

I doubt if it is possible for any who are not directly affected—and the directly affected are at present the large majority of Indians and Coloureds, a handful of Europeans and some Africans—to visualise what it must mean to live for years under the shadow of the Group Areas Act, not to know if the home one lives in will be allowed to remain one's own, if one will be deprived of the trading rights and the livelihood on which one's whole family depends. This is what practical apartheid, the form of apartheid which the Government has been relentlessly promoting since it came into power, means. It means interference, actual or threatened: a Population Registration Act to check on forebears and friends and features and possibly to classify as "native" a whole family that has lived as coloured; an Industrial Conciliation Amendment Act with powers to force a man out of the trade union to which he belongs and to push him out of the work he has been accustomed to doing.

Separation is not an abstract thing. It is practical and immediate and expresses itself in a series of actions which affect the quality of men's lives and poison it. It is destroying such personal relationships, limited and tentative though these be, as exist between white and non-white, and is quite deliberately seeking to prevent further personal relationships from being established. The process of separating, of putting up racial barriers, which is basic to the concept of practical apartheid, is not dramatic. If only it were! For then it might break through unconcern and unknowingness and compel realisation of the resentment this slow, insidious process is building up, and of the incalculable, even if at present only partially visible, harm it is doing.

LABOUR AND LABOUR LAWS IN SOUTH AFRICA

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Two labour codes operate in South Africa. They are part of the general policy of racial discrimination. The two codes were not specially conceived as a specific plan. They emerged over the years as the cumulative result of various labour laws and conventional practices which gave effect to colour bars. During the past eight

years, the Nationalist Party Government have sharpened the dividing line between the two codes by the enactment of new labour and other laws. It should not be thought, however, that the Nationalist party is the sole architect of discriminatory labour laws and practices. Other political parties, industrialists, mining companies and even many trade unions have supported this development. Many of them have done so with energy and enthusiasm.

The difference between the two codes is now considerable. On the one hand, White workers have perhaps as many rights as workers in most other countries. They have freedom to organise, form trade unions and have them legally recognised, engage in collective bargaining, and sell their labour where they will. While their trade union activities will be handicapped in the future because of restraints applied through recent legislation (of which more later), the code which applies to them includes the rights of industrial democracy. Coloured workers are included in this category, excepting that convention and custom limit their fields of employment, by denying them access to many occupations, especially in the Northern provinces. Broadly speaking, however, the one labour code may be said to apply to all workers except Africans.

Africans are in a completely different position. Not only are African trade unions denied legal recognition, but every possible obstacle is placed in their way to prevent their growth. The Government looks upon such organisations as a menace to White civilisation. As one Cabinet Minister expressed it:¹ “. . . the stronger the Native trade union movement becomes, the more dangerous it would be to the Europeans of South Africa . . . we would be committing race suicide if we give them that incentive.”

African workers are not permitted to engage in collective bargaining through the industrial council system. African trade unions cannot obtain legal status. Disputes with their employers cannot be argued and resolved by African workers themselves, but must be settled by Government officials. All strikes are prohibited under heavy penalties. Other laws and regulations, applicable only to Africans, are woven into the fabric of the labour code for African workers. One example is the Natives (Urban Areas) Act, which restricts the free movement of African labour. Another is the Labour Bureaux system, established under the Native Labour

¹ Mr. B. J. Schoeman. Minister of Transport. House of Assembly. 4/8/53. (When Minister of Labour.)

Regulation Act.¹

It is usually claimed that discrimination in the economic field is merely one of colour, in accordance with the country's accepted policy of racial separation. However, the discrimination has far greater economic than social effects. It does not secure racial segregation in the workshops. Everywhere there are Africans assisting White artisans and operatives in the factories. The discrimination mainly imposes severe restrictions upon African workers, retarding their progress or limiting their earning power. The ultimate effect of the code applicable to Africans is to make them a reservoir of cheap, disciplined labour.

In order to understand fully the effect of these two codes upon labour organisation, one must first take note of the composition of South Africa's industrial labour force. African workers comprise 53% of all workers in private industry, Whites 30%, Coloureds 13% and Asians 4%. This shows that only a minority of South Africa's industrial workers are entitled to combine for the purpose of collective bargaining. The majority (i.e., the 53% Africans) are prevented from using their collective strength to this end in association with White and Coloured workers.

LABOUR ORGANISATION

Trade union progress in South Africa has suffered because of colour problems. Race prejudice has put workers' solidarity beyond the grasp of the trade unions. Lacking that basic essential, labour organisation has been uncertain and often weak. In the skilled trades of the engineering, building and printing industries, where White artisans inherited a long trade union tradition, powerful unions have always existed.

These unions made no effort, however, to organise the African labourers and operatives in these industries and enrol them as members of their unions. In the mining industry where approximately 300,000 Africans and 30,000 Whites are employed, only the Whites are organised, most of them in the Mineworkers' Union. With a membership of 17,000, the Mineworkers' Union comprises all eligible White mineworkers. As this total represents a mere 6% of all mining employees, it may be thought that the Union would be anxious to extend its influence among the rest of the employees, the 300,000 Africans. On the contrary, the Mineworkers' Union is positively opposed to the extension of trade

¹ Native Labour Regulation Act. (Act No. 15 of 1911.)

union rights to African miners, and has stated that it would strongly resist such a development.

This policy is encouraged by the legal colour bar in the mines, whereby many mining occupations are reserved exclusively for White workers. It is strengthened by the attitude of the mining companies who are not only hostile to African trade unions, but take special steps to prevent African miners from organising.

In secondary industry, trade union growth has been hindered not only because of racial difficulties, but also because of the changing character of industry itself. During the last twenty years, a period of great industrial progress, large numbers of Whites and non-Whites have flocked into the urban areas, attracted by the jobs offered in the new and expanding industries. These new workers, lacking a trade union background and tradition, were ignorant of trade union purposes, suspicious of its intentions and susceptible to the propaganda of the politicians who shouted racial and communist-bogey slogans. The Nationalist Party, unsuccessfully busy with such propaganda since the early 1930's, suddenly met with success in the post-war years, mainly because of these new workers. The fruits of Nationalist success in disrupting the unions is revealed in the fact that workers are to-day divided into five federations, four of which bar African trade unions from membership.

This is a reversal of the former policy of the White unions, for, in 1929, the only trade union federation then in existence, the South African Trade Union Congress, was urging its affiliated unions to enrol all workers, irrespective of colour, as members of their organisations. In 1939 (now established as the Trades and Labour Council) this federation was pressing the Government to grant legal recognition to African trade unions. By 1949, however, it was fighting a losing battle on the question of colour. Its affiliated unions, enmeshed in the web of the country's apartheid policies, quarrelled, compromised, retreated, and finally fell apart. In a last effort to hold the few remaining unions together, the South African Trades and Labour Council radically modified its attitude, proposing the setting up of a separate Co-ordinating Council of African Trade Unions under its protection and guidance. This came to nothing. The crisis in the unions was then aggravated by the passing of the Suppression of Communism Act, as a result of which many prominent trade union leaders were declared to be statutory "communists" and ordered by the Government to resign from their unions. This law has also been used against militant trade

union organisers and officials whom the Government could not name as "communists". Such persons are prohibited from attending meetings of any kind, and are therefore unable to continue their normal trade union work.

As the old Trades and Labour Council struggled on, two new associations of trade unions came into being, the South African Federation of Trade Unions and the Co-ordinating Council of Trade Unions.

In 1954, when the Government announced several drastic changes to the Industrial Conciliation Act, the trade unions held a special Conference, called the "Unity Conference", to decide upon action to resist the Government's proposals. The outcome was a decision to form a new and stronger federation, called the South African Trade Union Council. This new body, in an attempt to embrace the maximum number of "registered" unions,¹ resolved to exclude from membership all African unions and unions having African members. Although most unions joined the new federation, others were not attracted, in spite of the imposition of a colour bar for their benefit. The Co-ordinating Council of Trade Unions, strongly pro-Government and pro-apartheid, decided to remain apart and to give the Industrial Conciliation Bill its full support. The unions remaining in the old South African Federation of Trade Unions also resolved not to oppose the Government's proposals.

Meanwhile, African trade unions, having been excluded from this "Unity" federation, were forced to make a home of their own. Thus was born the South African Congress of Trade Unions. Its constitution provides that workers of all races are eligible for membership, although its affiliated unions are largely African.

The five federations in existence at the present time are:

	<i>No. of Unions.</i>	<i>Affiliated Membership.</i>
The S.A. Trades Union Council	48	150,000
The S.A. Federation of Trade Unions	11	41,000
The Co-ordinating Council of S.A. Trade Unions	13	19,000
The Federal Consultative Council of South African Railways and Harbours Staff Associations	6	80,000
The S.A. Congress of Trade Unions	21	30,000

¹ "Registered" trade unions are those recognised by law in terms of the Industrial Conciliation Act. African trade unions cannot be registered.

In addition to the above, there are a few trade unions which are unattached to any federation.

The division revealed by these figures is likely to widen as the compulsory apartheid provisions of the Industrial Conciliation Act, 1956, force presently-combined White and Coloured workers into separate unions.

In these circumstances, labour organisation in South Africa rests upon extremely weak foundations, and South African workers are in no position to assert themselves in case of need. Considerable apathy exists in the unions. A long period of full employment has blunted interest in union activities. The rank and file show little concern at Government interference in their domestic affairs. Pathetically few workers are alive to the latent disasters in their present disunity. As this disunity stems mainly from policies of racial discrimination, White workers are consoled by the existence of statutory and conventional colour bars.

THE INDUSTRIAL COLOUR BAR

The colour bar in South African industry is part law and part custom. Legally, it applies in the mines through the Mines and Works Act,¹ which reserves certain occupations for Whites only, and in the building industry through the Native Building Workers Act,² which prohibits African building workers from competing with Whites in areas reserved for White occupation.

By custom, the colour bar covers a wider field. It does this in various ways. For example, in State employment the Government pursues a "civilised labour" policy. Since 1924 all State and Provincial departments have given preference to Whites in even the most menial occupations. In recent years, because other employment has been plentiful, insufficient Whites have been available and the Government has been compelled to employ Africans. There is no doubt that they will be replaced by Whites when jobs again become scarce.

In the skilled trades, where the Apprenticeship Act operates, few, if any, Africans are able to become apprentices. Although the law does not deny them the right, custom demands that only White youths sign indentures. Even when there was an acute shortage of apprentices in many trades this conventional colour bar was strictly observed.

¹ The Mines & Works Act (No. 12 of 1911) as amended by Act No. 27 of 1956.

² The Native Building Workers Act (No. 27 of 1951)

Now the statutory colour bar is to be extended. In future, in terms of a new principle introduced into the Industrial Conciliation Act this year, the Government can declare any occupation, trade or industry to be the preserve of one racial group. The relative section of the law is entitled "Safeguard against inter-racial Competition". The debate in Parliament showed quite clearly that the real intention is to exclude Non-Whites from many spheres of employment.

As the reservation of jobs on a racial basis can succeed only through extensive State interference in industry and large-scale direction of labour, both employers and workers must expect to sacrifice many rights as this law is applied. Labour relations, already aggravated by many laws, will become more complicated. As it is, employers are compelled to treat their Non-White employees differently from their White employees.

EMPLOYER—EMPLOYEE RELATIONS

In disputes, one set of rules is laid down for White and Coloured workers through the Industrial Conciliation Act, and another set for Africans in the Native Labour (Settlement of Disputes) Act. In the case of White and Coloured workers, settlement can be arrived at through the procedures of negotiation, conciliation and arbitration, in the manner provided by the Industrial Conciliation Act. Throughout, the trade unions play the major role. The essence is self government in industry.

On the other hand, where disputes arise between African workers and their employers, quite a different procedure must be followed. Trade union intervention is avoided. The machinery of the Native Labour (Settlement of Disputes) Act is applied. This machinery is clumsy and complicated. The workers' interests are represented by Government officials who are usually out of sympathy with them. The workers cannot negotiate through trade unions, nor can they elect representatives to any of the Committees or Boards which are supposed to be looking after their interests.

They may, if they wish, set up Works Committees, but these are of little help to inexperienced workers, especially as they are denied the official support of recognised trade unions. Most African employees fear to organise such Committees lest they be victimised. Experienced trade unionists will have no illusions as to the worth of such Works' Committees, where employers are not obliged to recognise or deal with the protecting unions. Such Works' Committees could easily be puppet committees comprising

“boss boys”, usually the company police.

African workers are totally prohibited from taking strike action, under severe penalties. This places them at the mercy of their employers and makes it almost impossible for them to resist intolerable conditions or gross injustice. The dividing line between a dispute and a strike, as defined in the law, is so blurred that even a protest during working hours may lead to prosecution for stopping work. Whenever strikes do occur, the police are called in and the workers arrested.

In cases where African trade union leaders have endeavoured to intercede on behalf of their members, officials acting under the Native Labour (Settlement of Disputes) Act have instructed employers to ignore them. But many employers are finding the law troublesome and expensive. Factories have suffered complete stoppages of work, not only during the disputes, but while the employees have been under arrest and appearing in court on charges of striking. In some cases employers have even gone to the extent of paying the fines imposed upon the workers, in order to free them and get them back to work.

There were 33 illegal strikes in 1954 and 73 in 1955. It is interesting to note that in 15 cases only did the workers gain higher wages or better working conditions, despite booming industrial conditions.

APARTHEID'S INSATIABLE APPETITE

Having two labour codes is one of South Africa's many burdens of apartheid. It is a burden which increases with economic progress. The racial theorists cast aside the fact that not only are all racial groups integrated into our economy, but that they are all indispensable to it. Even if racial discrimination in the economic field retards progress and threatens everyone's security, apartheid must be served. But apartheid's appetite is insatiable. It is not satisfied with two labour codes, separating workers two ways only, now it is claiming further divisions.

The drastic new principles added to the Industrial Conciliation Act this year impose apartheid upon the registered trade unions. No longer will White and Coloured members of these unions mix freely and enjoy the same rights. In future, no mixed unions will be registered. Existing unions must separate their members into White and Coloured branches, which must meet separately. Coloured members, even if in the majority, cannot be elected to the Executive committees of their unions, which must consist of

White persons only.

These will not be the last demands in the cause of apartheid. If the unions were unable to resist interference in their affairs in the past, they will be less able to do so in the future. Their solidarity has been shattered by racialism and their power reduced by law. Many old established unions may end up as nothing better than friendly or benefit societies.

There was a time when the unions could have asserted themselves through political action. That right has now been taken away. Henceforth, it will be illegal for any trade union to affiliate to a political party, or to give financial aid to political parties or candidates.

Apartheid will begin to crumble first in the economic sphere. Workers, whatever their colour, will have to bear the brunt of that event. It is essential that they should be seeking ways to unite their forces in order to withstand the upheavals of the future. That unity is possible only if enough White trade unionists adopt a more enlightened attitude towards Non-White workers. So far, there is little sign of it.

THE NEW ORDER IN BANTU EDUCATION

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THE European and the Bantu inhabitants of South Africa first met, on any general scale, in the late eighteenth century. Trade and evangelization were the main reasons for contact and, to the missionaries, the education of the heathen was secondary only to his conversion. Thus, in 1799, the first Bantu school in South Africa was established in the Eastern Cape and other schools rapidly followed, the chief churches or missionary bodies being then, as now, the Methodists, the Scottish Presbyterians, and the Anglicans. In its aloofness towards Bantu education, the chief Afrikaner church, the Dutch Reformed Church may or may not have failed in its spiritual duty, but it has certainly committed a colossal strategic blunder. For a century and a half it has made almost no attempt to win the Bantu people, the mass of its fellow inhabitants of this land, to its ideals or even to its language.