

OPEN AND CLOSED UNIONISM IN SOUTH AFRICA

by Stanley E. Greenberg

(EDITOR'S NOTES :

This article is the third section of a longer paper entitled "The Bounded Working Class".

In Vol. 1 No. 8 we printed sub-section A: "Trade Union Orientation", and B: "Trade Union Practices". Here we publish sub-sections C and D and the paper's conclusions.

For definitions see No. 8.)

SECTION C: LABOUR PROGRAM

South African labour unions operate within a highly structured legal environment. Since the massive disturbances in 1922, the government has not permitted white labour-management conflict to escalate into industrial unrest. Labour and management meet across a negotiating table largely shaped by the Industrial Conciliation Act. Their decisions are influenced by Labour Department representatives and Ministerial review; their disputes go to government sponsored arbitration. The Apprenticeship Act establishes a framework for training and certification of artisans. Trade union jurisdictions, membership and even occupational eligibility are determined by law and government edict.

Government involvement in labour-management relations unquestionably protects labour interests and advances traditional union goals - reduced uncertainty, job control and increased wages. Indeed, many of the trade unionists reflect the sentiment of the Boilermakers, "It's one of the best apprenticeship acts in the world;" or that of the Iron Moulders: "We have the best industrial legislation in the world." But it is also true that many trade unions discouraged government interference with collective bargaining and continue to oppose limitations on trade union eligibility. The division, as with previous issues, cuts a rough patch between the open industrial unions and the remainder of the labour movement. But unlike other issues, sharp

divisions exist within the ranks of the closed unions, leaving the TUCSA and unaffiliated unions to one side and the Confederation unions to the other.

FOR INCORPORATION

The open industrial unions fall, as they did on previous issues, on the side of incorporation. All the unions want to represent African workers and support changes in the Industrial Conciliation Act that would permit it. Without exception, they fought against the imposition of job reservation. They opposed it as a draft bill, in the courts and before the Industrial Tribunal; they are opposed to it not simply because government and industry have allowed determinations to fall into disuse. Finally, they support amendments to the Apprenticeship Act that would open up the trades to African workers. (Having very few artisans in their ranks, this is a costless commitment.)

The commitment to change, evident with each open industrial union, is heartfelt and unequivocal. "Definitely," the Leather Workers' officer responds.

Why can't they let - they're people like me - why can't they belong to their trade unions? Why can't they belong to our trade unions? I prefer them to be in our trade union rather than on their own.

"ONE BIG UNION"

The Transvaal garment union demands and hopes for a return to the policies of an earlier period when all garment workers belonged to "one big union."

Because as far as we are concerned, we feel and we are almost certain and we are sure that we are going to get - if you don't get the government to do by voluntary, we are sure of the African workers are bound to - get a membership (for Africans) and we believe that there should be one union. We don't believe in a black union or a white union or a mixed union and another union and we think that the trade unions of all

workers of South Africa will force the issue of African workers and coloured and white people will be able to belong to the same trade unions and then everything will be again as it was before.

The Cape Garment Workers union was one of the first to institute court proceedings against the amended Industrial Conciliation Act and continues to seek exemption from its provisions. In the last TUCSA meetings, the Natal Garment Workers union led the call for African unionization.

That's right and do you remember that I qualified that resolution at the time. I said, "Don't vote for it if you're not going to do it because I'm going to do it. Don't wear a mask for the outside world." I mean, I, you know, I know if somebody who taped it, played it back to me but I know what I've said, and I've said it on a million other occasions.

OPPOSED TO CHANGES IN PROTECTIVE LEGISLATION

The Confederation unions, particularly among the closed artisan group, remain steadfast, opposing any but the most minor changes in the country's protective legislation. Job reservation (despite its diminishing scope) and the Apprenticeship Act (despite the massive shortage of skilled labour) remain sacrosanct features of job control. African trade unions, in this view, spell the end of white civilization. "You can't give a sharp knife into the hands of a child," observed the Bouwerkers' officer,

He'll not only hurt himself, he will hurt you too. But you must realise is that the Bantu in South Africa, the black man, he is a child. He is a child. If you listen to the utterances of these so-called black prime ministers. The speeches that they make ... These are the thoughts of a child.

The 'Yster en Staal' union's officer expresses similar concerns.

You can't put a dangerous weapon in the hands of a child and expect him not to have an accident. This would have led to an exploitation of the Bantu worker. The Bantu worker would have been the first hurt. You would have had a revolution among the white workers and you would have a bloody economic catastrophe.

While many of the unions, even some of the Confederation unions, have turned away from formal job reservation, the 'Bouwerkers' and 'Yster en Staal unie', along with the Mineworkers, remain firmly committed to it. Their vehemence places them apart, but their sentiment has broad support among other Confederation unions. Job reservation, in this view, is ineffective because the government or the white trade unions show insufficient vigilance or because employers operate outside the law. The 'Yster en Staal' union's officer observes:

I believe in it. On its own, it is never a success. Without a salary attached to the job, it can never work. We've had jobs reserved but they are paid the minimum rate. The rate is so low the employer couldn't get the white. So he applies for exemption and he gets it. But it should be maintained. It provides control, time to negotiate. It enables us to negotiate at leisure. It's very, very necessary. The principle is right.

To the Mineworkers, job reservation is no longer a rigid colour bar because the white unions fail to stand by the white workers and press their case with the government. The Chamber of Mines, for example, could seek exemptions "for now and forever", but the government would never grant their requests. The employers and the government know the strength, unity and determination of the Mineworkers.

THE MODERATED POSITION

There is a substantially moderated position that dominates opinion among the closed unions and, to some extent, among the exclusive industrial unions.

Its adherents include a few of the Confederation unions, a number of TUCSA affiliates and nearly all the unaffiliated unions. These unions want to avoid an influx of African workers, maintain the white worker's protected position, and expend few, if any, resources on organizing African workers. But their position is flexible and responsive to changing circumstances, without necessarily abandoning the general principles embodied in protective legislation. They are cognisant of the skilled labour shortage, the shifting of black labour, and the endemic African work stoppages. They will consider changes in union and work practice, excluding, of course, any fundamental change in the South African labour pattern. Never having played a decisive role in formulating government policy, these unions are, for the most part, free to abandon archaic or dysfunctional practices.

LIMITED AFRICAN ORGANISATIONS

For the open industrial and the militant Confederation unions, African trade unions are the key to industrial conflict and social change. Whether South Africa goes the route of full incorporation or entrenched white rights hinges on the growth, leadership, and recognition of African unions. But, from the moderated position, African trade unions pose less serious alternatives and fewer complications for the existing trade unions. In this view, African workers' organizations need not be fully developed vehicles for collective bargaining, nor must they compete with the existing registered trade unions. Workers' organizations can and do serve limited needs, including communication and contact with management. These unions would emerge, ideally, as racially distinct bodies, governed by 'moderate' leaders, under the guidance of the white unions or the government. The position is clearly presented by the Underground Officials:

I don't think they'll call them unions but I do feel that the Industrial Conciliation Act should allow organization so as to create consultation and communication channels with the non-European.

To me it is not to their advantage to think of the union as a multi-racial problem because the intimate contact that must come about will lead to the exact position which in our national life has led to what they call petty apartheid. Within the union ranks, if you have a multi-racial affair, you will get that same friction developing and the union will be more busy trying to smooth the difficulties between members instead of fighting their employer or the state.

Some of the railway unions prefer the existing liason committees but if they prove unacceptable to African workers, would accept other means of communication. The Footplate Staff officer comments:

I'm not going to say a trade union as such, as we know it in the Western sphere of civilization, is not necessarily the solution. The reason I say that, his background, the way he looks at it from his point of view. We don't know his attitudes. Every worker should have the right to organise. But we never had similar views from the Bantu himself. On the whole, we don't know his exact views on this matter, if they want it.

(Should these unions be separate?) Separate unions, of course, the fields of work are different. The situation differs so much. If he wants a union and feels it is the solution to his own problems, let him have it. But let it be his own. Don't let white people, coloured and Asians get mixed up in it.

The Motor Industry employees, fully protected under existing legislation and trade union practice, support a limited form of recognition.

I believe there should be communication. I believe there should be consultation. Whether fully fledged unions are going to be the answer, I would hate to guess at this stage. I think it would depend entirely on whether those in charge of the union or at the head of the union are responsible people. This is as far as I would like to go.

PRAGMATIC POSITION ON JOB RESERVATION

Consistent with the moderated position on recognizing and organising African unions, these unions adopt a pragmatic position on job reservation and amendments to the Apprenticeship Act. If job reservation is applied spasmodically and no white apprentices are to be found, then allow these practices to be modified or to pass into obscurity. The Motor Industry Employees union, while themselves barring coloured apprentices in the Transvaal, view imposed reservations with indifference.

I don't think it is necessary in our industry. Quite frankly, I think it's one of those over-rated things. It is not as serious as people think it is. I only have to give you our agreements to show you how the various racial groups are willing to see, are getting the necessary opportunities. And as far as the actual wages are concerned, quite obviously, that is an employer matter.

The Electrical Workers are anxious to see Africans trained under the Apprenticeship Act, as long as they are trained to work in African areas - "White servicemen don't like to go in these townships".

AN APPARENT ANOMALY

The more intractable analytic problem emerges among the closed unions that desire genuine changes in the protective framework. They do not view African trade unions or membership in registered trade unions as simple communication or consultation, confined to a corner of the industrial complex, while the real bargaining is carried out on center stage. "We want them all members of this one union," the Typos' officer declares. "Our argument is that we have been a mixed union for so long - white, Coloureds and Asians - that we can accommodate the Bantus as well and have one printers' union." The Building Trade Workers look to union membership as the hope of progressive trade unionism: "That is our only salvation." Without real trade unionism, the African worker is

footloose, his spokesmen "responsible to nobody". But "you take him into trade unions, then he can be protected and we can see what is going on."

This apparent anomaly - closed unions desiring incorporation - is subject to two opposing interpretations. First, these trade unions are indeed functionally closed and fully willing to take advantage of the colour bar. But they are also realistic enough to recognise the imperatives of economic development. An expanding economy, even when constrained by a bounded working class, brings increasing numbers of black workers into jobs formerly held by whites. The transition, without unionization, means the undercutting of union rates, replacement of union by non-union labour and the inevitable decline in union bargaining position. A realistic defence of union interests, consequently, requires that they breach the colour bar and attempt racial incorporation within a closed union orientation. The move comes not from any natural inclination on the part of unions, but from contingencies imposed by the economy.

The alternative interpretation suggests that, in some instances, there is no necessary affinity between closed unions and the colour bar. Racial barriers emerge not out of trade union logic, necessarily, but from a rational adaptation to circumstance. In a society that denies full union rights to black workers, exclusory policies (eg. job reservation, negotiated job barriers) are necessary to the maintenance of the union. The Iron Moulders' officer declares,

The trade union movement in this country reserves to itself the right to its own occupation whilst a position exists for persons who cannot determine their own destiny can come in and undermine the destiny of others. He can't accept it. But it does not mean that we don't do everything in our power to uplift and bring to our standards, the African. He is entitled to as much clothing, food and housing and free old care as we are. We believe that. It was the powers that be says he can't have it. He can't undermine my job and

my membership. It is as simple as that.

If the legislative bar to full union membership were lifted, the union would have no need to impose other forms of racial exclusion. Indeed, the unions that find racism abhorrent would prefer a healthy, closed unionism that operated without reference to race.

The alternatives are equally plausible and, unfortunately, the data does not permit us to choose between them. In the next section, however, we can at least assess where these unions devote their energies - whether to the colour bar policies described in the previous section or to labour and social programs.

SECTION D: SOCIAL PROGRAM

The burden of a genuine critique of the racial order falls upon the open industrial unions. Their interests and functions are clearly associated with a breakdown in exclusive practices, whether practiced in the labour sphere or society at large. One officer, for example, sees the entire social arrangement as a conspiracy of business and government interests.

Why don't they (the employers) want to fall out with the government? Because it is their government. Make no mistake about it. This government suits the employer class. It suits the profit-makers. A divided working class is easier to handle. You can play off one race against the other like they did with the African union by switching their preference to them, which didn't work out.

In formulating a legislative program, their concern, and the concern of most trade unions, is with adequate social welfare programs (eg. social security and medical benefits). For the open industrial unions, however, these programs are part of a more general program encompassing relief for low paid workers, education for Africans, Coloureds and Indians, recognition of African trade union rights, and the elimination of petty and

general apartheid. Indeed, TUCSA's preoccupation with general, as opposed to union specific interests, is due to the prodding of its open industrial unions.

The open industrial unions do not operate in isolation. A number of closed unions (primarily members of TUCSA) support the open industrial unions' critique and program. Their approach, however, is more restrained and their program less radical. Apartheid indeed undermines trade union interests; it divides workers and creates unnecessary social conflict. But a program for social change must remain sensitive to established mores and the consequences of instability. The Boilermakers' officer notes:

I'm fully convinced that apartheid is on its way. Except that we'd be left with something like you've got in the United States, a sort of apartheid that would be applied by the people, not by legislation or anything like that.

The Typos' officer, while insistent on change, emphasises the need for patience.

Well, of course, it undermines trade union interests. But at the same time to do away with it overnight, I think it would have dreadful complications in this country. I think it is something that has grown for so long, the breakdown will have to be gradual. I can't see them do away with it overnight.

The 'liberal' closed unions support a program for social change, emphasising apartheid laws and African trade unions. Their record within TUCSA, however, rapidly dispels any notion that their endorsement represents a major push for reform. Within TUCSA, the demand for social change comes entirely from the open industrial unions and, to a lesser extent, the National Executive Committee. In the last seven conferences (beginning in 1967), artisan unions are responsible for only four resolutions: one was a technical matter affecting only registered unions, two were questions of general business practice, and only one issue was

of general importance for industrial workers.

The thrust of closed unionism is to emphasise how little trade unionism and apartheid have to do with one another. "It's not detrimental to the workings of the union," comments the Footplate Staff officer. "I can't see a field where it would affect us." His views are shared by the Motor Industry Employees officer.

As far as we as trade unions are concerned, we don't suffer in any way because of the system. Our membership is growing yearly and the benefits are growing.

The principle concerns of closed unionism fall outside questions of race policy and center around social welfare issues. In recent years, they have pressed the government, with little success, for improved coverage under the Workman's Compensation Act and, above all, the institution of a national, contributory provident fund.

It should not be surprising that the exclusive industrial unions, whose interests center around industrial separation (as opposed to job separation), are fully supportive of apartheid. For them, apartheid is not some distant social philosophy that operates on the peripheries of industrial practice; it represents the social support that makes their brand of unionism possible. National and industrial separation are viewed as a single process, creating employment opportunities outside the white areas and creating controlled, segregated opportunities in the cities. The Postal Association officer declares, "(it) has been my association's policy, right from the start, many years ago, is that non-whites should serve their own people and not whites." On that principle, they and the other unions have ordered their organizations, and would choose to order industry and the society.

CONCLUSION

The image of South African trade unionism was as we expected - divided, bizarre and, above all, exclusive. Indeed, few people in or outside of

South Africa question the distinctive imagery of race and labour. The substance of trade unionism - the goals, approaches and programs - is a different story. Stripped of their outward trappings, South African trade unions reflect the prosaic and conventional in labour organization. The unions and their members desire little more than workers elsewhere. They adopt well-worn approaches to organization and strategies for advancing working class interests.

What makes South Africa distinctive is not trade unionism but the bounded, racially divided, working class. Within its constraints trade unions follow conventional logic to explicable, but distinctive labour forms. The forms may be unique; the logic is traditional. Closed unions exclude black workers from labour organizations and specific protected occupations. They frequently advance their members' interests at the expense of black workers. We could expect little else of closed unionism in a bounded working class. Open unions follow divergent paths. In areas of traditional white employment, open unions attempt to limit the workforce. They demarcate areas of black and white employment; through apartheid, they seek to exclude blacks from industrial employment entirely. Under the circumstances, can we really expect the open union to do otherwise? In well-integrated, mass production (or unskilled) industries, open unions represent all workers. They oppose imposed or negotiated job reservations, support African trade unions and the general reform of racial policies. In a sense, the integrated labour pattern frees these open industrial unions from the constraints of a bounded working class.

South African trade unionism is a logical consequence of trade union theory and practice. The fact that most union behaviour falls within this pattern does not mean all union behaviour, no matter how racist, follows this logic. Separate changing rooms, bathrooms, eating and work areas have nothing to do with trade unionism. Important tenets of apartheid, including parallel development within an industry or company, undermine the union's bargain-

ing position and wage rate. These practices are distinctive and controversial features of South African race relations. They certainly impinge on union practice; but they are not central to it, nor derived from it.

Exclusive unions in South Africa demonstrate little interest in altering traditional labour patterns. Indeed, exclusive practices, such as statutory and negotiated job reservation, are the essence of their approach and program. What little interest emerges in social reform gives way to the reality of industrial practice and the widespread support for apartheid policies. Open industrial unions are an important, if isolated force for change. They act to break down racial barriers on the factory floor and in society at large. In addition, the evolution of industrial practice is bringing black workers into increasingly responsible positions, creating, in effect, the kind of integrated industrial situation conducive to open industrial unionism. Under ordinary circumstances, labour organization would respond to opportunity; the base for reform would be greatly expanded. But the South African context does not pose ordinary circumstances. Trade unions reared in a bounded working class do not respond warmly to new bases of organization. The government, sensitive to such developments, has assured by law that no new industrial unions will achieve recognition.

Stanley B. Greenberg
Yale University