

THE SOUTH AFRICAN LABOUR BULLETIN.

In this period of ferment in the field of industrial relations in South Africa the Institute for Industrial Education feels that a regular publication on Labour Affairs in South Africa is highly desirable. This Bulletin will carry news concerning worker organisations, accounts of research being undertaken in South Africa into problems of industrial relations, and articles of general interest to trade unionists and workers. It will also attempt to contribute to the loud debate over trade unions now going on in South Africa.

The first number of the Bulletin is devoted almost entirely to an analysis of the arguments for and against full trade union rights for African Workers.

Staff from the Institute for Industrial Education and from the South African Institute of Race Relations carried out research into the nature and causes of the massive strike wave in Durban in January/February 1973. Their investigations led them inevitably to a discussion of the role of trade unions. We print here the last chapter of their report. The full report will be published shortly.

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CHAPTER 6 TRADE UNIONS.A. COMMUNICATION.

If we are to discuss worker organisations meaningfully we must have a clear idea of what their actual shop-floor function is to be, since on this will depend our account of what form they should take. During and after the strikes, comment from white politicians, the press and enlightened employers concentrated on the concept of "communication". It was argued that the strikes arose largely as a result of a failure of communication between workers and employers, and that therefore the problem is to design institutions which will facilitate communication. We believe that the stress on the problem of communication is the result of a fundamental misunderstanding of the nature of employer-employee relationships, and that institutions which are merely designed to improve communication between the two will go very little way towards improving the situation. We need, therefore to begin with an analysis of the notion of communication.

We pointed out earlier that most of the workers whom we interviewed believed that workers had in fact communicated adequately with employers before striking. In the light of this we need to ask what it is that needs to be communicated in order to prevent strikes. The replies of our interviewees can probably best be interpreted as meaning that they considered that the employers had no excuse for not knowing that their workers were desperately poor. They must surely be right in believing this. Most employers are literate, and many of them presumably read newspapers. All the English-language Natal newspapers had given wide publicity to issues concerning African poverty in 1972. Furthermore

employers know what wages their workers are getting, and they also know that the cost of living has been rising. It seems difficult to believe, therefore, that they needed improved methods of communication with their workers in order to discover that they were poor.

What, then, ought to have been communicated to them but was not? As we argued earlier, we believe that what they were ignorant of was the fact that the workers had reached a sufficient pitch of desperation to consider breaking the law by going on strike. What made them increase wages was not that they suddenly discovered that their workers were poor, but that they suddenly discovered that their workers had a certain amount of power.

The stress on the problem of communication quite ignores the dimension of power. It is based on the naive assumption of an essential community of interest between employer and worker; the belief that the employer has the best interests of the worker at heart, and that therefore any conflict between the two arises from some sort of misunderstanding, which can be cleared up by improved communication. As Hyman points out, this is based upon the "assumption that industrial peace is the norm and conflict pathological. From this perspective, disputes must be attributable to ignorance or to misapprehension; with knowledge of "the facts" workers would have no desire to strike. Yet while some strikes may result from misunderstanding, it would be naive to assume that disputes typically arise in this way." (Hyman P.60).

Bendix discusses the role played by the concept of communication in early managerial theory of the "human relations"

school in the United States of America. He argues that it amounts to this : "What workers say is called information which management can use to 'eliminate misunderstandings'. But what employers tell their employees are the facts...Thus, in the words used to describe "two-way" communication, subordinates are expected to listen so that they may learn, while managers merely receive information which they can use" Bendix P.326). That is, there can be no genuine two-way communication between those who have the power to ignore what they are told and those who are powerless to do so. Our impression from our interviews with employers, as well as from press comment is, nevertheless, that Bendix's comment accurately characterises what is meant by "communication" by most employers.

To show that this approach is in fact inadequate we need to show in what ways there is a necessary conflict of interest between worker and employer. Within the context of a capitalist society there is of course, a common interest between the two in the continued viability of the firm. If the workers really force up their wages to the point at which the employer goes bankrupt then they lose out as well. But there is a wide range of profit-rates at which it is possible for the firm to continue to function, and there is no "scientifically" determinable profit rate which will maximise the advantage of both employer and worker. Wages are costs, and the job of the manager is to keep costs down. This does not mean that there is no downward limit beyond which the employer cannot, in his own interests, go. If wages are forced down too low, productivity will also fall. But between the upper limit of bankruptcy and the lower limit of hunger-weakened workers, there is a wide range within which it is in the workers interest to push up and the employers interest to push, or hold, down.

Apart from the issue of wages there is also the question of exactly what those wages are being paid for. How long should a working day be? At exactly what rate should the worker work during that day? How much of their energy should they use? Nobody believes that workers should work until they drop each day. Indeed, if they did do so the employer would lose in that they would be unfit to work the following day. But there is a wide range of time and rate of work in which both the firm and the worker can survive, and so once more worker and employer have conflicting interests. Workers have a life to lead when they stop work, and naturally wish to preserve as much as possible of themselves for that life. The employer, on the other hand, wishes to get as much of them as possible for the wage paid out. A solution to this problem may be reached by a process of implicit compromise and bargain, which establishes conventional expectations on both sides, but unfortunately the process of technological change continually tends to re-open the question. Gouldner, in his study "Wildcat Strike" comments as follows on the implications of this for industrial peace :

"Market assumptions exert an unremitting pressure against the traditional, unstated assumptions men inevitably employ, exposing them to sudden challenges and unpredictable frustrations. In short, market or contractual arrangements do not generate instabilities merely because they fail to provide an adequate foundation of specific expectations, but also, because they actively corrode the other possible sources of stability." (Gouldner P.162).

The slogan "a fair days work for a fair days pay" conceals the fact that there is no objective measure for determining either what is a fair days work or what is a fair days pay. There will therefore always and inevitably be a difference

of opinion between management and labour on the question, and whose opinion will prevail will be settled by the relative power of the two sides. However, if management asserts its power too freely and too brutally, this is likely to have unforeseen consequences. We have already discussed the problem of legitimation, the fact that individuals will only freely obey commands that they recognise as legitimate. In the absence of this recognition of legitimacy, workers may be coerced by the use of power, but this is necessarily an inefficient method, since management, hard though it may try, cannot be either omnipresent or omniscient. In a situation in which workers cannot organise or bargain they tend to react in other ways. One way is through the "conscientious withdrawal of efficiency", a form of private sabotage of the work process. In a situation where there are language difficulties there is great scope for workers to practice this technique. More active forms of industrial sabotage have also been widely observed in situations where workers have no way of solving their problems. In their study of industrial sabotage Taylor and Walton distinguish between three forms : "Our three types show individuals attempting to destroy or mutilate objects in the work environment in order (1) to reduce tensions and frustration, or (2) to facilitate the work process, or (3) to assert some form of direct control." (P,226). From our point of view types one and three are most significant. They describe some of the examples that they have come across on their research as follows : "We have been told by Woolworth's sales-girls how they clank half a dozen buttons on the till simultaneously to win a few minutes rest from "ringing up". Railway men have described how they block lines with trucks to delay shunting operations for a few hours. Materials are

hidden in factories, conveyor belts jammed with sticks, cogs stopped with wire and rope, lorries 'accidentally' backed into ditches. Electricians labour to put in weak fuses, textile workers 'knife' through carpets and farm workers cooperate to choke agricultural machinery with tree branches" (P.219). There has been no research on this topic in South Africa, but it is likely that industrial sabotage of this type is widespread, ranging from purposive neglect of machinery to sabotage of the finished product. It is difficult to discover the culprits, so it is rarely publicised. However, in a dispute in Durban last year the abattoir management alleged that workers were purposely nicking the animal skins in such a way as to make them unsaleable, and this practice had clearly arisen as a result of worker dissatisfaction. Another incident occurred during a recent strike at a Clothing firm in Johannesburg when a large number of finished clothes were slashed. An incident of the first type of sabotage occurred in another Johannesburg factory when an experienced worker, for no apparent reason took down a fire-extinguisher and emptied it onto thousands of rands worth of imported material.

Walton and Taylor make the following comments on the relation between industrial sabotage and trade unions : "In functional terms we could describe trade-union negotiations as taking over from sabotage and other forms of direct action and institutionalising conflict through collective bargaining... Unplanned smashing and spontaneous destruction are signs of a powerless individual or group...our experience suggests that they principally occur in industries which are in an almost 'pre-trade union' state, where there is a lack of any general shared consciousness among the workers such as might be

found in industries with a history of collective industrial action". (P.237).

Inadequate or weak bargaining mechanisms are likely to have even wider consequences than these. Dahrendorf, discussing a period of relatively weak trade unionism in West Germany, writes : "We find instead of work disputes, individual actions whose connection with social conflicts is scarcely recognisable at first sight. Sinking work morale, growing fluctuation, indeed even sickness and accident rates may be indicators of such redirections of industrial conflict. In these manifestations, the redirection of conflict approaches repression of energies. Some of the workers...display an attitude of almost hopeless resentment; this may become manifest unannounced and in ways removed from all chance of control." (Society and Democracy in Germany, Weidenfeld and Nicolson P. 178 quoted in Hyman P. 170).

In these descriptions many South African employers will probably recognise a portrait of their African workforce. Unfortunately, instead of recognising the roots of such problems in the industrial structure, such employers usually interpret it in racist terms, and their racial stereotypes are reinforced in such a way as to prevent them taking any rational action to remedy the situation. Yet, looked at objectively, it is almost incomprehensible how, considering the way in which African workers are treated, employers can expect them to co-operate enthusiastically in the production process. This is why we believe that it is important to show that this situation is not peculiar to black workers, but reappears in different forms in all societies in which the work-force is not, accepted by itself and by other social groups as being part of the wider society.

From this discussion of communication and the structural tensions of the work-place we may draw the following conclusions :

- (1) There are in fact objective conflicts of interest between worker and employer, and these conflicts cannot be overcome merely by improving communication between the two.
- (2) Institutions for mediating between the two sides must therefore recognise the fact that there is a power dimension involved.
- (3) If in fact the institutions that exist are such as to render the workers powerless or to deny the actual power that they do have, then there will be certain consequences which, although not usually recognised by management as resulting from the conflict situation, are in fact the only weapons which remain to the workers. These consequences are cumulatively, very serious indeed.
- (4) This means that, although in one way it is in the employer's interest to maximise his power to coerce the workers, in another way the failure to grant some power to the workers over wages and conditions is actually against the real interests of both worker and employer.
- (5) Finally, in the absence of some meaningful distribution of power, communication itself will almost certainly not occur. Powerless individuals usually structure their communication with the powerful in such a way as not to antagonise them. That is, they tell them what they think they want to hear. It is interesting that this is another phenomenon which is usually interpreted in racist terms : "The Bantu always say what they think that you want them to say". But this is not a characteristic of "the Bantu".

It is a characteristic of the powerless in all markedly hierarchical social structures. This is why the works committees that do exist have proved so unsuccessful as instruments for communicating real grievances.

This does not mean, of course, that the question of communication is entirely irrelevant. There are many minor points of friction in a factory which may exist purely because of ignorance on the part of management, but which nevertheless may contribute to the build-up of tension in the factory. Furthermore, in order to institutionalise conflict in such a way as to minimise the inevitable damage which it causes, it is important that there should exist good channels of communication between acknowledged leaders on each side. But it is probably better to describe this process as "bargaining", rather than as "communication".

In considering the various institutional structures which have been advocated, we must therefore concentrate on the extent to which they permit workers to exercise sufficient power to give them some say over wages and conditions.

B. BANTU LABOUR RELATIONS REGULATION ACT (AS AMENDED).

Largely as a result of the strikes, the Minister of Labour introduced a number of important amendments to the previously titled Bantu Labour (Settlement of Disputes) Act of 1953. We have already briefly discussed the original Act (see Chapter 3), and have referred to public criticism of that Act (See Chapter 4). The main shortcomings of the act were that the works committee system failed to win the confidence of African workers; African workers had no direct access to the real negotiating machinery in the Industrial Councils; and Africans had no legally recognised powers with which they

could back up their demands. The new act makes changes in all three of these spheres.

(a) Works Committees.

The new Act makes provision for two different kinds of committees, liaison committees and works committees. A liaison committee is a joint management worker committee, with equal representation for both groups. In addition, the employer is empowered, if he so wishes, to appoint the Chairman (7(1)c). The committee may "make such recommendations concerning conditions of employment of such employees or any other matter affecting their interests as the committee may at any time deem expedient" (7(2)). Thus the liaison committee is a purely advisory body. The Act gives it no power to oblige the employer to supply it with relevant information. Furthermore, although the worker representatives are to be elected, no provision is made within the Act for any system whereby the representatives can either report back to the workers as a whole or even meet as an officially constituted group. The Act specified that a Works Committee, a wholly elected workers body, may only be set up "in respect of any establishment in which no liaison committee exists" (7A(1)). It is noteworthy that in the first draft of the bill, published on the 4th of April, the accent was placed on Works Committees, rather than on Liaison Committees while in the final version at the investigation of employers organisations this was reversed, leading the Institute of Race Relations to comment "There has been a decided shift of emphasis in the employer's favour between the earlier and the later Bill" (RR 83/73 p.5).

A Works Committee may be set up in any establishment in which there is no liaison committee, and in which there are more than 20 workers. If any section of an enterprise has more

than 20 workers, a works committee may be set up for that section. Either employers or workers may take the initiative, but the meeting to elect the committee has to be chaired by the employer rather than by the Bantu Labour Officer, as was the case in the initial Act. However, in terms of the new clause 24(1)c, employers are forbidden to take any punitive action against any employee if "such employee has participated in the establishment or election or the activities, or functioned as Chairman, Secretary or member of a liaison committee, co-ordinating works committee or works committee, or participated in the activities, or functioned as a member, of a Regional Committee." The penalty to which the employer is liable for such victimisation is a maximum of 2 years imprisonment and/or a fine of R600, and in addition he may be ordered to reinstate or compensate the worker in question.

The function of a works committee is "to communicate the wishes aspirations and requirements of the employees in the establishment or section of an establishment in respect of which it has been elected, to their employers and to represent the said employees in any negotiations with their employer concerning the conditions of employment or any other matter affecting their interests (7A(10)). This implies that a works committee is, inter alia, entitled to raise the issue of wages. In larger firms, where works committees have been established for particular sections, "such works committees, after consultation with the employer, may establish a co-ordinating works committee consisting of the chairmen and the secretaries of the respective works committees" (7B(1)). Such a committee has similar powers to a works committee in a smaller establishment.

(Footnote: We have been helped in our analysis of the Act by two roneoed publications of the Institute of Race Relations, numbered RR49/73 and RR83/73 and by a roneoed pamphlet "Your rights and the Bantu Labour Relations Act" issued by Urban Training Project.)

(b) Conciliation Machinery.

Members of a works committee are not empowered either to participate directly in the negotiations of an Industrial Council or to make a direct request for a Wage Board Determination. Nevertheless the new Act does expand their powers slightly in these directions, by introducing possible, though lengthy, channels for their participation in both these pieces of conciliation machinery.

The original Act created a Central Bantu Labour Board, with an all-white membership appointed by the Minister, and a system of Regional Bantu Labour Committees, each with a white chairman, but with the remaining members being Africans. All these members were appointed by the Minister, and were usually not at all representative of African workers in the area in question. But the amended Act provides that new members should, "insofar as the Minister deems it expedient", be selected from amongst the members of elected liaison or works committees. Furthermore, section 4(4) now specified that in dealing with any dispute the Regional Bantu Labour Committee must co-opt at least one or more such elected workers representatives for the trade and area in question and that such a co-opted member would have full rights on the committee. Also, whereas previously only the white so-called Bantu Labour Officer was entitled to attend the meeting of an Industrial Council in order to represent the point of view of African workers, in terms of the new section 9(2) he may also take with him any member of the Regional Committee, including a member co-opted from the industry in question. Thus the Act provides a route by means of which African workers may officially participate in Industrial Council deliberations affecting their wages..... although they may not vote. As we have said, the route is a long one, and

only those representatives who are approved of both by the Minister and by the Bantu Labour Officer will actually be allowed to participate. Nevertheless, it is significant that even this theoretical right should have been granted.

There is still no direct method whereby workers can demand a Wage Board investigation of their industry, since the Wage Board can only intervene on the request of the Minister, acting on the recommendation of the Central Bantu Labour Board, which, is an all-white body appointed by the Minister. However, insofar as workers are now more likely to be represented on the Regional Committees, they are closer to this board than previously. Also, the changed regulations regarding strikes enable them to put pressure on the Minister to act.

(c) The Right to Strike.

The amended Act for the first time recognises that Africans have the right to strike under certain circumstances; but it is important to realise exactly how narrowly circumscribed those circumstances are. Striking is prohibited either during the currency of an Industrial Council agreement or within one year of a wage board determination referring to the matter in question, or if the matter has been referred by the Minister to the Wage Board. If none of these conditions apply, then, if the relevant works or liaison committee has failed to negotiate an agreement, after 30 days notice, a strike may take place. What this means is that, if the Minister refuses to refer the matter to the Wage Board, then the workers may strike. That is, the new legislation regarding strikes is essentially an avenue whereby the workers in an industry in which there is no industrial Council, can demand a wage board enquiry. However, once the Wage Board has produced a deter-

mination they cannot oppose it. This does give the workers some power. It is likely that low-wage employers, faced with the prospect of a wage board investigation, will make greater concessions than they might have otherwise made. Also it is likely that the wage board will take some account of the workers determination, and hence of the likelihood that they might strike anyway. Nevertheless, it means that the final say rests with the Wage Board and, as we have seen, this body has tended until now to make determinations which are rather more favourable to employers than to workers. We earlier quoted the Minister of Labour as saying that African workers now have the same strike rights as other workers. This is inaccurate, since an Industrial Council Agreement can only be reached with the consent of the unionised White, Coloured and Indian workers to whom it applies. They can therefore use the threat of strike action, and, after the conciliation procedure has been exhausted, can actually go on strike in order to obtain a better agreement. As the African workers have no vote in the agreement, this procedure is not in fact open to them, and it is this procedure which is the real source of the power which unionised workers have in the Industrial Councils.

(d) Extending Wage Rates.

There is one further innovation in the bill. Clause 11a permits a group of employers in an area or trade not covered by an Industrial Council to approach the Minister with the request that certain minimum wage rates be applied to the entire industry in that area. If the Minister thinks that they are sufficiently representative, then he may make an order binding on all the employers. This clause is designed

to prevent one or two employers undercutting the others, and thereby to obviate the situation in which each employer claims that he cannot raise wages because of his competitors, who are, meanwhile, all justifying their low wages in the same way.

(e) Conclusion.

Although this Act does contain some improvements, we do not believe that it greatly alters the position of African workers. Indeed, in some respects it is worse than the original Act. It does, however, constitute something of a psychological breakthrough, since it admits the possibility of Africans striking and it also accepts that Africans should have some role on Industrial Councils, rather than be represented there by Whites. Both these steps are important, not in themselves, but in that, once they have been taken, it may be easier for the Government to move significantly further in this direction in the future.

The Act is still based on the Works Committee system, and all the objections to this system must still apply. In particular works committees can only facilitate communication; they cannot give the workers any real power in the factory. For this reason, workers are not likely to take any interest in the works committee as such, and not even their communication role will be carried out. The liaison committee is considerably more useless than the works committee. Without any trade union organisation outside the enterprise to back them up, to assist them with technical advice and to help them in gathering information and without any institutional way of reporting back to the workers within the enterprise, such

committees will be impotent. Several of the employers whom we interviewed said that they were in favour of works committees because they preferred "talking to our own people". But it is precisely for this reason that works committees cannot play a significant role in preventing wildcat strikes. In the brief time of the monthly liaison committee meeting, or of the meeting between the Chairman of the works committee and the employer, it is very difficult to break down the relations of authority and deference which exist in the enterprise during the working day. Such meetings are likely to produce only an illusion of communication. Employers want these committees because they believe that they can retain their dominance over them, but to the extent that they can retain their dominance the committees play no useful role. The history of the works committee system in South Africa shows that the workers are fully aware of this.

C. THE UNITED PARTY PLAN.

The United Party advocates a three tier system :

- (a) Full trade union rights for "sophisticated Africans" such as journalists and, presumably, other such highly qualified professional workers;
- (b) Affiliate membership of existing unions for urbanised workers doing work competitively with workers who are already unionised; and
- (c) A slightly modified works committee system for "tribal" Africans doing mainly unskilled jobs.

There are a number of problems with this system. Firstly, two different and quite possibly incompatible criteria are offered for allocating workers to the different categories : urbanisation and job category. It is likely that, a migrant will be doing relatively skilled work, since the category of migrant labourer is not an intermediate category of workers moving into an industrial environment for the first time, but an artificially created category of workers who are "permanent migrants" and may spend all their working life in industrial employment. Also, it is likely that one will find urbanised workers and migrant workers doing the same jobs, and it would scarcely be possible to give them different types of organisation.

Secondly it is not clear what would be meant by "affiliation". Clearly it is a concept designed to reassure white workers that they will be able to maintain control of their unions, and so it falls short of full union membership. But in that case what precisely does it entail, and what use will it be? If one defines the category of affiliated workers narrowly, so as to apply only to Africans doing skilled jobs, then it will apply to a relatively small number of Africans, and seems to be aimed at preserving the large wage gap between skilled and unskilled workers by permitting a select few Africans to join the "Labour Aristocracy". This will do nothing to resolve the structural tensions which derive from the wage gap itself. If, on the other hand, one defines the category more broadly to include the very large number of Africans who are doing the down-graded artisan jobs created by the process of job fragmentation and of mechanisation, then either there will be enough of them to warrant their having considerable power in the union, or, if this is not

envisaged, it is not clear in what sense they would be members of the union at all.

Thirdly, the major argument for making a distinction between the two types of worker is invalid. In the Parliamentary debate on trade unions this argument was expressed by the then U.P. spokesman on labour, as follows : "One of the reasons why the system of collective bargaining works, is that in normal countries.....both employer and management on one side and the workers on the other side are dependent on (sic) their livelihood, their security in life, on the industries in which they are employed. When you have migrant workers, which is the policy of the Government, those workers who are migrants are not completely dependent on the industries. They can, and not only temporarily but for a very long time, take refuge in the tribal organisation that exists and makes it possible for its members to live... In this way they will find it possible to strike for much longer and cause much more destruction than the sophisticated worker would do..." (Hansard P.973 Col. 1051-52). This argument is both invalid and does not even apply to a large number of the workers who are to be excluded from unions under the scheme. It is invalid because the migrants are not in fact voluntary migrants who work in industry to supplement their agricultural incomes. They and their families are more or less totally dependent on their industrial incomes. The level of assistance now available from the tribal organisation is not different in kind from the savings, strike funds and income from working relatives available to the so-called "sophisticated worker". The argument does not even apply to many workers, since, as the spokesman himself says, many of the workers who are to be excluded are in fact Urbanised workers.

Thus we must conclude that the United Party plan is not vastly different from the present system, and to the extent that it is different it is quite incoherent.

D. THE BOTHA COMMISSION. (L.G. 62. 1951)

When the National Party came to power in 1948 it appointed an Industrial Legislation Commission of Enquiry, also known as the Botha Commission. The Commission's terms of reference included all matters pertaining to African workers, including the question of African trade unions. The Commission was no "liberalistic" body, as can be seen from the argument which it uses against the proposal that African workers should simply be included with other workers under the terms of the Industrial Conciliation Act : "The complete social and political equality of all races, which is the logical result of this proposal, would inevitably lead to the disappearance of Europeans as a separate race and of European civilisation in South Africa." (P. 220). Nevertheless, and much to the disapproval of the Government, which rejected the proposal, it proposed that African trade unions should be recognised and given bargaining rights. Admittedly stringent conditions were laid down for recognition, and the strike powers of such unions were essentially the same as those embodied in the 1973 Act which we have discussed. Nevertheless in reaching its conclusions the Commission showed, within the framework of its own ideological presuppositions, great scrupulousness in considering and analysing the various arguments presented to it. It remains a valuable document, since it refutes all but one of the arguments which are still being brought forward against African trade unions, and finally makes it clear that the only reason that it cannot recognise free trade unions

and full bargaining powers for Africans, is that it sees a conflict of interest between white workers and black workers, and accepts the necessary paramountcy of white interests. We shall not analyse the report in detail, but it will be useful to quote some of those conclusions which are relevant to the argument.

1. The Commission recognises the inadequacy of leaving the protection of African interests either to white unions or to Government Officials :

(A) "The evidence available to the Commission on the point is sufficient to satisfy it that the interests of Native workers have suffered in the process of collective bargaining between employers and European employees. In some cases it would seem that their interests are deliberately sacrificed by the European Employees in order to gain benefits for themselves". (p 196).

(B) "It is true that officials of the Department of Labour are supposed to attend meetings of industrial councils to represent the interests of Native workers and others, but this is not satisfactory as, firstly these officials are not always acquainted with the needs of the Native workers, and secondly, they find it difficult to contend single-handed with both the employers and the employees." (p 196).

2. The Commission recognises that African workers are increasingly becoming permanently urbanised, and that the reserves do not provide a real alternative for them :

(A) "It can be stated with certainty that there is an increasing tendency towards permanent urbanisation" (Para. 86)

(B) Criticising the Economic and Wage Commission of 1925, which argued that "Adequate Reserves protect the Native against exploitation", the Commission replied : "The contention...was based on the assumption that adequate reserves were in existence...The reserves are more inadequate today than they were in 1925" (p 194). We should add that they are even more inadequate in 1973.

3. After a detailed analysis of the state of African unions, and much criticism of their shortcomings, the Commission finally rejected the idea that either African union leaders or African workers were not fitted for trade unions :

(A) "Notwithstanding the unsatisfactory features characterising the Native Trade Union Movement, the Commission is satisfied that there are a number of unions which are well-organised and are conducted on correct lines. The leaders of some of these Unions have in the past rendered considerable assistance by advising against and restraining their members from taking drastic action; they are able to place the case for the workers before wage-fixing bodies, and some of them have shown indications of a measure of ability to negotiate with employers" (p 211).

(B) Referring to witnesses who argue that African workers had not the necessary experience to participate in organisations the Commission writes : "It is necessary to remind these witnesses that under the tribal system every adult male is entitled to take part in tribal councils and courts. A very large number of tribal Natives, therefore, are accustomed to taking part in meetings, in stating their points of view in public argument and in weighing pros and cons of any proposal,

and that they are also accustomed to accepting the discipline imposed by the majority at public meetings. The Commission feels that the training tribal Natives have had in this respect forms an admirable background to their participation in Trade Unionism." (p 225).

4. The Commission also rejects the idea that African trade unions will necessarily become "political" : "The Commission was impressed by the fact that all the responsible leaders, who appeared before it, were interested only in the economic improvement of the Native workers represented by them." (p 223).

5. The Commission rejects the thesis that it is adequate to give workers rights in their "Homelands" : "If it is not practicable to apply a policy of total territorial segregation of the races, then the Commission considers that the assumption on which the opponents of the recognition of Native trade unions based one of their main arguments, largely disappears." (Para 1614).

6. The Commission considered the proposal that a works committee system should be introduced, and concluded : "While the Commission is unable to recommend the use of works councils as a substitute for trade unions, it does recommend that employers should be encouraged to establish such councils in every workshop of sufficient size." (Para 1846).

7. The Commission also rejected the proposal that migrant labourers should be excluded from trade unions (The present United Party plan), partly on the grounds that it would be impracticable, costly, and would result in many anomalies (see Para 1698).

8. Finally although the Commission never says so explicitly, it makes it clear that the only reason left for differentiating fundamentally between African and other workers is the fear that Africans would be able to use their power to improve their position at the expense of the white workers, and perhaps also at the expense of the employers : "The Commission feels constrained to recommend strongly against the adoption of any course which would ultimately enable the Native workers to hold the balance of power or dominate in the process of collective bargaining" (Para 1788). It is evident that the Commission is not under the illusion that labour relations are merely a matter of communication.

9. The Commission also concludes that the attempt to suppress African unions : "Disregards both human psychology and the history of the trade union movement in other countries" (p 224), and that "it does not believe that such a policy is in the interests of South Africa or would in the long run, be effective" (p 234).

We believe that Commission adequately disposes of all but one of the objections to trade unions which we have come across. We have also argued that its own objection is a short-sighted one (see Chapter 5), and that although full African trade union rights will undoubtedly mean some alteration in the balance of power in South Africa, as well as some alteration in the pattern of income distribution in a way unfavourable to whites, nevertheless the attempt to use coercion to prevent this is likely to have even more unfortunate results. It also "disregards both human psychology and the history of the trade union movement in other countries."

E. THE VAN DER MERWE PLAN.

Before turning to a more detailed discussion of the role of trade unions, it is worth considering another plan for trade unions within the framework of separate development. This was put forward at the 1972 Tucsa conference by Professor P.J. van der Merwe, of the Department of Economics at Pretoria University : *

1. We have to accept that in terms of present legislation all African workers are citizens of the various African "Homelands". These homelands either have or will have the power to legislate on labour matters within the homelands. They can therefore legalise African trade unions within the homelands.
2. Such unions could, inter alia, "propagate the drawing up of labour agreements between the Government of the Republic of South Africa and the various homeland Governments. They could possibly even participate to an inter-governmentally agreed extent in the preparation of such agreements."
3. Citizens of the homelands working in the white-controlled areas should be able to belong to these trade unions and through them participate in negotiations with the South African Government, who would in turn deal with the employers.
4. The homeland Governments could appoint "Labour Diplomats" who would negotiate at the place of work with officials of the South African Government. These Diplomats could come from the ranks of the trade unions.

* Based on a Tucsa publication "Africans in Trade Unions?", and on a copy of his speech kindly provided by Professor van der Merwe.

5. The Labour Diplomats could collaborate with existing works committees and could participate in Industrial Council negotiations.

6. In the case of citizens of a number of different homelands working in the same factory or same industry, then it would be possible to draw up multi-lateral agreements signed by all the relevant Governments.

This scheme was heavily criticised by the trade unionists to whom it was presented, but it is worth noting two interesting features. Firstly, the scheme seems to be enormously complicated. It might appear that the worker with a problem approaches an official of his or her Government, who approaches the South African Government, who in turn approaches the employer, who then relays a reply back along the same circuitous route. But in fact a close examination of the plan shows that what is intended is that workers should belong to a trade union which is de jure based in the homelands but de facto based at the place of work. The elected leader of the trade union would be "legitimated" by being appointed labour diplomat, and would negotiate with the employer, using the Bantu Labour Officer as an intermediary. What this would probably amount to is that this official would merely be present at negotiations between trade union and employer. The point of the scheme, therefore, is to give Africans wide trade union rights, but to describe those rights in terms compatible with the theory of separate development. As such, the scheme has great interest.

The second point is that the plan would have significant political consequences. By officially giving the homeland

governments some responsibility for the conditions of the large part of their electorates, who live in the white-controlled areas, it would ensure that the urban workers became an important pressure group in homeland politics, obliging the homeland governments to maintain a South Africa-wide perspective and preventing them from becoming merely spokesmen for the peasantry and rural traders. Furthermore by introducing a system of multilateral agreements involving several homeland governments, it would encourage co-operation between those bodies.

The chief weakness of the plan is that it does not make clear whether it would give African workers the right to strike, which is the main weapon in the trade union armoury. In spite of this, some modified version of the van der Merwe plan may, in the future, provide a useful form of compromise between the fact of the urbanisation of black workers and the theory of their citizenship in the rural homelands.

F. TRADE UNIONS.

People only work for other people when they have no alternative: that is, when they have no direct access to the means of production, and so cannot work for themselves. This means that those who control the means of production have power over those who do not.

Although the employer is in principle equally dependent on the worker, from whose work he gets his income, this dependence is not symmetrical. Firstly, the employer almost inevitably has greater reserves than does the worker, who may be faced

with starvation as the result of even a short period of unemployment. Secondly, although the employer is dependent on workers, he is not dependent of any particular workers. In the situation in which there are many workers and relatively few employers it is easy for the employer to keep wages down using the fact that the worker needs urgently to work. That is, competition amongst workers for jobs can produce a situation in which each worker is, in order to get a job, willing to do more work for less pay. The workers' great numbers mean weakness for each individual worker.

Workers can, therefore, only improve their position if they can combine to put an end to competition between themselves. Through combination they can turn their numbers, the source of their weakness, into a source of power. This is the essential purpose of a Trade Union. However, combination itself is meaningless unless it means combination in action, in refusing to work for a particular employer unless certain wages and conditions are provided. That is, workers can only have some control over their working conditions if they are in a position to say "I shall not work unless...", and each individual worker can only say this if he or she knows that all the other workers are saying it at the same time. The right to have a Trade Union is nothing without the right to strike; the right to combine in refusing to work unless satisfactory conditions are provided. This is the only real power workers can have. The other kinds of behaviour we have considered, the withdrawal of efficiency, industrial sabotage, malingering, are all strategies of impotence.

Yet, though workers' power and influence rests on the right to strike, there can be few workers who actually welcome a

strike. The worker nearly always lives very close to the margin, and any loss of income is a serious matter. A strike always means personal deprivation for workers, but it rarely does so for employers. Trade Union officials always dread strikes, since a strike, if it is lost, will weaken the organisation, and, even if it is won, will place a severe strain on the Union's usually slim reserves. It is important to grasp fully these two obvious points, since continuous irresponsible reporting of strikes in countries where they are legal has built up a stereo-typical picture in the middle class white mind : a picture of workers longing to down tools on the slightest pretext; striking from mere bloody-mindedness, and bringing their societies to the edge of chaos. This picture is quite false and a moment's reflection will show that, for the reasons given, it is not even coherent. Nevertheless, because this reaction to strikes is so widespread, it is worth-while quoting at length the following comments by Hyman on the significance of strikes in Britain, a country widely believed in South Africa to have been "ruined" by strikes : "Contrary to popular imagination, then, 'striking is an exceptional habit' (Clegg, 1970:318). This fact is underlined by the findings of a survey carried out for the Donovan Commission (Government Social Survey, 1968). Only one Trade Union member in three, and a slightly smaller proportion of managers, could recall a strike at their place of work since they had been there; and of this third, roughly a half were aware of only one stoppage. Since the Trade Unionists interviewed had been with their existing firms for an average of ten years, and works managers for nine, this indicates how rare strikes really are in most work situations.

Another way of putting strikes into perspective is to compare them with other eventualities which affect industrial production. In 1970, when striker-days reached a new post-war peak, the total was just over 10 million. By contrast, industrial accidents cost 20 million working days. An unemployment level near the million mark is the equivalent of well over 200 million working days, and in recent years loss of time through certified sickness has accounted for over 300 million working days. An effective influenza vaccine - or stricter control over unsafe working conditions - would be likely to save far more working time than the most draconian anti-strike laws". (Hyman pp33-34).

Thus in societies where strikes are legal they are relatively rare occurrences, and in all societies workers and trade unionists dislike striking. But what is important is that the threat of strike action should be available to the workers when they negotiate with employers over wages and conditions. In these circumstances, where each side has some power, it is likely that the resulting bargain will not be dramatically unjust, and that the workers will accept the legitimacy of the employment contract, rather than see it as purely coercive.

The power of the workers must extend to some extent into the question of work organisation as well as to the question of wages. The traditional rural employer in South Africa usually assumed that he had seven days a week, 24 hour a day lien on his workers' labour. Of course he would not expect the workers to work for this period, but he would expect them to be available at any time to do any job which the employer saw fit to demand of them, without any overtime payment. It was possible

to demand this, *inter alia*, because the employer controlled all aspects of workers' lives, including their housing. In an urban environment this sort of control is not usually possible, although the compound system sometimes approaches it. Still there has often been a tendency for employers to believe that black workers owe them absolute obedience, at the very least during the hours of employment. Yet there is no reason why this should be the case. Indeed, from the worker's point of view it is vital that this should not be the case. Firstly, the worker's dignity as an individual, as well as his or her willingness to recognise the legitimacy of orders, requires that the employment contract contain reciprocal obligations regarding work, specifying the limits within which orders will be accepted. Secondly, the worker's own personal needs outside the work situation require that the amount of energy spent in work should be contractually limited. Thirdly, the principle of organisational solidarity with other workers, on which the worker's power is based, requires that the possibility of competition between workers through speeding up work or taking on more duties be eliminated. By agreeing to take on tasks which were not initially agreed upon, an individual worker is threatening the control which the workers as a group have over their "collective job-territory", and is thereby threatening his or her own position. It is for this reason that the question of job description plays such a central role in collective bargaining. The workers have the right to demand that their duties should be precisely specified and agreed to by themselves, and this demand is not something in addition to the question of wages; it is the other side of the wage contract, and just as important for the workers and for the workers' organisation as is the question of wages itself.

It is also, of course, a fertile field of conflict between workers and management, and is particularly serious in a situation of rapid technological change, in which new machinery requires new kinds of jobs, and may even make some workers redundant. Workers are not likely to accept the legitimacy of an arrangement whereby an improvement in methods of production, instead of benefiting everybody involved in the production process, actually serves to deprive some of them entirely of their jobs, and thereby also threatens the general principle of solidarity. It is, therefore, reasonable that the Union should be consulted about the introduction of new methods, and should be able to ensure that the benefits resulting from the introduction of these methods are spread as equitably as possible.

The Trade Union then, is the means whereby the workers can combine to exercise some power over their own destinies. Through their representatives they can bargain with management. By pooling their limited individual funds they can employ full-time organisers and can equip themselves with the necessary information. This is a vital function of the full-time Union officials. As we saw, one of the main weaknesses of the works committee system is that without any outside assistance the workers are not in a position to get the information which they need in order to evaluate management proposals. Under these circumstances they are not in a position to dispute management's version of the facts, or to put forward well-conceived alternative proposals. There is no two-way communication.

In order to carry out these functions the Trade Union organisation must be organised internally in such a way as to ensure

that solidarity is maintained by the members. This requires, on the one hand, that decisions be taken democratically, and so reflect the will of the majority of the members, and, on the other hand, it requires that members be willing to accept majority decisions with which they disagree. In practice this means that the Union as an organisation will require some sort of sanctions which can be used to ensure that the majority decision is carried out. When a minority of workers reject a democratic decision and attempt to 'scab'; (that is, act as strike-breakers), this usually results in great bitterness, and it is important that there should exist institutionalised ways for dealing with disputes of this kind, otherwise they are likely to be resolved by violence. Indeed, scabbing of this sort is probably the most frequent cause of violence by workers in the course of industrial disputes. The two most important institutions for this purpose are the picket and the "Union Shop".

The picket is really a technique for bringing moral pressure to bear on would-be scabs. The individual worker should be morally bound by the majority decision to strike, and a peaceful picket of workers at the entrance to the place of work is designed to make this moral duty clearly visible. The "union shop" principle embodies more concrete forms of sanction. It is the principle that anyone who joins a particular firm should also join the union, and be subject to union discipline. This means that the union can in the last resort threaten to expel a recalcitrant member from the union, and so also to have him or her dismissed. The "union shop" must be distinguished from the "closed shop", which embodies the principle that only somebody who is already a member of the union can get a job. The closed shop is used mainly by "craft unions" of skilled

workers, in order to ensure that their skills remain scarce, and so also to maintain a relatively large differential between their wages and those of less skilled workers. The morality of this principle is at least questionable, although no more than any of the other forms of monopoly which characterise a capitalist economy. But the morality of the union shop is on much clearer and firmer ground. The principle is simply that it is not fair for an individual to accept the many advantages which come from collective organisation and collective bargaining, and at the same time to refuse to accept the responsibilities which each member has to make sure that the organisation remains viable. As Flanders comments "An organisation must have effective means for ensuring that its members comply with its decisions. These means are its sanctions; the rewards it can offer and the penalties it can impose to uphold its internal discipline. On the strength of its sanctions, rather than on the appeal of its objectives, the unity and power of an organisation depends". ("What are Trade Unions for?" p23).

G. RECOMMENDATIONS.

We conclude, therefore, that trade unions, with the right to organise freely, and to use the strike weapon as a last resort, organised on democratic lines, and possessing their own sanctions over members, are the precondition for stable industrial peace in South Africa. Only full trade unions can integrate African workers into the industrial economy in such a way that they will begin to co-operate wholeheartedly in its development. Only such trade unions can permit genuine communication between workers and management. We accept that such a system will mean

that there will be a shift in the power relationships in South African society, that it will mean that managers will have to accept that they cannot have total control over what happens in the work-place, and that white workers will no longer be able totally to dominate the collective bargaining process. But we do not believe that a disgruntled and alienated work force, disinterested in their jobs and only able to express their grievances through wildcat strikes and in bloodier forms of protest, such as the tragedy at Carltonville which occurred as we were completing this manuscript, is in anybody's interest. The only alternative is Trade Unions.

After all, what we have said is the most obvious and widely accepted commonplace of advanced industrial societies. The significant thing is that such commonplaces are not recognised by most employers or by the Government in South Africa. That is, the real problem which South Africa has to face. South Africa does not have a labour problem. It has an employer problem. Our conclusions would remain very abstract if we did not discuss some of the strategies available for changing that situation. We would, therefore, like to conclude by making some recommendations to specific groups.

A) TO AFRICAN WORKERS.

Trade Unions for African workers are not illegal, even though the powers which they may exercise fall far short of the ideal. But even the kinds of unions which are permitted to exist can perform valuable functions for workers, in particular by collecting information, by familiarising them with the protective legislation which does exist and by helping to police that legislation. If they are strongly organised within a

factory, such unions will in many cases be able to oblige employers to accept them as negotiating agents, as has occurred in the case of the National Union of Clothing Workers. Employers need some degree of co-operation on the part of their workers, and if they can only get it by defacto recognition of the Trade Union, then it will probably grant such recognition. In any event, the union organiser, working from a base outside the factory, is in a much better position to force his or her attention on a hostile employer than is a worker in the factory who is dependent on the employer. We recommend, therefore, that African workers should form Trade Unions, as, even though they must remain unofficial, these are the best means available to workers for the defence of their rights.

It has been argued that, given the present legislation, workers should attempt to manipulate the works committee system by ensuring that such committees are dominated by Trade Unionists. The Union leaders in the factory would then have official status as works committee leaders. They could insist, through the works committee, that the employers recognise and negotiate with the Union. If the employers refused to do this they would still be obliged to negotiate with the Union members on the works committee. An additional benefit of such a tactic is that it would give some legal protection from victimisation. The act permits the election of committees of up to 20 members, or one quarter of the workforce, whichever is the smaller, from each section of the enterprise, and it also provides for the election of an equal number of alternate representatives. All these workers would have some legal protection from victimisation.

Against this argument it must be pointed out that there is a

considerable difference between the concept of a democratically elected and legally protected works committee as it exists in the Act and the works committee system as it actually operates. The protective clauses would only work if there were a powerful and well-staffed Government agency dedicated to ensuring that they were applied. In fact the Bantu Labour Officers are just not in a position to police this legislation, even if they wanted to. The new Act in any case decreases their authority, since previously they had to supervise the meeting to found the works committee, whereas now this task is left to the employer. Before the Bill was tabled in Parliament there was a clause which made it possible for the Department of Labour to intervene, if the officials thought the employers were reluctant to cooperate in establishing works committees. According to the Minister, "The objections to that from the employers' organisations, however, were so strong that I felt on those grounds I should withdraw it, because I need those people's co-operation for this to work" (Hansard 18 Col. 8776). This incident indicates both that employers wish to be in a position to do what they please with the legislation, and also that the Minister is much more concerned about their co-operation than he is about the workers'. Thus, in fact, employers have wide scope within which to twist or ignore the law. Although the Act specifies that works committee members are to be democratically elected, the employer is in a strong position to prevent the election of certain individuals or categories of workers, to impose meeting procedures and to limit the competence of the committee to certain topics. For example, the Metal and Allied Workers Union reports that in one Durban Leyland factory, the workers, in conjunction with

the Union, organised elections to increase the size of the works committee from five to twenty members, as is permitted by the new Act. However, the plant manager merely informed the workers that he was not willing to deal with a works committee of that size. A complaint by the Union to the Head Office of Leyland produced no positive response. In addition, although 14 out of 20 works committee members were members of the Union, and although the workers used the works committee to demand recognition of the Union, Leyland refused to do so. Similar examples of the way in which employers ignore the law can be multiplied. Since the law exists, it is possible for the workers to take the employers to court, but this is a very expensive process. For example, when four workers at Raleigh Cycles in Johannesburg were dismissed illegally in connection with attempts to form a works committee, an expensive court case was required to get them reinstated. Even though, in terms of the final settlement Raleigh were obliged to pay the greater part of the costs, it still cost R2,000. A complicating factor in this kind of case is that it is very difficult to prove victimisation. It is usually very easy for an employer to find some pretext for dismissing any worker. All things considered, workers will be better protected by effective organisation than by the provisions of the Bantu Labour Regulations Amendment Act.

If the workers are backed by a Trade Union which can help them get the information about their actual legal rights, and can assist them in court cases, then they are in a slightly better position. But, firstly, even Unions are not likely to be able to afford frequent legal expenses, and secondly, long wrangles about the rights and status of works

committees are likely to take attention away from the important problems of wages and conditions. This can only be to the employers' advantage. Thus we conclude that, as a general tactic, the formation of works committees by African Trade Unions is not to be recommended. Nevertheless it could perhaps be used fruitfully in some specific cases, perhaps in dealing with particularly intransigent employers. We do not believe that the workers have anything at all to gain from the formation of liaison committees. They should refuse to co-operate with such committees.

Finally, we should like to point out that, although up to now we have spoken in terms of "African Unions", there is no law forbidding unregistered open unions of all workers. We believe that it is important that unions formed by and for African workers should remain open to workers of all races. It might seem that there is no advantage to be gained for workers who could join registered unions by joining open unregistered unions. In fact this is not necessarily the case. There are a number of industries in which the registered unions represent such a small segment of the work force that they have no real bargaining power. Such workers might be able to benefit more from a well-organised and representative open union than they can from the present system. "African" unions should also recognise that there are very many unorganised Indian and Coloured workers who could be recruited to open industrial unions and thereby further strengthen the position of the workers. From the point of view of other workers there are also strong and obvious moral and political arguments in favour of identification with African workers in common unions. White workers have political

power to compensate for organisational weakness, but this is not the case for Coloured and Indian workers. The sort of division in the working class which the Works Committee system is designed to institutionalise is to the disadvantage of both African and Indian and also Coloured workers.

B) TO EMPLOYERS.

We have argued that it is in the long term interests of both employers and workers that there be adequate institutional forms for dealing with inevitable industrial conflict through peaceful negotiations. We appreciate the fact that many employers find threatening the very idea that workers have rights. It threatens not only their income but also their status and their self-perception. Nevertheless, we would urge all employers to reflect upon the account we have given of all the unforeseen consequences of an alienated work-force.

We would like to point out that there is no law preventing employers from recognising and negotiating with African Unions. Those more enlightened employers who fear that their market position may be undercut by more unscrupulous employers paying lower wages should note that the trade union is an important agent for enforcing conformity in an industry. By permitting an African trade union to operate in their factory, such employers will be providing the union with an organisational base from which it can spread into other factories. It is not in the interests of employers that trade unions in their industry should be weak, as this is likely simply to confuse the situation. The Botha Commission reported that one of the main difficulties faced by African unions was the problem of inadequate finances, which was made worse by the fact that

collection of subscriptions often had to be left to workers who were not adequately trained in financial matters, had no facilities for keeping the funds properly, and, living near the breadline, were in any case liable to minor temptations. This meant that finances were often in a chaotic state, it was difficult to trace the whereabouts of funds and so union activity was inhibited. The best way of getting round this problem is by a stop-order system, which could enormously simplify the financial affairs of nascent unions.

We also believe that if some progressive employers would take the lead in setting up a body to propagate the idea of African Trade Unions in South Africa, both to encourage their fellow employers to recognise trade unions, and also to bring pressure to bear on the Government to change its policy, this could have a great impact.

Finally, it should be pointed out that the International trade union movement is likely in the future to take an increasing interest in South Africa, and although workers in Europe or the United States will perhaps not be driven to act through racial discrimination in employment practices, the issue of the employment of non-union labour is likely to be regarded in a much more serious light. It is quite likely that in the future overseas unions will begin to take action against individual firms which have a particularly bad record on this issue. Such action may take the form of refusing to handle any goods produced by such a firm. International firms with branches in South Africa are likely to be especially vulnerable to this kind of pressure, but it will not leave purely local firms untouched, unless they are so small that they have no overseas contacts. We believe, therefore, that

it would be wise for firms to attempt to short-circuit this process by taking steps to recognise African unions immediately.

We would like to stress also, that the level of trust of black workers in their employers is so low that employers should not expect miracles overnight as the result of policy changes. Workers are bound to be suspicious of any employer initiative, and it is likely to require a great deal of patience, explanation and good-will on the part of employers before any marked change in the present climate can be brought about.

C) REGISTERED TRADE UNIONS.

In countries which have industrialised within the context of capitalist institutions there tends to be a common pattern in the development of trade unionism. Organisation begins with craft unions of skilled workers, who use the apprenticeship system to maintain their scarcity value, and who are also usually more highly educated and have been urbanised for a longer period. The large numbers and the lack of urban skills on the part of the unskilled workers makes it more difficult for them to unionise. The pattern of industrial growth tends to weaken the dominance of the craft unions. In particular, the more they increase their wages in relation to those of unskilled workers, the more economical it is for employers to introduce mechanisation techniques needing less-skilled workers, thereby rendering the skilled craftsmen redundant. Thus it comes to be in the interest of the craftsmen themselves to help the unskilled workers in their industry to raise their wages. For example, according to Turner: "An important motive in the expansions of the (British) Amalgamated Engineering

Union downwards from skilled engineering mechanics, to recruit lower-skilled engineering operatives, was that the standards of the former were threatened by the lower wages of the latter and by the increasing technical possibility of replacing skilled by less-skilled labour" (Turner p 103). The consequence was that the differential between skilled and unskilled wages was narrowed, but it was done by raising the wages of the unskilled workers, without harming the position of the skilled.

In South Africa the process began in a similar way. The idea of a trade union was introduced from Britain by skilled workers recruited for Kimberley and the Rand in the late nineteenth century, and all the early unions were essentially craft unions. The problem of large differentials soon began to encourage employers to attempt to replace these workers with less skilled workers. This was the issue in the 1922 Rand Strike. At the end of the first world war an agreement had been reached between the Chamber of Mines and the unions, specifying the ratio of black to white workers to be employed on the mines. By 1922 the mines were less prosperous, and the wages of the white (skilled) miners were so high that it was in the interest of the employers to replace them with unskilled (African) workers at lower rates. However, because of the particular South African political framework, this had consequences different from those in Britain or elsewhere. The white workers were able to use the issue of race, and their own monopoly of political power, to force the maintenance of the ratio of black to white workers, and at the same time to keep the large differentials. The unions remained open to an elite of workers only, and it was not in their interest to organise

the unskilled African workers. Thus the normal pattern of development was distorted by political factors.

The pressures which were encouraging different employment practices were not thereby abolished, they were merely contained. The question now is how much longer they can be contained. It is this problem which has led many existing unions to come out in favour of some form of trade union rights for Africans. For these unions the problem is that both the numbers of Africans and the proportion of Africans in industry are increasing continuously, and so the registered unions are becoming less and less representative of the work force. At the same time, with the proliferation of different types of industry and with rapid changes in techniques, it is difficult to use the same tactics as were used successfully by white mine workers. Speaking at the 1972 Tucsa conference, Mr. C.H. Crompton, of the Iron Moulders Society of S.A., which has participated in imposing a form of job reservation in the Engineering Industry, nevertheless had this to say about the position of his union : "The realities of the position are such that already in this industry 70% of the persons employed are people who are not able to belong to a trade union. People who are living on less than 27 cents an hour ! The remaining percentage comprises of Indians, Coloureds and Whites, and they are getting comparatively high wages. But make no mistake about it, we are becoming more unrepresentative of the workers in the industry every year, and to close our eyes to the fact that the Africans cannot, and will not be permitted to belong to our unions, is something we cannot tolerate. We also cannot open the flood gates to this unorganised horde, that will bring our standards right back to ninety or a hundred years ago." (Africans in Trade Unions? 32). This well sums

up attitudes and the dilemma of many unionists today. Mr. Crompton's own solution seems to be that Africans should be organised within the existing unions, in such a way as to ensure that the present wage levels for skilled workers are maintained. He is strongly opposed to separate African unions: "We could not tolerate two unions talking to the same boss, and trying to arrange wages and conditions" (p.29).

The problem facing the registered trade unions is that on the one hand they may see the necessity for organising African workers, but that on the other hand they wish to do so in a way which does not weaken their own position. But since their own position is based, at least in part, on the fact that African workers have up till the present been deprived of power, their policy is essentially contradictory. We believe that it is in their real interest to recognise this fact, to recognise that in order to ensure social and industrial stability it is necessary that the African workers be given some power, and, therefore, to assist in the task of unionising African workers. Given present legislation, this can only be done through building up separate African unions. But in any event the relation between the two Unions will be determined in the same way as would the relation between less and more skilled in the same Union; that is by the balance of power resulting from the actual technical employment structure of the industry. The unionisation of African workers will still leave the more privileged white, Indian and Coloured workers who are ensconced in the machinery of the industrial conciliation Act, in a favourable position. It will not bring about an ideally just solution. It will only give the African workers a certain amount of new leverage and the possibility of beginning to realise some of their demands by bargaining, rather than by resorting to non-institutionalised forms of

active or passive protest. That is, it will begin a process of negotiating towards change, rather than the process of 'swamping' which some unionists fear.

In the light of these remarks, we would like to make the following recommendations :

- A) Registered unions should give advice and assistance to African workers wishing to set up Unions in their industries. They should encourage the employers to recognise these unions, and if necessary should act as intermediaries between African Unions and employers in the early stages.
- B) The registered union should agree to present arguments prepared by the African union to the relevant industrial council, and, if possible, should press for the defacto right of African union representatives to be present at industrial council meetings.
- C) The registered Union should ensure that all fringe benefits are extended to African workers, and that where possible the African unions should play a part in administering these benefits. In this way a practical community of interests could be built up between the two unions, preparing the way for co-operation on the basis of equality when that becomes legal.
- D) Although the registered union should be ready with advice and assistance it should not try to control the African union. If African officials either voluntarily or obligatorily accept such control they will inevitably become alienated from their members and the object of unionisation will be defeated. It will merely cause further conflict within the industry. There exist independent bodies such as the Institute for

Industrial Education, the Urban Training Project and Central Administration Services, which offer valuable facilities to African unions. These bodies should be supported as one means of ensuring the independence of African unions from domination by the existing registered trade unions.

E) White Parliamentary Opposition:

It is important for the United Party to rethink its labour policy in the same way as it has recently altered and elaborated on its federal policy. As we have argued, the present policy is neither coherent nor very different from that of the Government. We pointed out in our analysis of the Parliamentary debate that there is a basic difference between the perceptions which the two sides have of the nature of South African society. The United Party, unlike the National Party, recognises that it is one society, to which African workers have contributed in full measure. They should embody the consequences of this in a new labour policy. Schlemmer's general conclusion, arrived at after a detailed analysis of the relation between socio-political attitudes and party preference, that : "The attempt to win votes by being more racist than the National Party is likely to fail",¹ holds in the sphere of labour as well. There are strong arguments why it would be in everybody's long term interests to fully unionise African labour, and it is important that the United Party should use those arguments without fearing the empty racist slogans of the National Party. It is to be hoped that the recent departure of the United Party's long-time Labour spokesman, Dr. Marais Steyn, will facilitate this.

We believe that the white opposition parties should do more than just formulate policies. They can also take an active

1. Schlemmer : Privilege, Prejudice and Parties.

part in encouraging the unionisation of African workers now. One of the most pernicious aspects of South African society is the tendency to confuse National Party policy with law. It is up to the opposition to explain to the public that the fact that it is against National Party policy that Africans should have Unions does not mean that it is against the law.

F) Homeland Governments :

The "homeland" system of separate development institutions is built upon the false premise that African workers are only incidentally present in "white" areas, and that their essential interests lie in the rural homelands. This means that the system of homeland Governments does not offer institutional means for resolving conflicts which arise in the urban areas, where African workers in fact face their major problems. Nevertheless, because all Africans, however long they may have lived in the urban areas, are considered to be citizens of the homeland Governments, homeland leaders have a valid excuse for intervening to the extent that they are able in the urban areas. Since their electorate is to a great extent either actually employed in the white-controlled areas, or else financially dependent on those who are employed, it will also be politically expedient for them to do so. In terms of Section 3 of the Bantu Homelands Constitution Act (21 of 1971), they are empowered to legislate respecting labour matters within the homelands, and this power, together with certain of their other powers, may be used to assist urban workers. We therefore recommend the following :-

1) Branches of trade unions operating in the homelands should be given legal recognition. This would enhance the

status of these unions in the urban area and give greater protection from employer victimisation and from security branch harassment.

2) The homeland Government and homeland unions could provide both technical and financial assistance to unionists in the cities.

3) The homeland Governments can give voice to the problems of urban workers, and can use their influence to encourage employers to recognise trade unions. In particular they could have considerable influence over the employment practices of foreign owned companies.

4) To the extent that there is still some uncertainty amongst African workers as to the legality of trade unions, the leaders should make it clear that they are in fact legal and should give their support to the formation of such unions.

G) THE GOVERNMENT:

There was much debate after the strikes about whether the Government or the employers were responsible for the situation. Government spokesmen pointed out that it was, after all, the employers who were paying the low wages that provoked the strikes, and that the minimum wages stipulated by the wage board were only minimum wages; there was nothing to prevent employers from paying higher wages if they wanted to. In a sense the Government was right...but in making this kind of excuse they were entirely ignoring the fact that Governments exist for a specific purpose. We would endorse Professor van der Horst's remark that "one cannot and should not rely on the decency, religion, or social responsibility (or anything else) of either employers or employees to bring about social justice..."

it is the function of Governments to govern and to provide a framework to ensure that employers' and employees' actions conform to the public interest" (RR11/73, p.4). In a capitalist society employers are out to make a profit for themselves, and there is no reason to believe that individual profit seeking will necessarily further the common interest.

In Chapter 5 we stressed that the present structural tensions in South African Society are not the product of purely economic forces. The economic behaviour of individuals always occurs within a legal and political framework. This framework is never neutral. It gives greater or lesser power to various groups in the society, and so permits greater or lesser degrees of exploitation. The pure laissez-faire economy of nineteenth century Europe was formally based on the principle of no Government interference in the working of the economy. In fact it was based on continuous Government intervention to ensure that property-owners had wide powers over the propertyless. The rights and obligations created by the legal and political framework usually reflect the general balance of power of the various groups in society, and as we have seen in South Africa this framework was created specifically to serve white interests, and could be created in that way because whites had military and political power. To this extent, of course, it is necessary to conclude that one should not rely either on "the decency, religion, or social responsibility (or anything else)" of Governments to bring about social justice. The South African Government, in particular, is elected by a specific group to serve what that group conceives to be its interests, and it would be naive to assume that it would act in any other

way for purely moral reasons.

However, the point that we have made over and over again in the course of this analysis is that there are social forces at work which have unperceived consequences that threaten the stability of the society. Economic development brings about changes in the power of the various classes which make up a society. In particular, economic development has created a large, alienated and increasingly angry African proletariat. The real power relationships in the society are changing but the institutional ways of mediating between conflicting groups are not taking this change into account. Thus the institutions are less and less able to cope with social conflicts in a peaceful way. In such circumstances a Government has two alternatives. It can attempt to hold back the process of change by increased repression. Or it can resign itself to the necessity of making creative compromises; compromises which will retain for the time being some aspects of white privilege, but will at the same time begin to integrate African workers into the society.

Although our Government has shown some few signs of a willingness to compromise, it seems to have opted basically for the first alternative. We do not believe that this is a wise choice. It is not in the best interests of the white group, and it is certainly not in the best interests of South Africa as a whole.

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