The danger of leaving it to Vorster

Articles AH

Ex. Post 5/1/63

THE unsuspecting or apathetic cititzen may be inclined to think that the latest banning order by the Minister of Justice, Mr B. J. Vorster, is nothing worse than a necessary security measure against dangerous and active communists.

POLITICAL NOTEBOOK

BY ALEX HEPPLE

The spectre of "communism" and the Government's habit of blaming everything on the "communists" have conditioned many minds into accepting arbitrary action of this kind without question or protest.

It is a disturbing phenomenon of our times that people living in democracies readily accept and even approve undemocratic procedures whenever the cry of "communism" is raised.

This willingness to surrender vital democratic principles makes it easy for the Nationalist Government to curtail the civil rights of widening sections of the community.

Three classes

Because the man in the street is satisfied to "leave it to the Government," essential political opposition is being stifled. Conditions are being created which are fraught with danger, not only to democracy in this country but to the very existence of us all.

Notice R2130 in the Government Gazette of December 28 is an example of how arbitrary bannings, supposedly aimed at communists, hit many others and drive people away from participation in political democracy.

Using his powers under the Suppression of Communism Act, the Minister has now prohibited three classes of persons from belonging to a large number of organisations.

Listed men

These classes are:

- the 435 listed communists, whose names were published in Government Gazette Extraordinary of November 16, 1962;
- all persons who were office-bearers, officers or members of any organisation banned under Section 2 (2) of the Suppression of Communism Act; and
- all persons under any banning order issued in terms of the Suppression of Communism Act.

Despite the references to the Suppression of Communism Act, it should not be thought that all the persons in these groups are communists. Even those who foolishly believe that communists should be suppressed by undemocratic, arbitrary methods, should note this fact.

Inactive

Take the official list of communists first. It is known that several were expelled from the Communist Party—some as long as 30 years ago—and others dropped away and are now politically inactive.

The second group consists at present of only the Congress of Democrats, which was declared an unlawful organisation on September 7, 1962.

Mr PATRICK DUNCAN, a fervent anti-communist, who was banned under the Suppression of Communism Act.

No facts were adduced to establish the communism of this organisation or its members. It was outlawed under the Suppression of Communism Act because "in the opinion of the Minister" it was engaged in activities he deemed to be furthering the interests of "communism" as widely defined in the Act.

Ban's scope

Neither the Congress of Democrats nor its members were given an opportunity to defend themselves before a court of law.

The third group is even more interesting. It consists mainly of persons banned from attending gatherings, in terms of Section 5 or Section 9 of the Suppression of Communism Act.

A list of 102 such persons was published in the Government Gazette of July 30, 1962. Only a few are listed communists. Among the names are Patrick Duncan of the Liberal Party, Lilian Ngoyi of the Federation of S.A. Women, Leon Levy and Marks Shope of the S.A. Congress of Trade Unions and Ronald Segal, who edited Africa South.

Implications

All the persons embraced in these three groups are prohibited from being or becoming members of organisations defined in a two-part schedule to the Notice.

The first part specifies 36 organisations. The prohibition in respect of these bodies is little short of declaring them unlawful. One result can be to frighten members away and cause the organisations to disintegrate. This has less unpleasant repercussions for the Government.

The second part applies to any organisation "which in any manner propagates, defends, attacks, criticises or discusses any form of State or any principle or policy of the Government of a State, or which in any way undermines the authority of the Government of a State."

Lawyers are studying the official notice to determine its full implications.

It is already clear that this is the most drastic curtailment of civil rights applied by the Government.

It is possible that many of the persons affected will be obliged to resign from professional and other societies, with the likely consequence of losing their source of income.

When the Nationalists are criticised for this gross, arbitrary curtailment of civil liberties, they are sure to point to two provisions in the notice which seemingly soften its effect.

Excluded

The first is that affected persons may apply to the Minister or a magistrate for permission to continue as members of an organisation. Obviously, those who ask for such permission will be required to give solemn undertakings not to continue with their political activities.

Otherwise they will not obtain the necessary consent; that is certain.

The second provision of which the Government and its supporters are sure to boast is the non-application of the banning order to trade unions and employers' organisations registered under the Industrial Conciliation Act.

This safeguard is of little importance. Registered trade unions are not primarily affected. The victims of the ban are mostly associated with "non-registerable" trade unions — that is African unions.

Danger

These unions are specifically excluded from registration under the Industrial Conciliation Act. The second part of the Schedule to Notice No. R2,130 expressly states that the ban applies to all unions which are not or cannot be registered under the Industrial Conciliation Act.

This means that the unions which cater for nearly 60 per cent of all workers in industry and commerce fall under the ban.

This can deprive the majority of South Africa's workers — the Africans — of sound and experienced trade union leaders of all races, who have been doing an excellent job in training Africans in the ways of democratic trade unionism, as practised in all civilised countries.

The ban does not end with those immediately affected. We should not delude ourselves that this is the last of the Minister's decrees. He and his colleagues are being propelled onwards towards absolute despotism because of the very nature of Nationalist policy.

R.D.M 31/5/63

THE PUBLICATIONS AND ENTERTAINMENTS BILL

Seeks to impose political censorship

THE Publications and Entertainments Bill now before Parliament differs in one important respect from the measure submitted by the Select Committee last year.

The right of appeal to the courts against decisions of the Publications Control Board, which was excluded in respect of local publications, has now been extended to them. The omission on the part of the Select Committee, whether accidental or deliberate, exposed locally-produced publications to arbitrary censorship at the hands of the board without recourse to law.

The Minister of the Interior probably feels that by rectifying this serious omission he has made the Bill acceptable. But it remains what it always was — a thoroughly bad Bill.

Its evil did not lie only in the fact that local publishers could not challenge the board's decisions in the courts. There were many other things wrong with it. These faults still remain.

There can be little doubt that political censorship is an aim of this measure, if not its main purpose. This is not to say that the Government has no urge to apply censorship to other writings. Strict censorship and tight control over literature, art, theatre and cinema are fundamental to the "disciplined, Christian-National State" which the Nationalists have made their objective.

There is a danger that those who favour some sort of censorship over "obscene" publications may be lured into supporting political censorship. For this reason Parliament should give serious thought to those definitions in the Publications and Entertainments Bill which can be applied to political writings.

There are extensive political implications in parts of Clause 5 (2), which define a publication as undesirable "if it or any part of it . . . brings any section of the inhabitants of the Republic into ridicule or contempt . . . is harmful to the relations between any sections of the inhabitants of the Republic . . . is prejudicial to the safety of the State, the general welfare or the peace and good order. . . ."

There is no limit to the extent to which this definition could be made to apply to honest—and often necessary—criticism of politicians, political groups and parties. Even more dangerous are its possible curbs on criticism of the Government itself.

By Alex Hepple former M.P. for Rosettenville

Public criticism of rulers and governments is essential to democracy. If comment is stifled, democracy is weakened and despotism is strengthened.

Another danger in these provisions is that they are likely to intimidate the public. Printers and booksellers, for example, may refuse to handle journals with a political content, for fear of prosecution.

This could have the undesirable result of making it impossible for smaller and poorer publications to exist. The public expression of political viewpoints through the printed word would be limited to those groups or parties which have the support of the big dailies and weeklies. In such an event political power would be vested in the rich and powerful Press and eventually the monopolies.

The Bill embodies the remarkable principle of a double standard in regard to newspaper censorship.

Clause One of the Bill defines a publication to include "any newspaper published by a publisher who is not a member of the Newspaper Press Union of South Africa." This exempts all members of the N.P.U. from its drastic censorship provisions.

The exemption has been granted because the N.P.U. undertook to discipline its members through a Code of Conduct and a Board of Reference.

It is interesting to compare the discriminatory effects of this arrangement. The worst that can happen to a publisher member of the N.P.U. if he offends against the Code is that he may be reprimanded and ordered to publish a correction.

MORE SERIOUS

But a publisher who is not a member of the N.P.U. will suffer far more serious punishment. If he commits an offence under the Publications and Entertainments Act, he will receive a minimum sentence of R300 or six months' imprisonment on a first conviction. He will also be compelled to withdraw from circulation all copies of his newspaper in which the offending piece appeared.

Members of the N.P.U. have another advantage. It is doubtful whether their Board of Reference will be as quick to act or as censorious as the Publications Board.

Much will depend upon those who serve on the Publications Control Board, which is to consist of nine members appointed by the Minister at such pay and on such conditions as he may prescribe by regulation. Not fewer than three of the nine "shall be persons having special knowledge of art, language and literature or the administration of justice."

As is customary in making appointments to boards of this kind, the persons chosen are likely to be supporters of the Government or at least not unsympathetic to Nationalist policies. Some of them are sure to be ardent protagonists of censorship, imbued with the mission of guarding the public morals.

BANNING

If existing censorship is any guide, South Africa can expect wholesale banning of newspapers, books, magazines, cinema films, etc. The censors who examine imported literature have been able to secure the banning of thousands of publications, many of them political, over the past few years.

If the same approach is made to locally-produced publications by members of the proposed board, our reading and entertainment will be reduced to the standard of the kindergarten.

In Australia, Britain and other countries the legislators were careful to avoid encroachment upon the political field in their censorship laws.

The British Obscene Publications Act of 1959 confines itself to pornography, defining "obscene" in a way that there can be no doubt that only "dirt for dirt's sake" will be suppressed.

Surely this should have been good enough for South Africa, too?

June 1963 Job Re.

JOB RESERVATION - CRUEL, HARMFUL AND UNJUST.

by Alex. Hepple.

One of the worst apartheid laws is job reservation. It strikes at the livelihood of hundreds of thousands of South Africa's non-white workers. The Government defends it as a measure to prevent racial rivalry and friction in the field of employment. It gives reluctant and unambitious White workers a false sense of security. It hangs over the heads of Coloured, African and Indian workers as a constant threat to their economic security.

It is only because South Africa has enjoyed an almost uninterrupted run of industrial progress since the war that the cruel effects of job reservation have not been extensively felt or seen. While employment continues to run at a reasonably high level, the Minister of Labour is not pressed to use his extensive powers to replace Coloured workers by Whites and African workers by Coloureds.

The Nationalists claim that job reservation was introduced at the insistence of White workers. It is true that some White workers in some occupations asked to be protected by law from what they called "unfair competition" from cheaper non-white labour. But it was the Nationalists themselves who seized upon this ~~form of racial prejudice~~ fear in the minds of a few workers to create a major political issue. It became a fiery cross in their general campaign "Vote for a White South Africa".

WHAT A COMMISSION FOUND.

Soon after coming to power in 1948, the Nationalist Government appointed the Industrial Legislation Commission to investigate the workings of South Africa's labour laws and the trade unions. Included in its terms of reference was a direction to inquire into and report upon whether existing laws operated "as an adequate protection for all races, and if not, the steps to be taken to ensure the desired protection."

This Nationalist-appointed Commission considered three possible forms of "protective measures", (i) job reservation on an occupational basis; (ii) job reservation on a quota basis; and (iii) industrial

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apartheid on a geographic basis. It rejected the first as "wasteful and uneconomic, especially if on a permanent basis," the second because "for practical and economic reasons it would not be feasible" and the third because it did not provide an immediate solution.

The finding of the Commission was that an expert scientific body should conduct a general survey of the nation's whole labour economy and after careful study, submit concrete proposals to the Government.

This did not suit the Government, which had made up its mind to carry out its plan to compel employers to give preference to White workers, regardless of the injustice to non-whites and the cost to the economy of the country.

THE REAL PURPOSE.

Until 1951, there was only one legal colour bar in the sphere of employment. That was in the mines, where skilled work had been reserved for Whites only, in terms of regulations ~~pm~~ under the Mines and Works Act of 1911.

In 1951, Parliament enacted another "colour bar" law, the Native Building Workers' Act, making it an offence for Africans to perform skilled building work in so-called "White" areas. These are the towns, cities and industrial areas where most ~~of~~ major building work is done.

In 1956, this legal colour discrimination in employment was extended further, when the Government took special powers to reserve employment on a racial basis in any industry, trade or occupation. The then Minister of Labour, Senator de Klerk, explaining the provisions of the law to Parliament, openly confessed that he was taking the power for use in a depression. He said:

> "The Department of Labour has always managed to find employment for these women who clear out of the clothing factories, but how long will it last? Now is the time to tackle this matter, because when the recession comes, we will have the weapon."

The present Minister of Labour, Senator Trollip, has added another reason for the powers. In a Senate debate this year, Nationalist Senator Weichardt said, "Work reservation is essential for the decent type of

immigrant who does not want to become mixed up with people of a lower mentality" and he was supported by the Minister, who boasted that he had told a Press conference when visiting Holland, "We have a law in South Africa called 'work reservation' under which our Whites are protected and I can assure the speaker and the others present that if White 'ambagsmanne' come to South Africa, they will be protected."

These revealing statements expose in all its ugly nakedness the real purpose of job reservation. When times are bad and there is a shortage of jobs, the Minister will use his powers to compel employers to lay off non-whites and hand their jobs over to Whites. It is a declaration that not a single non-white will be allowed to keep his job as long as there is a White who can be given it. What is even more cruel, is the prospect that a White immigrant will be given preference over South African Coloureds, Indians and Africans.

EXEMPTIONS.

The extension of the ~~////~~ industrial colour bar in 1956 was done by way of an addition to the Industrial Conciliation Act. A new clause, Section 77, euphemistically entitled "Safeguard against inter-racial competition" was inserted to enable the Minister of Labour to declare any industry, trade, occupation or class of work to be reserved for workers of a specified race, after an investigation by the Industrial Tribunal.

The first industry to be investigated was the Clothing Industry. After receiving its report the Minister decreed, in October 1957 that four main categories of work in the industry could henceforth be done by White workers only. The jobs in question were at that date occupied by 4,500 Whites and 35,000 non-whites. The Minister's decree meant that 35,000 non-whites were to be discharged from their jobs and 35,000 equally competent Whites found to replace them. This was a palpably preposterous demand on the industry which had no hope of being fulfilled.

The Government was not in the least perturbed by this extraordinary situation. It overcame the difficulty by means of mass exemptions, which allowed employers to continue employing non-whites in the jobs reserved for Whites, under permit.

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This is the essence of the job reservation law. The State takes the power to direct labour at its will. The Minister has the power to withdraw the exemptions at any time he wishes to place Whites in the jobs held by non-whites.

To/ date, fourteen job reservation Determinations have been made and five investigations are proceeding. In all the undertakings affected, not only must the non-white employees feel insecure, but their employers can no longer guarantee permanent employment or similar rewards for faithful/ service.

ECONOMIC OBJECTIONS.

Many experts have warned of the grave economic dangers in the policy of job reservation. The exclusion from specified occupations of Africans, Coloureds and Indians, merely because of their skin colour, bestows employment privileges upon Whites, which must weaken their incentive and seriously affect their standard of work.

Mr. J. D. Hampton, senior lecturer in commerce at the University of Cape Town, writing in the S. A. Journal of Economics, stated:

> "Industrial apartheid prevents the free play of economic forces in determining the extent of employment of each racial group in the work of secondary industry. Labour mobility is severely reduced, both geographically and occupationally, so that workers cannot be employed in the jobs for which they are most suited. The form and pace of development of industries must necessarily be severely affected by these restrictions, which raise costs and reduce the efficiency of all South African industrial firms."

Dr. S. Biesheuvel, former director of the National Institute of Personnel Research has said that job reservation is neither ethical nor economic and that there could be no justification for ousting one ethnic group from jobs it was performing satisfactorily, for the sole purpose of advancing another ethnic group.

For a developing country like South Africa, which is constantly crying out for skilled workers, it is remarkable that the Government should persist in setting up artificial barriers against labour

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advancement in the form of laws such as job reservation.

UNIONS AND EMPLOYERS AGAINST.

In spite of Government claims, the overwhelming majority of trade unions and employers are strongly opposed to job reservation. Two major trade union federations, the Trade Union Council of South Africa and the S. A. Congress of Trade Unions, representing 220,000 workers in 91 unions have persistently appealed to the Government to repeal the job reservation law.

The Federated Chamber of Industries and the Association of Chambers of Commerce of South Africa are also opposed to job reservation, as are many of their affiliated employers' organisations.

In some industries, when the Industrial Tribunal has conducted job reservation investigations, the employers' organisations and the trade unions have made joint representations objecting to any Determinations being made. Such joint representations were made in the Clothing, Textile and Footwear industries.

BAD EFFECT ABROAD.

In the international field, the laws to bar workers from jobs because of their race or colour have brought opprobrium upon South Africa. Racial discrimination in employment was probably the main reason for the decision of the 1961 conference of the International Labour Organisation at Geneva, asking South Africa to withdraw from the organisation. The I. L. O. , which comprises representatives of Governments, employers and employees of all countries of the world, had never taken a decision of this kind against any country before.

In 1958 the I. L. O. adopted a Convention on Discrimination (Employment and Occupation) which laid down that all member countries should promote equality of opportunity and treatment in respect of employment and occupation, for all persons without discrimination or preference on the basis of race, colour, political opinion, sex, religion, national extraction or social origin.

South Africa has notified the I. L. O. that it cannot give effect to this Convention.

In the international trade union field, South Africa is constantly

and widely attacked for its discriminatory labour laws. The International Confederation of Free Trade Unions, representing 56-million workers, including those of Britain and the United States, which recently urged the United Nations to apply economic and diplomatic sanctions against South Africa, bases its agitation on laws like job reservation.

NOBODY HURT?

Speaking in the Senate last February, the Minister of Labour challenged the opposition to give him one instance where a worker had been displaced from his work on account of job reservation. He should have been reminded of the Clothing Industry, where a racial quota has been applied. The effect has been that Coloured workers in top positions in factories which close down or move, cannot be employed by other factories needing their services because of the racial quota. Only with the special permission of the Minister can such workers find new employment.

In any case, if no one is affected by job reservation orders, where is the necessity for them? As I showed earlier, the necessity lies in the ideological policies of the Government. They want the autocratic power to decide who shall work and where they shall work.

Unfortunately, too many South Africans have a tendency to accept the acts and decisions of the ruling political party without bothering to consider their justice, their practicability, their need or their reasonableness. Because the Government does a thing, they believe it is right. Many of them even think it is disloyal or unpatriotic to denounce unjust laws and protest against cruel racial discrimination.

This attitude towards job reservation will have sad results for many unthinking Whites. In the long run, it will really not give them the protection they expect. Yet it is building up a great bitterness and resentment among non-white workers, which can have damaging effects upon race relations, industrial progress and the general economy.

ends.

A new era in organized labour

appears to have begun

T.U.C. meeting breached the race bar

Star 21/5/63

BY ALEX. HEPPLE

THE NINTH ANNUAL CONFERENCE of the Trade Union Council of South Africa, held during this month in Durban, was believed by many delegates to have marked the beginning of a new era in their organization.

This belief stems from the fact that, for the first time, African delegates took part in the proceedings. This new development is of particular significance because the Trade Union Council is numerically the strongest federation of trade unions in South Africa. It is a predominantly White federation, which previously did not admit African unions.

When formed in 1956, the T.U.C. specifically excluded "unions of African workers or those which include Africans as members." At that time the Government was busy changing the Industrial Conciliation Act to compel the unions to segregate their members on racial lines.

The prevailing opinion among members of the Council then was that the unity of the registered unions (i.e. those which have legal recognition) could be achieved only by moving away from the open-door policy of the old Trades and Labour Council, which had no bar to African unions.

Since 1956 the T.U.C. has grown to its present strength of 27 affiliates, representing 174,000 union members.

African delegates officially attended the Durban conference because last year's conference at East London decided to amend the constitution of the Council to extend membership to "all *bona fide* trade unions." This bold move took the T.U.C. right back to the policy of the defunct Trades and Labour Council.

Following upon the East London decision, an African Affairs Department was set up and two African organizers appointed, under the administration of a White official. Their task is to organize African workers and attach them to the T.U.C.

Africans came

At this year's conference there were five African unions, representing just over 800 workers. Nearly all these unions are appendages of the registered unions. In its annual report, the National Executive Committee states that the work of organizing African workers "bristles with difficulties."

One of the obstacles is the Government's attitude towards organizations of African workers. The Government will have no truck with African trade unions and does everything possible to retard or prevent their growth.

Trade union leaders have for a long time seen grave dangers in this attitude. The Durban conference unanimously resolved:

"Because it is regarded as essential to protect workers' interests . . . all workers should have the right to membership of unions registered in terms of the I.C. Act, or where no registered union exists, the workers should have the right in terms of law to organize and have their unions registered."

This is not the first time that the T.U.C. has approved of a resolution of this kind. Similar resolutions have been adopted at previous conferences. Last year it was decided to ask the Government "to allow the trade unions a free hand in the enrolment of members, irrespective of race, colour or creed."

It now remains to be seen how successful the T.U.C. will be in this new project of organizing and enrolling African workers in the trade unions. The potential is enormous. Africans constitute the majority of employees in industry and commerce and the unionization of these workers could double the strength of the trade union movement.

New president

The newly elected President of the T.U.C. is Mr. T. P. Murray, general secretary of the 6,000-strong S.A. Boilermakers' Society, one of the big "black squad" unions, which are a powerful force in the engineering industry

Mr. Murray has played a leading role in the moves inside the T.U.C to organize African workers and secure their legal recognition in South Africa's labour laws. On being elected, Mr. Murray said that he would press for the wider recognition of all non-White workers, adding, "the free trade union movement is at the cross-roads—either it must recognize and represent the interests of all workers, irrespective of race, or fail in its purpose."

Of course, the question of African unions was not the only matter of importance in the five-day conference. But it overrides all else because of its wide implications.

As always, much of conference time was devoted to discussion on numerous resolutions submitted by affiliated unions. There were several on unemployment insurance, mostly as a result of the drastic curtailment of benefits last year. It was decided to draw up a "white paper" on all the objections to the provisions of the Act, for submission to the Government with a request that the whole of the Act be reviewed.

Condemnation of job reservation is expressed at every conference and this year the delegates instructed the incoming executive to make representations to the Government to repeal Section 77 (the job reservation caluse) of the Industrial Conciliation Act.

There was unanimous support for resolutions calling for a comprehensive social security scheme, free hospitalization, the abolition of the means test for old-age pensions and for the raising of the wages of the poorest-paid workers.

The Trade Union Council took the occasion of the conference to release a 16-point policy statement, setting out its aims and ideals. This is part of a public relations programme which has been embarked upon to popularize the T.U.C. on a national scale.

STEPS TO IMPROVE EFFICIENCY

Why Parliament ambles along at start of session

RDM 25/2/64

IN your leader on planning for the Parliamentary session you say that it is incomprehensible that the Government should, session after session, fail in this respect.

I spent 16 years on parliamentary duty in the Public Service and believe that this annual failure to keep Parliament busy in the first few weeks of the session is not only comprehensible but inevitable under present conditions.

The programme goes something like this: Parliament adjourns in June and immediately Ministers and senior public servants make arrangements to go on holiday in July.

August and September are devoted mainly to the steps necessary to implement laws passed in the previous session. During this period discussions also take place at official level on next year's legislative programme.

By the time the officials have decided what proposals to place before Ministers, the party congress season is upon us and little serious work is possible.

It is now the end of October and the Cabinet spends a great deal of time on the Budget proposals for the ensuing year. It is probably November before Cabinet approval for proposed legislation is obtained.

Departments hastily complete rough drafts and dump them on the tables of the law advisers who are responsible for re-casting them in Parliamentary form.

Law advisers are (believe it or not) also human and like to go on holiday in December. What with one thing and another the department whose legislation has reached final form by the time Parliament meets in January is fortunate indeed.

Cure

As far as I know the only attempt made to remedy this state of affairs is the annual admonitory circular addressed to all State departments by the Prime Minister's Office.

This obviously cannot affect the operation of the factors I have described. I believe, however, that a radical cure is possible and would have many beneficial side-effects.

Instead of calling Parliament together in January, let the session begin in March.

This would give the officials concerned part of January and the whole of February to put the finishing touches to legislation — and they would work more efficiently than is possible during the pre-holiday period, when the mind tends to wander.

The later opening date for the session need not materially affect the completion of the session in June, as it would enable Parliament to effect the following savings in time:

- Instead of ambling along at the rate of about three hours' work a day during the first week, Parliament should sit for a full working day from the very beginning. The traditional no-confidence motion could then be disposed of in three — or possibly two — days, instead of dragging on for the best part of a week.

Eliminated

- The "Little Budget" debate (or, to give it its full title, the debate on the Part Appropriation Bill) could be eliminated, as the Minister of Finance would introduce his Budget very soon after the commencement of the session. Legislative provision would have to be made in the main Appropriation Bill to tide the Government over the first four months of each succeeding financial year.
- The ten-day Easter recess would become unnecessary.

These, and possibly other savings in time, would enable Parliament to complete its business in June, notwithstanding the later opening date.

As far as side-effects are concerned, I suggest that the shorter session would be more business-like, would cost the taxpayer less in subsistence allowances, and would eliminate the congestion consequent upon Parliamentarians and officials swarming into Cape Town at the peak of the holiday period.—**J. F. HANNAH.**

See next page.

Millions of words wasted in Parliament

RDM 6/3/64

MR. ALEX HEPPLE'S advocacy of longer rather than shorter parliamentary sessions will come as no surprise to those who knew him as an indefatigable debater when he was parliamentary leader of the Labour Party.

I regret that I cannot share his enthusiasm.

The constant repetition of the same old arguments in a dozen or more debates each session does nothing to strengthen parliamentary democracy. The constant harrying of the Government, which Mr. Hepple regards as the cornerstone of democracy, is more likely to bring democracy into disrepute when it consists primarily of the unending repetition of the same arguments and counter arguments *ad nauseam*.

There is nothing said in a five-month session of Parliament that could not be said more economically, and certainly not less effectively in three months. Everyone knows that vital parliamentary decisions are taken, or at any rate approved, in the Party caucuses, which meet for a couple of hours a week.

Once the caucus has decided on a course of action, the millions of words recorded in Hansard are wasted on the desert air — **J. F. HANNAH.**

PARLIAMENTARY SYSTEM

Has many weaknesses —but is basis of democracy

RDM 11/3/64

MR. HANNAH condemns "the constant repetition of the same old arguments in a dozen or more debates" each session of Parliament (March 6). He says millions of words recorded in Hansard are wasted on the desert air in consequence of the vital decisions usually taken at party caucuses.

If one were to take this argument further, why bother with debates at all? The parties always decide important issues in advance. They know and expect that voting in the House will follow strict party lines. They are not so naive as to believe that their arguments will convert their opponents. In the circumstances, it could also be said that *any* discussion is unnecessary and time-wasting.

The idea that brilliant speeches and sound argument can influence the vote when divisions are called, died a long time ago when the party system developed.

Costly delays

Mr. Hannah's argument also poses the question: Why convene Parliament at all? It is a foregone conclusion that the party which wins the general election will also win every vote in Parliamentary divisions. On the basis of Mr. Hannah's argument, it would save considerable time and money if the victorious political party were left to pass the laws and rule the country without the costly delays and proceedings of Parliament.

I am sure that Mr. Hannah would not want that. But in his eagerness for tidiness and efficiency, he exposes himself to the temptations of despotism.

With all its weaknesses—and it has many—the Parliamentary system is a powerful factor in democracy.—**ALEX. HEPPLE.**

IRR London NEWSLETTER
1964

South Africa's Trade Unions in the Doldrums

ALEX HEPPLE

Not for Africans

The early history of the South African trade union movement is rich in events of turbulent endeavour. In its formative years, there was a vigour and determination that carried the White workers into nation-wide strikes, riots (in 1913 and 1914) and even open rebellion (in 1922).

Today the unions are in the doldrums. Whatever other explanations may be advanced for this situation, the inescapable truth remains that apartheid laws and customs have brought the established unions to the end of the line.

Their further development is limited because they cannot cater for African workers. The law denies Africans equal status with Whites and Coloureds in the field of industrial relations. African unions are not registerable and African workers are prohibited from belonging to unions registered under the Industrial Conciliation Act.

By ordinary standards the South African trade union movement is small. According to official statistics (Special Report No. 263—Bureau of Statistics), there were on 31 December 1961 172 registered trade unions with a total membership of 442,437.

Of this membership, 331,005 were Whites, 83,090 Coloureds and 28,342 Asians.

Within the bounds of possible recruitment, the registered unions have fared reasonably well in enrolling workers. But at best they can never represent more than a minority of the country's workers. This is clearly seen when membership is set against employment figures. In mining and manufacturing, for instance, where the scope of unionisation is always greatest, the majority of workers cannot be enrolled because they are Africans. In 1961, of a total labour force of 636,160 in the mining industry, no less than 563,718 were Africans. This means that the registered mining unions catered for less than 10 per cent of the employees in the industry.

In the manufacturing industries, Africans accounted for 327,595 of the total labour force of 635,930. The field of recruitment open to registered unions in the manufacturing industry is, therefore, limited to less than half the workers concerned.

It is however noteworthy that the collective bargaining agreements made with employers by these minority-group unions are made applicable, with all their penal sanctions, to Africans.

Apathy and Disunity

It is against this background that the present state of the So African trade union movement must be examined.

Besides being inhibited by racial laws and conventions, registered unions are hampered by other factors. One is apat The flourishing economy of South Africa has brought abou general shortage of skilled labour and this has induced emplo to meet and even anticipate demands for higher wages and ot benefits. Consequently, White workers are not impelled to inte themselves in union affairs.

Disunity is the second factor. Disagreement on the racial is has divided the trade unions for the past thirty years. Racial p judice prevails among White workers no less than among the r of the White community. Some registered trade unions h endeavoured to overcome this prejudice, but others strongly supp the racial policies of the Government.

Over these decades there have been a number of major regro ings and shifts of climate, generally in the direction of right-wi restrictionist trade unionism. At present there are two main gro ings of trade unions. The larger is the Trade Union Council South Africa (TUCSA) with 66 affiliated unions, representi 177,701 members. The other is the right-wing, pro-Governm South African Confederation of Labour, representing 155,0 members in about 30 unions.

TUCSA advocates the recognition of African trade unions a equal treatment under all labour laws for Africans. It is also firm opposed to the Government's policy of reserving jobs on rac lines. The Confederation, on the other hand, is against the idea placing African workers on the same footing as White work and fully supports job reservation.

Job Reservatiom and Stop-Orders

Job reservation is generally favoured by White workers, even tho belonging to TUCSA. Although TUCSA is officially opposed job reservation and frequently condemns it in public statements, is doubtful if the majority of its 177,701 members share this vie A ballot among the rank and file of the unions affiliated TUCSA would show an overwhelming majority in favour of r serving occupations for Whites and excluding Non-Whites (a particularly Africans) from most skilled and operators' jobs.

The Confederation unions have not been able to take advanta of this rank-and-file attitude, partly because of the general apat in the trade union movement, and partly because the abundan of jobs considerably lessens the application and impact of the jo reservation law.

During 1964 a few of the Confederation unions, notably the S.A Iron and Steel Trades Association, conducted a strenuous recruitin campaign. They raided the preserves of the TUCSA unions, promi

ing White workers Government action to limit the entry of Non-Whites into the motor and engineering industries. A job-reservation determination has now been applied to the motor assembly industry, and the S.A. Iron and Steel Trades Association claims to have gained a large number of new members as a result.

The Confederation unions anticipate further success in attracting members during 1965, when a change in the law will make it easier for them to entice members away from TUCSA unions. For a long time, established registered unions have been in an almost impregnable position in regard to rivals and breakaways because of the operation of stop-orders, whereby employers deduct trade union subscriptions from employees' pay and remit collections to the trade unions concerned.

Trade union members have settled into the routine of these deductions, which have relieved them of the necessity of even paying occasional visits to union headquarters to pay dues. The system has also made the work of shop stewards easier. But the unions are paying a high price for this easy collection of subscriptions. The price is apathy. And the apathy is extensive. Contact between the unions and their members has declined steadily over the years. Some unions have taken special steps to remedy the position but the apathy remains.

The advantage the established unions held over rivals and breakaways is now to be swept away. The Government has announced that early in 1965 special legislation will be introduced to compel employers to make subscription deductions on behalf of any union nominated by an employee.

After the passing of the law, any union organiser need only persuade an employee to sign a stop-order in favour of his union, and that employee will become a member, with his union dues guaranteed.

African Unions in Jeopardy

In the years following the war, there was a spurt in the development of African trade unions. The denial of legal recognition retarded but did prevent the establishment of African unions. But at the present time Africans are showing little interest in unionisation. There are three main reasons for this.

The first is that the new industrial workers are unfamiliar with workers' organisations and have yet to learn the advantages of belonging to trade unions.

The second is that some Africans are still suspicious of trade union organisers because of unhappy past experiences at the hands of adventurers and rogues. These have not been many, but enough to create doubts in the minds of many African workers, most of whom are paid poverty wages.

As a matter of fact, it is surprising how well-run African trade unions have been, considering the conditions under which they

operate. T[illegible]ed almost as subversive, and denied the legal prot[illegible]tion affor[illegible] registered unions, African unions find it difficult [illegible]apply the control and supervision necessary to prevent malpra[illegible]

The third and perhaps most important factor militating [illegible]the flow of Africans into the trade union movement i[illegible] of falling foul of the authorities and fear of losing the[illegible] A large numbe[illegible] of African trade unionists have be[illegible] out' of urban areas, banned under the Suppression of Communi[illegible] Act, detained under the 90-day law or jailed for political offen[illegible]

Although African trade unions are not illegal, these haza[illegible] virtually place them in that category.

Setbacks for SACTU

Two years ago a third federation of trade unions, the S.A. C[illegible]gress of Trade Unions (SACTU) was in the process of becomin[illegible] formidable trade union force. Its membership was multi-rac[illegible] with a preponderance of Africans. It formed a part of the Congr[illegible] Alliance, the political organisation which included the Afric[illegible] Congress and the Congress of Democrats, both of which ha[illegible] been declared unlawful organisations.

As a result of Government action against the Congresses in 19[illegible] and 1964, SACTU suffered severe setbacks, most of its lead[illegible] being banned, detained or prosecuted for their political activiti[illegible]

In 1961, SACTU claimed 46 affiliated unions, represent[illegible] 53,323 members. Of this number, 38,791 were Africans. A ra[illegible] held in Johannesburg during Easter 1964 was said to have b[illegible] attended by delegates representing 31 unions with a total membership of 46,000.

But today SACTU struggles on as a mere skeleton of its for[illegible] self. More than 50 of its leaders were prohibited from continu[illegible] their trade union work by banning orders issued by the Minis[illegible] of Justice under the Suppression of Communism Act. Many these and other officials have been detained under the 90-day l[illegible] At least 30 office bearers have been convicted of offences un[illegible] the Suppression of Communism Act and the Sabotage Act.

The future of SACTU is therefore uncertain. It is problemati[illegible] whether the organisation will be able to recover from the cripp[illegible] blows it has suffered. Much will depend upon the handful dedicated members who are now struggling to carry on and whet[illegible] the Government takes further action to destroy SACTU complet[illegible]

FOFATUSA

A smaller group of unions, the Federation of Free African Tr[illegible] Unions (FOFATUSA), was established in 1959 to promote A[illegible] can trade unions only. At its inception, this group had strong li[illegible] with the Pan-Africanist Congress, the rival to the African Natio[illegible] Congress. It is directly affiliated to the International Confederat[illegible] of Free Trade Unions, from which it receives financial support

Despite this aid, FOFATUSA has made little headway. It is impeded by the general difficulties in organising Africans (mentioned above), but in addition has failed to make itself attractive to African workers.

TUCSA does not publish membership figures and its membership is not known. In 1961 it claimed a membership of 16,000 in 17 unions, but in 1964 the Secretariat gave the membership as 14,000. Its main affiliates are also affiliated to TUCSA.

In 1962, TUCSA formed an African Affairs Group, for the purpose of organising African trade unions and bringing them into the federation. TUCSA decided to co-operate with FOFATUSA and to allow African unions to hold dual affiliation with FOFATUSA and TUCSA. In the event, the joint effort has not been particularly successful. There are now seven African trade unions with a total membership of slightly more than 4,000 affiliated to TUCSA, but at least half are also affiliated to FOFATUSA. One of the seven unions, the National Union of Clothing Workers, has over 3,000 members, indicating that the TUCSA quota of African unions is small and numerically weak.

In spite of their dual affiliation arrangement, there seems to be a clear programme of co-operation between FOFATUSA and TUCSA on questions of either organisation or policy.

The issue of dual affiliation itself has caused some disagreement in the ranks of FOFATUSA. The matter was argued at a conference in Johannesburg on 14 March 1964, when it was resolved that dual affiliation could continue pending investigation and report to the next conference in 1965.

International Links and Pressures

The withdrawal of South Africa from the International Labour Organisation met with strong disapproval from TUCSA, while the Confederation and its affiliated unions acclaimed the South African Government's action in breaking away.

The two major registered trade union federations, TUCSA and the Confederation, do not belong to any international labour organisations, although TUCSA maintains cordial relations with the British T.U.C. and the American A.F.L.-C.I.O.

FOFATUSA, notwithstanding its affiliation to the I.C.F.T.U., has declared itself in favour of the constant I.C.F.T.U. demands for boycotts and sanctions against South Africa. TUCSA, on the other hand, has come out boldly against such action and has recently published a booklet condemning overseas trade union demands for boycotts and sanctions.

There are, however, indications that South Africa's organised workers will find the pressures from workers' organisations abroad on the apartheid issue rising to crisis point during 1965, and they may be compelled to take decisions which they would have preferred to avoid.

Rhodesia

With Northern Rhodesia becoming independent and assu the name of Zambia (24 October 1964), Southern Rhodesia dro the 'Southern' and adopted the simple title of 'Rhodesia'. It adopted its own flag, a pretty pale blue with the Union Jack i corner and a trim coat of arms in the centre, displaying a symbolising agriculture and mining, the original twin pillars o economy. It continued to be flown in association with the U Jack.

The Old Year died and 1965 was born in a refreshing atmos of peace and reviving confidence. The rains broke just in shortly before Christmas, and continued abundant. The seasor had far to go, but it got off to a good start and the drought had held parts of the country in its distressing grip for the two years broke at last.

The political scene was quiet. There was some speculation th Government might call an early election in order to try for a thirds majority with which to effect unspecified changes i Constitution. It would probably win the seats, as the country pretty solidly behind the Government and the Opposition wa pirited, though what the former would do with an increased ma is not clear. But it seemed unlikely that anything would be until after the electoral roll had been revised, which me statutory pause of at least six months. On 20 December 196 Roy Welensky, because of his own and his wife's ill health, r from active politics. At the time of writing (12 January), his suc had not yet been elected.

Political temperatures fluctuated feverishly. After the Minister's talks in London in September, which tempered considerably, elation over the by-election and Indaba results them to fever pitch, then Mr. Wilson's cold douche sent them ing again. At the beginning of 1965 they were cool, and had so for a month or two.

Mr. Smith's repudiation in London of any Unilateral Decla of Independence—U.D.I. as it has come to be called—cut the g from under the feet of the Opposition, who had been campa on this very theme. Sir Roy Welensky and Mr. Sawyer conseq had not a leg to stand on, and were decisively beaten in the A and Avondale by-elections on 1 October. The third by-e caused by Mr. Dupont's resignation from this safe seat was w a walk-over.

Methods of Consultation

Then followed the exercise of satisfying the British Gover 'that the majority of the population supported his (Mr. S request for independence on the basis of the present Const

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ALEX HEPPLE

THE SOUTH AFRICAN LABOR MOVEMENT

Mr. Hepple is the editor of "Forward," a labor paper until recently published in Johannesburg, South Africa.

THERE are three particular problems troubling the South African labor movement to-day. All three have their origins in the racial question.

The problems are: (i) the trade union and collective bargaining rights of African workers; (ii) the reservation of jobs on a racial basis; and (iii) trade union unity.

Collective bargaining is facilitated by the Industrial Conciliation Act, which provides for the registration of trade unions and employers' organizations, the procedures to be followed in negotiations between employers and employees, and for the settlement of labor disputes.

Agreements reached between employers and trade unions are made legal instruments by the Minister of Labor and breaches are a criminal offence. The enforcement of collective agreements is supervised by Industrial Councils, which consist of equal numbers of employers and employees.

Africans Excluded

The Industrial Conciliation Act suffers from a major defect. It does not recognize Africans as "employees." The effect is that Africans cannot belong to trade unions registered under the Act and therefore cannot engage in collective bargaining.

This exclusion is significant in light of the fact that African workers comprise more than half the labor force in Manufacturing industry. In Mining, over 90 percent of the workers are Africans. Although Africans are not permitted to participate in collective bargaining, the Minister of Labor usually extends agreements to apply to them, thereby subjecting African employees to the conditions and penal sanctions contained in agreements made with employers by White (and to a lesser extent, Coloured) trade unions.

The Government is firmly opposed to giving African workers the same status as Whites. It rejects the idea of African trade unions and will have no truck with them. In addition, the Government will not countenance direct dealings between employers and African trade unions. While it is a common practice for employers to deduct trade union subscriptions from employees' pay on behalf of their unions, this is not permissible in the case of African employees.

Substitute Procedure

As a substitute for normal collective bargaining, the Government has devised a special procedure for Africans. This is embodied in the Native Labour (Settlement of Disputes) Act, which came into force in 1953. It restricts consultation and negotiation to the factory level, between individual employers and their employees. There is no provision for collective action on an industrial, regional or trade basis.

Africans have shown little interest in this substitute for universally accepted methods of bargaining. The law provides for Works Committees but there are a negligible number of such committees in existence. In practice they tend to domination by employees favored by the employers. There are no requirements for their democratic election or control and once a committee is established (usually under the guidance of management) it remains in office indefinitely.

The Federations

One group of registered trade unions, the South African Confederation of Labour, representing 155,000 workers in about 30 unions, supports the Government in its treatment of African workers. These unions regard the maintenance of White supremacy as being of greater importance than workers' solidarity.

Public works programs are badly needed in many fields. Examples of the kinds of programs needed are irrigation and flood control projects, development of port and river facilities, highway and school construction, community recreation projects, urban redevelopment, public housing projects, and reconstruction. For each $1 billion we spend on public works, an estimated 150,000 to 200,000 new jobs will be created.

Planning for steady overall growth is difficult, and it has been largely neglected in this country. When the Council of Economic Advisers was created in 1946, it was given the responsibility of forecasting "foreseeable trends in the levels of employment, production, and purchasing power," and of setting an annual goal reflecting our capabilities and needs. Only in the last few years has the Council begun partially to fulfill this function.

The lack of such planning is a serious barrier to the achievement of our economic goals. For example, there is a little evidence thus far in the campaign against poverty of a guiding intelligence that has weighed the relative importance of each of the many facets of the problem and developed a truly comprehensive program. Without such guidance, we cannot hope to attain the balance and stability that are essential for success.

Surely this country can afford a more comprehensive effort to salvage the lives of millions of Americans now trapped in poverty. The presence of mass poverty is in itself a serious burden on the national economy — an unfilled demand for jobs, goods, and housing that, if satisfied, could support the expansion of business activity. If not employed, or if deprived of a living income, the jobless and partially employed are a tremendous economic and human waste. But if put to work, they represent an opportunity of vast proportions.

—photo by Jim Yardley

Another federation, the Trade Union Council of South Africa (TUCSA) with 177,701 members in 66 unions, favours the recognition of African trade unions and has frequently urged the Government to extend collective bargaining rights to African workers.

Neither of these groups of trade unions is affiliated to trade union internationals. TUCSA, however, maintains cordial relations with the International Confederation of Free Trade Unions, the AFL-CIO and the British TUC.

Job Reservation

Racial discrimination in employment is an issue which creates grave problems for the South African labor movement. There is a special section of the Industrial Conciliation Act which empowers the Minister of Labor to reserve trades and occupations for persons of a particular race.

This power has been used mainly to secure jobs for Whites. In some industries and undertakings the Minister has ruled that specific jobs may be performed by Whites only. In others he has fixed racial quotas. The Motor Assembly industry is the latest to be ordered to apply such quotas.

Because of a shortage of White manpower, most job reservation orders are not being strictly enforced, the Minister granting temporary exemptions on a large scale. Consequently, the grave effects of job reservation, particularly for non-white workers, will be felt when the current economic boom tapers off and when there are more workers than jobs.

The S. A. Confederation of Labour supports the policy of job reservation and its affiliated unions are constantly appealing to the Government to extend its application.

TUCSA, on the other hand, has consistently condemned the policy. However, it is in a precarious position on the issue because the rank and file of many of its affiliates is overwhelmingly of the opinion that their own jobs should be declared for "Whites only."

In demanding the abolition of job reservation, the leadership of TUCSA is ahead of the membership and there is little doubt that if challenged in a referendum, the leaders would find few of their followers opposed to job reservation.

Trade Union Unity

This exemplifies the disruptive influence of the racial question on the trade union movement. When, in 1954, the Government announced its intention to enforce apartheid in the trade unions, an effort was made to unite all trade unions to demonstrate workers' solidarity against Government interference in the domestic affairs of the unions.

The move was unsuccessful, bringing into strong relief the color conflict in the trade union movement. The strongest group which emerged at the time was TUCSA. Although opposed to the [illegible]cation of apartheid to the trade [illegible], TUCSA specifically barred Africans and unions having African members from its federation. This apartheid provision in TUCSA's constitution was removed in 1961 and African unions are now admitted.

About 14 unions which had formerly been associated with the TUCSA unions in what was known as the Trades and Labour Council, declared that unity should be sought on the basis of a non-racial federation, open to all workers, irrespective of race or colour.

These unions formed the South African Congress of Trade Unions (SACTU) in March 1955. SACTU showed steady progress and by 1961 had 46 affiliated unions with 53,323 members, of whom 38,791 were Africans.

Most of SACTU's leaders were prominently engaged in politics and during 1963 and 1964 practically all were either banned under the Suppression of Communism Act, detained under the 90-day law, or charged with political offenses under the Sabotage Act.

In consequence, SACTU is to-day in a weak condition and struggling to survive. Apart from the loss of its key men, SACTU is now faced with a situation where few workers are willing to risk the displeasure