

A People United Shall Never Be Defeated

The History and Achievements of the Mineworkers Union of Namibia (MUN)

1986 – 2001

Labour Resource and Research Institute (LaRRI)

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Table of Contents

Abbreviations

Acknowledgements

Foreword

The formation and historical background of the MUN

MUN and the liberation struggle

MUN's role in building the NUNW

National and international relations

Decision-making structures

Challenges after independence

The big strikes: from TCL to Ongopolo

MUN and gender

Health and safety

Collective bargaining

Challenges ahead

Abbreviations

BEC	Branch Executive Committee
CBO	Community-Based Organisation
CC	Central Committee
CCN	Council of Churches in Namibia
DRC	Democratic Republic of Congo
DTA	Democratic Turnhalle Alliance
EPZ	Export processing Zone
GIPIF	Government Institutions Pension Fund
ICEM	International Chemical, Energy and Miners Federation
LaRRI	Labour Resource and Research Institute
MANWU	Metal and Allied Namibia Workers Union
MUN	Mineworkers Union of Namibia
NAFAU	Namibia Food and Allied Workers Union
NAMIC	Namibia Miners Investment Company
NAMIT	Namibia Miners Investment Trust
NANGOF	Namibia Non-Governmental Organisations' Forum
NAPWU	Namibia Public Workers Union
NEC	National Executive Committee
NGO	Non-Governmental Organisation
NUM	National Union of Mineworkers
RBC	Regional Biennial Conference
REC	Regional Executive Committee

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Foreword

The Mineworkers' Union of Namibia (MUN) was formed 15 years ago on 23 November 1986. The formation of this union for the mining and energy workers was the result of miners' exploitation and showed workers determination to collectively fight the unbearable conditions of employment they had to endure.

MUN's formation was a milestone in the history of the struggle of the Namibian mining and energy sector workers. The MUN ever since its formation played and continues to play a vital role both in the economic and political struggle of Namibian workers.

The struggle of the miners has been long and bitter but MUN has throughout the 15 years of its existence kept its promises of rendering quality service to its members through representation and fighting for members' rights and interests.

The MUN went through tough times, through thick and thin, especially during colonial rule. In the end, the union succeeded to get all mining and energy workers throughout the country organized under one union.

For the past 15 years, the union has achieved many things among others:

- Highest unionization rate of all unions in the country;
- Recognition by almost all mining/energy companies in the country;
- Health & Safety Agreements at workplaces were achieved with most if not all mining & energy companies;
- Better and improved conditions of employment for MUN members.

Despite these achievements, the union is still facing many challenges that it needs to address in the 21st century. Some of these challenges are:

- The struggle for workers' economic empowerment;
- The effects of globalisation such as retrenchments, outsourcing, company closures etc.
- Declining membership due to retrenchments, HIV/AIDS, company closures and outsourcing;

Although we achieved independence and political liberation, we in the MUN still believe that the most difficult and bitter struggle for workers' economic empowerment still has to be fought and won. Workers are wealth creators but do not receive their fair share, hence the struggle for **the economic power is now**. We believe that through unity and hard work we will win the economic struggle.

In the face of these challenges and achievements, we felt that it is important for the MUN to tell its history, achievements and challenges. With the assistance of the Labour Resource and Research Institute (LaRRI) we were able to do that and we are proud to present this booklet to our members, former members, our friends at home and abroad as well as the entire Namibian public.

A PEOPLE UNITED SHALL NEVER BE DEFEATED!

Connie U. Pandeni
MUN President

1. The Formation and Historical Background of the MUN

The Mineworkers Union of Namibia popularly known as the MUN was launched on the 23 November 1986 at the Catholic Church in Katutura. About a hundred delegates from the major mines in the country attended the launching congress. Eino Ntinda, one of the founding fathers of the union recalls: *'We were called upon by history to shape the destiny of the poor mineworkers in this country, who had been exploited for many years by foreign companies whose prime motives were to reap huge profits by exploiting our country's natural resources, using our people's cheap labour.'* Facing up to the challenge, Ben Ulenga, also a founder member and who was elected MUN's first General Secretary told the launching meeting that: *'We have to do something. We must have a focused mission, and our slogan must be: "A people united shall never be defeated."*

Knowing the key role the mining sector was playing in the Namibian economy at the time, the MUN launch was a historical and a spectacular moment. *"Miners merge in powerful union"* was how the Windhoek Advertiser greeted the news. *"A major force in Namibia"* read The Namibian. The immediate challenge was how to organise, recruit and build up membership so that the union would become a strong and solid force to be reckoned with. At that time, holding meetings was not allowed and trade unions were regarded as fronts of SWAPO - the liberation movement that fought a 23-year-old armed liberation struggle to dislodge South Africa from Namibia.

The MUN was started during a difficult time in which the racial and apartheid laws of South Africa were designed to exploit workers - not to protect them. The contract labour system was posing a lot of problems for workers. Racial discrimination, meagre salaries and the unbearable compound accommodation offered to workers all made it necessary for workers to unite and speak with one voice against these malpractices. Willem Van Rooyen recalls: *'During 1985 and before there was almost no way in which one could make the employer-employee relationship a constructive one. There was therefore a need to regulate the relationship as well as to formulate and formalise it. The objectives of the recognised union and the employer had to be clarified. Soon after we spelt out our objectives in a constitution, we wanted to negotiate an agreement with the employer. I remember very clearly during those days that it was not wrong for an employer to ask you, whom do you represent, where is your constitution? So the first thing to do was to get our house in order.'*

Ben Ulenga argues that around 1985, the time when he and other liberation fighters were freed from Robin Island there was not much happening on the social front inside the country. *'It is true the armed struggle was in full swing but the workers, the students, the peasants did not have a clear and coherent strategy to fight the colonial regime. For instance, in the labour sector workers would simply quit the job and go home if they had an industrial problem with their employers, and which was the order of the day. The formation of MUN and other industrial unions and later the NUNW served to create a united front for the workers to wage their struggle against the oppressive colonial South African regime. Labour relations changed from simply quitting jobs to negotiations and national strikes if employers did not want to yield to workers' demands. We soon realised that the struggle for independence and emancipation from the oppressive colonial regime was everybody's business not only*

the Plan fighters in the bush or somebody speaking to the United Nations but we all have a role to play’.

Ulunga further points out that starting the MUN was not an easy task. *‘Most of us did not have the necessary organisational skills or experience. We had the vigour and motivation, no question but you need more than that to start and make an organisation moving. It was for this very reason that we had to heavily rely on the experience and expertise of the National Union of Mineworkers of South Africa (NUM). Even the first money that MUN opened its first account with was an R 5 000 donated by NUM towards the end of 1986. I remember, there is one interesting story regarding the opening of this account. We opened our first account with NedBank mainly because the late Adv. Anton Lubowsky had an account with the same bank. We did not have the money needed to run an organisation that was fast growing but we knew that we could rely on getting overdrafts against Lubowsky’ s account that would therefore serve as a security.*

My inexperience came to the light when after receiving this R 5 000 I gave about R 800 to the Namibia Food and Allied Workers Union (NAFAU) who needed to drive to Luderitz to attend to an urgent strike at a company which used to be known as Taurus. NAFAU did not only need the money but also the car we were using as a borrowed car from SWAPO. There were no proper tyres on the car and they also use the money to acquire new tyres as well as fuelling the car for the trip to Luderitz. I thought it was all fine and that all I needed to do was to report the matter to the National Executive Committee (NEC) at our next meeting. But there I was put in the spotlight. I was reprimanded for not following the right administrative channels before giving NAFAU the money and the car. During those days workers stood for what was right irrespective of who committed a mistake and the MUN leadership ever since was endowed with independent thinkers. I was also properly told that in the least I was supposed to consult the treasurer who at the time was Comrade Groenewald. I came to the union with solidarity sentiments of thinking that after all it was a SWAPO car needed by a sister union and we could as well assist with fixing the tyres and fuelling the car. I was in the wrong I admitted and apologised for my blunders.

Despite the inexperience of the founding leadership the union fought for the removal of the contract labour law and other discriminatory practices which allowed for black workers to be treated as if they had no rights. Benhard Esau recalls: *‘We realised that colonialism must first be removed to create a conducive environment where the playing field could be levelled in the labour relations’ arena. We were against a labour law that was pro-employers but instead wanted a labour law that was pro-employer and pro-worker. It should at least be able to accommodate both social partners.’* He further remembers that the MUN was formed as a result of struggles at the shop floor level. Workers realised that unless they were united they would not be able to overcome the oppressive labour laws and the apartheid system. The legal system at the time was clearly favouring the employers. *‘If you think of the system during that time, whites were treated differently from the way blacks were treated. We for example had a daily rate system and the rates of the white staff were much higher than those of the blacks. Even in the conditions of employment, there was a big, big difference.’*

The first strategy was to organise the workers on an industrial basis. The slogan of “one union one industry” started to take roots. All our movements were monitored and we therefore decided to start organising the union at the plant level. We first formed the Rossing Mineworkers Union. Around the same time the Oranjemund mineworkers union was formed. The idea was taken further to also organise the TCL mines. We were defying the colonial labour practices. We did this on the basis of the slogan of one industry one union. The Swapo youth league also supported us’.

The early years of the MUN posed many challenges. A lot of problems were experienced especially during membership recruitment campaigns and in the process of setting up union structures. Cleophas Mutjavikua recalls how most of the activities and rallies of the union were monitored by Koevoet (The then Southwest African notorious special field force). He further recalls how at one time the President of the union at the time, Asser Kapere, was arrested and detained (*See full story later in this booklet*). In sum, the union was a threat to the Southwest African administration and its apartheid system. An insignificant rival union formed mainly by white mineworkers was started in Oranjemund. It was named the Engineering Workers’ Union (EWKU). A similar rival union called the Southwest African Mineworkers’ Union (SWAMU) also existed at the TCL mines. However, neither SWAMU nor EWKU succeeded in accumulating a large membership that would have allowed them to command national respect and become a rival to the MUN.

As mentioned earlier, one of the main battles of MUN was against the contract labour system, which characterised labour relations in Namibia. The union also fought a battle against poor wages for black workers and job reservation for whites, which was linked to the whole issue of racial discrimination. Under the contract labour system, workers were mostly drawn from the north of the country (the former Owamboland) to work as cheap labour on the mines and to a lesser extent as labourers in the agricultural sector. We should bear in mind that Namibian trade unionism first emerged in protest against the migrant labour system and dates back to more than 46 years, when contract workers started coming together to fight against inhuman treatment they had endured in various industries. However real organised union activities at that time were few and far between.

The churches were instrumental in the formation of the MUN. According to Esau: *‘Bob Kandetu when he was the associate Secretary General of the Council of Churches in Namibia (CCN) helped us a lot in building up contacts. It was through him that I got in touch with the National Union of Mineworkers (NUM) of South Africa. Through this contact we worked out ways and means of how to set up the structures of the MUN.’* The church was also used as a means of organising workers at the different mines. Esau recalls: *‘If I take the example of the Otjihase mine, we used to escort the pastors on Sundays under the pretext that we were going to attend Sunday services at the compounds. Normally after the sermons of the pastors we used to deliver our speeches urging the workers to get organised into unions. I also used my position as a purchasing officer for Rossing to organise the workers. As part of my job I always undertook fortnightly trips to Swakopmund. I would go on Thursday instead of the Friday so that I could use the weekend to report to Comrade Asser Kapere and other comrades on progress in the other regions. We also used to have a half way station where people from Windhoek and other places would meet the comrades from Oranjemund. We would drive straight after work on Saturdays, that’s*

at one o'clock and meet the other comrades at the Gibeon School and would hold meetings all through the night and depart on Sunday morning back to our respective destinations. Funding during that time was zero, we were using our own money. We would take something like R 100.00 (N\$ 100.00) from our salaries and use it for this purpose. At that time we were not sleeping in hotels like we are doing today but in our cars. It was only when our recruitment gained momentum that every worker started to contribute R 1.00. We did not mind all these expenditures because we were organising something, which would fight for the interests of the workers. We were so to say thinking long-term.' Paul Rooy adds that 'even the collection of the R 1.00 per person was problematic. There were no stop order facilities.'

The recruitment drive of the MUN was so effective that within one year of its existence, the union was a force that nobody could ignore. To test its muscle, the MUN called on all its members to boycott white-owned businesses in Tsumeb in June 1987 and this had crippling results. The boycott was in protest against low salaries, high consumer prices, sales tax and the war in the north of the country. Most of the workers who took part in the boycott were from TCL and lived in the TCL main hostel and the Smelter Hostel. Many businesses had to close down for the duration of the boycott. However, the biggest moment for the MUN came the following year (1988) when the union signed a recognition agreement with CDM, providing for aspects of collective bargaining and employment relationships. Under the agreement, CDM recognised the MUN as the collective bargaining representative of its workers, and the company also undertook not to victimise, intimidate or unlawfully interfere with MUN activities, its officials and members. Having won this battle the next target was Rossing and the notorious Tsumeb Corporation Limited, in short TCL. There too recognition agreements were signed between the MUN and those mining companies. Today, the MUN signed recognition agreements with almost all the mining companies in Namibia and is the biggest bargaining power for the mineworkers. A series of effective strikes at Oranjemund, Tsumeb, Rossing and other mines were organised by the MUN.

The launch of the MUN served as an impetus for workers in other industries to organise and form unions. Among them were the Namibia Public Workers Union (NAPWU) and the Metal and Allied Namibia Workers Union (MANWU). As Kapere says, *'the MUN was one of the first born amongst all the unions and had to play a role in organising most of the other unions. We were practically involved in bringing together the members of the other unions as well as teaching them on the importance of trade unionism.'*

Aims and objectives of MUN

The following are the aims and objectives of the MUN:

- To organise and unite into one workers' union all workers employed in the mining and energy industry in Namibia as to be able to struggle effectively and victoriously for their economic and social welfare.
- To play a role in regulating industrial relationships in the interest of the workers
- To negotiate on behalf of the members and settle any dispute between members and their employers on the basis of collective bargaining ;

- To improve constantly the wages and salaries as well as the working and living conditions of its members
- To fight against apartheid or any form of discrimination or segregation imposed on members
- To struggle against the contract and migrant labour system and their detrimental consequences;
- To fight against humiliating practices directed at members and for the mutual respect and dignity of all;
- To educate and conscientise members on relevant subjects such as Namibia's industrial history, and to highlight the role played by the workers in the country's industrial and social development;
- To establish contact and maintain a close relationship of co-operation and solidarity between mineworkers and other industrial unions or union federations inside and outside Namibia for the sake of labour movement unity;
- To promote projects and provide facilities for members' self-education and intellectual satisfaction;
- To promote, support or oppose any action as might be in the interest of workers in general and the trade union movement in particular;
- To fight for and uphold the democratic rights of all workers both in worker's organisations and in the Namibian society as a whole;
- To make representations to a legal, popularly elected Namibian government on labour and trade union legislation and other matters affecting workers;

2. MUN and the liberation struggle

Hofni Ipinge recalls that *'Swapo and MUN was seen by the colonial regime as one and the same thing.'* What must be understood - according to the MUN's former President John Shaetonodi - *is that the liberation struggle and the workers struggle in Namibia were two sides of the same coin. As we very well know, Swanu and Swapo as the early political parties were formed to fight against the contract labour system as well as other discriminatory practices of the apartheid system.'* The timely realisation that the exclusive battle against the inhuman labour practices is only one aspect of the liberation struggle, soon transformed these parties into fully fledged political parties that challenged the whole political order of the day.

According to George Elia Kaiyamo *'the issue of workers' struggle was for long on Swapo's agenda. The exiled leadership in consultation with those in the country therefore decided to organise the workers as part and parcel of the liberation struggle. In light of this commitment, the Swapo Windhoek branch was given the responsibility to organise the workers into some unions. I remember the first meeting to discuss this issue was held in 1984 at my house in Shandubala, Katutura. These were those dark days when only a few comrades could risk their houses being used as Swapo meeting places. We almost had no resources at our disposal and we had to make use of our own cars and other personal properties. A committee to take up the issue further was called into being. I remember that the committee consisted of myself, Comrade Ithete, Nangolo, Nehale and later Lubowski and Mbako as co-opted members of the committee. In September 1984 Comrade Mbako and Auala, both from Oshakati joined me on a trip to Botswana to meet Comrade Johnny Ya Otto and some*

donors from Sweden. It was at this meeting were Comrade Ya Otto assured us of Swapo's financial and material support to the workers committee as well as the envisaged workers' union.

The MUN, according to the current General Secretary Peter Naholo, actively took part and contributed significantly to the liberation struggle by virtue of its membership to the NUNW, which in turn is an affiliate of Swapo. According to Asser Kapere the fact that black workers had no right and were not regarded as human beings made them realise that they should first and foremost fight against the political system. It can be argued that Rossing in particular was a little bit softer in dealings with the workers because of international pressure. According to a decree of the United Nations mining companies were not supposed to even exploit minerals in Namibia before independence. Mining companies violated this decree and accepted the pressure from the colonial regime to be heavy-handed with their employees just like the other companies. Kapere believes that *'they [Rossing] feared being regarded as collaborators with the terrorists (Swapo).'*

Kapere further argues that the MUN also served to diffuse the heavy attacks by the apartheid system and Koevoet on the National Union of Namibian Workers (NUNW) which the regime saw as a branch of Swapo. *'So we said let us organise at the local level and register branches because they [unlike national unions] won't be known. NUNW was known and most of its leaders were abroad because of fear of random imprisonment. We started organising at Rossing with people like Comrade Hochobeb who was elected as the branch chairperson and I was his vice-chairperson. We also had other leaders like Comrade Groenewald, Paul Rooy and others. Coincidentally, at the same time Comrade Ben Ulenga, Pandeni, Ilonga and others were organising for a national union in Windhoek. As a result we also opted for the idea of organising sector-specific industrial unions. At the launching congress of the MUN I was elected Vice-President and Comrade Shaetonhodi was elected as the President. At the subsequent congress I was elected the President of the union. The idea of organising at the national level became attractive because we soon realised that if we organise at the branch level it will be easy from the enemy point of view to concentrate on one branch, finish them and go to the next, whereas with a national union it would be difficult to do that. Due to the need for protection and exchange of information we broadened to organise at a national industrial level. That was a very effective approach. I remember, when there was something at Rossing, TCL or CDM, the rest would join and say that if a specific demand is not granted we will also join them. So, it was a tool of power.*

Bernhard Esau remembers the troubles and risks they had to take in order to mobilise the workers to join the liberation struggle. *'Swapo meetings were banned. Although the law did not expressly ban them, the authorities would use intimidation and delay tactics in the granting of permits. For instance during one of the first strikes, which took place in Klein Aub at a copper mine, we used that platform to transmit the message of the Swapo party to the workers. Secondly, I used to draft letters requesting to have workers meetings at the coast and would take those letters to Mr. Truder who as a magistrate was given the right to approve or refuse all public meetings. I still have some of those letters in my possession. We normally used those meetings to mobilise people to join the party and take up membership cards and also to convince the workers that the liberation struggle must be fought from all angles.*

The initial mobilisation of members was not an easy task as Kapere remembers: *‘A lot of people had a problem in agreeing to make their R.1.00 (N\$ 1.00) contribution for fear of being arrested. I remember the first meeting we held in Windhoek to distribute application forms for people to sign up for membership. We were immediately summoned to the police station. At the station we were told that we should not proceed with our work and if we do, action with serious repercussions would be taken against us. The challenge was that I was at the forefront of this activity and if I relented and stopped what would become of it? We were in fact two and my colleague obeyed the orders and opted out. I decided to proceed and went back to Arandis. Using the stop order facilities to collect the R.1.00 was also problematic. It was quite clear and simple that you only need a membership of fifty percent plus one for the company to institute stop order facilities but they had ways and means of frustrating the system. Every time they would say look, you still need ten more people, go back and get ten more people. When you come back with the ten people another ten people would have been dismissed and you would again be send back and so it went on and on.’*

According to Cleophas Mutjavikua, the bitter liberation struggle that brought about Namibia’s independence was fought on three fronts: - the mass mobilisation, diplomatic fight and the armed struggle. The MUN and other progressive movements such as churches played a mayor role at the mobilisation front. The mining sector was a significant industry, employed thousands of people and the union was conveniently placed to mobilise workers to be members of Swapo. Swapo was at the time recognised by the United Nations as the sole and authentic representative of Namibia's oppressed majority. Kaiyamo argues that, *‘there are people who always try to water down the historical link between Swapo and the unions. This is suicidal because there is no way we can deny the reality. The unions emanate from Swapo liberation strategies and cannot be turned into something else today. During those years we made little difference as to whether in this or that instance one is working for Swapo or for the union. To us it was like one and the same movement belonging to a community of the oppressed despite our ethnic, political or religious differences. Due to the migratory status of miners who had to stay without their families, the mobilisation had its limitations but workers took the political message back to their villages of origin where their families were staying.*

It is worth noting that during those days ethnicity or religious affiliation did not play any significant role as far as forging unity of purpose among the workers was concerned. Comrade Van Rooyen and Comrade Rooy feel that the issue of ethnicity is ironically becoming an issue today; *‘We are coloureds as you may call us but we had hundred percent backing from all workers including blacks for that matter.’* Mutjavikua adds; *‘I stood for elections amongst those people [Oshiwambo speaking Namibians] and I have beaten them seriously.’* It did not only happen to me but to other shopstewards. I recall that even a person like Asser Kapere stood for elections twice and he was re-elected. I can say that the MUN leadership was very much multi-ethnic.’ Esau agrees and further argues that: *‘Workers by virtue of their common interest in terms of salaries and working conditions were more united. Let us say that when you are black you will be paid R 1.00 a week. It did not matter whether you are Herero, Oshiwambo or perhaps from the Oruano or Catholic Church you would just*

be treated as a black. In the same way, the workers took their struggle to be the same and were united.'

The challenge after independence according to Esau was to face issues of common interest in the same manner: *'Poverty alleviation must just be poverty alleviation or job creation must just be job creation because these phenomenon do not choose on the basis of colour or ethnicity. They affect all in the same way.'* Jacob Nghifindaka argues that the Swapo constitution was very much instrumental in uniting the workers and people in other progressive forces. *'We were guided by the Constitution of the Swapo party, which stood for the principles of non-racialism, non-ethnicity and so on. It was a party for all Namibians irrespective of their colour, creed, sex, religion, ethnic origin and all these type of things. I think those were the pillars that all of us subscribed to. We as a matter of fact also included most of these principles into our constitution. Our constitution became our guiding principle or the Bible if I may call it that way. Of course these provisions did not automatically result in everyone joining the union. Those who thought that they were well off, especially the whites did not join. But I remember during those early years there were some whites who supported the course of the majority of workers and they joined and on the basis of these principles they were accepted.'* Religious affiliation in particular was not a ground on which people would refuse to become members of the MUN. Political affiliation to a certain extent did play a role. For instance, people from the DTA found it difficult if not impossible to support and become members of the MUN and other progressive forces.

Harassment and detention

Many leaders and activists of the MUN were arrested and detained in the early days of the union. Kapere and Ulenga vividly remember the brutalities they suffered at the hands of the colonial regime. Kapere recalls: *'I will never forget the time I was arrested and detained in 1987 after I returned from Oranjemund where we met the union branch leaders. We particularly went to negotiate a recognition agreement which was soon to be signed between the union and CDM. Comrade Esau and I and arrived back in Arandis at about seven o'clock in the morning, just on time to get ready for work. At work I received a call that there was somebody at the gate who wanted to see me and I wondered who on earth it could be. Realising that I was alone at the office and the people wanting to see me were policemen I said that I would drive in the company car to meet them at the police station. They surprisingly agreed. My fear was that if they arrested me where there is no witness or sign that could indicate where I was arrested I would probably never be seen again. These were the dark days when people were disappearing without a trace. At the station they arrested me but the car served as a sign that at least I was last seen at the police station and the workers at Rossing later used this to demand from Rossing and the Police an explanation on where I was. They charged me for apparently violating section six of the terrorism act. At that moment I was very curious to know whether the Police wanted to kill me or not. I had a piece of paper in the pocket of my shirt and I took that threw it in my mouth and pretended as if it was a secret document that I want to destroy. They grabbed me very rough and I surrendered the piece of paper. Knowing the extent to which the Police could go with "a criminal" during those days I instantly knew that killing me was not part of their immediate plan.'*

I was blindfolded and taken into a car and they drove away. Somewhere along the road they stopped and were making as if they wanted to burn the car. They poured out petrol all around me and would whisper to each other "where is the match". This did not bother me a lot because I had driven the whole previous night from Oranjemund and would therefore mostly fall asleep. As a result, most of the psychological tortures to which they were trying to subject me did not fully achieve the purpose. When I asked them where they were taking me to they replied that I should only wait to talk to Savimbi. They brought me into a cell and as soon as I discovered that there was a mattress and a blanket I fell asleep again. The following morning, I used the toilet pot, which I found in the cell to peep through the window. The area looked very strange with tall and thick trees so I thought this must surely be the Angolan-Namibian border. I could also hear them calling the name Savimbi outside the cell. For the seven weeks that I was detained I was never allowed to go outside except for when I was going for questioning or to clean the toilet pot. It was only on the day that I was released that I realised that I was at Osire [which today serves as a refugee camp]. Comrade Hendrik Witbooi, Nico Bessinger, the late Anton Lubowski, and the late Daniel Tjongarero were also brought to Osire about three weeks after my arrival.

The Police wanted to establish whether there was any link between the recognition agreements we were on the verge of signing with Rossing and CDM on the one hand and Swapo on the other. They were convinced that there must be a link between the activities of the union and leading members of the Swapo party, most of who were now in exile after being banned from the country. The suspicion was also brought by the fact that the CCN would pay for most of the legal bills and other costs to free trade union leaders whenever they had to appear in court. Fortunately, the police did not manage to establish any link between the union and the CCN, NUNW or Swapo as they suspected. The court ruled in favour of us being released, as there was no evidence to convict us. These were hard days but we had to persevere. Before the arrest, Rossing made me an offer to give me the position of head of loss control in which case I would automatically qualify for a company car and a big house in Swakopmund. I declined this lucrative offer. My prayer and probably that of many Comrades was Lord help me not to turn against the struggle. We would rather die than to turn against the struggle. The motto at the time was first the struggle and then comes everything else.'

Ben Ulenga was also detained around the same time for his involvement in the activities of the union. Prior to this Ulenga served a prison sentence of more than eight years on Robin island after being arrested and convicted as a terrorist. At Robin Island he met other freedom fighters from Namibia such as Andimba Toivo ya Toivo, Helao Situwete, Immanuel Shifidi, Jerry Ekandjo and many others. Ulenga also spent time with prominent ANC comrades such as Nelson Mandela, the late Govan Mbeki, Terror Lekota, Tokio Sexwale, Walter Sisulu and many others. Ulenga recalls: 'My second detention came about when I returned from a European tour to London, Sweden and Denmark and other countries where I went to raise funds for the striking mine workers at Tsumeb. I remember very well that, before I took off to return to Namibia a lot of people were cautioning me not to return because many trade unionists back home such as Comrade Pandeni, Kapere, Tjongarero and others were already arrested. On my return at the airport there were police officers waiting to arrest me and I was arrested and taken to the Seeis police cells and then to Osire. We were detained for more than three weeks at Osire and we were released after a court

battle. Thanks to lawyers like Hurtmut Ruppel, Dave Smuts, Hosea Angula and others who, during those days fought legal battles to have people like us who were detained without clear charge released from prison. It was not easy to have a lawyer fight your case during those days but there were a few lawyers, mainly white, who were sympathetic to the course of the liberation struggle. The international community sometimes paid for such legal bills.

The interesting news is that we were even paid compensation by the colonial regime for the damages we suffered during our arrest. The authorities also did not succeed to confiscate the funds I raised overseas. I thought I would be arrested on my return and I hid all the money I had on me in my shoes. Fortunately the bulk of the money we were suppose to receive was transferred from overseas onto our bank accounts and the police could not lay hands on that. People wonder how we were prepared to take such risks in the name of the liberation struggle. My answer is simple, the struggle to us was like a trade, and almost all trades involve some risks which those who are in those trades have to face some day or the other. I also differ with those who define the struggle for independence as having been an exclusive domain for those who were in exile or at the battlefield, or those who belonged to a certain political party. We were all fighting, those who went before us and those who went before them, we were all fighting against colonialism in our own small ways. For every worker to stand up and go to work against his or her will but because of the situation of no choice in which we were placed by the oppressive regime was also a battle'.

3. MUN's role in building the NUNW

It was important during those days to belong to a federation like the NUNW because it was the only way for workers to organise at a national level and across the different industrial sectors of the economy. The NUNW was a forum where workers could bring about a coherent approach to issues of common interest. The NUNW was also a forum to build solidarity amongst the workers of Namibia. As Esau argues '*You cannot be in solidarity with workers in South Africa without being in solidarity with workers here at home.*'

According to Hofni Ipinge, the MUN-NUNW relationship benefited both organisations. He recalls that the '*NUNW's early steering committee spearheaded the formation of a steering committee which led to the formation of the MUN.*' Peter Naholo further argues that '*membership to the NUNW goes with constitutional obligations and one such obligation is to pay membership fees. You are also expected to partake in forums that address workers' issues. The NUNW for many years used to receive financial assistance from the MUN. In fact, the MUN shares the philosophy of NUNW.*' The MUN provided a lot of leadership to the federation, according to Esau: '*Even when you consider the organisation at the branch and regional structures the MUN was very well organised...based on the organisational strengths of the MUN, NUNW was benefiting. Leaders were coming from the MUN's shop floor level through the rank and files of the union to become regional leaders and from there they became national leaders of the federation. The MUN therefore was a pool from where the NUNW could draw to fill vacancies in the federation. The MUN because of its democratic culture of openness would guide the federation very much especially at the level of congress because of the quality input that was coming from MUN delegates.*'

Since the MUN was one of the first unions to be launched it played a leading role in the NUNW since the early days. Being in the presidency of the MUN gave the person an automatic ex-officio membership to the NUNW leadership. Asser Kapere notes that *'during those days, selfishness was like back-stabbing, something not known to the struggle. We really went for the spirit of comradeship and we believed that other comrades should also benefit from what we have achieved.'* Leadership was provided in the form of strong MUN leaders who ended up in top positions in NUNW. Leaders like John Shaetonhodi served as president of the NUNW, Bernhard Esau as Secretary General of the NUNW, Israel Kalenga was the first vice president, Walter Kemba was the second vice-president, and even the current acting President, Alpheus Muheua comes from the MUN.

4. National and international relations

Cleophas Mutjavikua believes that: *'the cornerstone of the workers struggle is solidarity both at the national and international level.'* At the national level MUN could interact with other industrial unions and build solidarity. MUN benefited from office space for its head office and some regional offices provided by the NUNW. These offices were built with the assistance from Italian trade unions even the centre from where MUN is operating today is a gesture of international solidarity. Another important benefit of the MUN's affiliation to the NUNW is the opportunity to participate in the development of national laws like the Labour Act. MUN leaders were also involved in the drafting of the Social Security Act and other laws and policies on which the government consulted labour unions through the NUNW. Mutjavikua points out that: *'anyway we did not see the NUNW as being separate from us or any separate benefits accruing to either of the organisations. They [NUNW] were part of us. We were in a kind of marriage.'* In terms of funding, the MUN and NUNW received a lot of financial assistance from donors that were aligned to the western block as well as those that were part of the eastern block during the time of the cold war. To some extent, the unions were expected to be clear with which block they wanted to be aligned but the leadership thought that it was wise to remain non-aligned.

According to Peter Naholo *'the MUN has since the time of the late comrade Moses Garoeb as Minister of Labour had a good relationship with the government of the Republic of Namibia. The same relationship also exists with the current Minister of Labour, Comrade Toivo ya Toivo as well as the office of the Labour Commissioner. We are also maintaining a good relationship with government through the Ministry of Mines and Energy.'* The MUN is also maintaining its good relationship with the CCN. Through the NUNW the union is having a relationship with the Namibia Non-Governmental Organisations' Forum (NANGOF) as well as other NGO and CBO's which are affiliated to NANGOF. Esau notes that: *'practically this relationship was demonstrated in 1999 when NANGOF and the NUNW called their respective affiliates to join a land march that was held in Otjiwarongo.'* He further argues that *'the challenge to MUN is still to maintain such relationships which will allow the MUN to form strategic alliances and address issues of common concern such as the national budget, health and education, and the National Development Plan.'* Because of its affiliation to the Swapo party through the NUNW, the MUN can influence policies at the level of the party as well.

Bilateral relationships exist with various sister unions in the Southern African region. These are unions such as the National Union of Mineworkers (NUM) in South Africa and the mineworkers union of Zambia, Zimbabwe, Botswana, Mozambique, etc. Exchange visits with these unions take place and there are regular joint shopsteward workshops under the auspices of the International Chemical, Energy and Miners Federation (ICEM) which has a regional office in Harare, Zimbabwe. This international federation gave a lot of support to the MUN's education programmes particularly during the early. There was also a joint health and safety project between the ICEM and the MUN.

5. Decision-making structures

National congresses

The national congress is the union's highest decision-making body. It is at the national congress where policy decisions are taken by delegates representing the broader membership. It is a forum that creates and sustains democracy and transparency in the organisation because workers give mandates and also receive feedback on whatever issue they want clarity on.

All members of the National Executive Committee (NEC), all members of the Regional Executive Committee (REC) and elected delegates from branches and units of the union attend the National Congress. The National Congress convenes only once every third year, but the NEC has the mandate to request an extra-ordinary Congress when deemed necessary. The national congress elects office bearers such as the president, general secretary, national secretary, national treasurer and their deputies.

The MUN as a democratic institution held numerous congresses and made a lot of resolutions, which has been directing the activities of the union for the past sixteen years. The congresses are also used as an opportunity to elect new leadership for the union. So far, the MUN held congresses during the following years:

Congress	Year	Place
First Congress	1986	Windhoek
Second Congress	1987	Windhoek
Third Congress	1988	Tsumeb
Fourth Congress	1989	Arandis
Fifth Congress	1992	Oranjemund
Sixth Congress	1994	Windhoek
Seventh Congress	1997	Windhoek
Eighth Congress	2001	Windhoek

During those congresses, the following key resolutions were passed:

Uniting workers

The workers at their historic launching congress decided to be united under a single union representing all workers in the sector and that such a union be the MUN. The workers also adopted a constitution. The unity of the mineworkers is echoed in their philosophy of '*One Industry One Union.*' Workers' unity in the view of the

mineworkers does not start and end with Namibian workers but also has regional and international dimensions.

The workers under the MUN also decided to maintain and consolidate links of solidarity and co-operation with South African mine workers under the National Union of Mineworkers (NUM). The union undertook to strengthen fraternal links with progressive worker organisations in all countries that are committed to the struggle for freedom and independence for Namibia, and to the building of true international working class solidarity.

MUN and national independence

Already before independence the MUN resolved to fully support the campaign for the immediate implementation of UN Resolution 435 which led to Namibia's independence under free and fair elections which were monitored by the United Nations and the international community. The MUN further resolved not to hesitate to take political action to defend and advance the interest of its members and the working class in general. The union also resolved to render full support to the National Liberation Organisation (SWAPO of Namibia) in the first elections, and to fight all attempts by the "racist SA Regime" to abort Namibia's independence. At the union's seventh congress, in 1997, the union resolved to lobby the founding President of the Republic of Namibia, Sam Nuyoma to stand for a third presidential term. The union pledged its support for any referendum that will seek to amend the national Constitution to allow the President to run for a third term. At the same congress, the union also called for the accountability of parliamentary structures to the workers and the Namibian people in general.

Migrant labour system

One of the earliest resolutions of the union was to declare the migrant labour system as an evil system, which constitutes a crime against humanity and a gross violation of human rights. This system has destroyed family life, relationships and workers' lives. The union therefore resolved to fight for the destruction of the migrant labour and compound system on the mines.

Occupational health and safety

The MUN decided to declare 8 November a National Health and Safety Day in commemoration of the Kombat mine disaster, and to seek international assistance on health and safety issues. The union also resolved to fight for the declaration of 4th May as a paid public holiday in honour of the victims of the Kassinga massacre. The union leadership was also mandated to negotiate and conclude health and safety agreements with employers in the mining and energy industries.

The union resolved to advise government to establish a forum for qualified and specialist assessment of health and safety standards at the workplaces. It was also resolved that the union will seek representation at such a forum. Government will further be advised to rectify the ILO Convention on health and safety. Government will also be requested to set out basic health and safety standard procedure at the workplace.

HIV/AIDS

The union noted that HIV/AIDS has become the national killer number one and resolved that concerted efforts by the three social partners be embarked upon to implement measures that will eradicate HIV/AIDS. The union will seek to end the stigma associated with the disease by integrating it into its health and safety programmes. The union will lobby government to set up a National AIDS Fund for the orphans of AIDS victims where all stakeholders will make financial contributions. The NEC was also mandated to pursue educational and awareness campaigns for its members on HIV/AIDS. The union further resolved to negotiate with government to outlaw the practice of medical retrenchments of employees with the HIV virus. The government should furthermore compel employers to provide relevant drugs to those employees who are tested HIV positive.

Women's participation in union activities

Although the mining and energy sectors are generally male dominated sectors the union resolved to increase the participation of women union members in the activities of the union. The union decided to create women's forums within the union as well as to launch a gender awareness campaign for its members and other stakeholders.

Strikes and retrenchment funds

Realising the losses the union members suffer during strikes and as a result of retrenchments the union decided to create a strike fund and a retrenchment fund respectively. The union decided to mandate the NEC to forward 5% of the total monthly contributions to the strike fund and the money to be invested. The NEC was also mandated to forward 1% of the total monthly contributions to a retrenchment fund and that such money also be invested. The management of these funds were put in the hands of separate boards of trustees which will account to the NEC. The union also resolved to lobby for national and international support and contributions to the funds.

The union and the employment of foreign nationals

The union viewed the continued employment of foreign nationals whilst many Namibians are faced with unemployment and job losses as an unhealthy situation that must be brought to an end. To this end, the union will lobby government to only issue work permits to foreign nationals on condition that they will train Namibians who will take over the specialised jobs which Namibians are regarded as unskilled to do. The union further resolved that job security for Namibians should be recognised as one essential pillar on which the structural design of a social policy should be conceived. The union also noted that many foreign nationals acquire work permits, which later earn them easy permanent residence status. The MUN through its federation, the NUNW, decided to make representation to the government of the Republic of Namibia to revisit the Immigration Control Act, (Act No 7, 1993) and to repeal section 26 that governs the application and acquiring of permanent residence status in Namibia. It was particularly resolved that permanent residence status should only be granted to aliens with substantive investment plans that will contribute to employment creation.

The union also resolved to fight vigorously with both the employers and the government for the implementation and monitoring of affirmative action policy which aims to benefit the previously disadvantaged people, namely blacks, women and people with disabilities.

Unemployment

The union resolved that government and the private sector should intensify their job creation efforts. Educational institutions should structure their curriculum in such a way that they produce more job creators than job seekers. The union will lobby government to implement a law that will compel financial institutions to grant loans to the disadvantaged groups and persons who aspire to create their own businesses. Government will further be requested to set up a national Unemployment Benefit Fund to which employers and employees shall contribute in order to give a monthly social allowance to these victims of unemployment. The union also resolved to seek representation on the Immigration and Selection Board. The union will seek agreement with the government that the union and affected workers first be consulted prior to the issuing of work permits to foreign nationals. It was also agreed that a solemn undertaking by the employer that a suitable previously disadvantaged Namibian will be trained to take over the job at the expiry of such a work permit, be made a precondition for the issuing of a work permit.

Labour Hire Companies and EPZs

The union noted with concern the high unemployment rate in the country which leaves people with no option but to seek job through the exploiting labour hire companies as well as to agree to work under appalling labour conditions in the Export Processing Zones (EPZs).

The NEC was therefore mandated to pursue the abolition of all regulations and permits of Labour Hire Companies. On the EPZ structures, the union resolved to mandate the NEC to lobby government for greater protection of workers in EPZs. Government will be lobbied to restructure EPZ rules to cover health, medical cover, pension, and leave for workers. The union resolved to negotiate with government for the setting up of an equitable minimum basic wage for workers, which could particularly improve living and wage conditions in EPZs.

Education and training

MUN resolved to formulate and implement an education and training policy. As an implementation strategy the union will create a self-study and bursary scheme for its members and their families and a number of bursaries will be awarded annually for training at tertiary institutions.

The NEC was mandated to establish a specialist-training programme for shopstewards and to reaffirm and reactivate networking on training with organisations like the ILO, ECM, etc. The NEC should look into the possibility of establishing a trade union school/college. The congress also resolved that the unions' business ventures should financially contribute to the attainment of the above resolutions.

Union investment

The MUN noted that since independence there was little success in transforming the status of previously disadvantaged Namibians from being mere workers to sharing and taking full charge of the national economy. It is the desire of the MUN that government train the previously disadvantaged Namibians to set up manufacturing industries and that Namibia be transformed from being a consumer of foreign goods to a producer and exporter of manufactured goods.

In fulfilling their resolution of enabling the workers to have a share in the economy the union approved a union investment policy which paved the way for the establishment of union investment ventures such as Ongopolo and others. The union however resolved to refrain from the temptation of turning itself into a capitalist entity that will in the long run deviate from its mandate and social obligations to the Namibian workers, their families and the Namibian society at large.

At the national level, the union resolved to throw its weight behind the Namibian government's initiative to expand and extend economic activities inside and beyond the Namibian borders, particularly to the Democratic Republic of Congo (DRC).

Expansion of MUN's scope

The union resolved to amend the scope of MUN in order to include any other sectors in which labour is not organised. In addition the NEC is mandated to save the union from dying a natural death as a result of declining membership by seeking mergers with ailing sister unions.

Central Committee

The second highest decision-making body of the MUN is the Central Committee. The Central Committee decides upon policy issues of major importance in between National Congresses and consists of members of the NEC and REC and all office bearers of all Branch Executive Committees and full-time shop stewards. The Central Committee can be convened at the request of the NEC or the Regional Executive Committee.

National Executive Committee (NEC)

The NEC manages the affairs of the union such as the execution of union policy and congress resolutions, employment and termination of staff, looking after the financial position of the union, ensuring that the union honours its legal obligations in all respects, managing and controlling the assets of the union. The NEC is also tasked with the important responsibility of appointing an acting president, an acting general secretary, acting national secretary or acting national treasurer or any of their deputies in the event that any of the elected office bearers should be unable to carry out their functions.

Regional Structures

In order to enhance democracy in the union, the MUN has two important regional structures. These structures are the Regional Biennial Conference (RBC) and the Regional Executive Committee (REC). The Regional Biennial Conference is there to convene such a regional meeting every second year. In case of an emergency a biennial conference can be held at any other time. Regional Biennial Conferences consist of all branches and units in a specific region. The Regional Biennial Conferences discuss and evaluate the progress and activities of all branches and units in a region. In addition, the body also elects the regional chairperson and his/her

deputy, regional secretary and his/her deputy and the regional treasurer and his/her deputy.

In 1996 the MUN constitution was amended in order to create Regional Executive Committees. Peter Naholo explains: *“The reason why that was found to be necessary is to bring the union closer to the members so that they will be in a position to own their struggles and take their own decisions. It was also a way of bringing participatory democracy as well as representative democracy through which members can give mandates to the leadership and demand feedback. Workers are now in a position in which they can take up and decide on their own issues at the regional level without having to wait for the NEC which only meet after three months or so.*

The Regional Executive Committee consists of the Chairperson and the secretaries from each branch and one delegate from each Unit in the region. This body is expected to meet once every two months. Regional Executive Committees are there to look after the interest of the union as well as to evaluate the activities of the different branches and units of the MUN within a specific region.

The creation of regional structures means that different branches first agree at the regional level before they table any resolution or motion at the national congress. This has enhanced closer co-operation between the various branches and also helped to improve the efficiency of the proceedings of the national congress. Congresses are now better able to manage their agendas in a more realistic timeframe unlike in the past where delegates would debate whole days and whole nights.

Branch Structures

There are two important structures at this level, namely the Branch Biennial Conference and the Branch Executive Committee (BEC). Just like the above-mentioned Regional Biennial Conference, the Branch Biennial Conference meets once every two years unless otherwise convened for emergencies. This structure is responsible for the welfare of the union at the branch level. The BEC is responsible for the day to day running of the local branches and different units of the union.

Shopsteward Committees

The MUN Constitution states that the union shall establish a Shopsteward Committee at every mine shaft or working area where the union has a minimum of ten members. A Shopsteward Committee consists of not less than four shopstewards representing the various work sections in which the union has members at that particular shaft or work area. A Shopsteward Committee is expected to meet at least once a week. Shopsteward Committees, because of their close proximity to the workers, are expected to deal with the day to day grievances and complaints of the workers. Local branches and units of the MUN are also expected to elect Shopstewards who become the official representatives of the workers vis a vis the employer and who also report serious cases of Labour Act violations by the employers to the relevant structures of the union.

6. Challenges after independence

Isai Nekundi points out that: *‘at independence the working class had a lot of expectations. They believed that with independence everything would change overnight. Workers thought that they will start to earn better salaries, working conditions will be improved, and the disparity between those who benefited during the colonial system and those who didn’t would soon be done away with. Unfortunately, this did not happen that way. Although the Labour Act and other policies were put in place companies continued to operate on the basis of the old discriminatory system.’*

As a result, the MUN faced many new challenges after independence. Peter Naholo recalls *‘one of the biggest challenges immediately after independence was to ensure that the Labour Act is applied to its letter and spirit in the industry. Another challenge was that the union had to fight to ensure that there is a process of democratisation and transparency in the industry, we had to ensure that there is economic reconciliation in the industry. We were emerging from an era in which there was oppression that created the “haves and the have-nots”. Workers were not given any opportunity to take part in the decision-making processes. A formidable challenge was also to put in place a labour act and an affirmative action plan. Most of these challenges remain until this very day.’*

One of the immediate challenges at independence was to reform the laws governing labour to ensure that the rights of the workers and their interests are taken care of. Through the NUNW as a national workers’ movement the MUN participated in the formulation of new labour laws and the affirmative action policy. According to Jacob Nghifindaka, the autocratic colonial government was now replaced with one that was willing to consult broadly before enacting policies: *‘Policy making was no more a unilateral thing for government and the Labour Act is but just one example of the consultations that went along in the policy reform and formulation processes...because the formulation of the Labour Act was a product of a consultation it had to be a win-win situation in which the workers on the one hand may feel that the Act is pro-employers and the employers on the other hand may feel it is pro-workers.’* The Labour Act reflects a compromise between workers’ and employers’ interests and gives government the mediating role in cases of disputes and or disagreement between these two parties.

Another major challenge at independence for the MUN was the ‘brain drain’. Most of its leadership went to occupy prominent posts in government and some in the private sector. In the same way that the MUN leaders had been co-opted into the leadership positions of the NUNW, they were now co-opted into government structures. On the one hand these developments provided an opportunity as the union would now have sympathetic people in key positions but on the other hand their skills and experiences were lost and this weakened the union’s organisational strength. The benefit for the union however is that some former unionists like Asser Kapere sometimes act as mediators in labour disputes. MUN branches now have the right and opportunity to meet ministers and other high ranking government officials to state their grievances and make their proposals. Although some MUN members feel that their former leaders are losing touch with workers and now represent different interests, Jacob Nghifindaka claims that *‘a person that forgets his [or her] history should be regarded as not being very serious with his [her] own life. We formed the MUN and to some of*

us it is like a home and a university we learned a lot. It is very difficult to get out of touch with some of these things. They will keep on reminding you, those are your roots.'

After independence the MUN was also faced with the challenge of consolidating the gains both, in the economic and political spheres. Retrenchments and the unemployment situation were all drastically worsening and this was a formidable challenge to the MUN. Retrenchments and outsourcing took place at most mines and resulted in the MUN losing a lot of its members and consequently its financial base due to a loss in membership fees. Finding employment for the retrenched workers was an almost impossible task. However, the union responded to the challenge of unemployment and retrenchments by opting to venture into some businesses. As Nghifindaka explains, the political independence that has just been successfully won was just the beginning of the battle *'because there is still the battle for economic independence, which must still be waged and won.'*

The MUN was facing problems in adjusting to the new realities after independence. Willem Van Rooyen explains: *'We needed to change in our ways of doing things, from just focusing on the political front to focusing on bread and better issues. We have until now not change our strategies significantly, the union continues to be pre-occupied with making political statements which in the past were strong and useful tools. Today, just like in the past the employers will continue to by pass workers' demands or only apply the minimum conditions and political statements on their own cannot challenge such behaviour.'*

It can be argued, to a certain degree, that the vision of and mandate for the union leadership was much clearer and simpler during the colonial days than it is today. Before independence, the leadership basically needed to mobilise workers in the fight against the colonial apartheid system. Today, the union's struggles are much more complex and require new ideas and strategies. As Nghifindaka points out: *'We had it easy in the past because all we needed to do was to blame the colonial government but today, whom can we blame? The laws are in place the labour courts are there so whom can we blame?'*

Describing the need for unions not to become complacent with their achievements, Paul Rooi says: *'Today companies and employers in general are racing to try and be on par or ahead of each other in terms of competitiveness. If the unions are not going to partake in such a race but will be settling for the minimum than they are definitely not going to win the race.'*

The decline of the mining sector

The decline in the mining sector was mainly due to a crash in the mineral prices on the international market. As a result mining companies started to scale down in their operations and this led to the retrenchment of many workers. However, this does not explain it all because the issue of who was to be retrenched first and the kind of package that the retrenched worker would receive was indicative of the discrimination and unfair practices still practised by most of the mine managers. This indeed constituted the challenge for the union to bargain on behalf of its members as well as to explore ways and means of re-deploying some of the retrenched workers.

Arguably, the decline of the mining sector also has a political interpretation. It can be viewed as a way in which those who were opposed to the liberation of Namibia from the colonial forces responded by withdrawing from mining activities which, for many years formed the backbone of the Namibian economy.

Part of what led to massive retrenchments was the decisions by companies like CDM and Rossing not to continue with non-core activities such as transporting workers or running cleaning services or even running and maintaining the municipal services of a town such as Oranjemund like in the case of CDM. The option considered by the company was to outsource these services to private contractors. Workers who performed these non-core activities such as drivers and cleaners had to be paid out their retrenchment packages. The outsourcing of services to private contractors automatically resulted in the workers being hired on temporary contracts. Even worse, the workers concerned lost most of their benefits that they enjoyed while being permanently employed. One of the ways in which the MUN was able to respond to retrenchments was to organise the affected workers into a small company and then to tender for the jobs that the mining companies wanted to outsource. This did not always go smooth because it remains the right of the tendering mining company to grant the contract to whom they want. Nevertheless, a number of contracts were won by the initiatives started by the MUN and its retrenched members. The MUN did not only think of its members who lost their jobs but also considered the plight of the ex-PLAN combatants and had to include some of them into these projects.

The decline of the mining sector affected the union in various other respects as well. Financially, there was a significant reduction in the membership fees the union could expect to receive. A loss in human resources was also experienced because some of the potential future union leaders also lost their jobs. The MUN refused to be an onlooker when the massive retrenchments and job losses started. Comrade Naholo argues *'we refused to say that there is no more life after retrenchment. So the question of union investment came to the fore.'* The union reacted by creating the Namibia Mineworkers' Investment Trust (NAMIT) and NAMIT as a trust was responsible for setting up the Namibia Mineworkers' Investment Company (NAMIC).

Today, the MUN has become an "indirect" employer and an owner of some business ventures. This brought the question of potential conflict of interest to the fore. The MUN's chairman of the Ongopolo branch, Colin De Wee doubts if union investments are the way to go. He points out that NAMIC has absorbed a lot of the union's resources which are now lacking for educational programmes. Some MUN members have not seen a positive outcome of the union's investments and want an evaluation of the past 4 years of MUN investments.

Defending the union's decision to go into business, Comrade Nghifindaka, the former Executive Director of NAMIC explains, 'Ongopolo and all the other business ventures are not owned by the MUN as such. They operate under NAMIC. So why do people only cite conflict of interest in the case of the MUN initiated business ventures and they do not cite such conflict of interest in the unions' existing employment of workers? The union already employ people like the General Secretary and his staff and this is not being cite as conflict of interest of any kind, why? The issue here is to weigh the benefits of venturing into business with the opportunity cost of staying out.' Comrade Ipinge argues that 'having people who know and care about the interests of

the workers on the board of directors and management is in itself an advantage. If you are there where decisions are made you will make sure that the workers do not loose out because you are in control.’ Likewise, Peter Naholo says *‘although the union has ventured into business which to some people is a conflict of interest, we feel that we are still clear with our mandate. The challenge is to educate the broader membership so as to create an understanding as to why all these things are being done. These ventures are being undertaken as a way of giving jobs to our retrenched members. You also never know, perhaps one day there will be a strike at one of the MUN-owned business. So we must prepare ourselves to deal with such conflict situations.’*

As another response to the widespread retrenchments, the MUN passed a resolution on retrenchments. The objective according to Naholo *‘is basically to put guidelines in place and also to stipulate the benefits workers should get when they are retrenched. The resolution has also enabled the union to set up a retrenchment account in which money from donors or the union can be put. The money can be used to provide training to retrenched employees or assist them to set up co-operatives as well as their own self-help projects.’*

Financial self-reliance

Although the MUN (through its investment company NAMIC) has, in recent years, embarked upon business ventures, the union is largely dependent on membership fees. The business ventures are run on strict business principles and are still at an early stage. The union can therefore not expect to get any significant dividend. The small returns that have been received so far has been put into the bursary scheme which is sponsoring three students who are currently pursuing their studies in different fields in South Africa. The students are not bound to work for the union once they have completed their studies but as a gesture of appreciation they are expected to be of assistance to the union and its members in the fields that relates to their areas of specialisation. Because of the retrenchments and the decline in the mining sector noted earlier, the decline in the membership fees is becoming an issue of real concern to the financial self-reliance of the union.

7. The big strikes: from TCL to Ongopolo

The Otjihase, Kombat and Tsumeb strikes of 1987

It is important to note that the TCL strike of 1996 was not the first of its kind in Tsumeb and that the TCL mines have a long history of workers exploitation and repression which paved the way for the 1996 strike. The first major TCL strike occurred in 1987, a year after the formation of the MUN. Ben Ulenga explains: *‘People are somehow correct when they blame that strike on the formation of the formation of the MUN in 1986. We should understand that the formation of MUN and also that of other unions led to the free flow of information among workers. Workers for the first time could sit under one roof, share their humiliating working experiences under the different mining houses as well as the meagre salaries they were receiving for their hard labour. Workers in Tsumeb, Otjihase and Kombat as a result of knowing what workers on other mines get paid and the better treatment they receive, started realising that they were worse off. The workers consequently decided to down tools. A letter written by the workers committee in Otjihase to their counterparts in*

Tsumeb triggered the strike. The letter sought support from the workers in Tsumeb to demand a salary increase. I particularly remember the content of the letter because I took it along to Tsumeb. The letter was written on a Monday demanding TCL management to respond by Wednesday after which failure to do so, workers would resort to industrial action on the Friday of the same week. The interesting thing about this strike is that it was initiated and co-ordinate from one mine to the other. As office bearers we knew about the planned strike but did not anticipate the extent to which it will go. On the planned Friday, workers on the three mines downed tools. The unfortunate thing was that we were barred from entering the company premises and when we wanted to organise the workers we had to go to the compounds and enter from the backyard. So when we wanted to mediate during the strike and organise on behalf of the workers the company insisted that they did not need to speak to anyone else than their employees. This was unfortunate because the workers were not negotiating but simply putting their demands on the table. The company on the other hand was also adamant to yield to the demands and threatened to dismiss everyone after three days, as it was permissible by law to do so. The workers were saying that it was either their demands are met or they will return to Owamboland, Kavango, Caprivi, and so forth. That's unfortunately what happened, the TCL management fired everyone and started recruiting employees after some days.

As union officials we were required to recruit afresh because the company claimed that all the files from which we could simply locate the former members of the union who were re-employed got lost. With the resumption of business at the mine, the mine management stated that from artisan above, these people are not union material and can therefore not be recruited by the union. This order became useless because most of these people rejoined the union out of their own will and convinced others to do so.'

The TCL strike of 1987 was a protest not only against the poor salaries but also against the inhuman hostel conditions that mineworkers had to endure. Coupled with this, workers experienced ongoing racism and tensions continued to build until the historic strike in 1996.

The TCL strike of 1996

On 22nd August 1996 the MUN made history when it successfully organised a strike which virtually brought all operations at three TCL mines to a complete standstill. The strike was triggered by the refusal of Mr. Tony Debeer (Managing Director of TCL at that time) and his management to give in to salary increases and other demands of the workers. The negotiations between TCL and MUN commenced in May and continued until June 1996. At that time the negotiations were suspended at the request of the company due to the so-called crash in the copper price. Negotiations however resumed on 10-11 July 1996. The workers' demands included a host of issues aimed at improving conditions of work at TCL mines. Initially, the workers were demanding a salary increase of 25%. They also demanded that there be an improvement of allowances such as standby allowances, acting allowances, and special paid leave. TCL was at that stage offering a mere 1% salary increase. During the negotiation process a number of the workers' demands were reduced or simply dropped from the agenda. It was becoming clear that TCL was negotiating in bad faith and that an amicable solution to the situation was unlikely due to the company's

attitude. The MUN delegation, therefore, in exercising the powers vested in them by the MUN Constitution and clause 8.3.4 and 8.4.1 of the Recognition and Procedural Agreement declared a dispute with TCL on 16 July 1996.

At that stage the MUN's demands had been reduced to the following:

- A. Wages: MUN demanded that the basic monthly wages of members in grades A1 to B2 be increased with 14.5%. TCL was at this stage offering a 7% increase.
- B. Standby Allowance: MUN demanded an increase from 4 hours to 6 hours pay each week a member is on standby.
- C. Special paid leave: MUN demanded 8 days special paid leave for all union officials and shopstewards to attend union activities.
- D. Implementation date: The union wanted the wage agreement to be reached to be implemented as from 1st July 1996.

In terms of the Recognition Agreement further rounds of negotiation between the parties after declaring the dispute were necessary before applying for the constitution of a Conciliation Board. These negotiations in late July 1996 could not bridge the deadlock and this led to the establishment of the Conciliation Board on 2nd August 1996. None of the company directors turned up at the meeting. Mr. A.R De Beer who was nominated by the company directors to negotiate on their behalf offered 7% salary increase. According to Peter Naholo: *'It was either 7% or nothing.'*

This frustrated the representatives of MUN as Naholo recalls: *'I personally remember pointing to Mr. De Beer and telling him that if he should ever allow the strike to take place at TCL, TCL won't be the same again, even you (Mr. De Beer) will not be the same again. This is exactly what I told Mr. De Beer right in his face. In return he responded in rage and said to me: are you threatening me?'*

At the time when the Conciliation Board met on 15 August 1996 the demands that were unresolved were the wage increases and their implementation. The MUN in an attempt to induce TCL to improve its offer of 7% lowered its demand from 14.5% wage increase to 13.5%. Still, this could not change the opinion of the directors and managers of TCL. Consequently, the Conciliation Board dissolved which paved the way for a legal strike.

Realising that a strike was pending, TCL started with a number of scare tactics. A confidential document was drawn up which spelled out how the company would prevent the strike from taking place. The document barred the media from entering the mines and also instructed relevant officers to change the pad-locks of the main entrances to the mines. The TCL management had no clue that the document was leaked to the striking workers and thought that they would succeed in their plans. Eino Ntinda recalls: *'That document helped us a lot. We worked out our counter-moves according to that document and they all worked.'*

Secondly, TCL started to tell government that the strike was undesirable, as it would send wrong signals that can scare off potential investors. Angered by this attitude, the former deputy Labour Minister John Shaetonhodi responded by stating that *'investors do not come here because there is no strike at TCL. They come here because the*

government has created favourable conditions for investment. Investors will come, whether there is a strike at TCL or not.'

TCL then started to threaten that they were going to close the doors of their kitchen. Meanwhile, the MUN had set up its strike fund and availed close to N\$ 500 000 to assist striking workers and their families. To many people, the strike that started on 22 August 1996 initially looked like any other strike in Namibia after independence - a strike that would last only for a few days. The TCL management believed that it would not take place – and if it did, that it would not last long. To the workers themselves, however, this was the beginning of the “*Mother of all Battles.*” According to Johnny Nekundi: *'The strike was a test for who is more powerful? TCL wanted to show MUN that they are more powerful. The workers decided that enough is enough, TCL will give in to their demands or face the consequences.'* It was an opportunity that they had been waiting for - a chance, for them to effect change at TCL, to break the chains of slavery and exploitation that they had experienced for so many years.

What started like a wage dispute between TCL and the MUN ended up being an opportunity for the workers to look at the company as a whole. What emerged from that analysis is a catalogue of exploitation, racial discrimination, unfair labour practices and a complete disregard for human rights. Many other ugly things rooted in the apartheid and discriminatory policies of the company started to surface. For example, one general safety rule in the TCL's Smelter Safety Manual read: *'Blacks are not permitted to operate a valve or a switch unless under the direct supervision of White power plant personnel.'* It was discriminatory policies and practices such as these, which led to the late Moses Garoeb who was the Minister of Labour at the time not to hide his anger and dismay: *'Only heartless people can do such things to other human beings. TCL is like a snake whose head must be crushed'* remarked the late Minister. To MUN and the striking workers it was now very clear that the government was on their side. Ashamed of all the revelations the TCL management issued a press statement in which they denied that the safety manual was being applied. The company rather argued that it was only applicable during the 1960s and 1970s when apartheid laws and job reservations were the order of the day. However the argument did not convince the MUN. Isai Nekundi, who at the time was MUN's Acting National Secretary argued, *'to us, the manual explains why there is no black person holding a managerial position at TCL, [thus] it [the manual] guides and regulates labour relations here. If there is a new one, we do not know it and it is illegal because we have a recognition agreement with TCL...Even if one gives TCL the benefit of the doubt and agrees that the manual is old, why is there no black person on the management team of TCL?'*

TCL was also humiliated when its managing Director, Mr. Tony de Beer during the final mediation talks that ended the historic 45 days strike was found lying to the Prime Minister, Hage Geingob. The TCL management wanted striking employees to go on unpaid leave until late December 1996 or January 1997. The MUN objected to this, saying that TCL had already arranged paid leave for white employees who did not take part in the strike. Mr. de Beer denied this, saying that there was no such arrangement. After a long and heated argument with the Prime Minister, and while the Attorney-General, Vekuii Rukoro, was running up and down between the two delegations just to verify whether there were such arrangements, the MUN pulled out

a letter, signed by Mr. de Beer himself, to back up its argument. This came as a surprise to both de Beer and his boss from Gold Fields South Africa, who had flown into the country to help speed up the talks and end the strike. When the Prime Minister asked him why he was lying to him, de Beer's face turned red visibly shaken by the letter, which he thought the union leadership would never have access to.

Although the company was rapidly running out of tricks, it still did not want to negotiate in good faith. It now even withdrew its 7% wage increase offer saying that they first needed to assess the effects of the strike on the mining operations. This angered a number of sister trade unions of the MUN. The president of the NUNW, Ponhele Ya France called on Goldfields Namibia "to pack up and go" and asked government to withdraw the company's mining license. NAFAU's General Secretary, Cuana Angula threatened that his union would call for a massive industrial action against TCL, if the company did not meet the workers' demands. MUN also received a great deal of material and moral support from other sister unions, Tsumeb business people, and local church leaders of Tsumeb.

Left with no choice and pressured by the government, TCL had to come to its senses. After three days of mediation under the chairpersonship of Prime Minister the company agreed to a 10,5% wage increase backdated to 15 July 1996. However some workers would be retrenched, and the mines would only be operational by January 1997. Isai Nekundi explains: *'People should not confuse this retrenchment with the strike. The retrenchment proposal was on the table, long before wage negotiations started. It has nothing to with the strike.'*

The strike cost TCL more than N\$ 100 million in lost profits. The image of TCL as well as that of Goldfields was tarnished both, at home and abroad. The MUN insisted on an investigation into the racial and discriminatory practices of TCL, which was granted. The investigation headed by senior government officials started and MUN called on the investigators to undertake a thorough probe and come up with tangible recommendations.

The strike was a major turning point to Mr. Tony de Beer and his company. Addressing the workers after the strike he said, *'I believe, and maybe it is partly my fault, that we need to communicate. TCL cannot afford another strike as big as this one. We need to communicate with the unions, if not on weekly basis, then on a monthly basis, to try and solve as many problems as we can. I believe there was a lack of communication, may be on both sides but I believe this is one big lesson we have been taught.'*

As if workers had not suffered enough at TCL, another bad news awaiting them after the strike was when Goldfields South Africa applied for the liquidation of the TCL mines. TCL was placed under provisional liquidation on 29 April 1998 which resulted in the retrenchments of about 2000 workers who were given their pay-outs as required by law. An important lesson emerged out of the TCL strike which brought out the bitter fruits of a long history of exploitation. As Jacob Nghifidaka puts it: *'When you mismanage and misuse workers there will be a time when workers will reach a point of no return. No matter what its going to cost them, workers will be determined to fight for what is right. One of the days, like they did at TCL, workers will say that enough is enough, we are not going to tolerate it any more.'*

The birth of Ongopolo

Most of the retrenched workers came knocking at the doors of the union. They wanted to know when TCL would be revived so that they could be re-employed. The former management of TCL was also under the same pressure from their white staff. The Namibian government also wanted to ensure a re-opening of the mine to save the jobs and to ensure the survival of Tsumeb. However, all attempts to find a buyer (such as the Australian Metals and Mining Corporation) proved futile. The MUN together with the NUNW and former TCL management members then took the initiative to set up a joint venture to take over the mines - Ongopolo. MUN and NUNW through their investment companies are both owning 10% of Ongopolo's shares and are represented on the company's board of directors. The executive management owns 15% of the shares as do the Ongopolo workers. The Namibian government owns 5% of the shares while 45% have been reserved for 'strategic partners', private sector investors. On 10 March 2000, the High Court approved Ongopolo's bid for TCL and the major creditors agreed to write off some of TCL's outstanding debts. The union investment companies and Ongopolo managers injected some capital into the company and the Government Institutions Pension Fund (GIPF) gave a N\$ 40 million loan. The mines became operational again.

However, not all workers were re-employed. Only about 800 got their jobs back but the company promised to employ more as its financial position improves and the operations expand. As part of its business recovery plan, Ongopolo cut operating costs by 30% and sub-contracted several activities to small businesses. The management style also changed and became more transparent and participatory. The management structure was reduced from 14 to 4 levels and decisions are taken after consultations with employees and the union. For the MUN and the NUNW, Ongopolo represent a new experience as they are co-managers as well as workers' representatives at the company. According to MUN's Ongopolo branch chairperson Colin De Wee, the experiment has worked so far and there were no serious conflicts of interest yet. Wage negotiations were concluded smoothly in 2001 and the union is determined to make Ongopolo a success.

8. The MUN and Gender

The mining industry is male-dominated and women only occupy very few and selective jobs on the mines. Nonetheless, the MUN did not take this as an excuse not to cater for women's interests. The MUN has set up a women's desk as a way of incorporating women into the union and ensuring their general participation in the affairs of the union. The union also succeeded in setting up women structures at the national and regional levels and all these structures are currently functional. Unlike in the past, women are now able to infiltrate leadership structures through their women structures or other structures of the union. At the national level MUN's female members do interact with women in various other industrial sectors through their participation in women targeted activities of the NUNW.

From office administrator to a president - the story of Connie Pandeni

Connie Pandeni started her history with trade unions long before independence when she first joined the Metal and Allied Workers' Union (MANWU) in 1986. Here she did not serve for long because she soon left for exile to join the armed liberation struggle: *'I started my political career around the time I was a student at Dobra College. As an active member of the Namibia National Students' Organisation (NANSO), I would normally join student boycotts to protest the discriminatory Bantu education system at the time. During school holidays and weekends that we find ourselves in Windhoek, we would also join workers' rally's such as May Days or strikes that they would launch to protest the discriminatory labour practices of the apartheid regime. My involvement in these important activities led to increase interest in politics and trade unionism. I should admit that my being a woman in male dominated structures did not for a moment hinder me from making my contribution to the liberation struggle or the struggle for workers' rights. It is simply a question of being determined to achieve your goal, whether you are a man or a woman.*

On her return in 1990, she resumed her work as a trade unionist but this time for the MUN. Connie first started as an office assistant doing administrative duties. She recalls: *'I was sometimes left alone in the office, as is often the case with unions. Union members would come with various requests and I just had to use my own initiative in handling urgent grievance cases...I also played an important role in setting up regional women structures within the MUN. The decision to set up such structures was taken at the seventh congress of the union and I thought that since I am the only women within the top hierarchy of the union [serving on the NEC since 1997] let me take up the task, lest no one else will. This was not an easy task because it demanded somebody to travel to all the four regions in which the union is active and to mobilise and run education workshops on women participation and empowerment within the union. From the regional workshops the various representatives were tasked to establish local branch women committees. The local and regional women structures would then prepare the necessary ground for the union to set up a national women structure.*

I served the MUN until 1996 and then took up employment with NamPower in 1997. Not wanting to loose my ties with the union I immediately applied for membership with the union during the same year. In 1997 I was nominated and appointed vice-national treasurer of the MUN at the seventh congress of the union. I was also then appointed as the national treasurer of the NUNW, a position I occupy up to the very day.'

At MUN's 8th national congress in 2001, Connie Pandeni was elected as the union's president, becoming the first woman to hold the MUN's top position. Asked if she was surprised to be elected as President, Connie says: *'My election to the highest post in the union did not come as a total surprise because we have a system in the union in which nominees are first approached to affirm their willingness to serve. When I was approached I expressed my interest but I knew that congress reserve the right to confirm or reject my nomination to the post. I unfortunately could not attend the 29th May to 2nd June 2001 congress were I was elected as President. The congress coincided with my trip to Geneva, Switzerland were I was suppose to attend an ILO conference as part of a NUNW delegation. I however had confidence in the people*

that nominated me and knew that whatever position congress elected me into would be the position in which the people wanted me to serve. I only heard the outcome of the elections in Johannesburg at the airport where I was waiting to connect to Europe. I admit it was great news and indeed a challenge.

As a President of the union one of my biggest challenge is to ensure that the resolutions and aspirations of the congress are met to the best of our ability. Those are the guiding principles and we cannot embark on our own agenda that is different from the expressed will of the members of the union. Siting in this position is a challenge in that I, with the rest of the union leadership, have to face up to the reality of the declining mining sector which is leading to a daily loss of membership and union income. We so far responded with the Ongopolo mining venture but we also have to do much more than that. One other possible response which we are already considering at the highest level is to follow global trends of union merges, as is the case in South Africa. I believe that whilst doing this we have to face up to the reality of the sector we work in. If a mine is unable to do profitable business due to world prices or the depletion of the resource then that is the reality. The issue of educating our members is a priority for the union. We need a membership that is educated and equipped to challenge the decisions of the leadership. How can we expect the members to take ownership of the union if they cannot fully understand what the leadership does? So our members should be trained and educated.

I will fail in my duty if I do not give a word of courage to the women in the MUN and in all other sister unions. We are always in the majority as members of our different unions but when it comes to leadership posts we are in the minority. This as far as I am concerned, is unacceptable and has to change. We should be motivated as women and claim our rightful positions. We can start by doing small things such reading a lot, attending union workshops and so on. It goes without saying that we need our male colleagues to assist and accept us as we try and play a more meaningful role within our unions and society at large. You find some male colleagues who are supposed to be an encouragement to us asking, what is this whole thing of a women desk here and there, are women trying to start their own union? It is simply not the case that we are trying to start our own union. We are only recognising the cultural barriers that hinder women's full participation in the activities and governance of the union. We need separate forums were we can separately undo the centuries' s cultural barriers which dictate what women can or cannot do. It is also often the case that women find it easier to discuss a case of sexual harassment at work rather with a female unionist than with a man. Also now with the HIV/AIDS pandemic, you find women colleagues (and even men) who are infected and who only want to receive counselling from a female counsellor. The issue is not one of women's war against men as is often wrongly perceived but rather of strategies how we can serve society. It is about time that we stop being judgmental and get our male colleagues to head women desks. Our male colleagues out there should encourage their wives and female partners to take part in women structures and share the information with them so that they can also see the benefit of their participation in the union's women's activities.

I should also say that I have no fear whatsoever that I or any of my leadership will loose touch with our membership. It is unthinkable that one should forget the people who brought you were you are today. How can we forget our roots?

9. Health and safety

According to Isai Nekundi: *'Health and safety is an ongoing battle. You can claim to be safe today but tomorrow you may not be, especially in the mining sector.'*

Paul Rooi remembers: *'Health and safety at the workplace was one of the first resolutions we unanimously passed at the first congress of the MUN. We had several injuries and deaths suffered by workers at the TCL mines and CDM in Oranjemund. After negotiations these became the first mines where health and safety agreements were signed. The agreements ought to be reviewed on an ongoing basis and should be changed and improved, if need be. During the colonial days, workers did not have any access to their medical records but as a result of the health and safety agreements with the mining companies, the MUN now has free access to such medical records.'*

It is worth noting that almost each and every mining company, especially the big companies because of the hazardous conditions on the mines, had medical schemes for their employees. Both Paul Rooi and Willem Van Rooyen who are now part of the top management of the health and safety department of Rossing see their co-option into these positions as an opportunity rather than as a way of compromising their role as true union representatives. They believe that having direct access to top management of the company in fact helps them address health and safety issues to the right people. *'In my opinion, safety at the work place is one of the common objective to both, the unions and the employers. Both of them talk of an injury free workplace. If there are no hidden agendas on either side both parties should be working towards a common objective in this regard,'* argues Van Rooyen. Almost every mine now has safety systems in place and the union appoints representatives to serve on these structures.

The MUN was the first industrial union in Namibia to conclude health and safety agreements with employers, namely the mining houses. Health and safety was crucial to the union and its membership, mainly because of the high rates of accidents on the mines. The MUN through negotiations also achieved to have health and safety shopstewards on the mines and it embarked on programmes of educating workers on health and safety issues. This enabled them to make better use of the services of the health and safety shopstewards and the provisions of the various health and safety agreements. As a result of strong negotiations of the union with the different mines there are now health and safety representatives at almost all the mines. These structures are reporting directly to national structures and are running their affairs on their own. Peter Naholo adds that: *'We can however not be complacent that we have done enough it is a continuous struggle to see to it that people are working under safe and healthy conditions.'*

The health and safety agreements are however not perfect, *'they need constant review and updating as working conditions change all the time. More importantly the documents face the problem of interpretation. It is not so much an issue of re-writing the agreements but getting a common interpretation of the provisions. What was our intent when we wrote this or that and how is it applicable today? In that way we can construct a better relationship in dealing with health and safety issue'* argues Willem Van Rooyen. He furthermore adds that: *'it should be understood that most of the people who signed the agreements are no more there. The union may have got a new leadership and so did the companies. So there is a need for coming together perhaps*

at least once a year to review the agreements but more so to check whether the interpretation of clauses on both sides is still the same. In that way we will be sure that there will be consistency in how the agreements will be understood and applied.'

The battle over the best possible health and safety conditions is not yet won. Jacob Nghifindaka believes that: *'Most of the multinationals that are in the mining sector do not want uniform health and safety standards. For example an Anglo-American company operating in Britain may prefer having a health and safety agreement in that country which is very much different to that which is in Namibia or any other country for that matter. What we want is first class health and safety standards globally. If you are an international company you need to adopt international standards and what is applicable to Britain should also be applicable to Namibia.'*

The members themselves also testify the strength of the strength of regional structures in guarding the health and safety of union members. Joel Mbaura Mbai, a former employee of the Rossing Uranium, who almost lost the use of his left leg in an accident, narrates how the union at the branch level was able to fight tooth and nail to ensure that he receive his rightful compensation package: *'Negotiations with the company started almost a year after the accident (08 April 1997). I could not be put on any alternative employment and the only option for the company was to give me my disability package. As usual, the company tried to side step procedures and negotiated that I agree for a package that was in fact below what I should get. The company was also not forthcoming in accepting that there was a degree of negligence on their part, which has caused the accident. The MUN Rossing branch helped me a lot in fighting these issues. The chairman of the branch Eric Beukes, and his vice Mbapeua Muharukua, the permanent shopsteward as well as the secretary of the branch, Harry Doeseb were all instrumental in fighting my case until I was paid out. I can also not forget the mediation role played by Hon. Kapere. I can therefore not regret my membership to the MUN especially if I remember the way the union fought on my side.'*

10. Collective bargaining

Collective bargaining, the process where workers collectively negotiate and fight for better wages and working conditions has been part of MUN's activities since before independence. The strength of the MUN to bargain collectively can be seen in the number of recognition agreements that have been signed with various mining houses. In addition, the union has managed to sign health and safety agreements with almost all the mining companies.

According to Peter Naholo, shopstewards and other union representatives are now able to bargain and negotiate with their respective management as a result of training they received from the union. Collective bargaining of the MUN can be recorded a resounding success story and the union managed to produce many skilled negotiators. Until now, the union represents mainly workers in the lower job grades and still has to develop strategies how to attract and serve workers in higher grades.

Recognition agreements

‘Unlike in the past, in terms of the provisions of the Labour Act you do not need to negotiate with the employer to recognise you. You simply need to prove that you represent fifty percent plus one and you demand the recognition with the respective employer’ says Bernhard Esau. A recognition agreement gives the union the right to bargain collectively on a wide range of issues such as conditions of service, wages and working hours, holiday entitlements, health and safety agreements, etc.

The recognition and procedural agreements generally contains the following provisions:

- Access and facilities for trade unions
- Stop order facilities for union subscriptions
- Election of Shop steward and their rights and duties
- Negotiation Committee consisting of 3 union and 3 company representatives
- Negotiation and consultation issues
- Dispute procedures, grievance procedures, disciplinary procedures, strike and retrenchment procedures, mediation, and arbitration.

Substantive Agreements are generally conducted and negotiated annually or biannually and consist of improvement in working conditions, wages and benefits for MUN members. So far, the union has signed the following agreements while several new agreements are about to be completed.

CDM Properties Ltd	28 June 1988
Rossing Uranium Ltd	14 November 1988
Roselis Mining Corporation	03 May 1990
Karibib Mining & Construction Company	17 May 1990
Navachab Joint Venture	15 November 1990
Okorusu Fluorspar Pty	29 April 1991
Africa (Damara) Granite	6 November 1991
Zinc and Lead Namibia	07 February 1992
Wittreich /Marmor Werke Karibib	16 April 1992
Karibib Mining and Construction/CDM Pty	30 June 1992
Otjua mine	17 July 1992
Rosond Exploration Foundation	03 September 1992
Cement Industries	21 September 1992
Peralin Pty Ltd	25 November 1992
Rio Tinto Namibia (Rossing)	28 January 1993
CSO Valuations Namibia	16 February 1993
Outjo Crushers	23 February 1993
Namibia Mineral & Development Company	25 June 1993
Arandis Services	02 July 1993
Dolorite Crushers	04 August 1993
SWA Water & Electrical Corporation	14 October 1993
CDM Properties & De Beers Services	16 November 1993
Aus Marble Namibia	03 February 1994
Swartbooisdrif Mine	20 July 1994
Seven Pillars Mining Company	18 August 1994
Cranford Namibia Pty	09 June 1995
Diaz Point Exploration	28 August 1995

Arandis Services	22 November 1995
R.J. Southey Namibia	12 December 1995
Namibia Power Corporation	17 June 1997
K. Neumayer Contractor	05 August 1997
Tsumeb Corportation Ltd	09 September 1997
Brandberg Construction	18 November 1997
Shell Namibia	05 March 1998
Namib Labour Hire	22 April 1998
Windvogel Diamonds	26 June 1998
Clydon Namib cc	26 January 1999
Namgem Diamond Manufacturing Company	19 May 1999
B & E Namibia Pty Ltd	10 June 1999
Yam Diamond Recovery	12 July 1999
Lewala Equipment Company	24 July 1999
Himmel HO Electrical Services	26 August 1999
Northern Electricity	16 September 1999
Africa Labour Services	30 September 1999
De Beers Marine Pty Ltd	06 December 1999
Karibib Service Station	17 March 2000
Karibib Mining and Construction Company	05 April 2000

11. Challenges ahead

The current challenge for the MUN is to position itself strategically in order to effectively influence the policies of government to the extent that they truly benefit workers. In addition, the union ought to embark upon an aggressive organisational restructuring and membership drive to try and make up for those members which the union lost as a result of retrenchments and outsourcing. Eino Ntinda says that *'the labour market is full of new comers- people who did not directly experience the colonial hardships. As a result not everyone will see the benefits of belonging to a trade union. As unionists, we must work hard to convince members and prospective members that unions are the best agents to fight for workers' rights. Even when people cite the indirect MUN affiliation to Swapo through the NUNW, I strongly believe that workers are more interested in the quality of the services you will render instead of whom you are affiliated to.'*

Globalisation is one other important challenge as mining companies try to increase their international competitiveness through outsourcing and reduction of staff. This poses a direct threat to the membership of the union. Isai Nekundi points out that the union must be prepared to face up to the challenges that come with globalisation. He argues that: *'We must do something about our members who are bound to be replaced by machinery and other new technologies.'*

Another challenge is to make sure that the NUNW as Namibia's biggest trade union federation consistently advocates for the interests of workers at a national level. Workers' participation in the activities of important days such as May Day has declined dramatically after independence and the labour movement has been unable to carry out successful mass action on a national level. The NUNW has to find a way of

reviving and sustaining the struggle for workers' interests and the MUN must play an active part in this process.

Bernhard Esau argues that the issue of democratic control of the union by the workers is a big challenge to the union. This requires openness and transparency as well as active input by workers into the policies of the union and accountability of union leaders to their members. Esau believes that: *'Without this you will end up with a union that is run from air-conditioned offices and the workers will start distancing themselves with something they themselves created.* There is also a need to enhance the channels of communication between the union and its members if at all the union wants to remain vibrant.

Educating union members of the union is another big challenge for the MUN. Peter Naholo points out that: *'The leaders are not the union, the members are the union and as soon as you train the members you will become a strong union.* He further argues that *'there are many rights enshrined in the Labour Act and if the workers through education become aware of them they will be able to fight their own battle. The members must control and take charge the activities of the union. They must give a mandate to the leadership and receive feedback as well as quality services. If they are not educated they will not be able to do this but would instead be manipulated. In the end, the union must not be run by people from the streets but union members themselves who know and went through the struggle.'*

The MUN according to Naholo is also faced with the challenge of sustaining its own unity: *'The MUN is a non-party-political organisation that stands for the interests of all workers. That's why we say unity is strength! It is true that when you face industrial problems they do not discriminate on the basis of the political or religious affiliation. You are facing them simply as a worker. So, ours is indeed a workers' union which is for everybody irrespective of your political followings or any other considerations.'*

Jacob Nghifindaka adds that there is a greater challenge to foster unity among union members. In the past people relied on mass action to bring down apartheid and discriminatory labour practices which is no more the case. Today, workers can, as individual employees go to the labour courts or rely on the existing laws to demand their rights. So, if the union does not render a quality service which will convince workers to remain union members, the union will continue to lose members and will dismally fail in its membership recruitment attempts. In addition, the MUN also faces the challenge of demonstrating to the various stakeholders that the mining sector is still a viable economic sector that can create and sustain employment without resorting to outsourcing and downsizing.

Connie Pandeni adds the HIV/AIDS issue as a priority number one not only for the union but also for Namibia, SADC, Africa and the whole world: *'I challenge all our union members to lead sober lives and take the necessary precautions on HIV/AIDS. We should know that HIV/AIDS is a national enemy, which has no respect for men or women, young or old. Soon, we will see families being led by children because their parents have all been wiped out by HIV/AIDS. It is time that the union proactively prepares itself by taking up its responsibility of relentlessly warning the members and everybody else about the dangers of HIV/AIDS. We also have to start thinking about*

orphanages for the children of our union members who may soon die because of the disease. We, as a responsible union, have to take up our social responsibility in this regard.'

The MUN has undoubtedly come a long way since its formation 15 years ago and played a key role in building the Namibian labour movement. Provided that it can face up to these challenges, there is no doubt that the union will continue to be the mouthpiece of Namibia's mineworkers and an agent for social change in Namibia.

Addition to the MUN Booklet

The Contract Labour System

The South West African Native Labour Association (SWANLA) was established to recruit cheap labourers, mainly from the north of the country ('Ovamboland') to work on the mines and on white-owned commercial farms. The contract system turned the so-called homelands into pools of cheap labour, a slave market. Oshiwabo-speaking workers

could only leave their designated 'homeland' in the north for another part of the country if they had taken a contract. Contract workers had no say whatsoever in any of the terms and conditions. Workers called the system as the 'Draad' - (fence or prison) because they were not free to change jobs in pursuit of better wages or conditions. If they left their jobs before the expiry of their contract they could be rounded up, jailed and forcibly returned to their employer. The contract was so restrictive that they could not even return home in time of family sickness or emergency. It was very difficult for the workers to challenge the contract labour system and inhuman treatment of workers on the mines because the mining companies ruled the country in close collaboration with the colonial regime. The administration and maintenance of essential services such as police, health and education of mining towns such as Oranjemund and Arandis was basically in the hands of the mining companies.

Living and working conditions of mineworkers

Workers on the mines were housed in poor conditions inside the hostels. These hostels were for men only who suffered under inhuman conditions, having to sleep on concrete slates without proper baths and toilets and cold showers even during cold winters. Up to ten workers were accommodated in one small room. The toilet and washing facilities had no partitioning, cubicles or doors. They were merely a production line of unprotected lavatory pans. The urinals were badly worn and difficult to clean. Workers therefore preferred to use the "bush" instead of these poor and inadequate facilities. The general housing conditions was bad. The walls of the rooms were damp and the floors were slippery. There were no mirrors in the rooms or in the showers. The store facilities for black workers were appalling, with long queues for a pitifully narrow range of supplies. Black workers were receiving very low salaries and even CDM as one of the most profitable diamond mines in the world, paid its workers starvation wages.

Mineworkers were also humiliated. Those employed by diamond mining companies, for example, were subjected to anal examination to ensure that they do not steal diamonds by swallowing in the gemstones and secrete them later. Those convicted of stealing or attempting to steal diamonds were severely punished and locked up for days. Their stools were monitored and picked apart to see if they contained diamonds.

This discriminatory and inhuman treatment led to repeated protest action by black workers at the end of 1971 until early 1972. The workers went on a national strike and returned to their families in the north. They threatened not to come back until conditions were drastically improved. On 10 January 1972 a large meeting was held at Oluno (Ondangwa) to hear the grievances of the workers. Workers mainly raised

concern about the contract labour system and demanded respect and protection of their human rights and dignity as persons at the workplace. De Beers which owned the CDM somehow relented to the pressure and drew up new contracts for their workers. Some improvements on the wages were offered although the company did not want to compromise on the key issue of granting their workers compassionate leave. Other mining companies like TCL refused to even grant the slightest concessions which laid the basis for the strikes to come in the 1980s and 1990s.