

Chapter Nine

How the Mines got their Labour The Contract System

Eighty years ago, all black workers in South Africa worked under a contract system. The contract system was first introduced in 1856 in the Cape as a law called the *Master and Servants Act*. Later it was copied by the Transvaal to control farm labourers and workers in the towns.

The Master and Servants Act aimed to protect both the employer and the employee in a job. It said that no worker could work without a contract. The contract had to state the following: how long the job would take; what the job would be; the worker's wage for the job.

If the worker broke his contract he could be arrested and fined or sent to jail. A worker broke his contract if he left his job or did not do his job properly, or if he was 'cheeky' or 'made a disturbance on his master's property'. If he did any of these things he was breaking his contract. He was committing a 'crime'. Employers could get into trouble too. Sometimes an employer was fined for not giving his worker his wages, or for beating him very badly. But most of the time, if there was a disagreement between an employer and his employee, it was the worker who got into trouble.



A scene at Turffontein Road Station, 1917. Workers arrive to begin their contracts on the mines.

CONTRACTS FOR THE MINES

The contract system was also used on the Kimberley diamond fields in the Cape. When the mines opened on the Witwatersrand, mine-owners again used the contract system to hire black labourers. At first the contracts lasted for about two months. Then, when deep-level mining started, the mines began to need thousands more unskilled labourers.

The mining companies tried to get longer contracts. In 1912, South African workers had to do at least 90 shifts. In 1918 the mines raised the contracts to 180 shifts (about seven months) and then in 1924 to 270 shifts (about ten months).

Mine-owners and managers wanted to keep these workers as

long as possible, but many migrant workers refused to stay away from their homes for longer than half a year. They wanted to get back to their land and their families, especially during the ploughing season.

So WNLA started to find cheap labour from other countries. WNLA required all workers from outside 'British South Africa' to sign a contract of 313 shifts or more. That meant a contract of at least 12 months. WNLA claimed that they went to a lot of trouble to bring workers safely to the mines from faraway countries. The mining companies had to pay for the costs of WNLA. They had to pay for the

This poem written by Gouveia de Lemos, a Mozambiquan, describes the agony of leaving to work the long contract far away from home.

SONG OF AGONY

'Vê nerá, né 'Verá' cufã?'
I put on a clean shirt
and go to work my contract
Which of us
which of us will come back?
Four and twenty moons
not seeing women
not seeing my ox
not seeing my land
Which of us
which of us will die?
I put on a clean shirt
and go to work my contract
to work far away.
I go beyond the mountain
into the bush
where the road ends
and the river runs dry.
Which of us
which of us will come back?
which of us
which of us will die?
Put on a clean shirt
it's time to work the contract.
Get into the wagon, brother
we must travel night and day.
Which of us
which of us will come back?
which of us
which of us will die?
Which of us will come back
to see women
to see our lands
to see our oxen?
Which of us will die?
which of us?
which of us?
Which of us



The penalty for breaking the contract was prison.

WNLA offices all over southern Africa. They also had to pay the wages of the WNLA people employed to recruit labour. The mines wanted to make sure that they would get their money back by keeping these workers as long as possible. In fact, most of the men recruited by WNLA stayed on the mines for 18 months.

TWELVE-MONTH CONTRACTS

The twelve-month contract was more profitable to the mines than the six-month contract.

(1) Labourers who worked on the mines for 12 to 18 months gained more experience and learnt to work faster and better. Their work was more productive. Yet these experienced workers were paid the same as the new workers — so the mines, not the workers, profited from their experience.

(2) If a worker stayed on the mines for a long time, the mining company would not have to spend more money looking for a new worker to take his place.

(3) WNLA managed to recruit so many workers from outside

British South Africa that the shortage of labour was eased. The Chamber of Mines was able to keep wages down. As long as they could find people to work in the mines, they did not have to raise the wages.

(4) The 12 — 18 month contracts helped the mines during the ploughing season. The mines' biggest labour shortage was in the winter time, between February and May and again in December, when the workers went home again.

THE NATIVE LABOUR REGULATIONS ACT — 1911

In 1911 the South African government passed a law called the Native Regulations Act. It is interesting to study this law because it shows us what conditions must have been like for many workers. The law tried to stop some of the worst ill-treatment of black workers in the mines, on the farms and in the towns.

* The law laid down all compound managers had to be licensed. This was meant to stop some of the worst types of people being allowed to run

compounds.

* Workers had to be paid their wages in cash;

* The contract had to be written down and explained to the worker in the presence of a magistrate, so that he knew what to expect from his job.

* The law laid down the number of people allowed to sleep in any room of a certain size. This was meant to stop unhealthy overcrowding.

* The law laid down the minimum amount of food that a worker could be given at work;

* The employer had to see that a sick worker received some medical care.

But in spite of this law, conditions still remained poor. The law did not really allow the workers enough food and the compound rooms still remained cold and crowded. In any case, the government did not appoint enough inspectors to check the worst mining compounds and force them to improve conditions.

Nevertheless, some improvements were made and the law showed that the government did realise that it had a responsibility to see that black workers got at least a few basic rights.

REGULATION MEANT CONTROL

Employers continued to be happy to employ black labourers. 'The Native Regulations Act,' said economist Sheila van der Horst, 'has made the employment of Native labour more attractive.' (*Native Labour in South Africa* — 1942.) It gave employers, especially mining companies, greater control over their workers.

* Under the contract system, a worker had to stay on the mines until the manager was satisfied that he had finished his contract.

The worker had to satisfy the

manager that he had done all his shifts properly before he could leave the compound. If he was ill and lost a few days' work, he had to stay on the job until his shifts were done.

* If a worker was unhappy about his working conditions he could not leave. Often, workers complained that they had not realised what the job was like before they started work. For example, many workers did not want to work underground. Yet because of the contract system they could not leave before they had worked for the period of time laid down.

* Under the contract system a black worker could not go on strike. Unlike the white worker he could not bargain for better wages and working conditions — what was a right for the white worker, was a crime for the black worker.

So, for as long as a worker's contract lasted, the employer had control over him. The worker had to continue his work without improvements in wages or conditions. He had to stay with the job until his contract was finished, or go to prison.¹



TUBUKE KU KAYA

*I want to go home,
I'm wasting my time here.
I don't want to stay,
I'd rather desert.
Please, boss,
Give me my money,
I want to go home.*

(Rhodesian mine song.)²

CONTRACT WORKERS FROM MOZAMBIQUE

Most of the workers recruited by WNLA came from the East Coast, or Mozambique. They were popular with the mining companies because they were long-term workers. So it was not surprising that the Chamber of Mines reported that the 12-month contract 'greatly increases the value to the mining industry of the East Coast Native.' By 1910, more than half of the black mine workers on the Witwatersrand gold mines came from Mozambique. They continued to be the most important supply of labour to the mines until Mozambique became independent in 1975, when the Frelimo government stopped sending men to the South African gold mines.