

**SOUTH AFRICAN TRADE UNIONISM
IN AN ERA OF RACIAL EXCLUSION**

by

JEFFREY THOMAS LEVER

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PROMOTER: PROFESSOR J I GROBBELAAR

CO-PROMOTER: PROFESSOR S P CILLIERS

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I declare that SOUTH AFRICAN TRADE UNIONISM IN AN ERA OF RACIAL EXCLUSION is my own work and that all the sources that I have used have been indicated and acknowledged by means of complete references.


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JEFFREY LEVER

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ABSTRACT

This thesis is an examination of the main tendencies in the trade union movement in South Africa during the currency of the Industrial Conciliation Act from 1924 to 1979, and of state labour policy of direct relevance to worker organisation. It considers in particular the reasons for the predominance of protectionist strategies, frequently amounting to racial monopolies and exclusion, among the unions catering for white artisan and production workers. Attention is given to the deployment of legislative and other policy instruments by the South African state intent on providing support for the prevailing protectionist demands and the exclusionary stance of large sections of the trade union movement. In analysing these developments, reference is made to the history of the trade union federations reflecting the divergent interests of different sections of the South African labour movement during this period. The evolution of trade unions for the workers occupying a subordinate role in the South African "racial order" is also traced. Consideration is given to the barriers to the full development of such trade unions, and to the incipient decline of the era of racial exclusion which the 1970s witnessed.

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Chapter 1: Introduction

Patterns of inclusion and exclusion among human aggregates remain one of the most significant, if least understood, of social phenomena. Having arisen at the heart of large-scale societies, classical sociology for the most part ignored, or at least marginalised, the issues of societal membership and the drawing of boundaries against non-members. Max Weber's penetrating remarks on the constitution of status and ethnic groups are perhaps the foremost exception to the foregoing observation.¹ Taking membership largely for granted and dwelling but little on the issues of boundaries and systematic exclusion, sociology directed its attention rather to the patterns of interaction among secondary groups constituted on functional grounds. There is thus perhaps little to wonder about in the spectacle displayed in South African social science over the past two decades, where the so-called "Race-class" debate has raged with no conclusive outcome.² A sociology in which boundary problems could largely be ignored was imported to a "society" (the very concept as used in sociology betrays the bias of its own social origin) in which boundary problems for central historical reasons were altogether salient. In the process arose an often very sterile argumentation over the "real" nature of South African society and its fundamental dynamic. "Race" and "class" were counterposed and contrasted to one another, instead of analysing the mutual interdependence and existential unity of the phenomena to which these terms refer.

This thesis examines one aspect of the dynamics of inclusion and exclusion in South Africa in the recent past: the extended period of 20th century labour history during which the sectionalism inherent in one prominent type of functional grouping in an industrial society - the trade union - was compounded by the radical segregationism and subordination already existing among the inhabitants of the Southern African region. As is hopefully clear from the previous remarks, this study does not take one or

other side in the long-standing theoretical debate over the Race-class issue. In the face of an intractable scientific problem which presents at the same time the most pressing of political and social dilemmas, it ill fits the social scientist to claim definitive knowledge. The fact of the matter is that we do not yet properly understand on a theoretical or practical plane matters which are referred to as "ethnic", "racial" and so on. The recent vogue for the "Social Construction of Ethnicity and Race" would be laughable were it not taken so seriously, purporting as it does to provide an adequate explanation for the rise and prevalence of "ethnic" identities.³ In this thesis the main focus falls on the social or (to use what is in many ways a more accurate term which has been out of fashion in social science for several decades) "ecological" factors in which ethnic sectionalism and racist domination came to characterise the foundations of trade union activity. In so doing it is implied that further consideration of a topic such as this from other perspectives such as the psychological or sociobiological is not rejected but only bracketed as beyond the conscious scope of this study of South African trade unionism from a sociological perspective.

The focus of this study - the "explanandum" - is the myriad of exclusionary rules, laws, legitimations and practices which characterised South African trade unionism for most of the present century. While such exclusionary phenomena arose almost from the inception of formal trade unions at the end of the nineteenth century, they achieved their most pervasive effects with the first adoption of a nation-wide industrial relations system given a legal basis by the state in the Industrial Conciliation Act of 1924. From this date all trade union activity was confronted by a fundamental legal and political division of potential union members in the industrial and urban working classes, a division which was at bottom one of "racial" exclusion of large numbers of wage earners concentrated at the lowest end of the occupational and wage hierarchy. Such an exclusion of a large segment of the South African labour force from the benefits

of formally recognised and legally privileged trade unions was palatable to some of the main union actors involved, but was also vehemently contested by others. The consequence was a continuing tension between those forces supporting the status quo of exclusion - and even seeking to extend it - and those others who stood for a variety of reasons for inclusive trade unionism in a unitary system of industrial relations. This tension was only resolved (at one level at least) in 1979 with the major revision of the Industrial Conciliation Act in that year which embodied the basic principles of an integrated industrial relations system. The years from 1924 to 1979 can thus be argued to constitute a clear period in the history of South African industrial relations and trade unionism, an era of racial exclusion formalised in terms of the major relevant rule-making instrument, namely the statute itself. It is this period which forms the object of study for the present work.

A Theoretical Perspective

Trade unions are not quite as old as the Industrial Revolution which began in the eighteenth century, and are clearly a reaction to it. Aside from its technical achievements, the Industrial Revolution was the culmination of a process of drastic social change, and brought in its train a restructuring of the class composition of society. Small farmers in particular found it impossible to maintain their position - or at least that of their children - on the land and were forced to the cities and hence to the factories of the new order. Trends in factory production and mechanisation displaced handicraft workers and the traditional journeyman. Increasingly, working for oneself and one's family in relative independence ceased to be an option for entrants to the labour market, compelling acceptance of subordination to others in the factory system and the expanding urban areas. That was not all. Industrialisation brought with it both the ubiquity of the labour market and the business cycle. The first meant that people had to sell their ability to work to someone able to set them to work; the second meant that

employment was not a lifelong guarantee. Similarly wages, which for long periods of history had been a matter of custom and regulation as much as a product of market forces, now became subject to the pressure of a competitive economy. The net result was uncertainty, both as regards job tenure and as regards what constituted a fair day's wage for a fair day's work. Adding to this uncertainty were the continual pressures on employers to cut costs by reorganising the methods of work, either by such procedures as the fragmentation of previously multi-tasked jobs or the introduction of more mechanisation. Workers who had invested much human capital in skill acquisition were thereby forced onto the defensive in an attempt to maintain their position in the productive process against the re-organising imperatives transmitted from the market.

Trade unions, as organisations of subordinate workers committed to the furtherance of their members' interests, were thus a reaction to the conditions created by the Industrial Revolution. They were in the first instance protectionist organisations responding to the uncertain economic environment which came to characterise the new system of competitive industrial capitalism. Protection could be sought either in the process of combination and the solidarity of collective action among larger and larger numbers of workers in corresponding economic positions, or in the exclusivist drive to create pockets of monopoly in one or other aspect of the work situation. Which option was chosen in any one case was the outcome of a complex set of specific influences. Commonality of interest was the overriding factor, but such shared concerns could be found both in small cohesive groups of highly skilled workers, or among large groups of lesser skilled employees sharing no common cause with the former group. At one level, that of broad social class, both kinds of workers could be argued to share a common interest vis-a-vis the other more affluent or powerful classes in society. At another level, that of the specific functional groupings in which the whole class of employees and trade union members was distributed, commonality of interest might well be replaced by direct opposition or

conflict, as when employers sought to replace expensive skilled labour by cheaper, untrained workers. Thus, as representatives of sections of the subordinate industrial labour force, trade unions were subject to what one writer has referred to as "the dynamic tension between the orientation to extend and unify and the opposing orientation to exclude and maintain sectional privilege".⁴

Different theoretical positions have attempted to argue which of these two orientations - inclusion and unification versus exclusion and sectionalism - would likely be dominant in the long run. The former possibility has been argued most forcefully from within the Marxist perspective. The fundamental assumption here concerns the salience of the division of society into different classes defined by their relationship to the means of production.

⁵ In the historical stage of capitalism the proletariat or working class is structurally constituted by its lack of ownership of the means of production (most notably land and industrial enterprises) and is thus subordinated to the owners, the class of capitalists. Forced by want to sell the ability to labour to the employing class, workers are flung into competition with one another as they seek work at subsistence wages and under inhuman working conditions. Gathered together in the proliferating industrial towns brought about by industrialisation, workers begin to perceive the advantages to be gained by combining together in one organisation to assert their collective strength against employers. Hence arise the first "combinations" or trade unions of workers. At first in a local and intermittent fashion, these unions of workers attempt to bring about improvements in the immediate day-to-day conditions of their members: this is the so-called "economic struggle". These localised combinations give way sooner or later to more extensive organisations which lead, in Marx's words, to "the ever-expanding union of the workers".⁶ For Marx, thus, trade unions were part and parcel of the unifying impulse to which the working class was subject in its attempt to better its conditions of existence in modern society. The struggle of the

working class, argued Marx, would not remain at the level of "economism" (to use a phrase which later Marxists introduced) but would lead to a political movement to change the whole character of industrial capitalist society:

...out of the separate economic movements of the workers there grows up everywhere a political movement, that is to say, a movement of the class with the object of achieving its interests in a general form, in a form possessing the virtue of being compulsory for a society as a whole. If these movements pre-suppose a certain degree of previous organisation they are themselves in like measure a means for the development of this organisation. ' 7

The assertion of the latent or potential unity of the working class is an important theorem in Marxist social science. But it has also formed a major working assumption among left-wing trade unionists in South Africa as elsewhere. Both as theory and as practice thus the influence of the Marxist model with regard to the role of trade unions as bearers of the long-term interests of the working class needs to be comprehended in any study of a subject such as this one.

The classical literature of early industrial sociology contains within it however a separate and to some extent rival tradition to that of Marxism, one which emphasises the diverse and sectional character of the modern industrial proletariat. Writers such as Selig Perlman reacted against what was seen as an unduly schematic and ideological view by Marxists of modern industrial life. Perlman described the Marxist view of the working class rather unkindly as "an abstract mass in the grip of an abstract force", ⁸ and argued that the reality of working class life had to be grasped at a more concrete, mundane level. Drawing on his study of trade unions in the United States, Perlman wrote about workers or "manualists" as above all conscious of scarcity of opportunity and of insecurity of employment. In response to their situation, such workers developed a group consciousness which

stressed the need to gain job control at the level of the workplace, trade or industry. ' Inherent in such a job control orientation was the potential for division and for the exclusion of rival groups of workers as the struggle to monopolise job opportunities was joined.

Perlman's analysis complemented that of other earlier writers, some of whom themselves had originated within the ranks of the Marxist-inclined European labour movements. Writing at the turn of the century, the Italian socialist and author of the classic work Political Parties, Roberto Michels, noted the deeply grounded sectionalism of European trade unions:

The skilled and better-paid workers hold aloof from the unskilled and worse-paid workers. The former are always organised while the latter remain "free" labourers; and the fierce economic and social struggles which occur between the two groups constitute one of the most interesting phenomena of modern social history...The trade unions, having become rich and powerful, no longer seek to enlarge their membership but endeavour rather to restrict it by imposing a high entrance fee, by demanding a certificate of prolonged apprenticeship, and by other similar means, all deliberately introduced in order to retain certain privileges in their own hands at the expense of other workers following the same profession. ¹⁰

The radical divide between skilled and unskilled workers was a feature most characteristic of the earlier period of industrialisation, when only limited job fragmentation and dilution due to advancing technology and Taylorism had taken place, and when the all-round artisan was able to maintain a scarcity value of skilled labour through the restrictive practices of the craft union. More developed industrial systems have created a diversified, complex occupational structure among

manual and other workers. Most notably, the former simple demarcation between skilled, or artisan labour, and unskilled work has given way in the course of this century, in South Africa as in other industrialising countries, to a complicated gradation of posts. A large and heterogeneous stratum of semi-skilled "operatives" has come into being.

This development, eroding craft integrity on the one hand, and offering opportunities for advancement to lesser-skilled labour on the other, had momentous consequences for trade unionism. The early hegemony of restrictive and exclusivist craft unions was forced to accommodate inclusive industrial unionism aiming at the broadest possible organisation of workers in each sector. Well-known landmarks in this development include the challenge to the Model Unions of skilled workers in Britain in the 1890s by the "New Unionism" organising the masses of semi- and unskilled labourers in key industries. In the USA a parallel occurrence was the rise of the Congress of Industrial Organizations in the 1930s which broke the dominance of the largely artisan dominated American Federation of Labor.

While industrial unionism has often been considered to constitute a victory for working class unity over sectional interests, several writers have argued that the internal diversification of the labour force has been accompanied by a growing stratification among the traditional working class. Dahrendorff, for example, has pointed to the phenomenon of the "decomposition of labour":

The working class of today, far from being a homogeneous group of equally unskilled and impoverished people, is in fact a stratum differentiated by numerous subtle and not-so-subtle distinctions... In modern industry, the "worker" has become precisely the kind of abstraction which Marx quite justly resented so much. In his place, we find a plurality of status and skill groups whose interests often diverge...As with the capitalist class, it has

become doubtful whether speaking of the working class still makes much sense.¹¹

Dahrendorff's remarks have not convinced all students of modern industrial society that the notion of an industrial working class has lost its utility for sociological analysis. Both Marxists and non-Marxists have responded to the substance of the decomposition of labour thesis by refining and elaborating the conceptual range of class analysis. Giddens for example has argued that while the simplistic notion of a united and expanding working class must be abandoned, the core of the idea retains explanatory power for the analysis of the "advanced" societies.¹² The leading Marxist Michael Burawoy concedes that it would be foolhardy to "restore the working class to its messianic role"; on the other hand he states that "the record of the industrial working class is not as insignificant as its detractors would lead us to believe". The process of production, argues Burawoy, "decisively shapes the development of working class struggles".¹³ Production in industrial societies still retains sufficient of its coercive, toilsome and oppressive nature to warrant the attention given to the victims of this process of production, and to expect that the working class for the moment remains both an objective reality and, through its organisations, a historical subject.

Clearly, it is not altogether the same thing to argue that the industrial labour force is riven by sectional interests as it is to argue that it has undergone "decomposition", although both processes may to some extent capture something of the true situation. A truly "decomposed" working class would presumably deal a death blow to the viability of even the defensive Marxism that has developed since the late 1980s. The existence of sectional interests among the working class does not pose such a severe problem for Marxists, at the level of theory at least. For the moment, it is perhaps fair to conclude that the notion of a working class has not yet lost its usefulness for sociological analysis, but that it has, as Przeworski suggested

was the case already by the turn of the century, "lost that immediate intuitive sense that it conveyed at the time of the [Communist] Manifesto".¹⁴

In spite of their theoretical bias towards the assumption of the fundamental unity of the working class, Marxist theorists too have paid considerable attention to the divided, sectional character of much trade union activity. Marx and Engels remarked frequently on the conservative, sectional character of the British craft unions in the mid-nineteenth century. It appears to have been Engels who coined the term "aristocracy of labour" to refer to this kind of phenomenon.¹⁵ The term has been used by Marxists to refer to any group of unionised workers able to control employment opportunities and bid up wages at the expense of unorganised workers. Analysts of South African labour history have utilised the term to refer to the position of white workers in South Africa. F A Johnstone for example has written:

The white mine workers occupied something of an elite position within the South African working class, enjoying a position of considerable strength in relation to the capitalist class. This strong position reflected various factors: their possession of scarce and highly required skills, together with the economic importance of the industry within which they were employed; their control, through trade unions, over the distribution of these skills to workers and of the supply of skilled labour to employers; and their general political freedom. This strong class position enabled the white mine workers to secure substantial wages and benefits. With this class position, and the conditions of employment following from it, the white labour force of the gold mines constituted a sort of labour aristocracy.¹⁶

The trouble with this argument around the concept of the aristocracy of labour, as Nicolaus has pointed out, is that it

comes perilously near to equating a labour aristocracy with organised labour itself. ¹⁷ Further specification is clearly required. Hobsbawm has argued that a labour aristocracy arises where special conditions allow a group of workers to escape the full rigour of a competitive labour market. Such special conditions must be sought in the "law" of the "uneven development of capitalism" - uneven both within a particular society, and between societies (as between metropolis and colony).¹⁸ Whether or not one agrees with this argument, which demands acceptance of the Leninist theory of imperialism, the basic point remains that the foundation for labour aristocracies is seen in the ability to escape competition through exclusion and monopoly - and in this the Marxist view tends to fall into line with more conventional analyses of trade union sectionalism. ¹⁹

Theoretical attempts to understand the dynamics of South African trade unionism have thus been able to draw on the insights to be found in the literature developed in other industrial societies. Writers from a variety of perspectives, both "liberal" or orthodox neo-classical, and "radical" or Marxist, have commented on the compatibility of the sectionalist impulse inherent in trade union protectionism with the contours of a society characterised by deep ethnic or racial divisions, sometimes referred to as "primordial" identities. Where in other circumstances trade unionists may have erected age or sex bars to entry to job opportunities in an attempt to restrict the supply of labour, white unionists in South Africa were able to take advantage of the dominant cleavage between white and black to superimpose a race bar on a skill barrier. Writers within the Marxist school have gone further and added to the practices of trade unionists what they consider to be the more fundamental strategies of the dominant white capitalists and the state in engineering a coercive system of cheap labour by means of what Johnstone called "exploitation colour bars". ²⁰ In what is perhaps the single best work on the registered trade unions in the first half of this century, Jon Lewis has attempted to relate

changes in work organisation and technology - the "labour process", in Marxist terminology - to changes in the sectionalist practices of South African trade unions. ²¹ What all these have in common is an attempt, as befits writers in the Marxist tradition, to relate material and class factors to the phenomenon of pervasive racial or ethnic differentiation in industrial life.

An important work which attempts to combine the insights of orthodox industrial sociology with those of class analysis in a sensitive and empirically responsible way is that of Stanley Greenberg's Race and State in Capitalist Development. ²² Following a typology suggested by the British student of trade unionism, H A Turner, Greenberg suggested that strong tendencies towards "closed" or exclusive unionism will arise where workers are in a position to control the supply of labour to a particular trade or industry. Such a possibility is present most frequently in the case of skilled workers, but is not necessarily restricted to such situations. In particular, in circumstances of ethnic diversity, as in a colonial society, established workers who are members of the dominant ethnic segment may make use of the prevailing ethnic or racial cleavages to enforce ethnic monopolies by way of exclusive trade unions. Greenberg argues that in South Africa there existed a "bounded working class": that is, a class delimited by the boundary of ethnic difference, from which workers from the subordinate groups were excluded on ascriptive grounds. In such a case trade unionists from the dominant section utilised traditional trade union strategies to maintain a monopoly for that class over a whole range of job opportunities. Depending on their position in the labour market, white workers turned either to craft exclusivism or to an "exclusive industrial unionism", both of which had the effect of preventing black workers from posing an effective threat to white job security. ²³

Greenberg's analysis can usefully be supplemented by the surprisingly neglected work by Edna Bonacich in developing her notion of the "split labour market". ²⁴ Bonacich conceives of a

split labour market as one in which at least two groups of workers are present and whose price of labour (that is, the price the employer must pay in order to induce them to work) differs for the same kind of work. (Or would differ if both groups were permitted to perform the same work, which is often not the case.) This differing price of labour is a function of a number of factors, which can be classified under two headings: "resources" and "motives". Under the former fall such factors as a group's level of living (something which can be equated to the idea of the "established expectations" of workers referred to by Sidney and Beatrice Webb in their classic study of trade unionism)²⁵; its economic resources outside the labour market; and its degree of effective political organisation. "Motives" include the reasons why a group of workers seeks entry to a labour market, with perhaps the most important being whether such workers consider themselves as temporary or long-term employees. Temporary workers who are also low on "resources" will in general constitute cheap labour for employers; for example because they might have only supplementary income goals, as was for long alleged to be the case with black workers on the Rand gold mines, or because their temporary status does not lend itself to unionisation, which can be a cost to an employer.

It can quite readily be grasped that this situation is frequently, if not invariably, the case where two or more ethnic groups are entering the same labour market. Not ethnicity as such, but ethnically-correlated characteristics such as differing standards of living, unequal bargaining power and varying motives for seeking employment give rise to a stratified or split labour market. In such a market one group constitutes higher paid labour while another provides a pool of cheap labour. In this respect, the possession of job-related skills is not an overriding factor in the long run for in most cases cheap labour can over time be trained in the requisite skills. In other words, the split labour market is also an antagonistic one, in which higher-paid labour comes to perceive members of the other group as potential or actual undercutters and displacers. In such situations the

higher-paid group may solidify into an exclusive group (or, to use Greenberg's term, a bounded working class), and attempt to introduce rigid job demarcations and monopolies. At the furthest extreme, these workers may succeed in excluding their potential rivals from entry to the particular territory at all, as was the case with the "White Australia" policy of the earlier part of this century, or the successful campaign by the representatives of white labour to exclude Chinese labour from the mines in South Africa after 1907. Employers, for their part, will tend to resist the entrenchment of such a "labour aristocracy", although they may find compromise convenient under specific conditions.

Bonacich's concept of the split labour market is clearly applicable to the South African situation in this century. White workers early on in the process of industrialisation perceived the presence of large numbers of low-paid black workers in subordinate positions as a potential threat to their wages and job security, particularly on the gold mines. The predominant response was one of open exclusion or of the erection of skill barriers which also functioned as race barriers. But, as the dynamic of the split labour market implies, exclusion faces a constant pressure from employers seeking to cut costs by hiring the cheaper labour. A split labour market, with its typically highly discontinuous wage divide, as in South Africa, is potentially an unstable one, as coalitions of employers and cheap labour attempt to circumvent the barriers erected by the higher paid labour. Under such circumstances, the dominant section of the labour movement which is at the same time usually the most unionised sector, finds that its exclusivist practices are continually under challenge. Tension arises between the tendencies to exclusion and inclusion, and these tendencies find reflection in the lines of cleavage along which organised labour is fissured. Since the situation is not static, and the tension more than intermittent, it should come as no surprise that as in this country the precise divisions among the trade unions have proved to be shifting and fluid under the pressure of events.

The recurring elements of South African trade union history for much of this century have thus been exclusion, monopoly and racial discrimination. In this sense a Weberian analysis of the impulses to "social closure" evidenced among status and ethnic groups is altogether apposite to South African trade unions. The impulse to social closure has rested on compelling material or economic grounds: the maintenance of wages at their established expectation, or security of job tenure in a competitive labour market. Here the Marxist emphasis on material factors and class antagonism has ample play. A recurring feature of the South African (split) labour market has been the presence of distinct (to the people concerned) groups of workers similar to many other situations of ethnic group competition elsewhere in the world, but in a situation best described as "internal colonialism", where the social differentiation has been so pervasive and formalised as to constitute in Greenberg's phrase a "racial order".²⁶ In such a situation considerations of material welfare are frequently conjoined with fears of status deprivation - what Max Weber called issues of social honour.

The analysis presented in the following chapters takes as a fundamental point of departure the notions of "racial order" and "colonial-type society" as complex conceptual indicators of the social phenomena with which this work is concerned. The directive hypothesis which informs the discussion in the succeeding chapters is that such colonial orders - to combine the two preceding terms into one omnibus one - are inherently unstable and tend to dissolution, both as a result of resistance from the dominated but also as a result of inclusivist tendencies within the dominant bloc - be it a single ethnic group or an alliance of more loosely defined collectivities. This underlying hypothesis can be regarded as a rejection of the interesting claim by the well-known American sociologist Erik Olin Wright that of the various forms of domination - class, race and gender - "only class relations have an internal logic of development which generates a trajectory of transformations of the class structure. No other form of domination appears to have a similar

developmental trajectory".²⁷ In opposition to this argument it can be maintained that forms of racial domination do not maintain themselves in an arbitrary fashion but are subject to strains generated within both the dominant and subject strata which press for their overthrow. Racial orders contain thus within themselves a "developmental trajectory" which moves from subordination to dissolution via either fission or fusion. This thesis can perhaps be likened to the classic idea of a "race relations cycle" developed by Robert Parks and other theorists in the Chicago school, but is more specifically directed at an understanding of colonial-type situations. In particular, this thesis argues that the underlying drive towards an inclusivist trade unionism and racial equality within a colonial-type society is likely to be the dominant one in the long-run should the society not itself dissolve into a more homogenous one by partition, expulsion or genocide.

In conclusion, the point can be made that common to both conventional liberal and Marxist analyses of this situation has been one theoretical gap at the heart of the argument: the nature of ethnic or racial groupings. For the most part taken as a given or primitive term, or sometimes discussed in terms of "primordial" identities, "ethnicity" and its commonly viewed cognate concept of "race" has lacked any proper theoretical foundation. It is this fact that makes the whole "Race-class" debate such a frustrating one, and explains its inability to come to a terminus. While "class" as a theoretical concept has been grounded by writers in the theoretical web of Marxism, and as such could be meaningfully employed, the status of "ethnic" or "racial" group has remained unclear, with writers even at times seeming to conjure away the very existence of such groups as some kind of ideological construction of malign and oppressive class actors.²⁸ As has been noted at the outset of this chapter, the scientific understanding of these matters is as yet underdeveloped. The question of ethnic identity, its dynamics and genesis, is one which still awaits satisfactory elucidation at the hands of students of the phenomenon. To declare that it needs

theoretical clarification is however not the same as to declare that ethnicity is some monolithic fixture akin to the role played by the concept of nation in volkische nationalist ideologies such as Afrikaner nationalism in the 1930s and 1940s. Tendencies to the formation of ethnic identities are clearly very sensitive to ecological influences, and in this sense are indeed "socially constructed". That they are mere "social constructions", an ideology like any other, is however to explain a puzzling phenomenon by dismissing it. Whether rooted in the human psyche, or even for that matter the human genome,²⁹ or not, the human inclination to constitute "communities of solidarity" which overlap class and other social cleavages is a remarkable fact whose roots remain to be fully explicated. It is a fact without which this topic, as many others concerning our society, cannot begin to be comprehended.

A Note on Method and Sources

The present work is largely an exercise in historical sociology; its method thus largely that of the analysis of primary and secondary written sources. Considerable use was made of archival material from the Trade Union Archive at the University of the Witwatersrand, which is probably the most useful collection of documents relevant to research on trade unions in the country. The small library which was maintained by the Trade Union Council of South Africa during the existence of that body also furnished an invaluable source of relevant material which is now housed in the Archive. Further research dependent on primary sources was made possible by the collections of state and public documents maintained at the University of Stellenbosch. The holdings of old press material at the Johannesburg Public Library, in particular the now defunct newspaper Forward, were also consulted.

Some thirty interviews with trade union officials proved useful in providing an orientation to the field and in furnishing information about individual trade unions which was not readily available from written sources. These interviews were conducted

with the help of an interview schedule covering four broad areas: Union structure and activity; relations with employers and the process of collective bargaining; trade union policy and affiliation to co-ordinating bodies; and political matters. The use of this interview schedule made for some standardisation of replies from respondents, but this was not the primary aim in the conduct of the interview, which were looked upon as information-gathering opportunities in which a wide variety of points could be raised. This interview material was supplemented by access to similar material collected by Stanley Greenberg in his own research on South African trade unions, which he generously made available to the present writer.

As regards secondary material on South African trade unionism, the situation is considerably better than it was in the 1970s. Since that time, a great expansion of interest in trade unions and labour matters in South Africa has occurred. The result has been a great increase in the quantity and quality of both books and periodical literature relevant to trade unionism.

Prior to that time the quality of material was very uneven. Two histories of trade unionism written by former trade unionists were available but lacked the necessary rigour and scholarship, and were very partial in their coverage.³⁰ Far superior to these works, and indeed still to some extent unrivalled as an account of South African trade unionism and radical political movements since the nineteenth century is the work by Jack and Ray Simons, Class and Colour in South Africa, 1850-1950, first published in 1969 but for long unavailable in this country for censorship reasons. Simons himself was probably the foremost academic commentator on trade union affairs in South Africa until the recent development of interest in labour studies. Otherwise, work on trade unionism was scattered in a variety of sources authored by historians and economists, though few were devoted exclusively to trade unionism as such. For this earlier academic literature, see the works cited in the Bibliography by Clack (1963); de Kiewiet (1941); Doxey (1961); Hancock (1942); Horrell (1959) (1969); Horwitz (1967); Johns (1967); Kahn (1943); Katz (1969);

Katzen (1961); Piercy (1960); Steenkamp (1962); van der Horst (1942) (1954); Viljoen (1961). Related literature on labour conditions, occupational structure and similar matters can be found in the works listed in the Bibliography under Albertyn (1948); Pauw (1946); Theron (1944); van Wyk (1968).

A considerable secondary literature by trade unionists and political activists relevant to this topic had also been produced before the 1970s, for example the biographies and related work to be found in Adam (1952); Andrews (1940); Barlow (1952); Boydell (1948); Cope (1944); Creswell (n.d.); Downes (1952); Hepple (1954); Kadalie (1970); Naude (1969); Roux (1948); Sachs (1952 (1957)). It was however with the upheavals caused by the Durban Strikes of 1973 that the first upsurge of the current interest in labour matters really took place, and the production of academic work of a high standard since that time has proceeded apace. The most relevant books concerning the topic of this thesis have already been mentioned in the previous section of this Chapter; to which can be added periodical material to be found in the South African Labour Bulletin and the Industrial Relations Journal of South Africa, as well as other journals devoted to African studies. Other relevant work which should be singled out here includes Lipton (1986); Maree (1987); Thomas (1974); Webster (1978); Yudelman (1983).

In conclusion, it can perhaps be noted that the vast scope of the field to which reference is made in this work precludes any notion that this thesis can provide an exhaustive review of the whole topic. The availability of more archival material as new material is released from restrictive conditions will add greatly to our knowledge of this period and our understanding of trade unionism in these years. Material in the University of the Witwatersrand Trade Union Archive remains far from fully exploited. The work of many more students will be required before matters treated in the pages to follow can be considered to have been fully elucidated.

Notes

1. See for example H H Gerth & C W Mills (eds.) From Max Weber: Essays in Sociology, (New York, Oxford University Press, 1946) pp 188-195.
2. On this debate, see for example C Saunders, The Making of the South African Past: Major Historians on Race and Class (Cape Town, David Philip, 1988); N Nattrass, "Controversies about Capitalism and Apartheid in South Africa: An Economic Perspective", Journal of Southern African Studies, 17,4, 1991.
3. For a recent example of this approach, see R Taylor, "South Africa: A Consociational Path", Transformation, no 17 1992.
4. T Clarke, "Introduction", in T Clarke & L Clements (eds.), Trade Unions under Capitalism (London, Fontana/Collins, 1977) p.9.
5. The most sophisticated recent expositions of the theoretical basis of Marxist class analysis is to be found in the work of the so-called "Analytical Marxists"; see for example G A Cohen, Karl Marx's Theory of History - A Defense (Oxford, Clarendon, 1978) pp 63-79, and J Elster, Making Sense of Marx (Cambridge, Cambridge University Press, 1986) pp 318-344.
6. K Marx & F Engels, The Communist Manifesto in R Tucker (ed.) The Marx-Engels Reader (New York, W W Norton, 1972) p.343.
7. Letter from Marx to F Bolte in K Marx & F Engels, Selected Works in Two Volumes (Moscow, Foreign Languages Publishing House), Vol II, pp 423-4.
8. S Perlman, A Theory of the Labor Movement (New York, A M Kelley, 1968) p 10.
9. Ibid. pp 242-248.
10. R Michels, Political Parties (Glencoe, Illinois, Free Press, 1958) pp 307-309.
11. R Dahrendorff, Class and Class Conflict in Industrial Societies (London, Routledge & Kegan Paul, 1959) pp 48-51.
12. A Giddens, The Class Structure of the Advanced Societies, (London, Hutchinson, 1973) pp 198-215.
13. M Burawoy, The Politics of Production, (London, Verso, 1985) p 7.
14. A Przeworski, "Proletariat into a Class: The Process of Class Formation from Karl Kautsky's The Class Struggle to Recent Controversies", Politics and Society, 7,4,1977 p 317.

15. E J Hobsbawm, "Lenin and the Aristocracy of Labour", Monthly Review, no 21, April 1970, p 47.
16. F A Johnstone, Class, Race and Gold (London, Routledge & Kegan Paul, 1976) p 55.
17. M Nicolaus, "The Theory of the Labor Aristocracy", Monthly Review, no 21, April 1970, p 95.
18. Hobsbawm op cit p 49.
19. See for example H A Turner, "Trade Union Organization" in B J McCormick & E O Smith (eds) The Labour Market (Harmondsworth, Penguin, 1968).
20. F A Johnstone, Class, Race and Gold, (London, Routledge & Kegan Paul, 1976) p 46-47. For an argument which stresses the role of the state in enforcing segregation in the labour force, see R Davies, Capital, State and White Labour in South Africa 1900-1960 (Brighton, Harvester Press, 1979).
21. J Lewis, Industrialisation and Trade Union Organisation, 1924-55. The Rise and Fall of the South African Trades and Labour Council (Cambridge, Cambridge University Press, 1984). Another work in the same vein is that by Eddie Webster, Cast in a Racial Mould: Labour Process and Trade Unionism in the Foundries (Johannesburg, Ravan Press, 1985).
22. S B Greenberg, Race and State in Capitalist Development: Comparative Perspectives (New Haven and London, Yale University Press, 1980).
23. Greenberg, op cit, Chapter 12.
24. E Bonacich, "A Theory of Ethnic Antagonism: The Split Labor Market", American Sociological Review, 37, October, 1972, and "Advanced Capitalism and Black/White Race Relations in the United States: A Split Labor Market Interpretation", American Sociological Review, 41, February, 1976.
25. S & B Webb, Industrial Democracy (London, Longmans, Green & Co, 1926) p 569.
26. Greenberg op cit p 29.
27. E O Wright, A Levine & E Sober, Reconstructing Marxism (London, Verso, 1992) p.75.
28. Such at times appears to be the drift of D O'Meara's work, Volkskapitalisme: Class, Capital and Ideology in the Development of Afrikaner Nationalism, 1934-1948 (Johannesburg, Ravan, 1983).
29. As argued by Pierre van den Berghe in The Ethnic Phenomenon (New York, Praeger, 1981).

30. E Gitsham & J F Trembath, A First Account of Labour Organisation in South Africa (Durban, Published by the authors, 1926); I Walker & B Weinbren, 2000 Casualties (Johannesburg, TUCSA, 1961).

Chapter 2: Central Themes in White Labour's Response to the Conditions of a Heterogeneous Labour Market

The racial exclusion which came to typify the practice of the dominant trade unions and which underlay the legislative cornerstone of the system of industrial relations after 1924 did not of course spring into being overnight. It was indeed part and parcel of the very origins of South African trade unionism. White organised labour on the Kimberley diamond fields early on objected to the "cheap labour competition of any Inferior Race", and such attitudes were readily transferred to the newly opened gold mining industry on the Witwatersrand.¹ The mining industry was thus almost from its inception an occupational sphere where white workers reacted most vehemently to the competition provided by both indigenous and immigrant black or Asian labour. The record of the craft unions was more ambiguous, but their lack of overt colour bars, as Lewis has argued, was on account of the fact that such unions "succeeded in maintaining the position of their members by virtue of their monopoly of skills and therefore had no need of legal colour bars".² With the future Union of South Africa still to be created, labour organisation in the four colonies developed under varying legislative frameworks and by virtue of a distinctively different colonial ethos in the Cape and the Transvaal. While the latter was the centre of white labour's most vehement rejection of multi-racial union organisation, the Cape evolved a pattern of interracial cooperation which provided a rival model to the northern practice. With Union the new country thus incorporated two incompatible forms of trade unionism as developed under the aegis of the dominant white workers. The dominant industrial position of the Transvaal, and the tendency of Natal and the Orange Free State to follow suit, meant however that the Cape always represented a somewhat embattled minority position. It was the premises of white protectionism which found the readiest acceptance, and the opposing appeal to interracial labour solidarity could make but little headway among the rank-and-file

of white labour. The adoption of the Industrial Conciliation Act in 1924 both formalised the de facto exclusion of African workers from the ranks of organised labour, while offering the possibility of an alternative evolution by the incorporation of coloured and Indian South Africans. The racial exclusion of large numbers of (African) workers from the institutions of a nationwide industrial relations system was fundamental to its character - so much so that its acceptability in the circles of the dominant grouping was hardly questioned. Yet the partial opportunity of interracial solidarity and cooperation in the industrial sphere offered by the "mixed" trade unions of white, coloured and Indian workers kept alive the Cape tradition outside of that province.

For much of the twentieth century, thus, South African organised labour practised racial exclusion while debating the alternative of racial cooperation. For most of the period covered by this study, however, it was the spirit of the former rather than the possibility of the latter which seemed to possess the soul of white labour. This chapter attempts to analyse why this was so.

Public debate over labour issues in the circles of the dominant white grouping tended to revolve around two competing interpretations of South African labour history. The one, largely the argument of the white middle-class, insisted that what had taken place since the turn of the century had been a continual process of upward occupational mobility, in which whites had increasingly moved from less-preferred, less-remunerative work into more pleasant, better-paid occupations. And as they had done so, black workers had been drawn in to fill the positions so vacated. The other perspective, expressed by spokesmen of the white working class, claimed that South African labour history had been the stage of a continual struggle between white and black in the labour market, in which the white worker had fought a rear-guard action against competition from blacks. The apparent paradox was not new. The Economic Commission of 1914 put the matter as follows:-

It is a plausible view that some of the so-called encroachments of the non-Whites should properly be regarded as a filling of the gaps left by the attraction of Whites to superior situations, which superior situations could not have existed in the absence of competent people to fill the lower positions But here and there White labour may have been displaced, and a constant fear of displacement is prevalent ...³

The purpose of this chapter is not to argue which of the two views - upward mobility versus white displacement - was more accurate. The aim is rather to examine just one pole in the controversy: the views and behaviour of trade unionists representing the interests of the white labour force. An attempt will be made first to consider some of the grounds on which organised labour in South Africa resisted the introduction of black workers; second, the strategies of the various sections of the white labour movement in response to the problem of interracial labour competition will be discussed. Finally, an evaluation of these strategies will be attempted in the context of the alignments amongst registered trade unions in the 1960s and 1970s.

White sectional interest and interracial labour competition

For some scholars and left-wing activists the major turning point in South African labour history was the failure of white South African workers to perceive their community of interests as workers with men of different ethnic origin, and to turn instead to the pursuit of sectional interest defined in racial terms. Some commentators indeed accepted as the prime explanatory factor in South African labour history the sheer primitive racial antagonism of the majority of white workers towards blacks. 'Certainly this factor, however defined, cannot be ignored. What is partly at issue here was the influence on labour dynamics of

prevailing group attitudes not in themselves derived from experience in the labour market. White workers tried to carry over into the work-place the social distinctions and patterns of association which prevailed in South African society as a whole, although with some differences of emphasis between the coastal cities (Cape Town in particular) and the rigidly segregationist practices in the industrial heartland of the southern Transvaal. In the latter area there was a widespread acceptance of segregatory measures in the work-place, and after agitation around the issue of mixed working in factories in the late 1930s such work-place segregation was given legislative support by regulations issued in terms of the Factories Act of 1941 and otherwise established by administrative and conventional pressures. On another level there was frequent resistance to the idea of the association of white and black in spheres arising out of trade union activity, so that, in the 1970s just as fifty years ago, one major difference between the two major wings of the organised labour movement was the question of the association of white and black trade unionists at meetings and conferences. Playing on the racial susceptibilities of white workers was a tactic whereby certain labour leaders and trade unionists further complicated the intricate problems arising from the real conflict of interests between white and black in the labour market.

But of more concern at this point is a consideration of white trade unionists' attitudes towards black workers as a function of their experiences in the labour market. The point, perhaps an obvious one, needs to be stressed that the interrelationship of white and black in the labour market frequently involved a clash of material interests rather than questions of racial prejudice.⁵ One can recall that it was trade unionists such as Blake and Huyser, men in themselves not unsympathetic to black aspirations, who led the resistance of the building unions to the proposals by government to provide training facilities to black building workers in the early post-war years. In the main, three real or imaginary fears tended to influence the behaviour of white unionists towards black workers. These three fears were

wage under-cutting, job competition and power rivalry. Each of these will now be discussed in turn.

(i) Wage under-cutting. Perhaps the commonest preconception of white trade unionists concerning black workers was that the latter constituted "cheap labour". As a memorandum composed in 1928 by two leading left-wing trade unionists put it:

The European worker is haunted by the fear of competition by the great masses of native labourers with their low standard of comfort, and consequent willingness to accept wages which to the European means degradation, if not starvation. ⁶

This standpoint, in short, argued that the South African labour market was supplied with two classes of workers: the one, the white, with a relatively high standard of living which demanded a correspondingly high wage rate; and a black section, willing to work at rates much lower than the whites because of a lower standard of living. Economists have been apt to show scant sympathy for this argument, urging instead that labour should be paid according to the criterion of marginal productivity. It was also argued that the idea that the black worker has a lower standard of living was fallacious, since he like other examples of economic man tended to strive for the highest reward for his labour. It would however seem true that the objectively existing discrepancies between the income received by whites and that by blacks had their subjective correlate in differing group norms regarding what is a minimum acceptable rate for particular work, even if no worker had a maximum acceptable rate. The problem tended to come down to the question: to what extent had white workers a legitimate case in demanding that their "established expectations" regarding wages be respected in the labour market, if these are threatened by black competition? The answer, naturally enough, tended to differ according to one's position in the labour market.

The point can be filled out by reference to the play of the labour market in South Africa. The sanction of convention and trade union pressure tended to eliminate labour surpluses first and foremost among white workers, if indeed there had been any in the first place. Continual shortages of whites ensued - first in the skilled trades, and more lately in semi-skilled positions. Trade union resistance and employer lethargy combined to prevent the immediate supplementation of the labour force by suitable black workers. The result was a general scarcity value of white employees, which bid up wages to levels which even trade unionists - in private - admitted were not fully justified. At this stage the pressure for the introduction of black workers, as an under- and unutilized labour source, became irresistible. But by this time the "established expectations" of white workers had been set at a level which employers, aware often of the relative abundance of black workers, were reluctant to apply to the new-comers to the industry. One of the cardinal problems of the labour situation in South Africa in the early 1970s was precisely how to reconcile the desire of white (and, of coloured and Indian) trade union members to maintain these relatively high rates with the possible depressive effects on wages of the introduction on a larger scale of black workers into posts hitherto barred to them. Economists, preoccupied more with the need for an expanding economy than the possible harm to sectional interests which might ensue, tended to shirk this question.

(ii) Job competition. One step beyond the lowering of the wage rate through black competition the white union official feared the loss of jobs for his or her members. Displacement of white workers by under-cutting blacks is a hardy theme of South African labour history, as the quotation from the report of the Economic Commission at the beginning of this chapter indicates. It was the main rationale (though not the only one) given by government spokesmen for the introduction of statutory job reservation in the 1950s. And this in spite of the apparent fact that "White workers are being replaced, and not displaced, by Africans,

amendment to the Act which allowed the Minister of Labour to institute job reservation proceedings on grounds other than only the fear that the economic welfare of a particular racial group was being threatened. As the Minister of Labour of the time, Senator Jan de Klerk commented:

....whites are often pushed out not just as a result of a lower wage structure of non-Whites, but perhaps mainly as a result of undesirable contact during employment in the same work. The Whites move out and the work sphere is lost to them.'

"Undesirable contact" is a vague term, with variable meaning. (The Industrial Tribunal was presumably recording a case of this phenomenon when it reported the complaint of a white scraper driver that he had been exposed to the dirty look ("vuil kyk") of a black worker performing the same task).¹⁰ Perhaps the problem can be summed up in the statement that white workers were often unwilling to perform work of the same nature and status as blacks in close contiguity with them. A further factor was that faced with recurrent shortages of white labour, employers could shift their opinion on what was the appropriate race of the workman for a particular task. Taken together, white status apprehensions and employer preferences could lead to the fact that certain work became "psychologically and realistically inaccessible" ¹¹ to white workers, otherwise suited though they may have been for the particular job.

It is plain that this whole question after 1950 was at its most acute in semi-skilled occupations - jobs such as bus and heavy lorry drivers, crane and other construction equipment operatives, shunters, barmen and other occupations in the hotel industry, certain factory operative jobs, lift attendants, blockmen in the meat industry, some mining occupations, and so forth. The main effect of the statutory job reservation introduced in terms of the Industrial Conciliation Act of 1956 was to preserve relatively small pockets of semi-skilled work in the private

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sector; mainly for whites, to a lesser extent for coloureds and Indian South Africans. Administrative reservation accomplished the same task on a wider scale in central and local government service and in public utilities.

(iii) Power rivalry: The entrance of black workers into industry inevitably raised the question of what role they would come to play in the structures of power and authority of labour institutions. In its most acute form, the fear of the white unionists was of bloc formation on racial lines (something to be learnt from the behaviour of the white workers themselves). In a contest of this nature the whites might have the upper hand in the beginning, but would unavoidably stand to lose as black numbers and self-confidence increased. There were numerous possibilities in such a confrontation. Blacks might for example enter existing mixed unions and sooner or later come to dominate them by force of numbers. Or exclusively black unions might seek to further the sectional interests of their members by collusion with the employers to undercut the position of unions catering for whites in the same or allied occupations. In either case the possibility existed that black unionists would attain positions of such authority within unions or within such institutions as industrial councils as to exercise the dominant influence which had hitherto rested in the hands of white unionists. (Such a contingency was actually adopted by the South African Congress of Trade Unions (SACTU) after 1954 as a strategy to oppose the dominance of whites in the trade union movement, but with little success.)

In any event, this potential interracial power struggle did not materialise on a significant scale before 1979. Black workers eligible for recognised trade union membership (that is, mainly coloured and Indian South Africans before 1956, and solely these workers until 1979) showed themselves in the main willing to follow the lead of white unionists. In part this may be because the numbers of black journeymen in some mixed unions dominated

by artisans was never large enough for a struggle for power to be even remotely feasible, even if desired. In other unions, sympathetic white leadership managed to maintain the confidence of the black majority. (A position which the Industrial Conciliation Act of 1956, with its stipulation that mixed unions must in all but exceptional cases be controlled by all-white executive committees helped to maintain.) Perhaps the only cases where black unions, helped in cases by sympathetic white officials from mixed unions, were in a position of preponderant influence vis-a-vis fellow white workers in the early 1970s were the industrial councils for the building industry in the Western Cape and the furniture industry. The picture was to change considerably after 1979, when black workers in numerous "mixed" unions rebelled against their subordinate status. But this takes the story beyond the confines of this study.

White Protectionist Strategies

Early attempts by white workers to obtain protection in the labour market against competition by black workers frequently encountered the resistance of an employing and governing class imbued with the ideals of classical laissez-faire economics. This view, which might be termed the "expansionist" strategy, argued that the only valid way of meeting the desire of white workers to maintain and improve standards of living was unfettered and rapid economic growth produced by the working of a free, competitive labour market. It was argued that the demands for protection by whites through union activity and government regulation were incompatible with economic "laws" and hence not only undesirable in themselves but also self-defeating. Short-term protection for whites, however attractive it might seem, was in the long-run a contradiction in terms, since it restricted the capitalist system in furthering economic expansion in the most efficient manner possible. Moreover, "artificial" protection would merely lead to the moral degeneration of the white worker, since it would remove the healthy spur of the

competitive struggle for existence. The 1916 Grants-In-Aid Commission put the matter as follows:

(The White worker) must be satisfied with the market value of his services, measured by the standard of the value of the services of the native. It is no use his demanding a higher wage on the plea that being a white man he is entitled to preferential treatment¹²

Commission after Commission in the first three decades of the century rejected the idea of protective measures for white workers. For example, the most the first report of the 1925 Economic and Wage Commission was prepared to recommend was a process of "levelling-up", whereby public wage regulation set down standards of pay for the lowest class of workers, irrespective of colour:

"The best hope for the poorer White workers is the establishment of standards of pay for unskilled labour, which will encourage a reorganisation of industry on the basis of utilising all labour to its maximum capacity, without depriving of employment any of the workers now employed,

stated the report."¹³

The implications of the expansionist view were "progressive" in race relations and long-term in the promise of fulfilment. Colour bars, of the conventional or legal sort, hindered the free flow and occupational mobility of the available labour, and were a check on expansion. Despite the alleged appetite of the mines for "cheap black labour", it was not in the interests of the mine managements to keep the black worker confined solely to the unskilled, meagrely-paid work. The long-term aspects of the expansionist view was self-evident: economic growth, in a region as underdeveloped, industrially speaking, as South Africa was at the turn of the century, offered no short term panaceas. The

rewards of the expansionist policy, pursued in its purest form, would only become really visible when the pool of unskilled labour began to run dry and wages ceased to be held back through the influence of the industrial reserve army of the unemployed. While the white artisan may have been able to benefit by reason of the skill differential, semi- and unskilled whites would have had to endure a long period of minimal rewards along with their black fellow workers.

The failure of the expansionist view to offer anything but the vaguest of distant prospects in response to the sectional pressure of white workers left it extremely vulnerable to attack. Essentially it propounded a policy of laissez-faire in an era of protectionism. State intervention soon began to demonstrate that economic laws or not, short term protection could and would be afforded to the country's white workers. Admittedly, the protection was often not lavish; the subsidised five shillings a day received by thousands of unskilled whites in the 1920s and 1930s hardly allowed for a luxurious life-style. But it showed that the "natural" working of the labour market could be interfered with without obvious harm occurring to the economy, and expansion still took place despite the early entrenchment of white workers in particular occupations.

The heyday of the expansionist view in South African public life was in the years before 1924. Important in this respect had been the early conversion of Smuts to sympathy with the dilemma of the mine magnates in trying to produce gold at a time of rising production costs. But the refusal of Smuts to show positive partiality for the cause of the white workers was an electoral blunder of the first order. It alienated a wide section of white public opinion in South Africa, and led to the fall of Smuts's South African Party government in 1924. After 1924 no major white political party could afford to neglect paying some attention to the interests of white workers who claimed to be threatened by labour competition from blacks.

Expansionism's most extreme policy implications ceased to count in a South Africa controlled by the representatives of an urbanised and industrialised white population. Since 1924 public debate among whites in the white-controlled political system tended to accept that whites had the right to expect protection against the free play of the labour market. Argument thus centred not on whether but how such protection could best be afforded. Two competing doctrines in this regard were espoused by the various sections of white labour, and it is to a consideration of these that we now turn. The first, for the sake of convenience, can be termed the "unionist" strategy, the second, the "separationist" strategy.

The Unionist Strategy. The dilemma of the founding fathers - the white immigrant artisans and miners - of South African trade unionism was how to reconcile the trade union principles they had brought with them with the conditions of a heterogeneous labour market. Two main themes dominated their response: the first, the protectionist emphasis of craft union practices, the second, the universalist, often socialist, creed of the working classes of the metropolitan countries from which they were derived. In the South African context, the two were often radically incompatible. An early cleavage emerged between the Western Cape, where some artisan unions from the beginning accepted coloured workers within their ranks, and the Rand, where unions were mostly racially exclusive.

Even in the latter case, however, the labour movement tended to be divided between "left" and "right" points of view with respect to racial questions. The division was carried over into the South African Labour Party, the political vehicle of the immigrant unionists. It was a state of affairs which was to result in the ultimate dissipation of the Labour Party's political effectiveness.

Unionists in the Western Cape and like-minded colleagues in the Transvaal argued that the proper trade union response to the

problem of interracial labour competition or the possibility of it, was the formation of mixed unions which would maintain the position of the established white workers by enforcement of the current rates prevailing in the particular trade, that is, the rate for the job. The issue was expressed in the following words in a motion before the First Annual South African Trade Union Congress held in Johannesburg in 1917:

That in the opinion of this Congress the successful organisation of the South African Working Class for the maintenance of the highest possible standards of life and labour requires the co-operation of all workers irrespective of colour who agree to observe the standards for the respective trades and callings.

And in support of the motion, one delegate argued:

The relation of the Coloured workers to the White workers was not a social question. It was not a question of being in love with the coloured man ... It was a matter of organising labour irrespective of colour. There were only two classes in society today - the capitalist class and the working class ...¹⁴

Such in brief was what here is termed the "unionist" strategy. Its proponents argued no matter what the social divisions within the country, the economic interests of white and black workers were indivisible. White self-interest if nothing else demanded the total organisation of workers irrespective of colour, for only thereby could union rates received by established workers be protected.

After coming to power as partners in the Pact Government in 1924, some Labour Party politicians wished to extend the unionist strategy of the rate for the job to industries where workers were either altogether unorganised or possessed insufficient bargaining power to force employers to the negotiating table.

The creation of the Wage Board in terms of the Wage Act of 1925 provided the government with an instrument whereby minimum wage rates could be established in industries where industrial councils were absent. The role envisaged for the Wage Board enabled trade unionists who were otherwise uneasy about the propriety of job colour bars to argue that such measures were of a purely transitional nature designed as stopgaps until such time as union activity and the operation of the Wage Board were able to lay down minimum wage rates as a level acceptable to whites as well as blacks. H.W. Sampson, Cabinet Minister in the Pact government, and a life-long member of the South African Typographical Union, was for example able to claim that the Mines and Works Act passed by the Pact, whereby certain jobs on the mines were reserved for whites and certain categories of coloured persons only, was a "temporary palliative", something which was to be put into force "until some other form of protection against the encroachment of low wage servile natives" was put in its place.¹⁵ In theory, at least, the Wage Board was to provide this protection by laying down minimum wage rates irrespective of race, and to push up the overall wage floor, thereby removing the enormous discontinuities which were so distinctive of the South African wage structure, and which tended to run along the racial divide. The result of the trade union activity and of the operation of the Wage Board would thus be to so raise the standard of living of the black groups that they would cease to constitute cheap labour and would, economically speaking, be on the same footing as white workers.

Monumental practical difficulties, as well as dissension among union leaders, made implementation of this strategy utopian. The Wage Board did not exercise the influence which some had hoped for, and usually operated by way of incremental increases which did not radically reduce the gap between skilled and unskilled, white and black. Within the South African Labour Party itself, arising out of the somewhat differing relations between white, coloured and Indian workers on the one hand, and white and African workers on the other, a distinction tended to be drawn

between policy applicable to black workers eligible for trade union membership in terms of the Industrial Conciliation Act of 1924, (mainly coloureds and Indians), and those not eligible (pass-bearing black workers). Indeed, so great did the problem posed by the presence of large numbers of African workers seem to trade unionists within the Labour Party that a total territorial segregation policy for Africans was adopted by the Party. Many union leaders regarded this proposal as no more than a pipe dream, claiming that "segregation - either industrial or geographical - can only be partly successful and then only for a time ... sooner or later the National Trade Union Movement must include all genuine labour industrial organisations, irrespective of craft, colour or creed."¹⁶ Africans too would at some future date have to be drawn within the ambit of established unions, and treated in the same manner as the unionist strategy dictated for other blacks. Economic integration, argued these unionists, was irreversible, and an expanding economy could only result in more and more blacks being pulled into the industries of the country.

These arguments which underlay the unionist strategy of fifty and sixty years ago have been cited at some length because they remained the animating principles for one section of the white trade union leadership throughout the period of this study. Precisely the same arguments, often in the same terminology, were urged in the 1970s in favour of mixed unions attempting to apply the rate for the job.

At this point it is perhaps opportune to attempt a short evaluation of this strategy, considered from the point of view of the protection of white workers which it was claimed to have afforded. To begin with, it is worth noting that the rate for the job policy was attacked for altogether conflicting reasons. Mr. J.H. Liebenberg of the Artisan Staff Association stated in 1970, for example, that:

We know that the rate for the job, to be brief about it, was probably the reason that it was necessary some

time ago to bring in job reservation. We know of industries that on account of the rate for the job have become completely non-White, and as a means to maintain the labour adaption pattern it has already failed.¹⁷

On the other hand, Professor W.H. Hutt, a figure somewhat out of favour in trade union circles of the 1930s and 1940s, claimed that:

The 'Rate for the Job' was the most vital principle in the most powerful yet most subtle colour bar that has ever operated When the standard wage rate is forced above the free market level thereby reducing the output which can be produced profitably, it must have the effect of preventing the entry of subordinate races or classes into the protected field or of actually excluding them from it.¹⁸

Verification for either one of these two broad views is not easy to obtain. Detailed studies of the effect of the rate for the job policy over a wide range of industries and work-spheres would be necessary before one could conclude which statement, if any, was the most accurate description of the actual state of affairs. Lacking such evidence, this chapter will not attempt to provide a conclusive answer. But such diametrically opposed statements indicated the extent to which observers at the time reached quite different conclusions from the same available evidence.

Leaving aside the question of the extent to which rate for the job acted as a brake on the employment of black labour, let us here briefly consider some of the objections white unionists claimed made rate for the job an ineffective protective device for white workers. First, it was contended that while rate for the job might apply, mixed unions could set the rate so low that white workers found the wage unacceptable. Of interest here would be a systematic comparison of wage rates prevailing in

similar work spheres which were organised by a white union and a mixed union respectively, for example, municipal transport in the various urban centres; the building industry at the coast and in the Transvaal, and so forth. Second, white unionists claimed that the rate for the job policy could be nullified by the difficulty of creating a sufficiently efficient inspectorate to enforce it. Third, in a reiteration of a frequent theme in South African labour history since the 1930s, the process of dilution of artisan work was frequently accompanied by a drastic lowering of the rate paid to semi-skilled workers performing work previously done by artisans. It was in response to this problem that a major policy report issued by the Trade Union Council of South Africa in 1969 declared: "... the unions will have to have a policy of opposition to wage downgrading, which is the chief means whereby the rate for the job policy is 'sabotaged' in present practice."¹⁹ Perhaps the most striking example of this tendency was the recurrent revisions of the technical schedules and wage rates in the industrial council agreements for the engineering industry. Finally, and perhaps most serious in its potential, was the general practice of paying premium rates for white artisans, rates which were considerably higher than those set down in the relevant industrial council agreements. The possibility existed thus that employers could legally employ black tradesmen at rates much lower than those paid to whites, and the evidence suggests that they frequently did. One union¹⁰ argued that the answer was the use of union power to enforce the "effective" (i.e. white) rate for the job in agreements, and so seriously did unionists view this problem that the South African Typographical Union for one contemplated strike action over the issue in the 1970s.²⁰

While these objections did not necessarily confirm the inability of the rate for the job policy to maintain established wage rates, they suggest that application of the policy was by no means as straight-forward as was sometimes claimed. Perhaps the trade union proponents of the rate for the job policy were themselves partly responsible for this misapprehension. Rate for

the job enforced by a mixed union was rarely the only protective device employed by such unions to protect the interests of their white members. Perhaps it was not even the main one.

Protection was also afforded by matters such as entrance to the trades concerned and also by factors outside the control of the union itself, such as employer preferences and the inferior quality of black educational facilities, not to mention the question of white occupational mobility. Rate for the job, in short, always operated alongside a host of other factors, and it is extremely difficult to untangle the forces at work in each case.

Why, if this was indeed so, did trade unionists always lay such stress on the unionist strategy of the rate for the job to the exclusion of other measures? One reason is perhaps that while never attained, the ideal of the rate for the job remained the code whereby union leaders could measure the relative success of their efforts. Since the only long-run solution to the problem of the presence of potential under-cutting competition was to make labour homogeneous with regard to standards of living and wage expectations, the rate for the job provided a guide to the extent to which such a situation was attainable. Second, the existence of union rates, even if they bore little relation to actual rates paid in an industry, remained a safeguard against sudden and sharp downward shifts of wages in the event of economic adversity. Third, and perhaps most important, the rate for the job was the only satisfactory principle on which the willing co-operation of black as well as white workers could be obtained within the framework of the mixed union. In this sense, rate for the job comprised the war cry by which one section of the white union leadership indicated its commitment to interracial harmony and equality.

The Separationist Strategy: An early response of white unionists, on the Rand in particular, to the possibility of

interracial labour competition was the formation of exclusively white unions which resisted the introduction of black workers into work-spheres considered the domain of whites. And in one case, on the mines, this union stance was buttressed by a legal colour bar, first introduced in 1893 and which received final legislative sanction in the Mines and Works Act of 1926. Colour bars of this sort served both to prevent the displacement of white workers from their jobs by blacks, and to create a scarcity value for white labour which effectively bid up wage rates for the benefit of union members. In itself, the practice was one which came, so to speak, naturally, to trade unionists who in other countries would have resisted the introduction of female and juvenile labour on precisely the same grounds. As one of the most percipient of commentators on South African trade unionism has remarked:

Where the majority of skilled workers belong to a dominant and distinct racial group, they tend to apply these conventional safeguards of organised labour along racial as well as craft lines. Race discrimination is not primarily the aim of their policy; it is rather an additional weapon to be used in defence of their interests. ²²

The presence of such union colour bars tended to be justified by union leaders on the grounds of simple self-interest. Unionists from white and from mixed unions were able to co-operate on the basis of union autonomy and an agreement not to over-emphasise the differences which existed among them concerning racial questions. It was thus possible for one national trade union co-ordinating body, the South African Trades and Labour Council (SAT&LC), to represent both mixed and white-only unions.

In the 1940s this uneasy consensus broke down in the face of increasing hostility between the left and right poles of the SAT&LC, and the problems posed by the coming to power of a political party in 1948 with a policy of far-reaching

segregation in the political, social and industrial fields. Prior to 1948 government policy regarding organised labour and the racial question had remained ambivalent; after that time trade union leaders were confronted with a government with a clear policy in this regard. Supported by its assessment that the majority of white workers were not opposed to segregatory measures, and advised by a section of the white trade union leadership, the National Party Government embodied the main features of its policy of industrial segregation in the Industrial Conciliation Act of 1956 (together with other measures such as the Native Building Workers Act of 1951 and the Bantu Labour (Settlement of Disputes) Act of 1953). After the passage of the revised Industrial Conciliation Act of 1956, an increasing crystallisation of views took place within organised labour, one section adhering to the idea of mixed unions applying the rate for the job, the other supporting, with varying degrees of conviction the policies embodied in the 1956 legislation. What follows is an attempt to sketch the outlines of the separationist strategy as it was interpreted by this latter group of trade unionists.

The essence of the separationist strategy was the idea that white union exclusionist measures could be generalised across the whole system of industrial relations. It adopted a certain perspective (which took the existence of sharply distinctive racial groups as given), and demanded that the line be drawn. Labour of different racial origin was to be taken out of competition by the allocation of separate work-spheres - on a territorial, on an occupational, or any other basis - to white and black. By such means interracial competition could not merely be controlled, but eliminated altogether. In advocating the means to this end, the labour structure of the mines was taken as paradigmatic: racially exclusive all-white unions operating with the protection of a statutory colour bar which reserved certain well-defined categories of work for white workers alone. The strategy implied a system of industrial relations where only racially exclusive trade unions were permitted, and in which government intervention

provided an indispensable adjunct to the power of the union to maintain certain work in the hands of the whites, and to maintain a certain amount of physical segregation of workers of different race. White workers would thus be protected from black competition by white unions able to depend in the last resort upon government-imposed job reservation, rather than by mixed unions applying the rate for the job. The latter principle, indeed, was seen as applicable only within racial strata and not across them. As one leading trade unionist said: "... we are in favour of equal pay for equal work but believe that job reservation must see to it that there is no equal work."²³ Should events permit a situation where white and black did the same type of work, then differential wage rates should apply on a racial basis, in order both to reassure white workers unhappy at the equalising implications of equal pay for white and black, and also (so the argument ran) to protect the black workers from the undesirable consequences of receiving a wage rate which was out of line with the established expectations of the racial group from which they came.

Like "rate for the job", the cry of "job reservation" evolved into the basic slogan by which some trade unionists indicated their broad attitude to the problem of interracial competition. But while many trade unionists were agreed on the worth of job reservation as a protective device, it was also evident that between 1956 and 1979 there were wide differences of emphasis on the implications of the policy, and it is to these that the discussion now turns.

In its most extreme form and as it was interpreted by some trade unionists and some politicians, job reservation was seen as a key principle in the engineering of a whole order of occupational separation. As such, it provided the means whereby, at some future date, all work within the "white" areas in South Africa would be allocated on a racial basis. It was thus not only a protective device for white workers threatened by interracial competition but a separationist measure of the first importance,

by which it would ultimately be possible to set a racial seal on all work. In particular, it was a measure by which the process of economic integration was to be halted. Senator Jan de Klerk expressed it as follows in 1955:

The National Party says that even if we have advanced far along the road whereby non-Whites already do work being done by Whites, or which should be done by Whites in the future, then in those cases we are going to regain what has been lost it is my policy that those areas which were White, to the greatest possible extent are again made White. ²⁴

The growth of the economy during the 1960s nullified the realisation of this hope, and increasingly trade unions which were reluctant to allow the advancement of black workers into work formerly performed by whites were forced to allow some concessions. But in doing so, they claimed that this was a temporary state of affairs, and the line which had shifted upwards would have to be moved downwards again when the trend

leaders, job reservation carried with it little of the ideological character which it did for others. This point of view was perhaps given its clearest expression by J.H. Liebenberg, who remarked:

At the moment we think of job reservation only in terms of Whites, but the time will come that we will have to apply it to protect the Asian and Coloured against the Bantu. It can also happen that it must be applied to protect the advanced Bantu against the Bantu with the blanket across his shoulders²⁷

In such a case job reservation lost much of its accompanying ideological rationale and was seen simply as a protective measure to be called upon in ad hoc fashion to protect established workers of any race against "unfair" competition. This view would certainly seem to coincide more closely with the actual workings of the measure since its inception in 1956, in so far as it operated as an unsystematic and unco-ordinated series of responses to complaints by (mainly white) workers of interracial competition.

The difficulties of implementing job reservation determinations to the satisfaction of some white unionists active in the private sector were well-illustrated in the case of the Natal building industry. White workers in this industry from 1961 on were organised by the all-white Blanke Bouwerkersvakbond (BBV) and the racially-mixed Amalgamated Union of Building Trade Workers. Pressure from the former union resulted in a job reservation determination which was issued only in 1963, having been requested in 1960. The reservation was itself a disappointment for the BBV, since "those trades that needed protection and represented 42% of the industry were not reserved for Whites", and "the determination created no machinery to implement it." Even in the reserved trades increasing numbers of blacks were employed. By 1968 the BBV claimed that there were 854 blacks in jobs reserved for whites, and complained to the Minister of

Labour, who replied that he was "determined that the provisions of the Determination should be strictly adhered to." In spite of this declaration, the BBV noted that in 1969 there were 3 021 white and 3 034 black artisans employed in the Durban building industry, compared to 2 705 whites and 564 blacks respectively in 1961.²⁸ Taken together with exemptions granted to coloured artisans to work in the Transvaal building industry in 1970, the situation was such as to lead the General Secretary of the BBV to write: "Job reservation in the building industry has totally failed as a result of its non-application." What had failed of course was job reservation as a measure to maintain certain work as a white preserve alone, testimony to which was the widespread practice of suspending the implementation of existing work reservation determinations and granting exemptions to employers to use other than the specified (and usually white) labour. What remained, and was scarcely quantifiable, was the debatable extent to which the whole job reservation machinery did indeed act as the "sword of Damocles" over employers' heads which one National Party Minister of Labour argued that it would. (See Chapter 4.)

Organised Labour and the Position of the Black Worker

The ideal of a united labour movement embracing most, if not all, South African trade unions and commanding attention by reason of its ability to express a broad consensus among union leaders on common problems remained an elusive one in South African labour history. The only body which even approximated this ideal was the South African Trades and Labour Council as it functioned between 1931 and 1947. Even here the SAT&LC's effectiveness was limited by sharp internal conflicts, by its failure to gain the adherence of important union groupings among both white and black workers, and by the continued existence of the Cape Federation of Labour Unions. After 1947, with the break-away of five conservative unions (later to form the nucleus of the Koördinerende Raad van Suid-Afrikaanse Vakverenigings), and shortly thereafter of certain mining and craft unions, the SAT&LC

was reduced to the position of one among several rival bodies claiming to speak for "organised labour". Out of this dissension, and largely in response to the National Party's programme of labour legislation, emerged the broad groupings of organised labour which were to be found in the two decades after 1956 before the renewed organisation of African workers. Leaving out of account the (internally) defunct South African Congress of Trade Unions, these groupings could be reduced to three: first, the white union affiliated to the Confederation of Labour; second, unions not affiliated to either of the major national labour councils; and, third, the racially-mixed Trade Union Council of South Africa (TUCSA).

Under the aegis of the Confederation of Labour were grouped a number of white unions organising around 200 000 white workers on the railways, in local and provincial government service, public utilities such as ISCOR, and the mining, motor assembly and engineering industry. It is perhaps no accident that unions in this group were the strongest advocates of what has been termed here the separationist strategy, since most of them operated within a system of administrative and legal reservation of work on a racial basis. The Confederation of Labour supported the National Party's policy of job reservation, and tended to consider itself the spokesman of the "white worker". As such, the Confederation was frequently regarded as the main bulwark of present protectionist policies in favour of whites.

Unaffiliated unions comprised a heterogeneous grouping which included both racially mixed and racially exclusive organisations. Included among them are several major artisan-dominated unions: the Amalgamated Engineering Union (AEU), the South African Electrical Workers Association (SAEWA), the Motor Industry Employees Union (MIEU) and the major building unions. Several of these unions did belong to TUCSA but disaffiliated in the 1960s. Whether on account of internal divisions, or because of a lack of sympathy with the concept of a national trade union movement, or simply on account of apathetic leadership, these

unions tended to be reluctant to take sides on matters of general labour policy, except when it impinged on their immediate interests.

Third, there was the Trade Union Council of South Africa, representing over 200 000 white, coloured and Indian workers organised in both mixed and segregated union, almost exclusively in the private sector. TUCSA's official pronouncements were strongly in favour of what has here been termed the unionist strategy. TUCSA's multi-racial emphasis, and the presence of black unionists on its National Executive Committee and at its annual conferences, was in sharp contrast to the racial exclusiveness of the Confederation of Labour.

In the early 1970s, roughly a third of registered trade union members thus fell into each of these three groupings above. While disagreement between the two wings of organised labour ranged over quite a wide variety of issues, the main cleavage must be considered to have lain in conflicting views over the racial question, and particularly over the strategy to be followed in confronting the problem of interracial labour competition. The Confederation of Labour, for example, refused to discuss the problem of labour shortages with TUCSA in 1970 "on account of irreconcilable differences of opinion on the use of White and non-White labour";³⁰ and from the leaders of the Koördinerende Raad, a Confederation affiliate, came frequent declarations that "it is clear that it is altogether beyond question that it could be conceivable for the Koördinerende Raad and TUCSA to belong to one federation".³¹ Indeed, in some industries considerable competition existed between white Confederation unions and mixed TUCSA unions over the recruitment of white members. For their part, spokesmen of unions belonging to TUCSA often considered Confederation unionists as racialist spokesmen who meekly follow the lead given by government, instead of adhering to "true trade union principles".

A complete understanding of this trade union division over race

would have to go beyond the limits of purely trade union affairs, and some reference would be necessary to the divisions within white society as a whole. For example, despite a studious avoidance of party political links, it is fairly clear on which side of the fence the sympathies of the bulk of the white union leadership in either camp lay. Further, another obstacle to unity arose out of the difference of opinion over the association of white and black within the same institutions and on an equal social footing, something which was in itself a product of broader community attitudes rather than arising from the trade union environment as such. These considerations are, however, beyond the scope of this chapter. The question may instead be posed: given the existence of a divided labour movement, what were the consequences of it for black workers? What meaningfully different outcomes resulted from the operation of the unionist strategy as opposed to the separationist strategy? While on one level the answer to these questions may appear fairly easy to provide, seeing that the bulk of black union leaders at the time supported TUCSA, on another level there was room for doubting that overt union differences over race reflected greatly differing behaviour in the labour market, or at least, greatly differing influence over the racial structures of the labour force. It would appear to be this last consideration which led one leading white unionist to declare in opposition to prevailing opinion, that "... the differences which do exist between the various trade union groups are so insignificant that a specific classification is not justified".³²

In support of this contention, the point can be made that in spite of the widely differing implications of the unionist as against the separationist strategy, industries organised by unions of either persuasion tended to show the same overall pattern of continued and pervasive racial segmentation, combined however with an increasing utilisation of black labour in work formerly performed by whites. Exceptions to this rule did of course exist, and some white unions in a particularly strategic position (such as the Mine Workers Union), were able to maintain

a degree of rigidity in the racial pattern of employment which would probably not have been the case in the absence of union power in such areas. But on the whole, it appears plausible to argue that the aggregate advancement of black workers was not radically affected by the adoption of the unionist or the separationist strategy. What was affected was rather the institutional framework - whose importance is of course not to be under-rated - within which such black advancement took place. Unions such as those affiliated to the Confederation of Labour allowed black advancement, albeit with reluctance, and remained largely indifferent to the question of organisation or otherwise of the black workers involved. Unions such as those affiliated to TUCSA on the other hand were more concerned to see that in allowing the advancement of black (especially African), workers this should fall within the ambit of union organisation, either as mixed unions, or as parallel unions with close links to the dominant white Union.

This argument could be amplified by referring to the position of white-dominated unions either within TUCSA or sympathetic to the policy of the rate for the job (among which latter unions could perhaps be numbered the AEU and the SAEWA, or at least, sections of their leadership). The first point is that despite the avowed intention of the unionist strategy to make labour homogeneous irrespective of racial origin, mixed unions were either largely white or largely black in their composition. Where this was not so, as in the case for example of the South African Typographical Union (SATU), where a third of the membership was coloured and Indian, it still remained the position that the bulk of the black membership was not fully-qualified artisans but semi-skilled workers. The mixed unions, on the whole, were not able to stabilise the racial composition of the work-force in such a manner that occupational categories, protected by the policy of the rate for the job, were filled by workers of the required competence and irrespective of their racial origin. Racial segmentation remained, although it may not necessarily be the conscious intention of the union concerned to maintain it.

From the point of view of the black worker, the position in the early 1970s was especially unsatisfactory in the skilled trades organised by mixed unions, since the ratio of white to black apprentices entering these trades was still overwhelming favourable to whites, in spite of the great shortage of such workers which was alleged to exist, and also in spite of long-standing rate for the job policies on the part of these unions. It was no secret that the mixed unions experienced difficulties in carrying their white membership with them over such questions as the training of black apprentices by whites. E. van Tonder, the then Secretary of the SATU for example, remarked in 1970 apropos the shortage of skilled labour and the need to advance blacks into these positions, that: "... the crux of this problem is member resistance in our unions. It is the resistance from the artisans at the work-bench".³³ In order to meet this problem, the SATU leadership placed great stress on the need for pushing up whites, re-training them if necessary, so that they could become the technicians of the future, and so allowing blacks increasingly to fill artisan positions. This policy in effect conceded that great difficulty was experienced in treating labour as homogeneous through the application of the rate for the job. Instead, a form of informal racial compartmentalisation was adopted in the hope of reconciling the demand of white artisans for protection with the need to bring forward black workers.

A further point is that although trade unionists often summed up prevailing divisions within the trade union world in terms of a "rate for the job\job reservation" dichotomy, measures to achieve what amounted to a system of job reservation were adopted by unions which otherwise declared themselves supporters of the rate for the job policy. As Professor Sheila van der Horst remarked:

I am not sure that when White trade unionists demand 'the rate for the job' this is really the whole demand. A closed shop is also frequently demanded and the right to determine who is admitted to trade unions, which may contain a colour bar in their

constitution or which may, in fact, exclude other non-Europeans besides the Africans excluded in terms of the Industrial Conciliation Act.³⁴

One example here was the clause inserted in industrial council agreements for the engineering industry, where certain grades of work were reserved for members of registered trade unions alone, a measure which was termed, by the trade union leader who initiated it, "... a form of 'Closed Shop', and also 'Job Reservation'".³⁵ In another case, that of the resistance of the Johannesburg Municipal Transport Workers' Union (JMTWU) to the proposal of the Johannesburg City Council to introduce coloured drivers on white buses, the Union opposed the move on explicitly racial grounds, refusing to accept coloured drivers even though the Council undertook to pay the rate for the job.³⁶ (The JMTWU, paradoxically enough, was one of the few - if not the only, white unions in Johannesburg at the time - it catered only

whites only and in 1969, after the Johannesburg City Council had introduced coloured workers into certain grades of depot work, the JMTWU organised these workers into the union on the basis of the rate for the job.)³⁵⁾

Whatever the broad trade union principles of white-dominated unions in South Africa in the 1970s (as indicated for example by their membership of a particular trade union co-ordinating body), these unions remained protectionist organisations whose activities had to satisfy the dominant sections within the group of workers concerned. As Cliff Crompton of the Iron Moulders' Society put the issue:

undoubtedly we would not be leaders unless we tried to channel the thought and the policy of our organisation, but we can only do this to a certain extent. One can only go so far and no further. What really matters is - What does the membership of

our respective unions really want? Are we going to be leaders without an army, or are we going to accept that we have to back-pedal in order to preserve the conditions of the membership? ³⁸

This then was the dilemma of the leaders of white-dominated unions: how to reconcile their sympathy for black advancement with the need to satisfy the demands of white members who associated the idea of black advance with a threat to their existing conditions of work. As the quotation earlier by Liebenberg suggests, in this matter the problems encountered by unions affiliated to TUCSA and unions affiliated to the Confederation of Labour were of the same order, and both in response sought some form of protection for the interests of their members.

Notes

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3. U.G. 12, 1914, p. 41.
4. A perspective which appears to underlie much of the work by G.V. Doxey, The Industrial Colour Bar in South Africa (Cape Town, 1961).
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15. House of Assembly Debates, col 188, 1925.
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18. W.H. Hutt, The Economics of the Colour Bar (London 1964), p. 72.
19. Report of Proceedings of Special Conference held in August 1969 (TUCSA) p. 163.
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21. According to a senior official of the S.A.T.U. in an interview with the writer.
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23. L.J. van den Berg, The South African Worker November 1968, p. 14.
24. House of Assembly Debates, col 7583, 1955.
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26. G.H. Beetge, unpublished memorandum, "Benutting van Nie-Blanke Arbeid", November 1970, p. 7.
27. Record of Proceedings of the 1st National Congress, South African Confederation of Labour, June 1970, p. 80.

28. Information from an unpublished memorandum by G.H. Beetge, "Verslag oor Nywerheidsraad Durban en Nie-Blanke Indringing", June 1970.
29. Blanke Bouwerkersvakbond, Jaarverslag 1970, p. 1.
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37. Information from the General Secretary of the JMTWU.
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Chapter 3: Creating the Institutional Order: the Industrial Conciliation Act of 1924¹

For 55 years the single most important piece of legislation with regard to the nature of South African industrial relations was the Industrial Conciliation Act. First passed in March 1924, in the dying days of Smuts' South African Party (SAP) government, this Act underwent considerable revision in both 1937 and 1956, with numerous Amendment Acts in between. But the underlying principles by and large remained intact, though new ones were introduced and old ones extended or modified. Among the major provisions of the Act, somewhat concealed in the fine print however, was the definition of its scope: which workers were, and which were not, to be covered by the Act's provisions. Among the groups omitted one group above all was notable: "pass-bearing natives", as the terminology of the time put it. The revision of industrial legislation by the National Party government in the 1950s extended this exclusion to all African workers. By this time three decades of South African trade unionism had elapsed during which the separation of the bulk of the African labour force from the dominant trade unions of the white, coloured and Indian workers had become almost general practice. The politics of racial exclusion in the trade unions owed much to practices which were not directly the outcome of the law itself. But the Industrial Conciliation Act of 1924 certainly strengthened existing tendencies to racial exclusion, giving legislative and political sanction to those forces in the dominant trade unions which favoured segregation and white domination. It was indeed the repeal of the racially exclusive principles of the Act in 1979 which marked the end of an attempt to create a modern system of industrial relations on the basis of separation and inequality. In 1981 the Industrial Conciliation Act was renamed the Labour Relations Act. An era had ended. This chapter attempts to look at the context within which this crucial piece of legislation first came about.

Conciliation and Control, 1909-1913

In 1909 the elected Het Volk government of the Transvaal introduced the Transvaal Industrial Disputes Bill. The immediate spur to the introduction of the Bill was the 1907 strike of white miners on the gold fields, the first major action of its kind since the gold mines had re-opened after the Anglo-Boer War. The strike had been a watershed for the Het Volk government in general and for Smuts, the Colonial Secretary, in particular. Before 1907 the growing white labour movement on the Rand had looked to Het Volk as a potential ally against the influence of the Progressive Party and its supporters, the Rand mine management class. Both Botha and Smuts had reciprocated to some extent, inveighing against the sinister influence of the Chamber of Mines. Het Volk's handling of the 1907 strike shattered the potential alliance. Government failed to come down on the side of the white miners, and the strike was broken. Smuts, as his sympathetic biographer Hancock has written, "soon discovered Hoggenheimer to be a fictitious animal", and forged "frank and cordial relations" with a leading Rand magnate, Lionel Phillips.² While it would be overstating the case to say that Smuts henceforth was the captive representative of the sectional interests of the Chamber of Mines, it is clear that he was impressed by the arguments of the mine management regarding the difficulties in keeping the mines running at a profit and the crucial importance of the earnings from gold exports. Equally clearly, Smuts and the Het Volk government were alarmed at the potential for unrest contained in the growing militancy of the white miners in particular, but also in the industrial action of any major group of white workers.

The first outcome of this concern was the passage in 1908 of the Railway Regulation Act, establishing the conditions of service of railway workers. The Act contained the first prohibition on strikes by whites in South Africa. Railway employees were henceforth denied the right to strike, under penalty of criminal prosecution. In return, the Act established the principle of

compulsory arbitration between the railways administration and employees whenever a dispute between the two arose.³ This position was to be extended over the whole of South Africa after Union, with the passage of the 1912 Railways and Harbours Service Act. Thus began what might be termed the decomposition of white labour solidarity by statutory means in South Africa. As later events were to prove, the creation of separate statutory machinery for differing sections of labour tended to encourage the compartmentalisation of white labour's industrial activity and outlook. Regulated by a detailed code of management-worker relations, the railway workers remained apart from the labour movement as a whole, and their approach to matters of mutual concern was heavily coloured by their separate institutional position. At this early date, thus, white railway workers were being placed in a position of neutrality relative to the other sections of white labour. There was to be no question of a repetition in South Africa of the powerful British "Triple Alliance" of miners, railway workers and dockers and transport workers.

By 1909, then, the Het Volk government had indicated that it would not necessarily act as the indiscriminating champion of white workers as political currents prior to 1907 had suggested it might. Smuts's own approach at this time, as later, was to seek compromise between the parties to industrial disputes, but to come down firmly on threats to law and order contained in any major industrial action by workers. It was not, after all, the Rand magnates who gathered in the streets threatening violence. As later events were to prove, this position tended to the advantage of management rather than workers.

When Smuts rose in the Transvaal Legislative Assembly to introduce the Industrial Disputes Bill, he endeavoured to present himself as the state referee of contending interests. The major provisions of the Bill were relatively straightforward. Based on the principles of the Industrial Dispute Investigation Act passed in Canada in 1907⁴, the Bill aimed, as Smuts emphasised,

to "avoid both the extremes of the option on the one hand, and compulsion on the other."⁵ The Bill provided that changes in working conditions proposed by employers or employees had to be preceded by one month's notice. In the event of deadlock, no strike or lock-out could take place until a government-appointed conciliation board had investigated the dispute and a month had elapsed since the publication of its report. Detailed provisions regulated the manner of appointment and operation of these conciliation boards. For example, a dispute involving less than ten workers could not be an occasion for the appointment of a conciliation board. Further, the findings of a conciliation board could only become legally binding if both parties to a dispute agreed to it. The Bill explicitly excluded from its ambit the public service and any person "who is not a white person."⁶

Such then in brief outline were the provisions of the first overt measure in South Africa towards a statutorily-defined industrial relations system. The thinking behind the Bill was to be of tremendous influence with regard to later industrial relations legislation. The principle of compromise between compulsory arbitration and completely voluntary industrial relations was itself a key theme underlying the Industrial Conciliation Act of 1924. So too was the exclusion of large sections of the workforce from the ambit of the Act. It is thus worth looking in some detail at the parliamentary response to the Industrial Disputes Bill, in order to gain some idea of the political and ideological context in which the measure was passed.

The Labour members or sympathisers in the Legislative Assembly levelled a number of criticisms against the measure. One major objection was the limited scope of the Bill: the exclusion of sections of employees such as public servants, railway workers and blacks. Doubt too was expressed regarding the usefulness of the reports of conciliation boards which would not, barring agreement, be binding on parties. But, by and large, the criticisms of labour representatives were relatively moderate.

Peter Whiteside, for example, member for Siemert and leader of the Engine Drivers on the mines, sounded relatively conciliatory when he declared that "... compulsory arbitration, a wages board, and compulsory investigation were merely palliatives. So long as the workers had to exist under wage-slavery they had to do the best they could and accept one or other of the palliatives in the meantime."

For the Progressives, both F.D. Chaplin and George Farrar gave full support to the Bill in terms which indicated their satisfaction with "the progressive Government, because in the last twelve months the Government has learnt progress is absolutely essential in this country ..."

It was however the confinement of the provisions of the Bill to white persons which provoked the most spirited debate in the Legislative Assembly. All three Labour representatives who spoke in the debate criticised this measure. In the words of H.W. Sampson, member for City and Suburban and the leader of the printers' union: "It did not seem to him fair that the coloured man should be debarred from the remedies and disabilities which the Bill provided." Rather different in tone were the remarks of the former Transvaal Commissioner of Mines and staunch champion of white labour, W.J. Wybergh, when he declared:

He maintained that the more they exempted natives from Acts of that kind the greater was the direct incentive to the employment of natives, because they were being made humble slaves not able to speak for themselves, and therefore were easier to deal with, and more docile and, perhaps, more satisfactory to employers than white people. That was his great reason why he would like to see natives brought under the scope of these Acts in exactly the same way as white men.¹⁰

Both Smuts for Het Volk, and the spokesmen of the mining interest such as Farrar and Chaplin, were quick to put their finger on

Labour's equivocation in this matter. "They had got to recognise", said Chaplin, "that there is a vast difference between the native labour of this country and skilled white labour. I should have thought it to the interests of the Labour Party to see that distinction was kept up ..."¹¹ Smuts, in reply to the Second Reading debate on the Bill declared in a statement which gained Progressive Party applause:

I hope the machinery of this Bill will not apply to natives. (Opposition cheers). I hope that the day is far distant when natives will be guilty of concentrated action, so as to take part in a strike. (Oh! Oh!)¹²

The precedent of the 1909 Act regarding the exclusion of Africans was crucial, for it was, in the climate of the times, not one lightly set aside when later industrial legislation was designed. The total exclusion of all Africans from the main industrial relations legislation in South Africa was only accomplished in 1956 with the revised Industrial Conciliation Act of that year. But it was passed in a spirit which hardly differed from that prevailing in 1909.

The Transvaal Act marked the introduction of some of the basic principles of the country's later industrial relations system. The most effective weapon of the industrial worker, the strike, was hedged about with severe restraints. In return, however, there was a potentially important quid pro quo: the extension of official recognition to (white) trade union activity through the apparatus of conciliation boards. But procedural difficulties and the opposition of mine managements to trade union activity negated the effectiveness of this provision and it failed to achieve its goal. Indeed, the new Act seemed to have failed almost completely within four years of its passage. But before considering that development, it is necessary to consider briefly the other leg of what became the Union's industrial relations system, namely, the position of black labour which was excluded

from the system adopted for white workers: the Native Labour Regulation Act of 1911.

The Native Labour Regulation Act, unlike the Transvaal Industrial Disputes Act, was of application throughout South Africa, having been passed by the Union government in 1911. But, like the Transvaal Act, the occasion for the Native Labour Regulation Act arose largely from the conditions on the Rand gold mines. This time those conditions concerned the recruitment and treatment of the mines' vast black labour force. The numerous provisions of the Act were intended to recognise and regulate the de facto situation of large scale recruitment and employment of blacks by South African industry and in particular the gold mines. Private organisations, most notably the Chamber of Mines, but also smaller labour contractors, controlled the recruitment, housing and feeding of tens of thousands of black workers. A parliamentary Select Committee had taken evidence on this situation in 1911 and revealed the possibilities for abuse and mistreatment.¹³ Legislation passed prior to 1902 was still operative, most notably the Master and Servants Act of 1880 and Act no. 23 of 1895. The 1911 Bill proposed no radical departures from this existing situation. Rather it aimed to tidy up a situation which had got somewhat out of hand. Briefly, the new Bill proposed to standardise the procedure by which black workers entered into contracts to work in white industry. As in the various Masters and Servants laws still in force in the few provinces, criminal sanctions were laid down for breach of contract by black workers. In addition, government inspectors were given powers to control the treatment and housing of blacks under contract, and minimum standards were laid down. The operations of recruiting agents were made subject to a standard licensing procedure.¹⁴ The Bill, in short, proposed to streamline and, if possible, improve the workings of the contract labour system.

The Bill would in effect confirm a separate and unequal status for the largest section of the black labour force in South

Africa. But this was a situation passed over for the most part in silence in parliament. The debates on the measure hardly touched on first premises. Clearly, both government and the spokesmen of the mining industry were in accord in supporting the introduction of the measure. Only the small band of South African Labour Party (SALP) MPs attempted to put the measure in global perspective. The leader of the SALP, F.H.P. Creswell, declared that:

Hij is tegen het ontwerp omdat het een stelsel van slavernij bestendigt ... Het ontwerp neemt de ergste beginselen van de transvaalse wet over. Kaffers worden strafbaar gesteld voor dingen die enkel onderwerp moeten zijn voor civiel proces

The conclusion drawn by Creswell was that

De blank krijgt hoe langer hoe minder kans als de mijnen zoveel macht over hun Kaffers hebben.¹⁵

The self-interest behind the moral denunciation was plain. But however self-interested, it was to the credit of the SALP members to have raised issues of first principle: they rightly pointed out the hazards of a separate and inferior industrial status for a large section of the work-force, a status buttressed by the provisions of the Bill. Other MPs were more concerned to declare, in the words of Henry Burton, Minister of Native Affairs, that the Act "was necessary especially in the interest of the native."¹⁶ The measure was in fact congenial to the interests of the dominant groups in parliament at the time: the mining industry spokesmen, the rural members eager to reinforce the question of penal sanctions for black employees, and the leaders of the government, themselves favourable to a measure which would both please the mines and improve their control over large numbers of transient black miners scattered throughout the Rand.

By 1912, thus, labour relations on the gold fields had received the close attention of two elected governments, and two major measures had been enacted. By accepting the force of precedent, and by a near ideological unanimity which took for granted the separate and subordinate status of the black workers, South African politicians had laid the groundwork for two discrete systems of industrial relations. Notable among all this had been the firm agreement among organised industry, the white agricultural interest, and the government. Within the closed circle of white politics, the only dissenting voice had been that of white labour, but it was opposition that was not strongly pressed, and which, in any case, could be dismissed as special pleading of a sectional interest. But the SALP and the spokesmen of white labour were quite correct in arguing that industrial conciliation for the white man and contract labour under penal sanctions for the black man was a situation which deserved deeper reflection from the country's politicians than it received. It will be seen below how these same labour spokesmen met the challenge posed by their accession to power thirteen years later.

The Failure of Conciliation, 1913-1922

Sporadic strikes had occurred on the Rand after the passage of the 1909 Industrial Disputes Act. But these were no more than a prelude to the major outbursts in mid-1913 and at the beginning of 1914, involving thousands of white workers, the imposition of martial law and the deportation of nine leading strikers. The details of these strikes have been recorded elsewhere.¹⁷ For present purposes, it is sufficient to note that these strikes pushed the Union government into attempting to carry out its promise of 1911 to legislate a Union-wide code of industrial conciliation (thereby also revising the unsatisfactory aspects of the Transvaal Industrial Disputes Act.) In fact, the strikes provoked far more. In early 1914 the government published six bills with important implications for labour. Two of these bills

directly related to industrial conciliation and trade union activity: a third, the Riotous Assemblies bill, made clear the government's intention to ensure that conciliation would be accompanied by statutory provisions to strengthen the state's police power. It is of significance that of these latter three bills only one, the Riotous Assemblies bill, was finally enacted during the same session.

In April 1914 the government introduced into parliament a combined measure, the Industrial Disputes and Trade Unions Bill. The Bill, declared F.S. Malan, the Minister of Mines and Industries, "approached the question of the relations of capital and labour" from the point of view of "the reformer", and not the "revolutionary." The Bill largely followed the existing Transvaal Act in its conciliation provisions, but proposed to amend certain details of its operation which had hindered the appointment, operation and effectiveness of conciliation boards in the Transvaal in the past four years. Further, the Bill contained provisions for the establishment of labour bureaux and for the registration of trade unions. The Bill proposed to exclude "Government services, natives falling under the Natives Regulation Act (sic), and the indentured Indians of Natal."¹⁸

In the flush of the militancy produced by the strikes and the triumph of Labour in the 1914 Transvaal Provincial elections, the SALP displayed considerably more opposition to the Bill than their predecessors had done in 1909 in the Transvaal Legislative Assembly. Creswell declared that the idea of the Bill:

... was to bring the Trade Unions under the law for the purpose of getting them in such a position that they could be brought under the grip of the law and prevented from expanding.¹⁹

The SALP member for Roodepoort, C.H. Haggart, went so far as to declare that

In this country today the class war exists, and the class war is going to be waged until one class is wiped out.²⁰

W.H. Andrews, shortly to be one of the leading figures in the left-wing breakaway from the SALP, said that his Party "disapproved of the whole spirit of the Bill."²¹ It was left to J.X. Merriman to puncture the wilder pretensions of the representatives of white labour: "When he heard the hon. member for Jeppe ... talking some balderdash about shifting the basis of society - Good Heavens! a small minority of this country was going to shift the basis of society (Laughter) ... The workers who the hon member said secured the great resources of this country, what were they compared to 200 000 men who did labour at the resources in this country and got precious little consideration?"²²

The Industrial Disputes and Trade Unions Bill passed the House of Assembly, but the government failed to push it through the Senate. The advent of the World War, and the patriotic upsurge among English-speaking workers, relieved the government of immediate pressure on this score. Nine years were to pass before a similar measure came again before the South African parliament. A considerable amount of less contentious industrial legislation did, however, receive enactment in this period. A Factory Act was passed in 1918, as was the Regulation of Wages, Apprentices and Improvers Act. The latter was a first step along the road to a system of wage determination, but its scope was very limited. A further wage determination measure was considered by the government in 1921, but was not put through parliament. In 1922 the Apprenticeship Act was passed, providing for the standardisation and control by the state, employers and trade unions of the conditions of employment of apprentices and the scheduling of specific artisan trades. With F.S. Malan in the lead, it was clear that the SAP government was giving serious attention to the problems of the industrialisation of the urban areas and their concomitant social and economic pressures.

But while these actions represented progress of a sort in the industrial field, the prize of a workable industrial relations system, and of industrial stability on the gold mines, remained beyond the grasp of the SAP government. Once again it was the gold mining industry which proved to be the spur to further, and this time relatively effective, measures. The acceptance of the Status Quo Agreement on the mines in 1918, after the industrial truce of the war years, provided a breathing space of sorts. The Agreement gave white miners the job security which they desired. But the Agreement soon came to be seen by management as an obstacle to the efficient and profitable working of the mines. The steps, leading from the abrogation of the Agreement in December 1921 by the mines, to the Rand Strike and later Rebellion of March 1922, need not be recapitulated here.²³ The precipitating cause of the Rand Strike was the declared intention of the mine managements to dismiss semi-skilled white miners in order to cut the wage bill. These dismissals in turn were linked to the functioning of the colour bar on the mines.

But other issues were also involved. The Mining Industry Board (the Brace Commission) which investigated the events leading up to the Strike, and produced a Report in 1922 made it clear that behind the question of the colour bar lay grievances regarding the industrial relations of the mines. The operation of the Status Quo Agreement, for example, had been used not only to keep jobs "white", but was also interpreted by the white miners in a way that posed problems of worker control versus managerial prerogative.²⁴ The Board phrased the matter as one of "interference" in the "authority of the Manager" which was carried out "to a deplorable extent."²⁵ Nevertheless, the Board realistically discerned the need for standing conciliation and grievance machinery on the mines. A recommendation was accordingly made to institutionalise the operation of the previously unofficial conciliation boards on the mines, entailing among other things amendments to the existing Transvaal Industrial Disputes Act.²⁶ Such amendments had been promised by the Union government, should the Mining Industry Board report

along those lines.²⁷

The road was now open to the introduction of a new industrial conciliation bill in the Union parliament. The occasion, a pressing one of near civil war, proved sufficient this time to spur the central government, and F.S. Malan in particular, to energetic action in this regard. And no international hostilities arose to divert the interest of General Smuts and his Cabinet.

The Passage of the Industrial Conciliation Act, 1923-1924

Some eleven months after the Rand strike and the subsequent armed unrest had been smashed, F.S. Malan, Minister of Mines and Industries, introduced the Industrial Conciliation Bill into the House of Assembly. The Bill passed its second reading, was referred to a select committee which took evidence on the Bill, and returned it to the House for its third reading. Lack of time prevented its further progress through Parliament in the same year, 1923. A similar fate had overtaken the 1914 Industrial Disputes and Trade Unions Bill; but unlike the earlier Bill, the present one was not allowed to drop. The Industrial Conciliation Bill was re-introduced in 1924, and became law shortly before the prorogation of parliament for the general election of that year.

While maintaining the basic principle behind the 1909 Transvaal Act, the new measure went considerably further. In particular, in addition to statutory recognition for special ad hoc conciliation boards in cases of industrial dispute, the Bill allowed for the creation of standing employer-employee councils with wide powers of negotiation and wage determination. In a provision ultimately embodied in the Act, these boards, or industrial councils as they were finally termed, could obtain legal enforcement for the agreements reached in the councils. And these agreements, once the Minister was satisfied of the representative character of the parties to the council, could be

made binding on all employers and employees in the specified industry, whether or not they were parties to the agreement. While the machinery of industrial council agreements or conciliation boards was still in operation, no strike or lock-out was permitted to take place. Provision was made for the registration of trade unions - a measure which entitled recognised unions full recourse to the conciliation machinery laid down by the Bill. Finally, government servants, agricultural and domestic workers, contract Africans and indentured Indians (but no other Africans, Indians and Coloureds) were excluded from the provisions of the Bill by not being included in the definition of "employee".²⁸ It is worth citing the relevant part of the final statute on this point, given its cardinal importance for our topic:

any worker whose contract of service or labour is regulated by any Native Pass Laws and Regulations, or by Act no 15 of 1911 or any amendment thereof or any regulations made thereunder, or by Law No 25 of 1891 of Natal or any amendment thereof, or any regulations made thereunder, or by Act no 40 of 1894 of Natal or any amendment thereof ...²⁹

The 1937 Industrial Conciliation Act broadened this definition further to include persons whose labour contract was regulated by the above Acts and by section two of the Masters and Servants Law (Transvaal and Natal) Amendment Act, 1926, and by the Natives (Urban Areas) Act, 1923, and amendments to, and regulations issued in terms of, these Acts.³⁰

Malan's second reading speech on the measure was mild and conciliatory. It was clear that the combined ranks of the NP and the SALP, although still smarting from the debacle of 1922, were also hard put to it to offer vigorous opposition to the measure. Their dilemma was to reconcile their generalised suspicion of and hostility to the Smuts government - emotions shortly to give rise to the formal Pact agreement, and at this time expressed in an

informal, but manifest alliance - with the appeal of the Bill to the interests in particular of the most established trade unions. Symptomatic of this half-hearted opposition were the arguments of H.W. Sampson, MP for Jeppe and spokesman for the South African Typographical Union. The SATU had, in 1919, established with their employers a most successful joint board, and had refused to join the 1922 Strike on the grounds that it would have meant a breach of contract. Sampson himself could not but welcome the broad direction of the new Bill, and in fact was to co-operate whole-heartedly in committee in suggesting useful amendments. In reply to Malan's second reading speech, Sampson moved the SALP's amendment that the Bill be referred to a select committee before the conclusion of the second reading, thus enabling the committee to consider measures of principle as well as detail. But this standard parliamentary ploy did not in fact represent a deep disagreement over principles, as Sampson's own arguments showed. He gave cautious endorsement to the main principles of the Bill, while objecting to its "one-sidedness".³¹ Other SALP MPs were more vigorous in attacking the measure, but it was left to the NP MP for Vredefort, J.H. Munnik, to express in harshest language the smouldering resentment of the defeated miners:

Trade unionism to-day was lying bleeding, and for this the government was largely responsible ... if the Minister was under the impression that there was industrial peace in South Africa, as far as the mine workers were concerned, he was labouring under a delusion.³²

But despite such high generalities, little of substance was brought against the Bill. Perhaps the major complaint on which opposition members harped was the exclusion of employer bodies from the requirements for registration with the government proposed for the trade unions. This was eagerly seized upon by the SALP as evidence of the government's bias in favour of employers. The final Act applied this requirement equally to both employer and employee organisations.

Matters of detail received a thorough airing (with however a significant exception, to be dealt with later) in the select committee and the committee stage of the Bill in 1923 in the House of Assembly.³³ The evidence before the Select Committee is of particular interest in that it revealed cleavages within both labour and capital as well as the cleavage between them. The cleavage was in both cases a two-fold one: established artisan unions versus the semi-skilled white mine unions on the one hand; representatives of secondary industry versus the Chamber of Mines on the other. These divisions, while perhaps not giving due weight to very definite individual differences of opinion, seems essential to an understanding of the often blurred and confusing empirical evidence.

In broad outline, the line-up can be summarised as follows: the established artisan unions and those representing public sector and white-collar employees welcomed the provisions on industrial conciliation while objecting to the exclusion of some categories (for example, government servants) from the provisions of the measure, to the lack of enforceability of agreements (subsequently conceded), and to the possibility of state interference in internal trade union affairs. Spokesmen for the shattered miners' unions (then, as now, basically unions of the semi-skilled, with no apprenticeship requirements) were more militant in expressing opposition to the potential stifling effect of any statutory restraint on union activity. Archie Crawford, leader of the previously influential S.A. Industrial Federation, declared that:

I do not approve much of standing conciliation boards. I do not think the workers should be compelled to do anything. I think the relationship should be very free³⁴ ... There are times when it is desirable that the dispute should be fought out, and when nothing else will bring about a lasting peace but a fight to the finish.³⁵

Central to the arguments in the Select Committee was the frank recognition by several employer and union representatives of the crucial importance of the "joint monopoly" implications of the proposed measure. It is significant that the main employers' evidence came from representatives of the building industry, who had also supported the proposed wage determination measure in 1921. Established employers in building, printing and other industries were eager to take out wages as a factor in competition, and found common cause with their union counterparts in this matter. On the other hand, both employers and many employees in the gold mining industry were unable to avail themselves of this possibility. Semi-skilled white workers on the mines suffered a double disability compared with their more favoured artisan colleagues in industries other than the mines: they commanded no great scarcity value in an industry unable to pass on a higher wage bill in terms of a higher price for their product. As Crawford quite validly put the matter:

A standing conciliation board may be a menace to the community. I do not know but what they are in many cases. If standing conciliation boards were created the interest of the rest of the public would have to be very jealously guarded. You would find a danger of conspiracy between employer and employee in the interest of higher prices and those would finally land on the primary producers, and the farmer and the coal and gold producers, etc., would be impoverished.³⁶

Completely absent from the proceedings of the Select Committee were any spokesmen from the Chamber of Mines. But it is clear that Chamber absence did not mean lack of Chamber interest in the measure. In fact, as F.S. Malan made clear, he had been kept very well informed of the Chambers' feelings about the Bill, and may even have accepted Chamber objections to details in the measure, as shall be seen later.³⁷

Despite the cross-currents of opposition to details of the Bill,

the underlying consensus over the even-handedness of the measure was indicated by a unanimous report of the select committee of 1923. In his second reading speech on the re-introduction of the bill in January 1924, F.S. Malan was able to say, with reasonable accuracy, that "perhaps with (the exception of) a few minor details, the parties concerned are satisfied with the provisions of this bill."³⁸ The major changes in the bill between 1923 and 1924 included the following. The agreements reached in industrial councils judged to be "representative" or the agreements of conciliation boards could be extended to the whole of a specified industry; workers in "essential" municipal services were prohibited from striking; a clause making strike ballots mandatory was deleted. Further changes, which were opposed by Sampson for the SALP, included: first, the inclusion of a provision allowing "any" group of employees (and thus possibly non-union workers) to call for a conciliation board; second, the dropping of the clause which made illegal any stipulation by an employer that his workers should not belong to a trade union; third, the inclusion of a provision that no conciliation board could be called on behalf of individual workers objecting to changes in wages, working conditions, status or piece rates, "unless a matter of principle was involved."³⁹

It was this last provision, Clause 4, which sparked the most heated and prolonged exchanges in the 1924 debates on the Industrial Conciliation Bill. Behind this seemingly minor detail lay wider issues and wider interests. Rand members of the South African Party - representatives of the mining industry and of the English-speaking urban middle class - argued strongly that the exclusion of such a clause would allow workers to call conciliation boards over any petty grievance about wages, promotion and working conditions. Sir Abe Bailey, MP for Krugersdorp, said that: "If you strike out this proviso where these disagreements have to go before a board of conciliation, then you strike at the very root of discipline. My hon friend must remember that before the strike in 1921, if there was any dispute on promotion or salaries or anything else, it was at once

rushed to a board of reference Disputes, differences and so forth must be left in the management's hands."⁴⁰ The spectre of worker control and the dissipation of managerial authority raised by the Brace Commission was alive and walking again. It did not require much percipience from SALP members to divine the source of inspiration for this particular clause. As R.B. Waterston, SALP MP for Brakpan, claimed:

The position is that the Chamber of Mines is behind the proviso. Why are they behind the proviso? It is because the Chamber of Mines is top dog in South Africa.⁴¹

Whatever the origin of the Clause - and F.S. Malan admitted later in the debate that he had indeed consulted the Chamber of Mines⁴² - other SAP members were able to show that the Clause had the backing of other employer organisations such as the builders', who were on the whole staunch supporters of the Bill. The controversial clause was pushed through by the government on a division - one of only five divisions in the committee stage of the Bill on which government and opposition confronted one another on strict party lines. Otherwise the debates were notable for the reservations uttered by a number of South African Party backbenchers about various provisions in the measure.

Some former Unionist MPs in the SAP urged stricter controls over strikes, and asked for a prohibition on the use of union funds for political parties without the express consent of the majority of union members. It was "very half-heartedly" that Malan's back-benchers supported him, claimed W. Rockey, MP for Parktown, and "when a Minister wishes to put more power into the hands of trade unionists, no matter how good they may be, we believe the Minister is doing a wrong thing."⁴³ The uneasiness of a number of English-speaking SAP MPs found little response in the House. And on the left, Walter Madeley, later the parliamentary leader of the non-governmental faction of the divided SALP after 1928, was very much alone when he stated the standard radical objection

to industrial conciliation:

... the more you kick them, the more you oppress them, the more determined you make them to organize themselves into a strong entity likely to put up a strong fight against their employers.

He supported the Bill, said Madeley, but "I look upon this Conciliation Bill as going to have a weakening effect on trade unionism ..."

The Industrial Conciliation Bill passed the House of Assembly on 3rd March 1924 after a last barb from Sampson on the iniquity of the Chamber of Mines in declining to give evidence to the select committee, and then consulting privately with the Minister. Sampson, on behalf of the SALP, declared that they had "not quite succeeded" in securing a bill which would "work automatically". The Minister, at the behest of the Chamber of Mines, had allowed himself too much discretion, especially over the appointment of conciliation boards. The Minister would have to be "very

.....

The question of the exclusion of African contract workers from the ambit of the Bill deserves specific consideration. Since this question soon became one of the major trade union issues, the importance of the omission is evident. What then was made of this highly consequential decision at the time? The short answer is: nothing, or at any rate, very little. The issue does not seem to have been mentioned, let alone ventilated, in the debates over the Bill in the House of Assembly and Senate. (Admittedly, the parliamentary records for 1923 are very incomplete.) The only record of the issue being raised in parliament was in the evidence of the 1923 Select Committee on

the Bill. Here it was done twice, first by an artisan trade union spokesman, second by the employer representative K.B. Quinan of a Somerset West explosives factory.⁴⁶ The former deplored, in passing, the exclusion of contract Africans, the latter dismissed the idea that the inclusion of blacks was desirable. The Committee quickly passed on to other matters. As shall be seen, it was only in 1928, four years after the passing of the Act, that the issue received the attention of parliamentarians at any great length. Why was this so? A number of reasons suggest themselves. First, there was the precedent of the 1909 Transvaal Act. Second, the Native Labour Regulation Act had been in force for twelve years. To include all workers under the provisions of the Industrial Conciliation Act would have been in effect to have made the former Act null and void, to have removed the whole basis of contract labour. And for that no white political party - not even, despite its protestations against "slave labour", the SALP - was prepared. The SALP itself scented electoral victory in the air: it looked forward to administering the SAP Industrial Conciliation Act along Labour lines. Time enough later to get to grips with the problems of a docile black labour force and of the factors which kept it so.

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The passage of the Industrial Conciliation Act was a matter which involved, in the main, two industrial groups: organised employers on the one hand, organised white labour on the other. Neither, despite the confrontation of 1922, was completely homogeneous. Important special conditions qualified the solidarity of both blocs. Each group found its political centre of gravity in two opposed political parties, and at this time the conditions were relatively ripe for an articulation of pure class interests in the political process. Highly important also was a third party to the issue: the SAP government. It too was not homogeneous, and in addition stood prima facie an accomplice of one of the other contending interests, "capital". But it seems clear that the SAP Cabinet, and especially F.S. Malan, did not wholly

represent business in politics, while conceding points to that influential party within a party, the Chamber of Mines. Malan's guiding principle in the establishment of the Industrial Conciliation Act had been to do unto employers as he did unto employees, and the grudging acceptance of the SALP reflected his success. The Industrial Conciliation Act was not to any extent an issue in the crucial general election of 1924, as Taft-Hartley was in the U.S.A. in 1948, and the Taff Vale Judgement was to Labour in Britain in 1906. In the debates over the Industrial Conciliation Bill the National Party had remained largely a sleeping partner, rousing itself now and again to make the token speeches which proved its common opposition to the SAP government. As one authoritative work put it: "Seldom has a major industrial law, conferring wide recognition on unions under state supervision, received so cordial and unanimous a response". "Whatever else kept the pot of white politics boiling over at this time, it was no fundamental, irreconcilable clash over a workable framework of industrial relations.

The Aftermath

In passing the Industrial Conciliation Act, the SAP government had in a very real sense pre-empted the actions of a NP - SALP governing coalition. The Pact government thus came to power with part of its industrial programme already in existence. Significantly, the new government only attempted to amend the Industrial Conciliation Act in 1928, and the provisions of the proposed amendment were wholly in line with the spirit of the Act of 1924. Due to the lateness of the session, that amendment failed to gain enactment. It was only in 1930 that the Industrial Conciliation Act was first amended, along the lines of the 1928 proposals, which will be discussed below.

With Industrial conciliation and wage determination machinery already in operation under the Industrial Conciliation Act, the SALP pressed ahead with two further measures: a wage

determination measure for non-unionised or weakly-organised workers, and the legislation of the job colour bar on the mines which had been declared ultra vires in the 1923 court case Attorney-General v.G.H. Smith.⁴⁸ The latter lies outside the scope of this chapter. The former, the Wage Bill, does however deserve consideration, for it was clearly seen as the complement to the machinery of the Industrial Conciliation Act in the determination of wages. The main provision of the Wage Bill was the creation of a state Wage Board with powers to investigate conditions on particular industries (excluding agriculture and domestic service), and to issue minimum wage determinations for the job categories involved, no discrimination on ground of race being allowed. It was this last part around which major political interest in the Bill revolved. Simply stated, the issue was: Was it intended that the non-discriminatory wage determinations of the Wage Board would act as a wage colour bar pricing blacks out of jobs and whites into them? The participants in the debates on the Bill were well aware of the discriminatory potential inherent in this overtly colour-blind provision. For the many labour spokesmen involved, it was after all nothing more than the statutory enactment of "equal pay for equal work", or the "rate for the job", and all were aware how advantageous that could be to white workers in South Africa. It was, nevertheless, often politically prudent to obfuscate the issue - and for none more so than the SALP, junior partner in the Pact. Their official ideology, and those left-wing activists who took the ideology seriously, pulled them one way; their perception of the self-interest of white workers and voters another. Thus even such an experienced veteran of the labour movement as W.H. Andrews persisted in trying to square the circle: socialist non-discrimination and brotherhood on the one hand, measures to promote the interests of white workers on the other.⁴⁹ By obscuring this dilemma, the "left" and the "right" in the SALP were able to support the Bill, each seeing in the measure what it wanted.

More revealing, since the schizophrenia of the SALP had long been

public knowledge for those with eyes to see, was the attitude of the major capitalists to the measure. Again the division between secondary industry and the Chamber of Mines was quite evident. In fact more so. For the new government was the Pact with men behind it who had lost the industrial battle of 1922 only to win the electoral struggle of 1924. There was thus no question of a repetition of the events of 1923, when the Chamber of Mines had been able to press its point of view directly with the Minister in private, without making public possibly embarrassing representations through the medium of a parliamentary select committee cross-examination. The Chamber of Mines, through its Chairman P.M. Anderson, gave extensive evidence before the select committee on the Wage Bill in 1925. Before him, the SA Federated Chamber of Industries had made it clear that it had no fundamental objections to the measure: it was after all merely an extension of the principle of joint monopoly by other means.⁵⁰ The situation of the Chamber of Mines was quite different. It had fallen from its privileged position of confidante of government Ministers and was now the butt of politicians to whom it had, in their public rhetoric, represented the epitome of sinister elite manipulation. Was the Pact proposing radical intervention into the affairs of an industry which had previously managed to accommodate itself relatively comfortably to the revenue-seeking propensity of the Union government? Were white workers here to find their final victory over an oppressive management? The note of something approaching panic-stricken uncertainty seems evident from the testimony of Anderson.

Rather ingenuously, since the Bill gave no warrant for it, Anderson first argued that the measure would not apply to the gold mining industry, since it was highly organised and paid high wages, and, Anderson claimed, the Bill was only intended to apply to "sweated" industries.⁵¹ Coldly rebutted by the Minister of Labour, F.P. Creswell, on this score, Anderson suggested that the measure, if applied to the mines, would apply only to whites.⁵² He was told that there was no such provision in the Bill. With

some justification, Anderson argued that:

The Bill puts into the hands of the Minister the determination as to which occupations shall be carried on by whites, blacks, or coloured men: and it affects us seriously in connection with certain of our occupations which are on the borderline I think that there is that danger that the Board has power to change a class of labour in a particular trade⁵³

Anderson was unable to obtain reassurance from the government members of the select committee on this point. It is however of interest to note that no wage determination was enacted for mine labour under the Pact government. (Although an Award was made in 1927 by the Mining Industry Arbitration Board, consisting of members of the Wage Board, but appointed under the Industrial Conciliation Act. The Award in general appears to have accepted the Chamber of Mines' argument that white mine wages were reasonable, and no large increases were granted).⁵⁴ As far as white miners were concerned, the new government was able to redeem its electoral promises by the passage of the colour bar clause of the Mines and Works Act of 1926, reserving a wide range of mine jobs for whites and coloureds. Despite pointed remarks by otherwise sympathetic members of the select committee such as C. Stuttaford, who exposed the bareness of Anderson's claims that the industry was "organised" when eighty per cent of the mine workers, black Africans, were not.⁵⁵ Anderson's basic position was to prove not incompatible with that of the most influential SALP members of the Pact. A concerted programme of wage regulation for the majority of miners, black workers, was simply not on the programme of the new government.

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In March 1928 the Minister of Labour, now Thomas Boydell, introduced a bill to amend the 1924 Industrial Conciliation Act. The main proposals were as follows.⁵⁶ First, industrial council

agreements were to remain in force until such time as they expired, or that a new agreement was reached by the parties to the council. Second, industrial councils were to be competent to hear all disputes in the industry concerned, whether or not the matter was covered by the relevant industrial agreement. What in fact this amounted to was a reversal of the 1924 decision to bar an appeal over matters regarding individual grievances such as pay, promotion and so forth. Next, conciliation boards were to be allowed to include among their members persons not employers or employees in the particular industry concerned. Fourth, an anomaly concerning strikes was to be amended: strikes had previously only been officially recognised as such when the parties to it had "declared" it. Fifth, a provision was included regarding wages which had been underpaid. Sixth, an industrial council agreement could be suspended from operation in "native areas". This provision, foreshadowing the major post-Second World War dispute over black African housing, was aimed at expediting the building of housing in black areas on a lower cost basis than prevailed outside black areas. Finally, the operation of industrial council agreements was to be extended, with the Minister's permission, to Africans who had previously been excluded from the operation of the Act, owing to the definition of "employee" in the original Act. This was a measure aimed at preventing employers from substituting lower-paid African workers for non-Africans paid at the stipulated industrial council rate. To this end, the definition of "employee" in the appropriate clause was to be amended to include contract Africans. The clause defining "employee" for the purpose of registered trade union membership was however to exclude Africans registered under the Native Labour Regulation Act and "pass-bearing" Africans.

It was this last provision which gained the greatest response from MPs, and the debate which would have been appropriate in 1924 only now took place. The occasion was in the same year as, but before, the open 1928 split in the SALP between "Creswellite" and "National Councillite" labour supporters. It revealed quite clearly the essential equivocation and contradiction in the

SALP's position. Boydell, a future "Creswellite", argued that the operation of the Wage Board took care of the interests of African workers, and went to say:

.... What we are not prepared at the moment to do, is to allow the natives to organise and function under the Industrial Conciliation Act, the same as carpenters, joiners and other organized trades which have had many years experience in trade unionism, and which can be calculated to hold their own with the employers. The time will come, possibly, when the natives will reach that stage of advancement, and something on these lines will have to be done; but that time has not yet arrived.⁵⁷

H.W. Sampson, also a later Creswellite, in an unusually confused speech, followed several lines of argument at once, not always in harmony with Boydell's statement. The SALP, argued Sampson, had never been in favour of excluding Africans from the provisions of the Industrial Conciliation Act, but it had been a SAP condition for the passing of the measure that they should be excluded. (The first half of this claim, at any rate, was of dubious validity.) Anyway, argued Sampson, there was nothing preventing the formation of African trade unions. They were just not recognised under the Act. It was true that the Native Labour Regulation Act and other measures prohibited many Africans from striking. The SALP had always favoured doing away with these Acts for this reason. But, said the trade unionist, Sampson:

We are not going to create problems by admitting to our unions a class of people who are backward, people who are just emerging from barbarism, and do not understand trade unions. They will have to go through the mill, the same as others have had to do. You cannot bring these people all at once into the system under which the white people live

Sampson then evidenced the activities of the Industrial and Commercial Workers of Clements Kadalie as proof of the inability of Africans to operate trade unions at the present time.⁵⁸

The intellectual disarray of the SALP over this issue was plain. But it was equally clear that no one inside parliament at least had a consuming interest to take advantage of the fact. Boydell received support for his position from both English-speaking urban representatives of the white middle class, and from rural members horror-stricken at the idea that any tampering with the principle of criminal sanctions for breach of work contracts could be contemplated. As O.R. Nel, MP for Newcastle, stated:

.... If there is one thing we on the platteland must fight against, it is the whittling down of the Masters and Servants Act. It is the only means we have of controlling natives.⁵⁹

It was left to F.D. Chaplin, however, while supporting this provision in the Bill, to get in the cruellest cut of all, and incidentally to reveal a basic community of interest among the parties in the legislature:

The Government agreed before that the natives must be left out, because it is common cause that it is impossible to face conditions which would raise to a large extent the standard of native wages on the mines. The Minister of Defense (Creswell, SALP leader) has talked for twenty years or more as to the necessity for doing away with what he calls servile labour, and for stopping the importation of natives from Portuguese East Africa. The Minister, however, is sitting in a Cabinet, which is sending one of its members to Lisbon to make sure that this labour is maintained. I am glad it is so ... The Minister does not go further by making this applicable to the natives, because he knows he dare not do so, for if he

did do it, wages would go up to such an extent that a large proportion of the gold mines would be unpayable, and the country cannot do without the revenue it derives from the mines; the only possible remedy would be a reduction in European wages⁶⁰

Conclusion

The passage of the Industrial Conciliation Act in 1924 involved a government-imposed compromise between eventually two groups: organised business and organised labour, both of whom could count on the support of political representatives to articulate their interests. It was, in a very real sense, a conflict between two sections of urban English-speaking society in which a largely Afrikaner government executive acted as arbitrator and guide. On this level the contest was strikingly lacking the kind of ethnic polarisation that made for the least soluble of white party political issues in South Africa. Instead, the creation of the new industrial relations framework was a case-study in economic politics; and the solution was largely an economic one: the encouragement of joint monopolies of employers and employees to regulate wage competition and to institutionalise collective bargaining.

But on another level - one which, as we have seen, was scarcely raised in the course of the debates on the proposed measure in 1923-1924 - the Act rested on a basic ethnic foundation - the virtual exclusion of the African worker. The Act thus gave major impetus to the tendency towards the separationist or exclusionist tendencies in white labour's activities, and must therefore be accounted one of the major factors giving rise to South Africa's partial labour movement. The causal chain was of course less than simple. The Act was influenced by exclusionist practices already in existence; in turn, it strengthened and elaborated these practices.

The long-term effect of the Act was however not just to reinforce

a trade unionism of differential incorporation: it also undermined the distinctiveness, and the potential militancy, of the white (and coloured and Indian South African) labour movement. By providing a framework for particular categories of employees only (basically those in the private sector) the Act furthered a continuing "decomposition of Labour"⁶¹ by hiving off workers into separate institutional cocoons. Thus while unions in the private sector had a major commonality of interest in the workings of the Industrial Conciliation Act, workers on the state-owned railways in particular were more concerned about their status under the separate Railways and Harbours Service Act.

Finally, along with sectionalisation went bureaucratisation. The Act gave a powerful thrust to the formation of unions able to operate within, and take advantage of the new network of regulations and institutions. Increasingly what was needed was less the militant union organiser than the adroit negotiator and adept office manager. The strike weapon was watered down so that it became almost obsolete as a weapon in the armoury of many unions.⁶² The Act, said one unionist two years after its passage, "has created confusion in the labour ranks, and has destroyed that clarity of thought and action which is essential to progress, as one seldom knows where the function of an Industrial Council ends and that of the Union begins."⁶³ But for many other unionists this institutionalisation of the role of the union, and its consequent acceptance by employees, was precisely its advantage. Root-and-branch opposition to the Act was in fact confined (then as later) to a small minority of left-wing activists. Most unionists were keen to see an extension, rather than limitation, of the scope of the Act. In particular they desired deletion of the clause barring resort to a Conciliation Board "unless the matter of principle is involved" - the issue on which so much time had been spent in debate in 1924.⁶⁴

Later white participants in the South African industrial

relations system, for the most part, praised the structure and practices which were a product of the Industrial Conciliation Act of 1924. It was widely acclaimed as the source of South Africa's relative industrial peace. While this argument can be overemphasised (since the Act must be seen in the wider context of a generally upward rise in the rate of economic development in South Africa), the Act was effective in its own terms. For such a complex piece of legislation, that is perhaps to say a lot. But in accommodating one set of problems, the Act bequeathed another to succeeding industrial actors. Of those, the foremost one was the status of the African worker, an issue whose resolution required half a century.

Notes

1. My thanks to David Yudelman for incisive comments on the first draft of this chapter.
2. W.K. Hancock, Smuts: The Sanguine Years, (Cambridge, C.U.P., 1962) p. 237.
3. Debates of the Tvl. Legislative Assembly, 1908, pp. 947 ff.
4. Debates of the Tvl. Legislative Assembly, 1909, col 66; see also R.U. Millar and F. Isbester (eds) Canadian Labour in Transition, (Scarborough, Ontario, Prentice-Hall, 1971) p. 184.
5. Debates of the Tvl. Legislative Assembly, 1909, col 127.
6. Debates of the Tvl. Legislative Assembly, 1909, col 70.
7. Ibid, col 78.
8. Ibid, col 90.
9. Ibid, col 86.
10. Ibid, col 93.
11. Ibid, col 82.
12. Ibid, col 98.
13. S.C. - 3 - 1911.
14. House of Assembly Debates, 1911, cols 1083-1087.

15. Ibid, col 1089. (Dutch language edition of Hansard. These words do not appear in the English version, though its general drift is similar.)
16. Ibid, col 1083.
17. R.E. and H.J. Simons, Class and colour in South Africa, 1850-1950, E. Gitsham and J. Trembath, A First Account of Labour Organisation in South Africa, and I. Walker and B. Weinbren, 2 000 Casualties.
18. House of Assembly Debates, 1914, cols 1945-1949.
19. Ibid, col 1974.
20. Ibid, col 1978.
21. Ibid, col 1974.
22. Ibid, cols 1990-1991.
23. See R.E. and H.J. Simons, Class and Colour in South Africa, and F.A. Johnstone, Class, Race and Gold, especially Part 2.
24. U.G. 39-'22, p. 7.
25. Ibid, p. 21.
26. Ibid, p. 43.
27. Cape Times House of Assembly Debates, 1923, p. 47.
28. Ibid, p. 47, 48.
29. Statutes of the Union of South Africa, 1924, p. 56.
30. Statutes of the Union of South Africa, 1937, p. 428.
31. Ibid, p. 43.
32. Ibid, p. 56.
33. S.C. 5 - '23.
34. Ibid, p. 66.
35. Ibid, p. 68.
36. Ibid, p. 66-67.
37. See Malan's Second Reading speech on the Bill in 1924.
38. Ibid, p. 16.
39. Ibid, pp. 17-18.

40. Ibid, p. 163.
41. Ibid, p. 171.
42. Ibid, p. 571.
43. Ibid, p. 211.
44. Ibid, p. 518.
45. Ibid, p. 570.
46. S.C. 5 - '23, pp. 10,101.
47. Simons and Simons (1969) p. 321.
48. See 'South African Correspondent', 'The Colour Bar Decision in the Transvaal', Journal of Comparative Legislation and International Law, Series III, vol. 6, 1924.
49. See the evidence of W.H. Andrews in S.C. 14-'25, pp. 1-9.
50. Ibid, pp. 45-65.
51. Ibid, p. 68.
52. Ibid, p. 87.
53. Ibid, p. 89.
54. Tvl. Chamber of Mines 38th Annual Report 1927, pp. 42-43.
55. Ibid, p. 87.
56. House of Assembly Debates, 1928, cols. 2292-2300.
57. Ibid, 2299.
58. Ibid, cols 2771-2776.
59. Ibid, col 2888.
60. Ibid, col 2781.
61. The phrase is R. Dahrendorff's (Class and Conflict in Industrial Society) p. 60.
62. See the complaints on this score by an active unionist, C.F. Glass, in Forward, 26 February 1926.
63. Ibid.
64. See in this connection a report on I.C. Act amendments in Forward, 30 March, 1928.

Chapter 4: The National Party, Trade Unionism and the Industrial Order

By 1938 the leaders of the National Party (the so-called "purified" National Party under Dr D.F. Malan) had sketched the broad outlines of the policy that from around 1944 onwards was known to the public as "apartheid". In Parliament, in the National Party press, at Party meetings and as a specially convened conference on racial issues in Bloemfontein in 1938, the National Party articulated a programme of racial segregation which in its essence was the same policy with which the Party came to power in 1948. The single guiding principle which underlay the policy's many component parts was the idea that a "clear colour dividing line" ("'n duidelike kleurskeidslyn") could and should be drawn between whites on the one hand and the black ("non-white" in the language of the day) groups on the other. The survival of the white race, argued the proponents of the policy, demanded that "the line be drawn". Failure to do so would lead to the fall of white civilisation in South Africa and to such axiomatic evils as race-mixture. In these circumstances, the politicians of the National Party reiterated throughout the country, it was legitimate and imperative that steps be taken to bring about the kind of thorough-going segregation which would maintain the traditional social order. Whites needed protection not just against the superior numbers of Africans ("natives") and Indian South Africans (in the climate of the times protection against these two groups hardly needed justification to the majority of whites), but also against coloured people. In pursuit of this protection, the new policy laid down that racial differentiation (in addition to that already in existence) needed to be introduced in the following spheres: the franchise, with the removal of coloured voters from the common role in the Cape Province; sexual relations and marriage; residential areas; universities; sporting bodies and other private associations; and, finally, in the country's industrial and occupational life: in its factories, trade unions and its occupational and wage structure. In its comprehensiveness, its thoroughgoing

application of the colour bar to all social spheres, and in the extension of this bar to coloured people, the new policy was a radical departure even for segregationist South Africa in the 1930s. ¹

As the previous Chapters have noted, white protectionism and the adoption of segregationist measures were no novelty at this point in the country's history. With regard to labour matters, the exclusionary basis of the Industrial Conciliation Act has already been discussed at some length. The National Party under General J.M.B.Hertzog in coalition with the South African Labour Party under Colonel F.H.P. Creswell which came to power in 1924 promptly extended this protectionism. Numerous measures loosely referred to as the "Civilised Labour Policy" were introduced by the new Pact government, as well as other steps promised by the coalition parties to the electorate in 1924. Notable among the latter was the Mines and Works Act of 1926 which amended the 1911 Act in order to make clear that the legislature's specific intention was indeed to reserve jobs on a racial basis on the mines, protecting a range of semi-skilled tasks which the mine managements would have preferred left unregulated. This work was reserved for the performance of white and coloured workers, and in so doing brought about the first explicit statutory racial job reservation measure in South Africa since Union. This was, ironically, also the last job reservation measure to be removed from the country's statutes during the reforms of the 1980s.

The Civilised Labour Policy on which the Pact government prided itself was by no means altogether new. In 1913, for example, The Railways Administration had reported at length to a parliamentary Select Committee on European Employment and Labour Conditions on what it termed its "White Labour Policy", whereby white unskilled labourers were taken on to perform work at wages ranging from 3/6 to 5/- a day. In this year some 4,700 white labourers were being employed on the railways, doing work which otherwise would have been done by black workers at lower wages. ² The Civilised Labour Policy of the Pact government meant in part thus merely

an extension of previous practices. Much effort was put into finding work for whites in all government departments and in encouraging municipalities to employ sizeable quotas of "civilised labourers". Inevitably the main government outlet for unskilled white labour was on the Railways (since it was the most important source of employment for manual labour under government control) and throughout the 1920s and 1930s politicians were as concerned with the employment-providing functions of this public utility as with its role as the country's main transportation network. Also designed as an integral part of the attack on the Poor White Problem was the Pact's policy of tariff protection for South African industries which employed a sufficient number of "civilised" workers. As Hancock pointed out³, it was never very clearly defined by government authorities just who qualified for inclusion within the circle of the "civilised" for the purposes of the policy; it is however clear that the policy did benefit (in terms of jobs) mainly whites.

The state of labour policy in the country during the party political upheavals in 1933 and 1934 thus reflected very strongly the dominance of the whites in the polity. White protectionism had become the accepted norm for all the major white political parties since 1924, although, as Yudelman has argued, this did not necessarily mean that such protection was provided at the cost of the major employers, the gold mines in particular.⁴ The country's legislation regarding labour matters combined both racial restriction and exclusion with colour-blind principles. The effect was to bestow a large measure of preference on white workers without completely excluding the idea that black workers too could at some time enjoy equal treatment. In it lay both the possibility of evolution for all races, and the need for compromise with contemporary realities, most notably with the political pressure of several hundred thousand unskilled, under- or unemployed "Poor Whites" fearful of open competition in the labour market. The problem was to see which tendency would prove itself the dominant one as the pace of South African industrialisation quickened and white and black mingled

increasingly in the unfamiliar arena of the factory workplace.

The New Labour Policy of the National Party

In February 1933 the leaders of the National Party and the South African Party agreed to go into coalition, and thereby plunged the militant Afrikaner section of the National Party into a quandary. They could go along with coalition (and later, as it turned out, actual fusion of the two parties into the new United Party), which seemed quite in accord with the popular mood at the time. But the price would be heavy: it meant the dilution or disappearance of aims which had animated this section for years. The republican goal would be one casualty; so too would the cultural struggle. And what of the economic position of the Afrikaner? The dissidents in the National Party harboured grave doubts about how warmly the coalition and the new United Party would feel towards the poorer classes in white society, classes which were overwhelmingly "National", or Afrikaans-speaking, in composition. Would not the "National labourer, the poor man and the farmer" be worse off under a Party in which the "organised money power and the capitalist press" played such a prominent role? ⁵

After months of intrigue and negotiation, and with the Cape Congress of the National Party under Dr Malan taking the lead, a group of the old National Party MPs refused to go into Fusion. The National Party lived on, dubbed the "Purified" National Party by its opponents. Again, as in 1912, South African politics witnessed the existence of purely Afrikaner party, untrammelled by the responsibilities of power and free of the compromises of coalition. National Party supporters who had fretted in private before 1933 at General Hertzog's unwillingness to push forward with a republican programme and with more enthusiasm for the Afrikaner cause, were now able to speak out. As the main parliamentary opposition to the United Party which came into existence in June 1934, the National Party under D.F.Malan now had the opportunity to formulate a policy which could express the

deepest aspirations and needs of the growing numbers of Afrikaner nationalists. One area where this formulation was needed was in the sphere of economic and labour affairs.

The material out of which the National Party shaped its policy in this regard lay, for the most part, near to hand. D.F.Malan himself had long taken a deep interest in the problem of white poverty, and he had been one of the main speakers in 1923 at the Poor White Conference organised by the N.G.Kerk in Bloemfontein. The Depression after 1929 had only made more urgent an already recognised problem. In 1932 the Report of the Carnegie Commission of Investigation into the Poor White Question⁶ appeared with a long list of recommendations for tackling the problem. Little was done to follow up the Report until, in January 1934, Die Burger published articles which initiated the activity which led to the holding of the National Congress on the Poor White Problem in Kimberley in October 1934. This conference brought out its own report with a considerable number of specific policy recommendations, drawing in part on the Carnegie Commission but also adding its own characteristic touch.⁷

It was from the recommendations of this Conference, and more especially from the kind of thinking manifest behind them, that the National Party drew much of its inspiration for its own social and industrial policy. In passing it is worth noting some of the personnel at the Conference: its organisers and moving spirits were mainly clergymen from the Dutch Reformed Churches, and a few Stellenbosch academics, of whom the most important (with advantage of hindsight) was H.F.Verwoerd. Major aspects of the new labour policy were produced by men in close touch with the condition of the largely Afrikaans-speaking "Poor Whites"; men who if not formally united in the National Party were in unofficial contact through the developing organisations of Afrikaner society, such as the Churches and the Afrikaner Broederbond.

The National Party accepted the diagnosis offered by the Carnegie

Commission, and which was repeated by Verwoerd himself at the 1934 Conference. A considerable part of the Poor White problem, declared the Carnegie Commission Report, arose from the peculiar conditions of South African society, and more especially of its labour market:

[Recommendation no. 63] Since there was an insufficient supply of European labour at the time when modern economic development suddenly set in in South Africa, the economic system came to be organised on the basis of cheap native labour. This contributed greatly to hindering the poor white from being absorbed into the new industrial system. *

The Carnegie Report recommended that some protection be offered white workers against black competition; the protection it preferred was a system of minimum wage rates at a level acceptable to whites. Such a remedy, said the Report, would be preferable to the "reservation of un- or semi-skilled work for whites"; but should this latter be adopted, it should be only as a temporary measure.

In his paper before the National Conference in 1934, Verwoerd declared that "The relationship between white poverty and the presence of Coloureds and natives in the country must be openly faced." It would be impossible to introduce measures to improve the position of whites without affecting the position of blacks. The interests of the country as a whole, however, demanded that the position of the whites be improved. Verwoerd went on to say:

"Wanneer dus in seker van die voorstelle 'n diskriminasie in belang van die blanke werker te vinde is, dan moet besef word dat nie alleen oorweeg is wat voordelig is vir ons probleem-groep - die blanke arme - nie, maar vir die land. Waar bv. 'n sekere bevoorregting van die blanke arme 'n moeilikheid - dog 'n verwyderbare moeilikheid - vir die nie-blanke veroorsaak, daar is nie geskroom om dit te kies

nie."

"Temporary discrimination", urged Verwoerd, was necessary in the favour of whites in order to reverse the process whereby the cheaper black labour had undercut and pushed out the white and coloured workers from their work. ' The "economic proposals" here referred to by Verwoerd included the following. First, that the Wage Board be empowered to lay down in private industry in which it operated that a minimum proportion of "civilised" to "uncivilised" labourers be employed, and that legislation be passed to create machinery to do the same for government at the provincial and local level. It must be noted that the proposal to enable minimum ratios of "civilised" and "uncivilised" labourers to be laid down was also in effect a proposal to enable the Wage Board and the government to lay down differential wage rates on ground of race. This is never stated in the recommendations of the report, but follows once it is realised that the idea of a ratio of "civilised" to "uncivilised" workers was not simply in order to reserve jobs for whites but to reserve jobs at a rate acceptable to whites - at this time the rate was generally around twice that received by the black worker for the same work. Second, the Report asked the newly-appointed Commission on Industrial Legislation to investigate the working of the Apprenticeship system to see to what extent it barred "adults (i.e. rural-urban migrant)" from receiving training in the skilled trades. Third, it was recommended that "strict supervision be exercised so that Europeans do not work under natives or Asiatics".¹⁰ These three matters all became standard concerns of National Party spokesmen in the years after the Conference. Further matters were raised in the recommendations, such as a proposal for an investigation of the possibility of extending white employment in the gold mining industry. Verwoerd's argument, as sketched above, can be taken as representative of the tone of the Conference, and of the basic theme that emerged from it: a carefully worded, fairly specific plea for protection for the poorer white worker against the play of a multi-racial competitive labour market. The growing concern

among Afrikaner Nationalists with the need for segregation in the work-place is reflected in the proposal noted above for the prevention of whites working alongside or subordinate to blacks and Indian South Africans.

In his paper Verwoerd had made it plain that the aim of the Conference organisers had been to come up with specific practical steps in tackling the problem of poor-whiteism; proposals that implied a drastic reformation of South African society as a whole were deliberately omitted. Here Verwoerd instanced the nationalisation of the mining industry.¹¹ D.F. Malan, who gave a short speech to the Conference, was somewhat more free in his speculation, and declared that "the capitalist system, which is based on self-interest and the right of the strongest" was in his opinion doomed. "To co-operate in the attaining of the right new adaptation will be also South Africa's task in the future", said Malan.¹² These remarks by Malan were of interest in showing the increasingly radical bent of the National Party leadership now that it had been forced into the political wilderness as a small and apparently powerless group within South African society. They also foreshadowed the much more open anti-capitalism of the War years.

In parliamentary debates in 1936, the National Party MP's revealed that they were incorporating the ideas and proposals of the 1934 Conference into their own standpoint. It is noteworthy that it was in this year that the National Party first showed its strong feelings on the developing pattern of race relations in the cities, and especially at the work-place. Concern over the status of whites in the cities led the National Party in one debate to connect the issue of mixed marriages, employment of whites by Asians, Indian land tenure in South Africa, and the mixed working conditions in factories as all part of social development to which the National Party strongly objected. P.J.H. Luttig, National Party MP for Victoria West, remarked as follows in a speech in the same debate which was to be repeated in essentials time and again by the MPs of the National Party:

It is a deplorable spectacle to behold that non-Europeans in all respects regard themselves as the equals of the whites in regard to the work which they are doing together. I consider that the principle of segregation should be given effect to in relation to concerns of what nature, and we should lay it down that certain classes of work are definitely to be undertaken by Europeans and other classes of work by non-Europeans. Lest we do that, an ever-growing danger to our white civilisation will develop. None of us wish to see our children mixing with non-Europeans and even less do we desire to see our children marry non-Europeans ... the condition of affairs in the towns is most deplorable. The poor whites drift to the towns and the whites who are better off take no notice of them. The consequence is that the coloured section take notice of them and the eventual result is that the white girl or the white young man marries a coloured person. ¹³

The elaboration of the basic apartheid idea within parliament - in a form whose racist undertones were perhaps spelled out more clearly than ever before, or since - thus took place in 1936. The application of the apartheid idea (not yet so called) to the labour policy of the National Party and its articulation in parliament awaited the opportunities which events during 1937 provided. It was in this year that the various initiatives which had been evolving within the trade union sphere by activists animated by the Afrikaner nationalist ideal first surfaced forcibly to public attention. On the Railways, in a number of secondary industries such as the clothing industry, but in particular on the gold mines, the established trade union movement was faced with challenges to its basic ethos and indeed very existence which could not be ignored. ¹⁴ The controversies were very readily translated into party political matters in parliament. In response, the National Party put forward a number

of policy positions which were to remain as guiding ideas until and beyond the accession to power in 1948.¹⁵ The following were the main points argued by the National Party's various spokesmen:

(i) Trade unions should be prohibited from having both white and black (i.e. coloured and Indian South African) members, and should instead be obliged to organise on a racially segregated basis.

(ii) Wage legislation (the Wage Act) should allow for differentiation of wage rates on the basis of race. A two- or three-tier system of wage rates could thus be instituted, each level to be based on the relevant's group's "standard of living". At this time the National Party began to press for a minimum "white" wage of 8/- a day.

(iii) The reservation of work on a racial basis should be introduced; certain trades and occupations to be reserved for a particular race alone; and in others a quota or ratio of workers of a particular race should be specified.

(iv) No "natives or Asiatics" should be allowed to supervise white workers.

(v) "Industrial segregation" was to be introduced as far as possible; in particular no whites were to be obliged to perform the same work as black workers in the same work-place. (This demand for what amounted to factory segregation was to receive a measure of recognition in the 1941 Factories, Machinery and Building Works Act, which empowered the issuing of regulations in terms of which separate facilities had to be provided for workers of different race. Further factory segregation was introduced by the National Party government itself in an Amendment to this Act in 1960.)

(vi) Trade unions should be prohibited from using their funds to

support candidates who were standing for public office.

(vii) Existing barriers on the entry of whites to the skilled trades in terms of the Apprenticeship Act should be removed.

(viii) Action should be taken against the influence of what J.G.Strijdom referred to as "Bolshevistic Jews", neatly combining a strain of anti-Communism with anti-Semitism which was to be found among sections of the National Party's electoral support.¹⁶

It is perhaps worth noting that the National Party in power did indeed enact legislation on each and every one of the above issues in the direction it had already indicated in 1937. But more to the point here is that these proposals by the National Party flowed very directly for the most part from the Party's newly-found thorough-going segregationist policies, and with an emphasis on the improvement of the social and economic position of white workers. Thus the National Party openly propounded a sectional bias, rather than taking refuge in the ambiguous terms "civilised" and "uncivilised" current at the time. These proposals elaborated the ideas of the Carnegie Commission and the 1934 National Conference on the Poor White Problem in language which spoke to the everyday racism of white South African society rather than the euphemisms of academics and churchmen. They marked a break not so much with the actual practice but with the ambivalent theory of South African society, where racial segregation existed alongside ideas which denied the legitimacy of drawing distinctions solely on grounds of race. Racial separation on all levels was put forward as the cornerstone of social policy, legitimate and desirable in itself. It was in this sense a new and ominous voice.

The challenge to the existing industrial order went further than even these early programmatic apartheid proposals. The ideas developed by a number of Afrikaner nationalist ideologues in the 1930s, with their strong "neo-Fichteian" volkische bent,¹⁷ also

injected a different perspective into trade unionism which clashed strongly with the existing climate of opinion among the majority of practicing trade unionists. Such a climate was still dominated largely by heritage of the English-speaking immigrants who had established the first trade unions in the country. While this group was quite heterogenous in ideological terms, spanning conservative artisans and Marxist activists, there was a common body of trade union discourse which emphasised the everyday economic struggle and the need for "working-class" solidarity. For these trade unionists the ideal of the trade union was that of an autonomous economic organisation which served the interests of its membership if need be by industrial militancy or by political affiliation with a political party dedicated to working class interests. The proposals of the National Party, however, implied a trade union movement that was racially divided and politically neutral, and which operated in a system in which the state gave preference to white workers. The new-found Fichtean nationalism of elements within the Afrikaner movement denied also

viewed as stratified by class, in

workers. The National Party replaced the class-bound, and ultimately colour-blind, ideology of the socialist-leaning trade unionist with the conception of a society based on race and nation, in which ties of ethnicity overrode those of class and occupational position. And in direct opposition to the evolving "Christian-National" ideology stood the atheism and socialism of the trade unionists, many of them condemned out of hand by the Nationalist politicians as foreigners and "Communistic Jews".¹⁸

The discovery of Communism in the trade unions was one further outcome of the National Party's reaction to the crisis of urbanisation among Afrikaners. Hard on the heels of the confrontation between the Mine Workers' Union and the Bond van Afrikaner Mynwerkers in 1937 came the decision of the Algemene Kerkvergadering of the Nederduits Hervormde Kerk (NHK) to form its own commission of enquiry on the influence of Communism among South African trade unions. The upshot was the publication of a

pamphlet entitled Kommunisme en die Suid-Afrikaanse Vakunies by Dr H.P. Wolmarans which in very crude terms assailed Communism in South Africa as "Die dodelike vyand van die Christelike geloof en die Christelike Kerk...die dodelike vyand van 'n gesonde nasionalisme wat die eie volk en die eie kultuur wil handhaaf..."¹⁹

Wolmarans' pamphlet contained a representative sample of both the rhetoric and the factual material which the Afrikaner movement was to use for years to come in their attack on the established trade union movement as well as on the left-wing unionists such as E.S. ('Solly') Sachs. Sachs later sued the publishers of Wolmarans' pamphlet in the first of a series of court cases which he and the Garment Workers' Union conducted against his Nationalist opponents, from all of which he gained an award of damages for libel.²⁰ This action taken by the N.H.K. and Wolmarans' pamphlet testifies to the impact made in Afrikaner nationalist leadership circles by the controversy over the Mine Workers' Union and the Bond, and in turn did much to give a lead in forming Afrikaner nationalist opinion on what was considered to be the menace of Communism.

It also, it should be noted, raised for the first time in parliament the issue of the closed shop, which the Chamber of Mines had awarded to the white mining unions in a deal which shut out the Bond van Afrikaner Mynwerkers from recruiting among white miners. The evils of the closed shop were to figure quite prominently later when Afrikaner nationalists clashed with Solly Sachs's "mixed" Garment Workers Union with its own closed shop.) Both the Dutch Reformed Churches and the National Party adopted the viewpoint that Communism was a secular creed totally repugnant to the values and world-view of the Afrikaner people. In taking up such a stance, the National Party necessarily made itself the antagonist of that section of the trade union movement dominated by Communists and other left-wing activists, mostly Marxist though not by any means all members of the Communist Party. No account of the National Party's labour policy can thus omit some reference to the issue of Communism, since it was to have far-reaching implications for the relationship between the

National Party government and the trade unions after 1948. For the moment however it is enough to note that early on after Fusion the National Party and prominent organisations in Afrikaner society had identified Communism as an enemy of the volk, although it was not until 1942 that the National Party made the banning of the Communist Party and the suppression of Communist activities in South Africa officially part of its policy. ²¹

Waiting for Power: 1940-1948

By the end of the 1930s, then, the National Party had already emerged with a well articulated policy on labour and trade union matters, and this policy was, in the main, only part of a broader vision of the future structure of South African society. If carried through, the proposals envisaged a radical shift in the spirit and direction of overall labour policy. The war years were to bring further twists and turns under the pressure of intense political rivalry and factionalism. In particular, the National Party, as well as its more radical fellow spirits such as P.J.Meyer and members of the Ossewa Brandwag, found itself pushed to call for a fundamental political and economic reform of the very basis of South African institutions. It was at this time that the anti-capitalism to which D.F.Malan had given brief expression in 1934 re-emerged with much greater vigour. Meyer himself was to call for a brand of "Afrikaner socialism", ²² while the National Party in 1942 demanded a "new economic order".

Ben Schoeman, labour spokesman for the National Party and future Minister of Labour in 1948, made public the new thinking in the Party on this matter during a debate on an amendment to the Wage Act. State control of the economy would be greatly extended under a National Party government, stated Schoeman. Wage setting would become the preserve of a special state board; the principle of industrial self-government through the industrial council system would be abandoned, one consequence being the elimination of collective bargaining between employer and trade union over

wages. The state would take on the responsibility of providing work for its citizens. Profits accruing to private bodies would be limited. The only familiar note was Schoeman's re-iteration of National Party demands for work reservation and segregation in industry.²³

In 1943 both D.F.Malan and Schoeman added new touches to this line of thinking. Malan in a major speech asked for the introduction of "Social Security" in South Africa, and called for state control of the mining industry and other "key industries". He proposed the institution of a central economic council.²⁴ Seconding Malan, Schoeman again set out plans to bring wage determination within the ambit of state action on a large scale basis. Schoeman said that the proposals meant that the trade unions would be forced to convert into "real workers' organisations" concerned with domestic employer/employee concerns. Liberal capitalism, declared Schoeman, was finished; the National Party now wanted not "patchwork" but "drastic economic changes".²⁵

The implications of this new policy for trade unions were crucial indeed. According to Schoeman himself, the old function of trade unions, collective bargaining, was now "obsolete";²⁶ but deprived of this task, what were trade unions to do? Opponents of the National Party immediately seized upon these pronouncements to assert that the Party now wanted "Nazi trade unions", shorn of any real purpose and mere creatures of a fascist state. These official National Party statements were to return frequently in the years to come in the mouths of their opponents, as the new government after 1948 turned its attention to industrial and trade union matters. Schoeman and his colleagues soon back-pedalled on the more revolutionary implications of their 1942/1943 pronouncements, and indeed by the post-war years showed every sign of wishing to forget them altogether. References were still made in party policy documents up to 1948 on the desirability of a labour board concerned with the determination of wages; it was emphasised however that this

was a tentative proposal and that state control over trade unions - besides action against Communist unionists - was not envisaged. Nevertheless, the speeches on economic policy and industrial relations of those war years were not forgotten, and did much to provide those who looked for it with evidence of the National Party's deep-seated antipathy to free trade unions.

One further labour matter on which the National Party was to take action when in government concerned the issue of apprenticeships in the skilled trades. The Party made it a standard complaint regarding labour matters that the apprenticeship committees set up in terms of the Apprenticeship Act used their powers to exclude many rural, Afrikaans-speaking applicants.²⁷ Dominated by English-speaking employers and trade unionists, the National Party alleged, and often including coloured and Indian artisan members, the apprenticeship committees discriminated against Afrikaners. Apprenticeship committees, said Ben Schoeman in 1940, should only consist of whites,²⁸ and moved an amendment to that effect. Despite the claims that restrictive indenturing practices were "one of the greatest single causes of poor-whiteism",²⁹ it is far from clear that these restrictive provisions did indeed prevent large numbers of rural white youths from acquiring artisan status. In 1947 for example a United Party spokesman stated that multiple applications by individuals were frequent, and the total number of applications could not be a reliable guide to the number of youths seeking indentures. He added that in his opinion, he doubted that more than 500 youths had failed to gain entrance in the period concerned (1945).³⁰ Reform of the apprenticeship system was to remain a prominent part of the National Party's programme however, and when in power the Party amended the Apprenticeship Act and passed the Training of Artisans Act in 1951, making provision for the training and recognition of older, formally unqualified, workers as artisans. Relatively few however availed themselves of this possibility. Ironically, it was a National Party government that in the 1970s found itself taking steps to facilitate the training of coloured and Indian artisans in the face of white trade union

recalcitrance.

The National Party in Power: The First Measures

After the National Party's victory in the election of 1948, the new Minister of Labour, Ben Schoeman, made it clear that immediate drastic changes in the country's industrial legislation were not envisaged. Instead, a commission of enquiry was appointed with terms of reference which covered most aspects of the workings of the industrial legislation of the time. Changes to legislation would only be brought about after the commission had reported.³¹ Appointed in 1948, the Commission on Industrial Legislation (known as the Botha Commission after its chairman, Dr J.H.Botha, a former chairman of the Wage Board) worked for three years hearing evidence and writing the report which was finally made public at the beginning of 1952.³² Important legislation affecting labour matters did however reach the statute book before the appearance of the Botha Commission Report. There were the two Acts concerning apprenticeship and training (matters omitted from the purview of the Botha Commission) which have already been briefly discussed. More contentious however were two other Acts, each of which deserves more extended treatment here. Both in their own way were to implement important facets of the new government's broader apartheid programme, and to provide the trade unions with a severe challenge. These Acts were the Suppression of Communism Act of 1950, and the Native Building Workers Act of 1951.

In passing the Suppression of Communism Act, the government had in mind far more than the presence of a number of Communists and other left-wingers in leading positions in the trade unions. Communism, wherever it was found and whatever form, was to be suppressed. Nevertheless, government spokesmen made it quite clear that the influence of Communists in the trade union movement was a major factor with regard to the introduction of this legislation. In the Second Reading debate on the Suppression of Communism Bill in the House of Assembly in 1950, several

National Party speakers declared that infiltration and control of trade unions was one of the major tactics adopted by communists in their attempt to overthrow the existing political order. Dr Albert Hertzog for example referred by name to several white communists in the unions, and went on to say that greater than the danger of communism among the registered unions was the threat posed by communist trade unions among black workers, since these could furnish the revolutionary mass movements which would be directed against the status quo in the country.³³ The government also made it clear that it proposed to adopt a definition of "Communist" which was not restricted to members of the Communist Party of South Africa, but which included whatever left-wing activists the government wished to proceed against. Hertzog himself spoke of "Trotsky-Communists". The passage of the Act, with its sweeping powers bestowed on the Minister of Justice, was to remove the most committed and radical of trade unionists from office, and in so doing to pose the organised trade union federations with a great dilemma which they could not adequately resolve. The effect of the Act will be discussed at greater length in the following Chapter.

The Native Building Workers Act was in some respects no more than an ad hoc response to a problem which had arisen several years before the National Party took office. Both the problem itself, and the response of the National Party, are illuminating of recurring themes in South African labour history. The background before the National Party came to office in 1948 can be briefly sketched.³⁴ The origin of the problem lay in the housing shortages which were recognised to have arisen by the end of the Second World War during a period of intensified urbanisation of South Africans of all backgrounds, but especially Africans. Estimates of the housing needs of the urban black population ran to a hundred thousand or more houses. Building work at this time was still largely the preserve of white and coloured artisans in the several building unions, which had conducted a major strike over wages and working conditions in 1947. The use of this skilled (and expensive) labour put the cost of housing beyond the

reach of the great majority of urban black people. The alternative of subsidised housing was not popular with white taxpayers or their politicians. It was widely felt that the solution lay in the training of blacks as building workers. But this possibility ran into the opposition of the established building trade unions, which looked upon the training of black building workers as tantamount to the creation of a pool of cheap labour which would pose a threat to the existing wage rates and to the jobs of white and coloured artisans. The building unions thus demanded "satisfactory" guarantees before they would accept the plan to train black building workers.³⁵ Even the offer by the government prior to 1948 that it would guarantee building artisans 80% of their present wages for ten years should they lose their jobs failed to satisfy the unions, which maintained their opposition to the training of blacks. The United Party government was forced to establish a training scheme without union agreement. It is interesting to note that in this situation the old union standby of the "rate for the job" was of no use: the payment of the existing rates to black workers was precisely the negation of the solution which was aimed at by training such workers.

So matters stood when the National Party came to office. Black workers were being trained to perform building work, but municipalities were not eager to employ them as long as the unions were opposed. Unsatisfactory as this situation was, a short recession in the building trade in 1949 and the early months of 1950 made matters worse. Pressure increased on the government from the side of white artisans, who complained that black workers were doing skilled work while they themselves walked the streets looking for work. At the peak of the recession some 2,000 building artisans were said to be unemployed.³⁶

The Native Building Workers Act was the response of the National Party government to this problem. The clauses of this Act provided for the following:

- (i) power to establish and regulate programmes for the training of black building workers;
- (ii) power to grant recognition as a "native building worker" to any black worker able to pass the stipulated test;
- (iii) power to regulate the wages and working conditions of black building workers trained or registered in terms of the Act; and
- (iv) power to prohibit the use of black building workers in skilled jobs in the building industry in any area delimited as an "urban area" by the Minister of Labour. ³⁷

In essence the solution provided by the Act was an "apartheid" one: two separate skilled labour markets in the building industry were envisaged, one for whites and coloureds, one for blacks. Competition between the two groups of workers was to be prevented by job reservation: no black building worker was to be allowed to do skilled work in areas laid down by the government. This reservation of work on a racial basis (only the second Act to empower it since Union, after the 1926 Mines and Works Act), was the first major feature of the Act.

The second noteworthy feature of the Act was the institution of a differential wage system: the black building workers were to be paid wages fixed by the Minister acting on advice, and in the event the wages were from a quarter to a half of those paid to white or coloured artisans. The government argued that the black workers would not attain the level of skill of established artisans, since the training period for blacks was less than half the equivalent period for artisans. The black workers would thus be considered skilled, but not as skilled as existing artisans. Further, the standard of living of blacks was asserted to be such that they would be satisfied with wages considerably lower than those paid to white and coloured artisans. And finally, of course, the whole point of the Act was to create a body of cheaper labour which could be employed on building housing in the black townships of the country. Thus the government could argue that it was embodying a major principle of its apartheid policy: namely, that each group should be able to develop fully in its

own area. However, this principle was not pushed to the extreme of providing the same standard of training: thus the conventional colour bar was maintained whereby blacks were not admitted to apprenticeships, although the Apprenticeship Act was in theory colour-blind. The government made it clear that it was not proposing to tamper with this arrangement.³⁸

The Report of the Botha Commission and Black Workers

The Report of the Commission of Inquiry into Industrial Legislation (the "Botha Commission"), was made public at the beginning of 1952. The conclusions and recommendations of this Commission formed the basis for five years of political controversy before, in 1956, a new Industrial Conciliation Act was placed on the statute book. For this reason the Report merits close attention. Not all of the recommendations of the Commission were accepted by the government, nor was the government's remodelling of the country's industrial legislation after 1951 solely inspired by the ideas contained in the Commission's Report. Nevertheless, the Report provided a comprehensive review of most aspects of the South African system of industrial relations, and much of what it recommended was accepted by the government and given legislative force. At the beginning of its sitting the Commission had declared itself quite open and not committed to any particular point of view. But it was of course to be expected from the composition of the Commission that the majority of Commissioners would be disposed to give very sympathetic consideration to the National Party outlook on labour matters. As one of the two trade union representatives on the Commission, the Minister of Labour had chosen L.J. van den Berg, at this stage a relatively unknown figure in the wider trade union movement. Van den Berg, general secretary of the Yster en Staal Bedryfsvereniging and a leading spirit in the formation of the right-wing Ko-ordinerende Raad van Suid-Afrikaanse Vakverenigings in 1948, had entered trade union affairs from a white collar job only nine years before in 1939. But he was, in the words of a later colleague, one of those trade

unionists who was also a "klipharde Nasionalis".³⁹

The greater part of the Botha Commission Report concerned the provisions of the Industrial Conciliation Act, or could be envisaged as falling within the scope of an amended I.C. Act. The first part of the Commission's Report to which the government gave legislative attention, however, concerned the position of the black worker in the South African industrial system. As has been discussed in Chapter 3, one of the major political decisions in the South African labour history had been the exclusion of blacks (for the most part) from the provisions of the Industrial Conciliation Act. It had been a decision that had settled very little, and which made for a situation that was regarded as unsatisfactory by all parties concerned, including white and black trade unionists. In 1942, faced with a mounting incidence of strikes by black workers, the Smuts government had issued War Measure No. 145 which prohibited strikes by blacks and made arbitration of disputes among blacks compulsory. The measure had never lapsed and was still in force when the Botha Commission sat to hear evidence. The Smuts government had published a draft bill in 1947 which had proposed to extend a limited form of recognition to separate black unions under a special system of industrial relations. The victory of the National Party had however meant that the bill had never been proceeded with. The Botha Commission had thus a more or less clean slate on which it could go about suggesting legislation that would provide the institutional structure within which matters affecting black industrial workers could be tackled.

The Commission Report itself remarked that broadly three approaches to the position of the black worker in South Africa existed.⁴⁰ First, there were those who proposed that the definition of "employee" in the Industrial Conciliation Act simply be widened to include all industrial workers, black as well as white, instead of excluding blacks, as it did for the most part. Black workers would then be placed on the same footing as all other workers, and would be free to join trade

unions, partake in collective bargaining and otherwise conduct themselves as full members of the system of industrial relations. The second approach was the polar opposite to the first: taking as point of departure the proposition that the blacks were, or should be treated as, temporary visitors in the white areas and solely there to perform tasks allotted them by their white employer, this approach advocated the denial of any recognition, or even suppression, of black workers' organisations. Not being a permanent part of the white area's population, black workers could here make no claim to rights that they could only exercise in their own areas. The third standpoint represented something of a compromise between the two extremes: it proposed recognition of black trade unions under a separate system of industrial relations, with such unions to be carefully controlled and subject to state supervision and guidance.

The third "middle-of-the-road" approach, as it was termed in the Report, was in effect what the 1947 United Party bill had proposed, and it was the approach which the majority of the Botha Commission chose. The majority proposed that black unions be extended recognition in two stages, which would allow for a period of training and supervision by a body of officials to be known as inspectors of native trade unions. Such unions would be of blacks only, and would exclude, as the Industrial Conciliation Act excluded, certain categories of worker such as those in government service, in agriculture, in domestic service. Further, the ability of these unions to partake in collective bargaining was restricted to separate sessions with employers in special conciliation boards, and not as a part of the established industrial council system. The rights of blacks to strike was very heavily restricted, but not entirely prohibited.⁴¹ These proposals by the majority bore a strong resemblance to the provisions of the 1947 bill introduced by the United Party; ⁴² the differences being mainly in detail rather than in broad principle. Two members of the Botha Commission, J. Slabbert and L.J. van den Berg, submitted a minority recommendation in which it was suggested that black unions be given recognition, but that

they should be under the control of the Department of Native Affairs, not of Labour, and that they should not have the power in any circumstances to undertake direct negotiations (or collective bargaining) with employers.⁴³ The term trade union seemed altogether a misnomer for such toothless bodies.

The Botha Commission's majority recommendations on this score met with a firm rejection by the government. The spirit, if not the letter, of the minority recommendation was instead adopted. In 1953 the government introduced the Native Labour (Settlement of Disputes) Act of 1953, which gave no recognition to black trade unions, though not making their mere existence illegal. The only form of black workers' organisation which was admitted by the new Act was the "works' committee", an elected body through which it was hoped black workers on the shop floor would communicate with management. Strikes by blacks were placed under an absolute prohibition; the settlement of disputes between black workers and their employers was to be the business of a central labour board consisting of white officials, under whose jurisdiction a number of regional labour boards, consisting of both whites and blacks, would intervene in order to bring about the settlement of any industrial dispute involving black workers. Failure to bring about a settlement by the regional board would lead to the calling in of the central board. If that in turn failed, the machinery of the Wage Act was to be utilised. Compared to the legal situation before 1953, the new Act created a clearly articulated and comprehensive framework for the settlement of industrial disputes involving black workers. But it was at the same time the furthest limit to which the exclusionist thinking underlying the apartheid doctrine could be pushed. The black worker was simultaneously too immature and too dangerous to be allowed the rights of industrial organisation in "white" areas;⁴⁴ a paternalist system of official tutelage was to be substituted. And where that did not work, lay the coercive power of police action and criminal prosecution for those who availed themselves, like their white, coloured and Indian colleagues, of the strike weapon.

The Reconstruction of the Industrial Conciliation Act

The major portion of the Botha Commission Report dealt with possible revisions to the Industrial Conciliation Act. A large number of the proposed amendments and additions in the Report were not of a contentious nature. Recommendations in three areas however drew strong protest from sections of the trade union movement. Not all the protests weighed equally heavily with the Minister of Labour. In pursuance of his promise in 1948 to consult interested parties, the Minister (Ben Schoeman) invited comments on the contents of the Report. He then went on to establish what became known as the "Ministerial Committee", a body of representatives from interested parties, including trade unions and employer bodies. The chairman of the Committee was the Secretary of Labour. Excluded from participation however were representatives from the South African Trades and Labour Council (SAT&LC), still the largest trade union federation although reeling from internal disputes which had caused the disaffiliation of a number of important unions. The exclusion was at the express direction of the Minister of Labour, who had objected to the behaviour of the SAT&LC concerning the Botha Commission. The Minister claimed that the SAT&LC had first of all attacked the integrity of the members of the Ministerial Committee, and then declared its outright rejection of the Report. There was thus no point in holding discussions with delegates from an organisation holding such views, declared Schoeman. ⁴⁵ The Ministerial Committee thus deliberated on the Report without the participation of the Report's main critic.

The sittings of the Ministerial Committee produced a set of proposals upon which the Minister of Labour partly based a draft Industrial Conciliation Bill. This Bill was presented to parliament in 1954, passed its Second Reading and was then referred to a parliamentary select committee for comment on detail. The Report of the Select Committee ⁴⁶ appeared only in the middle of 1955, too late for the Bill to be proceeded with that year. The Bill finally passed parliament in 1956 and as the

new Industrial Conciliation Act it became of legal force on 1 January 1957 - eight and a half years after the National Party had taken office committed to bringing about major changes in the South African system of industrial relations.

The new Act introduced new measures to enable the state to exercise some control over possible abuses in trade unions, forbade union contributions to political parties, made obligatory the use of ballots to elect officials, and further restricted the strike weapon by making membership ballots mandatory. But even though such measures were decried as "unwarranted interference in the affairs of trade unions" ⁴⁷, the protest was not vehemently pushed. The measures hardly amounted to that state control of trade unions which the National Party itself had adumbrated in the war years, but which it had later quietly dropped as official policy. ⁴⁸ Of more moment were the apartheid measures, consideration of which consumed the bulk of parliamentary and public time taken in discussion and organised protest. The two main areas here were the measures to segregate trade unions, and the proposal to introduce statutory work (or "job") reservation on a racial basis.

A majority of the Botha Commission had recommended that the government should exert some compulsion to bring about racial segregation in trade unions, despite the fact that, as the Commissioners noted, "The evidence before the Commission was overwhelmingly against the introduction of legislation to make the separation of the differing races in separate trade unions obligatory..." ⁴⁹ In spite of the evidence, the majority of the Commissioners argued that "mixed" trade unions would in the future fail to offer protection to their white members as coloured and Indian South Africans began to claim their rightful position in the unions on the basis of their increasing numbers. Further, while mixed unions might be tolerated by white workers at a time of economic progress, any recession would bring to the surface temporarily hidden racial antagonisms which the Commissioners were convinced existed. The Commission, the

majority stated, had to bear in mind the "fundamental facts" that the racial groups differed in their education, standard of living and "traditional background", and that each race had an "inborn race-pride" which led to racial prejudice.⁵⁰ The majority accordingly recommended that legislation lay down that new trade unions could only be registered in terms of the Industrial Conciliation Act if they were formed on a racially segregated basis. Existing mixed unions should be encouraged to split into separate racial unions by facilitating breakaways by racial groups and by providing a procedure for the division of union assets in such an eventuality. Those mixed unions which did not split should be compelled to segregate their members into separate branches for each racial group (i.e. one branch for whites, one for "coloured" workers as defined in the Act). No mixed meetings of members of the union should then be permitted.

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Despite the vigorous opposition of many trade unionists to these provisions, they were all accepted in broad outline by the government. Under pressure from right-wing trade unions, however, one more provision was added to the law as finally adopted: all mixed unions remaining would have to have all-white executive committees. This provision appears to have been adopted at the prompting of L.J. van den Berg and the Yster- en Staal Bedryfvereniging's urgings. Van den Berg at the sitting of the Select Committee on the I.C. Bill in 1955 had argued that as far as the remaining mixed trade unions were concerned, "the principle of white leadership" should be introduced, that the union's executive should be all-white, that of those white executive members two-thirds should represent the white section of the membership (no matter what the size of the white membership), and that there must be separate racial branches. "If that is the position, we feel that there will be no objection to future mixed trade unions", said van den Berg.⁵² Asked by the politicians on the Committee whether coloured and Indian workers would be satisfied permanently with such a position, van den Berg replied:

Ek meen hulle sal tevrede bly solank diskriminasie op sosiale en politieke gebied bly voortbestaan. Ek sien nie waarom hulle hulle tot die vakvereniginggebied moet beperk wat hulle ontevredenheid betref nie...Indien hulle ontevrede is, moet ons nie enige notisie daarvan neem nie, aangesien hulle net soveel voordeel as die blankes, indien nie meer nie, uit die situasie sal trek.⁵³

The Act however did not go as far as van den Berg had asked: it only laid down that all members of a mixed union's executive must be whites. The Act also included a provision allowing the Minister to grant exemption from these requirements should he consider it impracticable for a mixed union to be segregated on account, for example, of the small numbers of whites in the union. The exemption provision, like others of a similar nature in the country's racially discriminatory legislation, effectively defused those criticisms of the law which were based on its impracticability as opposed to its inequity.

One further outcome flowed from the policy of trade union segregation. The National Party in the 1930s had become aware of, and alarmed at, the potential of the country's closed shop practices for forcing white workers into mixed unions against their will. As we have seen, this concern arose as early as 1937 with the dispute with the Bond van Afrikaner Mynwerkers and the Chamber. Further events in the 1940s, especially around the Garment Workers' Union under Solly Sachs, had only reinforced this concern. In particular, a highly publicised incident in 1944, when two white women workers had objected to the presence of coloured workers in the same clothing factory in Germiston, and had been disciplined by the Union, had given rise to a most intense agitation led by Afrikaner clergy on the Rand, and not far behind them the politicians of the National Party. The latter had thrown its weight behind the "Hervormers" agitating against the leadership of Solly Sachs and the mixed Garment Workers Union in the aftermath of the notorious Germiston incident.⁵⁴ The closed shop issue was placed on the National Party's policy

agenda, and came again to the fore with the proposals for trade union segregation in the 1950s. A considerable number of the established mixed unions enjoyed the protection of a closed shop, but the institution as such was not mentioned in the country's industrial legislation. Instead, court pronouncements had decreed that the closed shop enjoyed some standing by virtue of the provisions of the Industrial Conciliation Act regarding the powers of industrial councils to reach joint employer/trade union agreements.⁵⁵ A measure of forced inclusion sat very ill with a Party which stood for forced exclusion, and the closed shop was taken up to be explicitly regulated in terms of the new I.C.Act. In particular, new provisions of the Act allowed any worker to seek exemption from the Minister from enforced membership of a closed shop, and permitted the break-up of existing closed shops by the registration of new or breakaway uniraical unions. The closed shop was thus recognised, except where it might clash with the segregationist tastes of white workers.⁵⁶

Such then were the fruits of the 20-year campaign of the National Party to bring about racial segregation in the country's trade unions. Faced with fierce opposition from some registered unions (the opposition of the unregistered unions grouped in SACTU hardly counted to the National Party government), the government had not gone quite to the limit, but had permitted for instance the continued existence of mixed trade unions. Powerful vested trade union interests, particularly that of the respected South African Typographical Union under Tommy Rutherford, had clearly had some influence in holding the government back. Perhaps the new Act in operation would itself encourage the splitting of the remaining mixed unions within a few years... such at least was the view expressed by the Minister of Labour, Senator Jan de Klerk, in 1959.⁵⁷ The prediction failed to materialise even in the 1960s, the fiercest years for the extension of racial separation to every possible social sphere. In 1957, when the new I.C.Act came into force, there were 113 unions with a colour-blind constitution, although of these only some 63 actually had white and coloured/Indian membership.⁵⁸ The majority of those

with uniracial membership did indeed amend their constitutions in the direction desired by the government, but this was largely a paper change. By the end of 1969 there were still some 45 unions which were not uniracial with over 160,000 members.⁵⁹

It was to be a similar story of legislative embodiment but ultimate practical failure which the provision of the kind of work reservation advocated by Verwoerd in 1934 was to encounter. As part of its terms of reference the Botha Commission had been required to consider whether existing wage determination measures offered "sufficient protection for all races", and if not, what could be done.⁶⁰ The Commission considered that it should interpret this instruction in terms of two aspects: exploitation of workers by employers, and the "unfair competition" of workers of one race against those of another, or in other words the whole question of the protection of white workers. With regard to the latter, after a somewhat tortuous analysis in which they touched upon such matters as race prejudice, the obstacles placed in the way of black worker advancement by the conventional colour bar, and the almost self-evident "fact" of differing standards of living for the differing races, the Commissioners concluded that there was indeed a problem of interracial work competition mainly in the semi-skilled occupations.⁶¹ But they refused to recommend any immediate measures to meet the problem; instead they suggested the appointment of an "expert, scientific body which would have to make a years-long study of the subject" to arrive at sound proposals for protection against interracial competition.⁶²

The Botha Commission thus diagnosed a problem for which it refused to prescribe a remedy, beyond yet further study of the situation. For the government however, the situation was more pressing. Of all the innovations in labour policy that the National Party was committed to introduce, perhaps none was more important electorally speaking than that of providing some form of protection for the country's white industrial workers against

the play of a multi-racial labour market. As Dr H G Luttig, National Party MP for Mayfair put it:

...ek wil net hier se dat ons as verteenwoordigers van kiesafdelings aan die Rand, waar ons hoofsaaklik blanke werkers verteenwoordig, weet watter aktuele probleem dit is dat daar tot dusver nie afbakening van werk volgens rasse in nywerhede was nie. Ons weet hoe ons van dag tot dag en van tyd tot tyd deur persone in kennis gestel word dat hulle uit diens gesit is en dat nie-blank persone in hul werk ingestel is. ⁶³

Or as Albert Hertzog stated after the 1953 general election, claiming that the National Party now represented "no less than 26 large urban workers' constituencies":

Ons aan hierdie kant is gedeeltelik 'n party van boere, maar grootliks 'n party van werkers. ⁶⁴

In fact, the leaders of the National Party had long decided on the solution that they saw the most fitting to this problem: that solution was the one that was already embodied in the Mines and Works Act of 1926 and in the more recent Native Building Workers Act. Job reservation on a racial basis was in truth no newcomer to the South African labour scene; besides the existence of the two Acts just mentioned, there was what might be termed a whole "spirit of job reservation" throughout the country's complex labour force, and particularly in the largest single employer of white manual labour in the country: the South African Railways. There, work was explicitly classified on a racial basis, jobs being grouped as either "white" or non-white". The refusal of the Botha Commission to lend its support without qualification to this form of protection still left the leadership of the National Party, as it had been before 1948, with the conviction that much could be achieved in its basic aim of protecting the white worker through the widening of job reservation provisions to private industry. The Native Building

Workers Act had been a step in this direction, and National Party spokesmen at the time had referred to the Bill as it appeared before parliament as an important "experimental" measure in one sector of private industry.⁶⁵ Nothing had happened since then to shake the Party's faith in the principle.

What had changed however were the exact protectionist functions which the National Party envisaged the job reservation measure would fulfil. In the 1930s job reservation through the quota system, on an industrial or occupational basis, had been seen as opening up labour opportunities to under- or unemployed whites. The great industrial expansion after 1940 had however eliminated unemployment as such as a major problem for the white population. The threat that black workers were seen as posing now was that of the undercutter who threw whites out of the jobs which they were already occupying. As the Minister of Labour put it in 1954:

The situation at the moment is this: there is a continual fear on the part of the white worker that he will be undermined, that he will eventually be driven out of his sphere of work by the native....The consequence is that when economic progress of the native worker takes place, it is fought by the white worker...⁶⁶

As the Botha Commission had noted, the crucial locus of this fear lay among the country's large class of semi-skilled white workers, whom it was feared would be the first casualties of any open labour market. In 1957 the Minister of Labour claimed that there were around 90,000 white workers whose physical or intellectual level was such that they were unfitted for unrestrained competition with black workers for jobs.⁶⁷ Only by reserving some types of work for those people could they be prevented from being undercut and finally displaced by competition from blacks willing and able to work at far lower wages. As Piercy pointed out in her perceptive article on this subject, a prominent cause of this situation (leaving aside its exact dimensions) must be traced to the changing industrial

method, and especially to the increasing practice of job dilution, whereby artisan work was divided up, simplified and given over to semi-skilled workers to do at lower wages than those received by the skilled workers.⁶⁸ Just as the development of mining had been accompanied by a growing force of semi-skilled white workers whose jobs had been under pressure in the second and third decades (and ultimately only saved by the passing of the 1926 Mines and Works Act), so in the 1950s there existed a large and growing class of whites in secondary industry who were felt to be under continual pressure from black workers for their work.

Thus by the 1950s the protection of whites already in employment was the primary motivation for the establishment of job reservation machinery in the Industrial Conciliation Act. In the mid-Fifties however a further reason emerged and was strongly pressed as another justification for the proposed reservation. If trade unions were to be segregated, as the government and its own trade union supporters wanted, then such segregated white unions could be undercut by segregated coloured/Indian unions, since the latter would no longer have any incentive to go along with the white leadership that had predominated in the previous mixed unions.⁶⁹ The argument was not easily brushed aside by a government dedicated to the sectional protection of whites. By the introduction of the job reservation measure the government was able to claim that it would be able to forestall the possibility of coloured/Indian trade unions undercutting white unions, since should this threat arise the Minister could then resort to job reservation. Job reservation, said the Minister of Labour, would be "the sword of Damocles" hanging over the head of employers to prevent them from conspiring with coloured/Indian trade unions to undercut white workers.⁷⁰ At this stage then job reservation and trade union segregation emerged as complementary and indissoluble partners in the cause of the white worker.

The job reservation measure as actually passed (Clause 77 of the

Industrial Conciliation Act of 1956) gave the Minister of Labour the power to order an inquiry into any alleged case of interracial labour competition, using the machinery of an "Industrial Tribunal" which had also been established in terms of the 1956 Act. The Tribunal bore only a faint resemblance to the ill-fated "national labour board" proposed by the National Party in 1942/3. The new body's functions were to investigate and advise the Minister on a number of levels: demarcation disputes, arbitration, and, of course, job reservation. The findings of the Tribunal after an investigation into any alleged interracial work competition could be given the force of law should the Minister so decide. He could also grant exemptions from any job reservation determination, a power which was to become increasingly significant in the labour-hungry 1960s.

The workings of the Industrial Tribunal and its job reservation capacity in the event were to please few parties. Despite the element of flexibility lent the measure by the exemption provision, the job reservation machinery up to the point that a determination reserving jobs was made was a fairly cumbersome and time-consuming affair. The process was independent of the Minister of Labour to the extent that the latter could only accept or reject the Tribunal's recommendations, not issue his own. For these reasons the reservation process was to run into criticism from right-wing labour circles which had hoped to see a more rapid and flexible set of powers in the hands of a sympathetic National Party Minister of Labour. ⁷¹

The provisions contained in the 1956 Act proved to have shortcomings right from the start, and had to be amended in 1959. The very first job reservation order, in the clothing industry, was declared invalid by the courts after being bitterly opposed by the trade unions. In this case the problem was that the Act failed to empower the issuing of sufficiently flexible reservation determinations making use of ratios and percentages. Other obstacles also emerged. Experience soon showed that the cooperation of industrial councils, which the Act originally

specified as necessary, was not going to be forthcoming. Also the mines had not been included within the scope of the measure, and not for the first time semi-skilled white workers were calling for protection there. Perhaps of most interest, insofar as the government's own basic rationale for the Measure was concerned, was that the 1956 Act had provided that the Industrial Tribunal's investigation was dependent on a case being made out for a threat to the "economic welfare" of a particular group. But, as the Minister was at pains to point out in 1959 in parliament, it was sometimes desirable to reserve jobs not just on economic but also on "social" grounds, so as to prevent "undesirable contact" between the races taking place. ⁷²

Conclusion: Labour in the 1960s: The Implications of Growth

The outcome of the job reservation struggle was entirely anti-climactic in proportion to the political energy which had been expended on it by the National Party and its trade union supporters. Only a small number of pockets of semi-skilled jobs were ever to be reserved in terms of statutory job reservation, and they were as often as not subject to rapid exemption notices. As a measure of grand apartheid job reservation was never even a starter, and its history from the mid-1960s onwards is one of almost universal dislike, with the disgruntled right-wing trade unionists prominent in the ranks of the discontented.

That the job reservation policy would indeed do more than offer ad hoc protection to beleaguered groups of white workers suffering from status rather than economic apprehensions was certainly in the minds of leading members of the National Party government. The very passage of the measure, with the concomitant political clamour from both unions and employers was testimony to this fact. Rather than viewing job reservation as a pragmatic expedient to offer protection in a multi-racial labour market,

there was also the view that this measure was an integral part of a more comprehensive pattern of a fully segregated society, in which every job had its appropriate racial label. This latter view seems well epitomised in the words of Senator Jan de Klerk, after his appointment as the new Minister of Labour in 1955, when he attempted to set out his underlying philosophy on labour matters to parliament:

Die Nasionale Party se dat al is daar al ver op die weg gevorder dat die nie-blankes reeds werk doen wat deur blankes verrig is of deur blankes in die toekoms verrig behoort te word, in daardie gevalle moet ons terug verower wat dan verlore is. Ons kan nie maar dat hierdie proses aangaan nie, en ons kan nie maar se dat dit verby met ons is nie...dit is my beleid dat daardie gebiede wat blank was, tot die grootste mate - en as ek my sin kan kry, met alle hulp and middels tot my beskikking - weer blank gemaak word. ⁷³

Implicit in this view was the presumption that the maintenance of "white" work-spheres throughout the economy was a practicable policy at the time and for the future. But the whole argument took little account of the pace and trend of development throughout the 1950s and 1960s. It took no account of the simple fact that with the state of full employment of whites which was within sight by the mid-1950s, the previous white predominance in the skilled and semi-skilled industrial labour force would have to decline if the economy was to continue to grow. True, something could be done by bringing in skilled white immigrants, and by making better use of all feasible sources of white labour, including handicapped people, and de Klerk stressed these possibilities in the same speech cited above. But when all was said and done the potential from these sources was limited, while on the other hand employers could readily recruit and train - at wage rates attractive to themselves - from the growing numbers of urban black South Africans.

With the accession of H.F. Verwoerd to the premiership and the unfolding of "Apartheid's Second Phase" ⁷⁴, a serious attempt was made to reduce the urban African population in the "white" areas and to restrict the flow of migrant labour to the cities by way of such measures as the Physical Planning Act of 1967. As the decade of Grand Apartheid, this was the time in which the National Party government had to demonstrate that it could both reverse the tide of black urbanisation and make the "white" areas more reliant on white labour. While it has been calculated that apartheid policies between 1950 and 1970 may well have restricted economic growth and moved the country away from the optimal growth path ⁷⁵, "By 1970, the position of white labour was... very different from what it had been before World War Two. Desperately high unemployment had given way to an acute and growing shortage of white labour, and to mounting pressures from employers to relax the job bar". ⁷⁶ Grand Apartheid was manifestly failing in the way that generations of liberal scholars had always said that it would: there was, short of an African Armageddon, no way of unscrambling the complex interdependence and physical intermingling of white and black in the key industrial areas, not to mention the white farms. Even the kind of sub-optimal growth under apartheid still made the urban interdependencies more recalcitrant to the segregationist policies of the National Party government. The consequence was that growth now became indispensable as a route not only to the higher standards of living to which the white electorate had become accustomed, but also to the accommodation of black economic advancement. Growth, as Steenkamp pointed out, was a means of buying time while the politicians made up their mind about the necessary adjustments to the overall system. ⁷⁷

The implications of growth for the labour market thus became ever more pressing towards the end of the 1960s, at which time the debate over labour shortages had become a major political issue. The exact dimensions of this labour shortage were a matter of acute controversy. It was generally agreed that the most critical shortages were in the area of skilled and semi-skilled labour

which in the past had been largely the preserve of whites. But it was realised that as a whole the shortage was more complex than this, and was spread throughout the occupational structure due to a host of factors. Government figures tended to come to estimates which differed markedly from those of the private sector, which emphasised that not only skilled labour but unskilled black labour was not available as needed by employers.⁷⁸ Government reaction to a major Report produced from the depths of the bureaucracy reflected these pressures by conceding that the government "considers the maintenance of a high, but balanced tempo of economic progress, as is envisaged in the economic Development Programme, as of great importance for the Republic", and added that if "the present division of work between population groups should be maintained, there will be a continual shortage of white workers."⁷⁹

The consequence was the shift in government labour policy which de-emphasised its protectionist functions and attempted, although inadequately as the practice soon showed, to face up to the demands of growth and black advancement. The full training and advancement of coloured and Indian South Africans in skilled work was given official sanction, provided the trade unions approved, and the training of African workers in the homelands and border areas was stressed. There was to be no opening of the flood-gates, declared the National Party, but "controlled employment" of black workers in the "white" metropolitan areas was announced to be government policy. Perhaps the most symbolically telling example of this shift was the occasion of the speech of the Minister of Labour, Marais Viljoen, to the First National Congress of the South African Confederation of Labour, the voice of organised right-wing labour and an important constituency for the National Party government. At this Congress Viljoen declared to representatives of white workers that:

...ons land moet ontwikkel en... die indienseneming van nie-Blankes toegelaat word waar voldoende blankes nie beskikbaar is nie... Waar die werkers behoorlik geken is,

en geen beswaar opper nie, behoort die indiensneming van
nie-Blankes na my mening geen probleme op te lewer nie.⁸⁰

"A drastic reduction of the growth rate, as proposed in some quarters, is altogether unrealistic",⁸¹ declared Viljoen to an audience which included the foremost proponents of such a policy. The Minister went on to list three provisos which had to be met when applying the new policy (no replacement of whites; no mixed working on the same job level; no whites to work under black supervision), but the important note was the permissive one: black labour's role had now come out from the cold. Nine more years were to pass before new legislation altogether buried the remnants of official white protectionism in the work-place. The notice of the funeral had however been given that June day in 1970 in Pretoria before the assembled ranks of white labour. The National Party's labour policy was reversed.

Notes

1. In her recent book The Making of Apartheid 1948-1961 (Oxford, Clarendon, 1991) Posel argues that the idea that the National Party came to power with a single "master plan" of apartheid in 1948 is fundamentally misconceived, which appears a variant of other arguments that 1948 was no turning point in the development of South Africa's notorious race policies. Upon examination Posel's argument is unconvincing: she does not deny that the apartheid policy was a coherent and radical policy in the context of the times; only that the details of future white/African relations had not been worked out in advance, and that differing emphases existed within the National Party on this issue. Like others in this school, Posel takes one part of the apartheid policy (control of African labour and movement), for the whole, and fails to get to grips with apartheid's novelty: its thoroughgoing, indeed ruthless, race segregationism applied to all people not within the magic circle of the "white race", and to all institutions of society.

2. Annexure "E", Report of the Select Committee on European Employment and Labour Conditions, S.C.9, 1913.

3. W.K. Hancock, Survey of British Commonwealth Affairs, Vol 2, Part 2, p.49.

4. D.Yudelman (1983) pp. 25-27. Yudelman is concerned above all to destroy the popular view that the white miners "lost the battle but won the war" after 1922. The state after 1924 was far too interested in protecting its sources of revenue to impose

altogether unacceptable policies on the mine managements and in favour of the white trade unions.

5. G.D. Scholtz, Dr Nicolaas Johannes van der Merwe (Johannesburg, Voortrekker Press, 1944) p.290. See also P.J.Furling (1991) p. 53. For the economic background to the rise of Afrikaner nationalism in general, see the classic article by L.Salomon, "The Economic Background to the Revival of Afrikaner Nationalism" in J.Butler (ed.) Boston University Papers in African History (Boston, Boston University Press, 1964), and H.Giliomee, "The Afrikaner Economic Advance" in Adam and Giliomee (1979).
6. Report of the Carnegie Commission of Investigation on the Poor White Question in South Africa, 5 vols. Stellenbosch, Pro-Ecclesia Drukkery. (In English and Afrikaans).
7. Report of the National Conference on the Poor White Problem Held at Kimberley, 2nd to 5th OCT., 1934. Cape Town, Nasionale Pers.
8. The Poor White Question in South Africa, Report of the Carnegie Commission, Vol 1, p.xix.
9. H.F. Verwoerd, "Die bestryding van Armoede en die Herorganisasie van Welvaartswerk" in Report of the National Conference on the Poor White Problem held at Kimberley, pp. 31-32.
10. Report of the National Conference....,pp. 299-301.
11. H.F. Verwoerd, "Die Bestryding van Armoede...", p.31.
12. D.F. Malan, "Toespraak", in Report of the National Conference, p.123.
13. House of Assembly Debates, cols 2872/3, 1936.
14. For literature on the activities of Afrikaner Nationalists in the trade unions in the 1930s (from a variety of perspectives) see the works in the Bibliography under Davies (1979) Chapter 7; Hepple (1954); J. Lewis (1984) Chapter 5; Naude (1969); O'Meara (1983) Chapter 6; Sachs (1952); Simons & Simons (1969) pp.517-23.
15. See House of Assembly Debates 1937, cols 4433, 4465, 4485, 5420, 5639/40, 5670, and especially Strijdom's remarks in the debates on the Wage Bill, col 4330 ff.
16. On anti-Semitism in the National Party and elsewhere in South Africa in the 1930s, see Furlong (1991) Chapter 2.

17. On this whole subject see for example Moodie (1975) p.x; Furlong (1991) Chapter 4: "The Initial Transformation of the National Party"; Andre du Toit, "Ideological Change, Afrikaner nationalism and Pragmatic Racial Domination in South Africa" in L.Thompson & J.Butler (eds.) Change in Contemporary South Africa (Berkeley, University of California Press, 1975). The influence of a new generation of Afrikaner nationalists, a number of whom had had personal contact with the anti-democratic, nationalist doctrines of inter-war Europe, was particularly significant. Not just Verwoerd but lesser figures such as Nico Diederichs, P.J.Meyer, Albert Hertzog, J.Albert Coetzee, (and in the 1940s) Geoff Cronje and G.D.Scholtz all contributed to an intellectual movement which published quite prolifically and was also part of a politics of activism, influencing mainstream politicians such as D.F.Malan.
18. See for example the speech in 1937 by N.J. van der Merwe, Free State leader of the National Party. House of Assembly Debates, cols 5456/5457, 1937.
19. H.P.Wolmarans, Kommunisme en die Suid-Afrikaanse Vakunies (Johannesburg, Voortrekkerpers, 1938) p.30.
20. See the Garment Worker, January/February 1942, vol 3 no 7.
21. See House of Assembly Debates, 1942, on a proposal by Pirow that a commission of enquiry into Communism in South Africa be appointed, and the demand by National Party MPs for the prohibition of communist organisations and activity.
22. P.J. Meyer, Die Stryd van die Afrikaner Werker, 1944.
23. House of Assembly Debates, 1942, col 4206.
24. House of Assembly Debates, 1943, cols 62-80.
25. House of Assembly Debates, 1943, cols 81-91. This economic radicalism was of course by no means new in Afrikaner nationalist circles, although only now adopted in public by the National Party. For just one example, the Afrikaner Broederbond's Chairman, Nico Diederichs, in his Chairman's Address to the Bondsraad in 1940 declared that "Ons kan nie die vreemde kapitalistiese stelsel eenvoudig oorneem en in Afrikaans vertaal nie... 'n Eie ekonomiese lewensvorm moet verwerf word... wat die materiele besittings in die eerste plek sien vanuit die standpunt van die wlesyn van die volk as geheel". Uitvoerende Raad en Bondsraad: Gebonde Notules, 4/5 October 1940. Documents in possession of H Giliomee, who kindly made them available to the present writer.
26. House of Assembly Debates, 1943, col 86.
27. See for example the debates in the House of Assembly in 1940 and 1944 on the Apprenticeship Bills, and on the Labour Vote in 1946, col 8360.

28. House of Assembly Debates 1940, col 5330.
29. House of Assembly Debates, 1944, col 5173.
30. House of Assembly Debates, 1947, col 5035.
31. House of Assembly Debates, 1948, col 2827 (post-election).
32. Report of the Commission on Industrial Legislation, U.G. 62, 1951.
33. House of Assembly Debates, 1950, col 9426.
34. See for example Simons and Simons (1969) pp. 561/562; Lewis (1984) p.162.
35. See for example South African Trades & Labour Council, : Report on Seventeenth Annual Conference, pp. 54-56.
36. House of Assembly Debates, 1951, col 884.
37. House of Assembly Debates, 1951, cols 884-887.
38. Ben Schoeman, House of Assembly Debates, 1951, col 5985.
39. In the words of Gert Beetge of the Elanke Bouwerkers, in an interview with the author in Pretoria in 1972.
40. Report of Commission on Industrial Legislation (U.G. 62, 1951), pp. 228-235.
41. Ibid, pp. 235-251.
42. See the details of this bill in Union Gazette Extraordinary, 16 May, 1947.
43. U.G. 62, 1951, pp. 265-268.
44. See Ben Schoeman's Second Reading speech on the Bill, House of Assembly Debates, 1953, col 932.
45. House of Assembly Debates, 1952, cols 2063-2067; 1954, col 6336.
46. Report of the Select Committee on the Industrial Conciliation Bill, S.C. 3, 1955.
47. See South African Trade Union Council Memorandum to the Select Committee on the Industrial Conciliation Bill, S.C. 3, 1955.
48. Schoeman himself complained in the 1954 Second Reading debate on the I.C.Bill that "no speech had ever been quoted as much as my speech in 1943", and then went on in effect to repudiate it. House of Assembly Debates, 1954, col 6637.

49. U.G. 62, 1951, p.152.
50. U.G. 62, 1951, p.155.
51. U.G. 62, 1951, p.161.
52. U.G. 62, 1951, p 308.
53. U.G. 62, 1951, p.334.
54. On the whole Germiston incident and after, see for example Sachs (1957); Case of E.S.Sachs vs. A.B.du Preez in Rand Supreme Court, fully reported in the Garment Worker, November/December 1945.
55. See J.Lever, "Historical and Contemporary Aspects of the Closed Shop in South Africa", Industrial Relations Journal of South Africa, 6,4,1986, p.7.
56. Ibid, p.16.
57. House of Assembly Debates, 1959, col 4463.
58. House of Assembly Debates, 1959, col 4452.
59. House of Assembly Debates, 1970 (post-election) col 3974.
60. U.G. 62, 1951, p.162.
61. U.G. 62, 1951, p. 165.
62. U.G. 62, 1951, p. 169.
63. House of Assembly Debates, 1954, col 6479.
64. House of Assembly Debates, 1953, col 3419.
65. House of Assembly Debates, 1951, col 1053.
66. House of Assembly Debates, 1954, col. 6342.
67. See 1958 Special Reports of the S.A.T.U.C. p.45.
68. M.V. Piercy, "Statutory Work Reservation in the Union of South Africa", South African Journal of Economics, June and September, 1960.
69. See in particular the evidence before the Select Committee on the Industrial Conciliation Bill (S.C. 3, 1955), especially that by the representatives of S.A.T.U.C.
70. House of Assembly Debates, 1954, col.6341.
71. See S.C. 3. 1955, p.317.
72. House of Assembly Debates, 1959, cols 4459-4464.

73. House of Assembly Debates, 1955, col 7583.
74. The phrase is from Posel (1991) Chapter 9.
75. See N.Bromberger & K.Hughes, "Capitalism and Underdevelopment in South Africa", in J.Butler, R.Elphick & D.Welsh. (eds.) Democratic Liberalism in South Africa: Its History and Prospect. (Middletown and Cape Town, Wesleyan University Press and David Philip, 1987) p.218.
76. Lipton, (1986) p.197.
77. W.F.J. Steenkamp. "Labour Policies for Growth during the Seventies: In the Established Industrial Areas", South African Journal of Economics, 39,2,1971.
78. See the following labour force surveys: Department of Labour, Manpower Survey No. 8, 1970; S.A.Federated Chamber of Industries, Survey on Manpower, September 1970; and the Report from the Association of Chambers of Commerce, 1970.
79. Witskrif oor die Verslag van die Interdepartementele Komitee insake die Desentralisering van Nywerhede, pp 1/2.
80. South African Confederation of Labour: Record of Proceedings of the 1st National Congress Held in the Conference Hall, P.S.A.Building, Pretoria on 11th and 12th June, 1970, p.11/12.
81. Ibid. p.10.

Chapter 5: The Failure of a Unified Labour Movement:
The South African Trades and Labour
Council 1930-1954

One common expression world-wide of the unifying, inclusive impulse among trade unions has been the creation of trade union federations: formal organisations catering for a range of trade union affiliates which serve a variety of purposes ranging from inter-communication to policy coordination and public representation. Such federations, on a national and a local level sprang up quite early in the history of British trade unionism - that pioneer in this as in other industrial matters - and served to articulate the current concerns of what became known as the "Labour Movement" in industrialising countries. While individual trade unions may have seen reason enough for sectional division in order to monopolise job opportunities or to exclude undercutters, the functional interests of the majority of trade unions in the new industrial economies found common cause over a wide spectrum of practical issues, and in many cases also in the emerging "workerist" ideologies which developed in the nineteenth century. The establishment of union federations, either of a centralised or loose variety, answered the need for a forum and a voice which other interests, in particular the state and organised business, would take seriously. Alongside this, the "industrial wing" of the labour movement, there developed also political parties representative of labour aimed specifically at attaining office in the governmental institutions of the democratising industrial polities. Thus by the first decade of the twentieth century British workers could look both to the Trade Union Congress and to the Labour Party to promote their interests beyond the immediate sphere of workplace issues.

South African Trade Union Groupings before 1930

Given the origins of South African trade unionism in the efforts of a largely immigrant British artisan stratum, it is no surprise that institutions similar to the British Trade Union Council and

the local-level Trades and Labour Councils were established in this country after the turn of the century, and that the political adjunct of these institutions - a labour party seeking political representation - followed soon after. ² By 1910, as Ticktin has pointed out, "the industrial wing of organised labour [in South Africa] consisted basically of a dozen or more viable craft unions, several of which were sections of powerful British trade unions..." ³ In 1909 various regional labour political groupings amalgamated into the South African Labour Party, with a leadership drawn largely from immigrant artisans from unions catering for printers, builders and the engineering trades. At the founding conference of the latter body there was "evidently only one Afrikaner delegate among the sixty-odd present". ⁴

Building on its artisan base, trade unionism slowly spread in the major urban centres, the Witwatersrand and Cape Town in particular. Despite stiff employer opposition, unions catering for lesser-skilled white miners developed alongside the craft unions. A Witwatersrand Trades and Labour Council which had originated after the Anglo-Boer War grew into the Transvaal Federation of Trades and then, in 1914, into the South African Industrial Federation. Open to trade unions throughout the country, it was however effectively a Rand-based body, uniting artisans and miners in a centrally controlled organisation under the leadership of the well-known unionist Archie Crawford. Its membership was a "crop of trade unions that sprang up after the war [and] combined class militancy with colour bars". ⁵

In Cape Town a similar process of union collaboration resulted in 1913 in the formation of the Cape Federation of Labour Unions. The different conditions in the labour market to those prevailing in the Transvaal led however to the formation of trade unions without a colour bar. Much competition existed between white and coloured workers in the Cape, particularly in such spheres as the building industry. But the prior existence of a large number of skilled coloured workers in such trades as the building industry - albeit usually without the formal apprenticeships of which the

immigrant artisans could boast - meant that an exclusory colour bar was a practical impossibility in Cape Town, even had the white workers desired one. The consequence was the evolution of "open" artisan unions, or of open branches of unions which in the Transvaal implemented a colour bar, such as the Building Workers' Industrial Union. Thus, in the words of one analyst, "The Federation in the event became the vehicle for incorporating the Coloured artisan class into the trade union movement".⁶ Under the leadership of an immigrant stonemason, Robert Stuart, who became secretary of the body in 1914, the Cape Federation established itself as the only rival to the South African Industrial Federation as the voice of "organised labour" in the country. As Williams has noted, other regions prior to the 1940s - Natal, Port Elizabeth and the Free State - failed to produce sustained union federations which measured up to the two already in existence, and "Consequently, from the beginning, the focus of the trade unions movement in South Africa was on the all-white, largely artisan Transvaal group and the multiracial and strictly parochial unions, which took their leadership from the Cape Federation".⁷

Prior to 1930, attempts to bring together the Transvaal and the Cape union federations foundered largely owing to the colour bar issue. In 1917 for example a national congress planned for both organisations failed at the last minute when the Cape Federation refused to attend due to the unwillingness of the Transvaal body to accept coloured delegates from the Cape without reservation. The subsequent debate on the issue within the ranks of the Transvaal unionists indicated just how divided they were over the issue of race, and just how implacable was the opposition of many white unionists to anything which suggested tampering with the colour bar.⁸ The South African Industrial Federation itself became more or less defunct as a result of the crushing of white labour organisation due to the Rand Rebellion of 1922.

In 1924 the newly-created Department of Labour, under the political control of a South African Labour Party Minister, took

the lead in organising a conference held in 1925 at which a new trade union federation, the South African Association of Employee Organisations, was formed. This body adopted the title of the South African Trade Union Congress (SATUC) in 1926. The new federation "... was designed by the right wing to make a clean break with the movement's militant past and become a respectable body, advising the government on labour relations and securing representation on public and international institutions".⁹ Unfortunately for the SALP's conservative faction and the leader of the Party in the Pact government, Colonel Creswell, the founding conference elected two prominent Communists, W.H. Andrews and C.F. Glass, to leading office, with Andrews taking the key position of general secretary. The event reproduced the long-standing split in the ranks of organised labour, in which left and right faction within the Labour Party itself opposed one another and both opposed the left-wingers who had split off from the Party in 1915 over the war issue, and later had formed the Communist Party of South Africa in 1921. And in addition, the Cape Federation had not joined the new body, despite the fact that it had not adopted a colour bar constitution: "a sensational departure from the Transvaal's tradition".¹⁰

Under Andrews's management however negotiations were initiated with the Cape Federation in 1927 to attempt to bring about a unified organisation representative of the country's trade unions. Although representatives from both bodies met and agreed on the desirability of unification, the old suspicions harboured by the Cape Federation about their Transvaal counterparts remained: the Federation feared both Transvaal domination in a new body, and along with it the colour bar practices of the leading northern trade unions. Two highly incompatible blueprints for unification were proposed by each side. The SATUC proposed a straightforward national federation with no provincial divisions; the Cape Federation put forward a rather strange idea for a federal body in which each province would have equal representation, even including the Free State and Natal where no labour federations existed. The latter proposal was clearly an

attempt to maintain the Cape Federation's actual autonomy under the guise of a national linkage, and as such it was rejected outright by the unionists from the north and from the large national trade unions.¹¹ Negotiations proceeded in an on-off fashion until 1930, when the Federation capitulated to a threat by the SATUC to break off all contacts, and agreed to the holding of an All-In Unity Conference in Cape Town in October 1930.

Despite the greater number of delegates from the Cape than from elsewhere, the All-In Conference produced a resounding victory for the proponents of a unified central federation rather than the Cape Federation's notion of a very loose provincial structure. In return, however, the northern union delegates agreed to a membership clause which admitted all "bona fide trade unions", rather than only unions registered in terms of the Industrial Conciliation Act. Thus the new body, the South African Trades and Labour Council, (hereafter SAT&LC) came into being on what was potentially as broad a basis as could have been hoped for by trade unionists of the inclusivist inclination: "It was a momentous decision. Trade unions in the north had for the first time agreed to admit African unions to their fellowship".¹² The new-found unity was soon undermined by sections of the leadership of the Cape Federation, which had not accepted the verdict of the All-In Conference. A leading Federation figure, A.Z.Berman, went to the Cape Town newspapers in early 1931 with allegations that the SAT&LC had been founded at the instigation of Colonel Creswell and his faction of the now disintegrated SALP in order to bolster his position in the Pact by claiming that organised labour supported him.¹³ Prior to Berman's allegations, Robert Stuart had resigned from the committee formed to bring about the new federation in the wake of the All-In Conference. The result was a split in the Cape Federation, which limited the participation of Cape unions at the first annual conference of the SAT&LC in 1931 to two.

The Cape Federation was thus to continue its existence outside of the SAT&LC, despite further efforts by unionists from the

latter body to bring about unity. Throughout the 1930s the relationship of the SAT&LC and the Cape Federation remained a troubled one. Unions from the north, affiliated to the SAT&LC, assailed the Cape Federation bitterly for what they viewed as company unionism and the maintenance of a low-wage structure. Both the Garment Workers' Union under Solly Sachs, and the Transvaal Furniture Workers' Union, made attempts to break the hold of the Cape Town unions and to organise the workers into their own ranks.¹⁴ The SAT&LC established its own Cape Districts Committee for Cape Town unions affiliated to it, and in 1935 appointed a full-time union organiser in Cape Town in what was seen as a direct challenge to the Federation. Left-wing commentators argued that the Federation's boasted opposition to racial segregation was only a veneer over a conservative and complaisant leadership stance, and that the Federation had never challenged the basic institutions of white domination such as the pass laws.¹⁵ A new unity proposal was accepted in 1938 after protracted negotiations in the previous year, only to have the agreement break down. The Cape Federation was to linger on in one guise or another until 1945, largely, according to one student of the Federation, as a result of the personality of Robert Stuart himself, rather than any well-founded differences of principle.¹⁶ Thus regionalism detracted from the representative nature of the SAT&LC for much of its existence; but given the presence of unions with Cape Town operations in its ranks, it was not a monolithic Cape opposition which it faced. The SAT&LC by the mid-1930s was clearly a more substantial organisation than the Cape Federation, and recognised by government to be so.

Race and Politics in the South African Trades and Labour Council in the 1930s

The SAT&LC came into being after perhaps the most tumultuous and influential decade in the history of South African trade unionism. The Rand Strike of 1922 shook white labour and politics to their foundations, changing the configuration of both unions

and political parties, and leading to the victory of the Pact in 1924. Flowing from the strike too came the Industrial Conciliation Act, setting the parameters for union activity and dictating the conditions of union membership. White, and also coloured and Indian South Africans turned increasingly to union organisation to better their conditions of employment. Excluded from the ambit of the Industrial Conciliation Act, African workers subject to the pervasive web of movement and employment controls nevertheless began to engage in organised activity and began the decade with a massive, if short-lived, strike on the Rand mines. Under the charismatic leadership of Clement Kadalie, the Industrial and Commercial Workers Union provided a vehicle for the aspirations of hundreds of thousands of African workers in both the rural and the urban areas, becoming in the process something more than a trade union but unable under the system of white supremacy and black subordination to transform itself into an accepted mode of black political protest. South Africans of all backgrounds, many of them first generation immigrants from the industrialised states, met and mingled in the work place and strove to build organisations of workers which would improve their material circumstances. The meeting of these workers of diverse ethnic identity and political status was to result however not in a broadly unifying process of the creation of a relatively homogeneous industrial working class, but in continuing attempts by the dominant white workers in what Greenberg has called a "bounded working class" to impose division and carve out local monopolies on the basis of racial exclusiveness. In conditions of severe labour market competition, with wages highly discontinuous according to perceptions of the racial status of particular occupational spheres, organised workers were continually confronted by the question of membership and of boundaries, of exclusion and monopoly versus interracial alliance and mass solidarity.

The expanding nature of the South African economy was creating new occupational opportunities while at the same time population increase, agricultural instability and the encroachments of white

landowning groups was impelling many thousands of indigent rural dwellers to seek betterment in the towns. The white-controlled polity perceived the widespread poverty and defined it in racial terms: it was first and foremost a "Poor White Problem" since the anomaly of political equality, racial superiority and material deprivation was not to be endured, for reasons of compassion fed by strong feelings of ethnic solidarity.

Trade unions necessarily were confronted with the intense struggles of individuals and groups to survive and if possible, prosper, in the urban areas. The nature of employment was changing, and with it the character of the labour force and the kind of trade unions catering for their interests. As Jon Lewis has summarised the situation during this period of the 1920s and 1930s,

...unions were established on industrial lines in the consumer products manufacturing sector, particularly in leather, clothing and furniture. Similar unions emerged in the laundry, rope and canvas, chemicals and confectionery industries. The material condition for the emergence of these unions was the rapid expansion of their respective industries from world war 1 and the reorganisation of traditional labour processes. Rapid mechanisation, job fragmentation and deskilling swept away the basis for craft unionism. The new division of labour necessitated a predominantly semi-skilled work-force...¹⁷

The development of these new unions catering for semi-skilled workers added a new component to the spectrum of South African trade unionism. The dominating presence of the artisan unions was increasingly diluted by many new bodies catering for semi-skilled workers, composed often of a predominantly female membership, as in the clothing workers' unions. Women became more and more evident, and so did coloured, Indian and African workers, of both sexes. Bestowing as it did full trade union rights on coloured

and Indian workers, the Industrial Conciliation Act spurred union organisation among these workers outside of the established Cape Town unions. Indian and coloured workers joined both existing unions which had no colour bar in their constitutions, or sought to form new ones where an exclusive white union existed and applied for registration in terms of the Industrial Conciliation Act.

One consequence was that the registration of unions by the Department of Labour in accordance with the provisions of the Industrial Conciliation Act soon threw up problems. What was to be done if a union catering for coloured and/or Indian workers sought registration in a sphere of interests in which a white union was already registered? Or, contrariwise, an all-white union sought registration with the same scope as a union with a colour-blind constitution which was already registered? In 1928 the Department of Labour passed on the problem to the SATUC and the Cape Federation and asked for their opinion. SATUC circularised its member unions and replied to the Department with the following assessment.

There were roughly three lines of thought on the issue among its member unions, so ran the memorandum drawn up by W.H.Andrews for SATUC. First there were the all-white unions with a colour bar in their constitutions which favoured the formation of separate "parallel" unions for coloured, Indian and eligible African workers. A second group of unions, whose constitutions in theory permitted open membership were also in practice in favour of parallel unions should their white membership not agree to an integrated union. A third group accepted the principle of open unions in principle and in practice. Thus, concluded the memorandum:

The N.E.C. in the light of these replies, has come to the conclusion that, where existing unions in a given industry are prepared to admit, and, in fact, do admit as members all workers in the industry, who are

otherwise qualified irrespective of race or colour, the creation of parallel unions for the Non-Europeans should not be encouraged and if they are formed they should not be registered. On the other hand, where existing Unions in a given industry or trade refuse to admit qualified members solely on account of race or colour, the creation of parallel unions for these workers is justified and no opposition should be offered to their registration. ¹⁸

This pragmatic line on the issue of race and trade union membership was inherited by the SAT&LC. The bulk of the trade unionists who attended the annual conferences of the organisation had no objections in principle to the ideal of a fully-inclusive non-racial trade union. Thus in 1936 for example a resolution was unanimously carried at that year's SAT&LC Annual Conference which recommended "to all affiliated Unions that the Colour Bar be excluded from all [union] Constitutions and that efforts be made to get all sections of the workers into the Unions..." ¹⁹ Yet the unanimous adoption of such resolutions was by no means an indication of general approval. Rather it is clear from conference proceedings that the leaders of the artisan unions and a couple of the more important all-white unions traded off effective control of the SAT&LC (something which was to become a major bone of contention in the 1940s) at the cost of tolerating left-wing rhetoric and high-sounding motions.

Closely related to the issue of open membership was the question of the exclusion of the bulk of the African labour-force from membership of trade unions registered in terms of the Industrial Conciliation Act. When white unionists supported the organisation of "non-white" workers, were they supporting also the inclusion of African workers, or did they draw the line at coloured and Indian workers? In principle at least most delegates at the SAT&LC's annual conferences inclined to the fully inclusive position, or at least remained silent when the issue was put to the vote. Thus at the 1938 Annual Conference a resolution was

agreed to which demanded that the definition of "employee" in the newly revised Industrial Conciliation Act of 1937 be amended to include all workers.²⁰ And as has been noted, the constitution of the SAT&LC itself was an open one, permitting the affiliation of all "bona fide" trade unions, not just those registered in terms of the Industrial Conciliation Act. In practice, non-registered in the context of the time meant trade unions catering for African workers, such as were increasingly being organised after the hard Depression years. (See Chapter 7.)

However, opinion on the issue within the SAT&LC was obviously divided. While the left-wing unionists openly promoted non-racial unionism, albeit at times with "pragmatic" concessions such as separate segregated branches as in Solly Sachs's Garment Workers' Union, the most conservative delegates were of course opposed, and a larger number of self-styled "moderate" delegates would probably have preferred not to grasp the nettle at all. One fairly influential position upheld by such moderates which was to gain a hint of support in government quarters during the 1940s, was that of separate trade unions for African workers. The Presidential Address to the SAT&LC in 1939 by Archie Moore of the South African Reduction Workers' Union (an all-white body whose membership was clearly more conservative than Moore himself) is worth citing at some length in order to convey the state of mind of many unionists who were steeped in that paradoxical blend of Marxist analysis, socialist brotherhood, and practical white protectionism which characterised the uneasy mental universe of the artisan founding fathers of South African trade unionism:

I venture to suggest that it is high time that it is realised that any segregation policy can be, at most, only a partial solution of the problem facing us; and that the native in industry has come to stay...On the other hand, the advocates of greater advancement are often embarrassing, and in this I blame communism not a little...The supreme need in this country is a movement which will place the non-European in his

proper economic perspective, establish him as a social being, admit and advocate his just claims in reformist and not revolutionary language, and make the European population understand its permanent mutuality of economic interest with him. Since example is better than precept, it may be asked to what extent has the European trade union movement of this country contributed towards the solution of the problem along the lines I have indicated. In my opinion it has, with certain exceptions, contributed to the advancement of non-Europeans only to the extent that the immediate interests of its members have been threatened, and thereafter has left the problem severely alone. And where the European worker does not consider himself to be threatened by non-European competition, or where the employment is the monopoly of non-Europeans, their industrial interests have been mainly disregarded, regardless of the ultimate effect of such a policy upon Europeans themselves. Such being the position as I see it, I am coming to the opinion that it may be well worth while to foster and develop the idea of parallel or separate native trade unions - particularly in the Transvaal - and to co-ordinate their activities with European trade unions through joint consultations and discussion. ²¹

Moore's studied realism put him somewhat ahead of his own union, which was a staunchly conservative body in the mining industry. Other mining leaders did not share Moore's moderation but gave notice of a new constituency in labour's ranks which had inherited none of the immigrant artisan's theoretical notions of worker solidarity. At the same conference at which the SAT&LC conference agreed to a resolution calling for the inclusion of all workers in the definition of an "employee" in the Industrial Conciliation Act, J.A. van den Bergh of the Mine Workers' Union (MWU) noted his objection to resolutions "uitsluitlik vir die Bantu-bevolking", and went on to say:

As ek 'n toekoms moet bou waar my kinders sal meng met Bantu, kleurlinge en Asiate, dan wou ek liever dat my geboortedag vervloek was en dat ek doofstom en blind in die wereld gekom het...Vandat die konferensie begin het, het ek gesien wat gaande is...Daar moet op sosiale gebied 'n onoorkombare muur gebou word tussen wit en kleur, om sulke walglike dinge als wat ons hier op die konferensie bespeur het te vermy.²² Dit is die begin van die ondergang van die Afrikaanse volk en die geboorte van 'n gebasterde Suid-Afrika.²³

Objections to mixed conferences continued to come from right-wing delegates. In 1939 J. Hagen of the Pretoria and Municipal Tramway and Bus Workers' Union moved that separate conferences be held for black and for white delegates.²⁴ This and similar motions were defeated, but interracial gatherings were a sitting duck in the climate of the times for the vociferous assaults of the Hervormers in the union movement. The MWU, which disaffiliated from the SAT&LC in 1939, having only affiliated in 1936, gave as one of its reasons for the move the issue of mixed conferences which were being used by Albert Hertzog and his followers against the leadership of the union. The generalisation of racial antagonism beyond the conflicts arising in the work-place to the highly charged sphere of social and sexual relationships was of course no new matter in labour circles. It had been elements within the SALP in 1927 which had been among the fiercest protagonists of the move to criminalise sexual relationships between whites and Africans. For the majority of the leadership of the established trade unions in the SAT&LC however, the racism which was propounded in the labour circles where the MWU and Pretoria unionists were operative was unacceptable and unnerving. It was opposed, but it remained a latent reality with which the enemies of the SAT&LC were able to threaten the organisation as it moved into the hostile waters of the late 1940s. Mixed unions, mixed work-places, mixed conferences - all were to come under the ban which apartheid at its most virulent was to attempt to erect on the basis of already existing practices, and with the approval

of the majority of white South Africans.

The divisions over racial issues within the SAT&LC were mirrored, not surprisingly, in the political alignments within the organisation. The SAT&LC was established at the same time that the political vehicle of the dominant artisan trade unionists - the South African Labour Party - was being torn asunder by its internal divisions. "Creswellites" and "National Councilites" battled angrily over the soul of the Party, with the latter finally winning the day as far as the party organisation and the party name was concerned. Creswell, a soldier who had put himself at the head of the struggle for the improvement of the conditions of existence of white labour, had never really shared the outlook of the artisan stratum which had been the Party's most significant activist support. The latter, at their best, were self-taught men with considerable intellectual sophistication. When their role as the guardians of white worker interests became glaringly incongruent with their background in an internationalist, quasi-Marxist, ideology, they would often frankly admit it. The more consistent broke with the SALP in 1915 and went on to help form the Communist Party of South Africa in 1921; the ones who remained, such as Harry Haynes, editor of Forward in the 1920s and early 1930s, attempted to articulate the anomalous position of white Labourism in South Africa:

As part of the Labour Movement, a Labour Party cannot differentiate between workers merely on account of colour. The formula runs: "Irrespective of race, colour or creed", and is decidedly definite. The clever balancing act upon the slack-wire of political expediency does not hide the fact that the SALP has refused consistently to face this question from its inception...The SALP has never been a Socialist Party in any sense of the term. The only Socialist Party this country has seen is the Communist Party which, utterly rejected by the white people, turned in despair to the blacks who, in their turn, will reject

it as vehemently did the whites. ²⁵

At the very first Annual Conference of the SAT&LC in 1931, delegates debated the issue of political alignments and mass activity. While some delegates urged that the Council openly adopt a policy of collaboration with the SALP, the majority of delegates were opposed. ²⁶ The debate was to be repeated in its essentials throughout the 1930s as unionists struggled to define a viable political role for the trade unions. While many delegates stated their personal preference for the SALP, they argued at the same time that the increasing numbers of Afrikaner workers in their organisations would not go along with an open association with a political party which they did not support. Solly Sachs, a former communist expelled from the CPSA in 1931 was himself to urge that the SAT&LC give its support to the SALP in the United Front years of the immediate pre-War period. Like other left-wingers in the SAT&LC, however, Sachs had earlier opposed any cooperation with the SALP and called for militant mass street demonstrations in protest against the economic conditions of workers. Again, the majority of delegates viewed this option as unrealistic. The reality was that the various constituencies represented by the member unions of the SAT&LC were opposed along lines which ran roughly along the major ethnic cleavages of South African politics of the 1930s - Afrikaans-speaking and English-speaking whites were mutually divided, and only a minority of white unionists were prepared to position themselves, like Solly Sachs, to the left of the main political institutions of white South Africans, and either to support the Communist Party or to promote an independent left-wing line. The consequence for the SAT&LC was an organisation which remained a forum of competing interests rather than the means for the articulation of the interests of a reasonably well-defined social force. Convinced that they represented the "Labour Movement", the majority of SAT&LC delegates during the 1930s yet encountered an organisation in political stasis.

The SAT&LC was never to achieve the degree of representativeness to which it aspired as the "industrial wing" of the "labour movement". Many large unions had shown little or no interest in the formation of the SAT&LC in 1930 and had never been drawn into the organisation. Of these perhaps the most important were the white railway unions. Other large unions did not affiliate immediately, and when they did were only lukewarm in support of the SAT&LC's claim to embody the aspirations of the country's labour force. Among these unions could be counted the Mine Workers' Union and the South African Association of Municipal Employees. New unions representing in the main white Afrikaans-speaking workers either never contemplated joining (like Die Spoorbond), or joined only to withdraw shortly afterwards (as in the case of the South African Iron and Steel Trades Association). Nevertheless, the SAT&LC attained a degree of representativeness which in its way was remarkable for the times. By the end of the decade over forty unions were affiliated to the SAT&LC. The most important artisan unions in the private sector were for the most part members. So too were the mining unions. The newly developed industrial unions in a variety of industries had also affiliated, albeit usually on a much smaller number of members so as to reduce affiliation fees. For nearly a decade the SAT&LC held together in uneasy partnership a disparate grouping of unions with an official policy of non-racial affiliation, and with a record of resolutions (however "pious" they in practice might have been) which upheld trade union inclusiveness. While it is possible to exaggerate the significance of this motley membership²⁷, the fact remains that there was no other organisation in the country which regularly brought together South Africans from such a diversity of backgrounds on matters of vital interest to each other. In this lay its uniqueness, but also its vulnerability when sectional interests rose to dominance.

The Developing Split, 1940-1947

The outbreak of war in 1939 created new problems for the SAT&LC, and heightened the urgency of old ones. The demands of war-time

production, together with the enlistment in the armed forces of thousands of union members, greatly increased the pressure for the entrance of new workers into industry. The craft unions in particular were forced to allow the expanded use of semi-skilled operative labour - "dilutees" who would perform aspects of an artisan's work at lower rates of pay than the artisan received.²⁸ The entrance of whites into these new semi-skilled positions was perhaps the single most important factor in eliminating the "Poor White Problem" as it had existed in the 1920s and 1930s. Concurrently with the increased utilisation of semi-skilled white labour, the employment of coloured, Indian and African workers also reached new levels. The presence of large numbers of African workers in particular gave further weight to those who argued that the unionisation of such workers was imperative, and thus also the recognition in some form of African unions by the authorities.

In the short-term, the immediate need for the SAT&LC was to arrive at a satisfactory policy towards the war itself. It was apparent that this problem would not be easily resolved. For one thing, union leaders were well aware of the views on the war issue of many Afrikaner trade union members aligned with the National Party. For another, there was the particular situation with regard to the war in early 1940. The USSR was not yet a belligerent in the alliance against Nazi Germany, and the attitude of local Communist Party members and other left-wing trade unionists like Solly Sachs was tortuous, to say the least. At the 1940 Annual Conference of the SAT&LC Solly Sachs moved an anti-war resolution claiming that "the present war is not a war for democracy", that the governments of Britain and France were themselves reactionary and pro-fascist and were pursuing their own "selfish imperialist ends", and called for the cessation of hostilities.²⁹ This was too much for the leaders of the artisan unions, who argued that "it would appear that certain delegates had turned a complete somersault. They had all voted unanimously in favour of the motion at the last Conference to smash the Nazi regime, and now they came forward with the ridiculous argument

that this war against Nazi Germany was not a war for democracy..."³⁰ On the other hand, W.G. Ballinger, the former adviser to Clement Kadalie's ICU and now a frequent delegate at the SAT&LC Conference, was able to expose the glaring weakness of the artisan leaders' own democratic pronouncements:

He asked how they could talk about fighting for democracy when in South Africa they knew perfectly well that three-quarters of the population were not given any rights of democracy. They had entered into the war with no declaration as to what they were prepared to do for the majority of the people of the country.³¹

The pro-war amendment to Sachs's anti-war motion won by 30 votes to 23, and re-affirmed the dominance of the SAT&LC by the group of artisan leaders and their supporters. The war as an issue for the left-wing unionists soon blew over with the entrance of the USSR into the hostilities. The arguments put forward during the 1940 debate were thus only of passing interest in themselves. Their importance was to accentuate the growing division between the "left" and the "right" in the SAT&LC, fed as it was by other concerns. One such matter was the issue of the control of the SAT&LC's National Executive Committee (NEC), or at least the question of representation on it. This issue was to drag on right through the 1940s until the left-wing finally won their point, only to realise that it was altogether a Pyrrhic victory, as will be seen later in this Chapter.

In the 1930s the SAT&LC and its NEC had been controlled by the artisan unions and followers by virtue of a greater number of their delegates attending the Annual Conferences. The artisan and mining unions typically affiliated on a much larger percentage of their actual membership, paid accordingly higher affiliation fees, and were entitled to more delegates. The NEC was elected by majority vote of delegates present. Other motions before Conference were decided by vote of delegates present, or, on

demand, by a card vote by unions according to their affiliated membership. The latter, again, was usually sufficient to gain the artisan unions and their allies victory on contentious points where the delegate vote might go against them. By 1940, with the disaffiliation (albeit only temporary) of the Mine Workers' Union, and the growing number of smaller unions inclining to the left, the dominance of the artisan and mining unions was in peril. At the 1940 Annual Conference the artisan unions pushed through a change of the constitution which required that the NEC to be elected in future by a card vote, claiming that "the time had arrived when the people who paid the money should have their rights. About seven large unions out of the whole affiliated membership paid for the upkeep of the Council, and it was time they had some say in the affairs of that body".³² Notwithstanding the heated protests of the left and other delegates from smaller unions, the motion was adopted, not however on a majority of delegates present, but on a subsequent card vote.³³ The right wing had re-asserted control at a time when it seemed it might slip from its grasp. The issue however was by no means dead but was hauled up at every subsequent Annual Conference until 1948, providing a continual impulse to left-right polarisation among the unionists.

The squabble over control reflected divisions of principle of major significance for South African trade unionism, issues which were never satisfactorily resolved and which ultimately wrecked the SAT&LC itself. The fundamental issue was the question of the African worker, and the development of open non-racial ("multi-racial" would perhaps be a better term but has fallen casualty to unfortunate political connotations in later years, and is hence not used here) trade unionism versus white exclusivism and protectionist strategies. It should hardly require pointing out that the issue found direct reverberation within the encompassing sphere of politics, and was ultimately to be resolved at that level, rather than by the trade unions themselves, although it was not for want of trying.

Connected to the issue of the African worker were a number of other questions which all, in one way or another, touched fundamentals regarding the trade union movement. One such was a matter to which reference has briefly been made: the wartime pressure for the dilution of skilled work and the training of black workers to undertake more skilled work than in the past, and even to be admitted to the skilled trades. A recent major work in South African labour history by Jon Lewis had argued that this issue was in fact one of the main underlying reasons for the breakup of the SAT&LC's long-standing cooperation between artisan and open industrial unions. Lewis's argument in brief runs as follows: under pressure from employers and the state to mechanise, deskill and admit operative labour on a large scale, the artisan unions of the 1940s were forced to adapt to the move to mass production and the displacement of the qualified artisan from the point of production to supervisory, maintenance and other tasks. Increasingly white (and to a lesser extent coloured and Indian) operatives took over the production role of artisans, and were incorporated into the unions by the artisans who now attempted to secure operative interests against the encroachment of cheap African labour. The consequence was the emergence of what Lewis terms "pseudo-craft" unions employing the closed shop and other devices to exclude Africans from competing for operative positions, and in this process driving the artisan leadership in an increasingly conservative direction.³⁴

Lewis's work has made a significant contribution in detailing the changing division of labour and trade union reactions during the 1940s, although his strong thesis that the labour process changes in themselves should be viewed as the real reason for the artisan unions' political conservatism and hence the break-up of the SAT&LC seems overdrawn.³⁵ Clearly however the artisan unions were for the first time under real pressure to accommodate not only to the training of Afrikaans-speaking white workers, but also to the rest of the population. Their response was highly defensive. In 1942 a motion at the SAT&LC Annual Conference that the government-controlled technical training organisation, COTT,

should be opened to black South Africans was voted down: "It was no good training 40000 mechanics for 1000 jobs" said one artisan delegate.³⁶ A less pointed resolution at the 1943 Conference calling for universal education in order to prepare the youth for technical education under the Apprenticeship Act was passed, but with continued opposition from some artisan unionists, who declared that "we will never agree at the present stage that the trades should be thrown open to everybody in the country".³⁷

It was in the event the issue of African unions which propelled the SAT&LC into increasing acrimony and final confrontation, exacerbated by the long-standing antipathy of the artisan unionists to the communists and the left. The war years were a time of great ambivalence and strain, holding out the promise of liberalisation and greater democracy to the left while maintaining the effective conservative control of most major social institutions. At the same time, the organisational efforts of those in the camp of Afrikaner nationalism kept up the pressure from the right for more segregation, more white protectionism. Thus it was a SALP Minister of Labour, Walter Madeley, who in 1941 much to the disgust of the left had issued regulations in terms of the revised Factories Act to enforce racial segregation in the workplace, responding in his turn to the clamour from the right.³⁸ In 1942 he had gone further and issued War Proclamations forbidding strikes in essential industries, and by African workers.³⁹

The African union issue had been on the public agenda at least since 1938, when the Minister of Labour had spoken at an Institute of Race Relations meeting of the possibility of "non-statutory" recognition of African unions.⁴⁰ For the left and liberal sections of the union movement and other interested parties aligned with them, the solution was clear: full and equal trade union rights for African workers by a change in the definition of "employee" in the Industrial Conciliation Act.

Of course there were major opponents; as W.G. Ballinger wrote to

S.P. Bunting of the Communist Party in 1941, "The chief obstacle, for obvious reasons to recognition are the representations of the Chamber of Mines. It is understood that the Chamber fears that even if organisation of African Native workers is confined, as has been suggested, to those engaged in Commerce and industry - secondary industries - other than mining, organisations cannot be prevented on the mines".⁴¹ Events on the mines were indeed to play a key role during these years: first with the agitation surrounding the Lansdown Commission in 1943, and later with the African Mine Workers' Strike of 1946. (See Chapter 7). When the issue surfaced within the ranks of the SAT&LC, the organisation's officials attempted to keep their distance. In 1943 the artisan unions on the mines and the SAT&LC secretariat had refused help to the efforts of the struggling African Mine Workers' Union to promote the interests of its membership at the Lansdown Commission.⁴² In 1946 the NEC of the SAT&LC were to inform the international labour community after enquiries about the putting down of the African Mine Workers' Strike of that year that it had been a matter of restoring public order rather than industrial action.⁴³

Throughout the 1930s the SAT&LC had been able to equivocate on the issue of African unionisation, since practical politics ruled out any resolution of the issue. From the end of the decade onwards, however, matters changed, and the government began to hint at possible recognition in one form or another. When the issue came before the SAT&LC's Annual Conferences in the 1940s, the artisan and mining unions came out in opposition to full recognition of African unions. A.J. Downes, leader of the South African Typographical Union and a future president of the SAT&LC, during debate on a motion in 1940 calling for full African trade union rights stated that "any endeavour in the direction indicated, in the face of the present stage of public opinion, would do more harm to the native than they realised. He felt it was even more necessary at the present time to regard the European trade unions as the trustees of the native trade unions, and to assist them in the best way the trustees could find of

doing so".⁴⁴ Downes's remarks were echoed by others in the same union camp. Although a motion calling for full recognition of African unions was again carried at the 1943 Annual Conference, the cursory attention paid to it suggests that it was another of the SAT&LC's "pious" resolutions which could not be taken seriously.⁴⁵ (A similar motion in 1944 which received more debating time was defeated).⁴⁶ Of much more import were A.J.Downes's remarks in his Presidential Address to the 1944 Annual Conference:

While it is generally agreed that natives who enter the industrial arena and become a permanent part of the industrial and commercial fabric of the country should be allowed to organise on trade union lines, the question of the legal recognition and protection such organisations should be granted seems to be the cause of some difficulty to the Government. Representatives of the native workers have claimed full recognition under the Industrial Conciliation Act, but the chances of such being granted seem rather remote. It is necessary, therefore, that some modified form of recognition should be aimed at in the interim...Where circumstances permit, he [African worker] should be allowed direct representation to or on those bodies that determine his working conditions. In cases where such is not possible, he should be represented thereat by a European.⁴⁷

As it turned out, not even such "modified form of recognition" was to be allowed the black trade unions. Within three years of Downes's moderately worded assessment, the SAT&LC had been plunged into a crisis from which it was not to recover - a crisis which went hand-in-hand with the changing political scene.

The challenge to the established trade union movement posed by the entry of large numbers of Afrikaans-speaking white workers into industry was never adequately resolved by the unions affiliated to the SAT&LC. The craft unions for example had looked

with apprehension at the demands for easier entrance for Afrikaner workers to the skilled trades, and had not reacted adequately to the needs of semi-skilled whites in a variety of industries. ⁴⁸ The failure of the Boilermakers and other metal unions to cater for the white workers at the expanding ISCOR works in the 1930s had led to the formation of the South African Iron and Steel Trades Association, soon to become the most formidable union adversary of the SAT&LC, after a short spell in its ranks. ⁴⁹ The Mine Workers' Union, notoriously corrupt and coopted, was a major target for takeover by Albert Hertzog and his Hervormers after 1936, and duly fell to them in 1948. Unions in secondary industry catering for all grades of workers fared somewhat better. Solly Sachs's own Garment Workers' Union (GWU) achieved considerable success in gaining the adherence of a generation of Afrikaner women who were to take over the leadership of the Union after Sachs's own banning in 1952. But even the GWU was not without its turbulence after 1944 in particular, and its Germiston branch was generally regarded as a stronghold of anti-Sachs and pro-National Party sentiment. As Lewis has argued, the white, and often Afrikaans-speaking, constituency for which unions like the GWU catered in the 1930s and 1940s had dwindled dramatically by the 1950s, becoming a small minority compared to the coloured, Indian and in some cases African membership. ⁵⁰ The urban white working class did not so much take over the trade unions in secondary industry after the 1940s as move out of them into preferred, higher status non-union jobs.

The planned assault on the established trade unions under the aegis of Afrikaner nationalist organisations such as the Nasionale Raad van Trustees, the Blankewerkersberskermingsbond and other less influential bodies was to have only limited success. Actual takeovers were limited to a handful of cases, the Mine Workers' Union being the most significant. New unions such as Die Spoorbond, and later, the Blanke Bouwerkersvakbond, the South African Iron and Steel Trades Association, were more successful in establishing a union presence than the machinations

of the nationalist intelligentsia such as Hertzog and P.J.Meyer. Of the greatest significance, however, was the less dramatic but more inexorable influence of demography, as the greater numbers of Afrikaans-speaking white workers in all spheres of the economy slowly penetrated the citadels of the immigrant trade unionists, taking over the leadership of old established unions one after the other. However, for the moment, the highly visible and publicised activities of the Hervormers and their like presented the most urgent problem for the SAT&LC in the 1940s. Again, the SAT&LC had frequently debated the issue at its Annual Conferences, with little concrete outcome. The outbreak of war had temporarily submerged the issue as the pro-war school gained ascendancy in the union movement. By 1944 the problem was again recognised to be acute. The SAT&LC responded by appointing a full-time organiser in Pretoria, and establishing a bilingual magazine, *Ambag*, to propagate "true trade unionism".⁵¹

In 1944, after fruitless attempts had been made to form a trade union federation for white workers alone,⁵² the South African Iron and Steel Trades Association under L.J. van den Berg decided to affiliate to the SAT&LC, "because in all probability a great labour crisis is facing this country".⁵³ The presence of the SA Iron and Trades Association in the SAT&LC was to provide the right-wing grouping with a focus which it had hitherto lacked. The ending of hostilities robbed the left of the impetus which had built up as the USSR repelled the German invasion and guaranteed an Allied victory; the return of large numbers of servicemen who could not immediately find jobs presented the unions with a discontented constituency. The aftermath of the African Mine Workers' Strike of 1946 had left the union movement in disarray while heightening fears among whites of Communist Party encouragement of black militancy. The gathering of unionists for the SAT&LC conference in 1947 took place under the published threat of withdrawal by Solly Sachs's Garment Workers' Union should "a handful of reactionary officials" succeed, as in the past, in retaining the card vote for election to the NEC. His union would then go to the workers with "a clear, progressive,

militant, national trade union policy".

Sachs's challenge was totally counter-productive. The SAT&LC's President, A.J.Downes, led off with an Address which summed up no doubt the mood of those unionists who had listened with antipathy when Sachs had proposed his anti-war motion at the beginning of the decade:

Unfortunately, the leaders, or spokesmen, of some of our unions, a proportion of which appear to be more concerned with foreign ideologies, or political attachments of various kinds, than with true trade unionism, seem to be always impatient at the apparently slow progress we make, and are constantly vilifying those of the more responsible and practical of our leaders...The so-called "militant" elements are constantly making demands of an extravagant and drastic character which most of the responsible leaders of the Movement are not prepared to support; demands which are not only impossible of realization within our lifetime - because of our political and economic structure - but which, by their constant iteration and reiteration, discourage and disgust those elements of the community outside the trade union movement who are genuinely desirous of raising the standard of life of our poorer sections...It is with much regret that I make these remarks and thus give official publicity to a state of affairs which most of you have been aware of for quite a long time - the deep cleavage of outlook and policy between the elements at present comprised within the Council. I have done my best, as your President, for several years to bring the main contending elements together... in the real interests of the whole working-class movement...But the task is really becoming an impossible one. The one group will have nothing less than full social, political and economic equality for all, whereas the other group - the more responsible and realistic group - are content to continue the policy of moderation and gradualness towards a reasonable

objective...⁵⁵

The speech indicated the degree of hostility which had accumulated between the left and the established leadership over the course of the decade, and its tone helps explain the unwillingness of trade unionists such as Downes a few years later to come unstintingly to the aid of fellow trade unionists banned in terms of the Suppression of Communism Act by the National Party government. The breach presaged by the fusillades between Sachs and Downes did not however immediately materialise. The split instead came from the right, in the shape of van den Berg and the Pretoria unions. With George McCormick of the conservative mining union, the South African Engine Drivers Association, seconding, van den Berg moved that membership of the SAT&LC be restricted to unions registered in terms of the Industrial Conciliation Act; essentially, a move to bar the affiliation of African unions. "...his union was no longer prepared to allow the existing set-up of the Council to remain", declared van den Berg. "They had attended Conferences for a few years and found each time that a considerable number of resolutions adopted were nothing less than communistic propaganda. That would not be possible if the Native who were accepted by a certain section at present were not allowed to affiliate to the Council".⁵⁶ On a card vote, the motion was defeated heavily by 88,497 votes to 36,373. But two major artisan-dominated unions, the Building Workers Industrial Union and the Boilermakers, voted in favour of the motion, and the Amalgamated Society of Engineers and the South African Typographical Union abstained.⁵⁷ The position of these four important unions on the issue showed that the defeat of the motion by no means carried with it the support of the SAT&LC's key white-dominated affiliates.

Van den Berg's union and four other predominantly Afrikaner unions announced their withdrawal from the SAT&LC after the defeat of the motion. They issued a statement declaring that "We are convinced that the delegates of trade unions to the annual

congress do not truly represent the views of the white workers", and stated their intention to consider forming another trade union federation. ⁵⁸ Had it stopped there, this split of the five unions from the SAT&LC would not have been unduly momentous. But the next three years were to indicate that the old uncertain accommodation of left and right in the same trade union federation was no longer viable. With that, the hopes of the SAT&LC to develop into the one national centre for organised labour in South Africa were irrevocably destroyed.

Division and Dissolution, 1947-1954 ⁵⁹

Continuing divisions, shifting union allegiances and the increasing isolation of the former core of the trade union left were to mark the next seven years before the SAT&LC was finally laid to rest. The most significant change which was to influence the fortunes of the trade unions came however not from within, important though the internal dynamics were, but from outside. The coming to power of the National Party government was to recast in fundamental ways the environment within which trade unionism in South Africa functioned. If any single factor must be considered as the main candidate for the role of assassin as regards the SAT&LC, then it must surely be the policies of the new government, as the previous Chapter has attempted to outline. For the fact of the matter is that the compromise on which the unity of the SAT&LC rested was incompatible with the anti-Communist and radically segregationist character of the National Party of the time. In this sense, this account argues, in contrast to Jon Lewis, that it was the political factor rather than the "material" element of changes in industrial practice which was the determining cause of the SAT&LC's downfall.

The Pyrrhic victory of the SAT&LC left to which reference was made earlier in the Chapter occurred in 1948. During the Annual Conference of that year, shortly before the general election which brought the National Party to power, the industrial unions,

with the help of a few of the larger conservative unions, the Amalgamated Engineering Union in particular, were able to carry a motion reconstituting the manner in which the NEC of the organisation was elected. ⁶⁰ The new provisions for the election of the NEC resulted for the first time in a roughly equal division of strength between the left and the right on the NEC. The right's willingness to cooperate, or at least co-exist, with the left in previous years had been predicated on the former's ability to dominate the NEC at will. The new dispensation weakened the basis for such co-operation accordingly. The conservative unions were to prove distrustful of association with a body whose left-wing element could often dictate the tone. As if to seal the left's victory, the motion introduced by the South African Engine Drivers' Association, calling again for the restriction of the SAT&LC to registered unions, was overwhelmingly defeated on a card vote. However, unlike in the previous year, the Boilermakers and the Woodworkers were joined by the Typographical Union and the Electrical Workers in their support of the motion. ⁶¹ This shift in the stance of major artisan unions boded ill for the future of the SAT&LC.

Immediately after the Conference, the Mine Workers' Union disaffiliated. It was not to return. Further splits were delayed by the change of government in May 1948. The new Minister of Labour soon made clear his government's policy on trade unionism, to the concern of both the left and the major artisan unions in the SAT&LC. ⁶² An interview with the Minister was arranged, at which the SAT&LC delegation communicated its opposition to trade union segregation and government intervention in trade union affairs. The Minister in response was quick to seize on the one critical issue on which the SAT&LC could muster no unanimity: namely, the question of African unionisation, "and particularly those who may have only recently entered the industrial life of the country from their respective reserves". The delegation floundered in reply, and was informed of the government's intention to appoint a commission of enquiry into industrial legislation. ⁶³ The government's attitude to the standing of

the SAT&LC was neatly summed up in an editorial in Die Transvaler shortly after the election victory. Putting the question "On whose behalf does it speak?", the editorial stated:

Wat die Vak- en Arbeidsraad ook te se mag he, van een feit sal hy nie kan wegkom nie. Dit is nl. dat hy nie namens die oorgrote meerderheid van die Afrikaanssprekende werkers en 'n groot deel van die Engelssprekende blanke werkers kan praat nie. Sulke vakbondlede het altyd heftig beswaar gemaak teen die beskerming wat die Vak- and Arbeidsraad aan Kommuniste verleen en teen sy verontagsaming van die kleurskeidslyn...Die vakbondwese in die Unie het 'n suiwering nodig wat dit sal bevry van die Kommunistiese element...⁶⁴

The SAT&LC were never able to get around these arguments: it could not convince its white worker members that a government which so insistently proclaimed its zealousness on behalf of their sectional interests was in fact propounding a policy which was against those interests in the long-term, and that inclusiveness rather than exclusion was the historical direction which sooner or later would force itself upon the country's reluctant white population. And the fact that it was the communists who were the most vociferous champions of inclusiveness did not recommend it to many of those who nevertheless perceived that interracial solidarity was desirable in itself.

The unravelling of the SAT&LC now proceeded rapidly. At the 1949 Annual Conference of the organisation, McCormick re-introduced his motion to restrict membership to registered trade unions; it was defeated, but in deference to right-wing arguments the NEC was given greater discretionary power to decide whether or not a union applying for membership was actually a "bona-fide" one.

⁶⁵ In August 1949 the South African Typographical Union gave notice of its intention to disaffiliate. A special meeting of the the NEC of the SAT&LC was called to discuss this blow. Those Present were unable to agree on precisely why the SATU had given

notice to disaffiliate, citing such reasons as the SAT&LC's membership of the communist-inclined World Federation of Trade Unions, the acrimony between Solly Sachs and the SAT&LC's former secretary, the activities of local committees of the SAT&LC, and particularly that in the Western Province, where a Communist Party member, a Miss Podbrey, was felt to be overstepping the mark. But, as the NEC Chairman, J.D.F. Briggs, remarked, the decision of the SATU was "not a whim of a day but was the accumulation over a number of years of discontent amongst its members".⁶⁶ The "native question" was "the crux of the matter", argued one NEC member at another special meeting a week later. It was "the change in Government" which had precipitated most of the SAT&LC's difficulties, argued another.⁶⁷

By the time of the 1950 Annual Conference, a further four unions had disaffiliated, including the South African Association of Municipal Employees and the Engine Drivers Association. The Conference debated the issue of African union affiliation, with a motion calling for the formation of a separate consultative committee for African unions and appropriate changes to the constitution.⁶⁸ This motion, a victory of the right, was however never implemented, having been referred to a sub-committee of the NEC and being lost to sight under pressure of later events.⁶⁹

The decisive rift in the SAT&LC was finally precipitated by the passage of the Suppression of Communism Act in 1950. After passage of the Act, the NEC of the SAT&LC appointed a sub-committee which was instructed to arrange support for trade unionists who might be affected by the measure. This sub-committee, consisting of only one member sympathetic to the left, J.J. Venter of the Johannesburg Municipal Transport Workers' Union, drew up a report on general policy, containing a paragraph 11 which stated that the sub-committee

cannot concern itself with matters arising from political affiliations, either in the case of a union, officer, or

member. In other words, the Committee would not, for instance, defend the case of an avowed 'Communist' or who admits that he is a supporter of that particular political ideology, the legal point of view on this question is that such person would have no defense...⁷⁰

The left-wing members of the NEC, several of whom were facing potential action by the government against them in terms of the Act, objected vehemently, claiming that the Committee was pre-judging who was or was not a Communist. For the right, Cliff Crompton of the Ironmoulders' Society asked "...why should the Movement be called upon and its strength jeopardized by persons who openly fostered the ideology of Communism?" After bitter argument, the NEC agreed to reconstitute the Committee with three left-wing unionists to be included.⁷¹ Operation of paragraph 11 was suspended. Meanwhile, Solly Sachs, always one of the chief targets of the National Party although not a member of the Communist Party for twenty years, had received a letter from the Liquidator appointed in terms of the Suppression of Communism Act notifying him of the minister's intention to list him as a Communist, a "clear demonstration of the Fascist Police State in action", replied Sachs in an extensive defense of his life's work in the trade unions.⁷²

In October 1950 the SAT&LC's respected President, Jim Calder of the South African Electrical Workers' Association, died, to be replaced by J.J.Venter, equally respected but known for his left-wing sympathies. The event precipitated the final break which signalled the end of the SAT&LC's effectiveness. By the end of 1950 sixteen further unions had disaffiliated, including all but two (the Motor Industry Employees' Union and the Building Workers' Industrial Union) of the larger artisan-dominated unions. The left-wing was now in control of a severely truncated organisation. Most of the disaffiliated artisan unions later took part in a conference which resulted in the formation of the South African Federation of Trade Unions in 1951. (The SAFTU was to consist of artisan and mining unions. It too however found that

the foremost obstacle to the unity of its members was the issue of black workers in the unions.)⁷³

The disaffiliation of so many of the SAT&LC's traditional support base pushed the left into hasty concessions. Solly Sachs proposed at the NEC that the SAT&LC re-negotiate the re-affiliation of unions on the following basis: The SAT&LC to restrict itself to economic matters; contentious resolutions to be withdrawn from Conference agendas; and the NEC to be elected from agreed lists of candidates. In addition, Sachs said that thought could be given to the formation of separate black unions, although he himself was opposed to the idea.⁷⁴ Only three small unions were to re-join the SAT&LC as a result of these proposals. Four special conferences organised by the SAT&LC between 1951 and 1953 to protest against proposed legislation and to attempt to bring unions together again failed to achieve their purpose. Compared to its earlier days as the "Parliament of Workers", the SAT&LC now appeared as a spent force in practical politics, where an organisation's importance was measured by the amount of proven support among whites which it could muster. Shorn of its right-wingers, the SAT&LC's proceedings were dominated by the left-wing. In 1952 it called on voters to throw their weight behind the opposition to the National Party in the forthcoming general election.⁷⁵ The SAT&LC, confessed its general secretary, Dulcie Hartwell in 1953 to a group of visiting British trade unionists, was generally ignored by the government.⁷⁶ Its affiliated membership had sunk to fifty-one unions representing 82,600 workers, compared to 111 with 184000 workers in 1947.⁷⁷ Although the Garment Workers rallied to demonstrate against the final culmination of the banning process on their leader, Solly Sachs, in 1952, there was nothing the SAT&LC could do to prevent the "purification" of the trade unions in terms of the Act.

By 1954 the trade union movement had undergone seven years of re-alignments and retreats. The Suid-Afrikaanse Ko-ordinerende Raad van Suid-Afrikaanse Vakunies, founded in 1948 by L.J. van den Berg and his followers in Pretoria, had emerged from small beginnings

to constitute the extreme right-wing pole of the union movement, which refused to have anything to do with other unions in which the principle of "European leadership" was not firmly entrenched. It had the ear of government and viewed itself as the only true representative of the white workers. The newly-created South African Federation of Trade Unions attempted to provide a home for a broader spectrum of unions catering mainly for artisans and mining workers, but was unable to reach consensus on the issue of "mixed" trade unions. For some members, such as the South African Typographical Union (SATU), their continued existence on an inclusive basis was of the highest importance, but this concern was not shared by other organisations in the Federation such as the all-white Artisan Staff Association or the South African Engine Drivers' Association. The Federation was thus consequently more shaky than its formidable grouping of the leading artisan unions suggested at first glance. The left too was divided, as it always had been, with the SAT&LC representing mostly registered trade unions, and the Council of Non-European Trade Unions, much shrunken in strength since the war years, representing the unregistered African trade union movement.⁷⁸

Re-forging at least a semblance of the old unity between industrial and artisan unions however remained the hope of a number of leading white trade unionists. This possibility was given impetus in the early months of 1954 when the Department of Labour began to circulate drafts of the new Industrial Conciliation Bill to the unions. It was not only the rump of the SAT&LC which found some of the clauses in the draft Bill repugnant. A measure of self-interest combined with the old trade union ideology of earlier years propelled men such as Tommy Rutherford of the SATU and Tom Murray of the Boilermakers towards attempting to bring together the compatible sections of the trade union movement. Convening a Unity Committee, these two, together with five other unionists, took the initiative in convening a Unity Conference of interested trade unions, just before the Second Reading of the Industrial Conciliation Bill in Cape Town.⁷⁹

The Unity Committee proposed to create as wide as possible a basis of trade union support on an agreed programme of opposition to the new Bill. However, in order to do so, calculated the Committee, the extreme left and the extreme right of the trade unions would have to be excluded. The primary concern of the Committee was to attract some of the less dogmatic white unions to the proposed conference, even if it meant inviting George McCormick, towards whom many SAT&LC unionists felt considerable bitterness for his right-wing role in the union movement since the late 1940s. Rutherford, in a meeting with the NEC of the SAT&LC stated that the Ko-ordinerende Raad would not be invited to the conference. As far as McCormick was concerned, "Our only interest in having George is to ensure that those unions in the Federation come in on our side instead of the other side, led by George. The majority of the Federation is not with George." ⁸⁰

With the imminence of the introduction of the Industrial Conciliation Bill to parliament, the Unity Committee was able to muster an impressive array of delegates for the Unity Conference in Cape Town from 3 to 6 May 1954. Some 261 delegates were present from 68 unions, representing 221,526 members. ⁸¹ But neither African trade unions outside the SAT&LC nor the Ko-ordinerende Raad had been invited to attend. Significant figures from other right-wing unions were present: George McCormick, Daan Ellis of the Mine Workers' Union, and representatives from some of the white railway unions.

The Conference opened with its Chairman, Ben Caddy of the Boilermakers' Society, warning that the passage of the Industrial Conciliation Bill would "cause immediate disintegration ... of our movement". ⁸² This rhetorical flourish however could hardly conceal the fact that the movement as it had existed in the 1940s had already splintered into relatively cohesive components. What was possible was that the old unity of the SAT&TLC could perhaps be partially salvaged - at a cost. That cost was bluntly stated by Cliff Crompton of the Ironmoulders' Society:

speaking frankly he considered that if it became necessary to discard the extreme right and the extreme left in the interest of the greatest unity...that would have to be done. ⁸³

With the most prominent right-wing unions either opposing or abstaining, the Conference declared its opposition to such measures as the provisions of the Industrial Conciliation Bill with regard to segregated unions, job reservation and further restrictions on the right to strike. By the passage of such resolutions, the Conference effectively demolished any lingering hope that some of the mining and railway unions would consider affiliation to the proposed new federation. What remained in this regard was the possibility of some formal liaison by way of a co-ordinating body of federations, a suggestion by George McCormick which had been going the rounds of the trade unions since 1952. " This proposal failed to gain much support, although it was later to provide the basis for the early years of the South African Confederation of Labour.

The first Unity Conference closed with a call for greater unity in the trade union movement, and a resolve to continue the fight against the Industrial Conciliation Bill. While the Second Reading of the Bill was underway in the House of Assembly, Tommy Rutherford, Dulcie Hartwell and A.J.Downes lobbied MPs on behalf of the Trade Union Unity Committee. Their representations were welcomed by the United and Labour Parties, but predictably not by the National Party. ⁸⁵ What Rutherford and like-minded colleagues now envisaged was the establishment of a new trade union federation on the basis which the First Unity Conference had suggested was feasible. This step was relatively quickly accomplished. A Second Unity Conference was organised for 4 and 5 October, which met and agreed upon the formation of a new trade union federation to be called the South African Trade Union Council. This conference was followed immediately by the Annual Conference of the SAT&LC. Reduced to 53 unions representing 77345 workers, this, the last SAT&LC gathering, faced only one major

question: whether or not to advise its affiliates to dissolve the organisation and to recommend to them to join the SATUC. The arguments for and against the step were altogether familiar. For the left, Mrs C.H. le Grange of the National Union of Distributive Workers moved that:

Having regard to the fact that the African workers constitute two-thirds of the South African labour force, it is evident that the establishment of a co-ordinating body on the lines of the South African Trades Union Council, to the exclusion of the African Trade Unions, can only have the effect of driving a deep and dangerous wedge between the European and Coloured workers, on the one hand, and the large mass of African workers on the other side. ⁸⁶

In reply, unionists such as L.C. ("Steve") Scheepers of the Leather Workers and Benny Weinbren of the Concession Store and Allied Assistents' Union pointed to the "cold facts" of the situation. In its 24-year existence, relatively few African unions had actually affiliated to the SAT&LC. ⁸⁷ It was, declared Weinbren, "Hobson's choice", and the new federation would be accused of selling out African unions. However:

Those who thought like speaker felt that to bring about a unity of 180000 workers, white, coloured, and Indian, will mean more to the movement at the present stage than a few thousand organised African workers... Whatever we will benefit through unity, the African workers would also benefit in the end. ⁸⁸

Debatable as Weinbren's conclusion might have been, the underlying sentiments were shared by a majority of delegates. In a final card vote, 53,683 for and 23,412 against, the Conference resolved to dissolve the SAT&LC and to transfer its assets to the SATUC. ⁸⁹

Thus ended the life of the most representative of South African

trade union federations, a victim of an era of intensified white sectionalism and heightened racial segregation. Economic fears generated in the labour market were compounded by inextricably linked political and social issues. The centre could not hold. The two decades after 1954 were to be characterised by deep and seemingly unbridgeable rifts among the major groupings of organised labour: the white segregationists, the multi-racial unionists and the harassed, at times almost defunct, African trade union movement.

Addendum to Chapter 5: A Cluster Bloc Analysis of Voting at the SAT&LC Annual Conferences in the 1940s

The divisions within the SAT&LC are here given a simple quantitative expression in the form of a cluster bloc analysis. The data used in this analysis are based on all eighteen card votes cast at the 1943, 1944 and 1947 Annual Conferences of the SAT&LC. The figures in the Table represent the percentage agreement of each union which attended all three Conferences with every other union which also likewise attended. (To score, a like vote counted 1; an unlike vote 0, and an abstention or absent paired with for or against 0.5.) The choice of years was limited, since records of card votes were only kept from 1940. In addition, to have included all card votes for the 1940s (besides vastly adding to the computations required) would have thinned out the number of unions attending conferences considerably below the total of 42 actually incorporated in this analysis. The aim was to strike a balance between the regular attenders at the Annual Conferences during the 1940s, and the total of unions which attended Conference at one time or another during this period.

Several conclusions can be drawn, some of direct, others of more tenuous, relationship to the data presented in the Table. First, the analysis confirms the existence of two very cohesive voting blocs at the Annual Conferences of the SAT&LC. This conclusion could of course have been reached impressionistically by scanning the records of the card votes. The cluster bloc analysis gives more precise and rigorous form to it. In cluster bloc analysis an agreement rate of 80% or more has conventionally been taken to indicate the presence of underlying voting blocs. On this basis, all but eight of the unions included must be considered to be members of one or the other voting bloc. A more sophisticated statistical criterion, suggested by Willetts, is the likelihood that a particular agreement rate could be the result of chance.⁹¹ On this basis, only four of the unions (numbers 28 to 31) could not be considered members of a voting

bloc.

A second conclusion which can be drawn from the cluster bloc analysis rests upon the assumption that the eighteen card votes form a reliable sampling of the ideological stance of union delegations, which would then enable us to consider the cluster bloc analysis as an indicator of the position on a broad "left" to "right" spectrum. This assumption seems reasonable, since the issues on which the card votes were taken were either the staple of ideological differences at the Annual Conferences of the SAT&LC (for example, the issue of African workers and their unions; trade union militancy) or were themselves the direct outcome of the split in the ranks of the SAT&LC unions (for example, the method of choosing the NEC; or the choice of secretary). And of course the delegates to the Annual Conferences themselves spoke of the dominance of the clash between left and right. We can thus consider the top bloc of unions (unions from 1 to 27) to represent the "left" at the Conferences, and unions 32 to 42 the "right".

One corollary to this bloc structure as evident in the Table is the lack of a numerically strong centre. This point is of some interest, given the tendency for many delegates to refer to themselves as "moderates", as did for example the artisan leadership of the SAT&LC such as A.J.Downes. As a Special Correspondent reported in the 21 April 1944 edition of Forward:

The overwhelming majority of Conference is Centre, with a very few real Right-wing Laborites. If this essential characteristic were realised it would be much simpler for the Left wing to get their motions carried.

But if one goes by the cluster bloc analysis, no such centre at the level of voting existed: what the correspondent refers to as Centre is nothing other than what emerges as the right-wing pole in the analysis. Or, to put the matter differently, at the level of voting which might imply a commitment to action (for example,

African representation on industrial councils, a fund for organising African workers), the self-styled "moderates" were not distinguishable from the "real" right-wing.

Finally, consideration can be given to the underlying determinants of this apparent left/right division. In broad outline, H.J.Simons's generalisation seems to be correct in indicating the basic line of cleavage: "...delegates of 'mixed' and non-European unions frequently find themselves in opposition to policies supported by representatives of craft and European unions".⁹² Some refinement of the classification implied here is however necessary. The category "mixed" and "craft" overlap, as for example in the case of the South African Typographical Union, the Boilermakers' Society, and others which, while later to become all-white unions, had a "mixed" membership in the 1940s. "Craft" unions are perhaps best called "white artisan-dominated unions" for this reason, if not "pseudo-craft unions" as Lewis argues by reason of their admittance of large numbers of operative grade workers.

With this modification, Simons's classification can be applied to the line-up of unions as they appear in the cluster bloc analysis. It is quite clear that the "right" bloc consists entirely of unions which can be labelled either white artisan-dominated or exclusively white unions. The former category includes the South African Typographical Union, the Boilermakers, the Ironmoulders, while others in this bloc are exclusively white unions. What characterises this latter group of unions is that they are, for the most part, either in the public sector or in mining (the most regulated of private sector industries), and that they represent largely semi-skilled white workers. Thus the modal union here is the mining production union or the municipal transport union. We find foreshadowed here the labour alignments of the 1950s, with the all-white unions moving into the ranks of the Confederation of Labour, and the white artisan-dominated unions joining TUCSA or remaining unaffiliated.

Any explanation for the existence, nature and behaviour of the right bloc within the SAT&LC must rest on an understanding of the position of the white artisan and the white semi-skilled worker in South African society at the time. This is to state no more than the obvious. What might be worth pursuing are the diverse factors which determined the operating milieu of the various unions, and which had a strong conditioning influence on the behaviour and ideology of the union leaderships. For example, the long-standing lack of unity between the oldest white-only or white-dominated unions must surely be explained on the basis of the division between public and private sector, and their respective work practices and institutional arrangements for collective bargaining.

Within the private sector, another influence which seems significant on the behaviour of the conservative unions seems to be their ability to enforce a strong closed shop. This factor may have lain behind the South African Typographical Union's resistance to white segregationist policy. Unions with less grip on entry to their trade, such as the Amalgamated Engineering Union, seemed in later years to have had less interest in maintaining their "mixed" registration and split into racial sections after 1956.

Turning now to the left bloc, it is evident that most of the unions found there in the cluster bloc analysis conform to Simons's criteria of "mixed and Industrial" unions, or what later writers such as Greenberg and Lewis have referred to as the "open industrial" or "non-racial industrial" unions. Noticeable however is the absence of large numbers of African unions, which despite right-wing rhetoric never entered the SAT&LC en masse. Noticeable too is the presence in the left bloc of what might be termed "deviant" unions whose characteristics would make one expect that they would have aligned with the right bloc. The two examples here are the Motor Industry Employees' Union, and the Johannesburg Transport Workers' Union, the former a white artisan-dominated union, the latter a de facto (though not de

Notes

1. See for example A. Flanders, "Great Britain" in W. Galenson (ed.) Comparative Labor Movements (New York, Prentice-Hall, 1952).
2. See for example D. Ticktin, "The White Labour Movement in South Africa, 1902-1910, and Working Class Solidarity", paper presented at the conference on South African Labour History, African Studies Institute, University of the Witwatersrand, April 1976, p.2.
3. Ibid. p.1.
4. Ibid. p. 4.
5. Simons & Simons (1969) p. 79 and p. 187.
6. P. Van Duin, "Artisans and trade unions in the Cape Town building industry, 1900-1924", in W.G. James & M. Simons (eds.) The Angry Divide: Social and Economic History of the Western Cape, p.105. See also Simons & Simons (1969) pp 220-228.
7. K.H. Williams, "The Resolution of Cape-Transvaal Conflict in the Trade Union Movement of South Africa", p.2.
8. See the Report of the Proceedings of the First Annual South African Trade Union Congress held at Johannesburg on December 29, 30 and 31st 1917 (published by the South African Industrial Federation, Johannesburg, n.d.) pp 46-56. Document stored in Trade Union Archive, University of the Witwatersrand.
9. Simons & Simons (1969) p. 329.
10. Ibid. p. 330.
11. See Report of Meetings between Representatives of the Cape Federation of Labour Unions and the Trades Union Congress held at Cape Town on the 17th, 20th and 21st April, 1927, in the documents submitted to the All-In Trade Union Conference, October 1930.
12. Simons & Simons (1969) p. 84.
13. Berman's accusations in the Cape Times, 7 February 1931, had been preceded by similar remarks in the columns of the anti-Creswell faction of the SALP-supporting Forward. The latter however had welcomed the formation of the SAT&LC as a means of building up "a strong industrial organisation" and of teaching "the Dutch worker to organise industrially", even if the T&LC's formation had involved some "chicanery" on the part of Creswell and the Department of Labour. (Forward, 2 January 1931). The latter allegations seem however mostly unfounded, given the records which show how W.H. Andrews had striven for the creation of a unified body since 1927, and indeed had been elected first

general secretary of the SAT&LC. Andrews and Creswell could hardly have been further apart, politically.

14. See for example Williams (1974) and M.Nicol, "Riches from Rags: Bosses and Unions in the Cape Town Clothing Industry 1926-1937", Journal of Southern African Studies, 9,2,1983.

15. See article on the Cape Federation by Jack Taba, Forward, 17 May 1935: "The Federation has done nothing in all these years against the Civilised (White) Labour Policy...but they have allowed its gradual realisation in many industries. Also, the federation supports class cooperation with the employers. ..[and] has never objected to the pass laws, which after all is the basis of the bar in the Industrial Conciliation Act".

16. K.H.Williams (1974) p.14.

17. J.Lewis, Industrialisation and Trade Union Organisation in South Africa, 1924-1955: The rise and fall of the South African Trades and Labour Council, (Cambridge, Cambridge University Press, 1984) p. 46

18. Memorandum from W.H.Andrews to the Registrar of Trade Unions, 17 October 1928, in Record of correspondence contained in documents submitted to the South African Trades Union Conference, 4 October 1930. (TUCSA library).

19. SAT&LC, Minutes of Sixth Annual Conference, 1936, p.83.

20. SAT&LC, Minutes of Eighth Annual Conference, 1938, p. 72.

21. SAT&LC, Minutes of Ninth Annual Conference, 1939, p 12.

22. Van den Bergh explained at a later date that he had been referring to "unseemly social relations with non-Europeans". SAT&LC, Minutes of National Executive Committee, 20 August 1940, p.4.

23. SAT&LC, Minutes of Eighth Annual Conference, 1938, p.48.

24. SAT&LC, Minutes of Ninth Annual Conference, 1939, p.47.

25. H.Haynes, Forward, 6 March 1931.

26. Forward, 10 April 1931.

27. As Lewis (1984) seems to do at times, cf. p.67 "For two decades these [industrial] unions, in uneasy alliance with the majority craft unions, held the Trades and Labour Council to 'progressive' non-racial policies". As a purely co-ordinating body, the SAT&LC can hardly be said to have had a "policy".

28. On the engineering unions and the dilution issue, see Lewis (1984), Chapter 6; E.Webster, Cast in a Racial Mould: Labour Process and Trade Unionism in the Foundries (1985), pp. 55-58.

29. SAT&LC, Minutes of Tenth Annual Conference, 1940, p 67.
30. Ibid., p. 72.
31. Ibid. p. 75.
32. SAT&LC, Minutes of Tenth Annual Conference, 1940, p. 33.
33. Ibid., p. 41.
34. See Lewis (1984) pp.107-110.
35. See J.Lever, "Historical and Contemporary Aspects of the Closed Shop in South Africa", Industrial Relations Journal of South Africa, 6,4,1986, pp.10-11.
36. SAT&LC, Minutes of Twelfth Annual Conference, 1942, p.44.
37. SAT&LC, Minutes of Thirteenth Annual Conference, 1943, p. 64.
38. Simons & Simons (1969) pp 534-535.
39. Ibid., pp. 556-557.
40. See the remarks by W.G.Ballinger, SAT&LC, Minutes of Tenth Annual Conference, 1940, p.62.
41. W.G.Ballinger to S.P.Bunting, 9 December 1941. Excerpts from Ballinger papers in the Trade Unions Archive, University of the Witwatersrand.
42. Letter from SAT&LC secretary to the African Mine Workers Union, 27 January 1943, in Ballinger Papers, Trade Union Archive.
43. SAT&LC, Minutes of Seventeenth Annual Conference, 1947, p. 53.
44. Ibid., p.63.
45. SAT&LC, Minutes of Thirteenth Annual Conference, 1953, p. 57.
46. SAT&LC, Minutes of Fourteenth Annual Conference, 1944, p 47.
47. SAT&LC, Minutes of Fourteenth Annual Conference, 1944, pp. 11-12.
48. See for example the artisan leaders' response to the debates at the 1934 National Poor White Conference. Simons & Simons (1969) p.508.
49. On this union, see for example J.Lewis (1984), pp.78-85.
50. J.Lewis (1984), Chapter 8: "The crisis of non-racial industrial trade unionism, 1939-1955".

51. SAT&LC, Minutes of National Executive Committee, 5 September 1944.
52. See Die Staalwerker (organ of the SA Iron & Steel Trades Association), 21 April 1944 and 19 May 1944.
53. Ibid, 19 May 1944.
54. Forward, 21 March 1947.
55. SAT&LC, Minutes of Seventeenth Annual Conference, 1947, pp.3-4.
56. Ibid., p. 26.
57. Ibid., pp 30-31.
58. Ibid. p. 31.
59. An excellent account of the last years of the SAT&LC is to be found in Lewis (1984) pp. 162-177. The following section will not attempt to repeat Lewis's overview, but will concentrate on the internal currents within the SAT&LC and the union movement.
60. On the so-called "group" or industrial lines, whereby each group of unions in a particular industrial group was guaranteed representation on the NEC. The change eliminated the ability of the artisan and mining unions to elect a majority of the NEC by means of their larger card vote. See SAT&LC, Minutes of Eighteenth Annual Conference, 1948, pp.31-33.
61. Ibid., p.94.
62. See SAT&LC, Minutes of a Special Meeting of the National Executive Committee, 15 June 1948, pp.1-6.
63. SAT&LC, Minutes of National Executive Committee, 3 August 1948.
64. "Namens wie spreek hy?", Die Transvaler, 17 June 1948.
65. SAT&LC (1949), Minutes of Inaugural Meeting of Trade Unions, April 1949, p.12. It should be mentioned that at the 1949 Annual Conference the SAT&LC formally dissolved itself and adopted a new constitution, due to technical problems concerning the old one. Thus from this time the SAT&LC was termed the SAT&LC (1949) in its official documents.
66. SAT&LC (1949), Minutes of a Special Meeting of the National Executive Committee, 1 September 1949.
67. SAT&LC (1949), Minutes of A Special Meeting of the National Exxecutive Committee, 8 September 1949.
68. SAT&LC (1949) Minutes of First Annual Conference (1949) pp. 29 and 47-49.

69. SAT&LC (1949) Annexure "E" Second Annual Conference, 1951.
70. SAT&LC (1949) Minutes of National Executive Committee, 7 September 1950.
71. SAT&LC (1949), Minutes of National Executive Committee, 5 October 1950.
72. Letter from E.S.Sachs to J.de V.Louw, 9 October 1950. Garment Workers' Union papers.
73. See handwritten Notes taken at Conference - Proposed S.A.Federation of Trade Unions, 29-10-1951. Trade Union Archive.
74. SAT&LC (1949), Minutes of National Executive Committee, 11 January 1951.
75. SAT&LC (1949) Minutes of Second Annual Conference, 1952, p 48.
76. SAT&LC, Minutes of National Executive Committee, 16 November 1953.
77. Simons & Simons (1969) p.598.
78. On the CNETU and the African unions in the post-war years, see for example Lewis (1984) p. 171.
79. SAT&LC (1949), Minutes of Special Meeting of National Executive Committee, 22 February 1954; remarks by Caddy, one of the members of the Unity Committee. The NEC endorsed the idea.
80. SAT&LC (1949) Minutes of National Executive Committee, 15 March 1954.
81. Minutes of First Trade Union Unity Conference, May 1954, p.8.
82. Ibid., p.3.
83. Ibid., p.37.
84. Ibid., p. 36.
85. Report by Mr.T.P.Murray and Miss D.M.Hartwell of their visit to Cape Town before and during the 2nd Reading of the Industrial Conciliation Bill, Trade Union Unity Committee, 11 June 1954.
86. Minutes of the Fifth Annual Conference of the South African Trades and Labour Council (1949),p. 3.
87. Ibid., p.5.
88. Ibid. p. 6.
89. Ibid., p.21.

90. For an overview of cluster bloc analysis, see G.D.Garson, Handbook of Political Science Methods (Boston, Holbrook Press, 1971).

91. P.Willetts, "Cluster-Bloc Analysis and Statistical Inference", American Political Science Review, vol 66, 1972.

92. H.J.Simons, "Trade Unions", in E.Hellman (ed.) Handbook on Race Relations in South Africa (Cape Town, Oxford University Press, 1949) p.169.

93. For the case of the MIEU, see W.S.J.Grant, Labour Relations in the Motor Industry in the Western Province. Unpublished M.A, thesis, University of Cape Town, 1953.

Chapter 6: The Registered Trade Unions under Apartheid

With the dissolution of the SAT&LC in 1954 and the establishment of the South African Trades Union Council (TUC), the trade union movement seemed set on a path not far removed from the one travelled until 1948. One major overarching trade union federation returned as the largest single grouping of trade unions in South Africa (40 unions with an affiliated membership of 147 337 workers, as of early 1955).¹ Its dominant leadership element was drawn once again from the "moderates" of the main white artisan-dominated trade unions, with Tommy Rutherford of the South African Typographical Union as President of the TUC. Much in the official policy of the Council ran counter to the segregationist thrust of the government and to the outlook of probably a majority of white South Africans. The TUC appealed to "the fundamental principles of trade unionism", and supported the general strategy of racially mixed unions applying the "rate for the job".² Coloured and Indian (but not now African) unionists took their place alongside the white leadership, and such things as the Council's racially mixed annual conferences remained a relatively unusual feature of public life in the country.

But the problem remained: how would this mixed union federation succeed in its goals in an environment which had hardly altered in its hostile features (except for the worse)? Could the new TUC work constructively in the same fields which had cracked the SAT&LC? Or was the TUC, now that the organisation had been purged of its most outspoken left-wingers and its small group of African unionists, not going to be merely a tamer reflection of its predecessor? And what was to be the role of the explicitly segregationist trade unions which had broken with the SAT&LC in 1948 to form their own union federation?

The TUC and the Industrial Conciliation Act, 1954-1960

The first two years of the TUC's existence were dominated by the fruitless efforts of the leadership to persuade the government to amend its proposed Industrial Conciliation Bill. Much time was spent by the Council's President (Rutherford), General Secretary (Dulcie Hartwell) and Trustee (Tommy Murray) in meetings with ministers and parliamentarians, and in speaking to unionists around the country about the measure. A petition was twice handed in to parliament asking for permission to address the House of Assembly about the proposed law; predictably it was not granted. On 9 and 10 March, 1955, TUC representatives gave evidence to the Select Committee on the Industrial Conciliation Bill which had been appointed to consider possible amendments after the second reading. A first Annual Conference of the Council, held in Cape Town in May 1955, recorded its approval of these efforts, and confirmed the interim leadership in office.

As President, Rutherford was the most prominent figure from the Council involved in the fight against the bill. He gave the opposition by the Council to the proposed Act a distinctive cast. A man who mirrored, perhaps more than he was aware, the equivocal political attitudes of English-speaking South Africans, Rutherford combined strains of mild socialism and non-racialism with the sectional protectionist instincts of the craft unionist. He was very evidently concerned to counter National Party attacks on mixed trade unions as undermining the status and security of white workers. Indeed, in his enthusiasm he sometimes produced arguments which accorded ill with the moderate non-racialism that was the essence of the TUC's outlook on South African society. Thus Rutherford attacked job reservation, for example, as a danger to the established standards of white workers, and claimed that the government was doing little to prevent the increasing utilisation of cheap African labour.

"You cannot have failed to notice", he declared to a conference of the Boilermakers' Union in November 1955, "the amount of

skilled and operative work which is passing into the hands of Native workers".³ And to the Select Committee on the Industrial Conciliation Bill, to which he gave evidence in March 1955 as a TUC spokesman, Rutherford stated that his own mixed union, the SATU, had actually succeeded in confining the numbers of Indian printing journeymen in Natal to a handful.⁴ The TUC President was thus apologetic when he addressed the 1956 Annual Conference of the organisation:

You will have noticed that all our representations have been confined almost entirely to the economic consequences which will flow from the provisions of the measure and that the great moral injustice which is being inflicted on the non-white workers has been soft-pedalled. The reason for that policy was not dictated by our lack of sympathy for the moral rights of our non-white members but because any other policy would have been an utter waste of effort at the expense of our other arguments. We knew that any contention that the non-white workers were not getting a square deal as far as human rights are concerned would not impress the Government in the slightest degree.⁵

In 1955 Rutherford proposed to his NEC as "a matter of tactics" ⁶ that the new Minister of Labour, Jan de Klerk, be asked to drop the clause from the Industrial Conciliation Bill permitting the splitting of mixed unions on racial lines, and in addition that he be requested to introduce the job reservation provisions contained in Clause 77 of the Bill in an entirely separate measure. This tactical ploy was an ingenious (and expedient) attempt to achieve the removal of the Bill's two clauses to which the Council had the most objection. It was, in particular, an attempt to achieve the dropping of the government's plan to allow the splitting up of unions on racial lines. Quite plainly, the leadership of the major mixed unions feared for the integrity of their organisations if exposed to the statutorily supported

"plundering" of their unions (as they viewed it) by racially inspired minorities, white or coloured. In return, Rutherford proposed that the government should be informed that the Council would go along with the provisions in the new Bill requiring that mixed unions have separate branches for each racial group, and that segregated meetings of members be held.

However, the intention of the proposal was also transparently clear to de Klerk, and he had little difficulty in making some political capital out of the TUC's offer, while still retaining the contentious clauses in the Bill.⁷ Rutherford could only utter dire warnings about the effect of the Bill on the white worker; his concern was not convincing. The TUC's NEC did make desultory efforts to arouse white trade union opinion against the Bill⁸ but the rank-and-file white workers in the TUC's affiliated unions showed no great interest or concern in the whole controversy, and the Council's call to militant opposition rang very hollow. Of this fact the government was well aware, having never considered the unionists in the TUC and its predecessor the SAT&LC the most accurate guide to the attitudes of the white working class. Again Rutherford and his colleagues visited Cape Town on the 1956 parliamentary session, lobbied MPs and counselled the opposition MPs during the debates on the Bill in the House of Assembly. But with the government intent on getting the measure for which it had waited eight years, the Bill proceeded through both chambers with the weight of the government's majority behind it. The anxious union leaders in the TUC could only wait and watch the outcome in terms of segregated trade unions and racially reserved occupations.

In the event, the twin impact of job reservation and union segregation was not as severe as some TUC unionists had anticipated. One sweeping job reservation determination did appear in 1957, reserving most jobs in the clothing industry for whites. Given the preponderance of coloured, Indian and African workers in the industry, the determination was plainly no more than a declaration of the government's intent to provide the

white workers with at least symbolic reassurance of its concern for their position in the labour force. The Garment Workers' Unions, with the support of the TUC carried out a strikingly successful stay-at-home campaign among coloured clothing workers whose jobs had been officially declared "white" by the determination. The resultant paralysis of the industry demonstrated the indispensability of the large coloured and Indian work-force. A later court decision in a case brought by the Garment Workers' Union invalidated the determination on the grounds that the Minister in issuing the determination had not applied his mind. But the victory was short-lived. In 1959 an amending bill to the Industrial Conciliation Act was introduced; one of its sections conferred wider powers regarding the drafting of determinations reserving work on racial grounds, and further challenge to job reservation in the courts was no longer effective.⁹

Nevertheless, the subsequent career of job reservation was a more limited one than that suggested by the dire warnings of TUC leaders in the mid-1950s. Its operation on a statutory basis was largely confined to semi-skilled pockets of employment, and by the 1970s most determinations were honoured largely in the breach. The cry of "job reservation" remained however an important symbol, and a shorthand device which reflected wider ideological currents within the trade union movement, as has been discussed in Chapter 2.

The expectation of racial fissures among trade unions after passage of the 1956 Industrial Conciliation Act was by no means unjustified, though the splits which did occur were perhaps fewer in number, and slower in coming, than both government and TUC unionists had foreseen. There were fairly rapid divisions in some of the furniture and building workers unions (although not in all of them). Two major white artisan-dominated unions, the Amalgamated Engineering Union and the Motor Industry Employees Union split - probably the major unions of their kind to do so. But around two-thirds of the mixed unions existing before passage

of the 1956 Industrial Conciliation Act remained intact though most of them were forced to comply with the requirement for separate racial branches and meetings, and for all-white executives. The success of major unions such as the South African Typographical Union and the Boilermakers' Union in retaining their mixed membership was important in enabling the kind of moderate non-racialism typifying the TUC to survive into the 1970s, despite agitation against mixed unions from both right and left in South Africa.

.....

The emergence of the TUC in 1954 had been testimony to the impulses both toward unity and disunity within the South African trade union movement. The TUC's success had been in encompassing the still numerically dominant centre and its attendant scattering of mainly English-speaking liberal to moderate unionists, to whom the idea of "the Movement" was integral to the very existence of trade unions. The fissures ran deep and wide, however, both to the right, and to the left. This chapter turns now to a consideration of the TUC's relationships with these other trade union elements in the country during the 1950s.

In the first place, let us consider how the TUC reacted to the growth of a new left-wing grouping after the demise of the SAT&LC in the 1950s. One of the major resolutions of the TUC's first Annual Conference in 1955 had declared the Council's intention of establishing a liaison committee for contact with African unions now excluded in terms of the TUC's constitution.¹⁰ This decision had produced the fissure to the left at the Second Unity Conference and resulted in the formation of the South African Congress of Trade Unions (SACTU). This body brought together several of the left-wing unions which had formerly belonged to the SAT&LC and the mainly African unions which had made up the Council of Non-European Trade Unions.

At the first Annual Conference of the TUC Rutherford stated that

the Interim NEC had not got anywhere in establishing liaison with African trade unions, "due to the attempt to establish the South African Congress of Trade Unions". Rutherford went on to say: "He was not seriously worried about this because he felt sure that the time would come when the African trade unions would appeal to this Council to set up that liaison."¹¹

Rutherford's remark reflected the low priority given by the TUC leadership at this time to maintaining close contact with African trade unions in particular, and with former left-wing colleagues in general. In part, it is likely that this was a reaction to the suspicion of lingering Communist influence among these left-wingers. (Piet Beyleveldt, first chairman of the SACTU, was indeed a member of the now illegal Communist Party, as were other leading figures in the organisation.)¹² SACTU activists likewise distrusted their former colleagues who now were gathered under the umbrella of the TUC, feeling that they had betrayed the cause of non-racial trade unionism. Not surprisingly, the relationship between the TUC and SACTU was never warm. The former would have preferred to have been completely disassociated from SACTU's disreputable radicalism and suspected Communism, and was well aware that the occasional SACTU overtures were largely an attempt to share some of the TUC's relative public respectability. Both the TUC and SACTU were rivals for the allegiance of the small group of African trade unionists. While SACTU could in fact count on the support of the majority of these unionists - which other body was as militant in support of African workers? - a number of black unionists resented the Communist influence in SACTU and looked to TUC unionists for guidance and support. The outcome was to be the disaffiliation of the largest African trade union in South Africa, the National Union of Clothing Workers, from SACTU and the formation of the Federation of Free African Trade Unions in opposition to SACTU.¹³

SACTU itself perceived the vulnerability of the major mixed unions in the TUC to accusations of white dominance of the

coloured and Indian membership given the new requirement of all-white executives in terms of the 1956 Industrial Conciliation Act. " The organisation therefore embarked on a campaign to break up the mixed unions by calling on coloured and Indian unionists to exercise their rights under the Act to separate from the mixed union. The strategy led Rutherford to remark in 1958 that: "We now have the paradoxical situation of the Government and the left-wing elements both sponsoring complete apartheid in the trade union movement."¹⁵ But the SACTU had no success, since none of the major mixed unions were broken up in response to their campaign. Much to the irritation of radicals, most coloured and Indian unionists retained an unshaken faith in the integrity of their white TUC leadership, or at least found the SACTU course of action inexpedient.

Throughout this early period, the major concern of the TUC's leadership was not in fact with closer contact with the now excluded African unions and the left-wing, but with the major white unions and federations which had remained outside the TUC at its formation in 1954. There were three main groups here: the white railway unions, members of the Federal Consultative Council; the South African Federation of Trade Unions (which included the white mining production unions and the South African Association of Municipal Employees, together with smaller unions in furniture, meat retail and explosives); and the Koördinerende Raad, dominated by the large Pretoria-based union, the Iron and Steel Trades Association with L.J. van den Berg as general secretary. The failure of attempts to unite these unions with those in the TUC had led to suggestions that the impossibility of close association be recognised, and that a federation of federations be formed in order to maintain looser contact and co-operation. At a meeting in January 1955 representatives of the TUC agreed with delegates of these other groups that a need for such a body existed, and decided that discussions on its formation should be continued.¹⁶ The proposal only bore fruit, however, once the passage of the Industrial Conciliation Act had removed the major bone of contention from the arena, and in 1957

talks on the subject were resumed. The issue provided the leadership of the TUC with something of a dilemma. Rutherford himself was a strong advocate of closer relations with these unions outside the TUC. He argued in 1956 that:

You may well ask what should our future relations be with those organisations who showed so little concern for the well-being of their fellow-trade unionists in the mixed trade unions ... we must not allow our natural feelings of resentment to get the upper hand. Within the ranks of these organisations are to be found some stalwart trade unionists who find themselves in the minority and have to abide by the decisions of the majority, which, in turn, includes many members of these hostile organisations who are in complete ignorance of the fact that they have been parties to undermining the welfare of their fellow trade unionists in the mixed trade unions.¹⁷

In May 1957 the TUC reached tentative agreement that it should participate in the proposed body, to be called the South African Confederation of Labour, and having as affiliates only trade union federations and not trade unions directly. These federations were the TUC, the FCC, the KR and SAFTU. The TUC envisaged that "on matters on which this Council agrees with the other bodies, there shall be a loose co-ordination."¹⁸ After discussions among the four federations had ended in agreement on a draft constitution, the NEC of the TUC voted 15 to 7 to approve the Council's participation in the Confederation "subject to the approval of the next Annual Conference."¹⁹ This Annual Conference approved the NEC's decision in March 1958, but with the following reservations:

- (i) that each participating organisation had a right of veto on any decision of the Confederation;

- (ii) that the Confederation should not be registered in terms of the Industrial Conciliation Act;
- (iii) that all statements issued in the name of the Confederation should be jointly approved;
- (iv) that the TUC should immediately withdraw from the Confederation should the above conditions not be respected.²⁰

On this basis, the TUC proceeded to participate in the affairs of the Confederation. It soon became clear, however, that the other parties to the Confederation had not seen the role of the Confederation in quite the same light as the TUC. Nor had they agreed to meet the TUC's reservation regarding the functioning of the organisation. A dispute soon arose over the question of the registration of the Confederation in terms of the Industrial Conciliation Act. Such registration would not in fact have made any significant difference to the status of the organisation, but some delegates appear to have felt that it would set the seal on the representative nature of the Confederation in the eyes of the government, and would have bestowed upon it the position of organised labour's official spokesman on matters of national concern. Such a view was anathema to the TUC delegates other than Rutherford, since they felt that the TUC was the main candidate for the nation's premier labour body. They had entered the Confederation in the hope of winning converts to their own point of view, rather than with the intention of establishing a new super-body to which the Council would take a back seat. When the registration issue was brought up at a meeting of the Confederation, the TUC attempted to apply what it understood to be its right of veto on the matter. The chairman of the meeting, Johan Liebenberg, president of the Artisan Staff Association, upheld the use of the veto; a majority vote of delegates resulted however in overturning his ruling and affirming the intention of

the Confederation to apply for registration.

This development clearly constituted a breach of the TUC Conference resolution on participation in the Confederation. The NEC decided to refer the issue to a special conference of the Council, which met in Durban in September, 1958. (The Conference was called for the further purpose of considering the proposed amendments to the Industrial Conciliation Act which the Minister of Labour had made public.) In a day of debate on the issue, delegates to the conference made clear that they were, in the great majority of cases, altogether opposed to further participation in the Confederation. Delegates advanced a number of arguments. One unionist charged the members of the Confederation (other than the TUC) with "anti-non-European attitudes". Tom Murray of the Boilermakers, moved in part perhaps by the long-standing hostility between his union and Van den Berg's Iron and Steel Trades Association, stated that in the Confederation "certain other elements we have associated with were trying to destroy us". One re-iterated theme arose out of the differing position of the majority of Confederation unions (which operated in the public sector) and TUC affiliates, all of whom were in the private sector. Unions belonging to the Confederation were in "sheltered employment", claimed one delegate. Cliff Crompton of the Ironmoulders based his opposition on the refusal of Confederation unions to embrace the "rate for the job".²¹

The TUC's president, Rutherford, thus found himself in relative isolation when he argued in favour of continued participation in the Confederation. With only a couple of delegates supporting his stand, Rutherford argued that:

Among the parties to the Confederation, van den Berg and his group were wholly in favour of job reservation and the new amendments to the Industrial Conciliation Act and opposed to "the rate for the job". Ellis (of the Mine Workers Union) was in agreement with van den

Berg Liebenberg, while accepting that job reservation was necessary in certain circumstances, wanted it done by a judicial body, and not by the Government It was most essential that contact be maintained with these dissenting groups if they were to be converted from job reservation If the Trade Union Council isolated itself from other groups of workers, it would open the door to these other people holding different views to step in and convert workers away from "the rate for the job" to job reservation ...²²

Despite their President's plea, most delegates voted to halt the Council's participation in the Confederation. Rutherford himself, taking the vote as one of no confidence in his policies for the Council, resigned his office. His place as president was taken by R.F. Budd of the Amalgamated Engineering Union. The TUC's opening to the right had failed.

In 1959 the Minister of Labour introduced major amendments to the Industrial Conciliation Act, aimed, among other things, at improving the implementation of job reservation and at discouraging the growth of African trade unions. Predictably, the protests of the TUC were ignored; the measure was passed. In the first five years of its existence, the TUC could look back at an almost unbroken run of failure in its resistance to government policies.

The contrast with the unions to the right of TUCSA could not have been greater. The Confederation, rid of TUCSA's dissident presence, relapsed into public inertia. The policies for which this grouping of trade unions stood were also those of government. Harmony of purpose prevailed, for the most part. While TUCSA underwent the familiar trauma of fission and failure over the African union issue, the unions allied to the Confederation for the most part had little to decry. The major exception, appropriately, given its stormy history, was the Mine

Workers' Union, which exploded into life in the mid-1960s when the existing MWU leadership agreed to a Chamber of Mines' proposal to experiment with changes in traditional labour practices in specified gold mines. Opposition among sections of the rank-and-file of the MWU to this move turned into open rebellion with the formation of an "Action Committee" which pledged to fight the existing leadership and to demand a return to the status quo, including a guarantee of the position of white blasting certificate holders. With strike action on the cards, the government appointed a commission of enquiry into the "experiment", and agreed to its findings that the changes in labour practices should be discontinued.²³ It was a victory for the side of reaction, and brought to the fore a new and vigorous right-wing labour leader in the shape of P.J. "Arrie" Paulus, who from this time took over the position of trend-setter in right-wing labour circles. It confirmed too the sensitivity of government to anything which seemed possible to undermine its political base among white workers.

The Confederation was to adopt a higher profile only from 1970 onwards, in response to the divergent currents in right-wing circles which had been emerging since 1966, in Pretoria in particular. In 1970 the Confederation staged its first-ever National Conference, in which constitutional amendments were adopted allowing for the affiliation not just of federations but also individual trade unions.²⁴ The Conference was addressed by the Minister of Labour, Marais Viljoen, who spelled out, in careful language, a shift in government labour policy which was unpalatable to the most fervent supporters of Verwoerdian apartheid within the Confederation. (See Chapter 4). The Conference was otherwise most notable for a debate on a motion by Johann Liebenberg of the Artisan Staff Association calling for a discussion on the issue of the labour shortages and the use of "available labour".²⁵ Liebenberg's cautious plea for an open discussion of this critical issue received the response from Arrie Paulus that "if we want to suggest something, we must ask that all work be reserved for whites and then leave it up to the

relevant trade union to make concessions as at the present time".²⁶ Liebenberg's motion was referred to the executive committee and the Confederation continued to ignore the need for a realistic appraisal of white labour's position in a rapidly changing environment.

TUCSA's Return to Grace: African Unions Re-affiliate, 1961-1966

The TUC had fought, and lost, the fight against the new Industrial Conciliation Act, and the amendments to it in 1959. The issues on which the Council had lost remained and rankled; numerous conference debates and resolutions over the coming decade were testimony to that. But from 1961 onwards the main focus of the Council's attention was upon a different issue: in fact an old issue for the trade union movement, but one now returned to prominence. And this was the question of African trade unionism. Should the TUC allow the affiliation of African unions, amending its constitution in order to do so? And, in many ways more important, should the TUC take active steps to promote the organisation of African workers, harnessing its own resources and putting its name behind such efforts? These were the two specific issues into which the African unionism question resolved itself in practice. To these the TUC was to be forced to give concrete answers in the 1960s.

The exclusion of unregistered African trade unions from membership in the TUC in 1954 had not of course made the problem disappear. But under Rutherford the Council had shown no urgency in pursuing the issue. Moreover, the establishment of SACTU had rather pre-empted the field with regard to African unions immediately after 1954. Beginning in 1957, however, came external pressures which were to be instrumental in jolting the TUC from its rut. First came visits to South Africa by officials of the "Western" body, the International Confederation of Free Trade Unions.²⁷ ICFTU policy was to promote African trade unions, and its officials investigated the situation at first

hand in South Africa. Having become aware of SACTU's leanings towards the "Communist" rival to ICFTU, the World Federation of Trade Unions, these officials were unwilling to back the Congress, which was, in many ways, the most obvious candidate for support. Instead, it was decided that the TUC was the most appropriate non-Communist body to promote African unionism. In 1959 ICFTU observers were present at the TUC Annual Conference in Durban; there they were gratified to witness delegates approving a resolution favouring the unionisation of African workers. (Although they had been invited, the ICFTU officials declined a SACTU invitation to attend their national conference.)²⁸

The immediate upshot of these manoeuvrings was however the formation of a new African trade unions centre, the Federation of Free African Trade Unions, in 1959, rather than an organisation directly attached to the TUC. The latter does however appear to have backed FOFATUSA behind the scenes, possibly helping distribute ICFTU money to the new body.²⁹

Further pressure on the TUC from overseas came from the International Labour Organisation, of which South Africa was a member, and to which it sent two South African trade unionists every year. International links such as these were clearly cherished by the leadership of the TUC, but their strength was being tested by mounting attacks from several quarters on South African labour practices and trade union restrictions. SACTU itself kept its overseas contacts supplied with relevant literature on the position in South Africa, and on the lack of militancy manifested by the TUC on the question of African trade unionism. And the entrance of independent black African nations to the councils of the ILO was to increase the number of attacks.

The TUC made an attempt to grasp the nettle in public at its 1961 Annual Conference. Here L.C. (Steve) Scheepers of the Transvaal Leather Workers Industrial Union (later in the conference to be elected president in the place of Budd) proposed the following

otion:

That this Conference urges upon the Government to give recognition to African trade unions whose membership consists of urbanised Bantu. Such trade unions to function under the wing of the sister registered union. Where no such registered trade union exists, such unions to function under the supervision of the South African Trade Union Council.³⁰

The studied moderation of the motion suggested that it had been cooked up as a compromise to satisfy the more conservative unions in the TUC and to dispel notions of TUC radicalism in the eyes of the wider white public and the government. In his speech for the motion, Scheepers himself "contended that African trade unions attempting to operate on their own would not be a success."³¹ The general secretary of the Amalgamated Engineering Union, E.H. McCann, supported the motion, but suggested that even it, cautious as it was, went too far. Government policy was against it, and "The African was currently more interested in overcoming the pass laws than in forming trade unions. He was a politician first and foremost ..."³² For the majority of delegates, however, the motion was plainly regressive. In the words of J.C. Bolton of the Natal Garment Workers Industrial Union, "... the TUC... was rapidly following in the steps of the Government and failing to realise what was going on in South Africa and on the African Continent generally. We were out of step with the rest of the world in many ways."³³ Faced with such delegate opposition, Scheepers withdrew his motion, claiming that he had introduced it in the first place "through sheer frustration" induced by the failure to persuade successive Governments to change their policy on African unions. A motion later in the Conference calling for full recognition of African trade unions was passed unanimously.³⁴

In 1962 the TUC³⁵ finally took the plunge and voted to admit African unions as affiliates of the Council, on the

recommendation of the NEC. One reason for the switch to the pre-1954 position was the pressure from the ILO on South Africa. The previous year's delegate to the ILO conference from the TUC reported the attacks which had been made upon the South African position there. And Tom Murray, sponsor of the motion on behalf of the NEC, remarked that "if the Constitution of the Council was not amended in terms of the resolution, the credentials of the South African delegates would not be accepted at the ILO in June."³⁶

The motion was opposed by delegates from three major white-artisan-dominated unions, the AEU, the MIEU and the Ironmoulders (and, given its later position, it would appear by the South African Electrical Workers Association too.) For the AEU, McCann asked:

What could they do for their African friends by bringing them into the Council as affiliates that they could not do by liaison? He stood before this Conference, not as a member of the National Executive Committee, but as a representative of 19000 members, the majority of which were Afrikaans-speaking. He believed that in time they would convince the membership that the workers should all be united, irrespective of colour, but he did not think that time had arrived as yet.³⁷

Crompton of the Ironmoulders adopted his standard line of argument, one that he had used before, one that he was to use in a similar debate in 1972: the TUC's policy, to which his union adhered, was to have mixed unions applying the rate for the job. Under present legislation Africans were not permitted to join established mixed unions. How then could the TUC give its blessing to separate unions for Africans, unions which might undercut the established standards of the unionised whites and coloureds? (Crompton himself was to sponsor what he himself termed a kind of job reservation at a later date, and his

position reflected the ambiguities in the official rate-for-job doctrine).

Notwithstanding the arguments of these admittedly influential unionists, the mood of the conference majority was quite clearly in favour of approval of the motion. In this, the Conference probably did not differ from previous gatherings of the Council; perceptions of feasibility and counterpressures now combined to change the context of the situation. In the vote of the measure, the vote was 83 for the motion, 10 against with 9 abstentions.³⁸ For most of the TUCSA delegates the passage of the motion signified a return to a position of principle which had only been abandoned eight years ago during a howling blizzard of expediency. The TUC had come in from the cold. But it remained to be seen why the events of 1947-1951 within the SAT&LC should not be repeated within TUCSA.

For the moment, however, TUCSA pressed ahead on the new course. An African Affairs section was established (with some overseas financial aid that was to become a point of controversy later). This section employed several full-time workers under its head, Eric Tyacke, and provided a range of services and organisational efforts in support of existing small African unions or in order to establish new ones. The main thrust of the section was educational, providing a valuable organisational support for the small but expanding corps of African trade unionists who had no association with SACTU.³⁹ The decision to allow African union affiliation resulted in a dilemma for those African unions, mainly in FOFATUSA, who were likely to be interested in joining TUCSA. These unions were at first unwilling to abandon their own federation in favour of membership of TUCSA alone, and in order to accommodate them, the TUC had agreed to allow dual affiliation for African unions. Notwithstanding this concession, the NEC of TUCSA reported in 1964, FOFATUSA "for some obscure reason has not seen fit to co-operate as enthusiastically with TUCSA as was generally anticipated."⁴⁰ The TUC was alarmed by rumours of possible "political unionism" among FOFATUSA leaders (which may

have reflected the known Pan African Congress sympathies of some FOFATUSA unionists.) After an investigation, the NEC's mind was set to rest, and it concluded that "FOFATUSA was in all respects what it claimed to be - an organisation devoted exclusively to the economic welfare of members of its affiliated unions."⁴¹ It is in fact doubtful if FOFATUSA was in fact much more than a name for a small group of African trade unionists to whom SACTU's activities and stance were distasteful.⁴² But it represented one hope, at least, of establishing a relatively respectable (in government eyes) body which could provide a common rallying point for African trade union leaders. These leaders were for the most part sympathetic to the TUCSA leadership and known to them. After this initial period of hesitancy, the FOFATUSA unions joined TUCSA and the former body faded quietly from the scene.

But trouble arising from the African union decision was to be forthcoming from a different source, and a more predictable one. TUCSA's admission of African unions provided right-wing white unionists with a ready-made issue with which to agitate against TUCSA affiliates. The challenge, for the most part, appears to have come from Afrikaans-speaking unionists who were in competition with existing unions for white members, or who wished to split the existing unions to form bodies with a more overt white racialist stance. The first signs of difficulty came in the motor repair trade, where a splinter white union under a known right-wing Afrikaner nationalist had been struggling against the dominant Motor Industry Employees Union for some years. This union, the Blankemotorwerkersvereniging, had gained registration for the motor repair trade in the Brits area. (This union's efforts were rewarded when an amendment of the Industrial Conciliation Act in 1961 provided legal basis for the kind of splinter registration it sought).⁴³ The Brits union seized upon the African union issue to embarrass the MIEU leadership in the eyes of its white membership. (The MIEU, formerly a mixed union, had been one of the organisations to split along racial lines in the late 1950s.) The MIEU leadership, which had voted against the 1962 TUCSA conference decision on African affiliation, was

understandably worried. At branch meetings throughout the country the issue was put to the Union's membership; the branch meetings were for retaining the TUCSA tie. " This outcome was naturally hailed as a major victory for the forces of reason within the movement, but the jubilation was premature. For one thing, branch meetings were notoriously a poor indication of rank-and-file opinion, given the poor attendance at them in most unions. There is no reason to think that the MIEU, with its scattered membership in garages throughout the urban areas, was any different from other unions in this regard, and hence any better in touch with grass roots feelings in this issue. And as events within a short time were to show, the issue was far from dead. But for the moment, TUCSA's leadership was able to congratulate itself on having navigated the first major threat to the unity of the organisation after the watershed of 1962.

This leadership from the mid-1960s on was to remain firmly rooted in the traditional source of English-speaking trade union leadership - the artisan unions. In 1965 the forceful Arthur Grobbelaar became General Secretary of TUCSA, and remained so until his death in 1983. Grobbelaar was himself a boilermaker who had grown up during the Depression years and taken indentures in the trade. His personality and his office in the Secretaryship gave TUCSA a continuity of administration and - although the twists and turns of the organisation's official line in the coming years seemed to belie it - an underlying basic policy committed to "true trade unionism", that is, open trade unions organising (in principle) all workers in a given occupational category or industry. Working hand in hand with such TUCSA Presidents as Tommy Murray (General Secretary of the Boilermakers) and L.C. ('Steve') Scheepers of the Leatherworkers' Union, Grobbelaar became both the voice and the unofficial leader of TUCSA in the next decade and a half.

Tommy Murray, newly elected President in 1965, returned to the theme of the growing presence of Africans in the work-force in his Address to the Eleventh Annual Conference of TUCSA. He

stressed the danger to the established trade unions posed by their inability to organise African workers, due to the statutory limitations imposed by the Industrial Conciliation Act:

The registered trade unions are already speaking for an ever-decreasing minority. How much longer can we expect to be an effective force? Have we not already ceased to be an effective power in regulating wages except for those few people we are allowed to represent?"

This concern of Murray reflected the situation of the trade union official worried at the actual, or potential, decline of union power in the face of a shrinking white, coloured and Indian, proportion of the South African labour force. It was part of the dilemma of TUCSA's leadership that their offices at the helm of many of the nation's leading trade unions gave them an uncomfortable insight into the decline of their organisations as such, but that their rank-and-file, more acutely conscious of the potential threat posed by the masses of African workers than of their union's plight, could hardly be brought to share this insight.

Instead, pressure on TUCSA over its policy regarding African unions was to be renewed, with some rank-and-file agitation leading some union officials in TUCSA affiliates to re-consider their position. Faced with this agitation and public denunciation on the issue, TUCSA's house of cards began to creak under the winds of reaction.

Once again, yet again: African Disaffiliation, 1966-1969

In 1966 the Amalgamated Engineering Union, bowing to vociferous internal agitation against the TUCSA link, disaffiliated from the co-ordinating body. Three years later, TUCSA barred the affiliation of African unions. The connection between the

earlier action of the AEU and the later one of TUCSA was relatively direct: the AEU's step precipitated a series of agonised debates within the Council whose upshot, though prolonged in coming, never really seemed in doubt in the light of past history. In a very real sense, it was 1947-1954 all over again.

The withdrawal of the AEU, coupled with that of the MIEU even earlier, indicated that the white-artisan dominated unions were increasingly uneasy at the trend of events. Leaders in these unions were highly sensitive to the reaction of their rank-and-file, and to the attitude of the authorities. At the Twelfth Annual Conference of the TUC at Durban in May 1966, Tom Rutherford of SATU took the lead in pressing the issue. He raised the question of the AEU's disaffiliation, and prompted a debate which he asked be held private. In a long fighting speech reminiscent of his period of office as President in the 1950s, Rutherford argued that TUCSA's position did not represent that of many white workers, who were fearful of the threat of competition for jobs from an organised African labour force. The disaffiliation of the AEU was a case in point. The TUC's policy was "correct in principle, but it has nevertheless proved to be most damaging." Among the problems cited by Rutherford:

At present, representatives from the Typographical Union in Johannesburg go to the local Area Division Meeting and they find the majority of persons attending that Area Division are Africans ...

In general, argued Rutherford:

I say that someone has rocked the boat. The boat was drifting along quite nicely; it was getting to its destination for the benefit of all the workers in the country. As I see the position today we have to back-pedal to some extent ... Do not let us have another 1947, when the result was that certain people walked

out of the Conference, and within a very short period a very large number followed their example ... My suggestion is to establish two wings of TUCSA ... The one wing will be the wing of the registered trade unions, and the other wing - I would like to call it the integrated wing - would be open to any registered or unregistered trade union who would prefer to belong that particular wing of TUCSA? ..."

Rutherford's argument was supported by Bob Cowley of the South African Electrical Workers Association and Cliff Crompton of the Ironmoulders' Society. The front of concerned artisan leaders was however broken by Tom Murray of the Boilermakers' Union, as was so often the case. Murray told delegates:

... we as the leaders of trade unions, as the elected representatives of the working class movement in South Africa, have to consider the right thing to do ... Surely as civilised people, we must accept that if there is to be this disparity of races in South Africa, then the African will rule whether we like it or not ... Our destiny lies with mixed unions, the future lies with mixed unions ..."

Murray argued that should TUCSA surrender to present pressures, then there would be further pressure to exclude coloured and Indian workers as well from the ranks of the Council. It was within the ability of TUCSA unions to hold the position; the AEU's failure had been not to explain matters to the rank-and-file, but instead had let "a small noisy minority control them." Rather than compromise, said Murray, TUCSA should go out of existence. Murray's speech prompted the retort from Cliff Crompton that it "was out of this world in respect of International Trade Unions as such."⁴⁸ But the position in South Africa was different; here there was "a peculiar set of problems." ⁴⁹

The debate indicated the depth of unease among major affiliates of the TUC; it also showed that many, probably most, union delegates were not as yet disposed to follow Rutherford's suggestion and bar the affiliation of African unions. A proposal to refer the whole matter to the incoming NEC proved acceptable and passed unanimously.

The NEC did indeed take action. They closed down the African Affairs Section of TUCSA, thus ending what was in practical terms the Council's most meaningful contribution to the cause of African unionisation. But the affiliation of African unions to the Council remained, few though there were who actually availed themselves to the opportunity. Despite this action, the Council was still not beyond the reach of the unsettling criticism of the government, and in particular of the Minister of Labour, Marais Viljoen.

Toward the end of 1967 Viljoen, speaking at two political meetings in the Transvaal, launched into a scathing attack on TUCSA's African union policy, suggesting that the leadership of the organisation was being "un-South African", and warned of possible steps against the Council to be taken by the government.⁵⁰ The TUC's NEC considered the attack serious enough to warrant calling a special conference to discuss the affair; over and above the Minister's criticism lay the threat of further disaffiliations of unions unwilling to continue association with a body in such poor standing with the authorities. A conference was accordingly arranged, to meet in Durban on December 12 and 13, 1967.

Before the Conference assembled, however, a TUCSA delegation went to see the Minister in Pretoria about his remarks. The meeting, "by far and away the most congenial" meeting with the Minister,⁵¹ did clear the air somewhat. The Minister re-affirmed government policy, which was opposed to fostering African trade unionism, and declared that any "undermining" of the policy would not be tolerated. He was also able to catch the

delegation on the wrong footing by producing a memorandum to him from a TUCSA affiliate, the (coloured) National Furniture Workers Union, in which the Port Elizabeth branch of this Union informed the Minister that it was opposed to the Council's support for African unions.⁵² It was an embarrassing position for the delegation, as Grobbelaar later informed conference delegates.

In response to the Minister's statement of government policy, the delegation appears to have adopted a calculated appeal to a presumed commonality of white protectionist interest. In the words of Tom Murray:

I said that TUCSA does not necessarily believe in African trade unions. What we really believe in - and when I said this I stuck my head out, and you can chop it off if you like - is for registered unions to be authorised to organise the Bantu within their own particular ambit ... I said that the organisation of the Bantu was basically motivated through selfishness because the White man is being systematically eliminated from the industrial scene ...⁵³

It is not known whether Viljoen was moved by this frankness; he did not, at any rate, concede anything with regard to government policy. There was no comfort in the interview for the TUC on its position regarding African unions. And it reported in that vein to the delegates assembled in Durban at the Special Conference in December.

What then was to be done? Debate at the Conference revealed a shift towards caution in the mood of the unionists present over previous gatherings. Again, the spokesmen of the South African Typographical Union, the South African Electrical Workers' Association and the Ironmoulders' Society took the lead in pressing for change in order to maintain the unity of TUCSA. Rutherford warned that should the Council not bar the affiliation of African unions, the existing mixed unions could face

legislation compelling segregation. Bob Cowley of the SAEWA, blunter than his colleagues, declared: "It appears that I am the only speaker dedicated to the cause of the White artisan here today. We are a White trade union, and we have had difficulty and problems in connection with TUCSA's policy for nearly four years ... We are not prepared to go against the policy of the Government - and we are prepared to stand by that policy until such time as it is changed."⁵⁴

Clearly the white artisan-dominated unions could not or would not live in the glare of government disapprobation; the leadership of these unions was used to a comfortable relationship with the authorities, or its rank-and-file was exerting pressure - or both. Two opposing resolutions, embodying the contrasting "right" and "left" positions - were put before the Conference by delegates. One was moved by Rutherford; it recommended the exclusion of non-registered unions from TUCSA, and subsequent consultations with government in order to see whether or not a jointly acceptable policy could be found on the issue of African unionisation. Ray Altman, general secretary of the National Union of Distributive Workers, a formerly mixed union which had segregated due to pressure from the coloured membership unhappy at the statutory white control, moved the other resolution. It urged that the present position be maintained, and that talks with the government be held on that basis on the African union issue.⁵⁵ Some time was spent by delegates in proposing refinements to the motions, but a resolution faithful to the spirit of Rutherford's original proposal was finally carried at the Special Conference by 46 votes in favour, 7 against and 17 abstentions. This resolution was no more than a recommendation, since the meeting did not have the power to make the necessary change to the Council's constitution. Only an Annual Conference could do that, the next one was in April 1968.

When the Conference met in Cape Town in April, it was in a very different mood from that of the Special Conference of the preceding December. It had before it a motion in the name of the

South African Electrical Workers Association calling for the disbarment of non-registered unions (to its surprise, the SAEWA had discovered before the Conference that the recommendation from the December gathering was not automatically placed before the following Annual Conference. The Association itself thus placed the motion on the agenda.) After an extended debate on the issue, the motion was rejected by 76 votes to 18, with 2 abstentions. The Annual Conference did not, after all, endorse the verdict of the special meeting of the previous December. What lay behind this apparent about-face? There would seem to have been a number of factors. One point made at the Conference itself was the change in the composition of the delegates: "... there are many more delegates here who were not at the Special Conference."⁵⁶ Another delegate noted: "A more sensible attitude now prevails" than after the panic of late 1967.⁵⁷ Similarly, the respected unionist Tom Alexander, of the South African Society of Bank Officials, stated: "I am now quite convinced that I personally overestimated the danger of TUCSA breaking up over this issue."⁵⁸ Ray Altman of the NUDW touched on an international consideration: "... if the Annual Conference endorsed the decision that was taken in December, then TUCSA would be finished internationally."⁵⁹ The tone of the Conference majority was perhaps best summed up by the delegate who declared: "It is not for three members (a reference in all likelihood to the three artisan unions pushing for African disaffiliation) of an organisation of 71 to dictate to the majority. They cannot say to us: Dance to our tune or we disaffiliate."⁶⁰

However, disaffiliation was precisely the weapon which these disgruntled unions in TUCSA had ready to hand. When delegates re-assembled ten months later in Johannesburg for the Fifteenth Annual Conference, fourteen unions had disaffiliated from TUCSA. It "must be assumed", stated the NEC Report to the Annual Conference, that in all but two cases, "the major factor which determined these Unions' decisions to disaffiliate was that of the Council's policy of African membership of Trade Unions and

African unions being members of the Council."⁶¹ Among the unions which had disaffiliated were the South African Electrical Workers' Association, the Amalgamated Society of Woodworkers, the Johannesburg Municipal Transport Workers' Union, the South African Typographical Union, the Amalgamated Union of Building Trade Workers and the Tramway and Omnibus Workers' Union (Cape) - all relatively large and influential bodies with a predominantly white membership. They included the mainstays of TUCSA's white artisan support, with the exception of the Boilermakers and the Ironmoulders.

The consequence for the TUC was a steep decline in both affiliated membership and income: "... the loss, or potential loss, to the Council on this issue, means that the Council lost, or was going to lose, virtually half of its total membership, as well as virtually half of its total income."⁶² The general secretary of TUCSA, Arthur Grobbelaar, told delegates to the Annual Conference that "TUCSA's demise is imminent." Services and staff had already been cut back, further disaffiliations were threatened, and TUCSA's standing on the national level was diminished. And "... if there is no TUCSA, then only the Confederation of Labour can speak for the workers of South Africa",⁶³ - a prospect depressing to most TUCSA delegates, averse as they were to the Confederation's white exclusivist stance.

With the influential figures of Murray, Scheepers and Grobbelaar pressing for it, a motion was passed by the delegates which excluded African affiliation to the Council. Only Eric Tyacke, former Administrative Assistant for the TUCSA African Affairs Section, and present in his capacity as a delegate for the National Union of Laundry Workers, pleaded that the Council not abandon the African connection.⁶⁴ He gained no support, though perhaps more silent sympathy. With, for TUCSA, little debate, the deed was done, and the motion passed. With only two delegates opposed, the conference voted to exclude non-registered, hence African, unions. It was, as it had always

been, an action with more symbolic than practical content. Few African unions still belonged to the Council; most had either failed to keep up payments or withdrawn voluntarily in 1967. It was however a sign that TUCSA unionists would not stand wholeheartedly behind the African unions when opposing forces stepped up the pressure.

In a similar situation in 1950/51, the SAT&LC had held out considerably longer before a majority of its constituent unions had bowed to what seemed the inevitable step of African exclusion in 1954. For the leadership of TUCSA in 1969 the situation, while strongly reminiscent of that earlier occasion, was yet not completely analogous. For one thing, the organisation lacked the more radical elements which had been such a forceful presence at SAT&LC conferences until its dissolution. Of those who had escaped the operation of the Suppression of Communism Act, the years had made almost establishment figures, leaders of accepted economic organisations. For another, the TUCSA leadership, in particular its general secretary, president and some NEC members, appear to have been confident of regaining lost affiliates should the issue of African unions be resolved by preventing their affiliation. Perhaps it was in order to re-assure such potential re-joiners that the motion to drop African affiliation had appended to it further clauses. These clauses specified that future changes in the membership criteria for the Council could only be brought about by a card vote of 80% in favour of such a change at a duly constituted conference of the Council. Second, no such change was to take place for two years since the previous one. It seems possible that the South African Typographical Union did press for such guarantees before it would consider re-affiliation. In any event, this Union did indeed re-join shortly after the decision of the 1969 Annual Conference.

As some sort of sop to its collective conscience, and in order to take stock after a period of humiliating reversals, the 1969 Conference resolved to establish a Policy Committee, which was instructed to:

devise a policy which will have as its broad aims, the protection of the members of the registered trade unions, whilst preventing the exploitation of unregistered and unrecognised workers of any race ...⁶⁵

In a way, it was the African union issue back again, in heavily disguised form, and safe enough for the most conservative of TUCSA potential white support to swallow. Working with remarkable rapidity for such a body, the Policy Committee produced a document within three months. Presented with some skill and sophistication, the Report of the Policy Committee contained both diagnosis and prescription. The major argument of the Report was that the business of South African trade unions was to provide job and income security for their members in a situation complicated by technological change, racial antagonisms and suspicions, and declining trade union power.⁶⁶ The remedy, suggested the Report was a "multi-pronged job security programme"⁶⁷ which would attempt to secure existing employment of union members where practicable, but would also encourage adaptation and retraining of union members in a changing job market. The fear of interracial competition, argued the Report, was in part misplaced and arose from the changing nature of many industrial jobs under the impact of new technology and managerial rationalisation of labour. The answer in this respect was to be found in the "retention of job and occupational values and complete opposition to wage downgrading."⁶⁸ One possible translation of this is that fragmentation of jobs, with the concomitant introduction of African workers to perform the new tasks at rates much lower than for the work previously, was to be opposed by TUCSA affiliates. At any rate, it was this latter process of wage downgrading in a context of re-defined industrial tasks which was "the chief means whereby the rate for the job is 'sabotaged' in present practice."⁶⁹ Complementing this analysis was the proposal that registered trade unions be permitted to negotiate on behalf of all workers in their respective industries, whether members or not - a proposal, that is, that

the registered unions should help fix the wages and conditions of employment of African workers who were not, by law permitted to join these same unions.⁷⁰

These then were some of the major points of the Policy Committee's Report, acclaimed by Tom Murray as the "biggest thing that has happened in the history of TUCSA."⁷¹ In order to underline the importance of the Report, a special conference was held to acquaint TUCSA affiliates with the details of the Report, and to persuade them of its merits. The Conference, held in August 1969 in Durban, was something of a family reunion after a period of stress and internal division. The presence of delegates from the South African Typographical Union indicated the re-affiliation of that body to the Council. The Report's contents were given a warm endorsement by delegates, some of whom were at pains to point out that they did not run counter to TUCSA's declared rate for the job policy.⁷² In all, both Report and Conference accurately reflected the earnest good will with which TUCSA approached its sometimes unwelcoming environment. At another time, in another political context, these proposals may well have had greater impact than they did. But given the persistent nature of South African societal dilemmas, given the policy of an unbending government, the Report made far less headway than its carefully thought-out arguments deserved.

TUCSA's 1969 policy statement declared that one of the Council's major functions was to serve as a "pressure group for the democratic process" so as to enable "labour's voice to be heard."⁷³ And TUCSA itself at this time could usefully be viewed as a pressure group - one of the many voluntary associations in South African society competing for the attention and support of the major decision-making elements. Many TUCSA unionists clung to notions of the "labour movement" which had been such powerful ideological buttresses in earlier years, but whose appeal had faded with the suppression of a legitimate Marxist party in South Africa. To these unionists to whom an older rhetoric was not dead, TUCSA was the legitimate

organisational expression of the powerful social formation of the working class,. In reality, it was rather as a relatively uninfluential pressure group that TUCSA emerged in these years, ignored for the most part by government, uncertain of rank-and-file backing, and deprived of its most important growth potential - the African masses - by its inability to engage wholeheartedly in a policy of aggressive African unionisation. As such, the Council shared in the oppositional impotence of other partly politicised institutions whose major social base rested on English-speaking white South Africa and their allies among the coloured and Indian groups. TUCSA lived and breathed in the same ambiguously liberal milieu that fostered English-speaking academia, the English-language churches, and the kind of mild reformism of elements within the United and Progressive Parties.

Besides its willingness to issue frequent policy statements to sympathetic journalists, TUCSA was extremely limited in its opportunities for fruitful pressure. Its membership of a number of public bodies such as the Prime Minister's Economic Advisory Council and the Consumer Council enabled its officials to play a marginal national role, but TUCSA's impact through these channels does not seem to have been at all marked. Annual Conference resolutions of the Council, if they had a bearing on government policy (and they usually did) were routinely forwarded by letter to the relevant government department of Minister. But, as Tom Murray remarked in 1968:

Have we ever had any consideration from the Government? What happens to the dozens of letters that go back and forth, and about which you read in your Annual Reports. How many of the wonderful resolutions that you adopt year after year, ever gets the ear of the Government?"

Murray went on to claim that the same governmental neglect was true for other "working-class" organisations, and presumably by this he meant to refer to the Confederation. Whether or not such

a view was accurate, the latter organisation appears to have felt itself anything but alienated from the inner circles of political power, as TUCSA most definitely was. But in referring to the inability of "working-class" institutions to influence the government Murray was making an important point. Organised labour as such simply did not confront the government as a relatively cohesive bloc. Not only were the mass of workers largely unrepresented, but those who were could barely agree among themselves to co-operate on the least controversial issues. TUCSA suffered both by virtue of being only a section of a divided movement and by being that section at odds with the government of the day, if not to the extent to which its left-wing rival, SACTU was, before becoming largely defunct in 1963/1964. TUCSA, like the other institutions of English-speaking South Africa, seemed structurally defined in a position of permanent opposition.

This opposition also had its divisions and its ambiguities. Ideally TUCSA felt itself to furnish the only authentic alternative to the white sectional basis of its major rival, the Confederation of Labour. But that pretension was hotly challenged until the mid-1960s by the activists of SACTU. Even on a more limited spectrum of support TUCSA was fragile. Major white artisan unions which stuck with the organisation into the 1960s detached themselves when the controversy over African unionism began to intensify. Thus neither radical opposition nor a more moderate, but potentially more effective, solid white union resistance to government policies was demonstrated by TUCSA. Instead, it wavered from mild defiance to near total capitulation in the space of seven years, shedding support as it went.

Nowhere was the ambivalence more evident than at the level of what can be termed the "official ideology" of the Council - that amalgam of multi-racial unionism and white artisan protectionism most succinctly embodied in the TUCSA battle-cry of "Rate for the Job", and its lesser used variant of "Equal pay for equal work".

The deceptive nature of this slogan has been pointed out frequently enough: the surface non-racialism and egalitarianism often masks a deeply practical exclusionist effect, whether deliberately so intended or not is a different matter. White trade unionists from Cape to Copperbelt have found that by insisting on a relatively high minimum wage rate for jobs done by union members, blacks could be excluded from the work without any recourse to invidious racialist propaganda.⁷⁵ Not that the effect of the rate for the job policy was always of such uniformly anti-black bias: much depended on the context within which the policy was pursued. But the exclusionist possibilities of the policy remained as alive as in earlier years when leaders such as Dr. Abdurhaman had attacked the policy as leading to the disbarment of his fellow brown South Africans from "white" jobs.⁷⁶ Rate for the job was thus an uncertain prop for a TUCSA seeking to prove its good faith to brown and black workers.

A similar situation could be seen with regard to the issue of African unionism. On the one hand TUCSA unionists saw the promotion of African unionisation as the obvious path of trade union virtue, the necessary step to labour solidarity. But such unionisation was to be undertaken "responsibly", and preferably under the wing of the registered trade union in the branch of industry concerned. If only government policy would allow incorporation of Africans into existing registered unions ... that was the real desire on many, probably most, of the TUCSA leaders. On this count, African unionisation was sheer white self-interest, as unionists such as Cliff Crompton, Arthur Grobbelaar and Tom Murray made fairly clear from time to time. By bringing in Africans into existing unions on the basis of limited voting rights - anything else would swamp the unions, remarked Cliff Crompton candidly in 1966 - union leaders could both maximise the power of their dwindling unions and prevent undermining of the jobs and wages of their white, coloured and Indian members. Tom Murray himself, probably the most influential and eloquent advocate of African unionism within TUCSA, used both arguments quite freely. ("Bring them in to keep

them down" was one leading Confederation unionist's interpretation of this policy, not without justification.)⁷⁷ TUCSA leaders themselves saw such matters as limited African voting rights (and the corollary of continued white and brown leadership) in the unions as a reasonable evolutionary move in the right direction, and sincerely felt that white self-interest and African advancement were not necessarily incompatible.

The Old Order Fades: The Registered Trade Unions in the 1970s

The following decade was to demonstrate both the validity of TUCSA's general policy stance on inclusive trade unionism, and, ironically, its inadequacy as regards the details of it. While TUCSA was to be able to congratulate itself at the end of the 1970s on the vindication of its stand on trade union rights as a result of sweeping government reforms on labour, the organisation found itself more or less stranded as the waves of African unionisation swept around and past it. In this of course, TUCSA was not alone. Even further removed from the epicentre of change was the Confederation, which fruitlessly opposed and grudgingly adapted to a new industrial order as it took shape from the late 1970s. Neither TUCSA nor the Confederation was able to rally its forces and maintain organisational unity as the old order crumbled.

The decade had begun with the heated debate on labour policy and the predicament of white protectionism at a time of economic growth. The terms of the debate at the time, as Chapter 2 has outlined, were centred around the means by which such white protectionism could be best furthered, with or without acknowledgement being given to the aspirations of the rest of the working population. By 1973 the issue was no longer really rate-for-the-job versus job reservation (though the slogans were still to be heard) but the question of African unionisation. Insofar as the protection of established workers was concerned (and increasingly the debate included not just white, but also

coloured and Indian workers), the problem was also posed as part of the overall question of how African industrial representation was to be shaped. No grouping of trade unions, left, right or unaligned, was able to escape this, the dominant labour issue of the decade.

Within three years of debarring the African unions, TUCSA itself had returned to the issue and once again begun the process of reversing itself on this crucial item of policy. Delegates to the 1972 Annual Conference listened to speeches on the issue of African unionisation from both Professor P.J. van der Merwe of the University of Pretoria and Professor Francis Wilson of the University of Cape Town. Van der Merwe's convoluted plan for "Bantu trade unions", entailing a linking up with homeland representation, was heard with polite scepticism by delegates. Wilson's plea for trade unions rights for all on the same basis received a warmer welcome. A majority of delegates thereupon endorsed a motion calling on

...all affiliated unions to make every effort to obtain from their members an unambiguous and clear mandate in the coming year to press government to permit the organising of African workers into registered trade unions. ⁷⁸

Strikes by dockworkers in Durban, and the organised protests by Owambo migrant labourers in South West Africa/Namibia in 1972 had suggested that the industrial peace which characterised the labour scene at this time was not on the firmest of foundations. Confirmation of this fact was to come with the Durban Strikes of 1973 (see following Chapter). This eruption of worker dissatisfaction in the Durban area put paid once and for all to any claims by government and the right-wing trade unions that the system of labour representation for African workers established under the 1953 Settlement of Disputes Act was an adequate substitute for trade unions. Government itself continued however to insist that it would not extend recognition to African trade unions: instead, a clearly inadequate amendment to the 1953

Settlement of Disputes Act was rushed through parliament extending the powers of the in-house committees established in terms of the Act.

If government was still unwilling to see the writing on the wall, most other actors in the labour sphere were either debating just how African unionisation should come about, or doing something about it. Speaking on behalf of the Confederation of Metal and Building Unions - a by no means revolutionary body - E.H. McCann of the AEU, who had himself led the opposition to African unions in TUCSA a decade ago - declared that "...we believe African unions are inevitable...", and stated that the CMBU now supported the organisation of parallel African unions in the industries in which its affiliates were active.⁷⁹ Similarly, at its Annual Conference in September 1973, TUCSA delegates approved a resolution which recommended to its affiliates that they "take steps to examine practical ways to establish parallel union organisations for African workers".⁸⁰

The Confederation too had been wrestling with the issue of African labour organisation. The Artisan Staff Association had proposed a resolution at the Confederation's second biennial conference in 1972 arguing that the current position was highly unsatisfactory, and suggesting the establishment of a "Bantu Labour Council" to provide black workers with some form of representation. Even this conservative proposal was however too much for the majority of Confederation unionists, who voted it down.⁸¹ The ASA remained at odds with the leadership of the Confederation, and in 1974 the former's General Secretary, C.P. Grobler, a well-known Confederation "verligte", caused a stir in right-wing labour circles with a call for a commission of enquiry into the position of African workers.⁸² By the mid-1970s the turmoil within Confederation ranks reached breaking point. In 1974 several of the white railway unions disaffiliated from the Confederation, largely over the issue of African unions and the opening all previously "white" jobs to African workers. The Footplate Staff Association was to join with the Amalgamated

Engineering Union in 1976 in forming the South African Central Labour Organisation, intended to cater for centrist unions unable to remain with the Confederation and unwilling to join TUCSA. It was almost a re-creation of the South African Federation of Trade Unions of the early 1950s, and was to enjoy the same lack of viability in an environment where the centre was a vanishing point.

Initiative in the labour field had now passed beyond the reach of the traditional organisations of white labour, and their coloured and Indian allies. Small but pioneering trade unions catering in the first instance for African workers, but in principle open to all, began to forge relationships with managements of multi-national companies whose governments were urging the recognition of African trade unions. New conditions on the gold mines, and the period of intense turmoil among the migrant labour force, was moving the mining industry to re-examine old labour practices. ⁸³ Events in other spheres, most notably the Soweto uprising of 1976, were putting paid to past policies of paternalism and grand apartheid. Despite a rearguard action which included such steps as the detention and restriction of trade unionists active in the nascent African trade union movement, the National Party government was under pressure as never before to bring central aspects of South African society into line with international norms, especially as espoused by the leading Western industrial nations. Freedom of labour organisation was an indispensable and inescapable component in this regard. The appointment of the Commission of Enquiry into Labour Legislation in July 1977 by the new Minister of Labour, S.P.Botha, was the definitive recognition of this fact by the government.

By 1979, when the first of the five Reports of the Wiehahn Commission was published, it was almost a foregone conclusion that some form of African trade unionism would be recommended, and that job reservation would be scrapped. The Commission's Report was however to go perhaps even further than most observers

had expected in urging the adoption of a uniform, and non-discriminatory system of industrial relations. " Seeing that two key union figures (Niewoudt of the Confederation and Grobbelaar of TUCSA) had been on the Commission, its findings cannot have come as a great surprise to the two leading federations of registered trade unions. For the Confederation, however, it was an unpleasant change to find that its representations to government after publication of the Report had little effect, and that most of the system of white segregation and protectionism for which it had stood for a quarter of a century was to be thrown overboard. A protest strike against the Wiehahn reforms by the bitterenders in the Mine Workers' Union was altogether ineffectual " in moving the government. For TUCSA the moment was one of vindication: the Wiehahn Commission was congratulated on "a job well done" by TUCSA's President, Ronny Webb. " At the same time, however, the passing of one era was also the inception of another, and as it turned out, more onerous, period of tension for TUCSA - indeed, a fatal one for the organisation. While self-congratulation on the Wiehahn Report was in order, delegates were facing a new challenge which the very reforms for which they had so long called had brought about. During the 1979 Conference delegates defeated a motion asking TUCSA affiliates not to organise in industries where an "independent" union was already active. " The defeat of the resolution confirmed what had been apparent for some years now: that TUCSA affiliates and the growing "independents" were embroiled in a major struggle for the allegiance of hundreds of thousands of African industrial workers, with the former in the weaker position. Having played a part in the removal of obstacles to worker unity, TUCSA was to become itself a victim of its own victory.

Notes

1. SATUC Report of Proceedings, First Annual Conference, May 1955, p. 20.
2. Ibid, p. 10.
3. SATUC, Report of Proceedings, Second Annual Conference, March 1956, p. 22.
4. S.C. 3, 1955, p.220.
5. SATUC, Report of Proceedings, Second Annual Conference, March 1956, p.86.
6. Ibid, p. 21.
7. House of Assembly Debates 1956, col 263. De Klerk was able to claim the T.U.C.'s support for job reservation on the basis of this offer.
8. SATUC, Report of Proceedings, Second Annual Conference, March 1956, p. 25.
9. For this whole incident, see SATUC, Report of Proceedings, Fourth Annual Conference, March 1958, pp. 19ff.
10. SATUC, Report of Proceedings, First Annual Conference, May 1955, p. 53.
11. Ibid,
12. See E. Feit, Workers Without Weapons, p.37.
13. For the relationship between SACTU and the TUC, see E. Feit, Workers Without Weapons (Hamden, Conn, Archon Books, 1975).
14. See R.A. Alexander and H.J. Simons, Job Reservation and the Trade Unions.
15. SATUC, Report of Proceedings, Fourth Annual Conference, March 1958, p. 62.
16. SATUC, Report of Proceedings, First Annual Conference, May 1955, p. 19.
17. SATUC, Report of Proceedings, Second Annual Conference, March 1956, p. 88.
18. SATUC, Report of Proceedings, Fourth Annual Conference, March 1958, p. 33.
19. Ibid, p. 34.

20. Ibid, p. 74.
21. SATUC, Report of Proceedings, Three Special Conferences, 1958, p.8.
22. Ibid., p.12.
23. Commission of Enquiry into the Experiments on Certain Mines, Department of Mines, 1965.
24. South African Confederation of Labour: Record of Proceedings of the 1st Annual Conference, 11th and 12 June, 1970, p.128.
25. Ibid., p.77.
26. Ibid. p.90.
27. See E. Feit, Workers without Weapons, Chapters VII and VIII.
28. Ibid, p. 136.
29. Ibid, p. 151.
30. SATUC, Report of Proceedings, Seventh Annual Conference, April 1961, p. 152.
31. Ibid, p. 153.
32. Ibid, p. 157.
33. Ibidem.
34. Ibid, p. 161.
35. At the 1962 Conference the TUC changed its official title from South African Trade Union Council (SATUC), to Trade Union Council of South Africa (TUCSA).
36. TUCSA, Report of Proceedings, Eighth Annual Conference, March 1962, p. 152.
37. Ibid, p. 159.
38. Ibid, p. 164.
39. For the activities of the section, see the reports in the Annual NEC Reports to Conference, 1963-1965.
40. TUCSA, Report of Proceedings, Tenth Annual Conference, April 1964, p. 53.
41. Ibidem.
42. See Feit, Workers Without Weapons, p. 151.

43. See SATUC, Report of Proceedings, Seventh Annual Conference, April 1961, p. 7.
44. On the MIEU-TUCSA controversy, see TUCSA, Report of Proceedings, Tenth Annual Conference, April 1964, pp. 58-59.
45. TUCSA, Report of Proceedings, Eleventh Annual Conference, March 1965, p. 152.
46. TUCSA, Report of Proceedings, Twelfth Annual Conference, May 1966, pp. 183/4.
47. Ibid, p. 187.
48. Ibid, p. 187.
49. Ibid, p. 188.
50. See TUCSA, Report of Proceedings, Special Conference, December 1967, p. 5.
51. Ibid, p. 8.
52. See the Union's own explanation for the memorandum by its general secretary, C. Botes, in Ibid, p. 11.
53. Ibid, p. 31.
54. Ibid, p. 24.
55. Ibid, p. 30.
56. TUCSA, Report of Proceedings, Fourteenth Annual Conference, April 1968, p. 518.
57. Ibid, p. 507.
58. Ibid, p. 564.
59. Ibid, p. 523.
60. Ibid, p. 509.
61. TUCSA, Report of Proceedings, Fifteenth Annual Conference, February 1969, p. 20.
62. Ibid, p. 394. Statement by Arthur Grobbelaar.
63. Ibid, p. 396.
64. Ibid, pp. 402, 403.
65. TUCSA, Report of Proceedings, Special Conference, August 1969, p. 147.

66. Ibid, pp. 157/161.
67. Ibid, p. 160.
68. Ibid, p. 162.
69. Ibid, p. 162.
70. Ibid, p. 163.
71. Ibid, pp. 165/6.
72. Ibid, p. 182.
73. TUCSA, Report of Proceedings, Special Conference, August 1969, p. 172.
74. TUCSA, Report of Proceedings, Fourteenth Annual Conference, April 1968, p. 554.
75. E. Berger's book, Race, Labour and Colonialism contains a valuable analysis and narrative of the position in Northern Rhodesia during the colonial era.
76. See R.A. & H.J. Simons, Class and Colour in South Africa 1850-1950, p. 132. and E. Roux, Time Longer than Rope, p. 132.
77. An interview with L.J. van den Berg in Pretoria in November 1971 by the present writer.
78. A Survey of Race Relations in South Africa, 1972. (Johannesburg, South African Institute of Race Relations) p. 337.
79. A Survey of Race Relations in South Africa, 1973 (Johannesburg, South African Institute of Race relations) p.270.
80. Ibid., p.269.
81. A Survey of Race Relations in South Africa, 1972, p.335.
82. A Survey of Race Relations in South Africa, 1974, p.318.
83. See on the mining industry, K.McNamara, "Inter-group Violence among Black Employees on South African Gold Mines, 1974-1986", South African Sociological Review, 1,1,1988; J.Lever & W.G.James, Towards a Deracialised Labour Force: Industrial Relations and the Abolition of the Job Colour Bar on the South African Gold Mines. Occasional Paper no.12, Department of Sociology, University of Stellenbosch, 1987.
84. Report of the Commission of Enquiry into Labour Legislation, Part 1, RP47/1979.

85. See for example A.Sitas, "Rebels without a pause: The Mine Workers' Union and the defence of the colour bar"; and C.Cooper, "The Mineworkers' Strike", South African Labour Bulletin, 5,3,1979.

86. A Survey of Race Relations in South Africa, 1979, p.265.

87. See C.Cooper & L.Ensor, "The 1979 TUCSA Conference: Moving in for the kill", South African Labour Bulletin, 5,6&7, 1979.

Chapter 7: **The Trade Unionism of Legal Exclusion:
African Trade Unions and the Politics of
Domination**

Driven both by law and the practice of the majority of the registered trade unions, the continuous attempts to unionise the growing black South African proletariat from the 1920s onwards took place in relative isolation from the activities of the established unions. Where such unions were not averse to organising African workers, the Department of Labour was often on hand to remind them of the legal position in terms of the Industrial Conciliation Act. The racial separation which many of these unions would in any case have preferred was thus conveniently buttressed by legal sanction. Few unions attempted to circumvent the provisions of the law or the prevailing climate of opinion among the dominant white groupings. Despite these severe constraints, however, trade unionism found a ready response among key strata of the black labour force, and this tendency could only benefit from the steady urbanisation and proletarianisation of the African population during this century. Racial exclusion, police suppression and difficult economic problems notwithstanding, trade unionism among this section of the labour force proved in the long run unstoppable. In this chapter, an attempt is made to trace the main stages through which an inclusive trade unionism passed en route to an industrial relations system in which the legal equality of all workers commanded both state and private acceptance.

Black Industrial Workers - The Early Stirrings, 1900 - 1920

Trade unions among African workers were to develop only during the 1920s, some thirty years after the process of industrialisation in South Africa was truly under way. And they did so not on the mines, the single largest industrial employer of black labour, but elsewhere. However, it is appropriate to begin this account, as with many other aspects of our modern labour history, with some reference to the mining industry. It

was the industry into which black workers made the earliest and most dramatic entry. While only 15 000 black workers were employed on the mines of the Witwatersrand in 1890, the figure rose to 69 000 in 1897 and 189 000 by 1912.¹ Of more significance, however, than these numbers (large as they were in the context of the times), were the conditions surrounding recruitment and the employment of these workers. Except for the short interval between 1904 - 1909 (when Chinese labour was available), the mines were dependent on the recruitment of large numbers of migrant black workers from the territories of southern Africa. It is important to note that these were, in F.A. Johnstone's term, "politically-unfree"² workers whose status as colonised subjects made differential conditions of employment and a high degree of control feasible, as would not have been the case with white workers in the region. In addition, a number of measures set the black mine worker apart from his white counterpart and created that vast pool of "cheap black labour" upon which the profitable operation of the gold mines was predicated, and of which the immigrant white trade unionists were so fearful. The technical and economic difficulties of deep-level gold mining led to an extreme emphasis on labour cost-minimisation with major implications for the composition of the mining labour-force. Employment opportunities for white manual workers were effectively restricted to that fraction of mining jobs which could be argued to demand a degree of "skill". The remaining ninety percent were filled by low-paid black migrant miners.³ At the very inception of industrialisation, then, labour conditions developed which were to exert a powerful influence on trade union patterns among all sections of the industrial work-force, both within and without the mines, and to determine the early course of African trade unions:

- (i) The subordinate position of the African labourer, stemming from colonialisation and the expropriation of black land, was further reinforced in the quarter of a century after the discovery of gold. At the root of this position was the development of a coercive

migrant labour system, in which freedom of movement and rights in the work-place were severely curtailed by pass laws, the first initiated in 1895 at the prompting of the Chamber of Mines; selective implementation of the Masters and Servants Act, making breach of employment contract a criminal offence; monopsonistic recruiting agencies (the Witwatersrand Native Labour Association and the Native Recruiting Corporation established by the Chamber of Mines); and the tight control of accommodation in mine compounds. This situation was given firm legal backing with the enactment of the Native Labour Regulation Act of 1911,⁴ discussed in Chapter 3.

The effect of these and other measures was to establish an occupational and wage hierarchy which was highly discontinuous. Average black wages were around one-eighth to one-tenth of those paid to white artisans and miners who had been attracted to the Witwatersrand by the lure of the "Golden pound a day." Moreover, trade union pressure and legal enactments, most notably the Transvaal Labour Importation Ordinance of 1904 and Regulations issued in terms of the Mines and Works Act of 1911, reserved a range of skilled and semi-skilled mining jobs for whites, thereby cutting off the possibility of black advancement on any significant scale.

In all this, the collusion, sometimes uneasy and troubled, of the major mining employers and successive governmental authorities in the Transvaal, was a notable and indispensable factor. What was built up, step by step, was a separate and inferior industrial relations system for black workers which in the climate of these colonial times seemed "normal" to the dominant parties involved.

Neither black nor white labour remained passive and compliant in the face of these developments, though neither were able to bring about major structural changes in their situation. The largely immigrant (British and Australian) white work-force on the mines, among whom trade unionism had made headway in the 1890s, adopted exclusionary white labour policies which came to characterise many other unions outside mining in the subsequent decades. And where measures of racial exclusion were only partially successful in mitigating the harsh and insecure employment conditions on the mines, white miners and their trade unions turned to industrial action in a series of strikes culminating in the Rand Rebellion of 1922.

Black miners, too, though constrained by the criminal law and lack of union organisation, still undertook successive protests against the rigours of mining life and the low wages they received. Widespread individual resistance in the form of desertion was complemented by a number of strikes and riots in the two decades following the Anglo-Boer War. In 1920, foreshadowing the white miners' challenge in 1922, a major strike erupted in which 71 000 black miners took part at one time or another over a period of a week. The magnitude of the event moved the President of the Chamber of Mines to state (though with dubious historical accuracy), that it was the "first native strike in the true sense of the word."⁵ The strike was essentially over low mine wages exacerbated by the inflation of the time⁶ and came after an extended campaign in the urban areas of the Transvaal by the Native National Congress (later ANC) over the conditions of the black urban population and the pass system. The support enjoyed by the strike pointed to the incapacity of migrant workers to maintain their meagre standard of living as the rural black areas began their steep decline into agricultural stagnation and poverty. The strike was swiftly repressed by troops and police, and only minor concessions were subsequently made by the Chamber of Mines. But as in the 1940s, and again in the late 1970s and early 1980s, the 1920 black miners' strike indicated the potential for industrial action, even in the

absence of formal union organisation, among migrant workers - a recurrent if underestimated feature of our labour history.

The subordination, harsh working conditions and poverty of the black miners were, however, only an extreme example of the general lot of the black labour force, both urban and rural, migrant and settled. The inflation of World War One and the immediately succeeding years was felt throughout the country, while the anti-squatting measures consequent upon the 1913 Native Land Act produced widespread rural misery. It is against this background that the first formal organisations of black workers were established. Before considering these, however, one other preparatory event deserves notice, though its significance only becomes obvious in hindsight. This event concerned the breakaway in 1915 of a small group of white socialists from the South African Labour Party, then the political home of white immigrant artisans and miners, over the war issue. Led by figures such as S.P. Bunting, D.I. Jones and W.H. Andrews, this group went on to form the International Socialists' League,⁷ the forerunner of the Communist Party of South Africa, founded in 1921. Small in numbers, ineffectual and doctrinaire as the founders of the ISL may have seemed, their actions constituted something of a turning point in South African labour and political history. Not only was an organisational centre independent of the South African Labour Party and its associated trade unions in existence, but also it marked the beginning of a long, almost unbroken collaboration between black and non-black activists in trade union affairs. Mostly of a Marxist persuasion, the members of the ISL significantly founded the first labour body for black workers, the Industrial Workers of Africa. Its impact was destined to be short-lived, though for a time it established itself not only on the Rand but also in Cape Town.⁸

The ICU (Industrial & Commercial Workers' Union of Africa) 1919-1930

It was not, as it happened, the earnest theoreticians of the ISL

who were to bring about what is now generally regarded (with reservations which will become clear) as the establishment of the first important "trade union" for black workers, the Industrial and Commercial Workers' Union of Africa, known as the ICU. The ICU was a product of the same countrywide climate of black protest against worsening economic conditions and political subordination of blacks which had given rise to the 1920 black miners' strike. The inception of the ICU is generally taken to be in January 1919, when a young mission-trained Nyasaland expatriate of "exceptional talent",⁹ Clements Kadalie, became unpaid secretary of an organisation of black and "coloured" railway and harbour workers in Cape Town, the ICU. However, as a historian of the ICU has written, "Hindsight lends spurious prominence to the early ICU, ..."¹⁰ In fact, not only in Cape Town but elsewhere in the Cape Province, and in Bloemfontein, the crisis of the time was giving rise to numerous attempts to organize black workers. A "unification" conference of these organisations was held in Bloemfontein in July 1920, with delegates from the OFS, Cape Town, Port Elizabeth and Kimberley. Only an uneasy unity was forged at this time, and the ICU was never successfully to overcome the divisive influences of policy differences, personality clashes and the sheer problems of co-ordinating and controlling what were essentially local and regional initiatives.¹¹

The Bloemfontein conference established the ICU¹² as "one great union of skilled and unskilled workers of South Africa, south of the Zambezi" Despite this ambitious aim, however, the ICU "was essentially a Cape organisation" until 1923.¹³ Thereafter, as Kadalie emerged as the leading popular figure, the ICU began to take on a more national character, and numerous figures in black and left-wing circles allied themselves with him. Included in these were members of the young Communist Party of South Africa, who, like Kadalie himself, were disillusioned with the actions of the joint National/Labour Party Pact government to whose election both the ICU and the CPSA had lent support. By 1926/7 the ICU was established in all four provinces, and reached

its peak membership of some 100 000 members as rural discontent mounted over conditions on white farms and thousands turned to the ICU for relief (overburdening its precarious administrative and financial resources in the process).¹⁴ The ICU had "penetrated for the first time beneath the crust of the articulate and educated class and initiated the first genuinely popular movement among Blacks in South Africa."¹⁵

In this process, however, the ICU had moved far from its origins as a coalition of proto-trade unions in various urban centres. In the event only three significant strikes were officially backed by the ICU, one of which was the Cape Town dock strike of 1919 by which Kadalie's struggling organisation had first made its presence felt.¹⁶ Very little of the purposeful trade union activity and hoped-for economic gains envisaged by delegates at Bloemfontein in 1920 actually materialised. Despite the urgings of Communist, and later white liberal and overseas backers (including the imported trade union adviser from Britain, W.G. Ballinger), no concerted attempt was made to organise the heterogeneous membership into industrial divisions which could prepare the way for permanent union organisation. Instead, the ICU developed into a rallying point and symbol for "unskilled workers in every type of employment", and whose underlying common grievances were "largely political: the pass laws, the industrial colour bar, the inequitable incidence of taxation and so forth."¹⁷

The problems facing the ICU were in truth intractable. The authorities had never looked with favour on the organisation, fearing its potential for mass mobilisation among the black population, and took both legislative and police action to curb its activities. After 1924 the Union government under Hertzog was committed to the promotion of "segregation" and the sectional interests of the growing white urban industrial work force by way of the euphemistically titled "civilised labour policy." The lowly-paid, insecure urban workers and the rural squatters and labourers upon which the ICU was based could provide neither the

financial nor the organisational sustenance which the ICU required. White organised labour itself was indifferent or hostile, apart from a small number of sympathisers who felt themselves powerless to bridge the gap between white and black workers which left-wing theory insisted was only of a temporary nature. Within the ICU itself, divided opinions prevailed as to the appropriate course of action. "Two schools of thought emerged: the left-wing believed in direct action, strikes, the burning of passes, refusal to pay taxes, etc.; the right wing was all for a policy of hambe kahle (go carefully) ... The left wing was led by communists."¹⁸

Kadalie himself, swinging between radical rhetoric and a desire for respectability in the eyes of dominant white circles, was unable to salvage a coherent core for the ICU. Under proddings from white liberal sympathisers and threatened by the radicals' own attacks on financial corruption and mal-administration, Kadalie organized the expulsion of Communist members of the ICU in late 1926.¹⁹ Thereby was lost for the ICU, though not for the black trade union movement as a whole, a significant number of the most able and committed organisers. The move failed to win the ICU any greater acceptance within the country. An application to affiliate to the largely white South African Trade Union Congress was rejected in 1928. More success was however forthcoming from overseas, though to no long-term advantage to the ICU. The organisation's application to join the (non-Communist) International Federation of Trade Unions was accepted. Kadalie himself made an extended journey to Europe in 1927, amongst other things attending the annual meeting of the International Labour Organization and receiving a warm welcome from British trade unionists. One outcome was the despatch in 1928 of a British TUC figure, W.G. Ballinger, to South Africa in 1928 as adviser to the ICU. Ballinger's conscientious efforts to put the ICU administration on a sound basis and to return the ICU to its trade union origins were, however, unsuccessful. Further splits in the always fractious ranks of the ICU led in 1928 to Kadalie's own resignation and attempted comeback. By

1930 the organisation had crumbled into ineffectual regional groupings, with Kadalie himself settling in East London. While the ICU's name was still to be heard among leaders of township protest as late as 1938,²⁰ the ICU as a national organisation was effectively finished.

The post-mortem examination on the reasons for the decline and fall of the ICU has rendered a far more complex verdict than that of Kadalie's white liberal sympathiser, Ethelreda Lewis, who had concluded by 1928 that the ICU was "a battered, discredited, chaotic association of incompetent natives with a few struggling defeated officials who had never been able to handle money."²¹ Did it fall or was it pushed? Could any black mass movement with trade union overtones, no matter how well organised, have succeeded in the "strange and hostile environment"²² of an industrialising South Africa of the 1920s? The foremost lengthy study of the ICU by Wickens concludes that given the internal divisions, administrative incapacity and wavering policy directions, "The conclusion is inescapable that the ICU was not done to death by the assassins of capitalism, but died of its own fatal flaws."²³ Whatever the verdict (and a definitive one seems in principle impossible in any rigorous way), the ICU was not without a heritage. Numerous future leaders in black trade union and allied left-wing circles gained their first experience as members of the ICU. Lessons had been learnt from the diffuseness and lack of application of its ambitions regarding labour organisation. It was a number of Communist Party members, severed from the ICU in 1926, who first applied the fruits of this experience, to be followed by others.

Trade Union Organisation and Expansion 1927 - 1947

The activities of the ICU in the 1920s had taken place at the same time as the legal foundations of the present-day industrial relations system were being established. It is indicative of the separate and subordinate position of black workers that the major industrial laws adopted in this decade made little provision for

this growing section of the urban workforce. The Apprenticeship Act of 1922 contained no overt discriminatory clauses, but its formulation, and subsequent operation by joint employer/trade union apprenticeship committees, effectively kept Africans out of the ranks of the officially certificated artisan stratum for over fifty years. Few black workers could meet the educational requirements for entrance to apprenticeship laid down in terms of the Act; even if they could, almost no facilities for the requisite technical education were open to them.²⁴ Whether intentionally or not, a major obstacle to black occupational advancement had been created.

Two years later, as has been discussed in Chapter 3, the Smuts government passed the Industrial Conciliation Act of 1924, thereby laying down principles of "industrial self-government" through the industrial council system; of dispute procedure and settlement; and of registration of trade unions and employer organisations which remain the basis of our industrial relations system up to the present.²⁵ Although it has been argued that the Act was biased towards the interest of employers and constrained the growth of a militant, class-conscious trade unionism,²⁶ the new law did finally provide unions with the legal protection and status which many of them sought. But of course black workers were not to benefit, since "pass-bearing natives" were specifically excluded from the definition of "employee" and hence from eligibility for membership of the now-to-be registered trade unions. Given the exclusionary policies among most unions at this time, except for those in the western Cape, where relatively few blacks were employed, this provision of the Industrial Conciliation Act may have seemed little more than a reflection of existing practice, and of the intention to maintain the subordination of the migrant workers, the "pass-bearing" blacks, on the mines in particular. But as the Act was put into operation and began to gain at least tacit support among unions and employers, the implications of the exclusion of black workers were almost uniformly negative. Neither recognised nor prohibited, black trade unions were to

exist for half a century in an industrial relations limbo.

Only the third in the trio of major industrial laws of the 1920s proved of any limited assistance to the black trade unions which were established from 1927 onwards. This was the Wage Act of 1925, by virtue of which a state Wage Board was established to investigate wages and working conditions in "unorganised" industries (in practice those with no industrial council) and to recommend mandatory minimum standards. The Wage Act was to provide trade unions catering for black workers (and also those registered trade unions which were interested) with a three-fold opportunity for advancing their members' interests. In the first place, appeals for a Wage Board investigation could be directed to the Minister of Labour (a possibility, however, which was later restricted by further amendments to the Act). Second, trade unionists and other interested parties could advance evidence and arguments for improvements at hearings of the Wage Board. Third, since the Wage Determinations issued in terms of the Board's recommendations were given statutory sanction, unions now had something which they could attempt to enforce. Underpayment of the agreed wages or sub-standard working conditions could be brought to the attention of Departmental inspectors and (in principle at least) remedied, if need be, by prosecution of reluctant employers.

These tactics were indeed among the main weapons which the black trade unions of the 1920s and later had at their disposal. Having been barred from the ICU, some members of the South African Communist Party, notably the well-known Bennie Weinbren, turned in 1927 to the organisation of black workers on the Rand. Experienced black employees of some skill in such light industries as laundry, bakery, clothing and furniture could not be easily replaced by employers. Their relative bargaining strength made these workers, rather than the numerically dominant but closely controlled mine migrant workers, most amenable to union organisation²⁷ and Weinbren and others were able to launch a number of small unions, using the machinery of the Wage

Act "which gave Bantu workers for the first time the opportunity of bringing their grievances efficiently to the notice of the authorities. This, too, contributed to the rapid growth of the African unions, so that towards the end of 1928 the new Non-European Trade Union Federation was able to claim 10 000 workers on the Rand."²⁸

This initiative by white Communists on the Rand was of short duration. Most of the unions founded after 1927 collapsed when both Depression conditions and major divisions within the Communist Party ranks after 1930 combined to deprive the movement of its impetus.²⁹ But it illustrates in embryo several of the aspects of black trade unionism which were recurrent features through much of the century. The original white leadership, drawn from the ideological left, became increasingly interracial as figures such as Makabeni, Nkosi and Kotane emerged from the experience of union organisation. The more focused "trade union" orientation evidenced here was predicated on at least some limited favourable institutional and legal opportunity, in this case the operation of the new Wage Act. Union growth itself was also a function of the expansionary years before 1930, with the organisations later facing severe stress as the economy moved into a downturn. Finally, the formation of a separate Federation of Non-European Trade Unions "mirrored the white workers' racial exclusiveness, and represented a significant departure from the communist ideal of interracial solidarity, but was seen as a step towards non-racial unions."³⁰

The lifting of Depression conditions after 1933 created the basis for renewed unionisation among black workers, but this time on a wider front and over a far more extended time span. Economic expansion in the 1930s and after was to affect South African society radically on several levels. The continuing urbanisation of the poorer sections of the white rural population began to be matched by the flow of blacks to the cities. By the end of the decade, the urban African work-force had almost doubled, and by 1946 it was treble its size in 1921.³¹ The resultant labour

market conditions and urban pressures served to heighten the sense of threat and conflict, particularly for those semi- and unskilled rural migrant whites whom the National Party aspired to represent. A major outcome, as has been discussed in Chapter 4, was the first public formulation by this party in 1936/1937 of its programme of apartheid (not yet widely so called), including sweeping proposals for industrial, occupational and trade union segregation. In the nation's factories, the small-batch and jobbing production typical of secondary industry in the 1920s began to give way to mass-production techniques. The demand for skilled artisan labour on the one hand and unskilled labour on the other, was increasingly supplemented by the creation of semi-skilled "operative" positions. The relatively rapid expansion and transformation of the occupational hierarchy drew successively on the different strata of the population - white women, "coloured" and "Indian" men and women, and African men.³² And simultaneously, the rising gold price pushed the mining industry into further expansion, with inevitable demands on the supply of the available black unskilled labour, to the discomfiture of white commercial agriculture. These trends found ready reflection in the country's trade unionism. Among the trade unions registered in terms of the Industrial Conciliation Act (that is, catering for white, coloured and Indian workers), a variety of responses directly concerning the situation of the black worker were evident. The dominant trend, among white-only or white-dominated unions, was for continued or even reinforced protectionism on racial grounds.

Only a small minority within the registered trade unions from the 1930s actively promoted the cause of black advancement. Such support was to be found among a number of the so-called "industrial" unions with an open membership (though still restricted by the Industrial Conciliation Act to coloureds and Indians as well as whites) which attempted to organise the growing numbers of non-artisans in secondary industries such as clothing, textiles and food processing. Here the rapid expansion of operations and the drive to hold down labour costs were

bringing workers of all races into the same enterprises and often into the same work. Unable to rely on scarce skills as a bargaining factor, and with union officials themselves committed to the long-term goal of interracial labour solidarity, some industrial unions such as the Textiles Workers Industrial Union had begun to organise blacks by the mid-1930s.³³ By and large this incorporation took place by way of separate "parallel" African branches of the registered union. Such an approach, then as later, could be defended on pragmatic grounds: linguistic differences and/or resistance of white workers made the separate branch structure advisable even in the eyes of left-wing union leaders. Pragmatism apart, this separation of black and non-black was also enforced by the Department of Labour, which intermittently issued warnings to unions organising Africans that they were risking their registered status. A number of later unions owed their existence to the early parallel strategy, most notably the National Union of Clothing Workers and the African Food and Canning Workers' Union (the latter, however, operating so closely with the "mother" union as to be virtually the same).

Overshadowing the contribution of a few registered unions to the organisation of the black workers were however the predominantly black unions themselves. Again, growth of these unions was centred upon the Rand, and owed much to the efforts of white and black leftwing activists, though by no means solely members of the Communist Party. One such figure was that of Max Gordon, a reputed "Trotskyist [who] was nevertheless able to subordinate matters of doctrine to the practical necessities and compromises involved in organising African workers."³⁴ By 1940 Gordon had built up unions in laundries, printing, retail outlets and bakeries "essentially by enforcing the minimum wages laid down by wage determinations and submitting evidence to the Wage Board ..."³⁵ In this strategy, initiated already in the late 1920s as has been seen, Gordon was supported with funds and research by sympathisers from the South African Institute of Race Relations, themselves engaged in lobbying government for a policy of African union recognition.³⁶

Jordan's group of unions was only one of several which had taken advantage of the more favourable economic climate of the late 1930s to establish new or revive old trade unions catering for black workers in a number of industries. The Communist Party, which in the early 1930s had established an African Federation of Trade unions but had shunned conventional trade union activity in favour of rallies and demonstrations, again became active in the field. Although plagued by the recurrent problems of financial and administrative instability, factional rivalries and personal animosities, the growing numbers of small unions were steadily drawing in black workers on the Rand and also in Pretoria.³⁷

In November 1941 the various union groupings established the Council of Non-European Trade Unions, which by 1945 claimed the affiliation of 119 unions with a membership of 158 000 African workers - some 40% of the black work-force in commerce and private sector industry.³⁸ Although these figures probably over-estimate quite severely the degree of effective black unionisation, the CNETU unions were responding to a widely-felt current of ebullience and protest among the urban black communities. African wages advanced significantly during the war years, and the CNETU launched a campaign for a 40 shilling per week minimum industrial wage. The strike rate mirrored the climate of rising expectation, with a quadrupling of the numbers of black workers involved in industrial action between 1940 and 1945 compared to the whole of the previous decade.³⁹ Government policy itself contributed, although ambiguously, to the advance of African labour and a degree of relative optimism. While on the one hand reverses were suffered by virtue of the discriminatory provisions of the Factories Act, and by the prohibition of the African strikes under War Measure No. 145 of 1942, public pronouncements by the Minister of Labour and others held out the prospect of official recognition of African unions, albeit in a highly restricted manner.⁴⁰

Perhaps the most significant breakthrough for black unionisation,

however, came not in the expanding secondary industries of the Rand and Natal but among the ranks of the massive migrant workers on the gold mines. Members of the Communist Party had made intermittent attempts to penetrate and organise the mine compounds in the 1930s, though with no evident success.⁴¹ In 1941 a more concerted effort was launched with backing from the Transvaal African National Congress, the newly-formed CNETU and the Communist Party. Support was enlisted from the non-migrant African mine clerks, aggrieved by a refusal of the Chamber of Mines to extend a statutory cost of living allowance to them.⁴² An African Mine Workers' Union came into existence in 1941, and successfully established an organisational core which brought in some 25 000 migrant mine-workers by 1944. The AMWU pressed "five basic demands: regular wage increases; payment of the cost of living allowance; statutory wage minima and a Wage Board enquiry; the 'total abolition' of the compound system, the tribal division of the work force, and all restrictions on freedom of movement; and, finally, recognition of the AMWU."⁴³

However reasonable in trade union terms, demands like these were inconceivably radical in the eyes of the Chamber of Mines. Tampering with the migrant labour system threatened not only the basis of social control of the large black work force, but also the labour cost-minimisation strategies which had marked the gold mining industry almost from its inception. The first fruits of the AMWU's agitation was the appointment of a government enquiry, the Lansdown Commission, into conditions of the black miners. The Chamber of Mines had long justified its wage structure on the basis of the migrants' access to agricultural production in their home areas. The Lansdown Commission, in contrast, provided "stark evidence of the decline of productivity and the impoverishment, landlessness, severe malnutrition and health problems in the Reserves ... concluding that for the majority of migrants 'Reserve production is but a myth'."⁴⁴ In its report, the Lansdown Commission made a number of recommendations aimed at improving the situation of the lowest paid miners, but rejected the possibility of recognising the AMWU. Only partial

acceptance was given to these recommendations, and the AMWU continued to organise miners in the face of opposition from both Chamber and the government. Unrecognised and ignored, the AMWU moved towards strike action in the aftermath of the war, and in August 1946 called the miners out. The ensuing strike, involving tens of thousands of black miners (the estimates of the total differ widely)⁴⁵ was, as in 1920, repressed by police in a highly coercive manner.

The strike had major repercussions, although it was a complete failure in terms of its stated objectives. The Chamber of Mines was confirmed in its intransigence towards African Union organisation on the mines and any change in the nature of its dependence on "cheap" migrant labour. In this sense the gold mining industry undercut the growing influence in ruling circles of those pressing for a liberalisation of influx control and "native policy" in general. The Chamber's muted plea for the relaxation of the job colour bar on the mines was nullified by its own acceptance of the hostility of white miners to any such steps. In trade union circles, the polarisation between "right" and "left" was accelerated when the artisan-dominated South African Trades and Labour Council condemned the strike as a threat to law and order.⁴⁶ Probably of most significance, the strike hardened governmental attitudes towards left-wing and communist activity in labour affairs and politics, and precipitated the latter towards a closer alliance with the major organisation in black politics, the African National Congress (itself undergoing rapid radicalisation as the hopes generated by the climate of the Second World War were dissipated after 1945). Under General Smuts the state responded to what it saw as the influence of "agitators" and the 1946 strike by the arrest and trial of most of the leading figures in the Communist Party. The prosecution, however, was unable to show that the Party controlled the AMWU or that the Party executive had caused the strike.⁴⁷ Nevertheless, the very occurrence of the 1946 strike, the open involvement of leading Communist activists and the contradictory responses to these facts among the country's trade

unionists highlighted the volatility and conflict potential of the times. The new National Party government of 1948, with a declared anti-communist policy, was to take up where its predecessor left off, thereby further intensifying the quandaries of a deeply divided labour movement. The victims, amongst others, were the campaign for the recognition of trade union rights for African workers, and the legality of radical trade union leadership.

Repression and Quiescence 1948-1972

The first twenty-five years of the National Party government's experiment in radical social engineering by the implementation of its policy of apartheid or separate development were to witness two contrasting trends with regard to labour organisation among black workers. On the one hand, the politicised, mass mobilisation efforts of the dominant grouping among African unions and their allies ended in the destruction or neutralisation of their organisational base. On the other hand, the prolonged attempt by government to restructure the economy and the industrial relations system so as to provide workable and docile substitutes for black trade unions also met with more or less complete failure. Underlying this outcome was the continued expansion of the industrial economy around the existing urban agglomerations. The quickened pace of economic activity in the 1960s occurred at a time when unionism among blacks was at its lowest point since the ICU. However, the accelerated concentration of economic power in the larger corporations; the demographic constraints regarding the traditional dependence on (largely) white skilled manual labour; and the ongoing technological change calling for more and more semi-skilled operatives provided new structural opportunities for the regeneration of black labour organisation. Coinciding with the heightened international pressure for a revision of internal policies, this shift was to bring about a marked change in prevailing attitudes in those state, management and trade union circles most closely concerned with the overall direction of the

country's labour resources. By the mid-1970s the state's policy toward African unionisation was considered to be untenable by most informed observers. The final resolution of the issue by the incorporation of African workers with equal rights was, nevertheless, not altogether predictable, given the still dominant separationist character of government policy. With hindsight, this reversal of a basic tenet of apartheid ideology was an unmistakable portent of its later total collapse at the end of the 1980s.

Prior to the change of government in 1948, the state's labour policy, as has been mentioned, contained within itself ambiguous emphases. The governments of both Generals Hertzog and Smuts had, it is true, formulated policy largely in reaction to the pressures generated in their various white constituencies. Both the agricultural and mining sectors found much to their taste in the more archaic and oppressive aspects of a controlled black labour force. The Chamber of Mines, in particular, was a formidable opponent of the subversion of the migrant labour system and of black union organisation. Caught in the middle, the majority of white labour leaders sought protection for their membership against the potential for displacement by the cheaper black worker. Where white union organisation was weak, the possession of the franchise made the white industrial labour force still a factor to be appeased, where possible, by government favour. Pressures for liberalisation of state labour policy were thus at best tangential to the major entrenched political forces.

Secondary industry in the urban areas provided, however, a potentially discordant voice, with allies in the numerically insignificant but intellectually more influential white liberal circles. Leaders in manufacturing and commerce, as Greenberg, for example, has argued, accommodated to, rather than positively encouraged, the system's bias towards white protectionism and black subordination.⁴⁸ It was precisely in this sector of the economy that trade unionism had made the most advances, and that

the system of industrial relations envisaged by the Industrial Conciliation Act took firmest root. Statutory minimum wages and working conditions on an industry-wide basis enabled employers to some extent to discount labour cost competition and gave trade unions a standard to uphold. The industrial council system promoted management/union consultation and an acceptance of institutional constraints while undercutting labour militancy. And as has been seen, it was also among urban secondary industry that black unions first came to establish themselves and gain a measure of acceptance. Under these conditions, there existed at least a limited possibility of the gradual incorporation of black workers into the framework of the industrial relations system, if only because co-optation of organised labour had had a measure of success. And for nine years, government did indeed toy with the idea of bringing African trade unions in. Between 1939 and 1948 a number of different official proposals were aired for recognising black unions, although the desire for control usually was more evident than the willingness to extend meaningful industrial rights." Leading figures in the black labour movement took heart from these indications of a breach in official negativism on the issue, while standing firm on the principle that only equal trade union rights were acceptable in the long run.

The events of 1946-8 (the African mine workers' strike and its aftermath), together with the change in government in the latter year, drastically reversed expectations of reform on this front, though the actual direction of government policy vis-à-vis black trade unions did not immediately become clear. Shortly after entering office the new National Party government appointed a Commission of Enquiry into the country's major industrial legislation (the Botha Commission), whose Report only appeared in 1951. Before the publication of the Report, however, the government had already passed the Suppression of Communism Act of 1950, with far-reaching consequences for the nation's trade unions. The short-run effect of the operation of the Act was to remove many of the leading trade unionists in both registered and

unregistered unions from office on the grounds of their past or present association with the Communist Party of South Africa. The crisis which this provoked in union ranks (the registered unions in particular) served to intensify the existing divisions and to move the registered union movement as a whole to the right, as even sympathetic unionists found themselves under pressure to prove their non-communist bona fides. The country's largest trade union federation, the South African Trades and Labour Council, underwent yet a further period of turmoil which finally wrecked its precarious unity and led to its dissolution in 1954. The long-term effects have been more incalculable, but the proscription not only of Marxist activism but also of the principles of Marxist socialism (and its many variants) deprived the trade union movement of one of the established poles in the ideological debate which animated trade union discourse, here as in other industrialised countries.

At the time of the passage of the Suppression of Communism Act, government spokesmen had made it quite clear that African trade unionism with non-racial left-wing backing was viewed as a major threat to the kind of society envisaged by the National Party. The other side of the coin was that the logic of the early apartheid programme demanded the drawing of a "clear colour-dividing line" between black and white in all spheres where practicable, the industrial included (though in the event the least practicable sphere of all). As far as possible black advancement was only to be fostered in the black areas themselves. Outside of them, a tutelary paternalism and vigorous police action were to maintain societal stability. Thus the ensuing legislative programme in the years succeeding 1950 offered little encouragement to black unionism in particular and the cause of black industrial advancement in general. The 1951 Native Building Workers' Act provided for the training of blacks in construction work (though not to full artisan status); their employment was, however, to be restricted to the black townships where the housing crisis was acute. Then in 1953 came the Native Labour (Settlement of Disputes) Act.

the Report of the Botha Commission in 1951 had explored various possibilities with regard to black unionism and had suggested that a highly restricted form of recognition for these unions be considered.⁵⁰ Instead, however, the 1953 Act proceeded on the assumption that consultation with black workers and dispute settlement could function without black trade union organisation. The Act confirmed the prohibition on strikes by black workers which the War Measure No. 145 had introduced (and which had never been lifted). Disputes were to be settled by the intervention of a network of Labour Boards headed by officials of the Department of Labour. Finally, the Act provided for the establishment of in-house works committees (either elected by workers or composed of joint management/worker representatives) which would allow for institutionalised communications between management and their black employees.⁵¹ These mechanisms, it was hoped, would ensure industrial peace and management/employee communication without the intermediation of troublesome trade unions. Further amendments to legislation in the 1950s aimed to discourage black unions by restricting access to the Wage Board and by prohibiting employer provision of stop-order facilities to black unions. Together with further revisions to the Industrial Conciliation Act in 1956 (in particular the job reservation clause; the prohibition on new "mixed" unions and on party political involvement), these laws attempted to fix the parameters of black (and non-black) involvement in the South African industrial relations system conclusively. The high-point in the radical dualism of the whole system had now been reached.

The drastic nature of the restructuring of South African society under the National Party's programme was met by an equally vehement mass political challenge in which the black trade union movement was integrally bound up. In the late 1940s and after the black unions in the CNETU had undergone a marked decline as state action assailed the unions' leadership and as the economy's relative stagnation diminished the optimism of the war years. Re-alignments on left-wing and black politics contributed to this state of affairs by placing increasing emphasis on mass political

campaigns. Matching the turbulence of the political scene, both registered and unregistered trade unions broke with old structures and attempted to come to terms with the prevailing state of affairs by forging new organisational fronts. Among the registered unions the de facto split between the white-only public sector, mining, and engineering unions and the private sector artisan and industrial unions crystallised into the formation of two competing trade union federations - the South African Confederation of Labour on the "right", and the Trade Union Council of South Africa (TUCSA) (though calling itself the South African Trade Union Council until 1961) ambiguously to the Confederation's "left". Formed in order to bring together the unions which were opposed to the proposed amendment to the Industrial Conciliation Act mentioned earlier, TUCSA was forced to accommodate to the new political realities by allowing only the affiliation of registered unions. The African unions were dropped (the few that had ever aligned with the old SAT&LC). The TUCSA leadership, caught between both the government onslaught and its own inclination to white protectionism on the one hand, and the conviction of the impracticability (even undesirability) of industrial segregation on the other, argued that exclusion of blacks was an expedient to preserve minimal trade union unity.⁵²

A handful of the registered unions rejected this step by TUCSA, and three of them (the Food and Canning Workers Union, the Textile Workers Industrial Union and the Laundry Workers) aligned themselves with the black unions of the CNETU, leading to the establishment of the South African Congress of Trade Unions (SACTU) in 1955. In the same year SACTU became one of the members of the Congress Alliance, and as such signatory to the Freedom Charter drawn up at Kliptown. It was a step to be expected given the intertwined and overlapping nature of the leadership of the SACTU unions and the other arms of Congress in a situation of polarisation both political and industrial. Equally, it was also to be expected that SACTU was set upon a hazardous course of confrontation with the authorities for which the former's organisational resources were ill-prepared.

SACTU in essence represented the distillation of the committed Marxist-inclined left in South Africa after nearly forty years of organised opposition to the racial order of the country. The Marxism of much of the leadership was tempered by the need for relative discretion under a fiercely anti-communist regime and due to the dictates of compromise with the nationalist thrust of ANC aspirations. Nevertheless, its programme was recognisably centred on the classic postulates of working-class politics: non-racial working-class unity; a broad but undefined commitment to socialism; and the rejection of the compartmentalization of economic and political activity.⁵³ Its attempt to carry through this programme led SACTU from a close connection to a complete identification and submersion in the affairs of Congress as a whole, in the process suffering the same fate of state repression.

This was not, however, immediately the case. For the first two years of its existence, SACTU and its affiliated unions were able to pursue their more accustomed union activities while casting around for ways to penetrate the large bulk of unorganised black workers. This was not easy. "The light industrial unions were the mainstay - such as it was - of SACTU."⁵⁴ In particular, the three registered unions provided the essential organisational infrastructure for SACTU's expansion, but had no ready entrée to the country's heavy industry where organisation was a clear priority. With the passage of the revised Industrial Conciliation Act in 1956, a major debate was engaged within SACTU over the issue of registration and related organisational tactics.⁵⁵ De-registration and the formation of inclusive unions with (hence) African participation was one option urged by some. The registered unions were, however, reluctant to lose the benefits offered by registration. Instead, in an attempt to undercut the support of coloured and Indian workers enjoyed by TUCSA unions, the registration of the relevant SACTU unions was changed to exclude whites, and others were urged to do likewise. The tempting prospect of a white labour movement isolated from coloured and Indian allies failed, however, to materialise.

from 1957 onwards a shift of strategy occurred as SACTU turned to ways and means of stimulating mass black support in conjunction with the Congress Alliance. National Organising Committees were formed to attempt to organise workers in engineering, transport and harbours. Mining and agriculture were later included.⁵⁶ Only limited gains were made and no lasting union organisation emerged from these efforts. Of more significance was the campaign for a national minimum wage of £1 a day in the 1950s. By its nature, however, this campaign, like others in which SACTU participated in conjunction with the rest of the Congress Alliance, implied an appeal over the heads of unions to black communities as a whole. The weapon was not industrial action as such, but the mass stay-away, an idea which was "not altogether new, and is a syndicalist current running through the ideology of African nationalism ..."⁵⁷ As events during 1984 suggest, the significance of the "stay-away" should not be underestimated; indeed it may more or less be forced upon trade unions in situations of widespread mass discontent.

SACTU's £1 a day campaign predictably never approached realising its objectives, and it is doubtful if the leadership itself ever expected such an outcome. But as a concrete demand expressing real black grievances at the low level of urban existence, it was not without impact. Leading figures in business circles were prompted to involve themselves with the issue; black poverty, low industrial wages and the need to step up productivity first became matters which employers and government were forced to take seriously. In this sense SACTU, as Feit observes, had achieved at least limited success.⁵⁸ By the early 1960s, however, SACTU's form of "political unionism" was played out as its leadership was systematically eliminated by state security action. Over-extended financially, organisationally and politically, SACTU was for all practical purposes defunct by 1965, if indeed not far earlier. Like the ICU, SACTU's own internal weaknesses had played a role: "SACTU did divert resources to political causes; it did dissipate its energies in too many directions; it did neglect strategic areas of the

economy ..."⁵⁹ But as another, less sympathetic commentator has observed, "... the astounding thing is not that SACTU functioned badly, but that it functioned at all."⁶⁰

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Thereupon followed "a period of relative quiescence"⁶¹ which was to extend into the 1970s. Black trade unionism, either as a symbol and rallying point for urban industrial grievances or as a low-profile organisational resource for day-to-day worker protection, almost disappeared from the scene. Almost - but not quite. Remnants of union organisation remained in clothing, textiles and food processing. Of more long-term import, the very issue of black unionisation could not, for a variety of reasons, be ignored by sections of the registered trade union movement, in particular those which comprised the very basis of TUCSA's existence. The previous chapter has recounted TUCSA's own efforts and accommodations regarding African unionisation, which amounted to a troublesome and vacillating record throughout the 1960s.⁶² Despite this fact, TUCSA's stance was to bear fruit in at least two directions when accumulating pressures led in the 1970s to a more benign climate for African unionisation. In the first place, the experience gained by the personnel of TUCSA's Affairs Section was to lead to the establishment of one of the major forces behind black unionisation after 1970 in the form of the Urban Training Project. And, second, the mere existence of a major trade union federation supporting the cause of black worker incorporation into the established structures of the trade union movement was to provide government with a useful ally when the time came for a major shift in state policy over labour in the late 1970s.

Revival and Incorporation 1973 - 1979

Rising real wages, expanding employment and the surveillance exercised by state security organs made for a decade of muted industrial peace after the early 1960s. From 1962 to 1968 only

2 000 black workers annually were on average reported as going on strike.⁶³ The major strike of the decade was not among black workers but among white miners suspicious of attempts to reorganise underground work on the gold mines. Black dockworkers did indeed stop work in protest over wages in 1969, but the strike was put down by the conventional methods of mass retrenchment of the largely migrant work force. The unionisation of the black labour force, opposed with varying degrees of hostility by government and employers alike, had declined to a historic low comparable to the years after the collapse of the ICU in 1930. Official policy propagated the alternative of the consultative machinery embodied in the Native Labour (Settlement of Disputes) Act of 1953.

A number of factors were to combine to change this picture radically. In the first place, the boom years of the 1960s culminated in 1969/1970 in widespread shortages of skilled labour at wages employers were prepared to pay. The pool of suitable white, coloured and Indian workers was becoming exhausted. The continuing trend towards the employment of black operatives was accelerated by further job fragmentation, new technology and the introduction of a variety of industrial training schemes. Registered trade unions were perforce obliged to accept the "floating" of the industrial colour bar upwards, but many were increasingly alarmed by the spectre of an under-paid non-unionised majority black work force.

In the second place, the inadequacy of the industrial relations machinery for blacks was underlined by the failure of the works and liaison committee system to take effective root in the nation's factories. Only twenty-four statutory works committees were in existence in January 1973, for example.⁶⁴ In circles close to the government, the unsatisfactory nature of the situation gave rise to ideas of recognising ethnic or homeland-based unions which would represent black workers without integrating them into the industrial relations structure for whites, coloureds and Indians.⁶⁵

In the third place, the opening of the decade of the 1970s was to see the revival of attempts by a small number of white and black intellectuals and unionists to promote unionisation among black workers. Former officials of TUCSA's African Affairs section established the Urban Training Project in 1970 and cautiously began to disseminate information on workers' rights on the Rand. By 1972 lecturers and students at a number of universities, again with the co-operation of trade unionists, were entering the field of industrial organisation and research, and in so doing providing an invaluable organisational resource for future black unions. Finally, as had been the case ever since the post-war years of the 1940s, international opinion and financial assistance favoured the regeneration of black trade unions.

The catalyst which was to support and extend these tendencies came in the form of a series of largely spontaneous, mass-based strikes in the Durban-Pinetown region in January to March 1973. The "Durban Strikes", as these events were to become known, would seem to have been a response primarily to the inflationary pressures on subsistence and transport costs eating into the value of the wages of the black industrial work force.⁶⁶ As Bonner has argued, the strikes came after a period in which the authorities had attempted to impose migrancy and contract labour on larger and larger sections of the African labour force. Driven out of the rural areas by poverty in search of employment, these workers encountered an established African work force also living under conditions often of considerable deprivation and overcrowding. The strikes in 1973, preceded by a smaller upsurge on the Rand in 1972, "brought together urban and migrant workers in the first concerted attack on declining standards of living to be seen since the early 1960s".⁶⁷ The spontaneous, wave-like nature of the strikes, embracing some 100 000 workers in over 150 enterprises, indicated that mass industrial action did not require the assistance of formal union organisation (and indeed may have been facilitated by the absence of recognised black unions):

Social conditions of the mass of African workers helped communicate the mood of the strikers. In some cases, for example, the congregation of migrant workers from different firms in single quarter hostels and compounds undoubtedly served to facilitate the exchange of information; a situation also served by the packed and gregarious circumstances of the public transportation on which African workers find their way to and from work...Paradoxically, the absence of trade union institutions and of recognised worker leadership also contributed to the remarkable, inter-firm, inter-industry solidarity manifest among the strikers... it proved remarkably easy to pull out workers from widely unrelated enterprises. It was sufficient that African workers recognised their common plight in low wages and their inferior status throughout industry as a whole.⁶⁸

The unexpected outbreak demonstrated the total inadequacy of the official conciliation procedures for black workers which had allowed a mass strike to take both employers and the state unawares. And the depth of support for strike action made traditional responses - such as dismissals or prosecution for unlawful striking - impracticable.

The Durban strikes provoked another round of soul-searching in the dominant circles of employers and state. The latter, though insisting that recognised African trade unions were out of the question, promptly amended the 1953 Settlement of Disputes Act to allow for limited bargaining procedures by works/liaison committees and lifted the absolute ban on strikes by black workers. (Another major state reform in response to pressure came shortly afterwards when the Masters and Servants Acts were repealed in 1974, largely in response to threatened industrial action in the USA over the issue.) Employers, too, though often reluctant to abandon a hard-line stance on strikes by black workers in their enterprises, awoke to the need for a more sophisticated approach to industrial relations and personnel matters.

perhaps of most significance, however, was the effect of the strike on the work force itself. As one study has concluded about the outcome of the Durban Strikes, "In some firms the workers went back without any concrete gains, but in most they won wage increases ... For the workers the other main achievement of the strike is less tangible but perhaps even more important: it is a sense of solidarity and potential power."⁶⁹ Capitalising on the mood of confidence, existing and new efforts to organise black workers began to take firm root. At least four differing organisational tendencies emerged around this time, and provided the basis for the composition of the "independent" (i.e., not dependent on registered trade unions) worker movement. The Urban Training Project extended its scope and supported a number of black unions on the Rand which came to form the Council of Unions of South Africa (CUSA) at the end of the decade. Cooperation between unionists and white intellectuals led to the formation of such bodies as Trade Union Advisory and Coordinating Committee in Natal and the Industrial Aid Society on the Rand, similarly the basis for the creation of the Federation of South African Trade Unions (FOSATU) in 1979. Independent efforts led to the establishment of the Western Province Workers' Advice Bureau in Cape Town in March 1973, later to transform itself into the General Workers' Union. Splitting off from the Urban Training Project, Black Consciousness activists began to interest themselves in worker organisation, resulting in the creation of the Black and Allied Workers' Unions, from which the South African Allied Workers' Union was to derive.⁷⁰ Major differences developed among these groupings on issues such as the use of works committees, legal procedures, organisational tactics and the participation of non-worker intellectuals (usually whites); all, however, shared a common feature of attempting to organise black workers without subordinating them to the interests of existing registered unions.

Relationships with the latter, in particular registered unions affiliated to TUCSA, became indeed a major source of division in trade union ranks. With a few exceptions (for example motor

assembly and food processing) the registered unions looked askance at the growth of the independents, both suspecting their ideological commitments and fearing their potential for competition over future black members. The independents, in turn, argued that the majority of registered unions were little more than "benefit societies" on behalf of their white, coloured and Indian members, and would prove unable to reflect the aspirations of the semi- and unskilled black work force. The divide thus created remained a major source of friction into the 1980s.⁷¹

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By the mid-1970s, the organisational efforts outlined above had led to the creation of a relatively fragile but potentially expansive union infrastructure among tens of thousands of previously unorganised workers. It was an open question as to the extent to which the tolerance of the state would stretch in permitting this development. In the event, however, factors favouring the continuance of the new union grouping were to be further strengthened by the political turbulence beginning in 1976 with the Soweto uprising. The immediate outcome was an apparent set-back, with the restriction orders served on a number of persons involved in the independent union effort in 1977. In the same year, however, the revision of state policy on urban blacks forced by the events of 1976 was in part responsible, as far as a valid assessment of governmental decision-making can be essayed, for the state's acceptance of the need for major changes to the system of industrial relations and to the occupational status of urban blacks. The upshot was the appointment of a Commission of Enquiry into the whole range of industrial legislation under the chairmanship of Professor Nic Wiehahn, a well-known advocate of liberalisation in labour policy. At the same time, a senior civil servant Dr P J Riekert, was appointed to consider the possibility of rationalising the immense web of statutes and regulations within which the average African worker, urban or homeland in origin, was enmeshed.⁷²

The recommendations embodied in the Wiehahn Commission's Reports, beginning in 1979, amounted effectively to the dismantling of the dualistic structure of the statutory industrial relations system which had reached its culmination in the 1956 amendments to the Industrial Conciliation Act. The major recommendations were as follows: equal trade union rights for black workers; dropping of the prohibition on the formation of "mixed" unions; abolition of the job reservation clause introduced in 1956; and the opening of the apprenticeship system to black workers.⁷³ In addition, the Commission recommended the setting up of an Industrial Court to act as a means of legal redress and of dispute resolution over a wide range of industrial matters. Later reports of the Commission advocated the abolition of the restriction on the employment of blacks in certain categories of mining work; and the elimination of discrimination on grounds of sex.

Taken all in all, these were major reforms to what had been a highly discriminatory system of industrial legislation. Left-wing opinion was not slow to point out that the Commission's findings on matters such as the requirements for trade union registration could embody a major possibility for the control (and thus emasculation) of the proffered union rights for black workers.⁷⁴ Developments after 1979 were to suggest that these fears were exaggerated, if not totally without foundation. It was, as could be predicted, not the Wiehahn reforms as such, but their implementation and operation in an environment otherwise still highly discriminatory and white-dominated which were to prove problematic. The major loser in the post-Wiehahn era was not the trade unions catering for black workers, but the more intransigent elements of white labour.

Industrial reforms flowing from the recommendation of the six Reports of the Wiehahn Commission resulted since 1979 in a relatively far-reaching transformation of the industrial relations scene. The principle of an integrated industrial relations system was given a firm legislative foundation. In response, the trade union movement, in particular the newer

unions catering largely for black workers, expanded and established itself as a force in South African society in a way never before seen. The area of industrial relations practice became complex, diversified and innovative. Issues previously untouched or only of academic interest were included in the focus of trade union pressure in negotiations with management. Although setbacks occurred, the general direction of the industrial relations field pointed in the direction of an integrated industrial society.⁷⁵

Notes

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14. Ibid., Chapter 8.
15. Ibid., p. 209.
16. Simons and Simons, op. cit., p. 363.
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49. Cf. Lewin, op. cit., p. 112, and Simons and Simons, op. cit., p. 558, 560.
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68. L. Douwes Dekker et al (1975) pp. 221/222.
69. I.I.E., The Durban Strikes 1973, p. 45.
70. Bonner, "Black Trade Unions ...", (1980), op. cit. p. 187. Hemson, op. cit., p. 24.
71. FOSATU, "The Parallel Union Thrust", South African Labour Bulletin, 5, 6 and 7, 1980.
72. See the Report of the Commission of Enquiry into the Legislation Affecting the Utilisation of Manpower (Excluding the Legislation Administered by the Departments of Labour and Mines), RP 32/1979 (the Riekert Report). For an overview of some outcomes

of the Report, see S P Cilliers & C M Elias, A Survey of Progress on the Implementation of the Recommendations of the Riekert Commission as at 30-06-1983. (Occasional Paper No.8, Department of Sociology, University of Stellenbosch, 1983.)

73. Cf. SALDRU, "Summary", in "Focus on Wiehahn", South African Labour Bulletin, 5, 2, 1979.

74. Ibid., "Critique".

75. See for example D.F.W.Bendix, "Industrial Relations Trends: Some observations and armchair reasoning", Industrial Relations Journal of South Africa, 2,1,1982.

chapter 8: Conclusion

The incorporation of the native population as a cheap labour force, but segregated by political rightlessness and severe social discrimination, is the single most important key to an understanding of all subsequent social and economic developments.

- C de Kiewiet (1956)

The existence of colonial-type societies, founded through conquest by intrusive settler populations, is an unstable matter. While the material monopolies created by mechanisms of social closure may provide strong reason for continued domination, the costs of coercive control tend over time to mount as subject groups turn to active resistance. There are of course alternatives to domination, and sooner or later such options are chosen or are forced upon the contending parties. The options, simply put, are fission or fusion, either of which may include elements of genocide. The early white settlers in the Cape were the unwitting perpetrators of the latter when they inflicted exotic pathogens on a hapless Khoi-Khoi population, and more witting exterminators in their approach to the episodic resistance of the San peoples. With the importation of slaves the option of fission was implicitly rejected in favour of further domination, the costs of which appeared minimal in a world of slave-owners. The possibility of fusion, which rested upon the acceptance of intermarriage or interbreeding of the dominant and subject populations, was never seriously considered before the 19th century, and then only in limited parts of the future South African territory. Thus the southern African sub-continent evolved in colonial-style, with distinct populations mingled but not merged, except at the margins. Consciousness of community became even more starkly defined as different groups were thrown into closer contact by the dynamics of the moving frontier.

One importance consequence, as the citation from de Kiewiet at the head of this chapter suggests, was the emergence of a distinct class structure of colonial form: Hierarchies and sub-hierarchies of classes within each of the more or less endogamous cocoons which made up the segments of the South African plural

society. Each hierarchy however was not at the same level in terms of material reward and social esteem but was in turn ranked and even manipulated by those in a position to do so, the dominant grouping of European extraction. In a largely rural society the main axis of conflict was land and livestock, with labour distinctly secondary. With the sudden inception of labour-intensive industry in urban conglomerations after 1870 the nature of the colonial interaction changed decisively. Sharp conflicts over political control - the struggle over the critical apex of society which in colonial situations means not just better or worse but potentially also survival or extinction - reinforced or reshaped the communal identities which grew out of the familial, linguistic, racial and class experiences of the population. And after periods of intense violence, such as the frontier wars in the Eastern Cape or the Anglo-Boer War later, everyday encounters in the labour and asset markets heightened the perception of groups in competition.

It was a matter of great moment, though hardly of historical inevitability, that the section of the population which came to dominate the colonial apex was that section whose communal experience had most emphasised domination or fission as the means of group survival. The alternative of fusion by assimilation, gradual or otherwise, was firmly rejected, although never totally extinguished. And for all this the climate of the times in an international perspective was of course also conducive: South African colonialism flourished under the shelter of a world colonial system. Because of this, it is difficult if not impossible to assign final causal responsibility for the evolution of South African society in the 20th century to the autonomy of the internal elites rather than the tacit complicity of an international order where communal and racial domination remained deeply engrained. Those who controlled the South African colonial order looked outside and proclaimed that as they did, so did others in similar circumstances elsewhere in the world.

A further coincidence with incalculable effect was that the

closing of the southern African land frontier occurred for practical purposes simultaneously with the development of large-scale extractive industry, and the subsequent erection of a modern industrial base unequalled on the continent. The development of the latter was no foregone conclusion but appears with hindsight a matter of absolute - or rather geological - fortuity. It can of course only be speculated what would have happened had land satiety not been accompanied by industrial expansion in the hinterland, as would surely have been the case in the absence of the mineral discoveries. The point being made here is that South Africa's development was no ineluctable unfolding of a given structural dynamic - of capitalism, of settler nationalism, of modernisation, or any other organic social system - but was marked by sharp breaks which moved the inhabitants of the region into patterns of confrontation which could not have been predicted from within any particular theoretical perspective.

Any understanding of a phenomenon such as South African trade unionism in the 20th century, therefore, must combine both an appreciation of the contingent facts which came about without inner necessity, and the objective constraints which made this outcome rather than that a more likely one. Among the former must be counted the mineral discoveries, the influx of British artisans and miners after 1870, and the Anglo-Boer War of 1899-1902. Among the latter are the dynamics of split labour market competition, the sectional incompatibility of the interests of the divergent strata of a modern industrial work-force, and the tendency to the superimposition of ethnic or racial origin and class position (in either a Weberian or Marxist sense) in a colonial-type situation. Since life-chances in the asset and labour markets (the Weberian definition that is of class position) are highly structured in a colonial-type situation by ethnic/racial origin, the latter tends to be the preponderant existential fact for the inhabitants of such societies (and because familial environment also tends to derive from a specific ethnic/racial context). In real terms, such a conclusion does not

differ markedly from that developed by the Marxist scholar Harold Wolpe in his recent work where he writes that "...the simple opposition between race and class in explaining South African history must be rejected. Race may, under determinate conditions, become interiorised in class struggles in both the sphere of the economy as well as the sphere of politics".¹

Social identity among individuals is however but the beginning of the chain that leads through feelings of solidarity to collective action, organisation and institutional structure. Faced with an environment in which the main features of relevance to the actions of actors remain relatively stable, the response by functional groupings of human beings is to develop sets of guiding ideas and precepts which help direct action in often confusing day-to-day circumstances. In other words, organisations develop strategies which provide the cognitive framework from within which to tackle ongoing problems. New members of such organisations are socialised into such strategies, and their conformity or otherwise to them may determine their relative success in attaining major goals. Of course, a strategy which is at variance with the prior socialisation and the deepest aspects of social identity of newly inducted members may encounter resistance and if the newcomers are powerful enough may be rejected in favour of other more congenial programmes. The foregoing chapters have attempted to outline the shifting strategies which have attracted support from among the varying segments of the South African industrial labour force during this century.

As the preceding discussion may indicate, trade union strategies have been a function of social identity (defined most significantly in terms of ascriptive membership of one or other of the ethnic/racial segments of the South African colonial order), of functional location in the occupational structure, and from the corresponding position within the competitive currents of a split labour market. Until 1979 the majority of trade unionists were those who found themselves in a defensive posture

in terms of this labour market, since they belonged to organisations which were protecting occupations which stood to lose (in some tangible short term sense such as wage levels or labour market competition or job security) from the dismantling of ethnic/racial particularism. Not only position in the labour market however, but also non-labour market considerations such as feelings of social honour (to use, again, a Weberian terminology) impelled workers to define what they saw as the proper role of the trade union in meeting the challenge of the multi-ethnic split labour market. Where trade unions had developed a strategy which ran counter to these feelings of social honour, deriving essentially from ethnic or racial identity, as was most dramatically the case with regard to the position of semi-skilled white workers in the 1930s to 1960s, conflict ensued over the mode of labour organisation.

The question remains as to the dominant tendency, or the overall direction, which could be argued to characterise the history of trade unionism in such societies as South Africa. In the introductory chapter the rather large hypothesis was put forward that, provided the colonial-type society retained its integrity in the sense of its demographic make-up, the inclusivist, rather than the segregationist, imperative would come to predominate. It might be argued that such an outcome is trivially true: trade unionism follows the contours of society, segregationist under a racial order, and inclusivist when that order is dissolved. And yet such a conclusion is too sweeping for it ignores the ups and downs, the twists and turns of trade union strategy and structure at the various conjunctures which mark the history of the colonial-type society. It ignores too the question as to the actual mechanisms which shape the nature of trade unionism in such societies at various times.

In his major comparative study of societies structured along lines of racial or ethnic domination, Greenberg has argued that the early phase of industrial development and capitalised

agriculture was characterised by "a period of intensification, a period where racial domination was given a 'modern' form and where repressive features were elaborated and institutionalized" and where the "emerging class actors introduced conventional racial patterns into new settings, the factory and city in particular".² His further remarks identify crucial mechanisms which structured the nature of trade unionism in South Africa as well as in other societies with similar colonial-type configurations:

...businessmen in the primary, extractive industries used the framework of racial domination to help organize and control a labor force, to keep the labor force divided and, at least in the areas of subordinate employment, unorganized; the artisan unions associated race and skill scarcity and effectively excluded subordinate workers from privileged sections of the labor market; the industrial unions, at least where subordinate workers did not dominate employment in an industry from the outset, used race lines in the work place and society to set off and protect areas of dominant employment.³

This period of intensification of racial domination was however according to Greenberg followed in all the four societies which he studied by a period of strain and disintegration of the racial order, producing what he calls a crisis of hegemony. At this conjuncture both forces within the dominant group itself and the re-emergence of resistance within a never-completely passive subject population combine to call into question on an ever-widening scale the legitimacy of the prevailing racial order, or what has been referred to here as the colonial-type society. The major forces which push society beyond the point of an equilibrium of domination to a continuous instability are those the leading employer groups and their allies in the universalist professions on the one hand, and the resistance, often violent, of elements within the subject population.

Greenberg's analysis can be extended by considering the trends within South African trade unionism in the second half of this century which the preceding chapters have revealed and which contributed towards the subversion of the colonial-type society. One important tendency which trade unions may not have encouraged but which they reflected was of course the continuing occupational mobility of large sections of the white working population, from lower- to higher-paid, from blue- to white-collar - and in the process from unionised to non-unionised posts. Thus, as Greenberg notes, the edge was taken off the drive for white protectionism as "even white workers, securely ensconced in the upper reaches of the job hierarchy or in protected positions, considered allowing some exclusory practices to pass into disuse".⁴ Other analysts have analysed the same trend in terms of Poulantzian Marxism, and have pointed to the creation of a "new middle class" from the ranks of the former white working class.⁵

Moving up in the wake of upwardly mobile white workers, coloured, Indian and especially African workers came to dominate in sheer numbers the industrial labour-force. By the 1950s, as Lewis has argued, the former militant "non-racial" trade unions in secondary industry such as the Garment Workers' Union had lost most of their white membership.⁶ By the 1960s, as we have seen in Chapter 6, this trend was so strong that the leadership of TUCSA and its affiliates were complaining of the increasing unrepresentativeness of their organisations as African workers came to predominate in one industrial job category after another. For unions which had traditionally organised a "mixed" membership, there was little in their trade union thinking which made sense of racially restricted trade unionism. The logic of trade unionism in such situations pointed towards the extension of inclusive, open unionism to the new entrants to the labour market, albeit at the "rate for the job".

Such trends began also to erode the previous intransigence of the exclusively white trade union groupings, as was to occur in

the 1970s with sections of the Confederation of Labour. By no means all of the white unions were converted to open unionism, or at least to an acceptance of the indefensibility of the status quo. But militant rearguard actions, such as the 1979 Mine Workers' Union strike, were the exception, although they reflected accurately enough the feelings of what had always been the stronghold of right-wing labour: the semi-skilled white workers in manual or production jobs. However, the context within which such unions had operated was beginning to alter fundamentally, as crucial elements within the "ethnic state" began to align themselves with the demands of the leading employer groups, multinational companies and major investors for the elimination of racial discrimination in the work-place. An expanding economy had undercut the whole rationale of grand apartheid by 1970, and government labour policy gradually accommodated to the new urban industrial realities.

A final decisive force from within the sphere of trade unionism was of course the revival of viable African trade unions on a widening basis after 1973. After initial resistance, such unions found that convenient partnerships could be struck with the managements of key multinational companies and the more far-sighted of local employers. New forms of collective bargaining and union recognition outside of the established statutory framework laid down by the Industrial Conciliation Act added weight to the pressure for the extension of trade union rights to all workers in the industrial economy.

Thus, in sum, the lessening of the long-standing appetite of white workers for occupational protection; the growing agreement on the indefensibility of racially exclusive trade union rights within significant sections of the established union leadership; the developing employer consensus on the untenability of discriminatory and anti-union practices; the revival of an independent, popularly-based non-registered union movement; and the increasing responsiveness of the relevant political decision-makers to these pressures combined to dissolve the racial order

in the industrial sphere. It was, significantly, the first such major breach of the colonial-type social order, by introducing an industrial relations system which in principle at least was based on the universalist precepts which Wiehahn himself had insisted were the basic prerequisites for the successful restructuring of the country's industrial legislation. Widely recognised as incongruent with the remaining pillars of the colonial-type society in the other social spheres, this reform was also the true harbinger of the ultimate demise of the racial order as a whole.

Notes

1. H Wolpe, Race, Class & the Apartheid State. (London, James Currey, 1988) p.52.
2. S B Greenberg, Race and State in Capitalist Development, p.386.
3. Ibid., p.386.
4. Ibid., p.399.
5. H Wolpe, "The 'white working class' in South Africa", Economy and Society, 5,2,1976 p.224.
6. J Lewis (1984) p.148.

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