

AFRICAN TRADE UNIONISM IN SOUTH AFRICA

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A STUDY of African trade unionism in the Union of South Africa is as difficult as it is urgent. There is no easy way of establishing the true position of African workers—their state of industrial organisation, their enthusiasm for trade unionism or their struggle to win recognition; for not much trade union literature is available, certainly nothing substantial on African unions. The press, with few exceptions, is not sympathetic to the cause of organised African labour, and reports trade union activity only with reluctance and when heavily pressed to do so by events themselves.

African trade unions, however, do exist, and they are growing rapidly. They have survived constant assault from the Nationalist Government, which, during the twelve years it has been in office, has made vigorous efforts to destroy them.

In this article I shall deal with the South African Congress of Trade Unions, the growth of which may help the reader to understand the true position of the labour movement in South Africa. The Congress, popularly known as S.A.C.T.U., is the only non-racial trade union co-ordinating body in South Africa. It has a membership of fifty-one affiliated unions and represents 53,000 workers—40,000 of these are African, while 13,000 are Coloured, Indian and European. Most of the African unions in South Africa belong to it.

The Congress came into existence in 1955, in order to provide a home for those unions which desired to promote multi-racial trade unionism. It was an important event, produced by an explosion of differences which had long existed in the labour movement.

After the 1922 revolt, when white workers fought their employers and the State itself in order to maintain the supremacy of white workers on the gold mines, General Smuts, Prime Minister at the time, realised that what he called a 'labour aristocracy', composed mainly of white workers, could always be relied upon to support a government based on white supremacy.

In 1924 legal status was given to this aristocracy by the Industrial Conciliation Act, which excluded 'pass-bearing Natives' from its provisions. The principle of a division between white and black workers was therefore entrenched in South African labour politics; and although African unions were admitted to the same trade union centres as white ones, they were not encouraged to participate in the affairs of these centres.

Coming to power in 1948, the Nationalist Party set out to implement a labour policy which drew its inspiration from labour organisation in Fascist Italy and Nazi Germany. The party was opposed to the existing system of wage control, and proposed that collective bargaining be supplanted by a system of State responsibility. Mr. Schoeman, the first Nationalist Minister of Labour, had announced in Parliament while a member of the Opposition front bench:

"The body by means of which this so-called collective bargaining takes place is the trade union, but if the State accepts full responsibility for the fixing of wages and the regulation of working conditions, the principal function of the present trade unions will disappear."

Elaborating on the policy of his party, he said:

"I want to touch briefly on a few of the main underlying principles. . . . First, we contend that wage control and wage fixation should be entirely in the hands of the State. Secondly, and this is the most important principle—self-government in industry must be eliminated. . . . Self-government in industry and collective bargaining must be things of the past . . . the time has arrived that in the interests of the State, in the interests of employers and employees, self-government in industry and collective bargaining should be eliminated from our economic life.

The people of South Africa want something entirely new, something radical, and it is for the government of the future to give the people a new economic order. That is the only government that in future will ever command the support of the people of this country. I want to assure the people of South Africa that when my party soon takes over the government of this country, we intend giving the people of this country a new economic order."

The new economic order was not long in coming; the Nationalist Government wasted no time. It added the Native Labour (Settlement of Disputes) Act to the Statute Book,

placing 'wage fixation' entirely in the hands of the State, denying the African workers any say in determining their conditions of work, and imposing a maximum fine of £500 and/or three years imprisonment for the use of the strike weapon. While piloting this bill through Parliament, Mr. Schoeman announced that it was intended to "bleed the Native (African) trade unions to death." He did not say that the Government also intended to test the strength of the organised trade union movement for future legislation in conformity with Nationalist policy. The white workers could not but recognise in the Native Labour (Settlement of Disputes) Act the first step in implementing the Government's labour policy, and he watched for their reaction. If they sought the unity of white and African workers in defending the trade union movement, the Government would have to retreat. The white workers, however, watched, heedless, while African labour rights were attacked; and so the Government took the offensive.

It introduced another Industrial Conciliation Bill, which gave the Government power further to weaken the trade union movement by dividing labour organisations on racial lines; to undermine and destroy the power of collective bargaining; and to deprive the trade unions of the right to control their own funds, elect their own officials, and exercise democratic control.

The white workers, who had always been divided over colour policies, were thrown into confusion. They realised that their unions were seriously threatened, and that immediate steps had to be taken to oppose the Bill. The action that they finally chose to take changed the course of trade union history in South Africa.

The existing trade union centre, the South African Trades and Labour Council, had opposed racial discrimination and had admitted unions of African workers to its ranks. For this reason, some of the larger craft unions of white workers had consistently refused to affiliate to it.

As much as the members of the white unions needed the unity of all workers to protect themselves, they feared an alliance with the African workers. In their deep-rooted colour prejudice and fear that they would lose their monopoly of the better jobs, they firmly rejected unity on a completely multi-racial basis and instead decided to present a precarious united front of registered trade unions, catering for white, Indian and Coloured workers alone. This divorce from the African unions was

achieved by forming a new organisation, and the Council dissolved itself after a bitter dispute with a minority of fourteen affiliated unions which were hotly opposed to the dissolution. The new South African Trade Union Council excluded African unions in its constitution and took upon itself the task of protecting the interests of the 'labour aristocracy'. It announced that it would concern itself with welfare and economic needs, adhering to a policy of 'no politics in the trade unions'.

It was a notable victory for the Nationalist Party, which since 1933 had laboured hard to undermine co-operation between black and white workers. In their pamphlet, '*Job Reservation and the Trade Unions*', Ray Alexander and H. J. Simons wrote:

"The trade unions, being organised on a class basis, and led usually by English-speaking workers with socialist sympathies, tended to alienate Afrikaner workers from Afrikaner nationalism. This formed the main charge levelled by churches, cultural organisations and party leaders against the unions. They were denounced as alien institutions, which had been imported from England, and which were imbued with a spirit which was opposed to the ideals of Afrikaner nationalism."

By 1954 the fragmentation of the non-African trade union movement had reached the highest level in South Africa's history. Organised labour was so weak and disunited that four trade union co-ordinating bodies, with widely differing views, each claimed to represent the true interests of South Africa's workers. Thirty-two unions, representing 144,354 members, openly declared their sympathy with the Government's labour policy. 351,265 non-African organised workers divided themselves into four trade union co-ordinating bodies, while 85,219 workers did not affiliate to any organisation.

In her survey, '*Racialism and the Trade Unions*', Muriel Horrell correctly labels these trade union federations as follows:

"The *S.A. Trade Union Council* (T.U.C.), the centre body, which accepted affiliation from registered white, mixed and Coloured unions, but not from unregistered African unions. The *S.A. Federation of Trade Unions*, more to the right, with mainly white membership, although two mixed unions were affiliated to it.

The *Co-ordinating Council of S.A. Trade Unions*, further still to the right, with all-white membership, except that one of the affiliated unions had a small separate branch for Indians. The *Federal Consultative Council of the Railways* and considerable

numbers of individual trade unions, which were not affiliated to any of the bodies described above."

It was in this situation that the South African Congress of Trade Unions was formed, on March 5th, 1955, to mobilise the workers of South Africa, irrespective of race or colour, and cater for the ever-growing mass of unorganised African workers who were being absorbed into South Africa's ever expanding industrial economy. It recognised that the organising of this great mass of workers was linked inextricably with their struggle for political rights and liberation from all oppressive laws. Every attempt by the workers to organise themselves was hampered by general legislation affecting their right of movement, domicile and political representation. Every effort for higher wages, for better working conditions, for the smallest advance in factory conditions or the reinstatement of unjustly dismissed fellow-workers was immediately met by the full force of the State.

For this reason, it sought allies among the liberation movements—the African National Congress, South African Indian Congress, South African Coloured People's Organisation and the (white) Congress of Democrats—at that time busy establishing a National Consultative Committee to co-ordinate the activities of the Congress Organisations which had adopted the Freedom Charter in June 1955.

The Consultative Committee also provided an opportunity for discussion and consultation on matters of concern to the whole liberation movement and was authorised to make recommendations for joint campaigns. This was a historic development, for it proved that nationalism which the non-white liberation movements represented to be the very opposite of the exclusive sectarian nationalism for which Afrikanerdom pledged itself to make a last-ditch stand. Moreover this was an important organisational step, for no machinery existed till then for regular consultation among the different organisations, although they co-operated on specific issues.

When the National Consultative Committee was established, S.A.C.T.U. became a willing constituent of it. The five organisations provided their resources and personnel for joint Congress activities; and this helped to make practical organisational activity more efficient and easier. Congress demonstrations and mass meetings attracted large attendances, and working together fostered a healthy atmosphere among the members of the Con-

gress organisations. It mirrored the future non-racial harmony for which the liberation movement was fighting.

In his speech to the 5th Annual National Conference of S.A.C.T.U. held in March 1959, Chief Luthuli summed up S.A.C.T.U.'s role in the liberation movement when he said: "Universally and historically workers, especially urban workers, have performed been the spearhead of the freedom struggle in the twin functions of—a striving for the amelioration of the lot of the workers in the matter of wages and general conditions of service; the prosecution of the general national liberation struggle. In the context of our country the task is rendered even more onerous and not inconsiderable in view of the apartheid legislation which forbids honourable co-operation among all workers regardless of colour or race, since the law places a legal bar on the formation of mixed unions."

The founders of S.A.C.T.U. were convinced that a mere struggle for the economic rights of labour, without participation in the general struggle for political emancipation, would condemn the trade union movement to ultimate purposelessness.

The task of organising new African unions and co-ordinating the existing ones was formidable, for the restrictions placed in their way were designed to force them out of existence.

The African workers, however, had learned to understand the importance of trade union organisation, and had seen how effective such organisation had been in protecting the interests of the white workers. Moreover, there existed a clear enthusiasm not only within the ranks of the existing unions of African workers, but also among those industrial workers still unorganised. S.A.C.T.U. was in itself an expression of this new mood; and now it had to give expression, in an efficient and organised manner, to the aspirations of the growing industrial labour force.

It could do this only by welding into a single unit the loosely-organised unions of African workers and those affiliated registered trade unions which had greater facilities for organisation. It never abandoned the white workers as a lost cause, and it propagated the idea of multi-racial unity, in spite of white labour's apparent resolution to look to the State and not to trade union unity for the protection of its living standards.

There were, and still are, severe difficulties hampering the growth of African trade unionism. When African workers in a single industry agree to form themselves into a trade union, they

must first of all find a central meeting-place in which to constitute the organisation and formulate demands to present to their employers. Their homes and places of work are many miles apart; and so the centre of the city is the most convenient area in which to meet. In his survey, *'The African Worker in South Africa'*, Alex Hepple, till 1958 Leader of the Parliamentary Labour Party, writes:

"There is a legal restriction upon meetings in the mines. The War Measures Continuation Act, re-enacted in June 1954, extends for a further period Regulation No. 10 of Proclamation 210 of 1939, which empowers a magistrate to prohibit meetings of more than 20 persons on mining ground in the Transvaal.

Outside mining ground there are other restrictions upon gatherings of Africans. In terms of regulations proclaimed under the Native Administration Act, 1927, no gathering of more than 10 persons is permitted in 'Native areas' without the permission of the Native Commissioner or Resident Magistrate. In African townships and locations, regulations framed under the Native (Urban Areas) Act provide for the control, supervision and restriction of meetings or assemblies of Natives. Outside factories, townships and locations there are other restrictions. Traffic and Municipal laws are often invoked to prevent meetings.

In Johannesburg no meetings can be held in a public place without the permission of the City Council. In Cape Town, permission for a public meeting can be withheld on the grounds that it would 'obstruct or interfere with the traffic.' Pass laws are also invoked to prevent African workers from holding trade union meetings. For example, a protest meeting in the Cape against the Industrial Conciliation Bill was raided by police, and five Africans were arrested and charged with infringing the pass laws."

If these difficulties cause too much delay in forming the union, the alternative is to visit the workers in the factories. Access to factory premises, however, is denied to organisers of African unions, and when they are discovered on factory premises they are arrested and charged with trespassing.

Factory meetings are therefore held illegally in the street, where they not only court police intervention, but attract the attention of the employers and expose to possible victimisation those workers who display too much enthusiasm.

Once a sufficient number of workers has been organised into a union, there remains the very difficult task of finding office accommodation in the centre of the city, which is usually classified as a 'white' area. When, however, a landlord does agree to let an office to a union, the arrangement is usually short-lived, and the members who then come to the office and find it empty assume that the union has gone out of existence.

The new union now encounters its next difficulty, communicating with employers. Although it is not illegal for African workers to establish trade unions, their unions are not entitled to registration or recognition by the State. The Industrial Conciliation Act specifically excludes African workers from this right, and the Native Labour (Settlement of Disputes) Act excludes African workers from all direct bargaining with employers. Alex Hepple writes:

"Should a dispute arise, a Native Labour Officer (white) must report accordingly to an Inspector (white) who in turn informs a Regional Committee (comprising a white chairman and three African members) all appointed by the Minister. Between them all, the dispute has to be settled. If they fail, they must refer the matter to the Native Labour Board (comprising a chairman and as many members as the Minister may decide to appoint—all white) which body is constituted to seek a settlement. If this fails, then the Board may recommend that the Minister recommends the Wage Board to investigate and make recommendations. So unpopular are the Native Labour Officers that they are often accompanied by detachments of the police. Of late, the Special Branch of the police (Political Department) have been most active in disputes, and the workers have begun to identify the Department of Labour with the C.I.D."

When a strike occurs, it resembles a small-scale civil war. Lorry loads of police armed with batons, sten guns and tear-gas bombs are rushed to the factory; great "pick up" vans arrive and all the strikers are arrested. A typical example of this method of handling disputes was the strike of 288 workers—200 of them women—employed at the Jones Canning Factory, Industria, Johannesburg, in January 1959. These workers protested against their being forced to work on Christmas Day and claimed that they had been short paid for that day. While their spokesman presented their grievances to their employer, the workers sat on the ground. When the police arrived, however,

they were not given an opportunity to negotiate directly with their employers, but were arrested. They were not even permitted to remove their overalls, gumboots and work caps before being pushed into the vans and taken to the cells to be charged with illegal striking.

The employers are warned by the Native Affairs Department or the Labour Department not to enter into negotiations with the workers or their representatives and are required to dismiss the strikers and employ other labour.

In South Africa there are tens of thousands of African workers who embark on strike action, and many thousands have been convicted under the Native Labour (Settlement of Disputes) Act. The pressure which they bring to bear on employers varies according to the organised strength of the strikers themselves.

The strike of the Amato Textile workers warrants special mention, for an account will help to give a vivid picture of what happens in South Africa when workers strike. In reporting this strike on February 20, 1958, the newspaper '*New Age*' stated:

"With police and Native Affairs Department intervention in the Amato Textile Mills dispute came the collapse, at the end of last week, of direct employer-union negotiations, followed by a vicious police attack on the workers which had Benoni up in arms. At the time of going to press, the Amato Mills, the largest textile factory in the Union, was at a standstill; and at the beginning of this week, 3,800 Amato workers were refusing to report for work through the Labour Bureau in Benoni or have their dispute handled by Native Labour Department officials. The lock-out, says the African Textile Workers' Industrial Union, followed the refusal of the Native Labour Board officials to allow direct negotiations between the firm and its workers. The firm claimed that its hands were tied and it was not free to negotiate."

In an article in the June 1959 East Africa edition of '*Drum*', Nathaniel Nakasa writes of those who were sacked from the Amato Textile factory:

"Hungry, pregnant mothers . . . worried husbands with no money to pay rent, to feed their kids . . . grim faced fathers daily ducking the police because their passes bear the 'Get out of this town' stamp. . . . It all began when nearly four thousand workers pressed their boss for more pay. . . . Workers were chased, heads were cracked, blood flowed.

And while the heads were still healing, the factory remained silent. You can't run a mill without workers. Before long over three thousand of the workers were taken back. But it wasn't quite like the old days—nearly 400 of the men had not been taken back. Most of these men are searching, asking, hunting for a job they can't find. There's Tifi Kasipoti, for instance, who went the job-hunting rounds and got himself fixed up at a steel window factory in Benoni. Kasipoti lasted three days. An Inspector of the Native Labour Department in Benoni ordered him to quit his job because of 'some influx control regulation.' Kasipoti told me when I sent to see him, 'My new boss didn't want to let me go, but the Inspector insisted'."

"Another man I met was John Phala, who was also sacked from Amato. He said: 'Everybody here is against the men who were fired from the mill. It makes things hard for us when we have to deal with the pass office or influx control people.' Then there's David Nyakoane, married with six kids. He had been endorsed out of town. . . . 'What do I do? Where do I go?' he asked, not expecting an answer."

Another case in point is that of the Durban stevedores who demanded wage increases from their employers. The employers brought in policemen, the Department of Labour and the Native Affairs Department to intervene. What could have been settled amicably between the workers and their employers reached an ugly situation when the police baton-charged the workers. Four workers were seriously injured and 87 were arrested after a baton charge by a detachment of police broke up a gathering of 1,500 dockers.

Apologists of the Nationalist Party and the employers often seek to explain away this denial of trade union rights to African workers by saying that Africans are at heart primitive, tribal people who cannot understand the complexities of trade unionism. The truth, however, is most clearly revealed in the pamphlet, *Job Reservation and the Trade Unions*, by Ray Alexander and H. J. Simons:

"Mr. Schoeman gave another reason for refusing recognition. African unions, he predicted, would inevitably 'be used as a political weapon' and 'the stronger the Native trade union movement should become, the more dangerous it would be to Europeans in South Africa.'

The first proposition seems likely. Since the major disabilities

of Africans as workers have been imposed by Act of Parliament and are enforced by the State, political action will be indeed needed to obtain relief. We may therefore expect African as well as Coloured and Indian trade unions to support political movements against white supremacy. Whether, and in what sense, such movements would be 'dangerous' to white people are questions to which no certain answers can be given."

Having organised the workers in the factories, found an office, and won a tenuous recognition from employers, the union then makes an effort to extend its membership. This task presents further difficulties, for the bulk of African workers are employed in unskilled and semi-skilled jobs, while many of them live in the Reserves and return to them at intervals, to be replaced by other workers. This means that the union must engage more organisers and issue more trade union literature in order to explain to the newcomer in industry the need for trade union organisation.

An African union which has developed as far as this can be said to have accumulated a store of experience. In the efforts of the union to build itself, union leaders in the factories have often been dismissed, and the organisers thrown out of the factories or arrested. Strikes have occurred and battles for reinstatement have been waged. All this has helped the union to become resilient to Government attacks on it in the form of bannings under the Suppression of Communism Act. Of this law, Alex Hepple has written in his book, *'The African Worker in South Africa'*:

"The definitions are so wide that they constitute a grave danger to trade union activities. They expose workers to severe penalties if they violate industrial laws in the course of fighting for decent treatment.

Under this law, any African trade union can be declared to be an unlawful organisation; its members deemed to be Communists, and its members 'named', making them subject to severe restrictions upon their liberty. Under the Suppression of Communism Act, many leaders of trade unions have been banned by the Minister of Justice and removed from office. In this way, unions have been deprived of experienced officials. Of those 'named' and banned, half are Africans."

The success of S.A.C.T.U. can be attributed to the unique co-operation which its affiliated unions of necessity give to it. It is responsible for having started a campaign for a national

minimum wage of £1 a day; and this demand is now recognised by employers in all wage negotiations. It has achieved *de facto* recognition of African unions in many industries by negotiating and settling disputes between workers and employers. At the International Labour Organisation, it has exposed the practice of using convict labour on farms and in industry in South Africa. It has fought racial discrimination and encouraged the workers to fight against legal oppression.

S.A.C.T.U.'s outspokenness for racial unity and its sharp criticism of undemocratic practices has been the only serious opposition to the Government put up by organised labour. This truth is borne out by the fact that in 1956, 23 trade unionists from S.A.C.T.U. were arrested on a charge of High Treason. In 1958 many were convicted of incitement, and in 1960 scores were detained under the State of Emergency. The Government has also invoked the Suppression of Communism Act and the Riotous Assemblies Act in order to silence S.A.C.T.U. field workers.

True workers' solidarity was far too often better appreciated through trade union lectures rather than actual experience, for colour divisions ruled out this feature of labour activities. The fight of the non-white worker appeared to be a lonely one, waged in a most distant sector of the world.

The rise of the liberation movements in Africa, and the granting of full independence to some States, however, enabled trade union organisers to inspire workers at the factory gates. Workers listened attentively to reports on African Prime Ministers and countries which were governed by their African populations. For the first time, the continent of Africa took on a meaning in the factory cloakrooms. The experience of other African countries that have accomplished democratic government has emphasized the part played by organised trade unionism in liberation. It is a lesson that is not being lost on the Africans of the Union.