bulk of its affiliated unions remain committed to the alliance. But it is likely to call for direct government intervention, particularly in gold mining, which is, in itself, an oblique attack on the government's economic orientation.

The multiplier effect causes job losses on the mines to affect almost every sector of the economy; the number of jobs dependent on each miner working is perhaps as high as ten to one.

This is likely not only to draw unions closer together, but also to promote a degree of united action with a number of employers — and some xenophobic reaction against gold selling countries such as Britain.

Several companies involved in steel pipe and flange manufacture, already hit by cheap imports, met earlier this week and agreed to discuss with unions the possibility of a joint approach to government for tariff protection.

In the wake of the ERPM closure, the companies involved have put the proposal on a more urgent footing.

This should add to the clamour to provide some rapid, albeit temporary, relief on the job front and is likely to drown out for the time being demands for a serious review of economic policy. But the demands will not go away, anymore than will the problems that triggered them.

October 29

The incoherent Igoli 2002

IGOLI 2002 and the debate about the restructuring and transformation of Johannesburg is of critical importance, not just to Gauteng but to the country as a whole.

Johannesburg is the biggest, richest and most divided of all our urban concentrations. Here, more than anywhere else in the country, obscene wealth and abject poverty exist cheek by jowl; the legacy of the past reflected in the glittering swimming pools of suburbia and the sludge-filled potholes of the squatter camps and townships like Alex.

Here is South Africa in microcosm awaiting the reconstruction and transformation that Igoli 2002 is supposed to bring. But serious national public debate on the proposals and alternatives has been sadly lacking.

This past week, in the wake of a major demonstration against Igoli 2002, provided a classic example. The protest was called by the two municipal trade unions, backed by their federations and supported by the national civics organisation, Sanco, the Communist Party and micro business in the form of the hawkers' association.

Also there — and vocally so — were several well-known ANC members, including one councillor, Trevor Ngwane, the former Transport and General Workers' Union education officer.

It was a demonstration of organisations representing the majority of the city's citizens. This was something the two municipal unions, the Cosatu-affiliated Samwu and the Fedusa-affiliated Independent and Allied Union, Imatu, stressed. But the message tended to get lost.

The general impression was of a municipal workers versus bosses confrontation. The issues also tended to be buried behind the labels Igoli 2002 and "restructuring" in reports that focused on some violence at the end of the protest. There were also allegations of an attempt to kidnap Kenny Fihla the chairman of the Transformation Lekgotla behind Igoli 2002.

He and various trade union and other speakers were on the back of a flatbed truck that served as a platform when the incident erupted. All that can be said for certain is that there were punches and kicks as demonstrators clashed with police wielding perspex riot shields.

But rather than a kidnap attempt or blind rage, it was probably unexpected rain that triggered the incident. As the protesters shouted for Fihla to reply to their memorandum, rain began to fall. The truck driver decided to head for shelter.

"Some of the people seemed to think Fihla was running away," said Ngwane, who was also on the truck. However, in a brief national radio debate the following day, Fihla added to the rage factor by referring to those involved in the clashes with police as "ignorant workers" manipulated by leaders with political agendas.

But Hlubi Biyana, the Johannesburg branch secretary of Samwu, also made little contribution to the cause of reason. Because both men delicately skirted the main issue of Igoli 2002 by avoiding the use of the dreaded "P" word. Yet privatisation is what lies at the core of the row.

Everybody is in perfect agreement that municipal services — water, sanitation, rubbish removal, electricity and so on — should be delivered in the most efficient and effective way possible. But how should this be done and why?

Igoli 2002 is based on the introduction of the private sector and therefore, profit into the equation for delivery. With the unions to the forefront, opponents argue for public sector delivery on the basis of need, not ability to pay: that every citizen has the right to basic services.

So, in the case of water, the unions maintain that every citizen should be guaranteed the World Health Organisation minimum of 50 litres a day; that big domestic users — those living beside the swimming pools rather than the potholes — should pay more. The biggest users — industry and commercial farms — should also not be subsidised by the poor.

The privatisation lobby agrees that there should be no subsidies. But, on the basis of a "user pays" philosophy, they demand that all should pay for what is used. Of course, it is seldom put as bluntly as that. Euphemisms such as "cost recovery factors" abound.

In plain English they mean: if you don't have the money, you don't get the service. This seems to be the thinking behind the acceptance by the Lekgotla of the World Bank-promoted concept of pit toilets for the poor.

In official jargon these are referred to as "ventilated improved pit latrines". But, as one union researcher noted, whatever they are called, their widespread introduction could result in Igoli 2002 becoming eColi 2002 as a result of sewage pollution seeping through Johannesburg's porous soils. "That's where the debate should be at," said an Imatu shop steward.

"We should all understand what the public and private sector alternatives are — and what the consequences could be."

Solidarity, support and the question of free lunches

AFTER 40 years in the US, an Italian immigrant was asked by broadcaster and commentator Alistair Cooke what he had learned from his sojourn in the land where the dollar is king. He replied: "There is no free lunch."

It summed up the free enterprise philosophy where altruism becomes a guise for naked avarice, where every quo is followed by a quid. So it was that the dictum, there is no such thing as a free lunch, came into the English language, certainly in terms of business.

Even the great labour tradition of selfless solidarity in terms of funding, practical assistance and action has, from time to time, been prejudiced and prostituted, especially among gangster-controlled unions in the US. But much solidarity, especially at grassroots level, remains unsullied and should not be confused with the freebies of the commercial world. As every journalist knows, apparently free lunches abound in our society.

The wheels of public relations are greased by free food and drink, free travel and tickets to select venues or private boxes.

Is this bribery and corruption or merely a harmless, established business practice? Is this a question of buying favours or of ensuring that a product, person or company is seen at all, let alone in the best possible light? Quite simply, there is no clear-cut answer; this one of the grey areas of trade, commerce and politics.

The question is all the more complicated on an international level when governments, parastatals and civil society become involved. But the principle is the same, as are the questions.

This is a vast grey area, rife with rumour, commission agents, backhanders and traps for the unwary. It is a grey area into which the metalworkers' union, Numsa, was this week dragged.

It all had to do with the controversial R30 billion order for military materiel, which includes Gripen jet fighters made by Sweden's Saab, in which British Aerospace (BAe) has a 35 per cent holding.

Saab/BAe offered the South African government the best deal in a bitterly fought battle between military plane makers. Not in terms of quality of aircraft or value for money, perhaps, but in terms of offsets.

Offsets are the investments and other inducements offered to persuade a buyer to purchase one product rather than another. In the international arms bazaar, this practice is still accepted, but in wider commerce it tends to be frowned on because it is clearly open to abuse.

This is why various national and international bodies, such as the World Trade Organisation, try to minimise difficulties by advising against the use of offsets in international trade.

But offsets are part of the government's arms deal. Equity participation in the armaments sector for national civics organisation Sanco and the establishment of an industrial training school for Numsa were reported five months ago as offsets arranged through BAe. These were sweeteners given in exchange for support for the Saab/BAe sale.

So, at least, said the report. It was not publicly contradicted. But this week, in the wake of allegations of improper influence being exerted on Numsa, the union categorically denied having had any dealings with BAe.

Also emphatically denied was the report in a leading British newspaper last Sunday that BAe had "enlisted the support" of Numsa by donating £4 million via Swedish trade unions. The funds, the report noted, would be used to establish an industrial training school.

The training school project is certainly on the cards. It is scheduled to be built in Randburg at a cost of nearly R10 million.

This is openly admitted by Numsa, which has a history of Swedish solidarity support. Despite published statements to the contrary, the union's official position yesterday was that it opposed the R30 billion arms deal.

"Our country is still mired in poverty, there is no threat of war and Denel (the local armaments manufacturer) is threatening to retrench hundreds of workers," said Dumisa Ntuli, a Numsa spokesman. "So how can we support spending all this money on importing arms?"

BAe also this week denied involvement, while the Swedish metal unions noted that the industrial school was a solidarity project that had been completely above board. However, Numsa welcomed the call for a full inquiry. "We have nothing to hide," said Ntuli, "and if the signature of one of our office bearers is on any agreement, our executive knows nothing about it."

Transparency is, of course, the nub of the matter. There would be a lot fewer apparently free lunches available if everything was known about each offer. And solidarity would remain unaffected.

2000



Floods in Mozambique and dramatic helicopter rescues by the SA Air Force. Tensions continue in the tripartite alliance, mainly caused by differences in economic policy while concern about the arms deal and possible corruption continues to grow. Freeplay, the much lauded empowerment company created to make wind-up radios and torches, relocates production to China, citing "economic reasons". A Human Sciences Research Council survey unsurprisingly finds that unemployment is listed as the country's biggest problem by 62 per cent of the population.

A Promotion of Equality and Prevention of Unfair Discrimination Bill is introduced to parliament and the government establishes a new National AIDS Council that excludes several recognised experts in the field and includes known charlatans. The "Hansiegate" cricket match fixing scandal erupts and AWB leader Eugene Terre'blanche loses his appeal and goes to jail for assault. Allan Boesak is sentenced to three years in prison.

Details emerge in court of the involvement of "Dr Death" Wouter Basson in the murder of Namibian activists who were thrown into the sea from aircraft. He is acquitted and letter bomb killer Craig Williamson is granted amnesty for three admitted murders although he refuses to make full disclosure of his activities.

Kallie and Monique Strydom, held hostage in a Philippine island jungle for four months by Islamic insurgents, are released via Libya following the intervention of Muammar Gaddafi. South Africa makes a concerted play to host the 2006 soccer World Cup and is scuppered by the apparently bought vote of New Zealander Charles Dempsey.

Schooling by price and age

CRISIS an overworked word, especially in the media. But it certainly applies as never before to the state of our schooling system, which, say teacher union critics, is rapidly degenerating into a competitive morass.

This crisis, they add, should come to a head this year. A materially and academically elite minority has been promoted at the expense of crippling — intellectually and psychologically — the mainly poor majority. This view was expressed forcefully this week by a Western Cape secondary school principal who, like most of his staff, is a member of the South African Democratic Teachers' Union (SadtU).

The union itself has condemned the system, which it regards as guided by a blinkered and short-sighted vision that considers education a commodity. As such, the schooling system is now claimed to be one of the prime causes of juvenile crime and the burgeoning gang culture.

This view is certainly not restricted to the Western Cape. But several teachers from the province are among a number of members of SadtU who are arguing that Kader Asmal, the new education minister, should be charged with being in breach of the constitution. The basis of the argument is Asmal's decision that only learners between the ages of seven and 19 may be accommodated at schools. It has been estimated by academic researchers at the University of the Witwatersrand (Wits) that this age restriction might save the state up to R1 billion a year.

According to our Bill of Rights, everyone has the right "to a basic education, including basic adult education". In fact, everyone has the constitutional right to further education. The only proviso to this second right is that the state must, through reasonable measures, make it "progressively available and accessible".

The age restriction of seven to 19 on school attendance without making provision for either pre-school or adult education facilities could render the minister in breach of the constitution. "But we are not interested in making legalistic points," said a senior teacher at a Western Cape secondary school. "The point is the social effect of this breach."

There are also further arguments regarding the constitutional provisions that instruct the state to take account of the need to "redress the results of past racially discriminatory laws and practices". SadtU has pointed out that the legacy of apartheid continued through the unequal distribution of resources across provinces and communities.

"This will be exacerbated if proposals to change students' examination fees go ahead this year," said Hassan Lorgat, a SadtU spokesman. "We already have a financially and politically elite system emerging."

"What has happened to poorer families makes a nonsense of the educational provisions in the Bill of Rights," said Salim Vally, from the education policy unit at Wits. "Because education was a commodity that had to be paid for, many poorer families simply could not afford to send their children to school."

This fact was borne out by a recent survey on micro-lending conducted by the Black Sash. It revealed that school fees were the second most pressing reason that drove families into high-interest debt. Food was the first.

"Many of these families also enrolled their children at school at an earlier age because they had no choice," said Vally. Now, at a time when there was growing concern about child abuse, many more children were having to be left in the care of older siblings or unqualified supervisors or simply to fend for themselves.

At the other end of the scale, angry, frustrated and demoralised young men and women, often with a low

self image, were forced onto the streets simply because they had reached the age of 19. “Yet this is a country where, because of family commitments and poverty, many children have to drop in and out of school or even start late,” said a teacher at a Khayelitsha school.

“The trouble is that without alternative facilities, older learners have no place to go but the streets,” said Ndaba Gcabaza, the KwaZulu-Natal secretary of Sadtu. “The psychological damage to learners who are cast out in this way is also enormous. But the slogan seems to be ‘*asinamali*’ — we have no money,” said Gcabaza. “Yet it is often really only a matter of the better and more efficient use of available resources,” he said.

In any event, as several Sadtu members pointed out, the up to R1 billion in savings made by increasing the entry age, could — and should — be used to provide pre-primary facilities.

February 25

The myth of informal sector employment

JABULILE sells sweets on a Cape Town suburban station. On a good day, usually around the end-of-the-month pay days, she can make up to R30. Usually it is R10 or R15 or less. Yet hers is the only regular income for a family comprising herself, her husband and two children.

They live in a one-room shack ingeniously constructed of scrap timber, sackcloth, plastic and recycled tin in one of the informal settlements that stretch for nearly 30km along the N2 highway north.

Like so many of the other micro traders who throng the township street corners, taxi ranks and railway stations, she is one of the 1 million workers whose jobs vanished over the past decade. After months of fruitless job seeking, she scraped together the little that was left of her paltry retrenchment payout, bought a bagful of stock and joined the legion of others who had taken a similar course.

Jabulile’s story has been repeated thousands of times around the country and she represents just one of the vast army that makes up the bulk of the informal sector. Because they work, often 12 and 14 hours a day, and earn money, they are officially regarded as being employed.

The fact that some gave up regular jobs to take up this precarious lifestyle has also been quoted as evidence that the informal sector provides an acceptable alternative.

But the fact of the matter is that, with recent hefty increases in taxi and commuter train fares, it is now possible for low-paid workers to have only R5 a day left after deducting the costs of spending three to four hours a day travelling to and from work. They often find scraping pennies closer to home a preferable alternative.

“But someone selling a few oranges on a street corner is not employed, they are just surviving,” said Rachel Visser of the textile and clothing workers’ union, Sactwu. These people were “the hidden unemployed”.

However, a number of commentators, including some officials within the trade and industry department, maintain that the informal sector has absorbed many of those jobs lost in the formal sector. Examples are quoted of successful entrepreneurs running strings of unlicensed and unregulated outlets for a variety of products. But these are often the wholesale suppliers and effective employers of the Jabulile’s of this world.

According to data collected by the Cosatu-affiliated research institute, Naledi, outsourcing has also provided work for some retrenched employees. “We have heard of clothing workers who were earning R400 a week in a factory now doing the same work for R100 a week as outsourced contractors,” said a Naledi spokesman.

For many in the labour movement this is proof that the government's economic policies are encouraging the drift to sweatshops.

"But there are not many clothing workers in this position," said Visser. "Almost all of the thousand who had lost jobs in the past two years are still without work."

Because Sactwu was well organised across the sector and had the resources the union was able to make fairly accurate assessments. Of the 36 000 clothing and textile workers who lost jobs in 1998 and 1999, Visser estimated that "maybe 100" had found alternative work. Many still came to the union offices every week because the union acted as a job centre.

The unions also dispute the official unemployment figures and, in particular, claims that the rate of unemployment may be falling. Yet available statistics do indicate that this may be the case.

In 1997 the economically active population was officially 15 826 0979 of whom 5.2 million were said to be without work. The latest jobless figures for last year — with a presumably larger economically active population — is 4 868 861.

"But the simple truth is that nobody really knows what the true figure is," said Chez Milani, the general secretary of the Federation of Unions (Fedusa). "There is no way of accurately assessing it, but our estimate would be (an unemployment rate of) at least 35 per cent."

Zwelinzima Vavi, Cosatu's general secretary, agreed that the rate was at least 35 per cent — and growing. Several senior unionists also pointed out that Statistics South Africa had changed the basis for calculating unemployment. This has resulted in an apparent decline in the numbers. "But that is just massaging," said one.

Both the major trade union federations are now hoping that the latest Budget with its release, through tax cuts, of more money into the pockets of wage earners, may provide some stimulus to the economy and so help create more jobs.

At least Jabulile's income may receive a slight boost.

March 24

Producing clarity from political murk

VIVA Cosatu! Viva the SACP! Viva the ANC! There is not a single alliance trade union rally that does not start and end with these chants. Yet when the form of unity is dissected, when the substance of this political trinity is analysed, a welter of contradictions is exposed. To preserve the form of solid unity on this seething mass of conflicting viewpoints, principles and beliefs, layers of vague and often confusing rhetoric are necessary. Specific verbal treatments have to be given, depending on which part of the body politic is being addressed.

It leads to politicians, of both the established and aspirant variety, telling audiences what they think the crowds would like to hear. But they are also always careful not to be too specific about any commitments.

The audiences are therefore left to interpret, and to support, the expressions of the speakers as being specific commitments. The speakers, if they are subsequently held accountable for their rhetoric, may then deny having made any commitment.

Good journalism cuts through such claptrap. So when a minister, in ringing and militant tones, tells workers to join Cosatu's fight against job losses, the message is clear. It is especially clear because Cosatu has stated unequivocally that it has chosen a general strike as the focus of its fight.

This was the position Membathisi Mdladlana, the labour minister, put himself in at a recent workers'

right rally in Germiston. Mdladlana did not specifically mention the planned May 10 strike. He did not have to. His meaning was obvious. “I am happy to hear workers can still fight, but I want to see that fight,” Mdladlana thundered.

My colleague, Frank Nxumalo, the labour editor of Business Report, reported this is as it was said and interpreted by the audience. Unconditional support for Cosatu’s fight had to mean support for the general thrust of that fight — the general strike.

Not so, claimed Mdladlana. He supported Cosatu’s fight, but refused to admit he supported the May 10 strike. There is a word for this form of argument: sophistry, a seemingly plausible argument that is invalid and misleading.

Business South Africa then criticised Nxumalo for having damaged the business climate by reporting what he had. There is a word for this too: censorship — in other words, never mind the facts, give us the story we deem is in the national interest.

But given the mass of contradictory values on which the governing tripartite alliance is based, it is little wonder there exists so much confusion.

And the contradictions and confusions should be highlighted. They should not, as one Cosatu member of parliament said privately, be “kept in the family”.

His argument, and it is one shared by a number of leading Cosatu trade unionists, is that the alliance amounts to a “vibrant dialectical relationship” with left, right and centre united by “constructive tension”.

In other words, behind the scenes — in parliament and elsewhere — the various leaderships are engaged in fighting their corners on behalf of us all. Part of this fight involves rallying supporters outside the smoke-filled rooms to give weight to one or other viewpoint.

This equates the organised workers of Cosatu to a stage army: called out and sent back at the whim of the leaders. This is not only the antithesis of the Cosatu tradition, it is the antithesis of democracy.

Fortunately, for the sake of a democratic future, such a scenario exists only in the minds of some politicians, be they trade unionists or not. But most politicians realise trade unions are not a docile and infinitely malleable force. They realise they are a force to be reckoned with and one that is best kept on ones side.

So politicians indulge in rhetoric that obfuscates, adding a different nuance here or there, depending on the audience. But good journalists report on what is said, and on what is clearly meant by what is said. They do not relay to the public the politician’s interpretation of what was meant, irrespective of what was said. This is the unenviable task of the propagandists and spin doctors.

No journalist or newspaper worth its democratic salt would deliberately remain silent in the name of some imposed assessment of the national interest. It happened in the past, of course. But that was when apartheid’s friends in the media were attempting to disguise the clear and monstrous horror of apartheid.

Now, the dispensation is democratic. Pity about the lack of clarity.

Waking up to the hazards of worker fatigue

SLEEP deprivation does strange things to the mind, resulting in slurred speech, wandering concentration and apparent difficulty in physical co-ordination — rather like being drunk.

In fact, a group of Australian researchers has now shown that this is precisely what sleep deprivation is like: being drunk.

They have developed a method which allows the fatigue suffered by an individual to be equated to the level of alcohol in the blood.

For example, anyone awake for 21 hours has the same impaired capacity as someone with a blood/alcohol level of 0,08 per cent, the level of a drunk driving conviction.

This, by the way, is regarded as far too high, and the transport ministry is in the process of bringing down the level for a drunk driving conviction to 0.05 per cent. To get to this stage requires just 17 sleepless hours.

There is also a cumulative effect when sleep is interrupted and when an individual stays awake for lengthy periods over several days, weeks or months.

Such an effect is a largely unrecognised cause of thousands of industrial accidents among workers forced, for one reason or another, to work long and often irregular hours.

In the transport sector this scenario can contribute to particularly horrific consequences. Our annual road death toll is clear evidence of this.

Only in the air does this factor appear to be taken fully into account. Airline pilots and flight crew have a complex set of arrangements which take full account of the need to sleep.

On a long non-stop South African Airways (SAA) flight to a destination such as Miami, for example, there are two flight crews on board, one accommodated in full sleeping quarters. No individual is at the controls for longer than 8.5 hours.

“None of this is a question of dodging work; it is purely a matter of safety,” said an SAA captain.

The same concern about sleep and safety does not, unfortunately, apply to other sectors. Even the conditions laid down in the Basic Conditions of Employment Act are frequently observed more in the breach.

The case of Spoornet and Metrorail are classic examples. Train drivers are frequently required to work 14-hour shifts.

Unlike airline pilots, their time of starting work is not from the time they arrive and “sign on” but from when they begin driving. This could be up to two hours or more after they have reported for duty. The shift also ends when the job is done, irrespective of the time involved.

Similar rules apply with some trucking companies, and long-distance taxi drivers often have hours to wait while their vehicles fill before setting off.

Long-distance coach drivers too, often work shifts of four hours behind the wheel, and four hours “resting”, often on the back seat of the coach, before doing another four hours behind the wheel.

What this means in safety terms was brought to the fore last month at an arbitration hearing involving Jurgen Gouws, the driver of Johannesburg Metrorail commuter train 9442 — the train which ploughed into a goods train between New Canada and Crown stations in Gauteng on October 15 last year. Four passengers died and 17 were injured.

At a Spoornet disciplinary hearing in January, Gouws was found guilty of “gross neglect of duty” in that he drove his train “recklessly and negligently”.

He had passed signals and caused the fatal accident which also resulted in R7 million in damages to railway property. The finding left Gouws open to a criminal charge of culpable homicide.

What happened was that Gouws fell asleep — which, when the evidence was given at the arbitration hearing, was scarcely surprising.

He had worked for seven days a week for months on end. In his last 14 shifts, eight had been for longer than 14 hours.

According to Dr Alison Bentley, a sleep deprivation expert from the University of Witwatersrand, Jurgen Gouws was suffering from extreme fatigue.

Had it been liquor, rather than sleep, deprivation which had brought him to that state, he would have been dead from alcohol poisoning.

Bentley’s research and experience — she was the co-author of the 1996 “Spad” report to Spoornet which pointed out the dangers of sleep deprivation — revealed that a high proportion of drivers in all the transport sectors often drove in a state of fatigue. Shifts of 14 hours or longer tended to guarantee high levels of fatigue.

“Unfortunately, the case of Jurgen Gouws is not unique,” said Chris de Vos, the general secretary of the South African Footplate Staff Association. “And there should be no argument about costs and profits. This is a question of safety, both of our members and of the public.

June 30

Xenophobia, scoundrels and calls to patriotism

“PATRIOTISM is the last refuge of a scoundrel,” wrote the great English biographer Samuel Johnson. There is doubtless plenty of evidence to show this to be so.

But patriotism is surely also a refuge borne of desperation for those either shortsighted about or overwhelmed and confused by global reality. How else to explain the continuing “Buy South African” campaign, led by Cosatu and supported by various unions?

These are, after all, the self-same bodies which have made clear their awareness of the dire and increasing poverty within our communities. And poverty, if nothing else, makes the sufferers acutely price conscious.

There would, therefore, be no need to make a call for patriotic purchases if the price was right. That is, if the South African product or produce was the cheapest or, better still, also gave the best value for money.

But we are increasingly finding that imported items, from food to clothing and shoes are cheaper than local brands. And, with less demand for local products and produce, local jobs are lost — creating the apparent reason for the knee-jerk reaction of unions manifested in the call for patriotism.

It is emotive and dangerous. The message of the “Buy South African” campaign is: unless you pay more, even though it hurts, you will be unpatriotic. It places the responsibility for job losses, a structural problem in our globalising world, on you, the individual shopper and union member.

And to be “unpatriotic” implies being not only an enemy of the state, but of the people as a whole. The unpatriotic individual is portrayed as a despicable, loathsome creature who has turned against family, kith, kin and motherland.

At best, such a campaign amounts to a way of trying to shame us into propping up local business while blithely ignoring the real, underlying problems. It also deflects any debate away from the real source of the problems and into the intellectual swamps of xenophobia.

But we, as individuals, have no control over global trade; we do not decide whether Chinese footwear or Italian tomatoes enter South Africa and in what quantities. So the patriotic call, which is directed at us as individual consumers, is palpable nonsense.

It tended to be accepted as such by most trade unions here only a few years ago. Then, there were strong demands for the inclusion of “social clauses” in all trade agreements. These would insist on comparable standards of wages, conditions and overall human rights being applied by all South Africa’s trading partners.

This places the managerial responsibility for the economy where it belongs: with business and the government. But business and governments around the world have been notoriously reluctant to adopt and promote such social clauses. Why? And why not extend such conditionality to the sphere of subsidies?

Social clauses in trade agreements would be directed primarily at other developing countries. They would not only make competition fairer, but would aid the more exploited and oppressed workers — international solidarity in action.

But any of the problems South Africa faces with cheaper imports and “uncompetitive” exports are related to countries where wages and conditions are superior to our own.

For example, the wages, living conditions and general security of workers in the European Union (EU) would be much better than those of their South African counterparts.

Yet EU imports, especially from the agricultural sector, frequently undersell similar local products. This is not because the Europeans are any more productive. In fact, the contrary might well be the case.

The first fact to be borne in mind about the EU and agriculture is that, in round figures, 40 per cent of farmers’ income is derived from subsidies. This means they have a head start in price terms when it comes to both their domestic markets and to exports.

This leads to lower prices which unsubsidised farmers, such as apple growers in Elgin or table grape suppliers in other parts of the Western Cape, cannot match. They are going under. Thousands more jobs are threatened, not just in agriculture, but in related industries.

The farmers and the workers are victims not just of increasing global surpluses, but of grossly unfair competition. And this applies not only to the agriculture sector, or just to the EU.

These are the realities which must be confronted and thoroughly interrogated if the unions are to come up with sensible proposals to improve the situation. Banging the drum of patriotism is no answer.

August 4

The TRC and spooks in the media

IT SHOULD be illegal for any state intelligence or security agencies to recruit agents from among, or pay for information from, journalists or other media workers. This was a recommendation of the Truth and Reconciliation Commission (TRC).

Yesterday, two media unions came out in support of it. A third union, the Communication Workers’ Union (CWUSA) was still considering its response.

The action by the unions followed a call by former TRC investigations head, Dumisa Ntsebeza, for a

campaign in support of the TRC's media recommendations. His call came after Cape Argus political editor Adrian Hadland, disclosed that he has been approached to become an informant for Defence Intelligence (DI).

"It is perhaps not surprising that this sort of thing is happening, because many of the same people who were doing this in the past are still in the same positions," said long-time member of the media workers' union, Mwasa and leading editor, Mathatha Tsedu. He was speaking in his personal capacity.

Temba Hlatwayo, the general secretary of Mwasa, was "appalled, but not surprised" by the Hadland disclosures. His union would be pressing for a legal bar on journalist spies as well as continuing the campaign to have the notorious Section 205 of the Criminal Procedure Act repealed.

The repeal of this section, which compels journalists to reveal their sources, was also a recommendation of the TRC. "What we are seeing is the apartheid era being bled into the new dispensation," said Hlatwayo.

"We certainly want to revisit the TRC recommendations," said Motsomi Mokhele, the general secretary of the South African Union of Journalists. His union was yesterday preparing a full statement on the Hadland affair.

There was, however, considerable concern in media circles about the direct approach to Hadland, along with a comment from DI agent Carien Pieterse that journalists "on all the Pretoria newspapers" had already agreed to participate.

"It was almost as if they wanted this information publicised," noted one commentator.

"Defence Intelligence is often a contradiction in terms, but there is a lot of intrigue and manipulation which goes on," said Salim Vally, the chairman of the Freedom of Expression Institute. He felt that the latest revelation could contribute to "blurring the distinction between the old order and the new".

Another former editor remarked that, if the DI approach was "more than just stupid or naive" and was meant to be published, it could have been calculated to put pressure on former agents to continue working. At least one former full-time agent, who worked under an assumed identity as a spy for years, has discarded the false identity and is now working as a journalist in Pretoria.

And former Rand Daily Mail and SABC staffer, Chris Olckers, who became the press officer for the correctional services department, was named during TRC investigations as an agent. He is also still in the Pretoria area.

In an interview for a book being written on aspects of the recent past, he declared that he wasn't an agent because "agents were paid".

He drew a distinction between "agents" who were paid salaries, "sources" who received some payment and "contacts" who, for "patriotic reasons" or in exchange for exclusive stories, aided the apartheid state.

"I was known to have conservative and pro-government views. Everybody knew that and I was a contact," he said. "I did not have to be paid."

He added that the fact that he, as a journalist, had disappeared from the media scene to emerge, without any publicity, as a correctional services brigadier, should not also be seen as a "payoff".

Managerial skills were all that was required. He had "specialists" in his employ at one of the country's largest complexes of prisons, Baviaanspoort, north of Pretoria.

"These are people with hands dripping with blood," said a Cawusa official. But he felt there might be a distinction between journalists who spied for a democratic state and those who worked, in whatever guise, for an anti-democratic regime.

This is a distinction that freedom of information campaigners such as Raymond Louw, a former Rand Daily Mail editor, do not make. However, Louw is sceptical that any legislation could possibly curb the

practice of recruiting journalists as spies. "Journalists are targeted all over the world," said Louw. "No parliament would be prepared to pass legislation against the practice. We have to stop it ourselves."

The media unions, it seems, may be intending to do just that.

September 22

Smoke, mirrors and water provision

THE SMOKE and mirrors and the political schizophrenia that have so confused commentators, analysts and many ordinary trade union members, continues.

For all the verbal pyrotechnics at Cosatu's seventh congress this week, nothing, basically, changed — although the explosions on the surface have shaken the underlying unity.

Confusion even reigned about an apparently major concession made in President Thabo Mbeki's speech. Delegates applauded loudly when Mbeki stated that the Cabinet had agreed to provide 6 000 litres of water a month to families.

Some delegates heard the statement as "all families" other as "poor families". In fact, what the president said, and what was printed in his speech and confirmed by his office, was: "Government has spent R3.7 billion on the provision of clean water to make the lives of our poor people better. Cabinet has already taken a decision whereby the first 6 000 litres used every month by poor families would be free."

Roger Ronnie, the general secretary of the Municipal Workers' Union said: "This obviously needs further explanation."

His union, together with the Johannesburg-based Rural Services Development Network, has been at the forefront of the campaigning for the basic provision of 50 litres of water a day for all citizens. Although Ronnie wanted more detail before he would comment generally, he welcomed the statement as "an acknowledgement by government that water is a basic human right". This was, however, acknowledged in June in the Budget speech by water affairs minister Ronnie Kasrils.

In April, Kasrils first took to the Cabinet the suggestion that water be provided free. In June, he repeated it publicly, as an idea mentioning 25 litres of free water a day. This is half the amount recommended by the World Health Organisation and his statement resulted in some criticism from the unions.

Now it appears that the Cabinet has approved in principle the proposal put before it by Kasrils. This resulted in the presidential announcement at the Cosatu congress. Unfortunately, both presidential spokesmen were out of the country this week, so questions about definitions of poverty and what would constitute a "poor family" let alone who would decide, could not be answered from that quarter.

But on Wednesday, Kasrils leapt into the breach to explain. His was a clear explanation — some poor reporting, coupled with the fact that the concept of poverty and poor families had already been introduced into the equation — resulted in more confusion. In fact, the proposal put forward to the Cabinet by Kasrils was for the first 6 000 litres of water to be provided free for all households, with a stepped-up scale for amounts above this.

It was a system of cross-subsidisation already employed in the Durban metro said Kasrils. But he also pointed to some difficulties. While such a system could function in an urban environment, poor rural communities, which often had no access to potable water, also had to be provided for.

"The mechanics of how to provide equitable distribution are now being looked at," said Thami Mchunu,

the water affairs spokesman. Free provision of 6 000 litres a month for every family had been agreed to in principle and only the “logistics of how to apply it” remained.

Obviously, such a scheme would most benefit poor families which, irrespective of size, seldom use more than 6 000 litres a month. The owners of landscaped gardens and swimming pools in affluent suburbs find their sprinkler systems and pools costing rather more.

Farms and industry, which between them, use about 90 per cent of clean water, may also find themselves paying marginally more. Exactly how the tariffs will be set and how rural and squatter communities will be provided for is the detail flowing from a clear commitment to provide, as a human right, adequate water to every person.

“It is a major step in the right direction,” Ronnie said yesterday as the congress entered its final stage. “It provides a platform from which we can now look at the provision of other essential services, such as electricity, sewerage and drainage.”

But while the confusion over water provision was cleared up, the same could not be said for political and economic issues. Cosatu, the numerically largest of the partners in the governing alliance, was more forthright than ever in condemning the government’s macro-economic policies.

The entire ideological orientation of the governing party was called into question. The congress resolved to stage a conference of “socialist” groups to forge a new way ahead. At the same time it pledged to strengthen an alliance and a government committed to capitalist policies that it said had failed dismally.

Confusing? Yes.

In exposing this, the media will once again become the whipping boys for politicians afraid of openly tackling such evident contradictions.

December 15

Labour’s New Year resolutions to halt job cuts

WHEN the new year dawns, it will herald an extremely tough time for the South African labour movement. That is the view of all three of the country’s trade union federations.

They are also agreed that their single greatest priority for 2001 will be jobs: how to keep them and how to create them. In the process, it seems, the labour movement, either singly, federally or in a united front, is headed for confrontation with the government.

Other priorities listed by the federations ranged from job-related issues such as the impact of HIV/AIDS, macro-economic policy to proposed changes to labour legislation, poor working conditions, worker education and threats to pension funds.

The larger of the two smaller, independent, federations, the Federation of Unions of South Africa (Fedusa), saw the first major threats to jobs in the new year coming from the government’s apparent decision to “downsize” the public service.

The National Council of Trade Unions (Nactu) listed the prime source of job loss misery as the government’s Growth Employment and Redistribution policy (Gear).

Cosatu pointed out that it had already launched a campaign against job losses, which had included a stayaway. This would continue as there were “a number of issues that are not resolved with the government”.

“Job cuts seem to be high on the state employers agenda,” said Chez Milani, the general secretary of Fedusa. According to Milani, the state failed to put forward a single practical job creation proposal

during last week's preparatory meeting for the public sector job summit scheduled for three days at the end of January.

"The public service is the backbone of social service delivery and the state needs to employ more health workers, teachers, police and other public servants to meet pressing social service delivery needs," he said. "Instead the state views the public service as bloated and in need of downsizing."

Fedusa would not participate in any job creation summit where downsizing and retrenchment were discussed.

Mahlomola Skhosana, the deputy general secretary of Nactu, was equally blunt: "This structural adjustment programme called Gear is causing massive suffering. It has to go," he said.

Supporting this view, Nactu's general secretary Cunningham Ngcukana pointed out, however, the greatest challenge facing labour and the country in the coming year would be HIV/AIDS — and its impact on jobs.

"The HIV/AIDS pandemic must remain a priority," said Siphiwe Mgcina, a Cosatu spokesman. Education in this area and in the area of workers rights would be a high priority over the coming year.

Nactu also felt there was a desperate need for vocational training. A "summit" involving industrialists and educationalist together with trade unions should be a priority.

All three federations were deeply concerned with what they saw as attempts to "roll back the gains" made in labour legislation. "We already have a situation where the Labour Relations and the Basic Conditions of Employment laws are observed more in the breach," said Skhosana.

"We will make a priority of educating workers about their rights," said Mgcina. "And we are bound by a congress decision that any amendments to the labour laws must be for the betterment of workers."

Milani issued a more diplomatic warning: "Finalisation of any amendment should take centre stage at Nedlac if there is to be any meaningful engagement," he said.

In the light of the recent tragedy at the Lenasia factory where 11 workers were burned to death, the federations all listed improved working conditions and adherence to safety standards as priorities "There must be satisfactory monitoring in the workplace by the department of labour," said Milani.

"Many workers do not know their rights and employers are still flouting their responsibilities," said Mgcina. "Cosatu will popularise the laws on basic conditions and put pressure on employers over issues such as skills development and employment equity."

This would be done in consultation with the other federations although there were "sometimes disagreements about which tools we need to apply", said Mgcina.

However, in principle, the three federations are in favour of united actions in all matters of common interest. "And there is nothing that will unite workers faster than interference with their pension funds," said Milani.

Pension funds could be under threat if the government adopted the concept of prescribed assets. "That, we think, is the potential timebomb for 2001," he added.

2001



After two years at the helm of SA Airways, American CEO, Coleman Andrews is given a lucrative golden handshake. The scandal-racked Proteas are bust in the West Indies for smoking dagga and ANC MP Tony Yengeni refuses to tell the parliamentary ethics committee how he came to be given a Daimler-Chrysler 4X4 at a heavily discounted price. Andrew Feinstein, ANC chief spokesperson on parliament's public accounts committee resigns over the refusal to launch an inquiry into the government's controversial \$4.8 billion arms deal.

The greatly diminished NNP, having bounced in and then out of an alliance with the Democratic Party, finally folds into the ANC which continues, controversially, with both AIDS denialism and "quiet diplomacy" toward Zimbabwe. Nkosi Johnson, the young symbol of the AIDS campaign, dies.

Education minister Kader Asmal, already under attack for supporting outcomes based education, announces his plans for the merger of tertiary institutions. The labour movement, with Cosatu to the forefront, vociferously opposes the claimed need to privatise state assets..

The United States and Israel boycott the United Nations racism conference in Durban that attracts delegations from governments and NGOs around the world. Rivonia trialist and struggle icon, Govan Mbeki, dies and Marike de Klerk, ex-wife of former president F. W. de Klerk, is murdered.

A new century — and the same old fight

The dawning of the African century has been proclaimed and, along with it, an international “war against poverty”. Trade unions should be excused for treating such announcements with a hefty dose of cynicism.

The reason is simple: the year has opened with official commitments to continue the current macro-economic orientation — and with further job losses. Goodyear, the Port Elizabeth tyre maker, for example, plans to shed 400 jobs to “achieve efficiency and cost rationalisation”. In other words, to be more competitive.

The same rationale is being applied to jobs in state assets such as the already partially privatised Telkom and to Transnet. The argument is that they need to be made “more attractive” to prospective private investors.

What this means is that they should be capable of ensuring profits and dividends for the shareholding few at the expense of greater poverty for the increasingly jobless majority. “It is an example of policy made on the basis of ideology,” said Vusi Nhlapo, the general secretary of the National Education Health and Allied Workers Union (Nehawu).

As the unions tend to see it, there is a massive declaring poverty to be the priority problem and then contributing toward it by shedding jobs. “It is voodoo economics,” said Nhlapo.

Nehawu, together with the Public Service Association (PSA) and the democratic teachers’ union, Sadtu, are the three major unions within the public sector. They are to the forefront of the ongoing battles involving privatisation and jobs.

All are expected to be present at the much touted and delayed public sector jobs summit scheduled for three days at the end of the month. President Thabo Mbeki is expected to open the summit at which the major employer spokesman will be Geraldine Fraser-Moleketi, the public services minister.

Since Wednesday, representatives of the unions and the public sector employers have been closeted in a three-day pre-summit gathering in Pretoria. Called by government within the sectoral bargaining council, it is supposed to agree the format for the summit.

“The employer wanted a single item for the summit agenda: an exit management framework,” said Casper van Rensburg, managing director of the PSA. “What this means is a framework for retrenchments, privatisation and voluntary retrenchment.”

The problem, as the unions have pointed out over the years, is that the public sector has no idea of what its requirements actually are. “There has been no audit,” said Nhlapo. “An audit was begun, but it was unilaterally cancelled by the minister.”

According to Nhlapo and several other unionists, this was because the audit “began to show up what the minister didn’t want to see: that the public sector is not over-staffed”. The issue has now been taken to the labour court.

But the present pre-summit meeting may make any court action irrelevant. “The employer now seems to have agreed that it will be necessary to conduct a reasonable stocktaking of resources and needs,” Van Rensburg said yesterday after receiving a report-back from his negotiators. An announcement should be made later today.

Such an audit, through the various responsible provincial administrations and departments, is unlikely to be completed in under a year. The need for a three-day jobs summit therefore becomes moot, if the

only decision to be made concerns a formal agreement to conduct the audit.

“I certainly hope there will be a decision to audit the public service,” said Nhlapo. “We know there are shortages in various areas, such as cleaning in hospitals; we also have government figures which show that between 130 000 and 140 000 jobs have been lost in the public sector since 1994.”

This had been by the process of natural attrition; of simply not filling jobs which became vacant, irrespective of whether the jobs needed to be done. “If the officials have now agreed to an audit, we may at last start going about this thing in a sensible way,” said Nhlapo.

“But we also hope we can get across the fact that staffing and allocation of resources is not a central government prerogative,” said Van Rensburg. “It must be handled at a provincial and departmental level.”

In the meantime, a series of retrenchments in both public and private sectors will continue. “Nothing will really change,” said one union negotiator. “It’s like the words of that old song: ‘There’s nothing surer, the rich get rich and the poor get poorer...’”

“Anyway, nothing has ever been won at talks and job summits,” noted Nhlapo. “On the ground is where we will win, through mass mobilisation.”

A new century — the same fights.

February 2

When Freeplay was not seen as fair play

PROFIT and humanitarian principle do not mix. In an economic system based on competition and material accumulation it is, in fact, a contradiction in terms to link the two concepts.

For many years before the past decade, this was a basic argument of socialists. It was also one that had considerable currency in the trade union movement.

Loudly trumpeted civic responsibility programmes of business tended to be seen as mere image building. They were tax-deductible public relations exercises geared to gain greater public acceptance in order to further enhance profits.

This week, that old argument surfaced again with a vengeance as South Africa’s most touted developmental business project, Freeplay Energy, formally announced closure. It came from trade unionists who felt that their movement had again been conned.

Early last year most of Freeplay’s production of wind-up radios and torches was suddenly outsourced to China. Overall, some 400 jobs were lost at Freeplay, but the knock-on effect to suppliers saw several hundred more jobs go.

Tedco, an established Western Cape injection moulding company, crashed into liquidation adding more than 300 to the jobless total. Numsa complained, but received little support.

Now that the last 130 production jobs are about to be lost, also apparently to China, a great deal of acrimony has emerged from quarters other than the trade union movement. Expressions ranging from disbelief to outright disgust have emanated from senior levels within business and politics.

Most of the condemnation came in confidence; most of it “strictly off the record”. This is not surprising for there is a great deal of embarrassment about what has happened.

The reason is simple enough: Freeplay obtained the goodwill and active, non-paid assistance of many within the political and business elite. Hard-nosed business people and astute politicians eagerly leapt

aboard what was promoted as a pioneering humanitarian project.

Former President Nelson Mandela sang the praises of the venture on the BBC in London. His then deputy, now President Thabo Mbeki, promoted Freeplay in New York.

The penal reform and rehabilitation organisation, Nicro, came on board. As did the Society for the Blind and Disabled People of South Africa. Freeplay was promoted as the epitome of employment equity.

The Liberty Life Foundation was impressed enough to take a stake — now 4 per cent — and Britain donated £600 000 in development aid to get the project started. The final business cachet came with an announced investment by the giant General Electric Corporation.

The radios, it was said, would go to the most remote corners of the continent, putting people in touch with the world; enabling distance learning and spreading AIDS awareness. People without electricity or access to batteries would also have light.

It was a great, developmental and humanitarian effort — and all done on the basis of business principles. Profit and upliftment would go hand in hand.

“We saw it as the marriage of a developmental and a business agenda,” said Hilton Appelbaum of the Liberty Life Foundation. “But there are obviously problems with that.”

While the Liberty Life Foundation “regretted deeply” that Freeplay had made a decision to move to China, the business argument had made “complete sense”. It was not just a matter of ten or 20 per cent difference in manufacturing cost; it was a great deal more.

However, with such a small shareholding, the foundation could have no influence on what decisions were taken. According to Freeplay managing director Rob Packham, the decision is that all production will be outsourced through Hong Kong-based “international logistics company” Li & Fung.

However, at a meeting with Numsa officials and shop stewards on Tuesday, company joint chairman Chris Staines indicated that the Chinese operation might also close down. There was a “warehouse full” of product in the United States. Electronics giants Sony and Philips were also producing cheaper, competitive versions of the Freeplay radio and torch.

“A company that spent R500 000 on refurbishing their offices last year and where the bosses drive XK8 Jaguars can’t cry poverty,” said Numsa organiser Clement Herandien. “They’re just trying to set it up so that if they go, they don’t have to pay out what they owe.”

The company had also not responded to a suggestion by Numsa that the rights to produce, market and sell the Freeplay products in Africa be given free to a local non-profit (Section 21) company. “Whatever happens, the workers have vowed to expose the company and to fight for justice and a fair deal,” said Herandien.

Numsa’s national office has also called for action to be taken against the company. “They have betrayed the workers, the country and the president,” said information officer Dumisa Ntuli.

February 23

The battle on the domestic service front

MORE THAN three years ago Myrtle Witbooi made a promise in these columns. She pledged that the dream of domestic workers to be “treated like other workers” would not die.

“We want a living wage and proper hours. It is a dream...but we will get there,” said the woman who, in Cape Town in 1965, convened the first organisational meeting of domestic workers.

They were brave words as the fledgling domestic workers' union (Sadwu) had then just collapsed, burdened by debt and a lack of resources. But there was cause for optimism. Domestic workers were to be covered by the new labour legislation, by the Labour Relations Act and the Basic Conditions of Employment Act.

Cosatu had also promised to maintain a "skeleton" of the union until a new, "services" union could come into being. It would incorporate Sadwu members. The services union never eventuated and the 'skeleton' of the union fell apart through lack of support.

Surging joblessness and the attendant rise in poverty and desperation over the intervening years also meant that, for domestic workers, the labour laws were observed most often in the breach. It was those indomitable Women for Human Rights, the Black Sash, to whom many of the more aware workers turned with their problems of exploitation and often gross abuse.

But now Sadwu — under the new banner of the domestic services and allied workers' union (Sadsawu) — is back. And so is Myrtle Witbooi, as general secretary.

The new union was quietly launched in Durban last year. Next week it starts a major national recruitment campaign also aimed at educating workers about their rights.

"Today we again work hand in hand with the union, certainly in the Western Cape," said Black Sash regional director Pumla Mncayi. Both organisations report that, if anything, the lot of domestic workers is now worse than it was in the "days of dreaming".

Not only have wages not kept pace with inflation, but the racism and arrogance of the traditional "masters" and "madams", has tended to re-emerge after a brief hiatus induced by fear of majority rule. To this has been added the cases of gross exploitation perpetrated by leading members of the new elite.

The budget this week was also not cause for celebration. "Even if we achieve the economic growth rates claimed, it means we are in for three more years of increasing poverty," said Willie Madisha, the Cosatu president.

Tougher economic circumstances mean tougher times, particularly at the bottom of the class pecking order, populated in South Africa by domestic and farm workers. "Which is why we are demanding that the government include domestic workers in the Unemployment Insurance Fund (UIF)," said Mncayi.

"The Bill is now before parliament, but the minister says we have to wait another 18 months for a task team to report," said Witbooi. "This is unacceptable."

She pointed out that the government had already taken delivery of two reports on the UIF. The first — the Limbrick Report — was completed in 1993. Both recommended the inclusion of domestic workers in the UIF.

"There is no justification for excluding domestic workers who need this facility perhaps more than most," said Witbooi. It is a view shared by the Black Sash and other groups, which have petitioned minister of labour Membathisi Mdladlana, whose own background is as a Cosatu unionist.

To back up their arguments both the Black Sash and Sadsawu have bulging files often heart-rending cases. "One thing that has improved," said Witbooi, "is that we now at least have the CCMA (Commission for Conciliation Mediation and Arbitration)."

Some redress was available through this channel. "Take this case that came in last week," said Witbooi.

"The worker is 63. She worked for 24 years for her employer and, in the last three years she was paid R300 a month. Then the boss decided she was too old and sacked her. He gave her R100 extra and showed her the door."

The case is an extreme one, but not unusual. Mncayi pointed to one of her recent cases. Eunice had worked for her employer for 14 years when she developed arthritis that made the hand washing and ironing demanded by the employer extremely difficult.

“Her disability was not acute enough for her to qualify for a disability grant,” said Mncayi. “But the employer no longer wanted her.”

“Access to UIF is the least domestic workers should have,” said Witbooi. “This is not a dream, it is a basic human right.

** UIF and a minimum wage are now established facts. To ongoing union complaints, that wage in 2011 was R8.34 an hour and R1 625.70 a month in main urban centres; R7.06 and R1 37625 in other areas.*

February 16

Kissing, making up — and blood on the floor

IN THIS Valentine’s Day week, have the ANC and its often-fractious trade union alliance partner, Cosatu, kissed and completely made up? According to labour minister Membathisi Mdladlana, they most certainly have.

Divorce-style talk of “blood on the floor” which soured relations last year, was a thing of the past, he said. In rainbow nation style, he announced prophetically that “another miracle is about to happen”.

The issue — proposed changes to the current labour laws — which had prompted intemperate language from the normally diplomatic Cosatu general secretary, Zwelinzima Vavi had been resolved, Mdladlana declared. Labour, government and business were on the verge of concluding a deal on labour law reform.

All of which was, of course, news to labour, since government had not even been involved in the only recent bilateral — labour and business — discussions on the issue. In the immediate wake of Mdladlana’s statement, Vavi pointed out that the minister had perhaps been rather premature in his assessment. This was a very general and diplomatic refutation of the minister’s announcement.

“Zweli really got himself put on the spot by the minister,” a senior Cosatu official noted. “As an alliance partner, he couldn’t just come out and bluntly oppose the minister and, therefore, the government.”

Mdladlana’s reference to agreement about changes to the labour laws also involves more than Cosatu. On the labour side, it brings in the Federation of Unions of SA (Fedusa) and the National Council of Trade Unions (Nactu). There is also business as the third prong of the tripartite arrangement, which has its discussion forum in the National Economic and Development Council (Nedlac).

So far this year, discussions on changes to the labour laws have taken place only once, at the Millennium Labour Council (MLC) on February 2. The MLC is a bilateral forum comprising business and two of the three trade union federations, Cosatu and Fedusa.

“We are kept briefed by the labour component,” said Cunningham Ngcukana, general secretary of Nactu. “Like the others, we will take proposals back to our constituencies before we finally go, with mandated positions, to Nedlac.”

It is perfectly feasible that the unions and business could reach agreements with which government might disagree. Areas of disagreement already exist in the still confidential proposals which the unions will taken back to their members.

Prime among these is the issue of payment for Sunday work and a proposed amendment to a schedule in the Labour Relations Act dealing with dismissals and hearings. A high degree of agreement appears to have been reached on the once disputed area of hours of work.

“There is the prospect of agreement, but it is still some way off,” said Chez Milani, general secretary of

Fedusa. “The minister was really shooting from the hip.”

Some cynics within Cosatu noted that Mdladlana made his public announcement of ongoing alliance bliss at the time when Cosatu’s leadership was getting down to its first executive (CEC) meeting of the year. By making such a categorical statement the minister put Cosatu on the defensive.

According to this view, the statement had as much to do with proposed changes to labour legislation, the MLC discussions and general “package of suggestions” as it had to do with Valentine’s Day. Instead, it was an example of domestic politics at play within the governing alliance.

The ANC and the government, this view continues, were aware that there still exists substantial disquiet in Cosatu ranks about job losses and the consequent weakening of union ranks. It is also common knowledge that the unions lay the blame for this squarely on the government’s continued commitment to laissez faire economic policies.

Against this background the ANC and the government would have assessed the Cosatu CEC agenda. Included for discussion at the CEC was the question of Cosatu’s “engagement” with the ANC and the alliance.

It also seems probable that the ANC and government would have been aware of a confidential discussion document on this issue that was prepared for the CEC meeting. It raised again, however obliquely, the possible alternative of a “workers’ party”.

In the event, the document was not, apparently, discussed.

“On the socio-economic issues, the CEC concentrated on proposed changes to the labour laws,” said Sipiwe Mgcina, the Cosatu spokesman. Report back meetings would be held and mandated positions put forward for discussion at Nedlac.

If the cynical view is correct, then Mdladlana’s intervention had the desired effect of ensuring that Cosatu’s collective mind was focussed on the priority issue for the government; that it was not side tracked into inconclusive polemics.

Whatever the reason, it was perhaps appropriate during the week of Valentine’s Day that Cosatu and the ANC, still committed to their alliance, should not engage in unseemly squabbles. Especially over a future partner which, at this stage, remains in the realm of fantasy.

March 16

Media, propaganda, unions and the truth

“WHEN war comes, the first casualty is truth.” That aphorism, coined 84 years ago, is even more evidently valid today. It applies as well in the daily low-intensity struggles between employees and bosses as it does to “smart bomb” raids and armed conflicts around the globe.

In this era of instant communication it is those who own and control the slickest, fastest and most far-reaching means of information production and dispersal whose versions of truth — whether particularly crippled or even wholly illusory — are generally accepted. So it is that lies, damned lies and massaged statistics make their way into the public domain. There they remain to at best confuse, and usually to bolster particular perceptions.

We labourers in the media are often the unwitting, sometimes uncaring or merely careless, purveyors of such bastardised fact and special interest pleading dressed up in a veneer of objectivity. Under pressure of deadlines and often ignorant of complex agreements and legislation, we tend to be wooed by the professional media departments of the bosses and scorned by many trade unionists.

Then there is the pressure of advertisers on editors and, in turn, on news editors who assign journalists to cover one or other event. Trade unionists, who have no advertising muscle, also lack the communications resources of their adversaries.

The result is a generally poor deal for the unions and workers, especially in any conflict situation. “But on other occasions too,” said Moloantoa Molaba, a spokesman for the National Education, Health and Allied Workers’ Union (Nehawu).

He put out a press release this week complaining that when his union, with money raised from workers, bought and distributed clothing and blankets to street children it was not considered newsworthy. “But this week, when Nestlé gave chocolate to disabled schoolchildren, they received coverage.”

Examples are seldom that simple and straightforward. Take the case of South Deep, the Placer Dome/Westonaria mine. A strike is in the offing following a protracted dispute over overtime working and the interpretation of collective agreements covering continuous working and time off.

Thirteen National Union of Mineworkers (NUM) shop stewards have been suspended by mine management, 11 for allegedly intimidating other workers and two for allegedly hampering the work of mine security. “But it is nothing more than union busting,” said local NUM branch secretary, Victor Makele, “why only shop stewards?”

He pointed out that, in 1999, when 3 000 workers were retrenched, “the whole branch leadership was got rid of”. In their defence, the mine management noted that they last November signed a “threshold agreement” with the union. This recognised only those unions with sufficient membership, which meant that NUM became the only recognised miners’ union at South Deep.

This is a fact. Except that the union maintains the deal was only struck when it became obvious that various company-supported “mushroom” unions could not fully get off the ground. “We were waiting years for the threshold agreement to be signed,” said Maleke.

Like other NUM activists at the mine, which became a 50:50 joint venture in April 1999, he maintained that labour relations had deteriorated over the past two years. There is certainly an atmosphere of distrust in which rumours are common currency.

In off-the-record briefings, the management, for example, maintains that the union is undemocratic and is intimidating “ordinary workers”. “In the past two years there have been no elections for the shop stewards,” one senior official confided as evidence of a union “which has lost the support of its members”.

What he did not say — perhaps did not know — was that the NUM had agreed that full-time shop stewards, a system instituted two years ago, would serve for three years. Elections for the posts are scheduled for next year.

For their part, union activists maintain that HR manager Simon Moloko is a “union buster” who was instrumental in crippling NUM organisation at Amplats’ Amandelbult mine. But Moloko, it seems, did not work for Amplats. His last posting was Impala Platinum. It has had a reasonable recent labour relations record.

“What is certain is that labour relations are at a pretty low ebb,” said George Molebatse, a NUM head office spokesman. “But we will now be going to arbitration. Perhaps there, everything will be sorted out.”

In the meantime, the South Deep NUM staged a protest march to deliver a petition to management. According to Maleke, “great support” was shown, with “thousands of marchers” (NUM membership at the mine is 2 669).

According to Moloko, the march was a clear example of how little support the union had, since “only about 150” had turned out.

Fortunately, there were two media workers present. They did not rely on estimates handed down to them. They counted and reported: “about 2 000 marchers”. It restored some credibility to the media.

The myth of equality and a labour aristocracy

IT'S ANNUAL wage round time again, the time when unionised workers are accused by their employers of being greedy. In the parlance of many employers and their political and media lackeys, workers in full-time employ now become the "labour aristocracy".

Along with selected statistics, some vague concept of the national interest will be trotted out to apparently prove the destructive tendency of avaricious labour. Fresh figures revealing the dramatic rise in labour productivity will probably be conveniently buried.

Each year there is a welter of claim and counter claim. This often results in general confusion, which serves the purpose of promoting a myth of equality between employers and organised labour.

The image is promoted, from the employer side, of two elites struggling to ensure the most effective and efficient economic basis to benefit all of society. In an environment of rising unemployment and increasing destitution on one hand and swelling wealth on the other, this is becoming a rather difficult argument to sustain.

The employers, after all, represent the interests of the rich minority. The working masses who create this wealth, together with their extended and frequently unemployed families, are represented by the trade unions.

Some of the wealth trickles down to those below via the "formal economy" where wages and conditions are now being negotiated. This trickle, the employers maintain, will increase substantially if more economic growth is ensured.

Wealth creation – economic growth – they claim, will lead to job creation and a better life for all. That there is no evidence to support this contention will not stop the propaganda.

More belt tightening will almost certainly be called for. It will also almost certainly be in the name of some vague "national interest".

A glance at the available facts reveals that such disciplined austerity is supposed to apply only to workers. Employers, certainly at the upper level of executive directors of most big companies, have blithely ignored their own advice on pay restraint.

Workers and their unions are well aware of this. They may not have the media access and expensive public relations campaigns of the bosses and their organisations, but they do have facts.

Many of these are contained in "Bargaining Indicators", the "omnibus guide to wage bargaining" produced each year by the Cape Town-based Labour Research Service (LRS). The 72 pages of data for this wage round contains a fine insight into contemporary social and industrial reality.

Here too, are the readily understandable reasons why workers often feel cheated; why many become angry at the hype and hypocrisy of capital, especially at this time of year.

The LRS has ensured that workers – or at least their negotiators -- will be aware that non-executive directors of companies have, over the past four years, increased their average remuneration by 400%. On average these directors were each paid R117 495 last year.

This amounts to nearly R2 260 a week for, as most unionists see it, attending a meeting a month.

Workers, on the other hand, laboured for an average of nearly 42 hours a week to earn an annual average wage of R20 251.68 or R389.45 a week. Indications are that this figure could contract, as outstanding data becomes available.

But it is with regard to the bosses on the ground – the executive directors – that the true gulf between the wages and welfare of bosses and workers becomes obvious. At the top end of the scale are executive directors at Stellenbosch Farmers Winery (SFW) and First Rand merchant bank whose total packages, including benefits and bonuses, amount more than R6 million a year.

The average remuneration, assessed on payment to 352 executive directors, was R1 739 185 a year. This works out at some R14 a minute for a five-day week and was calculated with the inclusion of the zero rand payment listed for the sole executive director of mining company, Sallies.

Against effective income increases of 85 per cent on average last year for executive directors and 164 per cent for their non-executive partners, claims by workers for pay rises of more than 10 per cent seem extremely reasonable if not downright conservative. This seems all the more so when average dividends to shareholders rose by 100 per cent between 1999 and last year.

The extent of the wage and welfare gap becomes obvious when it is realised that it would take a worker on the average negotiated minimum wage 464 years to earn what an executive director at SFW received last year alone.

May 4

Why profit should not be confused with efficiency

It is rank idiocy to imagine that one form of ownership is inherently more or less efficient than another. That, in blunt terms, is the perfectly logical view of most of the trade union movement.

Any enterprise or service, especially on a large scale, requires workers with certain skills, infrastructure, financial capital and a management system. Ownership may or may not have a bearing on any of these often complex factors.

Above all, efficiency should not be confused with private sector profitability. Such profitability is only a measure of how efficient an enterprise is at creating wealth for its owners.

This is the essence of “trickle down” economics; theory that the richer the rich become, the more wealth will trickle down to the poor. That there is little evidence anywhere that this has happened, has not deterred its supporters — to the chagrin of the trade union movement.

Particularly annoying for the unions is the fact that such profitability often comes at great social cost through lost jobs, lower wages, and the marginalisation of “unprofitable” communities. Most unions – and certainly those organised in the Cosatu and National Council of Trade Unions (Nactu) federations – therefore oppose privatisation while supporting the concept of efficiency.

This is the basis for the Cosatu threat of a general strike against privatisation. The announcement of a two-day stoppage should be made either today or early next week.

Simply put, the union position is that it is essential that the best and most efficient means be used to provide goods and services to the greatest benefit of those who most require them. A well-resourced and managed public sector would be the best way of achieving this.

This does not mean that the unions eschew profit. Because of the economic system in which we function, they accept that it is necessary for a balance to be struck between income generation, especially for reinvestment, and the provision and pricing of goods and services.

Herein lies the fundamental difference between the public and private sectors. The nature of private ownership dictates that greater and greater profit for the shareholding minority must always be the priority. This must, of necessity, come at the cost of lesser services, fewer jobs or higher prices for the majority.

“Ordinary working people know this, but the situation is confused by those in authority,” said Mahlomola Skhosana, the deputy general secretary of Nactu. Much of the misinformation that existed appeared based on superficial assessments of available examples of privatisations.

One of the most quoted examples in the municipal services sector is Buenos Aires. The water and sewage services in the Argentine capital were handed over in 1993 to Suez Lyonnaise des Eaux, on a 30-year contract. This French company has a stake in Johannesburg’s recent private management contract for water and waste.

It has been actively lobbying for water and waste contracts in South Africa, using Buenos Aires as a selling point. As a result, there have been at least two “evaluation” trips to Buenos Aires by groups of South African municipal officials.

They returned enthusiastic: not only was the company making great profits, but water reticulation and sewage provision has burgeoned.

But yesterday, at a press conference in Johannesburg, a report was released which showed that the Buenos Aires experiment has been anything but an unalloyed success. The report, compiled by the Municipal Services Project (MSP) is highly critical of this supposed flagship of water privatisation.

The MSP, a joint venture involving the University of Witwatersrand and Queens University in Canada, undertook a six-week survey in Buenos Aires. Researchers discovered, for example, that the greater number of water and sewage connections listed had little to do with more service provision.

More connections came under the control of the local company when the municipal boundaries were extended. Existing water and waste connections were simply added to the figures.

The MSP report and the facts it contains may not receive wide general circulation, but it has been taken up by the trade unions as further evidence that privatisation is not a solution. It will form part of the basis for renewed arguments with government.

In particular, the unions will be attacking what they have dubbed the TINA – There Is No Alternative – syndrome. The promotion of this idea is seen as shortsighted and often self-serving.

“The interests of many of our former comrades seem to have changed once they moved into positions of authority,” said Skhosana.

“The state has to play a developmental role,” added Sipiwe Mgcina, a Cosatu spokesman. “Privatisation is also a threat to jobs and quality service to the poor.”

Given such strength of feeling, it might do the government well to develop a FAAF – Find An Alternative Fast – syndrome.

August 10

Union bashing: a national pastime driven by history

MANY South Africans hold greatly distorted ideas about trade unions and trade unionism. These are rooted in ignorance, liberally laced with racism and are manifestations of the emotions of fear and loathing that united the beneficiaries of apartheid in support of the system.

This is the view of a number of prominent trade unionists following a national radio phone-in show earlier this week that underlined wider criticism of the car workers’ strike. They see such criticism as representing one of the rotten legacies of apartheid.

Phone-in guest on the show was strike leader Mthuthuzeli Tom, the president of the National Union of

Metalworkers (Numsa). Tom was subjected to a level of prejudice that astounded him.

“I expected the racism,” he said yesterday, “but the ignorance about trade unions was incredible.”

He maintained that many of the hostile callers apparently saw unions as some sort of agents of a latter day Kremlin, bent on destroying society as we know it.

The fact that unions are voluntary associations of people with a fixed common interest in uniting to protect wages and working conditions for their members seemed to have passed many people by.

There was also an “appalling lack of information” about the wages and wage differentials. Because the minimum hourly wage of car workers is more than R16 — equal to about R2 700 a month — they are regarded as highly paid.

Yet car workers are skilled and, in real terms, have not received a pay rise for at least two years. Car workers in the US by comparison, have an hourly rate ten times that of South African workers. The same applies in Germany and Japan where monthly pay, in rand terms, is equal to R27 000 and R29 000 respectively.

The difference in the pay of directors and workers is also much narrower in these countries than in South Africa. However, unlike Europe or the US, the pay of directors here is not disclosed although workers pay was open to scrutiny.

Tom, for example, as president of the second largest union in the country, and elected leader of the strikers, takes home, after tax and other deductions, less than R30000 a month. As one of the higher-paid workers at Daimler-Chrysler, he earns R22 an hour for a 40-hour week.

His ultimate boss, Daimler-Chrysler chief executive Christof Kopke, is estimated to be paid at least R10 million a year. This equates to R4 807 an hour for a 40-hour week. Even if it is assumed that Kopke works a 60-hour week, his hourly rate is R3 205.

“The likes of Anna Scheepers must be spinning in their graves,” said Hassan Lorgat, the media officer of the democratic teachers’ union (Sadtu), referring to one of the founders of the militant tradition of the garment workers’ union. She, and women such as Hester Cornelius, Katy Viljoen and Anna Swanepoel mostly from poor, Afrikaans-speaking — and white — backgrounds played prominent roles in forging the non-racial garment workers’ union of 70 years ago.

Even the racist and racially exclusive white miners who emerged from the bitter battles of the 1922 strike, understood that unions were essential democratic; that they existed to defend the interests of their members against often rapacious employers. But, like the earlier guild unions, especially in Britain, they attempted to restrict membership.

The guilds and similar unions were fearful that a surplus of labour would undermine their positions. This narrow attitude was shattered in Britain with the formation, more than 100 years ago, of general workers’ unions.

The Afrikaner women of the garment industry did much to weaken this divisive approach which, in South Africa, took on a racial aspect. But it was only broken after 1973 when modern, fully democratic unionism was heralded by a wave of strikes.

“The apartheid years managed to replace class solidarity with the idea of racial solidarity with employers,” said Lorgat. White workers were essentially bribed to become part of the policing of the system and this legacy lingers, although the bribery has largely stopped.

Ironically, given the attitudes towards the car industry strike encountered this week, the past week has seen the first signs of unity between the non-racial and the segregationist unions. The exclusive Mynwerkersunie/Solidarity has twice in this period, come out on strike with Numsa and the National Union of MIneworkers.

“It is evident that workers have a common interest above religious and political differences and individual prejudice,” said Numsa spokesperson Dumisa Ntuli.

Once again optimism for the year ahead

DESPITE the ongoing tension and sabre-rattling surrounding the dispute between the public sector workers and the government, all three trade union federations express a guardedly optimistic outlook for the year ahead.

But there seems no prospect of Cosatu, the Federation of Unions of SA (Fedusa) and the National Council of Trade Unions (Nactu) joining forces in anything other than an ad hoc manner and on specific campaigns.

The first joint campaign will probably erupt late next month in the public sector. Most public sector unions on Wednesday signed an agreement with the government, which they interpreted as extending the moratorium on retrenchment beyond Wednesday.

The agreement is vague in that it extends the talks process to January 15. But the government refuses to include a specific pledge on not allowing departments to continue with restructuring — including retrenchments.

Most of the unions maintain the agreement implies that the retrenchments should be halted until further negotiations have taken place. The government, apparently, disagrees.

That should see unions affiliated to all three federations involved in united protest in the new year. But that will not signal any move towards a merger.

These negative comments followed a statement by Cosatu general secretary Zwelinzima Vavi, which raised the prospect of merging the three federations. However, neither Fedusa nor Nactu has been approached, but both decided, separately, not to publicly criticise Vavi or Cosatu.

“We saw it as a tactic Cosatu was using in its battles with the ANC within the alliance,” noted a Fedusa official. Since Vavi’s comment did not affect the other federations, solidarity dictated that they fob off any inquiries.

“We are all for uniting the unions,” said Mahlomolo Skhosana, the deputy general secretary of Nactu. “But so long as Cosatu remains in the political alliance, this is not possible.”

Chez Milani, the Fedusa general secretary, noted that there had been no formal approach by Cosatu. He also did not expect one, since “there is a question of the political alliance and there are also ideological differences”.

But of the three federations, Fedusa has the most optimistic assessment of the current economic situation and the year ahead.

“The economic fundamentals are looking good and there is more money for infrastructural development. Properly managed, this will mean more jobs,” said Milani.

Nactu has the most cynical analysis of the promise by finance minister Trevor Manuel to embark on a programme of infrastructural development. “In every Budget, Trevor says things are going to happen — and we are still waiting,” said Skhosana.

But Nactu was hopeful that, through such fora as the Millennium Labour Council, programmes could be developed to improve the condition of the economy and of workers. But this would require a different orientation.

Cosatu, which regards the economy as “to all intents and purposes stagnant”, also calls for a change of direction next year. This it sees as coming through a “people’s summit” leading perhaps to “an economic Codesa”.

An economic Codesa would be a forum for discussion “between the owners of the economy and the workers who produce the wealth”. The launch pad for such a conference could be the growth summit already proposed by the government.

At the summit, Cosatu would argue that the state should intervene more decisively to restructure the economy and accelerate growth and development. The federation also saw the private sector playing a key role in the process “but under the leadership of the state”.

“A macro-economic policy aimed at unlocking resources for investment should replace the stringent Gear strategy,” said Cosatu spokesperson Patrick Craven.

This should be combined with clear industrial strategy and social protection measures to provide a safety net for the poor.

Cosatu is optimistic about a possible change of direction. This optimism apparently stems from the perception within the federation’s leadership that, internationally, the “neo-liberal consensus” was giving way to state intervention to prop up failing economies.

“The global balance of power is beginning to open the space to search for alternatives to the one-size-fits-all neo-liberal dogma of tight monetary policies, liberalised trade and privatisation of state assets. Cosatu will campaign vigorously for these alternatives,” Craven noted.

But the prime focus for Cosatu’s campaigning will be within the ANC-led tripartite alliance. Cosatu believes the macro-economic tide is turning and that the government will move with it.

However, as Nactu has pointed out, the government shows no inclination to veer from its chosen macro-economic path.

Nor has there been any commitment to the long-delayed alliance summit or any support for the proposed people’s summit.

“I am still mildly optimistic,” said Skhosana. “But if we don’t get the needed labour-intensive investment, more jobs will be lost, unions will be weakened and we will be in for a very rough time.”

2002



The ANC congress is held at Stellenbosch and the SACP and Cosatu find themselves largely out in the cold. Mineworkers' general secretary and senior SACP member, Gwede Mantashe, vows: "never again". At the same time, anger grows about continuing AIDS denialism, especially by health minister Manto Tshabalala-Msimang.

The Boeremag makes its murderous appearance with bombs in Soweto that kill, maim and cut rail links. Marthinus van Schalkwyk ensures his political survival by moving into an alliance with the ANC and Allan Boesak, having served time for fraud and theft, applies for a presidential pardon.

The high court endorses a ruling that state health facilities should supply pregnant HIV+ women with nevirapine. Tshabalala-Msimang continues to maintain that anti-retroviral drugs are "toxic" and supports vitamin peddler Mattias Rath while promoting a vegetable and olive oil diet. The constitutional court upholds the high court ruling.

After nearly three years and testimony from some 200 witnesses, "Dr Death" Wouter Basson is acquitted of apartheid era wrongdoing and finance minister Trevor Manuel announces tax cuts amid growing unemployment. President Mbeki states that it is "not the job of government to create jobs" and the call by unions for a system of "labour-based employment" gets nowhere. Another rail crash, this time in KZN, highlights the deteriorating state of the country's rail network.

The controversial floor-crossing season gets underway again, and politician Peter Mokaba, who denied the existence of AIDS dies, apparently of an AIDS related condition. The Desai commission finds that the DA illegally received funding from German fraudster Jurgen Harksen and computer whizz Mark Shuttleworth becomes the first South African into space.

A meaningless protestation of togetherness

A NEW era of togetherness has not dawned for the ANC-led alliance. That much is patently clear, despite the protestations of unity following the four-day alliance summit last week.

The meeting in Kempton Park adopted the Ekurhuleni Declaration which Deputy President Jacob Zuma hailed as revealing “a stronger and strengthened alliance”. Cosatu president Willie Madisha, a leading critic of the government’s economic policies, concurred.

But the declaration merely echoed similar statements made after various alliance meetings over recent years. And it fudged all of the main issues which the long-awaited summit was supposed to address.

Prime among these, of course, was the question of macro-economic policy and its relationship to poverty and the growing wage and welfare gap. A close second was the question of HIV and AIDS.

On both of these issues the country’s largest trade union federation has clashed with the government and the ANC. The government’s Growth Employment and Redistribution (Gear) programme has come in for the fiercest and most protracted condemnation.

From Cosatu general-secretary Zwelinzima Vavi, down, the federation and its affiliates have described Gear as a “disaster”, responsible for most of the social and economic woes of working people.

Vavi even threatened “blood on the floor” should the government persist with a policy that most unionists feel makes the rich richer and the poor often destitute. Madisha also announced that Cosatu would sponsor a “peoples’ forum” to discuss alternative economic policies.

Now it appears that the alliance will sponsor such a forum to which non-governmental organisations will be invited to “discuss socio-economic issues”. The forum is scheduled to be held before the Growth Summit at the end of the year at which the alliance partners are supposed to map out policies for development and growth.

“On this forum thing, I think we have again been out-manoeuvred,” said a senior member of the National Union of Metalworkers (Numsa). He was also concerned that what the unions have consistently regarded as the critical issue of economic policy was downplayed.

In fact, all major areas of disagreement within the alliance, but notably macro-economic policy and the approach to HIV/AIDS were reduced in the declaration to a euphemistic reference to “tensions”. According to the declaration, these should become “a catalyst for the growth and maturity of our organisations”.

But the document does concede: “There are, of course, some areas of economic policy in which debate will continue within and among components of the alliance.”

However, it adds: “These, nonetheless should not detract from the substantive areas of agreement on accelerating growth and development.”

“I don’t know what all of that means. It’s very confusing,” said the Numsa official.

He and several other officials and rank and file union members also had problems with the jargon in the declaration relating to the national democratic revolution or NDR. It states that “the strategic mandate to all our organisations in the current phase derives from our commitment to the NDR as enshrined in the Freedom Charter and the Strategy and Tactics documents of the ANC”.

Since most trade unionists had assumed that the 1955 Freedom Charter had become an historic shell under the onslaught of Gear, the bemusement was understandable.

But inside the meetings at Kempton Park, defence minister Mosiuoa Lekota and ANC head of elections Peter Mokaba spelled out what the NDR meant to them. And since there was no real challenge to their analysis, it may be assumed that the majority of the alliance leaders agreed.

Both Lekota and Mokaba argued mechanically that development of societies moved through fixed stages and that it was now necessary to “consolidate” the present stage. What this meant, said Mokaba, was the building of capitalism. This was the current task of alliance members in order to further the aims of the NDR.

As such, the ANC had problems with the slogan of the SACP: “Socialism is the future — build it now.” But, for public consumption, this disagreement was ignored.

So too was the fact that Cosatu and its affiliated unions remain committed to an ill-defined socialism. Instead, Cosatu settled for a simple statement in the declaration that among the various strata in South Africa, “the working class is the leading social motive force”.

In the wake of the summit, the official Cosatu position is that all the contentious issues are still very much on the table — and that is the message now being relayed to affiliates and branches around the country. According to this view, the summit and the declaration, far from being confusing, laid the foundation for more open debate and discussion.

“You would be right to suppose that it means nothing has really changed,” said one of the Kempton Park delegates.

April 19

The debilitating effects of long-term unemployment

THERE is a plethora of data from various parts of the world relating to the harmful psychological effects of long-term unemployment. The mere fact of being fired or retrenched in a society that measures success in material terms can itself prove devastating to those individuals who consider they have a career beyond housework and baby minding.

It is a universal problem. Yet South Africa, with perhaps more than 8 million unemployed, and virtually no social welfare net, has never adequately addressed it.

“It is a travesty that more research has not been done in this area. Most work that exists relates to other countries and does not really speak to our situation,” said Professor Don Foster of the University of Cape Town psychology department.

But what little work has been done, tends to reinforce the findings of overseas studies about the debilitating and — especially in a South African context — violent effects of what often amounts to the obliteration of status. Psychologist Cathy Campbell, now at the University of London, carried out research in KwaZulu/Natal in the early 1990s. It showed a direct correlation between escalating violence and the low self-esteem of unemployed men.

“Men are expected to bring home the bacon — and they can’t cry,” said Foster. It was therefore not surprising that South Africa was such a violent society.

A culture male dominance — of machismo — affects all strata of society and traditional patriarchal attitudes remain deeply entrenched. So the psychological effects of unemployment on males tend to be more acutely felt — and often more brutally manifested.

But feelings of low self worth can also afflict those who have never worked. The hundreds of thousands of students who every year leave schools, colleges and universities for the job market and cannot find jobs, constitute a vast pool of despair.

Hard-working students, many having overcome the often massive hurdles that are a legacy of our recent past, fail to find employment. In one respect, however, they are better off than many older workers, because they can read and write.

This adds to tensions between older, illiterate, workers and the youth. As Campbell found in her studies, this contributed to the clashes between traditionalist older men and young “comrades”.

Many of the younger job seekers of today are not part of the estimated 60 per cent of the population who are functionally illiterate. But, courtesy of the lingering legacy of a distorted apartheid schooling system, even the literate are often ill educated. They lack the computing, analytical and even physically manipulative skills demanded by employers.

Against this background, the various proposals and the few practical steps taken to retrain the retrenched and unemployed seem grossly inadequate, even futile. Some may even be harmful, in that they promote — usually unintentionally — the idea that a retraining course will equip the graduates with skills to escape the depression, poverty and degradation they find themselves in.

When such courses set workers up for yet another round of failure, this compounds the feelings of worthlessness. Yet courses are often established on the basis of “one size fits all”, with little or no account taken of individual ability or background.

These were all lessons that have come home with a vengeance to Connie Haasbroek a student counsellor at Centurion College south of Pretoria. She was part of a pilot project involving 44 National Union of Metalworkers (Numsa) car workers who had been retrenched two years previously and who attended the college last year.

Some of her experiences are briefly recounted in the latest Numsa newsletter. They make sad and disturbing reading.

“Retrenchment had destroyed their whole self-image,” Haasbroek told Numsa publications officer, Jenny Grice. Many of the workers had been employed by Ford manufacturer Samcor for 20 years before, as they saw it, the company rejected them.

With no other jobs to go to, money soon ran out and the workers almost all reported domestic problems. By the time they arrived at the college, the majority were suffering from chronic stress and several were clinically depressed.

A simple illustration, drawn by one of the workers, sums up the gut-wrenching sadness and pain of their situation. When they arrived at the college, Haasbroek asked them to draw a picture of how they felt.

The child-like drawing depicts a sad, crying face on a heart-shaped body alongside the printed words: “Feel bad/ Lost/ cursed/ stupid/ Bankrupt/ Devoted.”

Based on her experience Haasbroek feels much more needs to be done in any future retraining, both in terms of counselling and after care. Courses, she feels, should also be tailored to the specific requirements of the individual students.

“This is a serious crisis,” added Grice. “Government, employers, the unions and everyone else needs to find a serious solution.

The warning shots across Nepad's bow

THE NEW Partnership for Africa's Development (Nepad) is the flagship economic scheme for the proposed African Union. But even before it has fully set sail, several warning shots have been fired across its bow.

The shots have come from within the trade union movement, the most public of them fired by Cosatu general secretary Zwelinzima Vavi. At the recent congress of the National Union of Mineworkers (NUM) he categorised Nepad as "the Africanisation of the Gear (Growth Employment and Redistribution) strategy".

He noted: "Cosatu will not accept any programme aimed at giving capital a free rein." This is precisely the criticism levelled at Gear, which is the government's liberal macro-economic orientation.

But just as Cosatu continues to argue that it needs to "engage" government on the issue of Gear, so too, does it wish to engage on the issue of Nepad. "How can Nepad take us out of our ugly past if it's happening above our heads?" Vavi asked.

Not that Cosatu would accept Nepad in its present form even if the federation had been involved in discussions about it. At any such discussions, it would have had to agree to disagree.

The Cosatu position remains that it would not accept the fundamental premises of Gear and Nepad even if there were more talks. The federation has made it clear that negotiations should lead to a complete revision of these policies.

But since the government has consistently made clear for years now that it has no intention of changing its economic policy orientation, many within the labour movement consider further talks futile. Others, more cynical, see the call for talks as a sign of weakness that will eventually lead to capitulation by the Cosatu leadership.

Time alone will tell. For now, the position remains that government insists on policies based on market-driven economic growth that it hopes will lead to eventual redistribution of wealth and the narrowing of the wage and welfare gap.

Cosatu and the overwhelming bulk of the continental labour movement, remain committed to the idea that only redistribution of resources will lead to necessary economic growth; that state intervention should, therefore, be increased rather than minimised.

Nepad and Gear are based on the same liberal economic principles. These are that the market is the most efficient social organiser and that it operates best without government intervention.

Trade unionists from Nairobi to Nelspruit, from Algiers to Abuja and Aliwal North disagree. Many see in this orientation a recipe for anarchy. In a world economy characterised by over capacity and over production on the one hand and declining profits on the other it could lead only to greater joblessness and poverty.

This situation, many argue, has led to greater pressure on developing countries to open up their markets to a more powerful developed world desperate to sell its surpluses. The pressure of declining profits on major corporations has also led to pressure on governments to open new avenues to profits by privatising public utilities and services.

This has been done through various structural adjustment programmes, all of them based on what the jargon calls the "neo-liberal paradigm" or "Washcon" (the Washington consensus). They were supposed to create conditions under which foreign investment would flow to regions such as Africa and exports would increase to the greater benefit of all.

Instead, according to United Nations statistics, capital has continued to flow out of Africa and the continent's share of world exports fell from 2,4 per cent to 1,6 per cent in the decade up to 1999. Almost without exception — and South Africa is a classic example — the wage and welfare gap between the rich minority and the vast army of the poor, has grown.

This the trade unions argue, is a direct consequence of non-interventionist, free market policies. Such policies have clearly failed to serve the interests of the poor, whether working or not.

So the warning shots have been fired across the bow of Nepad. The object, summed up by the Cape Town-based Labour Research Service (LRS), is to “engage” on the issue. But not only to seek clarity but to criticise.

As the now widely circulated LRS review of Nepad states: “The opportunity should be seized to advance alternative perspectives of development based not on profit, but on the needs of Africa's population.”

This is seen as essential by Cosatu and by unions across the continent. They tend to agree with the assessment that, even if Nepad, with its call for \$64 billion of investment, is successful, it will enrich only a minority at the expense of possibly greater degradation for the overwhelming majority.

** Time has perhaps told — and alternatives remain elusive.*

June 21

Fallen union heroes live again through apartheid claims

THE NAME of Looksmart Solwandle Ngudle came to the lips of many older trade unionists this week. What triggered the murmurings was news of the filing of claims against international companies of behalf of the victims of apartheid.

The multi-billion dollar class action lawsuits have been filed by local lawyers who have briefed the controversial United States personal injury specialist, Ed Fagan. The claims are based on profits made throughout the 45 years of apartheid and on the human rights violations carried out as a result of the system.

The reason that the name of Looksmart Solwandle Ngudle came to the fore was that he was a trade unionist — and the first person to die in custody under apartheid's notorious detention without trial laws. A security policeman by the name of Terreblanche once boasted that he had provided the length of wire which finally ended the life of the Commercial and Distributive Workers' Union organiser.

The year was 1963. Ngudle had been arrested and was tortured in the Compol security police headquarters in Pretoria. When he could no longer stand, he was hanged from a hatstand in one of the bleak, utilitarian interrogation rooms.

Then he was taken back to prison. The following morning he was found dead in his cell, hanging by the neck from a length of wire attached to the barred window. This was the first of what was later — and cynically — referred to as “state-assisted suicide”.

It was also the first of many similar deaths. And his name, like those of Vuyisile Mini, Elijah Loza, Lawrence Ndzamanga, Neil Aggett and Andries Raditsela is today largely unknown outside the trade union movement.

Even younger trade unionists are often not aware of the rôles played by these people and the manner and reason of their dying.

Also all but forgotten, outside of their families, close friends and surviving activists of the time, are the

names of Mini's comrades, Wilson Khayinga and Zinakele Mkaba and countless others who fell victim to the security apparatus. In 1986 alone, 923 trade unionists were detained and most of them were tortured

"Workers suffered the brunt of the apartheid repression at a time when it was a virtual death sentence to be an active trade unionist," said Vusi Nhlapo, general secretary of the National Education Health and Allied Workers' Union (Nehawu).

He echoed the feeling of many leading trade unionists when he hailed the claims launched against "apartheid profiteers" as "opening up the debate on what really happened" during the apartheid past.

It was a critical part of South Africa's history to know how and why thousands of men and women suffered and died, as trade unionists and fighters for a democratic South Africa.

"But we have tended to sweep our history under the carpet," said Nhlapo. "We have concentrated too heavily on reconciliation without taking account of the need for truth and justice."

The result, he felt, had been the encouragement of a "convenient amnesia". This was both "nauseating" and harmful to the future democratic development of the country.

"The filing of these claims on behalf of the victims of apartheid has highlighted the rôle played by capital in the maintenance of a system that visited so much cruelty on the majority of our people," said Nhlapo.

He welcomed the fact that this would "revive the debate about what happened" to ensure that something similar never occurred again.

Like a number of trade union members and officials across all three federations, he was caught unawares by the announcement of the legal claims. "But I think the news came as a pleasant surprise to all of us," he said.

None of the federations has yet had the opportunity to meet to discuss the issue but executive members, in their private capacities expressed immediate support. "It will reopen the essential debates and illustrate clearly the relationship of capital and labour during a terrible period of our history," said a senior Cosatu executive member.

Once an executive meeting had been held, he felt there would be a "wholly supportive" declaration. Many Cosatu members would also add their names to the list of claimants and provide information about their personal experiences under apartheid.

"We should also be able, through this process, to educate our younger members about the history of the trade union movement and the people who helped to bring about the democratic transformation," he said.

Officials of the National Council of Trade Unions (Nactu) expressed similar hopes. "And I can't see that any of us or our affiliates would be anything but supportive," said a Nactu spokesperson.

"It is time that we looked openly and honestly at the apartheid past and stopped trying to hide it away behind a screen of so-called reconciliation, without any mention of justice," he said.

The high price of justice for workers

SOLOMON Heneck Khoza was on the front page of Business Report on Monday when petrochemicals giant Sasol defied a labour court order to reinstate him. The report, alongside a photograph of the man who worked for Sasol for 18 years, noted that Khoza's attorney, Richard Spoor, intended to bring contempt of court proceedings against the company.

Today Spoor's application to have an appeal by Sasol against the labour court ruling dismissed and accusing the company of contempt, will be filed. It is the latest stage of a saga that began in December 1999 and which has brought to the surface a multitude of ills and omissions in the country's labour laws and practices.

It also once again highlights some of the often tragic consequences for families and communities of a well-intentioned compensatory process that is skewed in favour of employers. Despite our much vaunted Constitution and apparently enlightened labour laws, much of the legacy of a more brutal and cynical historic attitude which regarded workers as mere factory fodder, continues to permeate the present.

While the Commission for Conciliation Mediation and Arbitration (CCMA) for the first time made available to workers a free facility to bring and have judged claims for wrongful dismissal and other wrongs in the workplace, it could not guarantee timeous action. Employers can usually afford the luxury of time along with shrewd legal representation; workers can seldom afford either.

Solomon Khoza's case gives a glimpse of some of the difficulties. He was dismissed after 18 years when he developed a chronic skin condition while working with toxic chemicals. Since he could no longer continue in that job, he was dismissed on the basis of permanent incapacity. The company claimed there was no suitable alternative work available although Solomon Khoza holds both heavy duty and public utility drivers' licences.

So he took the case to the CCMA, Conciliation proved impossible. The company would not budge.

The matter went to the next stage, arbitration, again with the CCMA. More than a year later, the arbitration hearing was finalised – and came down in favour of Solomon Khoza.

But the company — as is its right — refused to accept the arbitration decision. It announced that it would take the matter on review — in fact, appeal against it to the labour court.

A month later, that review application was lodged, but it took another eight months to be processed. Further legal wrangling followed and Solomon Khoza's attorney finally won an order from the labour court that his client be "reinstated forthwith".

By then the Khoza family had been without any regular income for 19 months. "We cannot afford meat," Solomon Khoza noted. His family subsists mainly on pap and wild spinach relish.

Doubly galling for the family is the fact that Sasol recently embarked on a major advertising campaign extolling the company's social responsibility in such areas as providing music scholarships to disadvantaged children. Khoza pointed out that two of his older children were unable to go on to further education because of his dismissal.

"Often my children go to bed hungry," he said in a sworn affidavit supporting his demand for the urgent implementation of the arbitration order, backed by a labour court ruling that is already a year old.

But for this to happen requires first that the further appeal by the company be set aside. And that again takes time.

The fact that Solomon Khoza and his family had the tenacity to continue and that he was supported by

a lawyer prepared to fight the case to the end, is unusual. Hunger, family pressures, depression and desperation ensure that many similar cases never get beyond the first stage of failed conciliation.

Sheer frustration and financial pressure also often sees some of the toughest fighters back down and accept minimal payouts to drop their cases and go away. This was what happened in the classic and high profile case of Virginia Swart at the end of 1997 (see page xx).

The first-ever age discrimination case, Swart's battle dragged on for more than a year. She fought it herself, held her own against senior advocates. But it was the length of time without a job that finished her.

In debt, tired and frustrated, she took R1 000 offered to her on the doorstep of the home she was about to lose. In exchange she signed away her right to continue demanding the job that it was probably her constitutional right to have.

Solomon Khoza and Richard Spoor have no intention of giving way. "This is a fight for justice," said Spoor.

But, as the case of Solomon Heneck Khoza has shown, justice for workers often comes at very great and hidden cost.

(Check Richard Spoor)

July 5

Payback hope and the horrific legacy of asbestos mining

THE BATTLE by municipal workers affiliated to the Cosatu-aligned municipal workers' union (Samwu) for a living wage has again highlighted the dreadful legacy of wage and welfare differentials in South Africa. At least the municipal workers are able to fight back and put their demands.

Others are not so fortunate. They are part of the physical legacy of an era that saw workers used, abused and thrown onto the metaphoric scrapheaps of the homelands and far-flung rural areas.

These discarded workers are not generally organised and often survive in desperately impoverished conditions. But their voices are now also starting to be heard in a belated call for justice.

Most are former workers in the mining industry. When they were discarded, they returned to villages and towns as far afield as Malawi and Zambia.

Today, thousands of men throughout southern Africa continue to hold on to life, their lungs ravaged by diseases caused from labouring in the dust and fibre-laden quarries and mines of South Africa.

More have died, drawing their last rasping and suffocating breaths in desperate poverty. For many of these miners were never compensated, others received paltry, one-off payments as they returned home to slow, agonising and premature deaths.

In the relatively few cases where the question of compensation has been raised, the employers have invariably denied responsibility. To ascertain the direct cause of a disease of the lung, which developed over years, can sometimes prove difficult, if not impossible.

Toward the end of this month, all these issue should again be raised when another lawsuit is lodged against companies that continued to mine and make great profit from that lethally fibrous mineral, asbestos. In the case of asbestos, the cause of the disease is usually obvious.

One controversial case — against British company, Cape plc — has dragged on for years and now seems close to some form of settlement.

But other companies too were involved and some have gone on, through mergers, takeovers and restructuring to become ever more wealthy. They will be called to account in a country where a quite cavalier attitude toward asbestos has apparently been encouraged.

“Take virtually any township in the country where asbestos was used not only for roofing and wall cladding, but all over the show,” said National Union of Mineworkers (NUM) spokesperson, Moferefere Lekorotsoana. “This is a very messy business that has to be addressed much more seriously than it has been.”

Asbestos, he pointed, was a special case. While there were hundreds of thousands of miners who were suffering as a result of their work, whole communities — and many more thousands of men, women and children — continued to be jeopardised by the residues of asbestos mining.

It should be the responsibility of the companies or their successors to rehabilitate such areas for the sake and safety of future generations.

It was probably impossible, Lekorotsoana noted, for anyone involved in the industry to claim they did not know of the dangers posed by asbestos.

“For many years, the mining companies knew how dangerous this material was, but they were not prepared to spend the money to introduce the training, equipment and technology that would have made for greater safety,” he said. Instead, the industry had often actively petitioned against safety measures.

The records speak for themselves. They reveal that international safety limits were ignored and even local regulations, where they existed, were often flouted.

In fact, government records show that dust levels in asbestos mines over the years were often thousands of times higher than the already high recommended safety levels. Nothing was done about this.

Yet, as occupational diseases legal specialist Richard Spoor has pointed out, the dangers of asbestos were known even to the ancient Greeks. They noticed the high incidence of lung disease and deaths among slaves who worked with the material.

But in the modern era, even as far back as 1918, the giant Prudential insurance company was refusing to issue life policies to asbestos workers. Articles on the dangers of asbestos dust also appeared in the British Medical Journal in the 1920s.

By 1930, asbestosis was added to the list of occupational diseases in Britain. That was the same year that Dr George Slade surveyed an asbestos mine in then Transvaal and discovered that 74 per cent of the miners showed signs of asbestosis disease.

Then, for more than 50 years, little or nothing was done to improve the situation in an industry that paid handsome dividends to its shareholders. The same applied in mines other than asbestos.

According to research conducted by the University of Cape Town medical school, more than 30 per cent of all surviving miners probably suffer some form of lung disease.

“It is a terrible problem,” said NUM general secretary Gwede Mantashe, “and it is a reflection of the level of greed.”

July 12

The agony of getting worker compensation

JOHN Molefe is a truck driver. Or, rather, he was until six years ago. On the night of February 15 1996, his career came to an abrupt and bloody halt.

John was delivering goods in the Groblersdal area of then Northern Province when night fell. A cautious

man, he decided to park, as he always did, alongside the local town police station.

But as he approached the town and pulled up at a stop sign, a man leapt onto the running board of the truck and pulled at the door. But the door was locked.

Startled, John was just in time to see the heavy calibre pistol swing into view. He raised his right arm in an instinctive gesture of protection as the bullet smashed through the window and shattered his elbow.

Bleeding and in pain, John Molefe managed somehow to get the truck into gear and drove frantically down the road. Terrified and blinded by pain, he knew he had to turn somewhere up ahead to get to the police station. But he turned right instead of left and found himself in the nearby township.

There he eventually spotted a police station and staggered out to report what had happened. The police rushed him to a clinic and, the following day, he was transferred to hospital where he was to remain for two months.

During that time, his employer did not pay him. But, after pleas to his supervisor by telephone, his wife and four children were given “the odd R100” from time to time for food.

The story of John Molefe has only now come to the fore because he is still waiting, six years on, for compensation payments. In the first place, it took more than five years before his employer admitted liability for the injury done to the company’s driver.

Questions were first asked as to what John Molefe was doing in a local township at night, since the township was not on his designated delivery route. This could be held to be contributory negligence, disqualifying him the payments that were his due.

Compounding this situation and the delays was the chaos within the offices of the Workmens’ Compensation Commissioner (WCC). Twice his claim for compensation was turned down for no apparent reason.

Now, nine months after liability was admitted by the employer, and after six years of unemployment, during which time his family has undergone extreme hardship, the case of John Molefe has been taken up by the Legal Resources Centre in Pretoria.

He recently underwent major surgery, and may now be compensated – on the basis of his present disability. Since the most recent operation has given him more use of his bullet damaged arm, his disability will be calculated on what is estimated to be his currently level of disability.

The case of John Molefe is just one of several applications before the courts to try to gain for workers and their dependents delayed compensation that is justly theirs. There are, for example, widows who have been waiting two years and more for paltry pensions based on 40 per cent of 75 per cent of the final wage of a breadwinner who died as a result of an occupational accident.

Because many workers are paid wages so low that compensation on the WCC formula would be laughable if applied, a minimum has been established. This minimum, of R618 a month, had to be applied in the case of 11 workers who died in the factory fire in Lenasia two years ago, because none earned even that pittance.

What this means is that a surviving spouse, on the minimum level, would be paid a monthly pension of just R185.40. In addition, 20 per cent more may be added for each dependent child up to a maximum of three.

A surviving spouse with at least three dependent children could, therefore hope to be paid R463.50 a month — eventually. “Don’t try to telephone the Compensation office – you’ll never get through,” a Johannesburg labour lawyer said.

Paula Howell, a British lawyer and LRC volunteer, concurred. “The average delay in response to a claim is probably about eight months,” she noted.

“This is why something has to be done about this situation,” said Kagiso Molema, the Cosatu labour

market policy co-ordinator. Cosatu, he added, would be taking the matter up within the National Economic Development and Labour Council (Nedlac).

The problem, however, is that the issue has already been before Nedlac. Recommendations have been made – and ignored. Because, it seems, Nedlac has no authority to enforce what it recommends to the WCC,

Watch this space.

** In 2011 problems still persisted, although some of the worst backlogs appeared to have been overcome.*

November 15

The unions and James/John Kilgore/Pape

THE TRADE union movement in South Africa should petition the government to ensure that James Kilgore be allowed to remain in this country or, at the very least, he be allowed to return. That is the official view of the National Union of Metalworkers (Numsa) and it is one echoed widely throughout a labour movement initially stunned by the revelations over the weekend.

Most trade unionists reacted with disbelief when it was revealed that the man known to them as John Pape was, in fact, James Kilgore, the last fugitive from the Symbionese Liberation Army (SLA) sought by the FBI of the United States. The SLA, best known for its kidnap and subsequent recruitment of newspaper heiress Patty Hearst, was one of the revolutionary groupings that emerged from student resistance in the United States to the Vietnam war.

“But after the initial shock, people started getting together to decide what to do,” said an executive member of the Cosatu-affiliated municipal workers’ union, Samwu. By Monday, meetings were being held to formulate official positions and the first steps had been taken to establish a legal aid fund to support perhaps one of the most popular figures in the local labour movement.

By Wednesday, Numsa became the first union to issue a statement in support of the quietly spoken American scholar who has played a key role in post-apartheid trade union education. In fact, only hours before his arrest, “John Pape” had conducted an economics seminar in Cape Town for Numsa education officers.

It was one of probably hundreds of similar seminars he has conducted over the years, both in Johannesburg and Cape Town. “Almost every branch of the labour movement has been helped by his writings, seminars and research,” said Numsa media officer Dumisani Ntuli.

In addition, thousands of students, at secondary school level, at adult education night classes and at bridging institutions such as Khanya College, owe many of their insights to an educator who stressed the need for dialogue and debate. For more than 20 years, first in post independence Zimbabwe and then, from 1993 in Johannesburg and finally in Cape Town, he encouraged critical thought and learning.

A prolific writer, with a deserved reputation for producing readily accessible educational materials, he has provided articles, analysis and research data to all three trade union federations and to various affiliated unions. Since 1998, this work has generally been conducted through the University of Cape Town-sponsored International Labour Resource and Information Group (Ilrig) where he served as a director and projects co-ordinator.

Co-author of the SA Workers’ Guide to Globalisation, he co-edited a well-received book on the crisis of service delivery in South Africa that was published this year. Much of his work was also evident

in the Ilrig resource pack on sustainable development, produced for the World Summit of Sustainable Development in August.

But although he had a very low public profile outside of the labour movement, John Pape is known and remembered in numerous quarters across southern Africa. Many of his former students now hold leading positions in trade unions, government departments and in the private sector.

So all that has been surprising about the groundswell of support he has received has been the fact that it has been muted in several quarters. In an apparent reflection of the current political climate, at least one union executive this week rejected a suggestion that it demand a pardon for John Pape.

The fear was that the call might result in the union being labelled “ultra-left”. There were similar concerns expressed within Numsa.

This resulted in the official statement calling on the one hand for John Pape to be freed and, on the other, noting that “Numsa would be glad to have him sentenced to do community service”.

The union added yesterday that it would suggest that any community service be done in South Africa. No matter what the outcome of the legal process, John Kilgore/Pape should also be allowed to return to South Africa “to continue his good work”.

Other individual Numsa members, however, supported the comment by Martin Jansen of the Workers’ World radio production project. “So far as I am concerned, there should be no question of sentencing or even extradition,” he said. “Evidence should simply be gathered here to be processed for a pardon.”

But however much individual viewpoints differ, there seems to be a consensus within the labour movement that the imprisonment of John Kilgore/Pape would be, to quote the Numsa statement, “a waste for humanity at large”.

His arrest has also reopened a debate regarding the nature of violence that seems particularly apposite at the moment. It is summed up by the first line of a song popular among umKhonto weSizwe (MK) fighters in exile: “I’m not a terrorist, I’m a freedom fighter.....”

2003



Peace is finally brokered in Burundi, facilitated by deputy president Jacob Zuma and by President Thabo Mbeki; health minister Manto Tshabalala-Msimang announces free health care to people with disabilities while promoting olive oil, garlic and the African potato as a treatment for HIV/AIDS. The Treatment Action Campaign marches on parliament calling for a national roll-out of ARVs.

Tension continues in the ANC-led tripartite alliance with both Cosatu and the SACP complaining of their views on all important issues being ignored, a situation perfectly captured in the Zapiro cartoon. The first rumblings of serious discontent with Mbeki's leadership start to emerge.

The Truth and Reconciliation Commission releases its final report in the wake of opposition from Mbeki, but the government fails to take up the TRC recommendations regarding reparations for victims of human rights abuses who came forward. Government also exempts business from paying any form of reparation.

Winnie Madikizela-Mandela former wife of President Nelson Mandela, appeals against a five year sentence on multiple charges of fraud and theft and fellow parliamentarian and ANC heavyweight Tony Yengeni is sentenced to four years for fraud. The Scorpions announce corruption investigations into arms company Thint and Jacob Zuma; NPA head Bulelani Ngcuka makes his comment about a "prima facie" case existing against Zuma. but not enough evidence to convict.

Wouter Basson applies for his job back in the military, demanding the rank of general and the country mourns the passing of struggle icon Walter Sisulu at the age of 90.

The albatross around Mbeki's neck

THE TRADE union movement and community activists remain furious at what many have described as the government's continued "HIV denialism". This follows President Thabo Mbeki's flat rejection last weekend that an agreement on HIV/Aids treatment had been reached at the Nedlac social forum.

Mbeki and health minister Manto Tshabalala-Msimang also caused a minor outcry in the medical profession by mentioning tuberculosis (TB) in isolation as the country's major killer.

"Of course TB is perhaps the major killer and there has been an explosion of TB deaths in the past five years," said Treatment Action Campaign (TAC) national manager Nathan Geffin. But, he pointed out, many if not most TB deaths were HIV related.

A Cape Town medical specialist noted: "The existence of HIV has generally exacerbated the problem of TB."

The issue of treatment plans became further confused when labour department spokesperson Snuki Zikalala said the only agreement reached was between the TAC and Cosatu.

"Not so," said Chez Milani the general secretary of the Federation of Unions of SA. "There was a draft agreement reached by the entire labour movement, community, government and business representatives."

Trade union representatives are particularly annoyed that the image has been created through various media reports that whatever draft agreement exists was drawn up between Cosatu and the TAC.

"This is willful distortion of the Nedlac process and it threatens the integrity of Nedlac," said Vukani Mde, Cosatu's spokesperson. He pointed out that "the simple truth" was that each constituency has produced its own drafts and "these were discussed and a compromise reached".

The impression the labour and community representatives were left with was that it was a mere formality to gain the signatures of the government and organised business.

Business seems to have mentioned that it would be necessary to take the draft to its scattered constituency, but did not apparently see any problems with getting agreement.

"From a labour viewpoint, it all seemed cut and dried," said Mde.

That this attitude was justified can be seen in notes and minutes of Nedlac meetings and heard on tape recordings made at most of the meetings.

When the four constituencies first came together on the HIV/Aids issue on October 5 last year, they agreed that "each sector shall make written submissions regarding the content of a treatment plan". Each sector did just that.

The parties had been brought together at Nedlac by the forum's director, Phillip Dexter. This followed a request made to the forum in July last year by Cosatu, representing all three trade union federations, and by the TAC.

The combined labour movement and the TAC felt it was imperative that a process be started to negotiate a national treatment plan. "People are dying every day, so it seemed a matter of urgency," said Milani.

By September last year the Nedlac management committee had established a senior task team to handle the negotiations.

Health department director-general Ayanda Ntsaluba was supported by Npono Simelele, the chief director of HIV/Aids at TB, while Rams Ramashia of the labour department had the support of his labour relations deputy, Les Kettledas.

Labour was represented by Cosatu general secretary Zwelinzima Vavi; SA Clothing and Textile Workers' Union general secretary Ebrahim Patel, who acted as a liaison with the other federations and the general secretary of the SA Transport and Allied Workers' Union Randall Howard.

The business position was put forward by the business representative in Nedlac, Raymond Parsons; Vic van Vuuren of Sanlam and Faizel Randera of the Chamber of Mines. TAC secretary Mark Haywood and the community sector's convenor, Fadilla Legadien, made up the community sector component.

"When the government side put in their submissions, they considered all the cost implications," said Mde. These were taken into account in the final draft agreed to by all parties.

Agreement was reached after several meetings, in which the different submissions were integrated into the final draft.

In November a target date for completion of the process was set as December 1, the start of what was dubbed International Aids month. But the process took longer than expected and the last meeting ended late on November 29.

The TAC had remained in regular contact with its constituencies and was able to endorse the agreement on the spot.

Business and the government required more time to enable their representatives to refer the final draft for formal agreement.

"There seemed consensus that everything would be signed by the end of December," said Mde.

However, several senior Cosatu officials privately expressed the fear that the government might renege on the deal, but was using the apparent agreement to ensure that the issue of government foot-dragging on HIV/Aids was not brought up at the ANC's December conference in Stellenbosch.

"Now it seems that they have been justified," said one of the December cynics. "But this issue is a political albatross around the neck of the president — that he cannot deny."

March 28

In war, those who fight and die are workers

COSATU'S repeated condemnation this week of the war against Iraq, including the call to ban arms sales to Britain and the US, has raised hackles in a number of quarters. Yet it was a perfectly logical position for a trade union federation to take.

The labour movement around the world — even the generally cautious and quite conservative AFL-CIO in the US — has opposed the war against Iraq.

And despite criticism to the contrary, this is not a question of stepping outside the bounds of trade unionism into the wider field of political activism.

The labour movement is often more acutely aware of the realities of war than are many other organisations, since most of those who fight and die in wars are not politicians, aristocrats, employers or even generals. They are workers and the children of working-class families.

As a result, this is a movement that has all too often heard politician, employers and others in the social and economic hierarchies, pay lip service to bringing about great and beneficial change for working people by war.

Inevitably, war has resulted in hardship and suffering, where the lives of working people usually seem to matter little. This is a lesson of history and the labour movement provides a living, if often fragmented,

memory of that history.

In terms of the current crisis, the trade union movement, internationally, has a record about which it can be justifiably proud.

Trade unionists, for example, were at the forefront in the protest against Iraq's president Saddam Hussein's regime when it used mustard gas against Iranian troops in 1983. The gas and technology were supplied by the US administration and its allies.

At that time Donald Rumsfeld, now the US Secretary for Defence, was president Ronald Reagan's go-between with Saddam. He was photographed shaking hands with the Iraqi tyrant as the two concluded another billion-dollar arms deal.

And — least we forget — it was the US administration that encouraged Saddam's government to attack Iran because the population of that country had dared to overthrow the dictatorial, US-supported Shah of Iran, Mohammed Reza Pahlavi.

Trade unionists were also at the forefront of international protests in 1988 when the Iraqi air force used a still unknown mixture of biological and chemical agents to poison thousands of Kurds in the village of Halabja.

The suppliers of this chemical and biological filth remained silent; today they are the leading members of the "coalition of the willing" against Iraq.

These are some of the reasons why the African committee of Public Service International (PSI) to which unions such as the SA Municipal Workers' Union are affiliated, opposed all and any war against Iraq.

At its meeting in Cairo shortly before the attack on Iraq, the PSI Africa committee condemned such an assault "with or without UN approval".

Like many other unions, the PSI feared that war with Iraq would be another case of "the more things change, the more they remain the same".

This cynical dictum, credited to the 19th Century French writer Alphonse Karr, fuels a current of justifiable bitterness within the labour movement everywhere.

Trade union activists can look back over the past century and more to the great changes in the world of work: the noisy, dirty and often backbreaking labour of pick, shovel and the automotive assembly line has largely given way to a world of shelf stacking and till operating, of button pushing, keyboard and mouse operating.

But despite these dramatic changes, the same system of exploitation exists and, in many cases, has become worse as humanity is apparently frog-marched into a global village.

The technological advances that have caused such dramatic change in the patterns of labour have also caused skyrocketing productivity and a world not just of plenty, but often gross over-production and over-capacity.

Yet the consequences of the same old exploitation, poverty and hunger have grown apace at the same time — and absurdity first acknowledged more than 150 years ago.

In the succeeding decades this absurdity has been often underlined as the bigger, richer and more powerful have grown even richer, bigger and more powerful.

In the broad understanding of the labour movement, this obscene contradiction leads to social unrest and the barbarism of intensified competition such as war.

For the bulk of the labour movement, the current war against Iraq fits this bill.

The nightmare of the unofficially unemployed

SIPHO Ngwenya is 42. He lost his job nearly four years ago and, apart from an odd day here and there as a construction site labourer and as a gardener, he has not worked since. But Ngwenya, a Khayelitsha resident and father of three, does not feature in the national unemployment statistics.

Because, according to the official statistics, Siphon Ngwenya is not unemployed.

He is one of the more than 2 million workers without work who do not qualify to be counted because they have not actively sought a job for more than a week.

In fact, Ngwenya has not actively sought work for many months. He simply does not have the money to get to town, where any prospects of work might exist.

In any event, after months and years of rejection, whatever self confidence he may once have had is gone. He is a man emasculated in a male-dominated society, a useless human artifact, tossed on the scrapheap to await the inevitability of death.

It was not always so. Only a few short years ago, the Ngwenya family lived in a smart, three-bedroom matchbox house built by one of the speculators who swooped on townships around the country to cash in on the new political dispensation.

The house was financed to the hilt by a bank apparently eager to prove its democratic credentials by widening its once almost exclusively white mortgage portfolio. There was no explanation of variable lending rates.

But then bond rates soared, especially in the township where mortgage interest was 1 per cent or 2 per cent higher than in “lower risk” middle-class suburbia.

The Ngwenya family, and many like it, fell behind on the payments. Interest was added to interest and the debt mounted.

The Ngwenyas were caught in a debt trap.

Then Siphon Ngwenya became a job-loss statistic, one of more than 1 million over the past five years. But he had ambition and a driver’s licence, so with his minimal retrenchment package he bought a second hand minibuss and set himself up as a taxi.

In business parlance, Ngwenya was hopelessly under capitalised. He was also entering a heavily over-serviced market.

Within four months the business failed and the vehicle was sold off to keep the family in food. The bond went unpaid and the bank moved in.

But by then the government and the lenders had got together to meet the constitutional obligation — supported by a court case — that people could not simply be put out on the street. The public-private partnership Servcon, stepped in and took over the Ngwenya home.

Because the Ngwenyas’ combined income — wife Jabulile is a part-time domestic worker — was negligible, the family qualified for the state housing grant. They were duly “right-sized” into a house to suit their income: a one-room “starter home” situated even further from public transport.

The family manages its bare survival on the basis of the four part-time cleaning jobs held down by Jabulile. She features in the official statistics as an employed person.

But either by accident or by design, none of the households that employ “Elizabeth” Ngwenya retain her services for more than 24 hours a month. So she is not an employee and, therefore, does not have

benefits such as employer contributions to unemployment insurance.

Jabulile in fact qualifies as a self-employed entrepreneur, the very category promoted as the way forward by the likes of trade and industry minister Alex Erwin. But her entrepreneurship brings in a monthly income of R680 before deductions for travelling expenses.

Yet she is more fortunate than many other workers in a similar position, in that her income is, for the time being, steady and slightly higher than the average for similar hours and labour. She is a classic example of what Cosatu general secretary Zwelinzima Vavi has dubbed the “working poor”.

“In many of these cases, the work is so casual and the pay so low that these people should qualify as the hidden unemployed,” Cosatu spokesperson Moloto Mothapo says.

On this basis, the trade unions claim that more than half the economically active population is unemployed is clearly valid.

“It is a huge and tragic waste of human potential,” says Federation of Unions of SA (Fedusa) general secretary Chez Milani.

Because the situation is seen as so critical, the labour movement has put forward various proposals. Cosatu is increasing pressure for the establishment of a basic income grant to all citizens, while Fedusa is pressing for a “massive public works programme which will focus on the use of labour-based methods of employment”.

These and other urgent proposals will be put to the government at the tripartite growth summit scheduled for early next month. For families like the Ngwenyas and for the millions even more unfortunate, relief cannot come soon enough.

** It seems they are still waiting*

May 2

Little change since the very first May Day

YESTERDAY was not as auspicious May Day. In a long history of struggles, remembrances and celebrations driven by the hope for humanity, yesterday was not a high point.

Not in South Africa. Or anywhere else for that matter.

In a world dominated by the anarchy of the market, where massive food surpluses rot while millions starve and jobs are lost as productivity soars, the workers of the world have little to cheer about.

But then May Day — workers’ day — was never primarily a day for celebration. Historically it was a time for commitment to international solidarity, formally declared in 1890 to be so. It is therefore a time to remember the struggles, victories and defeats of the past and, drawing from such memories, to strengthen the resolve to continue the struggle to create a better world for all.

As such, May Day is the manifestation of hope and determination overcoming often terrible setbacks. The origin of the day as a workers’ day, after all, stem from the bloody crushing and judicial executions meted out by the state of Illinois after a major strike in Chicago in 1886.

But the fact that a better life of co-operation and true equal opportunity was possible had by then permeated the consciousness of the embryonic workers’ movement as a result of the Paris Commune of 1871.

Then, the working people of Paris seized the city and instituted a system of democratic control; of

workers' government. That brief experiment, a cornerstone of labour movement history, was brutally put down by the combined armies of Prussia and the French monarchy.

Chicago in 1886 provided no comparison with the slaughter in Paris 15 years earlier. But the demand for an eight-hour day in Chicago was also brutally put down by police truncheons and bullets. Workers fought back and several were executed.

This established the red flag — “heart’s blood stained its every fold” — as the symbol of the workers’ movement. In South Africa it first flew — and was seen on lapel ribbons — in 1904. The demand then was for an eight-hour day and a 40-hour week. It is a demand we still have to achieve. In the intervening years there have been numerous achievements and many setbacks.

As Cosatu general secretary Zwelinzima Vavi noted in Durban yesterday: “It is a long and proud history.”

But the setbacks today, despite the globalisation of ownership and employment, are not as great as some the labour movement has faced. “And the demands of a century ago remain just as valid today,” said SA Municipal Workers’ Union general secretary Roger Ronnie.

Speaking from Saldanha, where he addressed a small May Day rally, he pointed out that the substance of the struggle by workers had also not changed. Nor, for that matter, had the attitude of employers. They remained hostile to the labour movement.

This hostility was classically revealed in Johannesburg in 1931 in a report in the *Rand Daily Mail*, which was the public voice then of the mining companies and the emerging Anglo American empire.

Commenting on a May Day march on the refuge of big business, the Rand Club, by 1 000 workers demanding jobs and bread, the Mail noted that this was “a bedraggled procession in which dirty-looking natives of the lowest class, marched shoulder to shoulder with Europeans, many of them of obvious low mentality”.

According to the newspaper, “The breaking down of the social barrier between black and white is a serious development which cannot be lightly regarded... the white Bolshevik is bad enough. The black one is unthinkable.”

Said Ronnie: “The language has changed. The overt racism has gone, but the attitudes are much the same.”

Although May Day demands were usually for immediate bread and butter issues, the underlying dynamic remained the building of an internationally united working class acting in the interests of the majority of humanity. This threatened the system as a whole.

But, as a number of other trade unionists have pointed out in the run-up to next month’s growth and development summit, it is impossible to discuss detailed policies without addressing the framework in which they are applied

That is on the national level.

But national policy cannot seriously be addressed without taking full cognisance of the international framework. It was a lesson the founders of the modern May Day had clearly taken on board. They recognised that the overwhelming majority of people were forced to sell their labour to live and that those who laboured produced the world’s wealth.

The greatest — the only real — weapon they had was organisation. May day provided a focus for this. “As I said, nothing has changed,” Ronnie added.

Thembinkosi — a personal reality of micro economics

THE column scheduled for this week would have given a breakdown of the actual financial loss to the poorest of the poor despite more widespread and increased government grants and other assistance.

It was also to have given details about the possible effects of a R73 million contract awarded to a British think-tank to “provide technical assistance for restructuring public services in South Africa”.

But that can wait. The macro view has given way to the micro.

Only because I quite literally bumped into Thembinkosi earlier this week. Over two days, we established a rapport.

His story comes from the increasingly crowded margins of the labour movement; from the ranks of the non-unionised and often frightened workers who live a hand-to-mouth existence, selling their skills and, all too frequently, their lives in a viciously competitive and grossly exploitative market.

It summed up the effects of a brutally competitive market and mass unemployment at a human level.

Thembinkosi was backing out of a driveway, dragging a heavy concrete beam. I was walking, reading a newspaper, and we collided.

I was concerned to see that he was involved in a dust-laden demolition job without a mask, goggles or gloves, let alone adequate footwear. His battered takkies provided no real protection; they symbolised the working life of Thembinkosi: he has no real protection.

He and another man were left at the work site by the employer for whom they worked on a regular basis.

But neither Thembinkosi nor his workmate feature in the official statistics as employees. They are self employed contractors, paid flat fees on a daily basis.

This I discovered after I introduced myself and asked Thembinkosi his name.

Although I spoke in my very limited isiXhosa, the name he gave was one of those English ones — it could be John, George or anything else thought acceptable and pronounceable by his employer.

But his real name is Thembinkosi. He’s in his early 30s and working on a building site in one of the affluent Cape Town suburbs.

He was salvaged from probable destitution in the East London township of Duncan Village by the fact that he was always good with his hands; he could handle timber and bricks and seemed to have a natural aptitude for tools.

This was just as well because he had to help support his family after completing what is now Grade 10 at school. He found himself in a low-paid job, working alongside an older, relatively skilled general builder who taught him the tricks of various trades — even, he proudly notes, how to plaster a wall.

But Thembinkosi became annoyed at the long hours and low pay. He had heard of the new labour laws and was considering approaching a union when his life changed dramatically.

On a particular job, the owner of a building at which Thembinkosi was working, expressed concern at the conditions of work.

Against the advice of his workmates, Thembinkosi spoke up and voiced his disapproval.

The well-meaning owner complained to the construction company boss. Thembinkosi lost his job.

Unemployed for months, he finally followed in the footsteps of so many other people of the Eastern

Cape: he headed south, to the sprawl of shacks and townships spilling over the Cape Flats.

That was last year. It has been a tough time since then, living largely off the charity of relatives and friends in between occasional daily labouring. Then, six months ago, he found his present job.

It is fairly regular work, except when it rains, since most of it is outdoors.

But there is no sick pay, pension or holiday allowance; no unemployment insurance.

Thembinkosi is paid R80 a day. In a good month he can take home R2 000, but the average is between R1 200 and R1 600.

By the standards of the shack settlement where he lives, he is well off. An unregistered and officially unrecognised worker in a country with some of the better labour laws in the world, he now helps to support his less fortunate relatives and friends.

He is one of the many thousands of workers who have fallen through the cracks that mass unemployment has created in the protective platform of labour legislation, and he is not happy with his situation.

But he is not prepared to make a stand.

Thembinkosi is too acutely aware that his grasp on survival is extremely tenuous. Survive he must — and that means not making a public fuss.

“Now I am married and have a child,” he says. “I cannot have no work.”

** The cracks remain and thousands of workers continue to fall through*

August 8

Rescuing Mary Seacole from the shadow of Nightingale

HISTORY is written, revised, modified and distorted by the victors in conflicts and in the interests of the elites within any society at a given time.

Unfortunately, having passed into the common consciousness as fact, lodged in libraries and carried forward even in poetry and song, decidedly lopsided versions of the past can come to be accepted when well beyond their social sell-by date.

It was in this manner that a suicidal and brutal maniac, Richard Grenville, rose to the status of a great British naval hero.

Their vehicle in those early imperial times was the poetry of Alfred Lord Tennyson, who simply ignored the facts when he penned his jingoistic poem, *The Revenge*.

It was only late in the last century that the issues were revisited and an alternative view, based on established facts, was produced.

This was in that post World War II spurt of awareness of human rights, when names such as that of the great black inventor and scientists George Washington Carver were brought out from the shadows cast by a racist past to stand beside their peers of paler pigmentation.

But the shadows cast by the bias of skin colour are compounded by the bias of gender, class and often religion. Which is why it is still necessary to mark Women's Day to help focus attention on the widespread and obvious exploitation and the often hidden achievements of half of humanity.

As the contribution of this column to August 9, I am bringing out of the apparently very deep shadows cast by more than a century of race, class, gender and perhaps religious bias, the name of Mary Seacole.

She was black, a woman, and a Roman Catholic from a working class background whose greatest work was done in the patronising and male-dominated heyday of the Protestant British empire.

Yet she was once hailed in that very environment as a hero of the Crimean war. She also, briefly stood alongside Florence Nightingale, who now tends to be regarded as the sole founder of modern nursing in the field.

In 1856 the famous chronicler of the Crimean war, William Howard Russell wrote: “I have witnessed her (Mary Seacole’s) devotion and her courage...and I trust that England will never forget one who has nursed her sick, who sought out her wounded to aid and succour them and who performed the last offices for some of her illustrious dead.”

England did forget. And much of the world never knew of this Jamaican-born “doctress” who had gained her skills working with military surgeons and nursing soldiers in different parts of the Caribbean, and who was perhaps the world’s first nurse practitioner.

It was a role circumstances forced on her. When regiments were drafted from Jamaica to the Crimea, she followed to volunteer her help.

But although she carried glowing testimonials from doctors in the Caribbean and although the British army was desperately short of volunteer nurses, she was rejected. Florence Nightingale’s organisation also refused her offer to join.

As she later noted in her 1857 autobiography: “Did these ladies shrink from accepting my aid because my blood flowed beneath a somewhat duskier skin than theirs?”

So Mary Seacole made her own way to the Crimea, where she set up her clinics. It was an action that made her famous among the troops, won her accolades from some of the leading British commanders — and ultimately bankrupted her.

Significantly, two of the Crimean commanders were among those who rallied to her support with a massive, four-day benefits concert in London that helped set her back on her feet financially. Her autobiography, *The Wonderful Adventures of Mrs Seacole in Many Lands* also brought her considerable fame, and she lived in relative comfort until her death in 1881.

Yet despite these accolades and this history, Mary Seacole and the work she pioneered were soon forgotten. Gender was not the issue, because the name of Florence Nightingale continues to be remembered and honoured.

In a spot survey among health workers this week, for example, none had heard of Mary Seacole.

However, members of the Democratic Nurses Organisation of South Africa in Pretoria and Cape Town and nurse members of the National Education Health and Allied Workers’ Union all listed Florence Nightingale as the international founder of modern nursing.

But this issue is not just about Mary Seacole, nor is it only about nursing.

It is about the many Mary Seacoles who still wait to be discovered in those long shadows cast and maintained by prejudice and bigotry.

Women’s Day tomorrow would be a good time to start casting some more light into those dark corners. Doing so can only give us all greater insight into our present condition and resistance to further attempts to manipulate us by the use of selective history.

Stuck in port by bureaucratic rigidity

ALL THE finest laws formulated and passed with the best of intentions are practically worthless if they cannot be enforced. This is a problem the labour department has long grappled with as the tide of unemployment has continued to grow.

The staging of several high profile media events featuring politicians and labour inspectors swooping on a few sweat shops does not alter the fact that there are too few inspectors. Or that the scale of the problem is too vast to adequately police with the available resources.

In an environment of mass unemployment where even thousands of university and technikon graduates are without work, competition tends to drive down wages and worsen conditions. Only the best organised sectors of workers have been able to maintain or sometimes improve their situations.

But they too have been unable to stem the tide of job cuts. Mining and engineering, represented primarily by the National Union of Mineworkers (NUM) and the National Union of Metalworkers (Numsa) are well organised and traditionally militant trade Unions.

Yet both have been unable to halt the shedding of jobs in their sectors. At the lower paid and unskilled levels, the job losses have been heaviest as mechanisation and capital intensity have come to dominate.

In the coastal areas, this mass of unemployment has put pressure, quite literally, right down the food chain. In large numbers, the hungry and unemployed have turned to an already dangerously exploited marine environment for sustenance.

To this is added to the problems faced by crew on fishing boats who have been among the most exploited workers anywhere. There are dark tales told, in the Hout Bay area of Cape Town, for example, of Angolan and Namibian crew suddenly being lost at sea just before pay day.

Tales of unscrupulous owners and skippers abound. Some are probably true; most seem to be the tall and often gruesome tales beloved of fishers who spend hard lives confronting the often deadly forces of nature.

Given this reality, it is admirable that the fisheries department and marine coastal management should wish to improve the lot of those, generally unorganised fishers whose income depends on the weather and the migratory patterns of fish.

It is also only right and proper that they should take steps to protect marine resources to ensure that the fishing industry has a future.

But without adequate consultation, local knowledge, and efficient implementation, good intentions alone can be positively harmful when they result in policies.

Bureaucracies everywhere, for the sake of their own convenience, usually seek single formulae to apply to every situation. This one-size-fits-all mentality has had disastrous consequences at various levels.

The International Monetary Fund, for example, has taken decades to recognise that its monetarist growth policies, formulated in theory far from their points of implementation, might not work everywhere, if indeed, they work at all.

On a much smaller scale, there have been several apparent examples of this application of abstract policies in the recent fishing dispute. To their credit Marine Coastal Management (MCM) and the department have noted that there have been problems and that these will be ironed out.

But the ironing out of problems appears to take considerable time. "And instead of allowing traditional fishers to continue fishing — and earning a living — for the two or three months it may take to sort

things out, a blanket ban is imposed,” noted a leading marine lawyer.

In fishing communities around the coast now, many fisher families who have been without an income for the past month are still waiting to see if they still have a livelihood.

But even where licences have been granted, the mechanical application of probably well intentioned regulations can cause great and unnecessary hardship.

Take the case of the Violet Glen, the oldest wooden fishing boat in Cape Town’s Kalk Bay harbour. This received a burst of publicity a month ago when skipper Bunny Pendlebury was told he and his nine crew could not sail unless the owner was on board.

But the owner of the Violet Glen is fisher widow, Edna Fish who is both aged and infirm.

“It was ridiculous. It meant we could only go out if we strapped Edna in her bed or chair to the wheelhouse,” Pendlebury noted at the time.

On the advice of Andre Reinecke, assistant director, compliance, with MCM, Bunny Pendlebury applied for an exemption and readied the Violet Glen to sail. Days became weeks and now, a month later, he is still waiting.

In the meantime, as the skipper of a licensed boat, he has received forms to complete regarding a crew which now exists only in theory, but which is practically desperate.

“I just wish they could be as efficient about letting us work,” said Pendlebury.

** This issue was eventually resolved and the Violet Glen still fishes out of Kalk Bay. By 2011 Bunny Pendlebury was retired.*

September 24

Of spies, workerists and skullduggery

THE SPY saga unravelling over the past week in the media and at the Hefer commission in Bloemfontein has caused a small ripple of concern and anger within the trade union movement. This has been particularly so among older members of the National Union of Metal Workers (Numsa).

For the revelations this week have thrown into sharp relief the whole question of secret information and the dangers it can pose. It is now conceded that director of public prosecutions, Bulelani Ngcuka, whatever else he may or may not have been, was not agent RS 452.

Yet Bulelani Ngcuka was said - and believed - to be police agent RS 452 as well as perhaps working for other agencies. And the information came from the ANC’s externally-based intelligence unit.

This unit carried on Operation Bible from 1988 to 1993. It was supposed to unearth apartheid spies who were functioning within the heavily infiltrated liberation movement.

Very few names emerged publicly. But Ngcuka was not the first prominent individual to be accused on the basis of Operation Bible information of being a spy. That distinction belongs to one of the most prominent trade unionists of his time, Maxwell Xulu.

Xulu was president of Numsa in November 1991 when fingers were pointed at him. Like Ngcuka, he had also angered elements within the ANC and South African Communist Party (SACP).

He was a dedicated “workerist”, a socialist who opposed the ANC on the grounds that the organisation was fundamentally pro-capitalist. But he was particularly hostile to the SACP which he labelled

“Stalinist” and which he saw as having been, until the fall of the Berlin wall, a foreign policy tool of Soviet imperialism.

These were not very popular opinions to hold in 1991, although there was a strong following for them - and for Xulu - especially among the former Metal and Allied Workers’ Union (Mawu) members who formed the core of the amalgamated Numsa. There was a battle for, if not the soul, at least the allegiance of Numsa, the key union calling for the formation of an independent workers’ party.

The SACP claimed — as it still does today — that it is the workers’ party. A number of other leading Numsa workerists, notably the general secretary, Moses Mayekiso and education officer Alec Erwin, had, by then, already dropped their objections to the SACP and joined the party.

But the struggle was ongoing. It was a clash tailor-made for interference by then still active security elements of the apartheid state.

These are all factors that have concerned trade unionists who followed the events of the time. Especially since Xulu persisted in claiming that he was innocent.

But there was evidence. According to Mayekiso, it came in the form of some typewritten reports of meetings. At the time, the Numsa general secretary admitted that the evidence seemed flimsy, but that it had come from “reliable sources”.

“We were told that the evidence was strong, but there were some anomalies,” says Bernie Fanaroff, one of Numsa’s national secretaries at the time. One such anomaly was that there were no reports filed of Numsa meetings; the only reports were those of meetings with Cosatu office bearers or with the ANC and SACP.

“But among those reports were some about meetings I had been at, but which Max had not attended,” says Khaya Madlala, then a Numsa shop steward serving on the executive of the union. However, he confessed to Xulu’s accusers that he had, as a matter of course, reported on such meetings to Xulu.

This was apparently deemed adequate evidence that the reports originated from the union president. Xulu was suspended and then drummed out of the union.

Madlala and a number of other union members were unhappy. “But you must understand the situation at the time. Fighting between Inkatha and the ANC and the demand for unity,” says another former member of the Numsa executive.

The ranks closed. The name of Maxwell Xulu, perhaps the most charismatic of the firebrand young trade union leaders of the Eighties all but disappeared.

Even a search on the internet reveals only one, one-line mention of his suspension from the union.

“If there has been a miscarriage of justice, it should be rectified, there is no question about it~” says Fanaroff who is today a consultant and project manager in Johannesburg.

“I have never been able to accept that Max was a spy,” says Madlala who, with two other senior Numsa members, now works in a consultancy in Durban. “And perhaps now we can reopen the matter, because Max has suffered badly.”

The suffering went beyond being publicly labelled a sellout and *impimpi*. He was hounded and harassed and, in 1993, a gunman wielding an AK-47 shot him and left him for dead.

Today he lives on a disability pension in Durban. And still pleads his innocence.

** The issue was not reopened and the death of Maxwell Xulu in about 2008 was not even officially recorded although several former Numsa executive members now admit that he was almost certainly wrongly accused,*

The same stumbling block to unity remains

IT HAS not been a great year for trade unions. The chill winds of the global economic storm whipped up by gluts and surplus capacity have impacted locally and been made worse by the strengthening of the rand.

The export and tourism sectors are being squeezed. Bottom lines, it is said, are hurting. They don't, of course. It is the workers who are laid off, their families and dependants who do the hurting; it is they who suffer the really brutal consequences of the calls for belt-tightening.

And, if nothing else, 2003 has seen still further belt tightening, although with a few more promises from politicians that the country has turned the metaphoric corner; that the long lauded gain is about to follow the pain. But then, of course, this is the run-up to a general election.

As the cliché goes: the proof the pudding will be in the eating.

But most trade unions are under no illusions that there is still a very tough fight ahead to achieve the levels of organisation, let alone confidence and consequent militancy of even a few years ago.

However, there is still a tendency in some quarters to indulge in optimism of the intellect without much consideration of how the will may be mustered to achieve grandiose goals.

Cosatu, as the largest of the three recognised federations, talks confidently of doubling membership by 2015. That is the year the United Nations has set for halving poverty in Africa.

If poverty is halved, there will presumably be many more jobs, many more workers and, therefore, many more trade unionists. But, as the UN itself has admitted, it will take an estimated \$64 billion a year in productive investment into Africa to achieve that goal.

Yet investment into Africa has declined in recent years and has never reached anywhere near the stipulated figure. So it can be assumed that halving poverty by 2015 is a pipe dream.

Especially when it is considered that the \$64 billion investment estimate is a total abstraction. It takes little or no cognisance of existing surplus capacity. Nor does it calculate the effects of the virtual slave labour conditions that obtain in some countries and, particularly, in China.

That being the case, a doubling of union membership seems extremely unlikely. "We shouldn't set targets like that, especially since many of us will not even be around to answer for them a decade and more down the line," notes a senior trade union official.

The idea of the unions thrusting ever upward and onward has, in any event, become rather threadbare.

The ravages of retrenchment, the spread of casualisation and the callous disregard by many employers of the legal requirements of Basic Conditions, let alone Employment Equity, have all impacted negatively on the trade union movement. This means that 2004 will have to be a year of fighting back to gain lost ground, rather than be a matter of further advancement.

How much ground has been lost? This is difficult to assess, even in terms of pure numbers. Cosatu still maintains that it has more than 2 million members, but this is highly moot. Estimates of between 1.2 million and 1.5 million could be more accurate.

The second-ranked federation, the Federation of Unions of South Africa (Fedusa), started the year having tumbled briefly from a high of near 570 000 members to 490 000. Its 22 affiliated unions now probably number 514 000 paid-up members. And it appears to be growing slowly again.

The National Council of Trade Unions (Nactu) may have as many as 150 000 members although its

officials tend to claim 260 000. Like Fedusa, Nactu supports the idea of a single federation, but, again like Fedusa, it opposes the idea of politically-affiliated federations and unions. The stumbling block to unity therefore remains the fact that Cosatu is part of the governing ANC-led alliance.

“We are opposed to political affiliation, but we are not anti-ANC,” says Fedusa general secretary Chez Milani. He points out that President Thabo Mbeki was the main speaker at the Fedusa congress this year.

The country’s fourth labour federation, the Confederation of South African Workers’ Unions (Consawu) was launched in March. The launch of this federation was seen by the other union organisations at the time as a case of reinventing the wheel.

However, it seems that the wheel has not been reinvented. Although Consawu has applied to the National Economic Labour Development Council (Nedlac) for membership, it has failed to produce the required membership figures.

There are also apparent cracks within the embryonic structure. Any more demoralisation or any defections could see the demise of Consawu, probably to the gain of one of the established federations.

But while 2003 has been a time of attrition and retreats, there have been some high points. And there is a general realisation that a fightback will have to begin.

2004



Another election year and another major victory for the governing ANC, although millions of potential electors do not register; many do not vote and there are more than quarter of a million spoiled ballots in Gauteng and the Western Cape.

The world, however, is more interested in the arrest in Harare of 64 suspected mercenaries led by well-known British "soldier of fortune", Simon Mann and apparently at least partially financed by Mark Thatcher, son of Britain's former prime minister, Margaret Thatcher. Twenty of those arrested are South Africans, most of whom served in units such as the apartheid state's notorious 32 battalion during the war in Namibia and Angola.

Cosatu starts the year by flagging what it says will be the big trade union news of 2004: the launch of a "super federation" to bring together the three labour federations in the country. However, because Cosatu insists that such a federation should remain wedded to the ANC-led alliance, both Nactu and Fedusa beg to differ.

Transport unions highlight the parlous state of the rail network, calling it "a catastrophe waiting to happen". Old, poorly maintained rolling stock, lack of investment and training all contribute to poor service that union members claim they are blamed for — and abused — by commuters. Bird flu is discovered among ostriches and a set of shell beads found in a cave near Stilbaai provide evidence of human habitation some 75 000 years ago.

Athens, which won the Olympic bid against Cape Town, brings in some gold to South Africa, with the 4X100 metres swimming relay won in world record time.

The real jobs question is: can people eat?

THE DISTINCTION between employment and unemployment has become so blurred in South Africa as to be practically meaningless. And the data on which many assessments are based are so flawed that politicians in particular can interpret sets of facts almost at will.

This is the prime lesson to be drawn from the latest furore over job losses and claims that the economy has consistently created jobs.

On the one hand, trade unionists such as Cosatu general secretary Zwelinzima Vavi, have referred to a “jobs massacre” having taken place. On the other, government ministers have maintained that there has been a growth in jobs.

The matter came to a head last week following the state of the nation address by President Thabo Mbeki. He maintained that the number of jobs had grown along with the economy; that the problem had been the inability to absorb all the new job seekers coming onto the market.

Although there was some bitter — and some derisive — laughter about this statement in trade union circles, the main response was confusion. Understandably, for “spin” is being put on available “facts”, many of them dubious.

So what are the facts? According to the official statistics, there was substantial jobs growth after the year 2000. This was hailed by government officials as evidence that their policies were working.

But that number of jobs had not been created. Most of the increase was achieved by what can only be described as statistical sleight of hand.

Whereas, before 2000, subsistence farmers, people living literally from hand to mouth, had not been counted as employed, from 2000, they joined the ranks of those officially in work.

The definition of a job has also been changed. So a homemaker who tended a vegetable garden for at least an hour a week was listed as “economically inactive” in 1999.

But, a year later, that same homemaker joined the employment statistics because of the work undertaken in the vegetable patch. There are even several hundred officially “employed” people whose earnings are given as “nothing”.

It is this sort of data that helps to obscure the dire poverty of millions of people.

Jobs have, of course, been created. Mainly in the service sector where casual labour is often the norm.

But even on the basis of the questionable official statistics regarding employment, work in the formal sector seems only to have increased by 0.4 per cent in the past decade.

Confronted with this at a meeting in Johannesburg this week, a Cosatu official quoted the aphorism: “There are lies, damned lies and then there are statistics.”

For the official was aware, as others at the meeting were, that in all the key productive areas of the economy, there have been job losses, some of them fairly massive.

Mining, for example, is still at the core of South Africa’s economy and shed 193 891 jobs between 1994 and 2002. This is according to the latest available figures from the department of minerals and energy. And there have been further jobs losses over the past year.

Had it not been for the fast expanding platinum group metals sector creating 13 777 jobs in that eight-year period, the figure for mining job losses would clearly have surpassed the 200 000 mark often quoted by trade unionists.

But gold mining alone lost 192 972 jobs while there were 12 277 fewer coal mine workers.

Even the apparently booming and much praised automotive industry, one of the leaders in terms of productivity, has also consistently shed jobs. In the five years to 2001 (the latest available figures) the four sectors of the industry shed 17 600 jobs.

According to the official statistics, 10,393 jobs were lost in the textile industry between June 1994 and June last year. In the same period, the garment sector shed 10 473 jobs, and the footwear sector 10 128. However, leather tanning and treatment, also part of this sector, created 19 jobs.

But the SA Clothing and Textile Workers' Union (Sactwu) maintains that these figures almost certainly understate the position. Officials point to many instances of unionised and moderately well-paid workers being retrenched and ending up working in backyard sweatshops.

"Their pay is often pathetic, their conditions are terrible, but they are still counted as employed," says a Sactwu spokesperson.

This, in fact, is the trend noted by all trade unions: often unionised jobs where conditions generally comply with legal requirements and pay is enough to live on being replaced by cut-rate, often casual employment in conditions akin to the worst anywhere.

The big question then is: what constitutes a job? When is someone employed or unemployed?

"To have supposedly employed people earning nothing or defining a homemaker tending a vegetable garden as employed is an absurdity," says Chez Milani, general secretary of the Federation of Unions of South Africa (Fedusa). "We have to get to grips with the real issues and stop fooling ourselves."

Cosatu economist Neva Makgetla points out that the "real issue" is earnings. By establishing what people earn would be a much more useful measure of real jobs and the true extent of poverty.

March 5

Rail workers are management's whipping boys

OVER THE past few weeks a number of Metrorail workers around the country have been harassed and threatened by angry commuters. Some have been assaulted as commuter anger rises over trains cancelled without warning or running late.

The anger is understandable: transport delays for many working people can mean lost jobs as well as missed interviews or desperately needed opportunities. But the anger is misdirected, for the workers are just as powerless as the commuters to do anything about the number of trains available on any given day.

However, through their unions, railway workers have been campaigning hard to have the situation rectified. So far to very little avail.

More and more "sets" — locomotives and carriages — are being taken out of service as they become unsafe. Just how bad the situation is was made clear in a Metrorail report delivered to the Transnet Risk Management Committee on 28 November last year and made available to me this week.

When the report was tabled, it was noted that 2 255 of the total fleet of 4 300 "coaches" had not been overhauled for more than eight years. This is set as the time limit for essential overhaul.

The "Wits" region, centred on Johannesburg topped, for obvious reasons, the list in terms of "rolling stock operational expenditure required" and the shortfall in funding. This region required an estimated R117.316 million, but the budget allowed for just R68.693 million, leaving a shortfall of R48.623 million.

Tshwane, Durban and the Western Cape also had inadequate funding to meet requirements, with Durban registering a R43.319 million shortfall. The total shortfall of funds necessary to get the existing commuter fleet safely onto the rails and routes was put at R105.925 million.

The report also noted that capital investment required for “staging yard security” in the Durban, Wits, Eastern and Western Cape was just short of R38.453 million. Money to cover the “shortfall urgently required to sustain safe operations” was put at R13.334 million — three months ago.

“The situation overall will not have improved and most ordinary working people rely on rail to get to and from work,” says Randall Howard, general secretary of the SA Transport and Allied Workers’ Union (Satawu). “The underlying cause is a lack of investment and it’s now a crisis situation.”

Because of the essential role commuter rail plays in the lives of working people, Satawu argues that the service should remain state owned and “properly subsidised”.

“We are sitting on a massive backlog and we could have complete disintegration,” warns Howard, who reported that Satawu members were being harassed by commuters.

The complaint of harassment and mainly verbal attacks was also raised by Chris de Vos, general secretary of the United Transport and Allied Trade Union (Utatu). “The workers are getting the blame and it is not their fault,” he says.

This obviously applies on the various Metrorail services, but the problem of many years of inadequate investment covers the entire rail network.

This year in particular business, in the form mainly of Iscor, Highveld Steel and various coal producers have been vociferous in their complaints about poor rail services.

So much so that it is being increasingly mooted that there will be a mass migration to road transport from some of the major users of rail. But this, say the unions, is most unlikely unless the rail network collapses.

They point out that the roads are already badly congested and the operating and overall maintenance costs of road transport are high enough to ensure the rail is an obvious priority. But to get the national railway system up to standard will require hefty investment.

Earlier this week, Spoornet chief Dolly Mokgatle announced that the parastatal would be seeking R42.5 million either from its Transnet parent or from private banks to overhaul and upgrade dilapidated rolling stock.

Earlier this year, R28 million was made available for priority projects. One of these is to provide special ear protectors for train drivers.

The protectors not only reduce noise, but also contain communication equipment that will enable drivers to remain in touch with station and signals officials en route. The move to provide protection from noise follows a campaign by Utatu, to which most unionised train drivers belong.

The union complained that the noise levels in train drivers’ cabs exceeded the limit allowed by the Occupational Health and Safety Act. After a number of train drivers with long service had complained of hearing impairment and loss, Utatu commissioned a private study which confirmed that the noise levels to which drivers were exposed were dangerous.

This was also confirmed by Spoornet’s own risk department, so ear protection became a priority. However, some cynical union members maintain that it was the prospect of Transnet being sued by increasing numbers of train drivers suffering hearing problems that caused the relatively prompt action.

Whatever the motivation, the ear protector/communicators are a welcome addition to general safety and worker health.

But when more than half the commuter rolling stock in the country is possibly unsafe and much of this is being withdrawn from service, much more radical — and costly — measures are urgently required.

Privatisation: the modern Trojan horse

Despite the localised anger this month over the contested sale of Cape Town's fresh produce market, there have, of late, been few whimpers, let alone bangs about privatisation. The proximity of the election has obviously had a dampening effect on the issue.

Not surprisingly, since all of the major parties support, to one or other degree, the sale of state assets. The trade unions, generally, do not.

Cosatu, as the largest — and most vociferously anti-privatisation — federation is, of course, a member of the governing, ANC-led alliance. And ANC policy remains the “liberalisation” of the economy.

So the unions consider that there may be major battles looming in the wake of the April 14 ballot. They have become increasingly aware of this likelihood as more information has become available about the amount of money being pumped into persuading the powers that be to sell state assets.

On one point they agree with the monetarist United States economist Milton Friedman: “There is no free lunch.”

This slightly cynical comment about the self interest that lies behind handouts is a variation on the warning more than 2,000 years ago by the Roman poet Virgil. Referring to the original Trojan horse incident, he warned of “Greeks bearing gifts”.

In the modern world to which Friedman refers, the foreign policies of nation-states are slightly more subtle than sending a bunch of armed infiltrators into the besieged city of Troy inside the gift of a giant wooden horse. Today, despite the developments in Iraq and Haiti, the wooden horses mainly employed by wealthy governments are financial packages delivered by agencies whose names imply altruism.

Crass venality is, after all, a rather unattractive proposition, so much of modern inter-state bribery, corruption, theft and extortion is provided with a verbal cloak usually known collectively as aid. More than 30 years ago, a news magazine in the United States, defending US aid, pointed out that Britain made much more profit from its aid than did the US.

That was in the days when countries in Africa and other parts of the developing world were given financial packages tied directly to spending on products and services from the donor countries. This still happens, although to a lesser extent; the cry now is for trade not aid.

But behind that cry lurk variations on the same exploitative theme. Aid is increasingly the wooden horse to conceal, often flimsily, the promotion of privatisation which benefits companies in the donor country. In a report circulated this week by the British charity War of Want, it was noted: “An increasing proportion of aid, certainly in water and energy, is only available in support of options involving the private sector.”

The report was compiled for a recent War on Want conference by the union-linked and Greenwich University-based Public Sector International Research Unit. It points out that South Africa has been getting its share of these handouts. All of them supposedly designed to help our development.

One such handout that the report missed, however, concerned Britain's Department for International Development (Dfid). Last year, this British agency awarded a £6.4 million, three-year contract to the consultancy division of the right-wing Adam Smith Institute (ASI) in London.

The money — nearly R80 million in our terms — is to pay for “technical assistance” in “liberalising” South Africa's telecommunications, railways and ports.

Experts from this most popular of former British prime minister Margaret Thatcher's think tanks have

been, and are, advising the government on how best to “restructure” our public sector.

“I can certainly think of a great many better uses for R70 to R80 million,” says Roger Ronnie, general secretary of the municipal workers’ union (Samwu).

But it is not just Dfid and the AIS that are involved in a drive to privatise and, say the unions, benefit corporations based in the industrialised world. The government’s Municipal Infrastructure Investment Unit (MIIU) advises government on infrastructure investment at a local government level.

Yet the MIIU was established and continues to be funded by USAID, Washington’s major handout agency. The mission statement of the MIIU makes clear its role: “To encourage and optimise private sector investment in local authority services, on a basis that is sustainable for both local authorities and at a national level...”

Like the Dfid funding, the USAID money is in place until the end of next year. This, as a number of trade unionists see it, will mean a push to get state assets moving rapidly to market over the next 18 months.

The models for most of the privatisation projects appears to be British.

“Given our experience, this would be a mistake,” says Jeremy Corbyn, a leftwing British Labour Party MP. Corbyn, who represents the working class Hackney district of London, regards the privatisation of public services as “an act of vandalism against the public interest”.

He and members of Unison, the British public sector trade union that is the largest trade union in that country, have pledged support for their South African counterparts in what many expect will be bitter battles in the months to come.

March 19

Sacked VW workers and their ILO hopes

Everyone from the constitutional court to government and the entire labour movement is likely to be given a wake up call by an unfair dismissal case now being prepared for the International Labour Organisation (ILO) in Geneva. It is being brought on behalf of 963 former Volkswagen car plant workers sacked for going on strike nearly four years ago.

Initially there were 1,386 strikers, most of whom lived in the poverty-stricken Kwanobuhle township of Uitenhage. Today, they are demoralised and disillusioned, often hungry.

Houses have been repossessed and marriages and families have broken up under the pressure. At least 76 of the strikers have died, several of them taking their own lives.

The strike and its aftermath has made for one of the most tragic and bitter episodes in recent labour history. It also pitted union against union and saw the hopes of workers raised and dashed in a lengthy legal process that ended at the doors of the constitutional court.

The court — wrongly in the view of a growing number of lawyers — refused to hear the matter although the right to strike is a right guaranteed by Section 23 of the constitution. However, the application to the court was apparently prepared by workers themselves and may have lacked legal substance.

But in what appears to be a glaring contradiction, the constitutional court did adjudicate in a similar matter involving trade unions — and found in favour of the right to strike.

When the VW strikers were not heard by the highest court in the land, they had, in ILO parlance, “exhausted all domestic remedies”. This gave them the right to take the matter to the ILO.

Ironically, both these cases involved the National Union of Metalworkers (Numsa).

In the matter judged by the court, Numsa was in dispute with the General Industrial Workers Union (Giwu); in the VW case, with the fledgling Oil Chemical and General Workers' Union (Ocgawu).

At the VW plant, a group of workers downed tools when Numsa dismissed 13 elected shop stewards. The strikers were also workers who felt resentful that the union had signed a R5 billion export deal with management that allowed for round-the-clock working.

Management decreed the strike to be unprocedural and unlawful, an internal union dispute. The strikers were sacked, effectively for striking.

So began the legal process. The Commission for Conciliation Mediation and Arbitration (CCMA) was the first step. It ruled that the workers should be reinstated.

Celebrations by the strikers were short-lived. Management took the decision on review to the labour court in an atmosphere where the strikers and their legal representatives felt increasingly marginalised.

A number of unfortunate comments were made by various parties, some of them echoing sentiments more suited to the master/servant mentality of the apartheid era.

The fact that the lawyers for the strikers — and this column — pointed out that workers have an inalienable right to strike and that conventions of the ILO uphold this were ridiculed. In an official statement Numsa described the ILO conventions as “idealistic” and maintained that anyone invoking them “would be the laughing stock of the bosses and the legal community”.

The comments were made after consultations with a leading local law firm. This column pointed out that the views of the local lawyers “may have been limited by their parochialism”.

Neville Rubin, honorary professor of law at the University of Cape Town who worked with the ILO for 30 years and helped draft many of the conventions, was furious. He had been briefed as an advocate for the strikers and had taken up their case.

He continued to press the matter, and received powerful support at a University of Cape Town law seminar last month. Sir Robert Hepple, the expatriate South African labour law expert, knighted in Britain's New Year honours this year for his contribution to labour law, agreed that workers had the right to strike.

He also pointed out that the constitutional court had upheld the principle in the case involving Numsa and Giwu and had effectively denied it to the Ocgawu strikers.

“What this means is that the VW strikers can now go to the ILO and quote, in their favour, a ruling of the highest court in the land,” says Rubin.

Jayendra Surju, the Durban-based attorney who represents the 963 strikers who are fighting on, was this week preparing submissions for the ILO. Like Rubin, he feels reasonably confident of success.

Should the strikers win, it will not only establish an important legal and constitutional principle, it will also put the government and the VW management in an awkward position.

The ILO can only instruct the government to rectify the situation. Which implies re-employment for survivors — and pay outs for unnecessary hardship and four years of lost wages.

** The submission was not adequately presented and the case fell by the wayside.*

The time-honoured practice of blaming the victim

BLAMING the victim is a nasty, but time-honoured practice. We tend to be seeing rather a lot of it in these days of mass unemployment.

A classic case over the past week has been the renewed stress on the argument that our horrific unemployment statistics are the result of workers being unskilled. If only workers had the skills, so the argument goes, then there would be jobs for all.

One national radio talkshow host even went so far this week as to maintain that there are “hundreds of thousands of jobs” vacant and waiting to be taken. But suitably skilled job applicants were simply not available.

The prime reason for unemployment is, therefore, workers who lack skills. It is up to them to become skilled and so fill the multitude of jobs that are there for the taking.

It would be difficult to find a more specious argument anywhere. Of course skills are required and there is a dearth of them in a number of areas in South Africa.

But there are many workers skilled in various disciplines who cannot find jobs because their specific skills are no longer required or are surplus to requirements. In a country — and a world — where industry is also becoming increasingly capital intensive, this is probably inevitable unless there is a change in economic policy.

But current economic policy encourages capital intensity and is based on the ludicrous contention that by making the rich richer the poor will ultimately benefit.

However, many of the poor have bought into the myth that they are to blame and that skills in and of themselves are the route to jobs and prosperity. So many will spend their savings, beg, borrow, even steal the money to gain a piece of paper — usually a certificate of attendance at a seminar or course — that may be practically worthless.

So the poor are made victims yet again. It is a reality summed up in the words of the song: “There’s nothing surer, the rich get rich and the poor get poorer.”

It is a reality proven over and over again in the past decade of our non-racial parliamentary democracy. The rich have indeed got richer and the gap between them and the poor has grown enormously.

This will be illustrated again next week when the annual bargaining indicators manual is released by the Cape Town-based Labour Research Services (LRS). This will give a breakdown of the pay of bosses — the executive and non-executive directors of companies — and of workers.

Taken alongside the fact that unemployment has surged and that nobody disputes that at least four out of every ten workers now have no jobs, the figures are frightening. For me, they constitute an obscenity.

Yet these are just the bald figures of quoted salaries. They do not take account of the many often hidden perks enjoyed by bosses. Among these are agreements such as the termination package of R27.4 million granted by Eskom to its financial director and revealed on these pages yesterday.

Such extraordinary payments may not be routine, but they are not unusual. And the remuneration of directors appears, on the whole, to bear no relation to the performance of the companies for which they are responsible.

Across all sectors, for example, there was a decline of more than 4 per cent in company profits last year. Yet executive directors received, on average, 17.8 per cent pay rises; non-executive directors’ pay rose by 8.04 per cent.

Executive directors are now paid an average of R2,676 million a year or more than R223,000 a month while their non-executive counterparts now receive an average of R208,974 or R17,414 a month.

Once again, these increases are above the rate of inflation (CPIX) calculated last year at 6.8 per cent. But then, over the past decade, executive directors have been given pay rises each year that averaged 29 per cent; non-executives, 49 per cent.

In comparison, the average annual pay rise for workers in the years from 1994 to 2003 has been 6.5 per cent. In rands and cents, what this works out at is that for every additional R300,000 received by executive directors, workers got just R967.

So what was a yawning wage gap of 47 to 1 in 1994 is now a massive 110 to 1, assuming an average minimum worker wage of R24,478. The rich have indeed got richer and, just as surely, the poor have done poorly.

This is not a question of skills which, in any event, our schooling system does little to promote. It is a question of underlying economic policy in a world of gluts and ruthless, cut-price competition.

In such a world, South Africa has a shortage of a range of specific skills, but nothing, it seems, that could provide work for the unemployed millions. In fact, in such a world, corporate greed would appear to be a bigger problem than lack of skills.

August 6

Women break new ground for farm workers

ON AUGUST 9 1956 the biggest demonstration by South African women descended on the Union Buildings in Pretoria to protest against the pass laws. This occasion is now commemorated as National Women's Day.

On Monday, 48 years to the day after the great march on the Union Buildings, another potentially historic gathering of women will be held — this time at the University of Stellenbosch.

Once the intellectual hub of apartheid and a bastion of male dominance, Stellenbosch was the alma mater of most of the architects of a system that tried to consign the bulk of the population to be forever hewers of wood and drawers of water.

Nowhere was apartheid exploitation more acutely felt than on the farms. In some places the vestiges of the virtually feudal master-servant relationships of the agricultural sector linger.

Which makes it all the more important that, on Monday, representatives from historically the lowest ranks of wood hewers and water drawers — more specifically fruit and grape pickers and packers — will form a trade union. It has been established by women and will be run by women.

This is a reflection of the fact that nearly 70 per cent of seasonal farm workers in the country are female. The new union's constitution states that two-thirds of the leadership must be women.

"The men on the farms don't have a problem with this, because it's usually the women who take up all the issues," says Wendy Pekeur, an organiser for the union, which goes by the isiXhosa name Sikhula Sonke ("We grow together").

It is being helped onto its feet by the Women on Farms project (WFP), which grew out of a programme started in the dying days of apartheid by the Lawyers for Human Rights (LHR).

LHR fought many cases on behalf of grossly exploited and often physically abused farm workers. At the bottom of the heap were the women and, in particular, the seasonal workers.

The WFP emerged in 1996 and helped spread an awareness of the new labour laws and workers' rights. "Then about three years ago, some of the workers thought it would be a good idea to start an organisation of and for farm workers," says Pekeur, a former farm worker herself.

In March this year the idea of a new union took root. In three months, more than 2 000 workers from Grabouw across to Ceres in the Western Cape had signed up and contacts were being made in other provinces.

"This is the first stage. Next year we hope to have a big, national launch," says Pekeur.

One of the fastest-growing problems has been the increasing use of casual labour, usually hired through a growing number of labour brokers.

Although most workers hired in this way are paid the legally stipulated minimum wage, few are granted other benefits. For the trade union movement, this is a modern version of slavery.

"But because of the nature of farming there will always be a need for seasonal labour," says WFP staffer Levurn Jacobs. As a result, the embryonic Sikhula Sonke has started a pilot project supplying seasonal labour to a Stellenbosch wine farm.

"Work teams" are contracted directly to the farmer on the basis that all legal requirements regarding wages and conditions are met.

The object is for the union to become a non-exploitative, worker-controlled farm labour exchange. For seasonal workers whose wages often amount to less than R5 000 a year, this would be a major leap forward.

** In 2011 Sikhula Sonke was still organising among the fruit and grape farm workers of the Western Cape.*

August 27

Relief for compensation's forgotten victims

SOLOMON Silinda was well known and liked in the Winterveld, north of Pretoria. He was the Butterfield bread man, who sold the company's products from door to door until February 2001.

He died on June 16 this year, a pain-wracked paraplegic who saw out his last hours lying on bench in the Ga Rankua hospital.

But in death his name may become much better known. For Solomon Silinda features in a class action case brought this week against the Workmen's Compensation Commission.

The case, brought by the Pretoria Legal Resources Centre (LRC), demands that mechanisms be put in place to pay out thousands of claims for work-related injuries, some of which have been delayed for up to 10 years.

For three years, until February 2001, Silinda trundled his company trolley through the poor neighbourhoods in the Pinkies, Beirut and Magato areas of the Winterveld.

It was a steady, six-days-a-week job, but not without its problems. Because he sold for cash, he was robbed twice. His boss bore the loss, but would not provide any security. After a third robbery, his employer presented him, without asking, with a firearm. The price was deducted from his average daily income of R60.

His wife, Maria, says Silinda was never happy carrying a gun. He remained convinced, until the day he died, that he was shot during the fourth robbery because he was carrying a firearm. In that robbery he lost the gun, his takings and, with a bullet lodged in his spine, the use of his lower body.

The family's dreams of owning a bakkie and of operating a mobile shop were shattered. Silinda came out of hospital in a battered, second hand wheelchair he managed to buy for R50. So began three years of hell that ended in the hospital corridor this year.

In an affidavit lodged in the high court this week, Maria Silinda explains the circumstances of her husband's death:

"My husband died on Wednesday the 16th of June 2004. I had helplessly watched his condition getting progressively worse. On Monday ... I begged for R100 from my friends and neighbours ... to pay for a taxi to bring my husband to the hospital. I thought that I had to save his life but ... the doctors refused to examine him.

"On Tuesday night he was discharged without receiving any treatment. We could not afford the taxi fare back to our home. That night my husband slept on a bench in the hospital corridor. He was in tremendous pain but I nursed him as best I could. The next morning he died."

By the time Solomon Silinda died on that hospital bench, his family had lost their home and Maria Silinda's small business selling fruit on the Mabopane station had virtually collapsed. She could not cope with the business as well as looking after her husband and three children, Nikki (11), Distance (8) and Promise (4).

Shortly after the shooting she went to her husband's employer to ask for help. She was given R20 and some bread. Subsequently, she was given another R20 and, finally, R10 — and told not to come back.

Claims for workmen's compensation have drawn a complete total blank, mainly because the employer's reports are not available.

This is the reality for thousands of claimants for compensation. Affidavits submitted this week as part of the LRC claim are a litany of neglect and insensitivity. But behind these bare facts lie human tragedies such as the Silinda family's.

According to the LRC submission, there are perhaps 50 000 "T" (for "temporary") claims collecting dust in the offices of the commission. Some lawyers put the figure as high as 100 000. Each of these represents broken bones, work-related deaths and shattered families who have waited in vain for help that was legally their.

The court action by the LRC may finally give voice to these forgotten victims and deliver some relief, however belated.

** The case was won. Solomon Silinda did not die in vain,*

September 17

Hamba kakuhle, Ray Alexander

AN ERA of South African trade unionism, socialism and internationalism came to an end this week with the death of Ray Alexander Simons. She was the last of a tiny group of east European emigres who contributed so much to the growth of trade unionism in this country.

Her contribution was exceptional and her legacy will be seen every time workers stand up to fight for their rights. It seemed singularly appropriate that members of the Food and Allied Workers' Union (Fawu) who remembered their honorary life president on Tuesday night, went on to continue their David and Goliath battle against SAB.

The workers had won a labour court case against their retrenchment, but the employer refused to accept the judgement and has taken the matter on appeal. So, the retrenched workers chained themselves to the

gates of the brewery. Ray would have approved.

I am honoured to have known her. We first met in Cape Town in 1962 when I, a young student journalist, was given a rapid introduction to the history and purpose of trade unionism.

Satisfied that I had imbibed and understood enough, I was promptly packed off in the company of “a comrade” to address workers at a waterside canning factory at lunch time.

There was no gainsaying Ray. “You can talk,” she said, pointing out that I also spoke Afrikaans.

I remember being incredibly nervous, but Ray had convinced me of the need for those who sell their labour to organise and unite to fight for, and protect, their wages and conditions. I had a duty to pass on the message. Besides, I simply did not want to let her or the ideas down. Somehow the two seemed to be conflated.

And so, on a day off, I was driven to the waterfront — a totally less-salubrious place in those days — with a parcel of pamphlets exhorting workers to join the Food and Canning Workers’ Union.

I don’t remember what I said, but I did stand on top of a green-flecked formica table in an atmosphere heavy with the smell of fish and the stare of serious faces.

And I remember my arm being grabbed to get me to flee because “management” was coming. It was a rather dramatic introduction to trade unionism, but the lessons never left me. This was because Ray’s arguments were so clear. Anyone who believed in fairness and justice simply had to accept them. That was her strength and was why she was so instrumental in building the union that, through amalgamation and strife, is now Fawu.

She was also instrumental in helping to build trade union awareness across a wide field and this planted the seeds that grew into many of the unions of today. That was her greatest ability: she could organise and convince others of the need to be organised to fight for and protect basic rights.

We had our political differences. Like so many of her generation who had invested so much hope in the Russian revolution of 1917, she could not countenance the idea that revolution may have been strangled in its infancy and that, poisoned by nationalism, it could have become the mirror image of the very system it had so briefly overthrown.

But unlike so many later adherents to the concept of socialism in one country and who lorded the supposed moral and economic superiority of the former Soviet Union, she never allowed this to interfere with the work of uniting workers. And she was a devout adherent to debate within the workers’ movement.

As a trade unionist, Ray was never sectarian. Her views were often in conflict with some of the policies of unions in which she played so great a role.

She fiercely opposed trade union investment companies. “Trade unions should remember what their role is,” she chided.

Well into her eighties, as honorary Fawu president, she conducted a ferocious campaign against corruption in the union and pointedly criticised the government’s policy of privatisation.

She was an avid reader of this column from the time it began. When, on September 20 1996, it did not appear in Cape Town because of a technical hitch, Ray immediately fired off a letter to the editor, obviously intended to keep me on my toes.

She wrote: “I am a regular reader ... it did not appear ... and I missed it very much. Why? Does he not know that there are readers who appreciate his reporting on labour events?”

This was the woman who devoted 75 years of an activist life to the labour movement and who convinced me that the basic building blocks of a future society based on justice and equity lie within an organised working class.

Hamba Kakuhle Ma Ray. Your legacy lives on.

Why 'level playing fields' do not exist for all nations

ONCE again, the past year has not been a good one for trade unions, both nationally and internationally. Job losses continue apace as politicians try to put the best possible gloss on often dubious data.

Lemming-like, governments and the garment industry, with most unions in tow, are rushing towards the cliff top signalled by the ending of the multifibre agreement on January 1.

Mantras to entrepreneurship, patriotism, competition and innovation are being increasingly chanted, but to little or no avail.

At the same time, groups of retailers and importers whose focus is solely on their bottom lines, continue to agitate for all quotas, tariffs and trade barriers to be scrapped.

The structural nature of the problem seems to be ignored, although the trade unions tend to raise the issue, at least obliquely, on a regular basis. But once the rag trade precipice is reached, with the loss of maybe 2 million jobs, there should be some panic.

Hopefully, such response will address the problem of virtual slave labour in global conditions of over production and over capacity.

And once this question is tackled head-on in one sector, it should make plain the general nature of the problem,

Optimistically, this should lead to some real change of direction; to the ending of the myth that a level playing field exists for all national economies; that the single-minded concentration on supply-side economics is not the answer to, but the cause of, increasing poverty.

Trade unions, whether adapting policies of Maynard Keynes, Karl Marx or Joseph Stiglitz, have a welter of options.

It will be up to them to put pressure on governments and international institutions to look at implementing some of these.

Put in crude Keynesian terms, what the unions tend to ask for is that, nationally and internationally, the priority should be on what people need and demand rather than on constantly increasing the supply of goods and services. It is not a question of one or the other, but where the focus should be.

In national terms, this means reversing the government's economic policy orientation from one that sees redistribution coming from growth to one that agrees that growth can come through redistribution.

In other words: provide for the demands of the working masses and they will increase the supply and wealth accordingly.

These are issues that have been with us for many years. But now, they seem to be coming to a head.

Other solely domestic issues are also coming to a head.

One is the vexed and largely unpublicised matter of the thousands of disability claims piling up in the offices of the Workmen's Compensation Commission. They are filed under the "temporary claims sections" where they lie largely unattended.

Pretoria's Legal Resources Centre (LRC) finally took the matter to court this year (see page xx) to compel the commission to investigate and deal with these claims.

The year has ended with a belated legal response from the commission: it denies it has any responsibility and states that employees themselves cannot lodge claims for compensation. Employers must put forward the claims, it states.

This is a most peculiar interpretation of the Compensation Act, which gives a clear either/or choice. Peculiar, especially since it is the refusal of employers to take responsibility that is often the major problem.

“So we are quite confident that our case will succeed,” says Paula Howells of the LRC. Several other labour lawyers agree.

This will come as a belated new year present for at least some of the thousands of claimants who have not yet died or for the families of those who have.

Other issues that erupted towards year-end were the spat between the government and its ally Cosatu, over Zimbabwe, and general union outrage over the “warehousing” of Telkom shares using workers’ pension funds.

These are unlikely to lead to any breach in the ANC-led alliance. But what the rows have done is to make it clear that the country’s biggest labour federation has no intention of becoming a mere conveyor belt for the governing party.

This, in its turn, has strengthened the already quite strong bond between the three established trade unions federations, which can be no bad thing given the problems looming on the 2005 horizon.

These are problems that affect all sections of society. And the unions, nationally and internationally, feel that some of the alternative policies they have put forward may provide at least some solution. They certainly have a point.

And on a positive note, I wish all readers the best for the festive season the new year. A luta continua!

** The case against the Workmen’s Compensation Commission was won and work started on dealing with the backlog of “temporary claims”.*

2005



The Constitutional Court instructs parliament to pass legislation within the year to allow same-sex marriages and Mark Thatcher pleads guilty to “unwittingly” bankrolling the mercenary coup d’état plot in Equatorial Guinea. The Boeremag trial continues and deputy president Jacob Zuma is accused of rape.

Schabir Shaik is found guilty of corruption and fraud in a case that involves Jacob Zuma and is sentenced to an effective 15 years in jail. Zuma is sacked as deputy by President Thabo Mbeki and charged with corruption. Phumzile Mlambo-Ngcuka, wife of National Prosecuting Authority chief, Bulelani Ngcuka, is appointed deputy president.

The debate on the renaming of Pretoria to Tshwane starts and Cosatu pitches into the annual “strike season” with a one-day strike about unemployment and poverty. The municipal workers, mainly those organised in the SA municipal Workers Union (Samwu) stage three stoppages over the refusal to improve pay and conditions. The same issues arise in strikes by retail workers and miners.

After a series of delays, the new school curriculum for higher grades is controversially introduced under the new education minister, Naledi Pandor. It is described as the watershed year that ends the restructuring of 19 different apartheid education systems into one, national system.

The labour movement is still talking unity, except that the independent federations are talking of getting together, but without Cosatu unless the major federation leaves the political alliance with the ANC. Cosatu also bangs heads with foreign minister Nkosazana Dlamini-Zuma over union calls for a trade boycott of Zimbabwe. Union concerns are also raised about Swaziland where King Mswati III buys himself a R3.4 million Maybach to add to his fleet of cars.

Possible drama for the start of the new year

INTO THE second decade of our non-racist parliamentary democracy, we appear to have settled into a pattern on the labour front. Judging by media coverage, the transition from 2004 to 2005 has not been marked by any new departures; we seem merely to have picked up where we left off before the festive season.

Prison warders are protesting against allegedly broken promises of 2004, teachers have threatened to follow suit for much the same reason, and the pay dispute that deadlocked in November between Nestlé and its employees resumed as a ten-day strike on January 3. It resulted in a pay compromise that left workers vaguely disgruntled — and still hoping for a 40-hour week.

Even the spat and kiss-and-make-up routine between Cosatu and the ANC remain unchanged. Reports of renewed tensions between the trade union federation and its dominant political partner, were, once again, roundly condemned by Cosatu, which this week nominated President Thabo Mbeki for a Nobel peace prize.

One could be forgiven for thinking we were sliding into just another year, the recycling of history with a few minor modifications. But nothing is ever quite the same — and there may be some quite dramatic new developments over coming months.

Some will come as reaction to Chinese mills and factories that are now churning out products that will certainly mean the loss of thousands of jobs locally and perhaps as many as 2 million worldwide. Coupled with this, is the report that Japanese car maker Toyota plans to cut production costs by relying on advanced robots to replace more expensive workers.

Locally and most notably in the Western Cape, drought and water shortages should trigger community and union responses. Radical action is already being called for and a new “terrain of struggle” beckons in the form of golf courses and private boreholes.

In the case of the textile and garment industry, there will be calls on the World Trade Organisation (WTO) to take cognisance of conventions adopted by the International Labour Organisation (ILO). The spirit of these conventions is to have a level playing field for labour everywhere.

The WTO professes to have supported the scrapping of trade barriers in the name of free and fair trade. Instead, it has, often contrary to the letter as well as the spirit of ILO conventions, encouraged the spread of free trade at the expense of greater labour exploitation and unfair competition.

The acceptance of international labour standards as laid down in the various conventions of the ILO is something trade unions, internationally, will push for more strongly this year. But there may be some reluctance locally to stress the fact that South African courts are bound by the constitution to interpret our law in a way “that is consistent with international law”.

This stems from a confusing precedent established in the labour court, which ignored ILO conventions. This approach was supported by the employers and by the National Union of Metalworkers of SA (Numsa), which claimed South Africa was not bound to comply with the ILO conventions.

The case followed a dispute between more than 1 000 Numsa members and their union leadership four years ago. The members, who subsequently joined a rival union, claimed that they were illegally sacked by Volkswagen and will be taking this matter up with the ILO later this year.

Constitutional issues may also arise out of a campaign against golf courses and boreholes in the water-starved Western Cape. It has the backing of the SA Municipal Workers’ Union (Samwu) and various

environmental group's. They maintain that golf courses are economically and socially damaging developments.

"Our calculations show that the province's golf courses use enough water on their fairways and greens to supply the basic needs of 14.8 million people," says Samwu general secretary Roger Ronnie. He also points out that boreholes are lowering the water table and, in coastal areas, such as those around Cape Town, are increasing the danger of pollution by incoming sea water.

Campaigners also point out that Section 24 of the Bill of Rights gives everyone the right to "an environment that is not harmful to their health or wellbeing" and that only "justifiable economic and social development" should be permitted.

Most water-guzzling golf courses would have a severe handicap trying to qualify by these criteria.

March 3

The difference between morality and legality

CORPORATE competition and the drive for profit are two of the reasons for the high accident rate and carnage of South African roads. And it is this that lies behind the strike by truck drivers this week.

They complain that they are generally paid a low wage — a minimum of R500 a week — and are forced, by economic necessity, to breach safety rules. Many are not paid overtime, but have their wages calculated on the number of kilometres driven.

This causes drivers to drive faster for longer in order to make up reasonable pay packets and spend time with their families. But it is they who are breaking the law, not the bosses who create the conditions which force them into this situation.

The employers may be held morally responsible for using legislative loopholes to reduce costs and enhance profits, but it is not illegal to do so. They do not directly encourage the sometime fatal breaking of the law on hours of work, they merely create the conditions in which many drivers feel compelled to breach the regulations.

This happens in almost all sectors of the economy, especially now that outsourcing and the use of short-term contract labour is becoming increasingly prevalent.

However, the department of transport, in the case of the truckers, and the government as a whole do not approve of what is happening. It is in breach of the spirit of the law and of the constitution.

Using their right under the labour laws of the land, the truck drivers are negotiating their wages and conditions. This includes in the case of intransigence by the employers, exercising the constitutional right to strike.

This is the reverse of the situation under apartheid. Then many, if not most, employers colluded with the government in the discriminatory treatment of workers not classified "white".

But the degree of collaboration went much further, especially in terms of security planning. Details of how leading companies worked hand in glove with the apartheid military and police force in enforcing state policy are now being unearthed as part of the relaunch of the apartheid claims cases.

These cases claim billions of dollars in compensation from companies that allegedly aided and abetted the "crime against humanity" that was apartheid. The first and most prominent of these law suits was headed initially by US lawyer Ed Fagan, now widely derided as a flamboyant charlatan and incompetent.

Although it was pointed out to local lawyers early on that Fagan had a less than savoury reputation, a number were swayed by his ability to gain national and international media coverage.

They allowed Fagan to dictate that adequate research into the claims was unnecessary as he embarked on a “name them and shame them” campaign to get major corporations to settle out of court.

This was a tactic used in the World War II Holocaust cases that initially catapulted this small-time New Jersey lawyer to international fame.

Dumisa Ntsebeza, the leader of the local Anti-Apartheid Claims Task Force, which initiated the first claim with Fagan, now admits he was taken in by the man he now refers to as “the abominable showman”.

“The corporations named took one look at the claims — and decided to fight them,” says one of the lawyers involved. But, although the cases were dismissed by Judge John Sprizzo, the right to appeal was also given.

Fagan, who faces several malpractice suits and claims amounting to millions of dollars relating to some of his earlier work, is now nowhere to be found. However, he managed to rally several hundred former mineworkers to another case he claimed to have filed against Sasol, Anglo American and Gold Fields.

No case was ever filed and Fagan has disappeared. The hopes of the mineworkers are now dashed.

But news that an application to the US courts for leave to file “an elaborated and amended complaint” will again raise the hopes of thousands of earlier claimants.

Whether the appeal to amend the original complaint will succeed is moot. But even without an expanded complaint, an appeal to have the cases heard will go ahead and has a reasonable chance of success.

This will result in evidence about the collusion of companies with the apartheid state and the treatment meted out to; workers under that system being aired. All of which could prove profoundly embarrassing especially to companies now falsely laying claim to anti-apartheid credentials.

But whether such behaviour was illegal or merely immoral will be open to conjecture. And, as the truck drivers are now discovering, there is a difference between legality and morality.

** The apartheid claims cases continue and Fagan was last heard of in the state of Florida where he was able to avoid criminal charges laid against him in New Jersey.*

May 6

The contradictions in the Chinese import puzzle

“CONFUSION now hath made his masterpiece.” It’s a quote from Shakespeare’s MacBeth and it came back to me with a vengeance this week as I researched the great Chinese imports row,

It was underscored by the comments made by public enterprises minister Alex Erwin and Paul Nkuna, the National Union of Mineworkers’ Investment Company (MIC) supremo. For, in the area of cut-price imports, massive job losses and misery, contradictions abound and it is little surprise that confusion often reigns.

Take, for example, the much publicised case of Rex Trueform, which is something of an icon on the national garment manufacturing scene. The country has heard how this long-established company, together with the Southern African Clothing and Textile Workers’ Union (Sactwu) is fighting to survive, a victim of the flood of imported clothing, mainly from China.

But Rex Trueform is also a retailer. It’s wholly owned retail subsidiary is Queenspark where, in line with other retailers, it imports an increasing flood of garments made in China.

The retail division is therefore metaphorically cutting the throat of the manufacturing division in order to survive and compete against other importers.

This imperative to compete is the same argument offered yesterday by Nkuna to justify the fact that the MIC's Select Stores subsidiary is importing promotional gifts and clothing, most of it from China.

"What choice did I have ? If we don't import, we can't compete and we would have had to close our doors and loose jobs," Nkuna said. Cheap imports have saved 200 jobs at Select.

But Sactwu blames a large part of the thousands of recent job losses on the flood of imports.

To confuse matters further, MIC and Sactwu's investment companies are involved in several joint ventures.

Then there is the statement by Erwin that the rag trade is just a minor part of the bigger picture of trade with China.

In terms of exports by value, he is correct. China is buying vast and increasing quantities of items such as iron ore and coal from South Africa. Sasol is also exporting synthetic fuel technology to China.

In export terms, the textile and garment sector would probably earn less foreign exchange than iron ore alone. But the rag trade is very labour intensive and produces mainly for the domestic market.

"What Erwin did not say was that while China is buying more iron ore and coal from us, it is also selling more and more finished steel products back to us," says the director of a leading clothing company, which also faces extinction.

NUM spokesperson Moferefere Lekorotsoane remarks: "It seems very much like a return to the old colonial relationship of raw product out, finished goods in — and big profits abroad."

Across the board, however, there seems to be a blind acceptance that this confused and confusing situation is a reality with which we have to deal; that we have to make the best of it.

"Look, we didn't like Bantu education and we resisted it, but we had to be a part of it because we had no choice," explained Nkuna.

However, he conceded that union investment companies did have a choice as to what they invested in and even whether or not they should be involved in investment in the first place.

"We are involved because it is a reality. Our strategic objective is to change the system, and the tactic we use is to be part of it in order to influence it," he said.

At the same time, he admits that, having got involved in the system that demands the pursuit of profit, he had to compete. And, on the retail front, that now meant cheap imports produced by often virtual slave labour in China.

Zwelinzima Vavi, Cosatu's general secretary, says: "It is a contradiction when NUM and Sactwu are in solidarity and the NUM investment company appears to undermine that."

He will be raising the matter with NUM and Sactwu. And he stresses that his fundamental contention remains: "You can't be a working class hero during the day and brutal exploiter once the sun sets."

Within the garment industry and in government, unions are also asking why it has taken so long for any action to be started, in terms of the World Trade Organisation rules to stem the flood of cheap imports, especially from China. According to these rules, the increase in imports can be pegged at 7.5 per cent of the previous year.

A senior executive at one leading clothing retailer admitted that Chinese imports comprised nearly 20 per cent of his company's stock at the end of last year. But by the end of the first quarter of this year, "it is probably more than half the stock".

Which is why it was scarcely surprising to discover that the "Proudly South African" cap presented last week to the financial director of a leading local manufacturer was made in Taiwan.

A tangled web of confusion indeed.

Why profit and job creation are conflicting priorities

THE GRAND old Duke of York, he had ten thousand men. He marched them up to the top of the hill and he marched them down again.

This English nursery rhyme commemorates Frederick Augustus, an 18th century British duke. It mocks futile military campaigning. And, for a number of trade unionists familiar with the rhyme, it had an echo in the events of Monday this week.

It was then that the general secretary of Cosatu Zwelinzima Vavi, who had many more than 10 000 men and women at his command, marched them along the streets of South Africa before they drifted off home again,

That is, of course, the most cynical view of the one-day strike against unemployment and for job creation. But there is more than an element of truth in it, if only because of the apparent vagueness of purpose.

The main target was big business, which was accused of not coming to the job creation party. Vavi quoted the economic clauses of the Freedom Charter whose 50th anniversary was lavishly celebrated at Kliptown and Nasrec on last Sunday. He pointed out that when the charter called for “work and security for all”, it also called for the national wealth of the country to be “restored to the people” and shared.

This, the charter noted, would be achieved by transferring the mineral wealth, banks and monopoly industry “to the ownership of the people as a whole”. All other industry and trade, it added, “shall be controlled to assist the wellbeing if the people”.

These are calls for state intervention, they have nothing to do with business. The business of business is the making of profit, a reality that Cosatu has often complained about.

Business has nothing whatsoever to do with altruism. To remove the focus of profit is to ask business to commit suicide; accumulation driven by increasingly brutal competition is the sole reason for its existence.

Even loudly touted social responsibility programmes by companies are marketing tools, often with attached tax advantages. This is not because company directors and owners are heartless and greedy, although some most certainly are.

But personal greed, whether in the form of huge salaries or share options, works against corporate interest. Accumulation by the business for the business is the name of the game: good guys, along with the greedy who steal from the top, go bankrupt.

That is the way of the world. Cosatu has often pointed this out.

So to see business as an ally in job creation is an exercise in futility. Yet short of changing the global system, what can be done?

The trade union movement as a whole actually answered this quite comprehensively in 1996 when it produced its job creation and social equity programme. This called for a high level of state intervention and, crucially, for economic reforms based on redistribution leading to growth.

Instead, the government adopted the “trickle-down” Growth Employment and Redistribution (Gear) policy. Growth we have certainly had, but at huge social cost.

Now even one of the architects, economist Iraj Abedian, says Gear is past its sell-by date. And the latest development report of the Development Bank of Southern Africa maintains that there is no coherent policy to tackle unemployment and poverty.

This is scarcely surprising. Relying on a mystical “invisible hand” of the market to ensure a decent life for all has rightly been dubbed “voodoo economics”.

The monetarist mantras about continuous growth that would trickle down has come to earth with a bump. It could have been with a global crash, certainly when crises struck the US over the past 20 years.

But in that high temple of the free market, the landings were cushioned, not by voodoo economics and the anarchy of liberalised markets, but by state intervention.

The irony of President George Bush cranking up public spending and intervening in the “free market” in 2001 should have received much more attention than it did. Especially when Bush outlined the reasons for his actions: “We’ve got to do what it takes to make sure this economy gets growing so people can work.”

One of the interventions was a high guaranteed price for US cotton. The result was massive over production, which was dumped on the market, causing prices to crash and almost wiping out cotton growers in poor countries such as Mali.

It underlined the fundamental problem in the global economy: over capacity and over production.

It is against this background that a coherent job creation framework should be constructed. Only the government can do it. And it is perhaps only the trade unions that have the power to make it happen.

** By 2011 all that had happened was an appeal by economics minister Ebrahim Patel to ‘Buy SA’.*

August 12

Real change can only come from the grass roots

CHANGE is certainly in the air. It has been evident in protests in townships around the country, in the strike wave and the move to establish a large “citizens’ coalition” to press for a new direction in government economic policy.

Many of the public manifestations have been wholly reactive and sometimes negative: the “gatvol factor” in full swing. But the rumblings of dissent, fuelled by poor service delivery, evidence official corruption and awareness of the growing wage and welfare gap, have brought to the forefront a plethora of alternative policy options, mostly emanating from the labour movement.

Some, such as the calls for a basic income grant (BIG) and labour-based employment on state contracts, have been around for some time and have received renewed impetus.

Others, such as the proposal for allotments of land to be made available to poorer communities to grow food, are newer.

All of them essentially turn the government’s policy of economic growth leading to redistribution — the now notorious “trickle down” theory — on its head. They are hardly revolutionary, being based on redistribution leading to growth within the existing system.

In other words, halt the apparently futile effort to make the rich richer in the hope that they may invest more wealth and create more jobs and so benefit the masses. Instead, distribute more of the national wealth among the poorer people so that they can buy the goods they desperately need.

This, say the policy proponents, will in turn increase demand, which must be met with greater supply, so creating more jobs and greater wealth: a virtuous cycle, which, as this column has noted before, has more to do with Maynard Keynes than Karl Marx.

Obviously, such measures also call for action to be taken on imports, tariffs and taxes. But these too have been addressed and are being addressed by the unions and federations at various levels.

Now, it seems, there is a much bigger audience and much wider acceptance for their arguments. Even those opposing privatisation of public assets, particularly of essential services such as water and electricity, are being heard.

As the municipal strike splutters to an end, with workers refusing to accept a three-year deal and determined to fight again next year, municipal unions have been given a “de-privatisation” boost.

This comes from Fort Beaufort in the Eastern Cape, which is now part of the enlarged Nkonkobe local authority. In 1995 the town, without the knowledge of the unions, became a pilot project for the privatisation of water services.

A management contract was signed with Water Services SA (WSSA), comprising Lyonnaisse de Eaux of France and local company Group Five. Details were initially kept secret, but it soon emerged that WSSA was receiving R40 000 a month as a management fee while renting the municipal infrastructure at virtually no cost.

Five years on, and faced with public complaints about high costs and poor delivery, the council took the WSSA contract to court. “We wanted to de-privatise,” a council official says.

Last year the case was finally concluded and the management contract was ended. The local authority is again responsible for water in the Fort Beaufort area and it has provided a more efficient and cost-effective service.

According to Roger Ronnie, the SA Municipal Workers’ Union general secretary, this is proof of what the unions have consistently maintained. “Yet even with its extended public works programme, the government still tends to turn to the private sector,” he chides.

Federation of Unions of South Africa general secretary Chez Milani points out that the government is not insisting that work undertaken for it should be labour based. He argues that the R79.6 billion budget for conditional and municipal infrastructural grants should go to build and maintain infrastructure — from roads to houses, schools and clinics — using the maximum amount of labour.

Ronnie agrees, and would like such work commissioned and carried out through local authorities. “This would be much more cost effective and should guarantee ongoing employment and skills development,” he says. “The works, the money and the labour are available.”

Milani adds: “It is possible to create 1 million jobs paying a minimum monthly wage of R1 000 at a cost of R12 billion a year, or just R2 billion more than the revenue service collected in surplus taxes last year.

“We shouldn’t be talking of halving unemployment by 2014. With the right policies we could eliminate joblessness.

August 26

Echoes of the ‘workerists’ and ‘charterists’ struggles

COSATU is in crisis. And while cracks may be papered over, the ferment within the trade union federation will continue, as will its ripple effects throughout the governing ANC-led alliance.

Yet many of the rifts that have emerged in recent weeks are far from new. In fact, there are strong echoes of the ideological struggle that erupted between the “workerist” and “charterist” factions of the anti-apartheid movement 20 years ago.

That was the time of the formation of Cosatu. The workerists felt that workers’ demands could only

be satisfied by means of a new “workers’ party”; the charterists that these demands could be achieved through an alliance with the ANC.

At that time, the ANC was in exile and in a tripartite alliance with the SA Communist Party (SACP) and the SA Congress of Trade Unions (Sactu), which, although it was not banned, operated from exile.

The ANC was promoted as a veritable government in exile. Sactu therefore claimed to be “the true representative of the South African workers”.

But many workers within the trade unions then emerging from the largely Black Consciousness-driven political upheavals of the 1970s and 1980s disagreed. Some, such as the Metal and Allied Workers’ Union, later to become the core of an amalgamated National Union of Metalworkers of South Africa, even derided the ANC’s Freedom Charter as a “bourgeois document”.

They also tended to be hostile to what they described as the “Stalinism” of the SACP and favoured the formation of an independent political party, which most of the activists seemed to think would emerge spontaneously from the trade unions. They did not see the need for, or were wary of, establishing a political party separate from the unions.

They were supported by university-based political activists, among them the current public enterprises minister, Alec Erwin.

A number of these activists were members of clandestine socialist groupings that had their roots in the radical opposition to the leadership of Josef Stalin.

In 1985 these activists were described by the Sactu representative in Britain, Archie Sibeko (known then by his nom de guerre, Zola Zembe) as “political hoboes”.

They, together with other workerists, were the main initial driving force behind the formation of Cosatu, a move initially condemned by the exiled tripartite alliance, which supported Sactu.

But this was soon overtaken by the emergence of charterists, supporters of the ANC and the Freedom Charter within Cosatu.

A political vacuum existed and the ANC filled it, supported by workers which backed the Freedom Charter’s demands for jobs and houses for all, free health care, and free and equal educational opportunities.

The charter also implied that these demands could be paid for by nationalising “the mineral wealth beneath the soil, the mines, banks and monopoly industry”. This was a position supported by the majority of trade unionists, whether workerist or charterist.

It’s a position that has remained, in broad terms, at the heart of the policy demands of the labour movement. It is summed up in the *Social Equity and Job Creation* document adopted in 1996 by all three trade union federations.

But the government chose instead to adopt the liberal, private enterprise-orientated Gear proposals. Gear was supposed to deliver the economic growth and wherewithall to achieve the broad demands of the labour movement. It obviously has not.

This resulted initially in apathy, manifest in the low turnout for elections and, more recently, in the anger evident in protests in townships across the country.

The rank and file is again on the move. Fuelled by what is so graphically described as the gatvol factor, this popular manifestation of discontent with government policies is a potential force to be reckoned with. Can it be led? Should it be led? And, if so, by whom and in what direction?

These are the questions that underlie the recent, often confusing, developments including the failed attempt by Cosatu’s Western Cape deputy chair, Wendy Ntaka, to turn this week’s tentative launch of a broad coalition against unemployment and poverty into a rally in favour of sacked deputy president Jacob Zuma.

Zuma is being promoted to fill the vacuum created by a lack of political opposition to Gear, a policy he supported throughout his time in cabinet. It is apparently a move by one faction within the ANC to keep disputes with government policy within the alliance. The Cosatu leadership and the SACP, which overlap in many ways, share this view.

Others feel that demands must be put on the government from outside its structures in the hope of changing policy, while others still continue to promote the idea of a future workers' party.

It is an often confusing situation, riddled with contradictions and involving various groupings, factions and individuals with a variety of agendas. But at base, it is a difference of opinion about how it may be possible to achieve a more equitable society.

October 10

Apartheid lives on in the healthcare sector

APARTHEID is alive and well in the healthcare sector of our post-apartheid state. This is the view of the Cosatu-affiliated "doctors' union", the SA Medical Association (Sama).

And it led, at the July congress of Sama, to the adoption of a resolution calling for a comprehensive basic healthcare package to be available to all South Africans. This is effectively a demand for a national health service, which would provide free access and equal service to all and would be paid for from the public purse through progressive taxation.

This would be in line with the constitutional requirements of free and equal healthcare, where the seriousness of the illness rather than the thickness of the wallet would be the sole consideration.

It would not mean the end of private health insurance, private hospitals and other for-profit healthcare; these would be available to those individuals willing and able to pay for what might be considered luxuries.

Under such a scheme, the bulk of money spent on healthcare would go to the public sector, which would probably see the private sector shrink. The private healthcare business is one of the growth sectors of the economy, with one company, Discovery, becoming the first to declare a profit of more than R1 billion this year.

This is scarcely surprising since about R60 billion is spent annually in the private sector for the care of little more than 5 million insured individuals. In the public sector, R40 billion is spent to cover nearly 40 million people.

Sama has also launched a trenchant attack on the complexity of medical schemes, an issue the Council of Medical Schemes has now taken up.

"Even doctors don't know exactly what the small print means and it's only when you have to claim that you may find out," says Sama chairman Kgosi Letlape.

Also recently elected as president of the World Medical Council, Letlape bewails the "total lack of vision" in the local healthcare field. "This is still apartheid and we must have done with it."

But steps announced by the government to reform the situation, notably the draft health charter lauded by the health department, have been dismissed by most of the labour movement as "vague and contradictory".

Sama, several other more traditional unions, and the Cosatu federation have said the draft charter "may inappropriately advance the interests of private actors in the health sector".

The draft starts with a criticism of private healthcare, but goes on to promote it on the basis of black

economic empowerment (BEE). This led the SA Municipal Workers' Union (Samwu) to state in a critical submission to the health department: "Private health has nothing to fear from the charter."

The Samwu submission, which refers to BEE in this context as "black elite enrichment" adds: "The honey pot of private health remains secure, provided that only some space is made for black spoons."

However, none of the unions has apparently produced a model of the sort of healthcare they would like to see along with what it might cost.

The Federation of Unions of SA, for example, has merely stated that its affiliates could not support a scheme "that will increase the cost of employment which will negatively affect workers and the unemployed, who could be denied a job as a result of this cost".

This is where Sama has come to the fore. Letlape says workshops have been set up and a committee established to define the exact extent of a comprehensive, basic healthcare package and its cost. This should provide the labour movement and the general public with the ammunition to fight successfully for the introduction of a free and fair system.

"And it must be one that covers all aspects," says Mahlomola Skhosana, the National Council of Trade Unions general secretary.

He wants the Sama committee to include the ambulance service in its calculations. "There are so many unnecessary deaths only because people are poor and have to rely on inadequate and poorly equipped ambulance services."

He and other members of the labour movement maintain the present system is "unsuited to the modern needs of the whole population".

This echoes a statement made more than 50 years ago, when Britain's national health service was being introduced. At that time, Arthur MacNulty, the chief medical officer in the health ministry, noted that the change to a free and fair system for all "is one that must inevitably come". As yet, the unions here can only hope this could be the case.

December 9

No festivities for the victims of globalisation

IT WILL be a grim festive season this year for one group of as many as 45 000 workers and their families. They are the employees in the textile, clothing footwear and leather sectors in South Africa, Lesotho and Swaziland who have lost their jobs over the past 12 months.

And as the tills of the retail stores ring up what will probably be a record season this month, they will also be ringing the death knell for even more jobs in this battered sector.

Other sectors of the economy are also affected.

Many potters and ceramicists, for example, have closed up shop around the country, unable to complete with an ever widening range of cheaper plates, cups, saucers and other tableware.

If the retail boom extends deeper into this month, it will push up the economic growth rate for the year. However, it will do so at what the International Federation of Free Trade Unions (ICFTU) calls "a devastating social cost".

It will also fuel an already worryingly high current account deficit. In other words, this economic activity that is being driven by imports.

The consensus view among economists seems to be that the gap between imports and exports will be in

the region of R54 billion this year; or R10 billion more than last year. This steadily growing deficit will eventually have to be paid for.

Unless there is some unexpected breakthrough at the World Trade Organisation (WTO) talks in Hong Kong next week, trade unions nationally and globally face a tough year ahead in which unity and solidarity will be at a premium.

They will be taking their arguments to Hong Kong and in their armoury will be an ICFTU report issued this week. Entitled *Stitched Up!* it presents a stark picture of hundreds of thousands of job losses internationally, mainly in the textile and clothing sectors, accompanied by a manic “race to the bottom” in terms of wages and working conditions.

It is a race that will continue even as the festivities are held.

Africa, the report points out, has been hardest hit and it singles out two examples: Lesotho and Kenya.

For Lesotho the onslaught of cheap sweat shop imports has been particularly crippling.

The manufacturing base of this landlocked mountain kingdom of 2.1 million people depends almost entirely on textiles and clothing, with a substantial proportion of the goods previously exported to South Africa. So far, 20 000 jobs have been lost, on top of the 6 600 shed in December last year.

This will have an often terrible impact on the lives of as many as 270 000 men, women and children in a country where HIV prevalence in the manufacturing sector is estimated at 34 per cent.

The impact on South Africa of the global onslaught has been more protracted and perhaps not, proportionately as severe. According to the Southern African Clothing and Textile Workers’ Union (Sactwu), slightly fewer than 19 400 jobs were lost between January and October this year.

This makes for a collapse in job numbers from a peak of 260 000 in 1996 to 150 000 now.

“And we are shedding jobs at a rate of about 1 900 a month,” says Sactwu researcher Etienne Vlok.

Many of these job losses have also not been in the metropolitan areas, but in the regions beyond, in the one-time “border industry” areas such as Dimbaza and Botshabelo. In these districts a skilled machinist earns barely R300 a week, which makes the argument about high pay causing job losses seem ludicrous.

Unlike Europe and the US, where massive clothing and textile job losses began this year with the termination of what was once the international multifibre agreement, the most serious effects of the jobs massacre in this sector began in 2003 in South Africa.

This was when, to the glee of those companies exporting capital, the rand began to strengthen against major currencies. Together with lowered tariffs, this opened the way for a flood of cut-price goods.

But local companies were still able to compete because of the quotas established for the major markets. When the agreement ended on January 1 the quotas went, as did much of the southern African export market.

According to the Lesotho Clothing and Textile Workers’ Union only six of the remaining 44 factories in Lesotho are now regarded as “stable”.

“Many of our factories are also threatening closure and there are rumours of machinery being shipped from here to countries such as Bangladesh,” says a Sactwu spokesperson.

These and similar issues will be raised at an ICFTU meeting in Hong Kong that will precede the WTO gathering, at which the unions will endeavour to make their voices heard.

Summing up the ICFTU view, Tony Ehrenreich, Cosatu’s regional secretary for the Western Cape, notes: “Something has to be done or globalisation will mean just a mad race to the bottom and consequent suffering for millions.”

On that determined note I wish all readers solidarity greetings for the holiday season and the new year.

2006



The World Economic Forum, an exclusive club comprising 1 000 of the world's richest company heads, stages its Africa Forum in Cape Town and is accorded the credibility of an independent think tank. "Alec in Wonderland" is an ongoing farce; as, on the eve of the local government elections, public enterprises minister Alec Erwin blames sabotage for crippling the Koeberg nuclear power station. However, it soon becomes evident that a loose bolt was to blame. Verbal gymnastics — including "human instrumentality" — follow as it becomes clear that what happened was an accident.

A new rotor for Koeberg is brought in by the navy and the political road opens up again for Jacob Zuma when he is acquitted of a rape charge and the corruption case against him is struck off the roll at the Pietermaritzburg high court because of alleged political interference in the judicial process.

The clothing and textile workers' union (Sactwu) continues to express concern about the flood of mainly Chinese imports that are having a devastating effect on local jobs.

The biggest-ever cash heist at what was still Jan Smuts airport: R69 million going missing. Two of the Boeremag accused, Herman van Rooyen and Rudi Gouws, escape from the Pretoria high court and fires rage across Table Mountain and Lion's Head in Cape Town. Three miners die, four are injured and 12 trapped underground in Carletonville and local film, Tsotsi wins an Oscar for best foreign film.

On the labour front, the privatisation battle goes to the streets again with protests about restructuring in Transnet; a two-day strike called by unions organising security guards, staggers on over three months. Broederbond and tobacco baron Anton Rupert and former president P. W. "Rubicon" Botha die.

A rose may be a rose, yet may not smell so sweet

A ROSE is a rose is a rose. And, as Shakespeare noted, “by any other name would smell as sweet”. The same cannot be said for jobs.

Even jobs bearing the same description, involving the same labour input and productive output can be radically different from one month or week to the next. For the worker doing it, a job can rapidly change from being secure, quite rewarding, even satisfying, to an insecure, underpaid and grossly exploitative burden.

This is why the trade union movement continues to talk of “real” or “quality” jobs as opposed to jobs per se. It is also why the labour movement was less than enthusiastic about the results of the latest Labour Force Survey (LFS) published this week.

The LFS noted that while more jobs were created in the year to September, more of the workforce was also classified as unemployed. This is apparent contradiction is explained by Cosatu.

Says spokesperson, Patrick Craven: “This is because more workers classified as ‘discouraged’ were found to be actively looking for work.”

“Discouraged workers” — more than 3.3 million men and women — are those members of the army of the unemployed who, for one reason or other, have not “actively sought work” for four weeks before the LFS survey. More than half of these people had not sought work for the simple reason that none was available in the areas in which they live.

Unsurprisingly, nearly 10 per cent of the discouraged were found to have given up all hope of ever finding a job. Tragically, 15.2% of workers classified as discouraged — some 495 000 people — did not have enough money for the transport necessary for them to seek the work they often so desperately wanted.

“But the chances are that the jobs any of these people may find will not be quality jobs; they will be not only unsustainable and underpaid, they will also often be hazardous,” says National Council of Trade Unions general secretary Mahlomola Skhosana.

The unions also point out that, because of the very wide definition of what constitutes employment, the official unemployment figure of 26.7% is almost certainly a gross underestimate. However, there could never be a precise calculation or, perhaps, even unanimous agreement on definitions of unemployment.

All that is certain is that more — probably much more — than a quarter of the workforce is without work. Many of the unemployed are, of course, relatively unskilled or totally lacking in the saleable skills demanded by an industrialised society.

“But we also have many skilled people who cannot find jobs,” says Communication Workers’ Union media officer Mfanafuthi Sithebe. And he maintains that the constant cry about a lack of local skills is often “a guise for the introduction of cheaper labour”.

He points out that globalisation has created a new breed of highly mobile skilled workers, desperate for jobs and who can now virtually travel the world seeking employment. “India seems to have produced a surplus of information and communication technology (ICT) specialists and they have become a new international migrant labour force,” he says.

Like migrant workers historically, these highly skilled workers are often willing to work for much less

and accept poorer conditions than is the norm in the host country. “This is a classic example of the race to the bottom on a global scale,” Sithebe adds.

The global spread of call centres, car and engineering plants is also seen by the union movement as having a direct bearing on the employment situation locally.

“Vehicle manufacturers have used us here to undermine workers in countries such as Germany,” says National Union of Metalworkers (Numsa) media officer Mziwakhe Hlangani. He notes that as the generally lower cost motor industries in countries such as South Africa boomed, it did so at the expense of German workers.

In so doing, a situation was created that pitted worker against worker. “The result was that German workers agreed to accept a downgrading of their benefits in order to keep jobs in Germany,” he says.

Numsa shop stewards at the Ford plant in Silverton, Pretoria, also maintained this week that political pressure from the strong labour movement in Sweden will see production of the Volvo S40 car moved from Pretoria to Sweden.

Ford spokesperson Ben Pillay denies that any decision has yet been made, but Numsa negotiators maintain they have been told that S40 production at Silverton will cease on 1 March.

“Now management says: ‘we are making fewer models, but creating more jobs’. It’s nonsense,” says Hlangani.

Pillay admits that “market forces” will determine the fate of 460 Silverton workers on one-year contracts.

For the unions this is another example of why statistics and management claims should not be taken at face value. “Especially when it comes to jobs; it’s a question of the quality first as well as the quantity,” says Craven.

** In 2012 the Ford company was still producing Volvo vehicles at Silverton.*

February 10

And then came ASGISA

TEN YEARS ago to within a week, this column first appeared on these pages. It dealt with how government would probably manage to take the steam out of threatened mass protests about privatisation.

The means then was a national framework agreement on privatisation. It contained nothing new and was, in fact, a reiteration of the established government positions, a fact pointed out by a minority of trade unionists.

However, at the closed Cosatu executive meeting at which it was discussed, it was only the SA Municipal Workers’ Union (Samwu) that refused to endorse the agreement, pointing out that although the terminology used was slightly different, nothing had changed.

But the framework agreement was hailed as a breakthrough by most of the union leaders, while critics in several unions claimed that it would take “the steam out of protests about privatisation”. They were proved right.

The Cosatu executive discussion preceded the formal launch of the agreement in Cape Town, where none of the Cosatu leaders were present. They were in their Johannesburg headquarters in urgent discussions with Swazi trade unionists about the deteriorating situation in Swaziland.

Looking back on that column from the vantage point of this week, there was a feeling of *deja vu*. And,

looking through the nearly 500 columns that have appeared since that first one, a single quotation springs to mind: the more things change, the more they are the same.

That remark was published by the French critic and novelist, Alphonse Karr in 1849 and has been vindicated ever since, especially in terms of the relationship of labour to capital.

This week it had a particular resonance when weighed again happenings and reactions within the labour movement almost exactly a decade ago.

Last Friday we had the creation of yet another acronym with the announcement of Asgisa (Accelerated and Shared Growth Initiative of South Africa) which, crucially, promised the creation of more jobs and the halving of poverty and unemployment by 2014.

Once again it was generally hailed by the majority of trade union leaders. The National Union of Metalworkers (Numsa) officially proclaimed it as a major breakthrough signalling the creation more jobs, especially in the metal and engineering sector.

The other leg of the tripartite alliance, the SA Communist Party, also “welcomed the broad strategic perspectives” outlined in Asgisa.

But Samwu again begged to differ, pointing out that Asgisa merely repeated much the same mantra as had been promoted by the Growth Employment and Redistribution (Gear) document ten years ago, that growth had to come before redistribution.

“Gear replaced the RDP (Reconstruction and Development Programme) that was based on redistribution leading to economic growth with the trickle down theory of growth leading to redistribution,” says Samwu general secretary Roger Ronnie.

The introduction of Gear effectively turned on its head the economic policy perspective adopted by the three trade union federations and published in their Social Equity and Job Creation proposals only weeks before the Gear announcement.

This has not changed with the introduction of Asgisa. Alan Hirsch, the chief director of economic policy in the presidency made that clear earlier this week.

Speaking on radio he noted: “The faster we grow, the more jobs we can create.”

This concept that economic growth equals job creation equals redistribution of wealth, is the basis of Gear, which, at the time of its launch and to the approval of union critics, was described by former Nedbank chief economist Edward Osborne as “a cascade of improbabilities”.

The same charge is being levelled again ten years on, both within the unions and by economists such as Sampie Terreblanche. This week he saw the redistributive promises of Asgisa as improbabilities and dubbed the initiative “a growth strategy to enrich the rich further”.

“It also tends to continue to promote the myth of two economies when what we have is a single economy that favours the rich and increasingly marginalises the poor,” says Ronnie.

However, in his state of the nation address last Friday, President Thabo Mbeki admitted that the rich had got richer when he noted: “Our nearly 12 years of freedom have been very good for business.”

But the implication that things would now change does not hold water so far as the critics are concerned.

In an echo across the past decade, they also claim that even with a “comprehensive industrial policy” called for by Cosatu to run alongside Asgisa, the redistributive promises cannot and will not be met; that social democratic aims within a neo-liberal system is contradictory.

But the Cosatu leaders, concerned this week with the deteriorating situation in Swaziland where beleaguered trade unionists and other pro-democracy campaigners have called for support, remain cautiously supportive of Asgisa.

They certainly did not agree with Terreblanche’s blunt assessment: “Just as the ‘r’ in Gear was just an

exercise in propaganda, so too is the first ‘s’ in Asgisa.”

Perhaps the next ten years will prove who is right.

March 16

Lies, damned lies and Dr Matthias Rath

THERE ARE lies, damned lies and, in the context of the past week, there is Dr Matthias Rath and his foundation. The controversial vitamin pedlar last week contended that high court judges had affirmed that the government was being forced “to spread disease and death among the people of South Africa”.

This statement alone has raised to boiling point the ire not only of AIDS activists, but also the trade union movement and much of the legal profession.

Because the judges in the matter, Desai, Louw and Moosa, said nothing of the sort. In a ruling following an action brought by the AIDS campaigning group, the Treatment Action Campaign (TAC) they affirmed Rath’s right to freedom of expression, but forbade him or his foundation from continuing to claim that the TAC was funded by, or a front for, the drug companies.

It is a carefully reasoned judgement of 16 pages and it treads the line between freedom of expression — including the right to publish and speak untruths — and the sort of lie which damages the reputation of individuals and the functioning of organisations.

The TAC had complained that it was defamed by being labelled an effective front for the drug companies. This included the allegation that it paid protesters to attend its demonstrations.

The judges found that few people could take seriously the “rent a crowd” allegation, but that such allegations were “part and parcel of political activity in this country”. In other words, they continue to be made, by various groups, but have little impact since they are basically unbelievable.

Rath’s public response to the judgement was swift. In the name of the Dr Rath Health Foundation Africa, thousands of copies of a free publication, *You Can!* were distributed in Cape Town’s Khayelitsha township last Friday.

You Can! alleges that the TAC is an “unscrupulous and largely foreign funded organisation” whose business is “spreading disease and death among the people”.

Completely ignoring the court order, the publication repeats the allegation that the TAC functions on behalf of the pharmaceutical companies, claiming “TAC organises rented crowds for the drug industry”.

“This is probably in contempt of the court order, but it is a narrow base,” says a leading lawyer.

However, the trade union federations consider that Rath’s response is both dangerous as well as being contemptuous of the truth. They have issued a call to him and his foundation to “refrain from making unfounded and dangerous statements”.

“As things stand Rath and his foundation are making a mockery of the courts and are spreading the sort of misinformation that harms mainly working class people. It has to stop,” says Cosatu Western Cape regional secretary, Tony Ehrenreich.

Federation of Unions (Fedusa) acting general secretary, Dennis George agrees. “And we welcome the judgement because it affirms that the TAC is in no way connected with the drug companies,” he says.

National Council of Unions (Nactu) health and safety co-ordinator Chaka Leepo, sums up the general position: “We in the unions pledge our support to the roll-out of scientifically proven medication where and when necessary, and we oppose those who peddle untested nostrums on a pseudo scientific basis.”

This is the position taken by the TAC which will not take the latest Rath attack to court. “It is clearly an attempt to get us tied up in court cases,” says TAC national manager Nathan Geffen.

The TAC also finds laughable the repeated allegation that its underlying purpose is “creating political unrest and destabilising democracy in South Africa”.

Besides, the campaigning group has one other case pending against Rath for carrying out “unauthorised clinical trials, distributing unregistered medicines and making false claims” for his treatments.

The government, represented by health minister Manto Tshabalala-Msimang, is listed as a co-respondent for failing to take action against Rath for activities which Professor Lionel Opie of the University of Cape Town medical school has characterised as “medically going back to the Dark Ages”.

“That case may finally clear up the issue, but we should not wait for that. We have to speak out now and give whatever support we can to those, such as the TAC, who are dealing responsibly with perhaps the greatest health crisis we have ever faced,” says Ehrenreich.

Adds Leepo: “Perhaps a *persona non grata* judgement from the state would be the best remedy.”

May 19

The behaviour that destroys public goodwill

SOUTH Africa’s labour movement is reeling. There is widespread recognition that the orgy of destruction unleashed on the streets of Cape Town on Tuesday in the name of trade unionism has dissipated the considerable tide of goodwill the unions had built up from the general public.

The rampaging mob, comprising mostly proclaimed members of the SA Transport and Allied Workers’ Union (Satawu) attacked bystanders, wrecked cars and smashed windows. This was no festival of the oppressed, no riot of the hungry to redistribute food. It was vandalism pure and simple, a classic example of how to lose friends and alienate people.

On one level, as an outpouring of anger by frustrated and underpaid men and some women who have been wage-less and increasingly desperate for two months now, some of the violence can be understood. It cannot be justified.

This is a view that is emerging throughout all levels of the labour movement. And while there is almost certainly some truth in the allegation by Satawu members that agents provocateur were involved, this excuse will largely fall on deaf ears.

In any event, even if this can be proved, it merely reveals that large numbers of the marchers on Tuesday were prepared to be provoked; that union leadership and the disciplined structure through elected shop stewards was absent.

These facts may provide an abrupt and brutal lesson to some union officials who have allowed themselves to drift into a complacent bureaucracy while overseeing the withering away of democratic shopfloor organisation. That alone may have been sufficient to curtail the bouts of violence over the past eight weeks.

Quite simply, the violence, with several deaths still being investigated have, at least in the public perception, been linked to the strike. This has bolstered the position of employers while angering and intimidating fellow workers.

That the work of security guards is often dangerous is accepted. As, generally, is the fact that workers who risk life and limb protecting the wealth of the rich for wages as low as R1 150 a month, cannot be expected to be placid individuals.

When it is also taken into account that several of the highly profitable companies in the burgeoning security sector are managed by elements of the former apartheid security services, the mix becomes potentially volatile. In addition, when the minister of labour remains aloof as the situation escalates and does not exercise his authority to intervene, the level of frustration can only increase.

These were all impressions and arguments that Satawu media officer Ronnie Mamba and his general secretary, Randall Howard and others in the union were quite successful at projecting.

And despite the initial violence, there was every indication that the security workers enjoyed widespread support. Then, on the eve of the general strike called by Cosatu to protest against ongoing poverty and the loss of jobs, the image not only of Cosatu, but of the labour movement as a whole, was besmirched. It certainly affected support for the strike.

The conspiracy theorists will doubtless have a field day because of the coincidence. Yet that is almost certainly what it was: a coincidence. But a happy one for the enemies of labour.

Another factor in the current dispute has been the relative plethora of unions in the sector. But poor service to union members is a major reason for this. That this development has also been encouraged by some employers, there is no doubt.

Employers have been fairly astute at playing a divide and rule game with the union movement. But inter-union rivalry and the refusal of established unions often to admit to, and address, shortcomings has been a boon to the bosses.

There are already 16 registered unions in the sector and several that are not yet registered. At least one registered union apparently came into being via a deal struck between a “labour consultant” and an employer. But several of the others emerged after expressions of dissatisfaction with already established unions.

These tensions and divisions in the union movement have been highlighted by recent events. They have also come to the fore at a time when business is mounting a concerted effort to amend the labour laws

A particular target is Chapter eight of the Labour Relations Act: and, especially, section 189. This section restricts the ability of employers to dismiss workers on the grounds of operational requirements.

“Ease of hiring and firing” is the management mantra of the moment as corporate profits continue to climb amid a vast sea of poverty and joblessness. It will be tragic should the events of Tuesday undermine the principled position of the unions on this issue.

August 25

Spin: a bane in the life of every journalist

SPIN IS a bane in the life of every journalist. This is the dishonest practice of disseminating partial truths or distorting or confusing facts to create a desired impression.

It can also be used to try to obscure potentially embarrassing incidents and statements: reality can be smothered beneath a blanket of verbiage, often heavily salted with jargon and knitted together by woolly logic.

Or else word games can be played. A classic example was given last week by former trade unionist and now public enterprises minister, Alec Erwin.

He denied in parliament that he had ever used the word sabotage in connection with the breakdown at the Koeberg power station. This was true — but a classic example of spin.

He had said the bolt that damaged the Koeberg generator “did not get there by accident”. In other words, a deliberate act caused the damage.

But the dictionary definition of sabotage is: “Deliberate damage to productive capacity.” So Erwin put a spin on the truth.

Flat denial of apparent facts unearthed by the media can also sometimes work by sowing enough confusion for interest to be lost in the facts themselves.

And when spin does not work, there is a fall-back position for its users: roll out conspiracy theories — and blame the media.

The media has certainly taken a lot of flak from Cosatu over the past week. All because of reported divisions within the trade union federation’s leadership.

Such differences are only to be expected, and serious differences of opinion — concerning mainly tactics — exist between Cosatu general secretary Zwelinzima Vavi and president Willie Madisha.

What has brought matters to a head is not only the proximity of the Cosatu congress, but also the controversy over support for ANC deputy president Jacob Zuma.

There was also a well-sourced report that Vavi was being investigated by Madisha for the inappropriate use of his union credit card.

These reports were met with public and unanimous denials by all concerned.

Communist Party (SACP) general secretary Blade Nzimande also weighed in with the accusation that there was a conspiracy to undermine Vavi. By implication, the media was also to blame for refusing to accept this explanation.

This was an attempt to get the media to reflect the impression of unity demanded by the form of organisation practised by both Cosatu and the SACP.

Vavi and Madisha are SACP members, with Madisha sitting on the party’s central committee and on its powerful politburo. As such the two men are subject to the discipline of two professedly “democratic centralist” organisations.

In theory, this form of organisation means that there should be open and vigorous debate within the structures of the organisation, leading to majority decisions which must be adhered to by all.

A similar tradition, inherited from the SACP during the years of exile, permeates much of the ANC.

However, critics within the union movement maintain that what exists has little to do with wider debate and democracy; that a bureaucratic distortion has developed. This has been referred to as “centralised democracy” in which a small leadership core debates, decides and then dictates to the wider membership what the action or policy should be.

This leads to a culture of blind loyalty, with leaders in these positions tending to be regarded as icons by many followers rather than as mere representatives.

For the leadership, the appearance of unity therefore becomes paramount and results in the sort of crude spin that is easy to dismiss in a parliamentary democracy with its relatively independent media.

Because such media exists, it tends to reflect reality, not accept statements predicated on a concept of unity.

And what much of the reaction of Cosatu and the SACP to the recent disclosures indicates is that their form of centralised organisation may be out of step with the current political dispensation.

Cosatu could have done better to obey the Biblical injunction: The truth shall set you free.

Many trade unionists, even at the most senior levels, admit that it is silly to maintain that there is unanimous support within Cosatu for the positions adopted in support or defence of Zuma.

And most informed trade unionists are aware that, as president of Cosatu, Madisha is constitutionally obliged, as part of his regular duties, to monitor all expenditure by federation officials; that all credit card use is regularly checked and that Vavi is no exception.

When various factions gather, often at the popular venue of the Booysens Hotel in Johannesburg to discuss their views, they could open the debates to a wider audience and acknowledge, rather than deny, the reality of differing opinions.

To persist with denials in the name of that first principle of trade unionism, worker unity, also seems dishonest. Because the essential corollary to that slogan is an instruction to the leadership: never lie to the workers.

** By 2012 the 'who should be leader' clash was getting fully underway.*

September 22

Reasons to stop shooting the media messengers

A WORKER is someone who sells his or her labour in order to survive. That, in any event, is the generally accepted and dictionary definition.

However, so far as much of the Cosatu leadership and certainly the general secretary of the Communist Party (SACP), Blade Nzimande are publicly concerned, media workers, especially journalists, do not qualify.

To paraphrase George Orwell: In the eyes of the professed workers' vanguard at Cosatu's ninth national congress, some workers are clearly more equal than others.

However, shooting the messengers has a long and sad tradition as a substitute for dealing with the content of the messages delivered.

And if print journalists and their colleagues in the electronic media do their jobs properly, they act as the eyes and ears of the wider public. They are constant messengers. As such, it is their role to convey, without fear or favour, facts and opinions as they discover them.

This often causes extreme discomfort among those individuals and groups who wish to restrict the transparency of actions that have an effect on society at large. So there is nothing new in politicians and Cosatu leaders taking pot shots at journalists and the media in general.

However, the tone adopted at the congress in Midrand this week often amounted to dangerous populist rhetoric.

The condemnation was particularly prolonged and vitriolic. I now know that I and my fellow workers in the media are effectively the enemies of the working class.

We are characterised as rumour and scandal mongering petit bourgeois intellectuals, part of an elite pursuing an anti-working class agenda. According to Nzimande, we are "soothsayers and hired charlatans" bent on sowing division in the trade union movement.

There was also constant reference to "faceless sources" quoted in news reports. But it was not the accuracy of the reports that was challenged. Nor was there any analysis of why so many sources of information choose to remain anonymous.

In any event, as most journalists at the conference could readily confirm, many of the faceless sources were among those who launched and supported attacks on the use of such sources.

But blanket condemnation of anonymous sources smacks of an attempt to gag whistle blowers. Such action benefits only those with something to hide.

It is in the nature of whistle blowers that they fear for their jobs, sometimes their lives, but are driven by conscience or perhaps by less honourable motives, to disclose wrongdoing, manipulation and power plays. Without confidence that media workers would not betray their identities there would be no disclosure, to the detriment of society at large.

Media workers around the world have suffered harassment, prison and even death for not revealing their sources. Because it is the veracity of the reports that should be the focus, not the identity of the source.

Only those with something to fear from transparency refuse to concentrate on the content of any report, but instead attack those who deliver it.

If any published reports, however they are come by, are libellous, there is a ready remedy in law. If they are inaccurate, this is often because the officials or individuals concerned refuse to confirm, deny or elaborate on the facts put to them.

Inaccuracy or claimed misinterpretation can also be dealt with by means of demanding a right of reply which is widely available at this stage of our parliamentary democracy.

Bland denial is also no substitute for an intelligent response which seeks to clarify issues which are of concern to the public at large.

And a trade union federation and its affiliates do not comprise a secret cabal or sect. Such organisations are collectives of workers struggling to improve the lot of all workers, members or not.

As such they should use — and learn to use — all available channels of communication, guided by a single principle: never lie to the working class.

But when the attitude of the SACP and Cosatu leadership is that an amorphous, all-encompassing media is an enemy it is little wonder that relations between union officials and media workers is often hostile.

This does not excuse shoddy work by media workers. And where this exists, remedies should be sought. These include training, staffing levels, pay and working conditions: the same issues that confront workers in general.

But a distinction should also be made between those who labour in the media and those who own and financially control the outlets. The International Federation of Journalists, to which most journalists' unions are affiliated, has been to the forefront of protests about the dangers in the increasing concentration of media ownership.

There is also a distinction to be made between state and privately owned media. And where manipulation and distortion exist, this should also be challenged, with media workers themselves to the forefront.

November 3

Paying for flirting with 'people's capitalism'

The world is already confronting social and economic crises and, unless something is done — and soon — the situation will only worsen: the planet itself is at stake.

An awareness of this in recent years has resulted in a sea change in human consciousness, manifest in mass demonstrations against the World Trade Organisation and by campaigns such as that on international climate change being conducted by former US presidential hopeful, Al Gore.

It is these factors as much as anything else which motivated the belated moves by the international labour

movement to launch a concerted effort to transform the neo-liberal economic policies that have come to dominate globally over the past 40 years. These policies, stressing smaller government involvement in the economy and giving relatively free rein to national and transnational corporations have now become entrenched as orthodoxy.

As delegates to the founding conference of the International Trade Union Confederation pointed out this week, these policies have resulted in increasing human suffering and environmental degradation amid the stench of corporate corruption and a growing wealth and poverty gap. In short, the unions maintain that these policies have failed, and are continuing to fail, with ever more dangerous consequences.

Climate change is only one serious aspect of the ongoing and manic rush to accumulate profits whatever the cost. The documentary film about Gore's campaign, *An Inconvenient Truth*, now on circuit in South Africa, highlights the manner in which governments such as that in the US are manipulated in the interests of big business.

Within the trade union movement this comes not as news, but as confirmation of long-held perceptions. "We told you so," could well be the response of much of the labour movement.

More erudite trade unionists and those with longer memories are well aware that the *laissez faire* doctrine promoted by economists such as Milton Friedman and adopted around the world is a relatively new phenomenon. The introduction of these policies is correctly associated by the general public with the coming to office of British prime Minister Margaret Thatcher and US President Ronald Reagan.

But for nearly 40 years before that time, the global economic norm was the sort of regulatory regime introduced by US President Franklin D. Roosevelt's "New Deal". Under this system, government interventions included everything from public works programmes and prescriptive investments to prices and incomes controls; all imposed in an effort to maintain economic stability.

But the relatively stable growth that existed in the boom years after World War 2 collapsed into crisis after the formation of Organisation of Petroleum Exporting Countries and the subsequent surge in the oil price in 1973.

Business laid the blame on regulation and governmental intervention. Governments responded by loosening the reins that had provided some checks on the possible excesses of increasingly powerful corporations. The unions, by and large, were caught napping.

Many unions, in fact, leapt onto the liberal bandwagon promoted by Thatcher as "peoples' capitalism". They bought shares in privatising industries and established investment companies, usually in the hope of influencing the direction a single enterprise or of the economy as a whole.

Over time, the realisation dawned — in some cases is still dawning — that shareholder democracy is largely a myth and that the rules of the marketplace relegate social responsibility to a low-cost public relations exercise.

Twenty and more years after Thatcher's "Big Bang" privatisation project had reverberated around the world, disillusionment set in, almost across the board. The corporate corruption scandals surrounding Tyco, Enron, Worldcom and our own Brett Kebble have merely underlined what is widely seen as the inherent rottenness of the system.

But some trade unionists now point out that the dangers of such corporate corruption were warned about more than 200 years ago. And that the warning did not come from a raging socialist, but from that icon of the free marketeers, Adam Smith.

He maintained that private shareholder companies — and that was before the days of limited liability — were inevitably open to corruption. Managers, he said, could not be trusted with the money of "other people".

In fact, the British parliament in 1720 outlawed most corporations because of the level of corruption through the ramping of share prices and other scams. That ban was only repealed in 1825.

Today it is not only financial corruption that is being complained about, it is also the destruction of jobs, the lowering of wages and conditions and the damage to the environment. And labour lays the responsibility squarely at the feet of unfettered capitalism.

The only question is how best to rein it in, contain it and perhaps transform it, in this age of the micro chip, of robotics and surplus production. So far, the only solutions the unions seem to be proposing is a return to the regulatory regimes that worked in vastly different circumstances, a half a century ago.

Whether they could work now is at best debatable.

December 15

A shameful episode for South Africa House

SOUTH Africa House, overlooking London's famous Trafalgar Square was, throughout the latter 40 years of apartheid rule, the scene of almost constant pickets and protest. But, since the 1994 transition, it has become something of a symbol of hope, the diplomatic outpost of a country hailed for respecting human and labour rights.

Not any more. To the shame of local trade unionists, the high commission in London has again been picketed by irate British trade unionists.

In what several local labour movement leaders see as a blunder of potentially mammoth proportions, South Africa House has refused to recognise the rights of British cleaners who work in the high commission to join the British Transport & General Workers' Union (T&G). Quite apart from the principle involved, the T&G was one of the unions which played a leading solidarity role in the anti-apartheid struggle.

The point has been made tellingly in a letter to President Thabo Mbeki from Piroshaw Camay, the former general secretary of the Council of Unions of South Africa (Cusa) which, with the Federation of SA Trade Unions (Fosatu) formed the core of militant anti-apartheid unionism.

Out of these two federations came Cosatu and the National Council of Trade Unions (Nactu), Camay went on to become general secretary of Nactu.

Now director of the Johannesburg-based Co-operative for Research and Education Camay wrote: "Today, I hang my head in shame that some South African bureaucrat sitting in London.....refuses trade union rights to cleaners..."

It is a sentiment widely shared across a labour movement which has, over the past year become increasingly disillusioned with government policies. Despite regular protestations from Cosatu that its alliance with the governing party remains as strong as ever, the tensions are showing to a greater degree than ever before.

Significantly, all three of the established union federations express similar views about what they feel needs to be done — and why the past year has been a far from brilliant one for the local union movement.

The year began with the unions protesting about the increasing casualisation of the jobs market. This column pointed out that the unions felt that the "any job at any price" mantra beloved of the free marketers merely disguised what the unions have dubbed "the race to the bottom".

The year ends on exactly the same note. "Casualisation and the move into the informal sector and into part-time and badly paid work is the main challenge we face," says Cosatu spokesperson, Patrick Craven.

Says Nactu general secretary, Mahlomola Skhosana: "The creation of decent, permanent jobs is now clearly the priority and both the government and the private sector have to come to the party."

Federation of Unions (Fedusa) general secretary, Dennis George agrees, and adds that health and safety conditions have also worsened over the past year as a result of the onslaught of casual work

But, at the same time, labour productivity has continued to grow, along with the wage and welfare gap as the rich have got richer and the working poor proportionately poorer. Food prices have also risen faster than any other component of the cost of living index and food is the major expense for working class families.

According to some union estimates, this means that perhaps the majority of working families are worse off now than they were a year ago.

“And then we have the raising of interest rates which will make life even more difficult for the lower paid,” says Craven. He admits that the pleas and arguments of the unions about not raising interest rates have fallen on deaf ears.

These facts have steeled the resolve of the unions to fight back in the new year. But, while there is often a reluctance to admit it, these same facts are an indication of trade union weakness, some of it the result of internal squabbles.

The departure from Fedusa of the large Public Servants Association, the prolonged delay in the much touted “super federation” of Fedusa, Nactu and Consawu and the bitter leadership battles in Cosatu have all had a deleterious effect.

However, there does seem a determination to overcome such problems and to build and rebuild confidence and collaboration to, as Skhosana puts it, “end fragmentation and organise more workers”.

Says George: “I think we will see a greater move toward unity because so much of what has happened is totally unacceptable.”

That is the message the unions will again convey to government when the next bilateral talks are held. Several union officials have already expressed the hope that these talks will finally persuade government that the liberal, supply side economic policies now pursued, are a disaster.

But others are aware that it may take more than talk, however apparently logical the arguments, to bring about any change in policy direction; that the level of organisation, of unity and the willingness to take action will be what will count.

On that note, I wish all readers the best for the festive season and send solidarity greetings to all in the labour movement.

2007



Pre and post Polokwane dramas dominate the year and the National Prosecution Authority (NPA) obtains an arrest warrant for police commissioner and Interpol head, Jackie Selebi; NPA director Vusi Pikoli suspended. The "Zuma tsunami" predicted by Cosatu general secretary Zwelinizima Vavi sees Thabo Mbeki unseated as ANC president and Jacob Zuma taking his place. Two days later, acting NPA director Mokotedi Mpshe says corruption charges will be laid against Zuma.

Shabir Shaik spends more time in hospital than in prison and the "Baby Jordan" murder case runs a close second in media coverage to Polokwane and the 28-day public sector strike involving 17 trade unions representing more than 1 million workers. There are sabre-rattling threats of a general strike.

Unions remain angry about the sacking of more than 600 striking nurses and reluctantly agree to a deal that includes a 7.5 per cent pay rise and promises to deal speedily with outstanding issues. These include a minimum service agreement, increased housing allowance, the filling of vacant posts and the equalising of medical aid payments.

Vavi and Cosatu president Willie Madisha remain at daggers drawn. As official inflation minus mortgage rates rises to almost 8 per cent, Cosatu announces a push for a change in economic policy. Confidence is expressed that the pro-business, pro-privatisation "1996 class project" is at an end. A bread price fixing scandal erupts and deputy health minister Nozizwe Madlala-Routledge is fired by her AIDS denialist boss.

South African courts dismiss domestic charges against mercenary leader Simon Mann and others recruited in the country while Zimbabwe rules that Mann be extradited to Equatorial Guinea. Two more commercial farmers in Zimbabwe who refuse to vacate their farms are arrested. Former Rhodesian prime minister Ian Smith dies in Cape Town, aged 88, and the Springboks beat England 15-6 to win the World Cup.

A common cause for soldiers, sailors and sex workers

SECTION 23 of the Constitution states that “everyone has the right to fair labour practices” and that “every worker” has the right to organise and act as part of unions. It was on this basis that members of the military took the issue of their rights to the Constitutional Court and won.

Although the Labour Relations Act (LRA) specifically excludes defence force members from the provisions of the Act, the court ruled that the Constitution held sway; that “although members of the permanent force do not enter into contracts of employment as ordinarily understood they are entitled to protection in terms of section 23”.

But they do not qualify under the LRA, so they do not have access to, for example, the free conciliation and arbitration services of the Commission for Conciliation Mediation and Arbitration (CCMA). And while they may not go on strike, they have the right to organise and to protest their grievances.

Toward the end of last year, the more militant of the two military unions, the South African Security Forces Union (Sasfu) was starting to flex its organisational muscles and threatening to take unresolved grievances to the streets. The year has opened with the claimed grievances still unresolved and the prospect of soldiers and sailors marching through the streets as union members seems greater than ever.

With the backing of Cosatu, Sasfu in the Western Cape announced yesterday that the union had applied for council permission to stage a protest march on Saturday, January 27. The initial plan to march tomorrow had to be cancelled when council refused permission on technical grounds.

And yesterday, representatives of a group of marginalised workers who had been partially inspired by the success of the “workers in uniform” were meeting with lawyers to discuss a judgement that recognised hypocrisy between law and practice, but which refused to accept sex workers as legally protected members of the working class.

On the grounds that a worker is a worker irrespective of the nature of the work undertaken, a Cape Town sex worker late last year took her massage parlour and brothel owning employer to the CCMA for claimed unfair dismissal. The worker was granted anonymity because of the effect the revealing of her identity could have on her partner of four years, his work and family and on her future prospects of employment.

CCMA commissioner Bella Goldman was faced with deciding whether or not the CCMA had the authority to arbitrate in the matter: to do so would effectively acknowledge that sex workers were also workers in terms of the law.

From the evidence that was led, it was obvious that sex work is openly accepted; that city councils grant licences to brothels under various euphemisms when they “were aware or should reasonably have been aware of the nature of the business”.

This amounted clearly to hypocrisy because, under the 1957 Sexual Offences Act, any “carnal intercourse” or “indecent act” performed for reward is a criminal offence unless it takes place between a husband and wife. And while newspaper classified advertisements daily offer such services for reward, “red light” districts are features of, if not wholly tolerated, in most cities and few prosecutions for brothel keeping or prostitution are instituted, the law still stands.

“It is completely outdated and needs to be changed,” says Jane Arnott, director of the Sex Workers’ Education and Advisory Taskforce (Sweat). The organisation supported the worker who was sacked from her job at a Parow massage parlour.

But it was the support of Sweat that strengthened the argument that the CCMA could not arbitrate in the matter. Goldman noted that the professed aim of Sweat was to “decriminalise adult sex work”.

This was an admission that the work was still considered criminal. The worker in question, known as “Kylie” also admitted that much of her work was nominally illegal, but felt that this should not exclude her from the protection of the law as a worker.

“There are not just pay and conditions issues here. These are the most vulnerable of workers and health and safety issues are vital,” says Arnott.

This position was supported by Kylie’s former boss, Michelle van Zyl, a confessed brothel owner. She wanted the sacking upheld, but “as a former sex worker” she wanted the matter to be heard so that sex workers could be recognised and protected by the law.

But, as Goldman pointed out: “it is not for an administrative body such as the CCMA to change the law. This is a function of the legislature or the constitutional court.” However, she also noted that “it would appear that the law is not in line with the morality or prevailing views of society”.

So whether sex workers will follow the “workers in uniform” to walk the streets en masse in protest, time alone will tell.

** In 2010 the Labour Appeal Court upheld the right of “Kylie” and of sex workers as workers ‘to be treated with dignity and respect by others’.*

February 9

Abusing the essential services of nurses

STUPID. Foolish. Completely out of touch with reality. These were some of the comments made by unionised nurses following the sacking last week of 728 of their colleagues in KwaZulu-Natal.

The action of the provincial health authorities has also triggered a major argument within not just trade unions organising nurses, but within the movement as a whole.

It has also thrust into the limelight again the whole question of the use and claimed abuse of essential services provisions. Any workers in a service designated by government as essential may not strike. Yet, as unions continue to point out, the strike is, in the final analysis, the only weapon workers have. Without it they are hamstrung and at the mercy of the employers.

The nurses in KZN embarked on strike action after months of being frustrated in their demands that a rural allowance be paid to all nurses as well as other health professionals. The matter had been taken to arbitration and won, but the health department delayed the issue by taking it on review.

Frustrated by the official channels, the nurses, most of them apparently members of the larger unions, Health and Other Services (Hospersa) and the Democratic Nurses Organisation (Denosa) formed an unofficial committee and organised ten days of protest. This included staying away from work, but also staging protest pickets.

“It was an improper action by the nurses, but instead of talking to the nurses or the unions, management simply handed down an ultimatum — and then sacked 728 nurses,” says Hospersa KZN secretary, Noel Desfontaines.

Yet, according to reports reaching the unions, only 200 nurses were at any time involved, but the 728 deemed to have supported the action have all been sacked.

Having sacked the nurses, the provincial health authorities announced that they would be replaced by agency staff.

“But the nurses who work for agencies are the same nurses who have to take on agency work on their days off in order to make ends meet,” says Denosa general secretary, Thembeke Gwangwa.

She adds: “It is ridiculous, especially when there is a global shortage of nurses; it shows that, deep down, there is no insight.”

Her sentiments were echoed by Chez Milani, Hospersa’s Eastern Cape secretary: “It’s inexcusable. We have a shortage of nurses and a dire need, but the management continues to get it all wrong.”

However, the small, 9 355-member, Free State-based SA Democratic Nurses Union (Sadnu) which, like Denosa, is affiliated to Cosatu, attacked both the sacking of the nurses and the protesting nurses themselves.

Sadnu general secretary, Moeketsi Mohai, was the first union leader to issue a statement and it was immediately picked up by the news media, with reports yesterday stating that “registered unions..... slammed the KZN nurses committee for its role in an illegal strike”.

In fact, it was only Sadnu that protested both about the failure to pay the rural allowances, and about the protest. Mohai castigated “the leaders of the Concerned Nurses who took advantage of the innocent nurses”. He maintained: “It was an act of cruelty for this grouping to take advantage of the uninformed nurses.....”

The statement infuriated not only the KZN strikers, but also much of the union movement. “To say that nurses are uninformed about their situation, that they are gullible and to imply that they are easily misled is utterly foolish,” says a senior Cosatu union official.

“But this is a problem not only in KZN. It is everywhere,” says Desfontaines. The unions all pointed to the little publicised protest last month by student nurses in the Eastern Cape which was quelled by police firing rubber bullets at the student protesters.

The student nurses, all state employees, protested when they were presented, without notice, with bills for their tuition and were told that they would not be given the results of their 2006 exams until the bills were paid. Initial protests saw the local health department confusingly reduce the amounts demanded.

“It was complete confusion,” says long-time public health service campaigner and Pan Africanist Congress leader on the Buffalo City Council, Dr Costa Gazi, who has publicly supported both the students and the KZN nurses.

Gazi, also a former superintendent of the Cecilia Makiwane hospital, warns: “For many years now, nurses’ feelings and opinions have been totally ignored, even though they are the backbone of the public health service. Other countries and the private sector have benefited from the offhand treatment of our nurses and these incidents will only aggravate the drain that started a decade ago.”

Gwangwa agrees, and points out that government has recently announced the recruitment of nurses from India. “Yet this is in the face of a global shortage of nurses. It doesn’t make sense,” she says.

And while striking may be illegal for the “essential service” of nursing, a common response among many unionists to the action in KZN and to the protests in the Eastern Cape was: “Viva!.

Time to reclaim International Women's Day

ANNIVERSARIES and commemorative days are times for reflection on the meanings of such days, on their origins and perhaps changed nature. International Women's Day (IWD) celebrated yesterday around the world is an excellent example.

So says Cosatu in a statement that maintains that "the revolutionary origins of this day have been largely forgotten or even hijacked". It adds that Cosatu is building a new working relationship with the Progressive Women's Movement of South Africa around issues that are "pro-poor and pro women workers".

These are statements with which Mary Maletle, president of the federation of Unions (Fedusa) is in full agreement. And she adds that she would like to see a "complete rethink" about IWD before the centenary next year.

For IWD was a creation of women members of the labour and socialist movement. Yet today many people will agree that it has become, as the popular Wikipedia web site notes, "somewhat similar....to Mother's Day and St Valentine's Day mixed together".

And where there is any militancy in the commemoration of the day, it is usually to be found among some feminists, bemoaning the continued existence of "patriarchal society" and complaining about the "glass ceiling" that keeps competent women executives out of the board rooms of the corporate world.

This is a dramatic shift — almost the antithesis — from the original IWD intent. And it is particularly pertinent to reflect on IWD this year because it marks the centenary of the first discussions about the need for such a day. Yesterday it was also 99 years to the day that saw the incident that sparked the decision to make March 8 a very specific type of IWD.

Although some of the commemorations and celebrations of the day around the world remained true to the original intention, most of the 268 major events listed in 28 different countries were a far cry from the original goals.

That IWD is today very much part of the corporate world is clearly illustrated by the official IWD web site which is sponsored by a company that boasts that it "connects business and professional women". The same applies to most if not all of the 1 617 sites linked to the official IWD web site.

Yet such women were specifically excluded by the founders of IWD when they met in the Danish capital, Copenhagen, in August 1910. This was at their second international congress, where a suggestion to declare an IWD, first mooted three years earlier at the first such conference, was adopted.

The more than 100 delegates from 17 countries who attended the Copenhagen conference were inspired by reports of the massive strike and protest march of women textile workers in New York on March 8, 1908. It was this protest that inspired the German trade unionist and socialist, Clara Zetkin, to organise demonstrations of women workers throughout Germany on March 8 1910, six months before the conference in Copenhagen.

Although one of the main demands of the New York and German protestors as well as of the women at the conference was for the vote, they did not support the middle class suffragettes of England. In fact, there were some disparaging speeches about feminists and their demand for equal rights with their "husbands, fathers and brothers" within established society.

This attitude was summed up by the Russian trade union organiser and revolutionary, Alexandra Kollontai. She and Zetkin moved the adoption of IWD, in the process spelling out what the day should mean.

It was a day, Kollontai noted, when women workers should dedicate themselves to a common cause as

workers while outlining and putting forward those specific needs and demands that affected them as “women, housewives and mothers”.

She constantly reiterated that the aim of the women workers was “to abolish all privileges deriving from birth or wealth”. For women workers, she maintained, “it is a matter of indifference who is the ‘master’, a man or a woman”.

Zetkin also made the point: “The liberation struggle of the working class woman cannot be.....a struggle against the men of her own class. The end goal of her struggle is not free competition against men, but bringing about the political rule of the working class.”

This position was adopted unanimously by the Copenhagen conference and IWD was born. But it was soon snuffed out with the eruption of World War I only to emerge in dramatic form in Russia in 1917.

Driven to desperation by their appalling working conditions, by hunger and the war, thousands of women textile workers in St Peterburg chose IWD to take to the streets to give vent to their frustration. And so began the Russian revolution, triggered by the actions of thousands of angry women commemorating IWD.

It is a history that has largely been forgotten.

“But the time is now long overdue that we reclaim the day as it should be and as part of our heritage,” says Malete.

April 13

A largely hidden, but serious crime

WHEN the trade union federations met with safety and security minister Charles Nqakula this week, they reached agreement on how the unions and communities should co-operate to combat crime.

However, one of the most widespread and dangerous crimes in South Africa was not mentioned at this meeting since it falls under the jurisdiction of the labour department.

It is the crime of providing unsafe, dangerous and often lethal conditions in which many workers have to labour. Although accurate statistics are impossible to come by, it seems a fact that more people are injured, maimed and killed in occupational accidents than become victims of car hijacking or bank and cash-in-transit heists.

Says Labour Research Services researcher Trenton Elsley: “Hard data is very difficult to find, but there is a lot of anecdotal evidence that indicates that thousands of workers fall victim to occupational accidents each year.”

This is certainly borne out by the thousands of claims to the Workmen’s Compensation Commission. And these are generally seen as only a fraction of the cases of occupational pain, suffering and death.

Then there are the occupational diseases, often related to dust and fibres such as asbestos, some of which take many years to manifest themselves and against which precautions can — and often are not — taken.

Says a teacher who worked in Britain as an exile in the 1980s: “We spotted asbestos in the roof the school and the union health and safety rep had the children and staff out of there immediately. We only went back when it was removed.”

She adds: “I often wonder how safe, in health and general environmental terms, are many of our schools.”

However, apart from the mining industry, where union health and safety officers are a feature of the workplace, there is no other legal provision for similar officers in other sectors. The unions argue that the existence of National Union of Mineworkers health and safety officers in potentially the most

dangerous job on earth has clearly proved its worth: it is probable that many more workers are now injured or even killed each year in the construction industry than in mining.

With the much vaunted building boom for the 2010 soccer World Cup now having begun on the back of an already surging construction sector, the prospect of still more injuries and deaths looms.

Part of the problem is the use of an army of unskilled and inexperienced workers in a sector where casualisation is commonplace. This applies mainly to smaller contractors who are often desperate to cut costs in an intensely competitive market.

But it is not only the construction industry where poor, dangerous and sometimes lethal conditions apply. In a recent random survey by the labour department in the Eastern Cape, 80 workplaces were visited and 53 of them were found not to comply with basic health and safety regulations.

Two weeks ago, a ministerial inspection of several Cape Town construction sites resulted in two of them being shut down as dangerous and notices being issued to several others to instal essential safety measures within 14 days.

But such “raids” usually by an understaffed labour department inspectorate, while they sometimes result in media coverage, barely scratch the surface of the problem. “It’s really just a PR exercise; mostly form and little substance,” admits a labour department official.

Says Cosatu health and safety policy co-ordinator, Jacqueline Mpolokeng-Bodibe: “Construction in particular is a very difficult sector to monitor because of the degree of casualisation and the labour inspectorate cannot cope on its own.”

It is for this reason that the unions are preparing to argue that legislation be passed to allow for union health and safety officers in every workplace. The matter will come before the tripartite National Economic Development and Labour Council (Nedlac) later this year as part of a review of the Occupational Health and Safety Act of 1993.

At the Nedlac discussions the unions will be able to point to research published in Britain last month that showed that, at a conservative estimate, the work of trade union safety representatives reduced the number of working days lost by as much as 616 000.

Stirling University senior researcher, Rory O’Neill who conducted the survey, describes union health and safety (HS) officers as “life-saving, disease preventing volunteers” whose work not only minimises dangers to workers, but also saves health care and employer costs.

However, the major problem listed by British HS officers was reluctance by many employers to allow them to do their jobs in what the unions see as a win-win situation.

Federation of unions general secretary Dennis George agrees that the same attitude is prevalent in South Africa with many employers resenting what they see as interference by the unions.

Says George: “But it is to the benefit of all parties that we have efficient, comprehensive and enforceable health and safety regulations in place.”

Notes Mpolokeng-Bodibe: “Failure to recognise this should be a serious crime.

** And still the unions and the country are waiting....*

Sister Mpumi's well of bitterness

MPUMELELO Mantangana is a nurse who loves her job. But she is exhausted, angry and bitter. It is an anger and bitterness she thinks is unlikely to subside, despite the announced end of the public sector strike.

Her case provides a good example of why the strike was so widely supported and why it is likely to leave a legacy of bitterness. .

After 17 years of experience, with a four year qualification (including midwifery) and additional qualifications in psychiatric nursing and community health, this mother of three is the unit manager of the HIV/AIDS clinic at the Site B day hospital in Cape Town's Khayelitsha township. Her salary is R122 841 a year.

"Sister Mpumi" as she is known to staff and patients alike, was not on strike. With the agreement of her colleagues and the unions, she helped to maintain a skeleton service at the hospital for the first ten days of the strike.

As designated essential service workers, whether cleaners, clerical staff, doctors or nurses, these workers in the health sector are forbidden to strike. However, they felt that striking was the only means open to them to address at least some of their grievances.

In the absence of a formal minimum service level agreement, the staff at the hospital instituted their own. Working together with community volunteers and members of the Treatment Action Campaign (TAC) a basic level of service was maintained for AIDS patients requiring anti-retroviral (ARV) treatment and for trauma cases.

Some staff were on an effective half strike, picketing during the mornings and helping out with the workload in the afternoons. City council nurses at the hospital who are organised by the two municipal unions, also tended to support the strike, but did not stop work.

This arrangement meant much more work for a core skeleton staff, but they maintain that they were able to cope. Then, on June 11, 31 staff, including several nurses who, like Sister Mpumi, were part of the core skeleton staff, received dismissal notices.

"The 31 staff got the notices and had to leave. Those of us who remained just could not cope. It was tragic. The whole system just ground to a halt," she says.

The HIV/AIDS clinic at the hospital deals with 2 000 patients a month at a rate of around 180 a day and has been averaging 80 new patients a month requiring ARVs.

It was this situation that led to an urgent court application by the TAC to have health services in the township reinstated immediately. Judge Siraj Desai agreed and on Tuesday ordered provincial authorities to act by 11am yesterday.

At the Site B hospital on Wednesday morning, confusion reigned. Before 8am, hospital manager Leslie August met with a delegation including returning dismissed staff, to inform them that he was not empowered to reinstate dismissed workers. Services would be reinstituted by the end of the day, using "agency staff".

That did not happen. In the meantime, ten sacked workers at the nearby Michael Mapongwana clinic, declaring that the strike was suspended pending further negotiations, simply returned to work.

Yesterday, with the strike formally suspended, confusion continued at the day hospital.

Says Sister Mpumi: "It is chaos and this thing is now beyond just pay increments." Issues of managerial style, union communication and leadership and the right, as a last resort, to strike have all come to the fore.

But a critical issue for nurses in Khayelitsha, among several unresolved areas of simmering discontent,

concerns salary differentials. Most health service staff in the township, including nurses, are employed by the province. A smaller number of nurses is employed by the City.

Sister Mpumi, as a provincial employee, is paid R10 000 a year less than entry level nurses employed by the city who work under her supervision. The starting salary for a nurse employed by the province is R79 407 a year; that for a city employee R118 507.

Several staff working in the Site B AIDS clinic also suffered hefty pay cuts when the clinic was taken over by the province from Doctors Without Borders (MSF) in 2005. When MSF started the clinic, the organisation used as its salary guide the rates paid by the city for various categories of health worker. With the handover, all staff had to reapply for their jobs at the scales offered by the province.

Says one disgruntled worker: “I was paid R6 500 a month before. Now I get R4 200 for doing exactly the same job in the same office.”

There are also issues of overtime and shift work as well as often gross under staffing. On the housing allowance front, they flow over into the education sector where the teacher unions have apparently unanimously refused to sign the government’s final offer.

Says Sister Mpumi: “When you consider all of this, you understand why people decide to leave to work overseas.”

July 7

The life and death fight of the working class

WITHOLDING labour is the only weapon workers have in their battle to improve their wages and conditions. And a long and often bloody history lies behind the rights enshrined in the International Labour Organisation conventions and in such legislation as our Labour Relations and Basic Conditions of Employment Acts.

Removal of that right effectively disarms workers and often leaves them desperate and frustrated — and at the mercy of employers. Especially at a time of an assault on jobs and working class standards of living.

Over many decades, around the world, workers have fought, starved and died to ensure an international order that at least pays lip service to basic human rights. Strikes have played a critical role in gaining for all working people everything from the vote to safety legislation.

Which is why there exists such hostility within the trade union movement to those who undermine the struggles of others while still claiming the benefits of such struggles.

These are the strike breakers, the “scabs” and “blacklegs”. These terms come to us from medieval England and originally referred to those covered with scabs as a result of acute venereal disease — in other words to be avoided at all costs — and to the black-legged crows and rooks that pillaged the corn fields for which farmers had toiled.

There are still many life and death struggles for basic rights in many parts of the world; 100 and more years ago, there were many more. And these gave rise to traditional songs which reflect the degree of bitterness and anger about those seen to betray a just cause.

Take this stanza from a traditional song from the early coalfields of the United States:

He grabs his clothes and down he goes

To hew the coal that lies below

There’s not a woman in this whole town row

Who’ll look at the blackleg miner

The song illustrates the depth of feeling that exists among those confronted with perceived treachery at a time they are suffering for the general good. And strikes are usually a last ditch attempt to win concessions to the benefit of a majority in a workplace or community.

To understand this is not to condone or justify violence if and when it occurs. But, in order to react appropriately, it is necessary to place strikes in their economic, social and historic context.

Without understanding, there is much emotive thrashing about. Or there is the deliberate distortion or obfuscation of the issues by parties with vested interests.

The trade unions maintain that there was much of this during the 28 days of the recent public sector strike. Especially regarding claimed balances to be struck between the right to work and the right to strike as well as the right to life.

No union ever claimed that there was any balance between the right to life and the right to strike. Which is why unionised nurses, doctors and others in the health care sector — all of them classified “essential” and forbidden to strike — agree that any withholding of labour by them, however justified, is curtailed by the need to deal with life threatening situations.

But the present staffing situation in many hospitals, the unions maintain, is in itself life threatening. They add that the only way to remedy this is to provide pay and conditions that will attract and retain health workers; the strike was a last ditch attempt to achieve this.

Says Democratic Nurses Organisation of SA (Denosa) national organiser, Itumeleng Molatlhegi: “It’s a Catch-22 situation: we were already operating with skeleton staffs and yet our only remedy was to strike.”

The strike, the unions agree, has marginally improved the situation. The struggle now continues to have thousands of vacant posts filled and to negotiate a minimum service level agreement.

Such an agreement would provide adequate cover for life threatening situations while arming workers with the leverage of strike action.

The implementation of such an agreement during strikes would require efficient union organisation, something that has been lacking in some areas during recent disputes.

However, despite numerous claims of violence on the public service picket lines, union organisers point out that incidents of unruly behaviour were few and far between at a time when anywhere between 600 000 and 800 000 workers were on strike. In fact, we have come a long way from the behaviour illustrated in another stanza of that traditional US coalfields song:

*And on his way to his filthy mine
Across his path they stretch a line
To cut the throat and break the spine
Of the dirty blackleg miner*

Perhaps the way to ensure that we never slip back to such days of relative barbarism in industrial disputes is for all parties to analyse, understand and act in accordance with the best interests of the majority.

** By 2012, several of the agreements struck in 2007 had still not been implemented.*

The park protectors who have to live like animals

SOUTH Africa's National Parks — SAN Parks — are among the country's prime tourist attractions and among the biggest money spinners. Principal among them is the Kruger National Park, although all, from Table Mountain and Cape Point to the arid expanse of the Kgalagadi attract large numbers of visitors.

Few notice the small army of workers who protect, maintain and service these parks and their facilities. Fewer still probably question where these workers live or under what conditions.

This is a largely invisible army which, in the case of the Kruger for example, last year provided services and facilities for 1.245 million visitors, 944 640 of them South Africans. Some of these visitors picnicked, some camped, others relaxed in luxury lodges, a few indulged in that New Age fad of vision quests; all relied on cleaners, cooks, waiters, rangers and guides.

But the conditions under which most of the lowly paid guides and rangers live in our much touted national parks is correctly described by many of them as "a scandal". For years now, anger has been growing and increasing numbers have looked to union organisation for help.

To the chagrin of trade unionists, however, many of the functions in the parks, from gate security to restaurants and staff stores have been outsourced over the past five years and more. But a core group of workers, particularly rangers and guides, remain SAN Park employees. Some complain, not only about management, but about what they see as union indifference.

The only union recognised by SAN Parks is the Cosatu-aligned SA Commercial Catering and Allied Workers' Union (Saccawu) which recently concluded a 6 per cent pay rise deal for park workers. This was considered by many members of the rival Health and Other Services Personnel Trade Union (Hospersa) to be a "sell out".

They accuse Saccawu of enjoying a "too cosy" relationship with SAN Parks management. Last week matters came to a head and more than 700 Kruger Park workers came out on strike. They were joined by about 150 others at Cape Point and in the Kgalagadi.

Says Hospersa assistant general secretary Manfred Rothballer: "This strike has nothing to do with pay. That is a done deal and we have to live with it."

What it is about is a range of other issues, prime among them being housing. This applies in all of the 20 national parks.

"Families [in the Kruger Park] are still living in one-room accommodation, without kitchen facilities or running water," says Rothballer. The only concession to modernity is an electric light and a single electric point.

One striking Kruger Park guide, who gave his name only as "Joseph", also complained about the prices workers have to pay at the staff store which, like other retail outlets, is outsourced to a private company.

The example given was R6.50 for a standard loaf of white bread. This is at least R2 more than the average price in urban supermarkets.

Pay scales for the workers involved in the strike start at R2 150 a month at entry level and rise to R3 000. Workers are also given a monthly "ration" of a bag of mielie meal and some spices.

One guide, with 19 years experience, pointed out that he now earns R2 425 a month out of which R200 goes to "medical", while there is no clinic for several hundred kilometres from the camp where he was based. Because there was little opportunity to travel outside the park, he and his family were also trapped into paying "tourist prices" for their basic necessities.

It was for these reasons that he joined the 720 strikers who marched on the SAN Parks office at the Paul Kruger Gate on Wednesday to deliver a memorandum of grievances and demands. The union announced at the same time that the strike would be suspended for 14 days to allow management time to respond.

Says Rothballer: “Depending on their response, we either continue working or the strike starts again.

However, park authorities maintain that they have been unaffected by the strike because they have, in terms of the Labour Relations Act, employed “replacement labour”.

Says Rothballer: “Management has been able to replace administrative staff and some others, but they cannot simply replace rangers, so it is likely that the police reports about increased poaching activity are correct.

Although it may be officially denied, poaching probably did increase over the week that the rangers were on strike, but it would be impossible to assess by exactly how much. But the argument the workers make is that they protect this precious natural environment on which a lucrative tourist trade flourishes and yet have to “live like animals”.

In the Kgalagadi, where employee accommodation comprises asbestos huts, it is perhaps understandable that workers complain that, in terms of their living conditions, they have been “left behind in apartheid”.

** In 2012 workers reported “an overall improvement”, but “with much more still to be done”.*

August 31

The hazards of pesticide poisoning facing farm workers

THE “DOP” system of providing part of the wages for workers on wine farms in the form of cheap wine existed in South Africa ever since the abolition of slavery. And despite being outlawed, it still persists in some areas.

But it is now illegal. And there is widespread acknowledgement of the horrific consequences in terms of chronic alcoholism and of foetal alcohol syndrome among children.

Yet it took generations before this was recognised. And by the time it was, it had become a major tragedy, especially in the wineland areas of the Western Cape.

One of the reasons that the situation remained so little noticed and was allowed to grow to almost epidemic proportions was that it affected only workers on the farms. The consequences of the dop system could be seen, and often be rationalised in racist terms, but did not directly affect those outside the farms.

Now a potentially much more widespread tragedy could be in the making not only on the farms, but also in the surrounding towns of rural South Africa. For decades, citrus orchards, vineyards, wheat fields and other crops have been sprayed with a variety of toxic chemicals.

Mainly, in the case of grapes and citrus for what farmers admit is “cosmetic reasons”; to produce good looking fruit for the export market.

Fifty and more years ago it was only farmers and their workers who were exposed to relatively small amounts of pesticides that were sprayed by hand pump, usually from a back pack.

But improved — and even more toxic — chemicals were developed, along with newer, faster and more efficient ways of spreading them across thousands of hectares. Crop dusting aircraft became a feature of the rural environment, along with tractor borne sprayers, sending jets of spray many metres into the air.

Organisations such as the Food and Agricultural Workers’ Union (Fawu) complained from time to time and ensured in a few cases that farm workers dealing with these chemicals were given protective clothing.

“But mostly the farmers don’t listen and we don’t have the resources to monitor the farms,” says Fawu media officer Dominique Swartz. She admits that it is not uncommon to see a farm worker, driving a tractor and all but obscured by toxic spray, wearing nothing more than “shorts, T-shirt and a cap”.

There are requirements that workers using chemicals of this kind be provided with protective clothing, but the legislation regarding the use of pesticides dates back to 1947. “The technology has long outstripped the legal requirements,” says University of Cape Town public health professor, Leslie London.

But not only has the manner of delivery changed, so too has the rural landscape, especially in the past decade. More and more often affluent and well-educated city dwellers have retreated to the relative tranquility of life in rural towns or to cluster homes situated in the midst of vineyards or citrus groves.

At the same time, the suburban outskirts of smaller towns have encroached steadily on the fringes of farmlands. In almost all cases, these migrants are being subjected to slow and possibly cumulative poisoning every time the “spraying season” dawns.

Especially in areas such as the Western Cape where strong winds are common, aerial spraying can result in “pesticide drift” over many kilometres.

Yet the organophosphate pesticides now being used are derived from nerve poisons developed originally as nerve gases for use in chemical warfare.

But, as London points out, exposure to such toxins may not have a acute or immediate effects; the effects can accumulate over many years. “Over time you become ill and you don’t necessarily link that to pesticides,” he says.

But now townsfolk such as medical doctor Johan Minnaar in Groblersdal and Riebeeck Kasteel residents Jurgen Schirmacher and David Bellamy have taken up the fight against pesticide poisoning.

Since they began protesting publicly, they have stirred other groups in areas such as Stellenbosch and Somerset West and as far afield as Mpumalanga. The labour movement this week also pledged support, especially since the campaign highlights the plight of the poorly organised farm workers who are the “most at risk” group.

Says Cosatu spokesperson Patrick Craven: “We are shocked at what is going on and will demand and support the strongest possible action.”

Unions this week also had cause to thank another individual initiative. This time for highlighting the justness of the recent public sector strike.

Professor Philip Hirschsohn of the University of the Western Cape was shocked by what he saw as the “grossly inaccurate claims” advertised by the government about its pay offer.

When the unions failed to take up the issue, he took the matter to the Advertising Standards Authority. Last Friday the ASA ruled that the government had misled the public — and the unions — in claiming greater benefits than it was, in fact, offering. In short, the government lied, which was what the unions had claimed.

** The same problems persist.*

December 14

Why struggles will continue post Polokwane

IT HAS been a year of mixed fortunes for workers and their unions. On the one hand, with the 28-day public sector strike, there was a greater display of union unity than ever before. On the other, even the marginally increased pay rises won failed to keep pace with the rise in the cost of living.

The Federation of Unions (Fedusa) and the National Council of Trade Unions (Nactu) also came together this year in a new confederation. But while the country's major federation, Cosatu, registered an increase in membership to 1.9 million, it was riven by political bickering.

This may resolve itself in the wake of the ANC congress in Polokwane next week. On all sides of the often bitter divisions that have surfaced around the political leadership contest, there is a growing realisation that Cosatu cannot afford to emerge weaker into the new year.

There have also been feelers put out about more formal unity among the three major federations. Veteran trade unionist Gwede Mantashe, the former general secretary of the National Union of Mineworkers has, in fact, called for a major public panel discussion in the new year about the state of the union movement and the way forward for labour.

The need for this has been heightened by the latest statistics regarding the economy. These underline the very problems Cosatu, Nactu and Fedusa (then Fedsal) warned about when they proposed an alternative macro economic approach in April 1996.

Despite claims by government and business that the economy is sound and even booming, it is in a fragile state. As the latest reserve bank quarterly bulletin reveals, the country's current account deficit has ballooned to more than R160 billion or 8.1 per cent of gdp.

This massive shortfall is being covered mainly by the foreign purchase of shares and bonds on the Johannesburg Securities Exchange. According to JSE estimates, between 25 per cent and 30 per cent of the JSE is now foreign owned.

This money chasing the high interest rates and profits that are, in turn, creating greater hardships for indebted households and driving up the cost of living.

This is money that can disappear at the touch of a computer key. But while it remains invested, it adds to the current account deficit, with up to 30 per cent of dividends and profits flowing abroad.

Looked at from a labour viewpoint, this situation makes the official claim of South Africa having enjoyed the longest period of sustained growth since World War II seem like a sick joke.

The reserve bank's claim of a near 3 per cent growth in the number of jobs also indicates that unemployment is still failing to keep pace with the number of entrants to the job market. And the unions point out that most of the claimed jobs growth is not in "decent, permanent employment".

Says Nactu general secretary Menene Samela: "Casualisation continues to be a major problem that we have to fight and next year will be no different."

Fedusa general secretary Dennis George agrees and points out that "increasing profits and poor economic management" will probably cause a further surge in the cost of living. "We will be fighting for double digit wage rises next year," he predicts.

Cosatu general secretary Zwelinzima Vavi has also made clear that whoever wins the leadership tussle in Polokwane, the unions will still have a fight on their hands. Although Cosatu has backed ANC deputy president Jacob Zuma the federation and its affiliates seem aware that his victory will not mean any change of economic direction "without a struggle".

And so, in the hope that there will be greater union unity and clarity of purpose, I wish all readers the best for the festive season and the coming year.

2008

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Horrific outbursts of xenophobia, also dubbed “Afrophobia” rock the country. “Foreign” shops are looted, homes burned and “amakwere-kwere” beaten and killed while the Polokwane aftermath continues to ruffle the body politic. Jackie Selebi is suspended as police commissioner and resigns as Interpol president, pending corruption charges.

Jacob Zuma goes to trial for corruption and defeating the ends of justice but the case is dismissed when it is ruled that there was political interference in the NPA process. Thabo Mbeki resigns as president and Kgalema Motlanthe steps in as acting president of South Africa. Several government ministers resign and former defence minister Mosioua Lekota and former Gauteng premier Mbhazima Shilowa announce a two-day “national convention” to discuss the way forward.

More than twice the expected number of people turn up, keen to debate. The conference closes after one day and leads to a smaller meeting that establishes the Congress of the People (COPE). The Cosatu-affiliated metal workers’ union, Numsa, removes the name of former general secretary Moses Mayekiso from its conference centre because of his attendance at the “national convention”. In an unrelated incident, the ANC premiers in the Eastern and Western Cape are fired.

Willie Madisha joins COPE and is axed as president of Cosatu and in a controversial election, Julius Sello Malema becomes president of the ANCYL. In the face of a growing global economic crisis, a 27.5 per cent electricity tariff increase is agreed for Eskom and, amid other rising prices, Cosatu calls a one-day strike that severely disrupts gold mining, transport and large sections of the retail industry. Plants of car makers Volkswagen, Mercedes Benz and Toyota are closed. A bread price coalition is formed and the country mourns the deaths of John Matshikiza, Es’kia Mphahlele and Miriam Makeba.

How Polokwane filled the political vacuum

THE GREEK philosopher Aristotle noted that nature abhors a vacuum. So too does politics. And where a vacuum exists or is created, whatever is available — good, bad or indifferent — will tend to fill it. The bitter leadership struggle that was concluded in Polokwane provides a classic example.

And the ongoing squabbles within the top echelons of the ANC-led alliance seem to reveal that the vacuum which existed was only partially — and perhaps only temporarily — filled; that the months ahead may see increasingly bitter struggles to fill that space created by the absence of any clear Left alternative to the ANC.

And it is a left alternative that is sought: the demand is for a more interventionist state, for the scrapping of an economic policy that prioritises growth over redistribution.

This space — the political vacuum — emerged when many former supporters of the ANC started turning against it. That this was happening was initially evident in voter apathy and then in increasing explosions of popular anger.

Growing discontent with the government has been manifest in the hundreds of “unrest incidents” in townships across the country. These are signs of disillusion and demoralisation turning from apathy to anger about everything from lack of consultation to poor service delivery.

While directed at government, such protests could, by extension, easily apply to the ANC in general and, therefore to its alliance partners. Yet the SA Communist Party (SACP) and Cosatu, which are still widely perceived to be the “Left” on the local political spectrum, still profess total commitment to membership of the ANC-led alliance. It was therefore incumbent on them to project an apparent alternative from within the alliance.

That became the role of Jacob Zuma. He was promoted by Cosatu and, in all but formal resolution, by the SACP. But the Cosatu leadership is, in any event, largely led by SACP members as are its three biggest unions. The National Union of Mineworkers (NUM), the SA Democratic Teachers’ Union and the National Education Health and Allied Workers’ Union, have a combined membership of more than 800 000, and all feature prominent SACP members in leadership roles.

All Cosatu members are also bound by a 1996 congress resolution to regard to SACP as the effective workers’ party in waiting. Any alternative to the left of the ANC therefore exists officially only within the ANC.

Yet the SACP, even if one accepts the obviously inflated claim of 53 000 members, is tiny by comparison with the 637 000 members of the ANC and pales into relative insignificance against the 1.9 million members of Cosatu. But Cosatu, and especially the SACP, have an organisational coherence that is lacking in most other organisations.

With justification, it is their members who have been largely credited with the 50 per cent surge in ANC membership in the run-up to the Polokwane conference. SACP members and Cosatu activists started new branches and resuscitated many that were moribund.

They capitalised on widespread disgruntlement with government policies, identified increasingly with the person of President Thabo Mbeki, by projecting Jacob Zuma as the harbinger of change. The democratic surge against the relatively benevolent autocracy traditional in the ANC, was channelled from policies to personalities.

The head of popular steam that had built up was successfully used to drive the Zuma election campaign, which made a clean sweep of the top six positions on the ANC executive. Significantly, the powerful

post of secretary-general went to veteran trade unionist and SACP chair, Gwede Mantashe.

Deputy to Zuma is former SACP executive member Kgalema Motlanthe who, like Mantashe, was once general secretary of the NUM. Should Zuma, because of his many legal problems, fall by the wayside, Motlanthe is in line to succeed as the next president of South Africa.

The SACP and Cosatu have therefore apparently achieved their long-expressed goal of seizing control of the ANC. This, they maintained, was the prerequisite to dump the liberal economic policies pursued by government since 1996.

Dubbed by them the “1996 class project” these policies, and their *laissez faire* underpinning, have been the clear target. Now that control of the ANC has apparently been achieved the alliance of Cosatu and the SACP will be under pressure to change economic direction. There will be widespread expectations for fairly rapid change and service delivery among many of those who supported what some already refer to as the “Polokwane revolution”.

And there can now no longer be the excuse that the “capitalists” have control of the ANC and are to blame for the rising cost of living and continued impoverishment of millions of South Africans; that the much maligned “trickle-down” economics of prioritising growth over redistribution need remain in place.

So it is not just the style of leadership, but the content of policy that has to change if that dangerous political vacuum is to be filled. This will not merely mean a revision in the spending priorities of the government’s recently announced R27 billion revenue surplus; it will probably mean a return to the macro-economic policies demanded — and still formally supported — by the overwhelming bulk of the labour movement.

These policy outlines were contained in the Social Equity and Job Creation (SEJC) document adopted in April 1996 by the three trade union federations. It was a comprehensive document, much better formulated than the government’s hastily cobbled together Growth Employment and Redistribution (Gear) paper which was accurately described at the time as “a cascade of improbabilities”.

Not that the SEJC is a revolutionary formulation. Far from it. It proposes what might best be described as social democratic formula for the government’s expressed goal of building a “developmental state”.

The implication is that without a high degree of control over the economy, it is ridiculous for any government to pretend that it is constructing a developmental state; that an interventionist state is essential if the aim is to bridge rather than widen the gap between rich and poor.

** Labour movement optimism was clearly misplaced and that became obvious by February (see next column).*

February 1

Knuckling under to the blandishments of the WEF

THAT JACOB Zuma used the opportunity of the annual World Economic Forum (WEF) — described by Zuma as “fabulous” — to underline yet again that there would be no change in the government’s economic policy orientation, has caused considerable consternation in the ranks of his supporters in Cosatu. For the WEF was the forum at which the ANC’s long held interventionist and demand-led policies were first fudged in 1994.

The original macro-economic framework, designed by the ANC’s Macro-economic Research Group (Merg) was dumped by then President Nelson Mandela in the Swiss resort of Davos. But the unions

picked it up and, in 1996, produced their Social Equity document months ahead of the government's suppleside, "trickle down" Growth Employment and Redistribution (Gear) proposals.

There seems to have existed some perhaps naive hope that Zuma, perceived by many as a harbinger of a "turn to the left" in the ANC, would at least hint at a change in Gear when speaking in Davos. But his praise for finance minister Trevor Manuel and the claimed economic achievements of government policies have seriously undermined such hope.

Zuma also made his "no change" statements in Davos at a time when the International Trade Union Confederation, to which South Africa's union federations are affiliated, issued a scathing attack on such policies. To ITUC president Sharon Burrow they, and the consequences flowing from them were "the gorilla in the living room of globalisation".

She noted: "A massive rip-off of wealth is taking place, with a tiny cohort of the world's richest people creaming off vast amounts of money while incomes for the great bulk of the worlds' population are stagnating or falling."

That "tiny cohort", of course, are the members of the WEF. According to its own literature, members of the forum comprise 1 000 of the world's top companies "across all sectors".

Set up in 1971 by Swiss billionaire Klaus Schwab, it is a club of the super rich which stages an annual circus at which governments, politicians and other leaders may be bribed, bullied and flattered into pursuing policies that favour big business.

To quote the economist John Maynard Keynes this is a venue that seems to promote the "extraordinary belief that the nastiest of men for the nastiest of motives will somehow work for the benefit of us all".

But that is hardly how it appears. Under the slogan of "improving the state of the world", media personalities, film and pop stars get to decorate the event, ostensibly to deal with crises which unions maintain are caused largely by the very sponsors of the event.

U2's Bono, now a regular feature at such bunfights, was there again, as was the Oscar-winning actress Emma Thompson. They were provided a glittering platform on which to parade the hearts of their sleeves.

However, it does say something about the state of the world that a club of the super-rich has come to be regarded as the prime venue for discussing and deciding the shape of global, regional and industrial agendas.

At this latest WEF the ITUC issued an official statement bemoaning the fact that the losers in the global marketplace are "the workers...and not the bailed-out bankers and financiers who triggered the crisis",

What the statement could have said, but did not, was that the very bankers, financiers and companies they blamed for creating the current economic crisis, were their hosts, the members of the WEF. But then, perhaps, they did not wish to seem churlish by biting the hands that fed them so lavishly at Davos.

This seems to be the only — and faint — hope concerned Zuma supporters can cling to.

May 9

A political tsunami and its aftermath

A TSUNAMI is a dangerous and almost entirely destructive event, a wave that sweeps all before it, damaging and destroying. Which is why it seemed unfortunate that Cosatu general secretary Zwelinzima Vavi chose, before the last Cosatu congress, to refer to the growing groundswell of support for the country's then sacked deputy president, Jacob Zuma, as "an unstoppable tsunami".

Tsunami seemed an inappropriate term. Especially since Vavi and others who enthusiastically joined the groundswell, claimed this as something of a cleansing agent, a tide of renewed democracy that would sweep away dead wood.

But, with hindsight, Vavi's choice of words seems quite appropriate. Certainly in the sense that this political groundswell has, like any tsunami, left a trail of damage in its wake including considerable harm to the fabric of worker solidarity.

This wave has also not retreated to allow for reconstruction and rebuilding. Destructive currents continue to swirl, maintained by a high tide of emotion which even Gwede Mantashe, who was swept into the post of ANC secretary general by the same forces, has been unable to tame.

This is hardly surprising, since there exists a multitude of human agendas, including often naked self interest and a desire to settle old scores behind those who encourage the ongoing currents of destruction. It is the same mix of motives that energised the tsunami which hit the political shore in Polokwane in December.

It deposited Jacob Zuma safely on the high ground of ANC leadership and is no direct reflection on him. But it, and the currents it generated, certainly reflect none-too-favourably on many of those who whipped up that wave and who continue to promote the rip tides and whirlpools that threaten still more damage.

This week's fracas at the SABC and the rumpus that passed for the recent congress of the ANC Youth League are all evidence of the aftermath of the political tsunami. So too was the brief but bitter outbreak of infighting within the National Union of Metalworkers and the current rumblings of disquiet among elements of the labour movement.

Much of this disquiet is focussed on the currents that are attempting to undermine sacked Cosatu president Willie Madisha in his role as unsalaried chair of the Job Creation Trust (JCT), which he has held for most of the nearly ten years of the trust's existence. Yet the JCT, under the stewardship of Madisha, is one of the labour movement's greatest social achievements.

Working with the Development Bank, the JCT has created, on average, nearly 4 000 jobs a year, most of them sustainable. This is probably a better record than any other single agency, public or private, in the country.

Community and co-operative job creation was financed by a fund of R89 million created when organised workers donated one day's wages to the JCT in 1998. So far, R53 million has been disbursed. But, courtesy of shrewd investments and protected by properly audited accounts, the JCT, at the end of last month, still boasted a fund of R89 million.

Celebration of these facts was dampened when Vavi demanded that Madisha be dismissed as JCT chair and as a trustee. But the demand was dismissed unanimously by a board meeting which included trustees from all three founding union federations.

It was a small sign that the tide often blind emotion that created the Polokwane tsunami and sustained its aftermath is now in retreat; that reasonable assessment of established facts may be taking the place of blind emotion, often fuelled by misinformation.

One important fact is that a united labour movement created and funded an independent trust that has an enviable record of job creation and financial accountability. The bulk of the labour movement would almost certainly see this as a beacon of hope and not a target to be undermined.

Worker unity and the poison of xenophobia

THE DEATH of Walter Ntombela, worker activist, National Union of Metalworkers (Numsa) shop steward and father of three has focussed trade union attention on the poison of xenophobia. For Walter, a senior shopfloor leader for the past decade, died because he was from Mozambique.

He stayed and worked in Gauteng, an example of the unity in diversity that is the basis of our much lauded constitution. It is also the bedrock of trade unionism, with its slogans calling on workers of all countries to unite and proclaiming that an injury to one is an injury to all.

Following his death, and the decision of his wife and children to flee for their safety across the imaginary line that separates South Africa from Mozambique, Numsa launched a series of factory meetings. This week, around the country, these were used to explain xenophobia and how it can spill over into other often blood soaked divisions.

Divisiveness is part of the history of the labour movement which we ignore at our peril. It is a history peppered with examples of the principle of worker unity being turned into empty rhetoric by contradictory actions and statements. A classic example being the slogan of the 1922 "Rand revolt": Workers of the world unite for a white South Africa.

Yet for more than a decade now we have seen many people in authority attempting deliberately to erase much of our history. They try to obscure the social and cultural poisons bequeathed to us by the past by papering them over with platitudes about nation-building, patriotism and a rainbow nation. These are the people who maintain that 1994 meant that the door on the past should be closed.

A few trade unionists, mostly with the mentality of the white miners of 1922, also promote this nonsense. But other union leaders, often with excellent credentials in the struggle for human rights, also seem, in recent years, to have ignored the lessons of history.

By words and actions that sent out confused and conflicting messages to their members and to the public at large they contributed to a climate in which xenophobia could thrive.

More aware trade unionists now ask how it is possible to speak of international worker solidarity while joining in campaigns with local bosses to compete against workers of other countries. Especially when capital is global and the bosses internationally may be identical: it is in their interests to pit worker against worker in what is correctly termed a race to the bottom.

In such circumstances, any calls to worker patriotism by bosses and by governments seem clearly to be the acts of scoundrels.

It is also difficult to refute the argument that actions by union leaders that result in divisions among organised workers deserve to be classified as either stupid or knavish. One unionist claimed on radio this week that "comrades have been destroying each other because of differences of political opinion and tactics".

This was an obvious reference to the apparently vindictive actions prompted by differences of opinion about who should be the president of the ANC. Other unionists have also noted the failure of the trade union leadership to immediately condemn the flaunting of "100% Zulu Boy" T-shirts especially when such condemnation could have been used educationally to campaign against xenophobia.

After all, our early trade union movement, for all its faults and failings, was started by immigrants. And it was a migrant worker from Nyasaland (Malawi), Clements Kadalie, who launched in South Africa what was once the biggest trade union on the continent, the Industrial and Commercial Union.

Perhaps it is time now to try again to make real the pledge of worker unity in all its diversity.

Echoes of 1915: a world on the brink of barbarism

THE EVENTS of recent weeks in South Africa, followed by statements from Cosatu about plotting a new way forward, raise again the spectre of the past. And it is an international past. Especially when these events are looked at against the background of conflicts in regions such as Iraq, Afghanistan and Somalia and the politely termed world economic crisis.

I say politely, because it is a potentially avoidable crisis that is causing misery, death and horrendous suffering to millions of people across the globe. This is also an era where that self-proclaimed “great democracy” the United States, practices judicially-sanctioned kidnapping, torture and murder under the euphemism of “rendition”; where acts of state terror are portrayed as examples of lauded patriotism.

Given this situation it is little wonder that there is a growing chorus of voices calling for change. Some change. Any kind of change.

While the world has certainly changed in the years since 1915, all of this has echoes in the writings in that year of a then imprisoned revolutionary socialist, Rosa Luxemburg. She was jailed for opposing World War I at a time, such as now, when lies and propaganda tended to take the place of needed analysis and debate, when a minority controlling international business continued to thrive on destruction and slaughter.

In a famous pamphlet, smuggled out of her cell, she warned that the world faced a stark choice: transformation or barbarism. She saw the necessary transformation as “socialism” a term also appropriated as the goal of Cosatu and the SACP.

Luxemburg clearly understood the absurdity of a world producing a surplus of food alongside millions of people dying of starvation and the diseases of malnutrition. She also saw how business could “flourish on ruins” and how profits can spring “like weeds, from the fields of the dead”.

So she presented the alternatives as she saw them: “.....the destruction of all culture and, as in ancient Rome, depopulation, desolation, degeneration, a vast cemetery; or, the victory of socialism”.

In rather less grandiose and poetic terms, this what Cosatu’s newly appointed president, Sidumo Dlamini stated last week. In fact, such a general statement would almost certainly find favour with the majority of trade unionists.

But since Luxemburg was murdered in 1919 by rightwing troops on the orders of a “socialist” government, it is best to be clear about definitions. “Socialism” is a label which clearly means different things to different people.

Luxemburg, born in Poland and active in Germany, saw socialism as the extension of meaningful political and economic control to the majority of humanity. That she was totally “unpatriotic” she saw as a prerequisite of her “socialism”.

The last paragraph of her 1915 pamphlet reads: “This madness will not stop, and this bloody nightmare of hell will not cease until the workers of Germany, of France, of Russia and of England, will wake up out of their drunken sleep; will clasp each others hands in brotherhood and will drown the bestial chorus.....with the mighty cry of labour, ‘Workers of all countries, unite!’”

If the only test of truth is the ability to predict, Luxemburg’s 1915 warning was an accurate — truthful — assessment of conditions at the time and where they might lead. But the global barbarism that now threatens seems much worse than what followed Luxemburg’s prediction and culminated in the holocaust and World War II.

In these conditions the trade union movement is again to the forefront in stating that meaningful transformation is an urgent requirement. “Socialism” is the word used. But what, exactly, does this mean?

Why the state, not the poor should fund Eskom fixes

USING statistical sleight of hand and a smokescreen of misleading rhetoric, Eskom and the government have created the impression that they are not responsible for the energy crisis; that a combination of wasteful consumers and forces beyond their control created the mess we are in. And that mess, in turn, justifies the massive increase in tariffs that has now been agreed by the National Energy Regulator.

“Which is all nonsense. The responsibility for the entire mess rests with Eskom and the government,” says National Council of Unions (Nactu) president Joseph Maqhekeni. “We are not going to pay when the fault rests with the state.

His views are echoed throughout the labour movement where consensus exists that bungling, short-sightedness and lack of planning on the part of the electricity utility and the government are at the root of the energy crisis.

This has brought to the forefront again the question of nationalisation, following the Eskom complaint that the high coal price is one of the reasons for added costs and higher tariffs. The idea that Eskom should pay import parity prices for locally mined coal is seen as nonsensical.

It is put on the same basis as the fallacious argument about the country having “the cheapest electricity in the world”. As Cosatu spokesperson Patrick Craven points out, this frequently repeated official mantra is a myth. It was created by converting the cost of local electricity into US dollars and then comparing it with countries such as Denmark and the United States.

When like is compared with like — when costs, household incomes and prices are assessed in rand terms — South Africa certainly does not provide the cheapest electricity in the world.

“Besides, the electricity tariffs were set in a way that made the ordinary consumer pay more while the big companies paid less,” says Craven.

This is now leading to demands that Eskom declare how much the energy guzzling aluminium smelters at Hillside and Bayside in KwaZulu-Natal and the Mozal smelter in Mozambique pay for their electricity and how much these plants really contribute to the domestic economy.

The unions fear that the government and Eskom are again acting in an ad hoc manner; that they are preparing to take another disastrous step in the wrong economic direction. An urgent rethink is being called for.

Says Nactu general secretary Manene Samela: “There is still the opportunity to call a meeting of all stakeholders to address this issue and to shift this burden to the state.”

As the unions see it, the financial burden resulting from the crisis belongs with the state, which is both largely responsible for the problems and which has the wherewithal to fund the necessary infrastructure. “Because[the government] is cash flush, we are calling for a grant to Eskom, not a low-interest loan,” says Craven.

Maqhekeni agrees. “Trevor [Manuel] has a surplus. Why does he save it at the expense of poor people?” he asks.

Federation of Unions (Fedusa) general secretary Dennis George also questions why Eskom’s infrastructure cannot be financed by a government that could find R15 billion to finance the unproven technology of the pebblebed modular reactor.

These are matters the unions want urgently to discuss in order to find what some have referred to as “a sensible and holistic approach” to the power crisis. This would involve the drawing up of a comprehensive industrial strategy which many of the unions feel will involve elements of nationalisation.

Says George: “It’s nonsense that the market will sort things out. A massive increase in electricity tariffs will affect just about everything else.”

And so the unions prepare to protest, not so much against the proposed increases in the cost of electricity, but for a set of policies that would make such increases unnecessary.

** The burden stayed with consumers and protests were quite muted.*

September 12

Executives risk capital, miners risk their lives

FIVE YEARS ago, Velelo Mshiywa left rural Lusikisiki in the Eastern Cape to take up a job as a miner at DRD Gold’s Blyvoor mine in Carltonville. He moved, as generations of miners before him had done, into a utilitarian single sex hostel which was to be his home for most of every year.

Labouring in stygian conditions, deep underground, he was one of that army of workers who extract the mineral wealth that remains part of the backbone of the South African economy. As such, he was just another, anonymous, isiXhosa-speaking statistic among the ranks of the permanently employed, earning R3 000 a month for his dangerous and often back-breaking work.

This week he added to another statistical table: he became the 118th miner killed in a mining accident this year. His family had barely been notified, allowing his name and the scant details of his 36-year life to be released, before another two deaths brought the ghastly tally of mining deaths to 120.

According to the National Union of Mineworkers (NUM), Velelo Mshiywa’s family will receive a death benefit payment — “perhaps R10 000 or R15 000” — which may just cover funeral expenses. In addition there will be whatever he had accumulated in his provident fund, if he had not already drawn against it.

With the sharp rise in the cost of living putting increased pressure on mineworkers to provide for often large extended families, a number have been found to have “raided” these funds. But at least such funds, relatively meagre as they may be, are available to employees of the mining houses.

However, a growing number of workers on the various mines are employed by contractors to whom work has been outsourced. They often have few, if any, of the benefits such as medical aid, sick pay and provident funds.

And many of the deaths recorded in recent years have been among these workers, who have been shown, in a number of instances, not to have received adequate training. Last year 221 workers on mines were killed and again many, perhaps most, were working for contractors to whom work had been outsourced.

“As we see it, this is one way of the mining companies avoiding their responsibilities,” says NUM media officer Lesiba Seshoka. “In days gone by there was no outsourcing, but otherwise so little has really changed.”

With the ongoing commodities boom, profits have generally soared and so too has the remuneration for most chief executives (CEOs). Even in a case such as Lonmin, where CEO Brad Mills received a 2 per cent pay cut (including bonuses), he remained the top paid mining boss with a package of R19.32 million or R1.6 million a month.

As NUM general secretary, Frans Baleni notes, it would take the average miner, risking his life on a daily basis underground, nearly 45 years to earn what the Lonmin CEO is paid in one month. Such pay also does not take into account share options which are given to such executives.

Last year, for example, Anglo Platinum chief executive Ralph Haverstein received a pay packet and bonuses worth R9.5 million. But he also exercised share options worth R14.8 million.

“They say these shareholders risk their capital so they must be well paid, but the most valuable capital is human life and it is our members who risk this every (working) day,” notes a long-time NUM member in the North West.

He wished to remain anonymous as he added: “Perhaps we in NUM should spend more effort to correct these problems instead of fighting in politics about making JZ (Jacob Zuma) president.”

November 18

Origins of the modern cancer of deregulation

IT’S BACK to the future so far as global trade unions are concerned. And with very good reason.

The unions, internationally, are now demanding a seat at all tables where discussions will be held and decisions made about the economic future of the planet and, in particular, the way out of the current crisis. They want to ensure that the majority of the world’s population is not again held hostage by the big, rich, powerful and greedy.

That was what happened at the end of World War II. Then the powerful industrialised nations of the North turned their backs on the ideas of John Maynard Keynes, the British economist whose ideas had influenced policies that helped provide alleviation from the economic collapse of the 1930s.

As the war raged, Keynes foresaw that the big, rich and powerful might again become dominant to the detriment of the majority, especially in the developing world. His fears were realised.

Instead of a global banking system geared to provide incentives for equitable trade and the redistribution of wealth that he proposed, the world was presented — courtesy of the big and powerful — with the International Monetary Fund and the World Bank.

These institutions, the IMF in particular, ensured that the poor became subject to renewed manipulations by the rich. And so was laid the foundation for the economic cancer of deregulation and privatisation, of the god of ever increasing profits, and of growth without end.

The fundamental flaw in this system and the extent of the horrors it was capable of causing, were largely masked during the years of booming global growth. This situation seduced many unions into a belief that their sole role was to ensure a bigger slice of an ever increasing pie for members.

Such illusions have now been shattered, with the International Labour Organisation this month predicting a surge in global unemployment from 190 million to 210 million by next year. According to these estimates, the numbers of the working poor — those people living on less than R14 a day — will also increase by 51 million, with 40 million of these people surviving on less than R7 a day.

Once again, most of the suffering will occur in the developing world, but Europe and the United States are not immune. There are daily horror stories in the media throughout Europe about the scale of retrenchments and growing unemployment, although this is still a far cry from South Africa’s official 23 per cent-plus.

Only France and Germany now have official unemployment rates approaching doubled figures. But, as most pundits note, these are early days in what is probably the greatest financial crisis in history.

Which is why the international trade union movement has demanded that “government leaders and central bankers must not repeat the calamity of the 1930s”; that they “must put in place a co-ordinated recovery plan targeted at stimulating the real economy nationally and globally”.

The proposals put forward by the labour movement invoke the unemployment benefit schemes and public works programmes associated with Keynes, insisting that demand should dictate supply in an equitably regulated environment.

This is the thrust of the Washington Declaration of the Global Unions, issued to coincide with last weekend's G-20 meeting. It warns: "History has shown that crises on this scale lead to social and political instability with unpredictable and often tragic results."

And it is to history that many others are also looking for answers: booksellers in Germany report that sales of the 19th Century writings of Karl Marx and Frederick Engels have recorded a 300 per cent increase in recent months.

December 19

The global storm calls for an economic lifeboat

AFTER FIVE weeks abroad, I have returned even more concerned about our future economic wellbeing. There seems little realisation among most of our politicians and political parties that the world is, in the clichéd words of a Global Trade Union (GTU) declaration, "teetering on the edge of a precipice".

Political parties, gearing up for the coming elections and no doubt spurred on by the emergence of what looks increasingly like an ANC Mark 2 in the form of the Congress of the People (Cope) have trundled out vague policy outlines; none seems to have analysed in any depth the current crisis. In this, they are much the same as most other politicians and parties around the world.

It is, of course, in the interests, particularly of governing parties, not to acknowledge the mess the global economy is in for fear that they will be held accountable. So, while an underlying element of panic exists, there is an overt pretense that this is a mere glitch in the smooth functioning of the world market.

The British state, already heavily in debt, has bailed out failing banks with taxpayers' money while encouraging the banks to make more loans to equally debt burdened householders who are being encouraged to spend more. All in the interests, it is claimed, of spending the country out of recession.

Much of the rest of Europe, however, has taken the route of further belt-tightening austerity. Either way, it seems that working people will suffer, the only question being when and to what extent.

The same applies in the United States where bank bail-outs began and car makers have now been handed multi-billion dollar "lifelines". Were the consequences not so tragic, these could all be seen as elements in a lunatic farce.

The simple, largely ignored, fact is that over capacity and over production lie at the heart of the crisis; car makers are only one example. This over-production was absorbed for a considerable time by the extension of credit.

Bank loans allowed for two and three-car families, for holiday homes, boats and a plethora of gadgets and electronic knick-knacks. But then the loan and debt bubble burst.

The consequences are dire. And we are not immune. But South Africa, as a national entity, is perhaps in a relatively fortunate position. Given the capacity to feed ourselves and possessing reserves of minerals that should be in demand even in the depths of a depression, it may be possible to construct an economic lifeboat to protect the population, at least in the short term, from the worst excesses of the gathering storm.

Earlier this month, members of the National Union of Metalworkers, joined by representatives of local big business, touched on this lifeboat aspect when they picketed together in a "buy local" campaign.

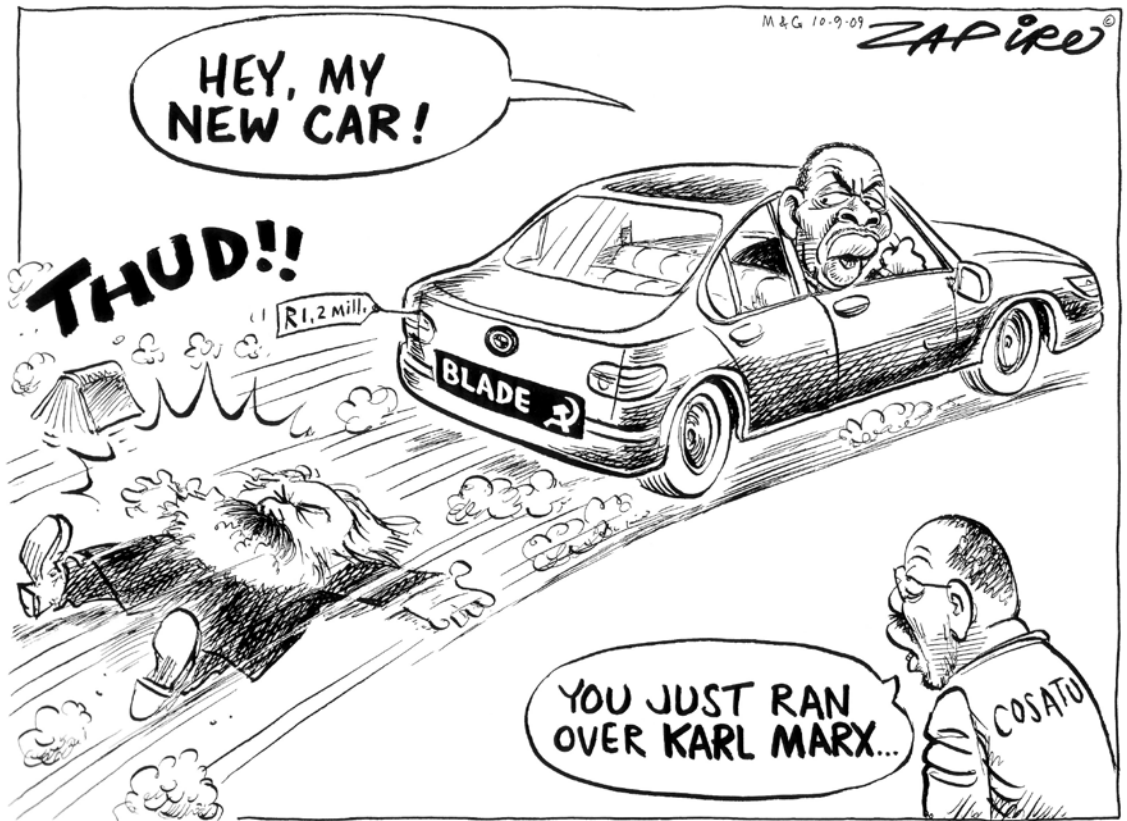
However, they targeted consumers, who — whether government departments, businesses or individuals — will, often out of sheer necessity, seek out the best price.

Without government tariff, taxation and other regulatory measures to ensure that local becomes truly lekker in terms of both price and quality, such campaigns are largely meaningless.

But the introduction of such measures may raise awareness of the need to address the real problems and possible solutions to the present crisis. As the GTU noted last month, a “new system of economic governance must tackle the crisis of distributive justice that has blighted the global economy”.

This means putting the needs of people and the planet before the pursuit of profit. It can be done. And, with that note of optimism, I wish you all the best for 2009.

2009



Most controversially, convicted fraudster Shabir Shaik is released from jail on the grounds that he is terminally ill and the Dalai Lama's visa to visit South Africa is refused. Following complaints about the number of forged South African passports, Britain demands visas from South Africans visiting Britain.

A worker convention is called in Pretoria that attracts hundreds of delegates, but stumbles over arguments about whether a new general union or an instant federation be formed and a promised new teachers' union, promoted by sacked Sadtu general secretary, Willie Madisha, fails to materialise. Transport and public sector disputes splutter to an end while police clash with military unionists near the Union Buildings and the first Mandela Day is organised to coincide with Nelson Mandela's 91st birthday. Gill Marcus, daughter of ANC/SACP stalwarts Natie and Molly Marcus, is appointed governor of the reserve bank to succeed Tito Mboweni.

The perks and pay of parliamentarians becomes a brief and heated topic of debate within the labour movement and is compared to the growing wage and welfare gap between the management and workers in both the public and private sectors.

Educator, trade unionist and diplomat Curtis Nkondo, former communications minister Ivy Matsepe-Casaburri, AIDS denialist health minister Manto Tshabalala-Msimang and long-time Progressive Party MP Helen Suzman die.

Bonus payments — the flip side of theft

THEFT IS defined as “the dishonest taking of the property of another person”. And, on that basis, many managers or directors of companies are thieves.

Because companies — any corporate entities — are legal persons that managers have a fiduciary duty to protect to ensure long term survival while maximising the benefit to shareholders. Managers who extract capital, whether by massive bonuses or remuneration packages running into seven figures are, therefore, robbing the enterprise, even if it is technically legal to do so.

Increasingly, this is the view of trade unionists as job losses continue to mount. And it is a view that has been reinforced by a recent blog on the Work Science Institute website that states: “South African labour law provides a process to regulate work and as a last resort terminating employment for valid and fair reasons.....”

In a South African context, and in accordance with our labour laws, companies should prioritise the retention of jobs. This was recognised in the recently negotiated framework agreement between business, government and labour that was drawn up to deal with the current economic crisis.

But retrenchments continue to be the order of the day, with little attention being given to possible alternatives. The payment of multi-million rand bonuses on top of remuneration packages running into seven figures also remains all too common.

“This is theft, from the workers, the country and the shareholders,” says National Union of Metalworkers spokesperson, Mziwakhe Hlangani. “We have now decided that we will insist that all alternatives must first be examined because, in most cases, there is no need to retrench.”

As part of the framework agreement, government is committed to providing “rescue packages” to ailing industry. “Such packages must retain and create jobs and they must be closely monitored by government to ensure that this happens,” says Hlangani.

National Council of Trade Unions president, Joseph Maqhekeni, who is also a full-time SA Chemical Workers’ Union official at synfuel and chemicals maker, Sasol, agrees. “There is often no real and fair justification for shedding jobs,” he says.

Maqhekeni points out that although Sasol has made massive profits over recent times because of the soaring oil price — the prices of its lower cost synthetic fuels are pegged to this — retrenchments are threatened at the once state-owned corporation. “Artisans at the mechanical level are involved and we are arguing that the company should look to reasonable alternatives such as retraining,” he says.

Such steps would protect jobs and provide skills for the future. This would be a “fair and reasonable” alternative to retrenchments. He also feels that Sasol provides a perfect example of the manner in which South Africa and South Africans have been deprived of wealth.

He notes: “When the oil price was low, taxpayers subsidised Sasol for decades. When the company became profitable, it was privatised. Now with high oil prices it makes massive profits — and 40 per cent of these [in dividends] go to investors in the United States, who wouldn’t even know or care where Secunda [the Sasol plant] is.”

A reduction in dividends and a cutback on managerial bonuses and remuneration were all steps that should be considered before retrenchments.

But while the various unions and federations agree that the number and nature of the current wave of retrenchments is contrary to the spirit of the law and of agreements between labour, business and government, they face an uphill battle.

“The problem is that most employers and the courts still seem to think that hiring and firing is solely a management prerogative,” notes Federation of Unions of SA general secretary Dennis George.

May 11

Not Proudly SA — proudly nouveaux riche

ST VINCENT is the patron saint of the wine trade and, every year on “St Vincent’s day”, there is a tradition of calling for protection from “hail, frost, thirst and taxes”. The producers of the Cape winelands may this year add: “and snobbishness”.

For South Africa’s wine producers — including “empowerment” groups — are fuming in the wake of reports about celebrations of the recent elections and the presidential inauguration. Because professedly “proudly South African” politicians and groups such as the ANC Youth League toasted their successes with imported wines and spirits.

Yet South Africa’s premier wines can hold their own with any in the world — and that includes our *cap classique* sparkling wines or bubbly, still widely referred to as “champagne”. However, that latter designation belongs legally to the branded varieties from the Champagne region of France, the most popular of which sell at premium prices.

There are also other sparkling wines made elsewhere, including Limoux in France and in Germany that may also not legally be known as champagne, but which may be of the same quality and may look and taste similar. The same applies to the premium range of South African bubbly that have been produced since 1984 by the traditional, French named, *methode champenoise*.

But it is the premium priced French brands — in particular Moet et Chandon at R475-plus a bottle — that seem to be favoured by the leadership of the ANC Youth League and their bling-bling and black diamond hangers-on. To the annoyance of producers in the Cape winelands, it was also reported that the bubbly served at Jacob Zuma’s presidential inauguration was not only French champagne, but Dom Perignon. This is, of course, a premium vintage wine from the Moet stable and it costs at least R1 500 to R1 700 a bottle, making it perhaps the highest priced bubbly available.

However, it appears that the Dom Perignon was reserved only for the top table guests, the 4 000 lesser dignitaries have reported that they were served South Africa’s Pierre Jourdan. This bubbly — it retails at R78 a bottle — comes from one of the earlier local makers, Haute Cabriere

But while nobody could honestly claim that “Dom” is not a fine vintage champagne, it is also a masterpiece of marketing — and that, largely, accounts for the price. The supposed rarity of various “Dom” vintages pushes the price well beyond that of perhaps similar quality wines.

But it all comes down to a matter of individual taste and, to the small minority of expert palates this can depend on a number of subtle factors including how long the vintage has been aged “on the yeast” or “on the cork”, or how it has been kept before tasting. For example, when the local “Time Wasters” club of wine connoisseurs and producers in the Western Cape gathered recently for a blind tasting that included the same vintages of Dom Perignon and Moet et Chandon, the less expensive Moet won hands down.

“But that’s not the point,” says cellarmaster Pieter Ferreira. “The fact is that South African *cap classique* wines can compete on an equal level and are clear winners in terms of price.”

Ferreira should know. He is the *cap classique* master at the Graham Beck vineyards, whose premier sparkling wine recently made international headlines when it was ordered for a private pre-inauguration dinner for newly elected US president, Barrack Obama. “But the wines at the actual inauguration dinner were, of course, all American,” notes Ferreira.

However, it seems that the new US first lady, Michelle Obama, developed a taste for South African bubbly when she was introduced to it at one of her favourite restaurants in Chicago. “As a result, she ordered a case for a private dinner after the election,” says Ferreira.

News of the order leaked — rumour has it that this came from the shrewd marketing people at Graham Beck — and made headlines around the world. This apparently annoyed elements in the US political establishment. “But it has done wonders for our sales in the US,” Ferreira admits.

There seems to have been no similar response on the local front with French bubbly swilled at the recent ANC election celebration by the proclaimed “proudly South African” ANCYL and various political big wigs. “But I did get a call shortly before the presidential inauguration, asking for a quote for the supply of 1 000 bottles of our Tradition *cap classique* for the inauguration,” says Jeff Grier whose family-owned Villiera vineyard was among the first to produce South African bubbly.

He thought he had been approached both for the reputation of his wine as well as the name — “a Tradition for a democratic tradition” — and gave “a very good quote”. But he heard nothing more until he read that it was planned to serve Dom Perignon at the inauguration.

“I was more than a bit surprised, especially when there is so much talk about being proudly South African,” he says. He and other wine makers point out that, through excise duties and taxes, their industry is one of the largest agricultural sector contributors to state coffers as well as being a major employer of labour.

“All this ordering of imported wines and spirits just boils down to snob value, and perhaps a desire to show off how rich you are,” says a Franschoek winemaker who wishes to remain anonymous. The French too, have a word for such folk: “*nouveaux riche*.”

June 5

Even Henry Ford knew about the need for decent pay

POLICY sticking plasters of protective tariffs and government subsidies, coupled with lower interest rates seem to be the main platforms adopted by the labour movement in response to what the National Union of Metalworkers (Numsa) calls “a recession whose magnitude and duration we are all yet to learn”.

At the same time, as the unions gear up for the annual wage negotiation season, there seems little likelihood of pay demands dropping below double figures, especially in the public service. Across the board, unions have pointed out that the cost of living, particularly for lower paid workers, has exceeded wage rises for years.

Yet corporate pay levels have risen sometimes exponentially and there has been the blatant flaunting of wealth at media featured social events of the rich and powerful. The contrast between such lifestyles and those often highly qualified and dedicated civil servants is stark — and the cause of rising anger.

In the case of the public service — and at an often critical level in the healthcare sector — conditions of work have deteriorated badly because up to 40 per cent of supposedly “fully funded” posts have been left vacant. For example, one rural hospital that once had a complement of 17 doctors, now manages with just two.

At least the doctors who left did so of their own volition and most found jobs in the private sector or elsewhere in the world. They and their families are now probably better off than before.

Not so for other workers such as the 1 700 hourly paid and permanent staff retrenched from General Motors. There are few — if any — other jobs or opportunities and the retrenchment packages, if not already spent, soon will be.

But GM has, as a result of this slimming down, recorded a marked increase in productivity. What this means is that more vehicles are being produced faster by fewer employees.

And productivity is a management mantra chanted as one of the solutions to the current crisis. All we have to do, it is said, is produce more products faster and cheaper.

But as retrenchments carry on apace, the question is: who will buy them? In this regard, Numsa and the labour movement as a whole might do well to remind the employers of the words of that founding father of the modern automotive industry and the factory assembly line, Henry Ford.

Ford was no friend of the workers, but he certainly understood that the basic need of capital is to sell, at a profit, the products that the sellers of labour create — and buy. In his 1922 autobiography he noted:

“...Our own sales depend in a measure upon the wages we pay. If we can distribute high wages then that money...will serve to make storekeepers and distributors and manufacturers and workers in other lines more prosperous and their prosperity will be reflected in our sales”.

He did not, of course, foresee an absurd situation where the world would wallow in a sea of over capacity and over production, where the rate of poverty and hunger — and the decline in purchasing power — would soar as a result of technological advances. Such advances could mean an end to poverty, instead, they have compounded the misery of millions.

Unfortunately, now that this reality has arrived, the labour movement still seems oblivious of the fact. But then, even President Jacob Zuma’s state of the nation address on Wednesday blithely ignored the cause of the crisis, relying instead on a range of promised panaceas to deal with the symptoms. These were hailed by Cosatu general secretary Zwelinzima Vavi as “brilliant for workers”.

** And so the illusions persisted....*

July 31

Losing legitimacy in a welter of bad reports

SOLID waste workers — the “dustbin men” and street cleaners — were once again to the forefront of the strike by unionised municipal workers. And, once again, there was trashing of streets, some outbreaks of violence and reports referring to the smell of dagga and cheap brandy on marches.

The reports have been largely accurate but partial; they have been without proper context. As a result, they tend to promote knee-jerk antipathy rather the understanding necessary to deal adequately with such occurrences.

Trashing, overturning rubbish bins to spread society’s detritus, its muck and filth, on the streets, seems to most solid waste workers the most dramatic way to show what they have to deal with every day.

Their working lives, performing a vital service, are lived amid such garbage. Unfortunately, it is not the generators of most of this refuse who have to clean it up. Security guards and other low-paid workers are called in to do the job.

The result is that this supposedly educative exercise ends up creating hostility between groups of workers.

Attacks on mostly desperately poor hawkers — seen by some strikers as representing exploitative business — further alienates support. But the anger against “fat cats” is very real. “They make most of the shit we have to clean up,” is a common refrain.

However, such attitudes and actions of a small minority of strikers are not those of confident people; they stem from workers with low self esteem and who feel themselves hovering on the brink of an abyss of desperate poverty.

Their labour has no social status; it is hard and dirty, each working day lived amid vile and sometimes noxious odours. To cope, many numb their senses with dagga or cheap brandy. It is a largely unnoticed sub-culture where addiction is not uncommon.

Into this milieu, over the past five years, has been added the realisation that permanent jobs, paying, as from July 1 last year, R3 350 a month, are threatened. Labour brokers and private contractors are increasingly entering the scene, often paying casual workers R1 500 a month or less.

This is the bleak dog-eat-dog prospect that the unskilled manual workers face. Given all these factors, it is perhaps not surprising that an angry, frightened and bitter minority eschew union discipline and behave in an anti-social way.

But such actions obscure the attempts by organised labour to create conditions that might halt the desperation and the hopelessness that fuels them; attempts to create work with dignity, job security and a living wage. Other positive aspects behind the strike also tend to be lost in the welter of negative publicity.

For example, a prime union demand is that the large number of unfilled vacancies in local government — one of the causes for poor service delivery — be addressed. Overworked and underpaid employees are often blamed for service delivery problems, when greater responsibility rests with highly paid managers, many appointed on the basis of patronage rather than competence.

The unions also acknowledge that most municipalities are too poor to afford pay rises, but note that this is because of government's distorted revenue allocation. It does not distinguish between rural and urban, rich and poor, making all councils liable to self-fund 80 per cent of their income.

This is a sensible, level-headed analysis. And it is coupled with demands for an equitable distribution of revenues as well as of services, wages and conditions.

These are the aims of the strike and the context is one of legitimate anger at insecurity and pay and conditions that most South Africans would find unacceptable.

August 28

That which may rebound on the ANC in 2014

GREED, corruption, broken promises and a massive crisis of expectations could rebound disastrously on the governing alliance by the time of the 2014 elections. Which is why the South African Communist Party (SACP), backed by the SACP-dominated Cosatu leadership, has begun to distance itself from the ANC.

It is also the reason that other political formations, not least elements associated with the Congress of the People, have seen an opportunity to exploit divisions in the governing alliance.

These views, voiced among sections of the labour movement, seem justified. They follow the leaking of a potentially highly damaging trade union audit report and attacks over the past week on political party “fat cats” by the general secretaries of Cosatu and the SACP.

The preliminary audit report of the accounts of the National Education, Health and Allied Workers' Union (Nehawu) investment company (NIC) reveals several worrying discrepancies. It also makes clear that NIC directors pocketed millions in pay and bonuses while financial accountability was perhaps sorely lacking.

The leaking of the report was officially condemned as “malicious” by Nehawu which is one of the “big four” Cosatu unions and is strongly linked, at a leadership level, with the SACP.

But some Nehawu members, in terms of a *Sifunukwazi* (we need to know) campaign, are asking specifically about what happened to R20 million handed over to the Nehawu executive by NIC in apparent contravention of NIC rules. The allegation is that it went to pay debts that should not have been run up in the first place.

Investigations are now underway and answers may eventually be forthcoming. But what these issues have thrown into sharp focus are questions about the role of unions and investment companies. Linked to this, questions are also being raised — again — about the alliance of Cosatu with the ANC.

Such questions at executive level, along with stirrings on the ground among a disgruntled minority of union members, have triggered the political manoeuvring. Matters reached a head with the leaking of the audit report, quickly followed by Cosatu general secretary Zwelinzima Vavi warning that the governing party — significantly not the alliance — could be destroyed by greed and corruption.

He concentrated his fire on business involvement, especially in the granting of tenders.

At the weekend, SACP general secretary Blade Nzimande also concentrated on the business of business. He rounded on senior civil servants engaged in “double-dipping and all kinds of moonlighting activities” while expressing “full confidence” in the SACP members serving in the present cabinet.

National ministers who are also SACP central committee members are Nzimande himself at higher education, trade and industry minister Rob Davies and minister of women, children and people with disabilities, Noluthando Mayende-Sibaya, who is the immediate past president of Nehawu. Nzimande’s party deputy, Jeremy Cronin, serves as deputy transport minister.

Disgruntled unionists, however, tend to add the issue of political patronage to their complaints, pointing to the number of top unionists who have this year moved seamlessly into highly paid government positions. Apart from Mayende-Sibaya, Thulas Nxesi, general secretary of the SA Democratic Teachers Union (Sadtu) is now an MP in the National Assembly, and Abbey Witbooi, for 11 years the general secretary of the Police and prisons Civil Rights Union (Popcru) is now chief of staff in the ministry that employs his former members.

According to the SACP, 14 per cent of all ANC members elected to provincial and national government are SACP members, many of them drawn from the ranks of Cosatu. With SACP chairperson and former National Union of Mineworkers’ general secretary Gwede Mantashe, also serving as the secretary-general of the ANC, the SACP has influence far beyond its claimed 73 000 membership.

But, according to a few cynical — some say, realistic — assessments, the scathing attacks on ANC fat cats, which Mantashe also joined this week, is no long term tactic; the goal is merely to deflect criticism of some union-based greed and corruption that may arise at next month’s Cosatu congress.

It is pointed out that Vavi did mention, in his attack on “crass materialism” that “even Cosatu is faced with the same thing”.

How much of this same thing afflicts Cosatu unions — and how it will be dealt with — now becomes a crucial political battleground. The issue may be swept under the carpet, but it may equally have a bearing on the future of the labour movement and the fortunes of political parties.

** Many questions about investment companies remain and many issues are still unresolved.*

The need to debate the Cosatu philosophy

ON WEDNESDAY this week, SAfm was to have broadcast a discussion and debate about last week's Cosatu congress. On Tuesday, the programme was canned: the topic, it was said, had been "done to death".

However, several more politically astute trade unionists begged to differ. Having read through the 3 703-word final declaration of the congress, they felt that there was still much to be discussed; much that has been missed by the media. In particular, there is the question of the underlying philosophy — the politics — enunciated quite clearly in the document.

The passages dealing with this put forward an idea of the future political dispensation for South Africa. This, despite the fact that Cosatu general secretary Zwelinzima Vavi has, on more than one occasion insisted — correctly — that Cosatu is a trade union federation, not a political party. However, this is another area where Cosatu appears to wallow in contradictions related to political parties and policies.

The congress not only reiterated its support for the governing alliance, it made even clearer its prime allegiance to the SA Communist Party (SACP) as the vehicle to achieve the goal of a "socialist" South Africa. According to the medium-term vision adopted in 2005 by the SACP, this "socialist" vision would be achieved by seizing control of all aspects of society, including parliament.

SACP members already dominate the leadership of Cosatu although the claimed membership of the party — at 73 000 — is less than 4 per cent of the claimed membership of Cosatu and 11 per cent of the latest audited ANC membership figures.

However, the congress declaration includes a commitment to "build Marxism-Leninism as a tool of scientific inquiry", with the object of building "a socialist movement coalescing around the SACP".

The critics, several of whom regarded themselves as Marxists, point out that Cosatu is very short of any clear definition of what is meant by Marxism-Leninism or socialism other than that they are supposedly embodied in the SACP. However, the federation's political commission has now been mandated to "develop a detailed programme for the transition to socialism". This must include "a vision for socialism in the 21st century".

But the critics also point out that Cosatu has already outlined the broad tactics necessary for the eventual achievement of "working class hegemony", that these are focussed on the SACP and are, perhaps, the antithesis of theories propounded by Karl Marx or even Lenin; owing much to the policies of the former Soviet dictator, Josef Stalin.

These policies include the concept of "socialism in one country" and of the need to pursue "stages" of a democratic "revolution" toward a "socialist" climax. A "vanguard party" is seen as the means toward this end.

What concerns many critics is that the model promoted by the SACP remains a version of what existed in the former Soviet Union and Eastern Europe. In the words of the late Joe Slovo, when chair of the SACP, these were regions of "really existing socialism where the element of democracy was missing".

The last SACP congress in exile, held in Cuba in 1989, also declared that, in these countries, "A new way of life is taking shape in which there are neither oppressors nor the oppressed.....in which power belongs to the people." That was only months before the collapse of the Berlin wall and the mass uprisings that overturned "communist" rule in countries such as Romania.

The point the critics make is valid: Cosatu and the country at large need to debate what the SACP sees as the future dispensation for this country — and how it will be achieved.

The labour broking problem lies with law enforcement

THERE ARE a great many unacceptable labour practices throughout South Africa, many of them undoubtedly related to the treatment of workers supplied by labour brokers. But the source of the problem may lie not so much with how workers were recruited, but in the fact that the department of labour has proved next to useless in monitoring, let alone prosecuting breaches of labour law.

Trade unions too, should take some of the responsibility for not prosecuting more vigorously breaches not only of the law concerning wages and length of employment but, often even more importantly, issues of health and safety.

Regulations already exist; they are contained in the Labour Relations Act and the Basic Conditions of Employment Act. In fact, any worker who labours for an employer for more than 24 hours a month is, in law, an employee and, as such, qualifies — proportionate to the hours worked — for all the rights and benefits of an employee.

These laws may often be ignored or may be inadequate. But this is where the debate should start.

Instead, in the often emotive furore about whether labour brokers should be banned, regulated or self-regulated, an impression is created that agencies supplying temporary or casual labour operate in a lawless and therefore anarchic environment. Clearly, they do not.

This is obvious in the welter of evidence about reports to the department of labour about abuses of the law. However these result, all too often, in no action whatsoever.

Yet the department, the unions and the employers should all be aware that labour brokers, under the title “Temporary Employment Services (TES)” are covered by current labour legislation. In law, the end employer who hires a broker to supply labour, hires the employees of the broker. The broker is, therefore responsible, under the labour laws, for the pay and conditions of the workers outsourced to other companies.

But if laws exist, they are supposed to be enforced or else they become meaningless. And where laws that benefit the majority of workers are disregarded, it is always worthwhile examining why this should be so and who profits by this neglect.

It is not rocket science to understand that it is hirers of casual labour and unscrupulous suppliers who stand to gain most: the hirers because they take no responsibility for the workers, using them for as short or long a period as they wish; the unscrupulous suppliers — the labour brokers — because they also accept no legal obligations to the workers.

There are a number of large traders in human labour who may adhere, in general, to the law. But there are also a fair number of “quick buck” merchants who, even with as little as a telephone, fax and a bakkie, have set themselves up as a TES, to provide usually cheap casual labour. Who hires this labour is an important question.

Construction companies large and small are obvious targets as the hirers of workers on a casual basis. In a recent report on work on 2010 soccer stadiums, University of Cape Town researchers Shane Godfrey and Pamhidzai Bamu found that such companies prefer to source their labour from brokers.

They note: “Using labour brokers dispenses with the problem of unfair dismissal and retrenchment costs and procedures.....Clients are not bound to keep workers for the stipulated periods, as labour brokers promise to replace a worker who the client is unhappy with.....”

The companies tend to insist that they receive assurances from the brokers that the laws are complied

with. It is obvious, from numerous reports, that this is often not so; that workers enjoy no rights as employees and that brokers profit massively through the application of a “high rent, low pay” policy.

But the construction industry and other “seasonal work” private sector entities such as agribusiness are not the only large-scale users of such labour. Last week, for example, the SA Post Office released its annual report which made clear that it employed 11 labour brokers to provide 8 600 casual postal workers at an annual cost of some R350 million.

According to the Communication Workers’ Union, the hourly rate paid to the brokers of between R21 and R45, is more than double the pay received by the workers. Such disparity in incomes cannot be justified by the administrative and transport costs borne by the brokers.

A similar situation applies in the field of domestic work and commercial cleaning where it is not unusual for a company to charge R160 a day for an outsourced worker while paying that worker just R60. But worse examples of abuse are to be found in the outsourcing of skilled labour, something particularly evident in the garment industry, but also affecting various other sectors, including the editing functions of journalism.

In the current debate, the two problems often tend to be conflated, but they are different, although the employer rationale — to reduce labour costs — is the same. However, those agencies providing workers for secretarial or computer programming work on a casual basis also fall into the same category as the brokers supplying unskilled or semi-skilled labour to the Post Office or the construction sector.

Once these points — especially the policing of existing legislation — are clarified and the present system is found wanting, it should be possible to set to rights what might be wrong — or to debate which alternatives would best suit South African conditions.

To simply call for a ban or for regulation — let alone self regulation — when laws already exist that are not enforced is problematic. A blanket ban in the present circumstances could well exacerbate the problem by driving labour broking underground. If current laws are not enforced how will a ban operate?

But with a probable unemployment rate of more than 40 per cent, something clearly must be done. And the unions have a role to play, especially having adopted the International Trade Union Confederation’s “Decent work, decent life” campaign “to ensure all people benefit equally from the process of globalisation”.

November 6

How nationalisation confuses all and sundry

THERE IS an obvious need to make some sense out of the confusing statements that have emerged this week about nationalisation. Because they are all part of ongoing debates about possible political, economic and social alternatives to the present crisis-wracked system and who may lead any transformation.

Alternatives are being argued about and sought by a variety of groups within and outside the labour movement, with concepts of race and ethnicity further clouding the issue. There are also political groups, including the South African Communist Party (SACP), that consider they have most of the answers, yet are also often riddled with contradictions and factions.

Various fragments of the non-SACP Left (although including a few SACP members) have also, for example, called for a “conference of the democratic Left” for March next year. Although proposed as an open forum for discussion and decision making that might lead to a “Left” political alternative, jockeying for control of the process is already underway.

All of this makes for an often confusing mix and the media, for the most part, has tended to add to the confusion, with the current furore about the National Union of Metalworkers (Numsa) call for nationalisation being a case in point. Contrary to most reports, Numsa did not, on Monday, demand the nationalisation of the personal wealth of Patrice Motsepe, a major funder of the last Cosatu congress, and of human settlements minister Tokyo Sexwale: these reports missed the point.

In its call for “nationalisation and socialisation” of major enterprises, the union mentioned “the massive and privately-owned wealth in the hands of Motsepes, Sexwales, Macozomas, Nhlekos, Mittals and Oppenheims of this world”, something Numsa general secretary Irvin Jim later described as the state taking charge of “the commanding heights of the economy”. This is a position long debated, argued for, and supported within the labour movement, both here and abroad.

Numsa — together with the ANC Youth League and others — bases its nationalisation call on an interpretation of the fourth clause of the ANC’s 1955 Freedom Charter headed: “The people shall share in the country’s wealth!” Although this clause notes that “the banks and monopoly industry shall be transferred to the ownership of the people as a whole” it goes on to state: “All people shall have equal rights to trade...to manufacture and to enter all trades, crafts and professions”.

This apparent contradiction has led to differing interpretations. ANC secretary-general and SACP chair, Gwede Mantashe, for example, does not see this as advocating nationalisation.

This week, however, the issue was confused by media reports personalising the nationalisation call. Reacting to these reports, Cosatu general secretary Zwelinzima Vavi, denied that the Numsa position was shared by Cosatu, prompting allegations that he was protecting Motsepe because of the funding provided for the Cosatu congress.

Jim yesterday rallied to Vavi’s defence. Such allegations, he maintained, were “silly and mischievous”.

“South Africa is a capitalist society and real money is in the hands of capitalists of all colours. Anyone wishing to hold a large event like a congress of trade unions will either have to rob a bank or beg from the capitalist, there is nothing hypocritical about this,” he said.

He added: “At least Motsepe is patriotic, unlike most white capitalists whose money is invested abroad. The chief thing is to guard the independence of the union from all donors.”

Motsepe, listed in the latest Who owns Whom survey as the country’s richest man, has distributed largesse in a number of areas and has been dubbed a “comrade capitalist” by some union cynics. This is a reference to the “patriotic” multi-millionaire Chinese industrialists who were — and remain — senior members of the Chinese Communist Party.

Jim also denied that the Numsa attack on big capital was in any way an attempt to deflect attention from “lesser gravy train riding” within government, especially by higher education minister — and SACP general secretary — Blade Nzimande who caused a stir recently with his purchase of a R1.1 million official car. This, Jim says, is a case of the media indulging in a “cheap racist ploy....wasting time policing the consumption patterns of people in government rather than revealing the real truth of South African capitalism”.

The truth, according to Jim, is that in South Africa there is “a filthy rich, extremely selfish, mainly white, capitalist class [that] continues to refuse to part with a significant portion of its wealth in order to meet the huge development challenge confronting the country”. The country’s wealth is “locked up in white rich people’s bank accounts, in white owned banks, in white owned mines, in white owned factories and in white working class wages”.

The “real enemy” of workers and the poor is, therefore the “capitalist class which is largely white”. About this there seems little disagreement within the labour movement.

But although he says there is “no blueprint” for the way forward, Jim and the Numsa executive again publicly pinned their colours to the SACP as “the vanguard” of the working class.

This was also the message from Vavi when he addressed the SA Municipal Workers’ Union congress

in Bela Bela, Limpopo, on Tuesday where he called for the transformation of the economy. He also slated “BEE tycoons” who joined “the race to accumulate wealth by any means possible” and saw the answer to the economic crisis in “fostering a mass socialist movement, true to Marxist principles and built around the SACP”.

Unionists taking a cynical view see this as an attempt to establish the SACP as an existing alternative; that there should be no need to look any further.

However, a probable majority within the labour movement has no clear strategy or tactics in mind and certainly no hard and fast ideological position. Their attitude is summed by Federation of Unions of South Africa general secretary Dennis George: “The current system is failing and some sort of alternative is needed. That’s what it comes down to — and that is what we have to debate.”

December 4

End of recession: a figment of the mainstream

FROM A labour viewpoint, the claim that South Africa — and several other parts of the globe — have inched out of recession this quarter is untrue: it is seen as yet another case of arithmetic fraud perpetrated by mainstream economists.

The claims by economic commentators that the current economic crisis has “bottomed out”, that “green shoots” of revival are appearing are also seen as examples of the statistical mumbo-jumbo in which most such experts seem to specialise.

This mumbo-jumbo concerns number crunching, without any real reference to what the numbers mean in terms of human consequences. Social and environmental costs are simply ignored and the horrors of the system are disguised by abstractions such as “double dips” and other jargon-ridden terms to describe fluctuations in the casinos that are the Stock Exchanges.

“At Cosatu we certainly will not be popping the champagne corks,” says spokesperson Patrick Craven. “We totally disagree. For workers, this recession is not at an end.”

So far as the labour movement is concerned, whether or not a recession exists should be gauged on the effects the economic system has on the lives of the majority of the population. Judged in that sense, South Africa — and the world at large — continues to be in the throes of the worst economic crisis in history.

According to the International Labour Organisation, between 39 and 61 million more workers have lost their jobs this year, raising the official global unemployment total to between 219 and 241 million — the highest level ever recorded. In a world of increasing mechanisation and automation, few, if any of these jobs will ever return on a permanent basis.

“When these jobs are not replaced and when, over the past year, we in South Africa have lost an estimated 770 000 jobs, how can it be said we are coming out of recession?” asks Shane Chosane of the National Union of Mineworkers (NUM). The union estimates that the mining and quarrying sectors of the South African economy alone have so far this year shed 55 000 jobs, some 25 000 of them contract workers.

NUM calculates that, on average, each mineworker supports eight dependents. “So in this sector, we are talking of perhaps 440 000 more men, women and children who will be struggling to survive this Christmas,” says Chosane.

The unions also point out that, because the majority of economists tend to concentrate purely on the balance sheets of companies and on the vagaries of Stock Exchange indices, they are guilty of practicing what has been called “voodoo economics”, economics that has little to do with the reality lived by most of the population.

This is not, of course, a South African phenomenon. It is a global reality.

So economists in the United States can blithely talk of the economy having “turned the corner” because productivity in some sectors has risen and house prices appear to have stabilised. But, for example, the US department of labour announced that a further 263 000 jobs were lost in the third quarter, making for a total of 15.1 million jobs shed since December 2007 when the crisis first stuck in the US.

In Spain, in the first quarter of this year, official statistics noted that 266 000 jobs were lost. As in South Africa and elsewhere, they have not been regained.

There is also concern that some of the few bright spots of continuing growth and profitability in the US involve two of the most controversial of sectors, prisons and biological warfare. Prison industries producing everything from brand name lingerie and golf balls to major clothing lines using convict labour paid less than \$1 an hour are booming. As too is the sector devoted to developing germ warfare ingredients and their antidotes.

Since free labour, however heavily exploited, cannot compete with the virtual slavery of convict labour, this has meant job losses among workers not only in the US, but elsewhere. Unions everywhere also tend to oppose any development of biological weapons, but are particularly concerned about such development being in private hands, even if a few jobs are guaranteed in the process.

However, the major contributor to what the labour movement refers to as a “jobs massacre” is the inability of the system to cope with technological advances. These have made millions of jobs redundant on the one hand, while producing a massive surplus of goods or less labour intensive ways of conducting business, on the other.

A classic case concerns the current dispute in Britain over retrenchments in the Royal Mail service, including the closure of many post offices. One of the reasons is the rapid spread of internet connections throughout that country.

The decline in posted items alone is estimated last year to have lost the British post office £500 000 ((R6.7 million) as more and more people forwent “snail mail” in favour of electronic communication. Postal sorters, transporters and the traditional delivery personnel face retrenchment by the thousands.

“It’s the same on the mines here,” says Chosane. “Fewer workers and more machines.” What this usually means is an increase in productivity — an increase in recorded turnover and profit per worker.

As Craven readily agrees, this amounts to exploiting fewer workers to an even greater extent, providing — at least in the short term — more profits for the minority at greater expense to members of the majority.

As the unions see it, the bottom line should have nothing to do with often convoluted arithmetic calculations of financial profit and loss; it should reflect what happens to the vast real wealth produced on earth: the food, potable water, clothing and building materials. This wealth could adequately sustain every human being, yet, according to United Nations estimates, 25 000 children alone die every day from poverty.

Looked at in this light, the global economy is continuing to slide deeper into the red. And, as one melodramatic — although still accurate — comment has it: that calculation is written in the blood of millions of working people.

There is a world to lose — or to win

THE MORE things change, the more they are the same. Looking back over the past 12 months, it's a cliché that has a great deal of worrying resonance.

In fact, it is almost possible to recycle — in toto — the last Inside Labour column of December 2008. That began with another cliché, a quote from a Global Trade Union (GTU) declaration that referred to the world “teetering on the edge of a precipice” in relation to the global economic crisis.

The economic system, the workers within it, and the governments that manage the framework, are still teetering. The only difference seems to be that there is more public acceptance of that fact, especially since another 800 000 jobs in South Africa alone have been lost. But those workers, along with millions of others around the world, are no longer teetering: they have fallen into the abyss.

That this would happen was predicted by most of the labour movement but, a year ago, most local political parties and economic commentators maintained that what we faced was “a mere glitch in the smooth functioning of the world market”. This view argued that South Africa was better prepared than most countries to withstand what was presented as a relatively short-term buffeting by adverse economic winds.

It also ignored the country's frighteningly large current account deficit and the fact that this crucial account was — and is — only balanced by potentially fickle portfolio investment. Money borrowed at less than 3 per cent abroad, is still being invested here at 7 per cent or more — in this way helping to grow the current account deficit through remittances.

A year ago, it was clear that underlying this optimism about the severity and duration of the economic crisis was the myth about the efficacy of the world market as well as faith in the resilience of the global economic system. The myth remains dominant, as does the widespread refusal to accept that the over capacity and over production inherent in a system based on competition and accumulation lies at the heart of the crisis.

Yet producing too much for the market to absorb has arguably been the cause of every similar crisis since the first reported recession in 1825. The difference now, as the GTU statement implied and several unionists have made clear, is that there are no more colonies to conquer, to pillage and turn into markets; that the massive credit bubble created over recent decades to sustain the demand for ever-increasing profits, has burst.

At the same time, ever faster and less labour intensive production — production that is mechanised and automated — continues to be developed in a competitive frenzy to maintain or even grow profits. The direct consequence is a growing mass of surplus labour that once constituted a larger market.

Along with the resultant suffering and social instability, the physical and biological structure of the planet is being severely damaged. Rivers, lakes and seas are increasingly polluted, and many renewable resources are being plundered to near-extinction.

This is coupled with an horrendous waste of human potential as the primary cost throughout is borne by the poorest of the poor, by the millions who starve in a world of plenty. Many of these men, women and children have never had a chance even to teeter on the edge of prosperity: they are born, suffer, live and die in the abyss, human sacrifices to the gods of competition and accumulation, to a system so far past its sell by date that its continued existence poisons the entire atmosphere.

This is a scenario generally accepted by the labour movement globally. But, despite all the trade union rhetoric about “socialism” and “putting people before profits” it is not the system itself that is faulted, only the manner in which it is managed.

So the GTU calls for “a new system of economic governance” to tackle what it sees as “the crisis of distributive justice that has blighted the global economy”. In other words, introduce more efficient management by means of national and international regulation. Distribution, not ownership or the manner of production is the issue.

What this boils down to — in the vastly changed world of microchips and robotics — is applying the sorts of measures widely employed to resuscitate the global economy in the wake of what is still referred to as the Great Depression of the 1930s.

This is the same thinking that lies behind the calls for creating a “lifeboat” for the South African economy. The lifeboat concept was mooted a year ago when National Union of Metalworkers of SA and local business people jointly picketed as part of a “Buy Local” campaign.

Like the GTU proposal, the lifeboat idea — it calls for tariff walls and wide-ranging state regulation — is based on the assumption that the present global crisis is temporary; that the labour movement goal of “decent jobs for all” can be achieved within the existing system.

Since South Africa is capable of producing enough food for the population and enough internationally demanded minerals to pay for essential imports, the lifeboat concept could work, but only in the short term. It would also have the support of domestically-based capitalists who cannot now compete with their transnational brothers who ship cut-price goods into the country.

But borders, however well policed, are porous and the reality of a global village does not allow for any nation to be an island entire unto itself. Even when, like Somalia, it collapses into barbaric fragments or, like Myanmar (Burma) into military tyranny peppered with insurgency.

So perhaps there should be no more shoring up of a failing system based on competition and accumulation, but instead, a striving for a radical alternative based on co-operation and production for need. It won't be easy, but it can be done.

That is my new year wish to you all. Because failure to do so could mean we have the world to lose rather than a world to win.

2010

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THE TIMES 20-5-10



World Cup year and many of the construction workers who made it all possible, find themselves out of jobs, with the stadiums completed; those who warn that an expensive financial hangover awaits are scoffed at and thousands of “made in China” vuvuzelas are sold.

President Zuma makes a state visit to Britain, but remains beset on the home front by reports of another child out of wedlock and police commissioner Bheki Cele, ignoring the constitution, reintroduces military ranks to the police. Julius Malema continues to make headlines, singing his version of a liberation era song that is controversially banned by the high court. Allegations of kick-backs, tender irregularities and an extravagant lifestyle dog the ANCYL leader.

COPE leaders Mbhazima Shilowa and Mosioua Lekota fall out; Lekota continues to be backed by former SACP officials Willie Madisha and Phillip Dexter. Mvume Dandala resigns as COPE parliamentary leader and the DA and Patricia de Lille’s Independent Democrats merge.

Electricity utility Eskom, gets permission to up tariffs by more than 25 per cent a year for three years; Durban’s new international airport is opened and former police commissioner Jackie Selebi is found guilty of corruption. The North Gauteng high court rules that South African farmers whose land was seized in Zimbabwe can be compensated through a claim on Zimbabwean assets in South Africa.

Little to celebrate in the year ahead

From a labour viewpoint, there is little to celebrate with the arrival of 2010. The pending World Cup, the announcement of booming minerals sales to China and the various blips and surges on global Stock Exchanges do not signal joy to workers and their organisations.

More unemployment, greater levels of casualisation, more downward pressure on wages and the demand for more output from fewer personnel are what seem to be in store, overall. Locally, and even before the World Cup gets underway in June, the first effects will have been felt by the small army of casual labourers who helped build the stadiums around the country. By the end of March, the last of them will probably be out of work.

And while mining companies cheer at the increase in sales of iron ore and other minerals to China, there is a growing awareness in trade union circles that this means further job losses down the line: a proportion of the iron ore, for example, will return to South Africa as finished steel products, undercutting what local industry can produce. For years the unions — and some local employers — have raised warnings about the consequences of such sales.

More than ten years ago, local steel flange makers first registered their complaints and concern about unfair competition from China. Academic analysts also pointed out that income from the export of mineral wealth from South Africa was not ploughed back into productive and sustainable enterprises: that much of it went — and continues to go — abroad in the form of dividends that help to swell the already worryingly large current account deficit.

This export of wealth is very much part of mainstream economic thinking these days. A classic example, was the advice given on national radio earlier this month by financial adviser Magnus Heystek. Asked what he would do if given R1 million, he said: “Take it offshore and invest in China, India and Brazil.”

His advice makes complete sense only in terms of what many unionists see as the insane financial chess game that continues to be played around the world, a game in which workers are pawns to be exploited and sacrificed by the millions. There is nothing productive or sustainable in gambling on which regime or manufacturing entity can extract maximum profits for parasitic investors.

But in a global economy, choking on surplus capacity, this is the name of the game for those who effectively play bagatelle with billions of dollars, euros, pounds, yen and rands. The gamble is for maximum financial returns which can only come through greater exploitation, job losses and suffering along with further destruction of the planet’s ecosystem.

This is a case of paper chasing paper to the detriment of the bulk of humanity. The government, as it pursues its “job opportunities” programme, is also contributing to the casualisation of labour. Seldom, if ever, do these short-term and sometimes part-time “opportunities” translate into anything more or better.

But the idea of part-time or short-time working is now accepted in countries around the world as frantic attempts are made to stabilise an inherently unstable system. The French and German governments top up the wages for workers on short time; the Czech republic plans to do something similar this year and various Italian regions are introducing “social shock absorber” policies to try to cushion the effects of recession.

Most of these measures are based on existing unemployment benefits, but this has its limits. This month, in Romania, it was proposed that workers take ten days’ compulsory and unpaid leave and that fringe benefits be eliminated and a 40 per cent wage cut is also being debated.

Even in the highly developed economy of Finland — home of Nokia — and despite the boom in mobile

communications, the crisis is being felt. This year Finnish technology workers will receive a 0.5 per cent pay rise. And the unions have agreed to hold pay demands over the next two years in order to try to save jobs.

But these are all piecemeal, ad hoc responses that fail to address the fundamental problem of the system itself. In the process, as the European Transport Workers' Federation has pointed out, transport safety is being compromised.

Similar complaints, about road transport, initially brought by the Western Cape-based Transport and Omnibus Workers' Union, have made headlines locally over recent weeks. Solo drivers having to drive for eight or ten hours at a stretch and unroadworthy buses are all seen by the unions as symptoms of the desperate rush to cut costs in order to maintain or even increase profits.

This aspect is most often ignored by business pundits who tend to hail, in isolation, slight increases in output or improved profitability as signs that "the recession is at an end". For the majority of people it is most definitely not at an end as they face often horrendous human and environmental costs.

It is only the wealthy minority and their immediate hangers-on who prosper as the wage and welfare gap continues to widen. At a time when many workers faced a bleak Christmas last month and there were government calls for belt tightening, several unionists pointed out that "the fat cats are still getting the cream".

They were referring to reports that a number of leading company directors had pocketed at least R660 million in share sales just before the festive season. Leading the pack was Whitey Basson, head of Shoprite, who also exercised an option to buy another R600 million worth of shares at the knock-down price of R6.1 million.

This is a global phenomenon, and is something that will be raised in June at the world congress of the International Trade Union Confederation in Vancouver, Canada. There the assembled union delegates will almost certainly agree about the need to transform the world economic order to "serve the interests of the workers and the poor". But whether they can agree on a means to achieve this remains moot.

** There was indeed agreement about the need for change, but still no detail.*

February 26

Nationalisation debate turns topsy-turvy

The whole question of nationalisation, especially of the mines, has become extremely confused, no more so than within the trade union movement. Understandably too, because very little of the argument seems to fit into the traditional frame of things.

And, as with many policy debates, a complex web of allegiances, loyalties and naked self interest seems to have produced a cacophony that has drowned out rational voices. In the process, the critical questions of who supports what and why are distorted or even buried.

We have, for example, the controversial president of the ANC Youth League (ANCYL), Julius Malema, as the key proponent of nationalisation, a policy traditionally associated with the Left. But Malema is an avowed capitalist who claims to be the target of a leftwing conspiracy to defame him.

Then there is one of the country's first black billionaires, the mining magnate, Patrice Motsepe of African Rainbow Minerals, who has shrugged off nationalisation as acceptable. At the same time, the Communist Party (SACP), as the self-proclaimed vanguard of the Left, although still a member of the governing alliance, has not opposed the government's insistence that nationalisation is not on the cards.

Obviously, in the words of Cosatu, the whole question is “an arena of struggle”. But who is supporting which position and why is of critical importance.

There are obviously several agendas in play, not all of them spiked with obvious self interest. In the first place, there is a knee-jerk, pro-nationalisation stance adopted by many trade unionists who see state control as giving more policy leverage to workers because governing parties rely on votes to stay in power and organised workers form a potentially powerful voting bloc.

This is a simplistic view that sees nationalisation, in and of itself, as a form of socialism and therefore beneficial to unions and the working class in general. The ANCYL appears to be targeting workers who may think this way.

But there are also trade union members who are aware of the history of nationalisation within various parliamentary democracies — including the racially exclusive system that operated as apartheid. They refute the claim that nationalisation equals socialism and point out that there was, for example, a greater level of nationalisation under apartheid than existed in “socialist” Czechoslovakia.

Others who are wary of blanket calls for state control cite the experience of Zambia and the nationalisation of the copper mines of that country. The Zambian government bought out the mines at considerable profit to the mining companies which were then employed, under contract, to manage the mines since there was no capacity within the state to do so.

Under this arrangement, the companies had no financial responsibility and still managed to reap dividends through management fees. When the copper price fell, it was the state that bore the brunt of the losses and the layoffs.

A similar situation applied with the nationalisation of the British coal mines in 1946. Miners proudly erected signs outside the mines proclaiming: “This mine now belongs to the people.” It didn’t, of course: it belonged to a state that required even greater profits in order to pay off the buy-out debt to the original mine owners.

Such arguments are advanced by admitted cynics within the trade union Left. They also maintain that the major South African mining houses, having “internationalised” their operations over the past 20 years, may be happy to dispose of direct control of local assets. Management contracts may then be available, not only to themselves, but to domestically-based companies operating within the Black Economic Empowerment framework: formal ownership would change, the system would not.

However, under state control, the prospect of prescriptive purchases could arise, justified both on patriotic and BEE grounds. This would open up a potentially large area of tenders for favoured local suppliers.

These are some of the undercurrents to the nationalisation debate that are causing confusion. They reveal how the pro-poor, pro-worker Left may be inclined to be wary of forms of state ownership and why elements of the nationalist, pro-capitalist Right may support what is still usually seen as a traditional policy position of the Left.

The issue has also been further complicated by elements in the ANCYL co-opting the term, “socialisation” from the lexicon of the Left where socialisation is usually seen as synonymous with worker, rather than state, control.

But while this discussion will continue, it is unlikely to take centre stage in coming months: that position is certain to go to the broader economic debate arising from the recent Budget. Almost without exception, it was greeted by trade union leaders as “balanced” and “fair”.

But then came the qualifications: on inflation targeting, on lack of detail, and on the fact that there was really nothing new; that in many ways this Budget was merely a “rehash of previous policies”. In other words policies formulated under the stewardship of President Thabo Mbeki and that became known by Cosatu and SACP critics as “the 1996 class project”.

This “rehash” has resulted in a number of trade unionists referring to the latest Budget as having introduced “the 2010 class project”.

It is an accurate assessment. Under the latest regime, for example, individuals who are paid R1 million a year will save R3 534 in tax. At the same time, the increased tax on fuel will increase transport and, therefore food and other costs to the detriment, primarily, of the poorest of the poor who also face the increased electricity charges.

However, Gordhan and union leaders have already been meeting at the National Economic Development and Labour Council to discuss details of the Budget. As National Council of Trade Unions general secretary, Manene Samela notes: “There are areas that are very, very bad and some that are fair and we have to engage about all of these.”

Cosatu spokesperson Patrick Craven sums up the union view: “This remains an arena of struggle, of contending views. We have to fight our corner.”

March 19

The need to put brains into gear before opening mouths

THERE IS a simple rule about making public statements, and it applies particularly to politicians: first put your brain into gear before opening your mouth. Putting the brain into gear implies not voicing an opinion about a subject until and unless all the available facts about it are known.

And where the facts are known — stick to them and do not fall prey to the temptation to play to one or other gallery by substituting populist rhetoric for considered analysis.

A classic example over recent months has been the furore about labour brokers. Cosatu, with the backing of the Communist Party (SACP) and linked organisations, demanded the banning of labour brokers, a resolution carried at the last Cosatu congress. In these straitened economic times, with increasing casualisation of labour and growing unemployment, this is a highly emotional topic.

It was a topic that called for reasoned debate; instead, most of the discussion was peppered with emotive language. The demand for a blanket ban was also supported by both labour minister Membathisi Mdladlana and parliamentary portfolio committee chair, Lumka Yengeni.

Yengeni went as far as to refer to the providers of temporary employment services — the term used in the Labour Relations Act (LRA) — as “evil”. In the face of suggestions that existing regulations be enforced, she supported banning the “modern day slave traders”.

Then, earlier this month, at a portfolio committee hearing, Yengeni apparently changed her mind, in the process adding to the ongoing confusion. She said that she did not wish to use terms such as banning or regulating. In her opinion, however, section 198 of the LRA may be repealed.

But this is the very section that defines the legal responsibilities of labour brokers. Do away with it and the door is opened to the very situation of anarchy and lawlessness that Cosatu and Yengeni were complaining about. Because section 198 of the LRA is the law that governs the business of any “Temporary Employment Service” or labour broker.

As this column pointed out in October last year: “In law, the end employer who hires a broker to supply labour, hires the employees of the broker. The broker is, therefore responsible, under the labour laws, for the pay and conditions of the workers outsourced to other companies.” As such, any broker who does not provide all the usual rights and benefits to workers is breaking the law.

That this law is broken regularly and with impunity — along with others pertaining to health and safety and basic conditions of employment — is not the fault of the law; it is because the laws are not enforced. And the responsibility for this rests primarily with the department of labour and, as the saying goes, the buck stops with the minister.

This is not to say that the laws as they stand do not need improvement. They may do, they may not. And, with regard to section 198 of the LRA, there is one area that may require clarification: the definition of an independent contractor.

Unscrupulous labour brokers often maintain that they are mere agents for such contractors; that every individual seeking any temporary employment, qualifies as an independent contractor. This is clearly nonsense; it the argument of the free market fringe who decry all regulation.

And calls for no regulation are only one step away from those for self-regulation, a position adopted by the main parliamentary opposition. But a large section of the labour movement, headed by the Federation of Unions of South Africa has continued to call for the enforcement of existing legislation and for the temporary labour industry to be “strictly regulated by the social partners, by government, business and organised labour”.

As one cynic noted: “At least they looked at the LRA before speaking out.” But amid the welter of claims of gross abuse, many of them undoubtedly valid, and repeated calls for an outright ban, the existence of unenforced laws tended to be ignored. The labour department slipped off the hook where, in fact, it belonged.

However, the department is now “looking into” the whole question of temporary employment services and those sections of the LRA that govern them. And despite Yengeni’s claim, repeal, it seems, is not on the cards.

What is on the cards is not known and the delay in making an announcement about what parliament — and the ruling party — plans to do about the temporary employment situation is causing tension. The Cosatu affiliated Communication Workers’ Union (CWU) now fears that the intention is “to make cosmetic proposals for the amendment of certain labour laws to regulate labour brokers, as opposed to out-rightly banning”.

Says CWU spokesperson, Matankana Mothapo, the union is “not blind to the fact” that some ANC leaders are involved in labour broking and that it would not be in their interests to ban the business.

The CWU is especially concerned because the Post Office has admitted to employing labour brokers to provide 8 600 casual postal workers at an annual cost of some R350 million. According to the union, the hourly rate paid to the brokers is more than double the pay received by the workers.

It is this use by government departments of temporary workers employed through brokers that is a prime target of Cosatu’s generalised call for a ban. Today Cosatu unions in Mafikeng will march on the provincial government offices to demand that all government work be carried out by permanent employees.

But when it comes to the call for a general ban, the federation is now keeping tight lipped; there is also clear evidence that brains are being engaged before any words are uttered.

Says Cosatu spokesperson Patrick Craven: “As always, the devil will be in the detail and we have not yet heard what parliament intends. When we do hear, we will consider what is proposed and comment.”

Until then, Cosatu will continue campaigns for decent, full-time work while calling for more and better trained labour inspectors to enforce the existing labour laws.

Financial and personal interests complicate the ANC battle

THE ROW over the call from within the ANC to discipline Cosatu general secretary Zwelinzima Vavi has little to do with trade unions and trade unionism and more to do with the scheduled ANC conference in 2012 — against the background of an 80-year-old battle that has simmered and sometimes flared within the governing alliance. Broadly, that battle is for political and ideological control between professed nationalists and Communist Party members within the ANC.

Today, however, the battle is complicated by financial and personal interests, with trade unionists featuring prominently on both sides of the broad divide. And various factions within both sides have often sniped at, and bickered with, one another. In that respect, nothing much has changed.

What has changed is the intensity of the battle and the fact that state resources and organs of state power are now regularly engaged. The gossip mills are also working overtime, and, as one senior ANC parliamentarian notes: “Things are getting really dirty.”

Well-sourced whispers about corruption, marital infidelity and worse are doing the rounds, while confidential — and therefore unpublished — records have been made available, some indicating state security involvement. If ever there was a coherent ideological centre in the ANC, it is clearly not holding.

This means that minority elements in the nationalist camp can, with relative impunity, push for a break with the SACP and the SACP-dominated Cosatu leadership. Similarly, a section of the SACP can still labour away, convinced that this smallest element of the alliance can seize control of the ANC and marginalise the “nationalists”.

It is the political manoeuvring of these groups, spiced with some personal vendettas, that is stirring the current controversy. As a result, there has been a flurry of reports and accusations along with pledges of labour movement support for Vavi, but no verification of any formal disciplinary charges against him.

Asked about possible charges, ANC secretary-general, Gwede Mantashe, a former trade unionist who is also chair of the SACP, notes: “There is a lot of speculation. I can’t talk about that, but you too can speculate.”

Speculation is unnecessary: it is an open secret that members of the ANC’s national working committee (NWC) proposed that Vavi be disciplined for accusing government ministers of corruption. However, as Cosatu-affiliated unions have been quick to point out, it was not Vavi, but Cosatu as a federation, that named names and demanded an inquiry into corruption at the highest levels.

The union leaderships are also aware that there is a determined effort to scupper the chances of Vavi and Mantashe of taking, or holding onto, leading ANC positions in 2012. Behind these moves is what Cosatu has called “a tendency within the ANC leadership who are hell-bent on their agenda of self-enrichment and crass materialism”.

It is also an open secret among the unions that information about the involvement of Vavi’s wife in a company doing deals with the union movement, was leaked to the media by a senior member of the ANC Youth League (ANCYL). Noluthando Vavi subsequently resigned from the company.

The ANCYL, led by millionaire demagogue, Julius Malema, has already stated publicly that they want Mantashe removed from his ANC post. Cosatu officials generally accept that this campaign has the support of the likes of ANC treasurer-general, Matthews Phosa, and fellow NWC member Tony Yengeni, a former SACP member who lost his parliamentary seat after being convicted of fraud.

The battlelines here appear to be drawn between those favouring a state that would create the best

possible conditions for domestic free enterprise, allowing for personal enrichment, and those who support direct state ownership. However, the SACP and the “statist” leaders within Cosatu who are allied to that party, also often refer to “the patriotic bourgeoisie” who would presumably function within a largely state-owned economy.

Mining tycoon, Patrice Motsepe, for example, is well regarded within Cosatu circles because he helped fund the last Cosatu congress. However, Motsepe is also known to be friendly with Malema.

“It is a play for power and position — and the plunder that flows from it,” says the parliamentarian. But the consensus on all sides seems to be that the alliance will survive, at least to 2012 and possibly beyond.

However, the tensions — exacerbated by strikes in the public sector — seem likely to reach a higher pitch than ever before. And the decades-old “two hats” argument has again surfaced strongly.

In the case of Vavi, it is a case of three hats: membership of Cosatu, the SACP and the ANC. It is a contradiction that has plagued the ANC from the days before an alliance of groups existed; from the time when the ANC, an “Africans only” organisation became concerned about members who were also members of the Communist Party of South Africa (CPSA).

After the CPSA dissolved itself in 1950, a “multi-national” alliance was forged with the Indian congresses, the Coloured Peoples’ Congress and the Congress of Democrats (for those classified “white”). A fifth ally was included when the South African Congress of Trade Unions (Sactu) — dominated by the underground South African Communist Party (SACP) that had been formed two years earlier — was established in 1955.

Although not banned, Sactu followed the ANC into exile and maintained a separate existence. Members of other affiliated organisations became rank and file ANC members and only “wore two hats” if they were also SACP members.

This surfaced occasionally as a problem, but was never resolved. After the collapse of the Soviet empire and the settlement negotiated domestically, the problem became more obvious — and continued to be ignored.

Two hats now tend to provide a screen for political vendettas and personal enrichment and take up both time and resources throughout the alliance. In the process, service delivery, both to communities and union members, suffers.

The result is large-scale confusion and demoralisation, leading to apathy and, all too often, explosions of anger to the detriment — again — of the working and jobless poor.

June 25

Why a job-loss economy is a failed economy

The economy is improving. Pity about the jobs. That, in essence, seems to be the view of most mainstream economists — and it is a view that has hackles rising throughout the trade union movement.

As the unions have continued to stress, a job-loss economy, let alone an economy registering no improvement in job creation, is a failed economy. They point out that when improvements in profitability and in gross domestic product are registered at the same time that more jobs are being lost, this indicates a further widening in the already huge wage and welfare gap.

Those who see the increase in corporate wealth as indicating economic improvement are, in fact, saying that the economy IS the wealthy; that the legions of workers who create the wealth are irrelevant. It is the equivalent of the much quoted expression of the French king Louis XIV who notoriously noted: “The state, it is I.”

Among the unions — and especially those organised in the mining sector, there is also a growing realisation that the claim of an improvement in national wealth may be an illusion. “It all depends on how you interpret the figures,” says National Union of Mineworkers media officer, Lesiba Sesohka.

The latest official statistics reveal that much of the growth recorded in the economy in the first quarter — against 171 000 job losses since the end of December — came from mineral exports. But, as several economists have pointed out in recent years, this amounts to “selling the family silver”, with the income generated not being returned to be invested in sustainable industry and jobs.

According to these calculations, the vast mineral riches beneath the soil of South Africa should be seen as an irreplaceable part of the country’s wealth. When it is mined, processed and exported, a considerable part of the income generated is also exported to shareholders abroad.

Much of the income retained within South Africa is also used for the purchase of imported items, so adding to the export of wealth. On balance, therefore, the minerals bonanza amounts to the overall depletion of the country’s reserves and should be seen, when properly calculated, as a loss rather than a gain.

As a result, the unions tend to see the claim of the economy having “turned the corner” as illusory. “These grim figures confirm Cosatu’s view that South Africa continues to be in the midst of a profound economic crisis,” says Cosatu spokesperson, Patrick Craven.

And it matters not what the precise figures are: jobs are being lost at a great rate. In fact, because of seasonal work, figures do fluctuate, but, on the basis of the five quarters from the end of December 2008 to the end of March this year, the official statistics show that there were 1.041 million fewer people working in the formal sector when April dawned.

A number of the newly unemployed may have migrated to the much talked about informal sector. However, as the unions are quick to point out, this sector comprises mainly the “hidden unemployed”, those individuals eking out an existence, often selling a handful of sweets or some fruit on a street corner.

Including those workers who, the statisticians say, have “given up looking for work”, the official unemployment rate is now 32.5 per cent, meaning roughly one in every three people of working age being out of work. The unions are, therefore correct to maintain that the country faces a chronic and ongoing crisis.

But it is also a view that is being repeated about other countries by trade unions around the world. And, in common with their South African counterparts, other national federations and individual unions seem to be floundering about in search of solutions.

The Trade Union Congress (TUC) in Britain, for example, has pinned its hopes on the introduction of a “Robin Hood tax”, as the basis for a series of revamped industrial and financial policies. This tax — more accurately known as a Tobin tax, after the economist who first promoted it — is based on financial transactions.

TUC calculations show that a much less than 1 per cent tax on transactions by speculators, banks and businesses, would raise more than value added tax and income tax combined. Such a move, the TUC argues, would put more money into the pockets of workers and so provide the wherewithall to fuel a real economic recovery.

In South Africa, there is a general trade union call for a cut in interest rates, also in order to put more money into the pockets of consumers. This is coupled with a demand to “develop the manufacturing sector”.

However, all these demands, based on the concept of “decent”, full-time jobs for all, tend to be directed at national governments, while the unions themselves recognise that the crisis is global in character.

But apart from regular genuflections toward international solidarity and internationalism, the various labour movements remain fundamentally nationalistic in their outlook. As a result, the solutions they propose continue to ignore the underlying structural problems of the global economic system.

In the circumstances of today, merely putting more money into the pockets of workers and their

dependents will only result in temporary relief — and probably compound the local crises because much of the additional income will be spent on imports. The World Cup is a good example: it now appears that even the thousands of vuvuzelas sold here came mostly from China.

A financial transactions tax would certainly be much fairer than VAT and a cut in interest rates would help the already indebted. But neither would confront the problem of surplus production any more than the demand to boost local manufacture would result in jobs for all.

As Jan Theron of the University of Cape Town's Labour & Enterprise Policy Research Group has noted: "There is no prospect of full employment in our lifetime." Taking that into account, he has stressed that unions should be looking to new and alternative ways of organising not only themselves, but the economy.

July 16

2010: 'a year's grocery cash on one big party'

THE WORLD Cup party is over, although a warm post-party glow still persists in many quarters. Understandably, since there was something of a fairy tale quality to the whole exercise, especially considering the preponderance of doom and gloom that surrounded the build-up to the event against its eventual success.

This was an almost textbook case of gloomy prophecy — emanating from the evil media denizens of the North — leading to the heroic triumph of the previously belittled South. And it was an army of the humble: construction workers, stewards, security personnel and other workers who played the major role in turning the tables.

It is at this stage in the traditional fairy tale, that the standard ending applies: "And they all lived happily ever after." However, this is the real world and not some over-the-rainbow dreamland.

Most workers, although they thoroughly enjoyed the party, were not caught up in the fairy tale. They shared the excitement at fan parks or watched games on television sets in crowded shebeens, pubs and restaurants or often in equally crowded living rooms at home, but could not avoid the day-to-day reality of unemployment in often unserved or under served environments.

The branding of a fairy tale in the hope of attracting foreign investment or more tourism dollars sounds so much like a refrain workers have lived with for years: the promise of pie in the sky, by and by. Obviously, this does not apply to those still caught up in the euphoria of that month-long party: they are probably in for a very rude awakening.

Diehard partygoers — and individuals and groups responsible for promoting and organising the event — will be loathe to tarnish the image of transformative success; to concede that, while the party was great, the cost may prove crippling. Concerns have, of course, already been raised, especially about the hugely expensive stadiums that evinced such compliments and will cost many millions annually to maintain.

The unions have consistently expressed concern about the cost and the exorbitant demands of Fifa, but often in an undertone, not wishing to appear like party poopers. And now that the party is over, it is from the labour movement that concrete proposals and not criticisms have started to come.

Cosatu spokesperson Patrick Craven, for example, this week pointed out that the organisational ability, workmanship and resources that enabled world class World Cup infrastructure to be completed in record time, should be marshalled to build houses, schools and clinics. But he was also concerned about the cost of the World Cup party, the low level of stadium use, and the ongoing expense of maintaining the new venues.

It is a concern shared by a range of economists as well as the labour movement. In the light of this, Cosatu Western Cape secretary Tony Ehrenreich has suggested that the expensively upgraded Athlone stadium be earmarked and, if necessary, be adapted for use as emergency accommodation in times of need.

He, Craven and other unionists feel that it is essential to “look into every creative way” to recoup the huge initial and ongoing maintenance costs of the stadiums. An alternative — to demolish them to save in the long term — is not being considered.

What has been suggested as a possibility for the stadiums in Nelspruit, Polokwane and Rustenberg is that they might — if the generally lightweight construction permits it — be converted into high density, tiered housing, situated around a central “garden” that is now the soccer pitch. However, National Council of Trade Unions general secretary, Manene Samela, voices the views of a number of his members in demanding the onus should be on the SA Football Association to produce answers to what could be a costly dilemma.

Fears about the expense of the recent party were underlined with the estimate, for example, that the annual cost of maintaining Nelspruit’s Mbombela and Polokwane’s Peter Mokaba stadiums will be at least R17 million. Neither city boasts a major soccer or rugby team and there are still no official plans for the future the stadiums that, together, cost R2.65 billion to build.

Cape Town’s flagship stadium at Green Point is also not immune from white elephant fears. Former rugby great, Morne du Plessis, speaking as head of the consortium that now controls the stadium, this week admitted that he was concerned that it would be able to break even, let alone make a profit. Any profits will be shared with the city council; losses will be met by ratepayers.

Concern about the viability of the stadiums was also expressed this week by Johannesburg-based Citi Group economist Jean-Francois Messier. He notes that it is not yet clear how even Johannesburg’s Soccer City and Durban’s Moses Mabhida stadium will make ends meet. “And even Munich and Montreal struggled financially because of the costs incurred with the staging of the Olympics,” he says.

This view is bolstered by documentary film maker, Stelios Kouloglou, who recently completed a film about the International Monetary Fund and countries in crisis. “A contributory factor to the current Greek economic collapse was the extraordinary cost of staging the Olympics,” he says. South Africa’s investment in six new stadiums was, in many ways, on a par with the Olympic experience.

However, such considerations have not stopped a host of enthusiasts, from President Jacob Zuma down, claiming: “South Africa will never be the same again.” Unfortunately, for the majority of South Africans, their daily lives are very much the same today as they were before the great party.

Yet they too were caught up in the *Gees* — the spirit — of joyous celebration that spread across most of the country. But, as Lesiba Seshoka of the National Union of Mineworkers notes, they tended to be aware that a jol costs money. “This was like spending the year’s grocery money on one big party,” he says.

In this view, the spirit of recent celebration is about to be overtaken by the ghost of increasing penury.

Discovering a role as workers

STATUS does not put bread on the table or pay the bills. That is one of several labour movement lessons underlined by the current dispute that has seen nurses, junior doctors and teachers supporting industrial action by the wider public sector.

A number of the individuals in these jobs — members of the “caring professions” — have only recently discovered their role as workers, allied in a common struggle with clerks, cleaners and other manual workers. As Chris Kloppe of the SA Teachers’ Union notes: “Going on strike does not sit well with us.”

For many nurses, this is also the case, but poor working conditions even more than pay, have driven them to agree to action. In the process, they have also become acutely aware of what it means to be deprived of their democratic right to strike, to use the only real leverage they have.

“For six years we have tried to get government to negotiate a minimum service agreement,” says Democratic Nurses Organisation of SA (Denosa) spokesperson, Asanda Fongqo. Under such an agreement, emergency services alone would operate; only sufficient staff being on duty to deal with life and death situations.

However, as the nursing unions have already pointed out, the lack of equipment and often gross understaffing that now exists in many areas, makes it impossible to carry out even emergency treatment at the best of times. “So pay is only one aspect of our protest. Staffing levels and lack of proper equipment is also part of it,” says Fongqo.

He adds: “The essential service label is being used to intimidate our members and has ensured that they remain poorly paid.” One result has been that nurses who have protested in the past have been sacked; others, frustrated by low pay and “lousy conditions”, have migrated.

According to Denosa, there are now “thousands of South African nurses working abroad, especially in the UK”, further lowering staffing levels. Many of the nurses who remain, have to “moonlight” as agency nurses in private hospitals to make ends meet. As a result, says the union, they suffer even greater “inhumane workloads”.

The same situation applies to doctors in the public sector, who are also banned from striking along with others whose work is classified “essential”. This label is now increasingly being bandied about in government circles with reference to education and municipal services such as water provision and is raising serious concern within the labour movement.

The fear among teacher unions and unions organising in the local government sector is that there may be moves to declare these sectors legally “essential services” as part of a general clampdown on the labour movement. This has thrown into sharp focus the controversial Protection of Information Bill and the associated proposal for a media tribunal.

It has also led to a rare coming together of the labour movement and the commercial media. The unions point out that it is often their members who are the whistle blowers who pass on information in the public interest to the media. Under the new proposals, both the whistle blowers and the journalists would face legal sanction.

Among the union federations, Cosatu was first off the mark in condemning the media Bill, with general secretary Zwelinzima Vavi, describing it as “draconian”. Unionists across the board have pointed out that if the Bill becomes law, ministers, senior civil servants and managers down to municipal level, may rule that information they hold is “classified” and, therefore, secret.

“We are with the editors on this,” Vavi noted following the “vigorous opposition” to the Bill expressed

by the SA National Editors' Forum. But although they are united in opposing what all see as a move toward censorship, Cosatu and the other labour federations remain highly critical of many aspects of the media.

"We don't like some of the things the Press says or writes and some of it is wrong," says Federation of Unions of SA general secretary, Dennis George. "But there are sufficient laws in place to deal with these problems."

So far as George is concerned, "you can't have half freedom of the Press". In other words, freedom of expression must be supported for all the faults it may often have; that news in the public interest should always be freely available.

Confederation of SA Workers' Unions general secretary, Khulile Nkushubana agrees. "We all have reservations about media selectivity, but we are all against censorship of the media," he says.

He adds: "We have to ask: what have they got to hide?" In any event, he points out, because civil servants are the servants of politicians who are the servants of the public, there should be no secrets from the voters.

As National Council of Trade Unions general secretary Manene Samela sees it, the media, for all its faults, is the only means to "keep the government on its toes". For this reason alone, nobody should accept any attempt to muzzle any news outlet.

In an open society, he says, it is possible to "maintain pressure to get the media to report factually". Once censorship of any kind intrudes, the "prospect of deepening democracy disappears".

Noting that SA Communist Party general secretary Blade Nzimande had come out in full support of the Bill and the proposal for a tribunal to regulate the media, Samela points out: "Karl Marx, who was also a journalist, starts from the point of view of an open society; so we should not try to repeat what the apartheid government did."

An overwhelming united front appears now to be building to oppose the Bill. However, many of the unions have still to take a position on the proposal for a media tribunal since, unlike the Bill, it has not yet been formally proposed.

Cosatu, for example, will debate the tribunal proposal at its next executive meeting on August 23 at which the positions of the affiliates will be aired before a decision is made. "That," says Cosatu spokesperson Patrick Craven, "is democracy in action."

August 20

Digging and dying for gold — legally and illegally

IN THE stygian depths of South Africa's mines, 556 mainly young men died between 2007 and 2009. It is a shocking statistic, nearly four times the international benchmark for mine deaths per hour worked. But it is just the tip of a huge, largely ignored, mass of horrendous suffering and exploitation that has blighted the country for more than a century.

Add to the 556 the hundreds of men who die each year from preventable lung diseases and the thousands who continue to suffer or retreat to their homes, injured and incapacitated, most with little and, all too often, no compensation.

"This," says campaigning lawyer, Richard Spoor, "is the real horror. The media concentrates on the deaths of (legally employed) miners where there is at least a relatively reasonable amount of compensation paid to widows and family."

In the rural areas of this country and in neighbouring states, thousands of men are even now wheezing their ways to painful and early deaths, their lungs polluted by the largely preventable dust of deep mining.

It is on the consumptive deaths and broken bodies of these miners that many of South Africa's great family dynasties have been founded. Much of this wealth also flowed abroad when the political transition arrived, financing investments from Chile to China and enabling that Afrikaner Economic Empowerment (AEE) vehicle, Gencor, to transform into Billiton.

This fabulous wealth was — and continues to be — generated on the basis of practices that, in many ways, harken back to the worst excesses of the industrial revolution. However, especially in more recent years, these have been shrouded in legalistic hypocrisy and given a mythical gloss by highly paid public relations practitioners.

But incidents in the past two weeks have again brought to the fore what Paula Akugizibwe of the Aids and Rights Alliance for Southern Africa has dubbed “a human rights scandal”. The incidents were the killing by security guards of at least four miners at the Grootvlei mine near Benoni and the Constitutional Court challenge brought on Tuesday by Spoor on behalf of seriously ill miner, Thembikile Mankaye.

The medical expenses and lost earnings suffered by Mankaye, like so many miners a migrant from the rural Transkei, are estimated at R2 million. The payout from his AngloGold employers: R16 000.

The miners at Grootvlei — where workers have not been paid since June — were zama-zamas (those prepared to “have a go”). Mainly young, but with experience of the vast underworld in which they volunteered to risk their lives to earn enough to enable their families and themselves to survive.

They have also been accused of vandalism in that, unsurprisingly, parts of mine property have been stripped and sold. As the National Union of Mineworkers (NUM) points out, these are men who have had no running water or electricity, and have not been paid for months.

But, beneath the ground, in the shafts and tunnels of the mine, there is gold, a mineral that now sells on the open market for more than \$1 000 a Troy ounce. Given that sort of money, there are many middle men only too willing to pay R500 or even R1 000 for a sample or more to the men who know where to find it and how to extract it.

The actions of these zama-zamas — whether in the Free State, Witwatersrand or the older diggings around Barberton — are dictated by economic necessity. And they suffer usually worse conditions and even lower pay than when formally employed. Like the estimated 100 “illegal” miners who died more than 1km under the earth at the Harmony mine in Welkom last year, the surviving Grootvlei zama-zamas say they were merely trying to make ends meet.

But, as with those who died at Welkom, an unquestioning media tended to accept the labels of “pirates”, “thieves” and “illegals” pinned on them by the publicity machinery of the mining houses. Yet questions need still to be asked as to why, more than a year after the tragedy at Harmony, there has still been no proper investigation or inquiry.

Especially since the dead were working miners. They did not descend, clandestinely by ropes, down forgotten shafts, deep beneath the ground. In their overalls and wearing lamp-bearing hard hats, they went down in the mine company cage to do the job they were paid for. Only their employer was not the sub-contractor licenced by the mine owners to dig and die for gold.

All too often these days, miners are not even employed by the company holding the mining licence. Sub-contractors hire the workers, enabling the owners — Pontius Pilate like — to wash their hands of any responsibility for the callous brutality that continues to be the price paid in order to fill up their troughs of wealth. And shareholder spaces vacated by the former AEE beneficiaries are now taken up by their BEE counterparts — and little or nothing changes.

That has been the way for many decades in one of the few countries in the world where it is illegal, privately, to own gold or diamonds. This, as Spoor points out, is a ruling that means the state — and, therefore, the taxpayer — foots the bill for much mining product security.

But zama-zama miners could not operate in the modern, deep-level mines of the Free State without the involvement of management at a fairly senior level. Which is perhaps why there has never been a serious investigation into how so-called “illegals” are able to enter deep-level mines in a perfectly legitimate way.

As the mining unions point out, the pirates — the crooks — are those in management and perhaps higher up, who, in the name of profit, allow miners to continue breathing deadly, dust-laden air.

Improvements continue to be promised and nobody would surely argue with the report on the frightening incidence of TB on the mines that noted: “preventive measures are an urgent necessity”. That report, of the Milner Commission, was written in 1903.

November 26

NGP: new acronym, same old policies

SOUTH Africa seems enamoured of acronyms, national economic policy providing a classic example. First we had the RDP, then GEAR and now the NGP. But the powers that be who have presented us with these labels have at least remained consistent about content: despite the name changes, nothing fundamental seems to alter.

The Reconstruction and Development Programme, which emerged in 1994 along with a ministry headed by former Cosatu general secretary, Jay Naidoo, gave way — as did the RDP ministry — to the Growth Employment and Redistribution document two years later. Both promised job creation and a boost to economic growth and were — with justification — described at the time by former Nedbank chief economist Edward Osborn as amounting to “a cascade of improbabilities”.

Now there is the New Growth Path, details of which were presented this week to the Cosatu central executive committee. Aspects of this latest economic outline were welcomed by the assembled delegates.

But, as Cosatu general secretary Zwelinizima Vavi noted on Wednesday, the union federation was “concerned about the macro-economic policy” contained in a document that may soon become dubbed, “son of GEAR”. Because, although some of the concerns expressed by unions — especially about executive pay levels — have been taken on board by the NGP, it remains grounded in the belief that strong economic growth is not only possible, but will lead to the redistribution of benefits and income.

Despite the very recent example of surplus domestic maize production, consequent price falls and problems for farmers, the new proposals also seem largely to ignore the realities of a global economic crisis rooted in debt and surpluses. Local belt tightening on a slightly more equitable level is one of the NGP proposals.

The new plan is to cap pay and bonuses for managers and executives paid more than R550 000 a year, but also to restrain wage rises for workers earning between R36 000 and R240 000. The proposed cap — hardly likely to affect those paid up to R1 million a month and more — is new; wage restraint a mere repeat of Gear.

The 1996 project noted: “The appropriate determination of wages is a critical component.....” And, as with Gear, there is no mention of higher taxes for the super rich or any restraint on dividend payments.

Tinkering with aspects such as industrial policy and infrastructure spend, without changing the “trickle-down” foundation will be seen by an apparently growing group of critics as little more than window dressing. On a wider level, there have been more complaints of late from within Cosatu about the federation and its members being used by the ANC as mere “voting fodder”.

Various trade unionists and federation spokespeople, with Cosatu often to the forefront, have also been hearkening back to the macro economic document, Social Equity and Job Creation, adopted in 1996 by the combined labour movement. This prioritised redistribution as the path to growth and, as such, is diametrically opposed to the government's economic orientation.

This difference provides a potentially serious challenge to government and to an ANC that relies heavily on the electoral support of Cosatu and its affiliated unions. As a result, the claimed "positive aspects" of the new policy direction are being given the hard sell by a government obviously concerned about the increasing rumbles of discontent within its largest alliance partner.

This was the reason that a phalanx of heavyweight ministers was drafted in this week to stiffen the resolve of the Cosatu executive to support the ANC. Perhaps critical among these heavyweights was economic development minister Ebrahim Patel, the former trade union leader. He is seen as key to selling the new "growth path" strategy not only to Cosatu but to the labour movement as a whole.

The government's well founded assessment is that Cosatu, after analysing and debating the NGP document next month, will conclude that it amounts to "moves in the right (left) direction". It is not, because the framework remains the same.

However, this is likely to be obscured by talk of infrastructure spend, minerals beneficiation and job creation, along with pledges to negotiate more equitable trading relations with countries such as China. And it is China that is already being trumpeted as the new (hoped for) source of foreign direct investment.

So the contradictions in the relationship between the ANC and Cosatu, will almost certainly continue, with every indication that the alliance will remain intact, at least for the foreseeable future. Because, for all the recent rumblings of discontent, it is obvious that the ANC holds the whip hand, in many ways more firmly than it did at the formation of the tripartite grouping.

The critical view that nothing has changed at fundamental political or economic policy level in 16 years of alliance rule seems vindicated. Several critics have also pointed out that the Cosatu leadership was also quickly "reeled back in" when the federation co-sponsored a "civil society" conference last month that excluded political parties.

The ANC and the smallest alliance partner, the SA Communist Party (SACP), a party Cosatu officially acknowledges as the only "workers' party", were enraged at not being invited. A public tongue lashing was duly delivered to Cosatu.

Having been publicly chastised, the federation officially announced its support for the ANC at the forthcoming local government elections. The only qualification was that Cosatu and its affiliates would not support ANC candidates "known to be corrupt".

Since the ANC is unlikely to field candidates who clearly had their fingers in municipal tills and public purses, this hardly amounts to qualified support. And, coming so soon after the criticism for not having invited the ANC and SACP to the civil society conference, the protestations of loyalty looked somewhat akin to the abject apologies of an errant schoolboy.

But this expression of loyalty also came before the executive committee had met to hear what the NGC had in store. So Cosatu's December deliberations should produce no surprises: expect unswerving support for the alliance, peppered with the same criticisms.

A festive spend that won't help workers

In what many in the labour movement see as the lunatic logic of the present system, we are being encouraged again to spend, spend, spend — all too often on credit — now that the festive season is near. Such activity, we are told, will provide a boost to the economy.

In fact, all it will do is provide a boost to banks and to the profits of importers, producer companies, wholesalers and retailers while the jobs slaughter continues. It will also deepen the debt of many households, while millions more do not even have the wherewithall to spend anything in the first place.

But, as that old Christmas song advises us: 'Tis the season to be jolly. And there is a small minority of people who have cause to be exceedingly jolly.

They are the people whose already obscene levels of income have continued to soar. In honesty, many of them could sing of this season: 'Tis the season to rake in lolly; more and more money, from a majority persuaded that this is the right thing to do.

While the labour movement, as much as any other sector of society, appreciates opportunities to be jolly, to jol and be merry, low-paid workers in particular share with the unemployed the hollowness of circuses without bread. Their only hope lies in some change in a system that is sowing more and more sorrow and destruction.

Locally, such hope, within the labour movement, tends to be pinned on the Living Wage conference (LWC), scheduled for early next year. It will follow the Conference of the Democratic Left (CDL) in January.

The CDL comprises community groups and activists along with mainly small Left organisations, and may be in a position, along with trade union federations, to present coherent policy suggestions to the LWC. So, as we head toward 2011, the coming season could be used as a time to reflect on current realities and to consider alternatives that may be argued for.

As Cosatu spokesperson, Patrick Craven, notes, one of the realities that must be considered is the huge and growing wage and welfare gap. "It is a chasm," he says, pointing to payments to local chief executives of more than R1 million a week.

He also points out that the global nature of capital makes a nonsense of talk about capping the remuneration of top executives. Quoting the recent Who Owns Whom report that revealed that the number of billionaires in South Africa has nearly doubled — from 16 to 31 — over the past year, he also notes that the known wealth of South Africa's 20 richest men increased by 45 per cent in the year.

This is no localised phenomenon: it applies globally. As this column pointed out in July, the number of billionaires in India, for example, nearly doubled last year to 52 with combined wealth of \$276 billion (R1 932 billion).

The message is clear: while workers everywhere should consider what actions to take locally, they should do so only after thinking globally. Many trade unions are already doing so — and are realising that to call simply for decent jobs with decent pay and for more and better training is meaningless.

Not that such calls do not continue to be made in isolation, usually by union leaderships apparently bereft of any alternative ideas or even much awareness of the impact of the economic crisis. Like most mainstream economists, these union leaders tend to cling to any passing straw of hope that the crisis is at an end; that the system can be stabilised and made to function as it did in the recent past.

But, as US economist David Rosenberg has noted, this is precisely what happened during the depression

of 1929 when “any good news triggered euphoric response”; where every mildly hopeful sign tended to be seen as a signal that the worst was over.

Overall today, even where economies are growing, the number of jobs is declining. This has led to some commentators noting that while the world economy may recover from what the Los Angeles Times has called “the Great Recession”, jobs will not; stability, it seems, will come at the cost of starving millions.

In the US, where unemployment now hovers around 10 per cent, many more millions of workers are already under employed. At the same time, corporations, some of them saved by massive injections of taxpayers’ money, are starting again to make profits — while continuing to shed jobs and to invest abroad in lower wage societies.

Human labour is still essential, albeit in fewer numbers in several industries. And, at slave-wage rates, people can often produce more cheaply than the capital cost of full automation with minimal human input.

This reality lay at the heart of the great Chinese growth spurt. But Chinese workers are also becoming restive and wage rates have increased. Companies, especially in the sportswear sector, have again looked elsewhere.

Last week, the British Trade Union Congress released details of the pay and conditions endured by sportswear workers in Sri Lanka. TUC general secretary, Brendan Barber, pointed out that it would take a Sri Lankan worker more than 14 000 years to earn the R88 million a year paid to Nike chief executive Mike Parker.

It is not just Nike that is capitalising on the “even less than China” wages of Sri Lanka: Adidas is there, along with Speedo, Puma and Reebok. It is not that companies such as these are dishonest, immoral or acting illegally; they are merely following the dictates of the system, a system that includes workers and their unions.

It is a mad and destructive merry-go-round, benefiting the few at the expense of the many and, in the process, threatening the future of humanity itself. Change is clearly necessary.

So while workers enjoy these holidays, making the best they can of them, it could also be a time for reflection, co-operation — and planning for a different and better future for all.

2011



The surprise announcement by President Jacob Zuma of an official probe into the R60 billion-plus arms deal dominates, along with the ongoing factional tussles within the ANC and among it alliance partners, Cosatu and the SACP. An ongoing focus is more revelations and allegations about tender fraud, patronage and the abuse of power and position along with the initial drive — and then temporary withdrawal — of the contentious Protection of State Information Bill that is opposed by the labour movement and most community groups who rally to a Right2Know campaign.

News of local government elections in which the DA/ID merger scores well, especially in the Western Cape is soon overtaken by the shenanigans of the ANC Youth League that result in Julius Malema and his executive facing an ANC disciplinary hearing. This follows the exposé of Malema's Ratanang Family Trust and its links to various companies providing and securing tenders in Limpopo.

The labour broker issue again comes to the fore and US retail giant, Walmart, takes a controlling interest in the Massmart chain and controversy again erupts over national sporting paraphernalia being made in China, this time relating to Springbok rugby. Job losses over the past year continue and the Bloomberg news agency notes that South Africa has the highest unemployment rate among the 61 countries tracked.

In June two stalwarts of the anti-apartheid struggle, Albertina Sisulu and Kader Asmal, die and, in New Zealand, former anti-apartheid activists commemorate the 30th anniversary of the "Battle of Auckland" that signalled the end of apartheid rugby tours to that country on the same day the "new Springboks" play their first World Cup game before being beaten in the quarter finals.

Walmart: a classic success in a dog-eat-dog world

WE LIVE in a world system known as capitalism. About that there seems to be no disagreement. But what this means seems to create considerable confusion. And the rows surrounding the intended incursion into South Africa by Wal-Mart illustrate this clearly.

Amid all the arguments and the blowing of vuvuzelas, only a few trade union voices on the margins seem to acknowledge that Wal-Mart is a classic example of how to succeed in the dog-eat-dog world of relatively unfettered capitalism. In other words, by the standards demanded of the system, it is an icon to be lauded and emulated.

Some members of the SA Commercial Catering and Allied Workers' Union have, indeed, noted that local retailers have for years been emulating practices for which Wal-Mart is now under fire. In particular, the unionists point to the high proportion of cheaper imported products available in such "proudly South African" stores as Shoprite, Pick 'n Pay and Mr Price.

And while the unions are certainly correct in pointing to the immorality and unfairness of Wal-Mart's attitude to trade unions in the United States and to the company's low wage policies, none of this is illegal. Wal-Mart also complies with the law in national jurisdictions such as Britain, where trade union rights and minimum wages are legally entrenched.

Looked at in this way, the opposition to Wal-Mart taking control of the Massmart empire seems rather like the legendary King Canute. He is said to have sat on his throne at the edge of the ocean in the face of the advancing tide and ordered it to retreat. In so doing, he proved to his courtiers that even a great king had no power over such forces.

But Wal-Mart is not a force of nature any more than the capitalist system is; both are the creations of people. As such, they can be controlled, regulated, even changed utterly, depending on the circumstances and the existing political will of governments, unions and society at large.

As this column pointed out last year when the furore about Wal-Mart first began: the challenges mounted boil down to challenging the *laissez faire*, free market system itself. One thing should be perfectly clear: it would be unfair and illegal to impose restrictions on Wal-Mart that do not apply equally to other retailers. Shoprite's Whitey Basson picked up on that point when he claimed that if Wal-Mart moved in, local retailers would have to "import more".

This was a rather hollow threat, a bit of chest beating by a chief executive known for a tendency to call a spade a shovel. As retail workers readily point out, it only takes a visit to any super or hyper market to realise that local retailers already import as much as they can as cheaply as they can.

Such behaviour, regularly criticised by the unions, is the result of the competitive pressures inherent in the system. In a global marketplace retailers have to source the best goods at the lowest prices in order to remain profitable and to stay in business.

Unless there is some move towards protectionism — and this could run counter to existing international agreements — existing retailers will undoubtedly continue to rely on imports, possibly in even greater variety and quantity as competition increases. This could happen whether or not Wal-Mart concludes its takeover of Massmart.

As the SA Clothing and Textile Workers' Union has pointed out, one consequence of this has already been the loss of tens of thousands of jobs in the domestic garment, textile and footwear sectors. Other sectors are also affected. Imported electrical goods, car parts and accessories, even confectionary and biscuits are on sale, often heavily under-cutting locally manufactured products, in the process making a mockery of demands that we "buy South African".

In other words, the market is already skewed. How is it, for example, that tiny Sharjah in the United Arab Emirates, that has to import all its wheat, cocoa and most other ingredients, can manufacture chocolates and biscuits and send them to South Africa to sell at up to half the price of the domestic product?

Using its financial muscle, Wal-Mart can probably import the same goods already available here at even cheaper prices. It is the sheer size and buying power of the global giant that concerns Basson and other retailers. And it is a legitimate fear shared by the unions and elements in government such as economic development minister Ebrahim Patel.

This was one reason for the government's intervention at the competition hearings, essentially on the side of the unions. However, there are cynics in the labour movement who see this as having more to do with keeping the unions on side in the run-up to this week's local government elections.

What does seem certain is that the government is in no mood to change economic policy direction: a business friendly environment, aimed at attracting foreign investment remains the aim. That means more of the same, a situation that should suit Wal-Mart.

However, unlike a number other countries such as Canada and Australia, it is an independent competition tribunal that will make the decision after open and transparent hearings that ended this week. And, according to our laws, the tribunal has to weigh up not only any benefits of lower prices, but also the possible effect on jobs.

According to the Constitution and labour laws, Wal-Mart also has to accept unionisation. This week the company offered to guarantee a two-year moratorium on retrenchments at Massmart. An offer of a R100 million "incubator" fund for local suppliers was also made.

None of this provides any guarantees about local procurement or jobs. However, according to one commentator, Wal-Mart will "swallow any conditions". Because, after five years, the company will be free to do very much what it pleases. All within the law, of course. Because such is the nature of the system.

** The battle against what was referred to in this column last year as "a corporate bully and a voracious predator" was still ongoing as 2012 dawned. However, a court ruling apparently cleared the way for the merger. The only proviso: that retrenched Massmart workers be re-employed.*

June 17

Aurora tragedy highlights the gulf between moral and legal guilt

MINERS have died and thousands of dependents — wives, mothers, children and others — are suffering, many cold and hungry in the Highveld winter. They are the casualties of the ambitions of Aurora Empowerment Systems, the company that took control of the Grootvlei and Orkney mines from the bankrupt Pamodzi Gold in 2009.

The promises of the politically well-connected board, including relatives of President Jacob Zuma and former president Nelson Mandela, along with Zuma's personal attorney, Michael Hulley, proved worthless.

Four "zama-zamas" (miners illegally underground) were shot dead by mine security, and an unknown number of bodies of desperate men lie at the bottom of deep shafts. They fell to their deaths while trying to salvage odds and ends to sell in order to survive. As such, many mineworkers feel that this tragedy has not stirred the outrage it warrants.

There is also some criticism of the labour movement for a lack of solidarity. When up to 5 000 miners

are left unpaid for months; when water and electricity are cut off to mine hostels where most of the unpaid miners live, why were there not mass protests?

Why, some union members are now asking, did not other unions and other mines come out in protest to force the government and the mining houses to take action? This would truly have upheld the labour movement motto of an injury to one being an injury to all.

Instead, large quantities of steel pipe and flanges disappeared, along with steel headgear that was dismantled and was apparently sold, by the tonne, as scrap metal. Pumping of underground water also ceased, allowing it to be contaminated and for millions of litres to flow into the Blesbokspruit to poison other waterways.

But the National Union of Mineworkers (NUM) and the Solidarity union that organised workers on the mines did protest. For two years they raised complaints about what was happening and organised occasional food parcels to the unpaid miners.

In other words, the unions played by the book, allowing themselves to be constrained by legal formalities; as one mainstream commentator notes, they “behaved responsibly”. However, action, finally, was taken, with the liquidator team headed by the controversial Enver Motala, sacked and with control of the mines being removed from Aurora.

Now the mining unions are demanding redress. This week NUM general secretary Frans Baleni insisted that action be taken against both the sacked liquidators of Pamodzi and the Aurora directors. They should, he says, “be bought to book as soon as possible”.

The moral outrage is understandable; the desire for “those responsible” to pay up and be punished, equally so. However, once again, the unions are hamstrung by legal reality, by the fact that legal and moral right are not the same.

Some unionists were shocked to be told of the gulf between morality and law, well illustrated in the concept of limited liability. This has been described as “the fat cat’s charter to commit murder”, and is part of our economic system.

Because, unless it can be proved that any of the Aurora directors was personally guilty of theft, fraud or other criminal activity, they cannot be held liable for losses, damage or death incurred within the company.

It is the company — in law, a legal person — that carries the responsibility. The personal wealth, along with the capital and the income generated by other companies with which Aurora directors may be involved, is also not affected.

Not that the politically well-connected directors are not relatively wealthy. But the personal wealth of Khulubuse Zuma, Zondwa Mandela, Hulley or Thulani Ngubane has nothing, in law, to do with Aurora.

Zuma, the nephew of President Zuma, made this clear when, earlier this year, he was criticised for making a R1 million public donation to the ANC election campaign while workers at Aurora mines were still unpaid. In the face of a union outcry, he noted that he had no obligation to pay money from profitable companies to those losing money. He was correct.

This situation of limited liability is probably best summed up in a chorus in the comic opera, *Utopia*, by Gilbert and Sullivan:

“Though a Rothschild you may be, in your own capacity

As a company — you’ve come to utter sorrow

But the liquidators say: ‘Never mind — you needn’t pay’

So you start another company tomorrow”

Similarly, the initial liquidators may be able to shrug off demands that they be investigated, let alone prosecuted, for their actions. That they allowed an under-capitalised company to take control of the Grootvlei and Orkney gold mines was not illegal.

And just as there are no set qualifications for liquidators, there are also no set fees for the sale of “moveable assets”. However, the unions want the R43 million fee paid to the liquidators for the sale of Pamodzi’s President Steyn mine to be investigated.

But South Africa’s Insolvency Act only sets a 3 per cent fee for liquidators for the sale of “immoveable assets”. According to Motala, Harmony Gold, the JSE-listed company that bought the President Steyn mine for R439.6 million, bought a gold producer. Gold, he says, is a moveable asset and a 10 per cent fee was levied on the sale price.

This fee has been upheld by the courts. And the fact that it amounts to more than three times the unpaid wages owed to miners is, in law, neither here nor there.

As NUM spokesperson Lesiba Seshoka notes, this clearly illustrates that, “when companies fail, it is the workers who pay the highest price”. NUM has also been scathing about the apparent political protection afforded Aurora.

This has resulted in widespread cynicism among unionists about politicians in general. Some were also incensed this week when ANC Youth League president Julius Malema claimed to be a “real champion of the working class”.

“What did he ever say about Aurora? What did he do?” a recently retrenched miner demanded. “The only difference between bosses and politicians is that politicians are hypocrites.”

** Into 2012, the Aurora directors, who had ignored court summonses finally appeared likely to face charges and miners were provided food aid by the Gift of the Givers charity.*

June 24

Finding common ground on the ‘secrecy bill’

THERE IS often no love lost between the labour movement and the media. Especially during times of acrimonious industrial disputes and strikes, trade unions feel they usually get the raw end of the publicity stick. But the labour movement and the media are united now in their opposition to the Protection of Information legislation that the ANC seems determined to force through parliament.

Not that the unions have leapt to the defence of the media. For the most part, the labour movement recognises that the media is merely the medium conveying messages that are sometimes distorted by the prism of commercial interest; that it is, fundamentally, a megaphone through which messages of public interest can be magnified.

And it is the wider public interest that remains supreme in the philosophy of democratic trade unionism. It is recognised that without transparency and open debate workers and the communities from which they come, can be manipulated and dominated by forces hostile to an egalitarian society.

So it is not primarily to the defence of the existing media that the labour movement has rallied in condemning the Protection of Information Bill. It has rallied to the cause of the public at large and to those whistle blowers in corporations public and private whose information helps to hold to account the crooks and conspirators.

This is why the combined labour movement has declared its opposition to what is seen as an assault

on the constitutional rights of all South Africans. It is summed up in the ancient slogan, repeated recently by National Union of Mineworkers general secretary, Frans Baleni: nothing about us, without us (having all the available information).

Trade unionists are quick to point out that politicians are our elected representatives. As such they are employed to do our bidding and to report to us; not to do secret deals behind our backs, often to their own great benefit.

“The inclusion in the Bill of commercial secrets is also worrying,” says Confederation of South African Worker Unions general secretary, Khulile Nkushubana. “Who profits?” he asks, “and if something is in the public interest, what have they got to hide?”

Of special concern to the labour movement is the fact that it is trade union members who are often to the forefront in exposing corruption and problems of service delivery in both the public and private sectors. And it is to the media, for all its faults, that the unions must turn when complaints and inquiries through designated official channels are stymied or whistle blowers are victimised.

According to unions in local government, there have already been victimisations a-plenty. “Around the country, there have been more than 2 500 shop stewards and workers who have been unfairly suspended or dismissed,” says South African Municipal Workers’ Union (Samwu) spokesperson, Tahir Sema.

He maintains that many of these cases relate to workers who either questioned or complained about apparent corruption and mismanagement. For more than a year, complaints went unheeded and victimisation continued until, in May this year, Samwu decided to call a strike in protest.

But that was just before the local government elections. An urgent meeting was called by the ANC with the union leadership. “The ANC said they would deal with these cases and gave permission (for union members) to blow the whistle,” says Sema.

There were also assurances that politicians under investigation would not be appointed to senior posts until the investigations called for had been completed. These undertakings have largely been ignored and municipal workers in Ekurhuleni in particular, are incensed.

In the past two weeks alone, more than 200 workers in that East Rand municipality have been dismissed without, the union says, required disciplinary hearings. Among them are seven shop stewards who were part of a task team set up to assist the Special Investigations Unit — the Hawks — to investigate allegations of widespread corruption and mismanagement.

“Since before the World Cup last year, we have been fighting this,” says Samwu’s Gauteng provincial chair, Koena Ramotlou. Following the sale earlier last year of Germiston’s Rand airport, Samwu lodged an application with the South Gauteng high court to halt the sale of further council properties and to have all tenders awarded “without due process” declared invalid.

According to Ramotlou, the council employed delaying tactics, including the late filing of papers, with the result that the matter has still not been heard. “We are concerned that properties that provide a sustainable income to the municipality are being sold and that friends of friends may be benefitting,” he says.

The union, supported by members of the Independent Municipal and Allied Trade Union, demanded that these issues be dealt with as a priority. Faced with “foot dragging”, Samwu threatened its strike. But his was “put on hold for 30 days” after assurances from government.

This 30-day “breathing space” expired last week and ANC secretary-general, Gwede Mantashe, appeared before the Samwu executive to explain why the pre-election undertakings had not been met. “We did not buy into what he said,” notes an executive member, who points out that Ekurhuleni mayor, Mondli Gungubele, who is the subject of numerous allegations, continues to head the administration, having recently been “redeployed” to the post.

“So a strike is back on the agenda,” says Tema. Also very much on the agenda are legal challenges.

Cosatu general secretary Zwelinzima Vavi has committed the federation to take the matter to the Constitutional Court.

In this, both Samwu and Cosatu will have the support of other unions and federations. “This secrecy Bill is something we don’t need,” says National Council of Trade Unions (Nactu) general secretary, Manene Samela.

The “extreme disquiet” expressed by the Federation of Unions (Fedusa) is heightened by the realisation that, should the Bill become law, the level of intimidation will be ratcheted up by many degrees. Faced with the prospect of prison terms, potential whistle blowers will be silenced, the megaphone of the media will be crippled and the public at large will suffer.

July 1

Unity in diversity: the fundamental principle of trade unionism

THE GLOBAL economy is in turmoil, with even those usually optimistic flag wavers of the present system, the World Bank and the International Monetary Fund, issuing warnings. What has been referred to in some quarters as the “Greek disease” is, at last, being recognised as a financial cancer afflicting the global body politic.

Yet most mainstream economists, commentators and governments still tend, like fish stranded by a fast retreating tide, to be flapping around frantically and aimlessly. The more cautious among them hoping for a slow return of the tide; most merely hoping against hope that somehow, sometime, all will return to what it was.

It has not — and the crisis, along with the search for solutions, continues. South Africa, as part of the global village, is not immune and this should have become even clearer over the past week, with the announcement of new jobless figures: the timebomb of unemployment is now ticking even faster.

As such, trade unions, as organisers of the army of the employed who are also supporters of the vast and growing army of the unemployed, have become perhaps more important now than ever before. Together, they have considerable power, both nationally and in many other regions across the globe, to affect the course of history.

As a result, unions, federations and international labour groupings are trying, sometimes desperately, to adapt to the changed and changing economic and political realities of today; to a world of surpluses where the productive environment, particularly the seas, is being destroyed and where more people are starving and unemployed than at any other time in human history.

These circumstances are forcing trade unions to adapt in order to remain relevant and to retain their ability to use what economic and political power they possess. And they continue constantly to have to deal with bribes, blandishments and bullying from governments, political parties and business.

Against this background, it was logical that the domestic media focus over the past week was on the Cosatu central committee meeting at Gallagher Estate. Cosatu, as the numerically largest constituent in the governing ANC, is, potentially, the real kingmaker since it remains tied to the ruling party while, at the same time, giving precedence to the SA Communist Party.

The deliberations, declarations and decisions at the Midrand meeting reflected the changed situation in which Cosatu and its affiliates find themselves; they signalled a serious searching for a means to be more relevant in the months and years ahead. The same is true of the other unions and federations.

Over recent months there has been considerable soul searching within the broader labour movement. Some of this has resulted in another attempt by the smaller federations to unite, and perhaps to bring aboard one of the country's "Big Five" unions, the independent, 210 000-member, Public Servants Association (PSA).

Yesterday two of the independent federations — the Federation of Unions (Fedusa), the National Council of Trade Unions (Nactu) met to try to resuscitate the stillborn South African Confederation of Trade Unions (Sacotu). The PSA is closely following the discussions and informal talks are continuing with the Confederation of South African Workers' Unions (Consawu) in which the Solidarity union is the major player.

But unity, in and of itself, is not seen as a solution; relevance is the key. This was a debate that surfaced in Pretoria on Friday last week at the congress of the SA Onderwysers Unie (SAOU) that, like all unions in the country, has its name registered in English. At a bureaucratic level, therefore, the SAOU is the SA Teachers' Union.

A Fedusa affiliate, the SAOU came into the new dispensation bearing the segregationist legacy of the past: white, Afrikaans speaking and Christian. But it was — and remains — a highly efficient and effective trade union that has grown by nearly 2 000 members in the past year to a record 30 109.

This is the union that received a recent accolade from ANC secretary-general, Gwede Mantashe when he castigated members of the major, Cosatu-affiliated SA Democratic Teachers' Union. Mantashe maintained that Sadtu was "less committed than the SAOU".

He was referring to the fact that schools where SAOU members were prominent tended not to be dysfunctional. And he was also aware that the SAOU had provided training and upgrading workshops for thousands of educators who were not members of the union.

So far, this year, for example, the SAOU has provided one-day courses on aspects of the curriculum for 9 860 teachers as well as courses on school management for 3 000 principals in Limpopo. These are, for the most part, held in school halls, so reducing costs.

One of the reasons for the fact that many — often most — of the teachers attending are not SAOU members is a reflection of the changed circumstances in which this union now finds itself: the overwhelming majority of SAOU members now teach an overwhelming majority of the children of the previously disenfranchised majority. And 54 per cent of SAOU members work in schools where Afrikaans is not the medium of instruction.

The racial barriers have gone, but the linguistic and religious remain. As such, the SAOU is still, to a large extent, a union catering for Christians whose mother tongue is Afrikaans.

But, as union president Dr Jopie Breed warned the congress: "We cannot function as an island." The primary identity of SAOU members, he added, was as trade unionists. He implied inclusivity: the union as a home for all.

This is the fundamental principle of trade unionism: that unions are the primary organisations of workers as workers, irrespective of gender, ethnicity, language, religious or political belief. As most of the independents are concerned, this applies as equally to Cosatu and its affiliation to the SACP and ANC as it does to the SAOU.

Unity in diversity is the accepted principle. The argument is that it should be fully put into practice. A question perhaps of adapt, fragment or fade away into irrelevance.

Modern communications and the race to the bottom

IN 1996 when the internet was still in its infancy, the world congress of the International Confederation of Free Trade Unions noted: “Our movement is now under attack on a global scale and with an intensity never before experienced in its history.” That attack has not let up — and South Africa is no exception as the blame game of big business targets organised labour.

But, because of modern technology, what happens in one corner of the earth can be known within seconds almost everywhere. And although perceptions — and the tactics flowing from them — may differ and confusion is often rife, the clash between employers and their organised employees has become intense.

Propaganda is very much part of the battle, and the labour movement is finding it particularly galling that business is now trying to play a role as the job creating champion of the poor and disadvantaged. We saw examples of this earlier in the week as local business again jumped onto the bandwagon of special export zones (SEZs).

These low-wage, “deregulated “ zones, usually sited around ports, are for export production, and have drawn the wrath of the international labour movement. “We are totally opposed to such zones where employers are exempt from the laws that protect workers’ rights,” says Cosatu spokesperson Patrick Craven, summing up the attitude of the global movement.

The SEZ promotion came from Ann Bernstein, head of the Centre for Development and Enterprise (CDE) in a national radio interview. In a newly released booklet, the CDE — known among trade unionists as the Centre for Downsizing and Exploitation — lays much of the blame for unemployment on high wages and the legislative environment.

As such, Bernstein regards the “job creating” wages paid by the controversial Newcastle clothing factory bosses as an example to be emulated while the unions see this as an example of crass exploitation.

“Most of the workers in the Newcastle factories are women, many are single mothers and they are paid as little as R175 a week,” responds Fahmy Abrahams spokesperson of the South African Clothing and Textile Workers’ Union. “Yet they pay no less for bread or anything else.”

The union also sees it as significant that South African bosses are now pushing hard to reduce wages. “It is at the same time that Chinese workers are refusing any more to be treated as slaves and are pushing up their wages,” says Abrahams.

In the labour movement view, this is a classic case of leap-frogging national boundaries in a continuous “race to the bottom” in which often the self-same owning elite continues to exploit workers wherever they are. “It just acts against any decent work agenda,” says National Council of Trade Unions general secretary, Manene Samela.

That Bernstein and other representatives of “the tiny business elite” maintain that they are helping the army of the unemployed “in the national interest” by arguing for low wages and deregulation has also infuriated many trade unionists. “They represent the interests that caused this crisis internationally in the first place,” says Castro Ngobese, the spokesperson of the National Union of Metalworkers.

This union view is summed up by Irish writer Fintan O’Toole, in an adaptation of a poem by the great satirist, Jonathan Swift:

*We used up all the wealth we had
To build a ship for fools and mad*

*And, knowing it proof against all shocks,
Steered it blithely towards the rocks.*

O'Toole's book, *Ship of Fools*, details the corruption that created and then crashed the "Celtic Tiger" economy. Like South Africa, the Irish example also featured a "revolving door" between politics and business that was criticised yesterday on this page by the SACP's Jeremy Cronin.

The Irish experience has led to radical economist Terrence McDonough of the national university in Galway last month advancing proposals to deal with the crisis. These have stirred interest within the global labour movement.

He suggests defaulting on debt — a "we'll pay you back what we can, when we can" approach — launching a public bank to allow reorganisation of the banking system while providing a jobs guarantee and nationalising the country's major energy project.

Other economists allied to trade unions are also groping towards suggestions to at least ameliorate, if not transform, the global economy along with, perhaps, international politics. At the heart of this is who or what is responsible for the crisis.

Blaming organised workers is a common refrain and Greece is a classic example. The myths surrounding what has been labelled the "Greek disease" are legion: lazy, overpaid Greek workers being among the most common.

The facts tell a different story: Greek workers work for longer and for less pay than the European average. Before the present crisis struck, with pay cuts and massive layoffs, the average working week in Greece was 44.3 hours, against a European average of 41.7 hours. Greek wage levels were also just 73 per cent of the Eurozone average.

According to the Greek unions, the Greek government fell prey to the speculation of the financial markets. It was like a township family, regarded as "bad risks" by banks, that buys goods and services on credit and then, at a time of some financial difficulty, has to go to the loan sharks — the *mashonisas* — to borrow money at exorbitant interest, to maintain debt payments.

The deeper the debt trap, the greater the interest charged. It is a mad merry-go-round propelled by, and to the profit of, financial speculators.

This is a vicious cycle that many African countries have had to put up with for decades. And when the financial crunch comes, the demand is for austerity. This simply means lower wages, more unemployment, less money spent and, the unions argue, results in fewer goods being sold and produced, with consequently lower tax revenues putting greater pressure on governments to borrow more.

At least, courtesy of modern communications technology, these arguments are now being aired globally. And from such debate may come the answers needed to end a system prone to crises.

November 4

A judicial travesty drags on

The final act in a 13-year travesty of justice drama began shortly after midnight on Thursday last week. In a scene reminiscent of the apartheid era, four cars screeched to a halt outside a house in the Cape Flats township of Delft. Uniformed men, wearing flak jackets, leapt out, several of them vaulting the gate to bang on the door of the house.

They were not police. They were soldiers and they had come to deliver to the home of Donovan

Leibrandt, warrants of arrest for Leibrandt and for Leontoane Rantai, two former naval ratings and early members of military trade unions.

I have written about the case in this column three times over the past 13 years and I make no apology for doing so again. In all this time, I have not come across a legal matter that is more — as several lawyers have said — of a travesty. It is almost incidental that I became involved because the men were members of then unrecognised unions that were opposed by the military hierarchy.

In 1998 Donovan Leibrandt was a member of the putative South African National Defence Union (Sandu) that took the union membership issue to the constitutional court in 1999 and won. Leontoane Rantai belonged to the then also unrecognised South African Security Forces Union (Sasfu).

Both were naval ratings and they faced what their attorney described, accurately, as a “common purpose charge”. The attorney was Cecil Burgess, now an ANC member of parliament, and he was defending them on the very serious matter of arson.

What was made clear from the outset was that neither Donovan Leibrandt nor Leontoane Rantai had set fire to anything. And no evidence was led that they had been at the scene of any arson either before, during or after the event. But it was alleged that they had known about, and been involved with, an attempt to burn down the records office at the Simonstown naval base.

Thomas Ramalahla also a naval rating and, like Rantai, a former member of the ANC’s armed wing, umKhonto weSizwe (MK), broke into the office, carrying cans of petrol, and set about trying to burn the place down. But he set himself on fire and fled the scene, suffering grievous burns in the process.

Leibrandt and Rantai later met up with the critically injured Ramalahla, wrapped him in a wet duvet and drove him to hospital where he later died. Where they found him and the circumstances of his transport to hospital are matters of dispute between the prosecution and defence.

However, Rantai was detained by the military police and held in detention barracks where he underwent three days and nights of “physical interrogation” that resulted in a confession of involvement. At the time of his court martial, Rantai admitted: “After three days I agreed to anything the military police told me to say.”

Burgess pointed out that the confession, extracted under “torture”, was clearly inadmissible. Both Leibrandt and Rantai also did not trust the military to provide a fair trial and, together with Burgess, demanded to be tried in a civilian court.

The navy twice rejected this appeal and ordered courts martial. So began a tortuous, lengthy, and at times almost farcical, saga.

After three years, the case against the two men was dismissed on a technicality: the charges had prescribed because of delays for which the military admitted responsibility. The men went back to work, only to be arrested again — and charged in the civilian court in Wynberg.

“A travesty,” said Burgess. Sandu and Sasfu agreed. Having elected a court martial and having failed with a prosecution, the navy should not be allowed to “have another go”.

But the case went ahead and the magistrate, in a controversial decision, dismissed the alibi advanced by Leibrandt and admitted the confession by Rantai. The men were found guilty and sentenced to eight years’ in jail.

Lawyers, who at various times have been involved in the case, admit that none of the delays that then followed were caused by Leibrandt and Rantai. And parts of the delayed appeal judgments delivered provide cause for concern, one of them stating as fact that the men were at the scene of the arson attempt.

“The delays up to that point were also extraordinary,” says Keith Gess, one of the attorneys who, at one stage, dealt with the case. It is, he feels, a classic example of justice delayed being justice denied.

“Looking at the record, it is diabolical what has happened,” says a Cape Town attorney who does not wish to be named, because, he adds: “In my position, I can’t be seen to criticise judges and judgements.”

However, after more than a decade of living in a legal limbo and battling against what seemed insurmountable odds, Leontoane Rantai gave up and left Cape Town without providing a forwarding address. Donovan Leibrandt, without money for legal assistance, battled on, eventually drawing up, by himself, a petition to the Constitutional Court.

He was waiting to be given the reasons for the constitutional court's negative ruling when the soldiers arrived at his door. So began the last, frenetic act in this tragedy as Donovan Leibrandt tried — and failed — to obtain an order halting the execution of the arrest warrant in the time given.

On Wednesday morning, the same camouflage-uniformed army sergeant who had been involved in last week's raid, looked on as Donovan Leibrandt handed himself over at the Wynberg court and two police constables took him into custody. "The army was involved because we were told it was a military matter," the sergeant said.

I walked with Donovan Leibrandt and his clearly distraught wife, Zoliswa, as he was escorted to the cells. "All I want is my life back," were his last words to me.

However, the curtain is yet to fall on the final act of this travesty. The public protector and Lawyers for Human Rights have belatedly been informed. And inquiries are being made into what might still be done in the name of justice.

** By the end of 2011, Donovan Leibrandt was still in the grossly overcrowded Pollsmoor prison, incorrectly jailed for eight rather than the four years agreed by the appeal court and trying to make representations for and early parole.*

November 21

The blame game of greedy humanity

There is a fresh excuse being offered to explain the crisis that continues to beset the world. But it is hardly new. During social and economic crises over the past century and more, the same old argument about greed being the source of human ills has been trundled out.

According to this argument, people are inherently greedy; it is part of our nature, an inborn instinct that makes our competitive, dog-eat-dog economic and social system perfectly logical. It is now being trotted out again as something about which we can do nothing, a burden that humanity must simply live with.

At the height of the the still booming 1980s, greed was actually hailed in many quarters. It was summed up in the 1987 film, *Wall Street*, that included the famous line: "Greed, for lack of a better word, is good."

Brokers, money lenders, corporate executives and wheeler dealers of various types were making fortunes. In South Africa, once the mass uprisings of the decade had brought about the talks that led to a non-racial dispensation, much the same applied. Hope of a better life for all was in the air, encouraged largely by a growing tide of easy credit.

Then, on the back of the greed that motivated financial institutions, obscene levels of executive pay and a tangled mass of sub prime mortgages, came the crash. It, in turn, heralded the arrival of vast amounts of now toxic assets and catapulted the world into perhaps the most severe economic crisis in history.

As the crunch began to be felt, first in the United States and then Europe, various local luminaries, including then finance minister Trevor Manuel, insisted that South Africa was immune from the contagion. They were wrong and the consensus across the board now seems to be that worse is yet to come.

Against this background, blame is increasingly being laid on uncontrolled greed. Because, the argument goes, greed, in and of itself, cannot be dispensed with; it is part of "human nature".

One of the latest proponents of this refurbished and threadbare explanation is Econometrix chief economist Azar Jammine. In a radio discussion this week he argued that, because of greedy human nature, there is really no alternative to the system in which we now live and in which so many suffer. The question, it seems, is only how best to control a perfectly natural impulse to accumulate as much as each of us can, irrespective of what we need.

This approach caused some caustic comments within the labour movement. Officials within the four labour federations maintained that the “greed thesis” flies in the face available evidence.

They, along with rank and file members, also listed a wealth of evidence, ranging from the caring and sharing among communities in rural areas and townships to the fact that unionised workers throughout the country willingly surrendered a day’s pay in 2000 to launch the multi-million rand Job Creation Trust (JCT) to benefit the unemployed.

The establishment of the JCT alone should have put paid to the argument that greed motivates unionised workers struggling for better wages and conditions. But it is also generally acknowledged that the majority of low-paid workers provides an unofficial social security safety net for up to ten dependents. And the greater the job losses, the greater the number of dependents and the greater the need for more income.

Numerous examples of poorly paid doctors and nurses working in rural and township clinics, often in difficult conditions also emerged, along with many cases of the practical application of that much discussed and all too frequently abused concept, ubuntu. Families with only one member in regular employment “sharing the pot” are more the rule than the exception in many areas.

But while greed seems not to be seen as inherent, it is also admitted that the idea of universal greed has wide currency and tends to be accepted even among people who profess that they are, themselves, not greedy. “In fact you will find very few people who will admit to being greedy, even when they say others are,” notes Federation of Unions general secretary, Dennis George.

He admits that the contradiction inherent in this position also tends to be ignored. So the idea of greed being an ingrained part of “human nature” continues to be propagated, often with justifications drawn from popular pseudo-scientific books. Well-respected American zoologist JP Scott once noted about such writings that they were akin to a “bad pizza”, having choice tidbits of information embedded in dough of half-baked ideas.

But in the modern, “scientific” era, the the concept of greedy, aggressive humanity goes back more than 100 years to “survival of the fittest” distortions of the work of Charles Darwin on human evolution. It was this distorted “social Darwinism” that led the Prussian general Friedrich von Bernhardt to claim in 1912 that war was “a biological necessity”.

“This is absolute nonsense,” says National Union of Mineworkers media officer, Lesiba Seshoka. Like several other unionists, he points to the essential difference between humans and other animals: the ability to reason.

And reason, says National Council of Trade Unions general secretary, Manene Samela, makes it clear that, in order to survive, humanity must stop the plundering of the earth’s resources by a minority motivated by greed.

“Of course there is greed. The system promotes it; greed is the incentive of the system,” he says.

Cosatu national spokesperson, Patrick Craven agrees: “Capitalism is based on greed and creates a moral climate which can seep through to the public sector. We need to fight for an alternative based on co-operation and mutual respect.”

One response of the labour movement is the campaign for decent work for everyone. Campaigning for decent work and a decent living for all is seen as spearheading the fight against greed.

“It is the opposite of the legalised looting and theft that is the present capitalist system,” says Confederation of SA Workers’ Unions, general secretary, Khulile Nkkushubana.

Hofmeyr, Limpopo and 2012

The government's latest moves directed, ostensibly, at combating corruption and maladministration have sown considerable confusion, distrust and suspicion in sections of the trade union movement. Most confusion seems to exist within the National Education Health and Allied Workers' Union (Nehawu), the union that was to the forefront of the campaign to remove advocate Willie Hofmeyr as head of the corruption busting Special Investigations Unit (SIU).

The Nehawu complaint had been about the lack — on an ethnic basis — of transformation in a unit where perhaps 300 of the SIU's staff complement of 506 are members of Nehawu. The union complained that the four-strong executive committee comprised three white males and one African male and that senior positions throughout the SIU remain dominated by melanin deprived males.

The analysis by the union of the ethnic composition of senior SIU positions is correct — but it is also a good example of the legacy of apartheid education in a unit demanding highly specialised skills. Because of the country's history, senior forensic investigators with many years of experience tend to be drawn from the previously advantaged minority, creating a promotions bottleneck for younger, mainly black, investigators.

The frustration among bright young graduates in the SIU is real enough: with skills and experience at a premium, the route to senior positions is blocked by a "old guard" still deemed necessary. Hofmeyr was blamed for this.

But now that Hofmeyr has gone, left to control only the assets forfeiture unit, confusion has set in. This arises from the fact that Hofmeyr, a middle-aged white male with anti-apartheid struggle credentials, was replaced by Willem Heath, an elderly white male hailing from the apartheid judiciary.

The fear among several Nehawu members within the SIU is that the removal of Hofmeyr may not signal the start of employment equity transformation; that the move may merely amount to another shot in the convoluted political battle within the governing ANC, a case of President Jacob Zuma and his supporters exerting political control over the SIU.

This perception was reinforced when Heath, in a clearly ill-considered interview published last Sunday, claimed that former President Thabo Mbeki had effectively stage managed the corruption and rape prosecutions of Zuma; that Shabir Shaik, sentenced to 15 years imprisonment relating to a corrupt relationship with Zuma, had been wrongly convicted.

What Heath did was to voice publicly the conviction of Zuma's most dedicated supporters who are gearing up for a potentially major battle next year when they try to assure Zuma a second term as ANC president. The fact that this battle is raging is an open secret, but it has also cast a shadow of suspicion over the cabinet's announcement this week that national government will be taking over the administration of five provincial departments in Limpopo and "intervening" in Gauteng and the Free State.

To the forefront of the calls for the national government to step into Limpopo, was the SA Municipal Workers' Union (Samwu) that has campaigned for years about corruption, especially in that province. In this column and elsewhere, this Cosatu-affiliated union has complained of intimidation, graft, fraud and corruption and about the victimisation of whistle-blowing union members.

However, the government's announcement this week received only luke warm support from the union. "We cannot give a blanket welcome to national government taking over some of the functions of the Limpopo administration, because we are not too sure at this stage what the real intentions are," says Samwu spokesperson, Tahir Sema. He adds that the union "will be watching the process closely and welcomes it in principle".

Although he did not spell it out, a concern among many unionists is that the move into Limpopo, fiefdom of suspended ANC Youth League president, Julius Malema and his associate and provincial premier, Cassel Mathale, may amount merely to a changing of the guard. “They want Cassel (Mathale) out and a Zuma loyalist like Joe (Paahla) in,” is one cynical comment.

If political control is the object, it may have little impact on the ground. “The Limpopo province is run by thugs — gangsters — not politicians,” says Sema.

He maintains that Samwu has evidence that “all spheres of government” in Limpopo have been corrupted and that the situation has reached a stage where honest union shop stewards fear for their lives. “Mainly in Limpopo, but also in the North West, our members have faced physical threats and we know that (the thugs) will go as far as killing to silence whistle blowers,” he says.

The union therefore wants an in-depth audit of every aspect of governance and service delivery in Limpopo to be conducted “openly and transparently”. This stress on transparency is one of the reasons that Samwu was among the first of the Cosatu-affiliated unions to oppose the government’s proposed Protection of State Information legislation.

This Bill, now before the National Council of Provinces, has become part of the political battleground involving unions aligned with the ANC: attitudes toward it provide further evidence of rifts within the governing alliance. Cosatu, as a federation, has come out strongly against the Bill, while there was a minor uproar among members of the Cosatu-affiliated SA Democratic Teachers’ Union when their president, Thobile Ntola opposed it.

Sadtu general secretary, Mugwena Maluleke explains: “The president was speaking from the Cosatu perspective after (the federation) had taken a decision. Our own general council has not yet met to discuss our position.” As an independent affiliate, Sadtu “will be guided by Cosatu” but retains the right to adopt its own position.

What this has shown is that there are strongly held views about the Bill that reflect the fluid and sometimes confusing alliances in the leadership struggle within the ANC. “This political infighting is a problem, but it might not stop a proper clean-up in Limpopo,” says a provincial Samwu official.

“The place is a shambles,” says Sema, “we just hope national politicians realise the extent of the problem — and do something about it.”

** In little more than a month after this column was published, the central government crackdown on Limpopo began as finance minister Pravin Gordhan noted that unauthorised expenditure in the province amounted to R2.7 billion.*