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# INDIAN WORKERS AND TRADES UNIONS IN DURBAN: 1930 - 1950

Vishnu Padayachee  
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report

number 20

august 1985

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ISBN : 0-949947-71-7

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"History has to be rewritten in every generation, because although the past does not change the present does; each generation asks new questions of the past, and finds new areas of sympathy as it re-lives different aspects of the experiences of its predecessors."

Christopher Hill (1975), p.15,  
The World Turned Upside Down,  
Penguin, Middlesex.

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LIST OF ABBREVIATIONS USED IN TEXT

|           |  |
|-----------|--|
| AEU       | - Amalgamated Engineering Union                        |
| AGM       | - Annual General Meeting                               |
| AMU       | - African Mineworkers' Union                           |
| ANC       | - African National Congress                            |
| ASC       | - Anti-Segregation Council                             |
| BEC       | - Branch Executive Committee                           |
| BGM       | - Branch General Meeting                               |
| CBIA      | - Colonial Born Indian Association                     |
| CBSIA     | - Colonial Born and Settlers Indian Association        |
| CNETU     | - Council of Non-European Trades Unions                |
| CPSA/CP   | - Communist Party of South Africa                      |
| DIWIU     | - Durban Indian Workers' Industrial Union              |
| FCWU      | - Food and Canning Workers Union                       |
| FNETU     | - Federation of Non-European Trades Unions             |
| GWU       | - Garment Workers' Union                               |
| ICA       | - Industrial Conciliation Act                          |
| ICU       | - Industrial and Commercial Workers' Union             |
| ISL       | - International Socialist League                       |
| ITUC      | - Indian Trades Union Congress                         |
| IWA       | - Industrial Workers of Africa                         |
| NB        | - Nationalist Bloc                                     |
| NEC       | - National Executive Committee                         |
| NEUF      | - Non-European United Front                            |
| NIA       | - Natal Indian Association                             |
| NIC       | - Natal Indian Congress                                |
| NISWU     | - Natal Iron and Steel Workers' Union                  |
| NRWIU     | - Natal Rubber Workers' Industrial Union               |
| NUCTW     | - National Union of Cigarette and Tobacco Workers      |
| NWC       | - Natal Workers' Congress                              |
| PTU       | - Progressive Trades Union Group                       |
| SAAEO     | - South African Association of Employees Organizations |
| SACTU     | - South African Congress of Trades Unions              |
| SAFTU     | - South African Federation of Trades Unions            |
| SAIC      | - South African Indian Congress                        |
| SAIF      | - South African Industrial Federation                  |
| SAIRR     | - South African Institute of Race Relations            |
| SATUC     | - South African Trades Union Council                   |
| TLC/SATLC | - Trades and Labour Council                            |
| TUC       | - Trades Union Congress                                |
| TUCC      | - Trades Union Co-ordinating Committee                 |
| WWU       | - Women Workers' General Union                         |



Acknowledgements

The authors wish to express their gratitude and appreciation to the following individuals and organizations for their assistance, advice and criticisms:

Professor John Butler-Adam, Director of the Institute for Social and Economic Research, University of Durban-Westville, for the advice, guidance and criticisms he rendered to us from the time this project was conceived.

Mr Enver Motala for the unrelenting and constructive criticisms he raised throughout the period of this study.

The staff of the following libraries: Don Africana (Municipal) Library; The Killie Campbell Library; University of Natal; University of Durban-Westville; The Natal Society Library; Natal Archives; South African Library (Cape Town); University of the Witwatersrand, and especially to Ms Kathy Eayles of the William Cullen Library. A special word of thanks to the Government Departments and the Libraries that granted us permission to use banned publications and material.

The directors and staff of the Dayanand Garden Home for the Aged and the Clayton Gardens Home for the Aged for granting us the time and the facilities for conducting interviews with residents.

Mr Billy Peters, Mr AKM Docrat, Mr RD Naidu and Mr SP Pillay for the many, many hours they spent in sharing their unique experiences of the 1930's and 1940's, as trade unionists and political activists, with us. There is no way in which we can possibly thank them adequately for this - for letting us re-live and re-capture with them the vitality, trials and tribulations of this period of working class organization and worker resistance in Durban.

Professor S Bhana, Mr Hassim Seedat, Dr DR Bagwandeem, Dr Evan Mantzaris, Ms U Mesthrie, Mr Ahmed Bassa, Mr Hoosen, Mr J Aroomogum and Mr Pierre Cronje also assisted in various ways.

Ms Anita Inderjith and Ms Lesley Lewis for the efficient typing of this report and Mr Prea Banwari for the preparation of the graphical and tabular material.

INTRODUCTION

The re-emergence of working class action in South Africa following the Durban strikes of 1973/74 and the subsequent growth of independent non-racial and Black<sup>1</sup> trades unions in this country has prompted "the need for a reassessment of our view of the working class, their life, their culture and their organisations" (Vawda, 1984, p. 117). It is precisely this need which stimulated our interest in examining the emergence of an Indian working class and its representative organs in Durban between 1930 and 1950. For the forces that led to the proletarianization of Indians and the emergence of a trades union movement and tradition among these workers has not yet been adequately documented or appreciated in the context of South African labour history.

Some research into aspects of Indian worker resistance has been carried out and the work of Swan [Tayal] (1984) on the 1913 Natal Indian strike, and Mantzaris (1983) on the Durban Tobacco Workers' Strike of 1920 are among the more valuable contributions which have been made. Both, however, examine specific instances of worker action in the period before the Great Depression (1929-1933), when the proportion of Indians in industrial wage employment was relatively insignificant and the forces underlying workers' organisations were largely undefined. The period after the Great Depression was characterized by large-scale employment of Indians in manufacturing industry and other sectors of wage employment. By the second half of the 1930's no less than 60 per cent of Indians employed in Natal were engaged as non-agricultural workers by the sugar-milling and secondary manufacturing industries as well as by local municipalities. These changed realities, coupled with various other forces (which we identify in Chapter 2), led to the emergence of Indian working class activity and organisation either through predominantly Indian or non-racial trades unions by the late 1930's and 1940's.

There is yet no systematic account of these organisations. Their membership, their leaders, the issues that confronted them, their response to these pressures in the form of the actions and policies they adopted, their organisational structures, their relationship to other unions and uni and in some cases, the reasons underlying their demise and disbandment, have equally received little or no rigorous attention. In general we believe that there are instructive lessons to be learnt from the particular organisational forms which Indian workers evolved in the defence of their rights - organisational forms that were shaped by a multiplicity of pressures, amongst which were those emanating from structural and political constraints. An investigation into the role and history of Indian workers - who formed an integral part of the local working class - is therefore necessary with a view to understanding the limitations and strengths of their representative organs, as well as their contribution to the process of capital accumulation in the region.

The concentration on Durban derives from the fact that this city and its immediate environs was the centre of the major developments in Indian working class activity and organisation in the period. There were a few trades unions in Pietermaritzburg, including branches of the National Union of Leatherworkers, the Garment Workers' Industrial Union and the Natal Liquor and Catering Trades Employees' Union, a Chemical Workers' Union and the Pietermaritzburg Indian Municipal Workers' Union. Elsewhere in Natal, a Glass Workers' Union existed in Dundee and there are some sketchy newspaper references to a Natal Mineworkers' Union.<sup>2</sup> The Guardian<sup>3</sup> reported the formation of a Transvaal Indian Trades Union Congress in Johannesburg in early 1941, which according to the report "has offered to co-operate with the Council of Non-European Trades Unions (CNETU) and the Trades and Labour Council (TLC)" and which "declared its intention of supporting the progressive forces within the Transvaal Indian Congress represented by the nationalist bloc".<sup>4</sup> Aside from these, the major developments occurred in Durban where the largest proportion of Indian workers was concentrated and where by February 1943 there were as many as 34 trades unions with significant "Indian" membership.

Whereas just before and during the Great Depression Indian trades union activity and organisation had declined, the change in the objective economic conditions of the region and later the stimulus to economic activity provided by the war led to a marked revival and growth of Indian or non-racial trades unionism in Durban. At the end of the war the decline in economic growth coupled with the policies of the Nationalist Party on trades unions, the enactment of the Suppression of Communism Act (1950) and the absence of sustaining structures and a cohesive membership within the unions led to a sudden decline in working class activity and organisation. These developments, the emergence, growth and decline of Indian trades unionism occurred roughly in the period 1930-1950. The choice of the period of analysis therefore is not arbitrary and represents a particular phase in Indian working class organisation in this region. Though inevitably bounded in this way the analysis nevertheless remains situated within wider temporal (and spatial) dimensions of capital accumulation in South Africa.

This study is organised into 6 chapters: A brief outline of each chapter now follows:

Chapter 1 presents an overview of trades unionism and worker action in South Africa (c1880-1954). Such an overview is essential in our view to situate or locate the specific developments in Indian trade unionism in Durban during the period 1930-1950 firmly within the context of working class organisation and resistance in the country as a whole since the path to industrialization began in the 1880's. Our fairly comprehensive treatment of these developments arises from the assumption that there may be many readers who are not entirely familiar with the general history of the working class in South Africa. Those who are more familiar with this history will find parts of this chapter less instructive and somewhat discursive. However, woven into the fabric of this general history are brief analyses of some of the earlier attempts at worker organisation and resistance among Indian workers (i.e. in the pre 1930-50 period) and about which little documentation exists.

Also reviewed in this chapter are some of the major studies that have been made into aspects of organisation and resistance among Indian workers since the days of indenture. This "literature survey" serves not only to identify the work that has been done to date on Indian workers in Natal but also to point to those issues that have as yet not received any systematic treatment. Those studies that deal with specific events in Indian worker organisation and resistance are mentioned chronologically as part of the overview. More general works are reviewed in Appendix A.

Chapter 2 examines the major structural forces and changes in the economy of Natal and more especially Greater Durban that may have led to the formation of Indian working class organisations by the late 1930's. The chapter analyses the forces that led to the proletarianization of Indians, the general instability of their economic and social life - characterized by low wages, poor working conditions, unemployment and inadequate health and housing conditions - and also serves to indicate the contribution and involvement of Indian workers in the economy of the region.

Chapter 3 begins by setting out a register of Indian trades unions, their membership, racial composition (in the case of non-racial unions), dates of formation and the like. A critical analysis of the constitutions of these unions is then made in order to investigate the extent to which workers participated in, directed and controlled their unions.

Chapter 4 presents a register of worker action in this period and a detailed analysis of three major strikes that occurred in Durban in 1937, 1942/3 and 1945/6. The issues that led to these strikes, the nature and form of negotiations, the role of workers and their leadership during the course of the strike(s), the extent and nature of 'outside' support for these worker actions and the consequences of the strike(s) for working class organisation are other issues discussed.

Chapter 5 examines the relationship between Indian workers, their trades unions and the political organisations/parties in Durban between 1930 and 1950. We concentrate especially on the relationship between the "progressive" or "radical" wings of the Indian political organisations (such as the NIA/NIC) and the trades unions, as well as that between the Durban district branch of the Communist Party of South Africa (CPSA) and these unions, and examine the nature, form and consequences of such interaction.

Chapter 6 draws together the major issues arising from this study. These are critically examined to focus on the achievements and shortcomings of trades union organisation and action in Durban in this period.

CHAPTER ONEAN OVERVIEW OF TRADES UNIONISM AND WORKER ACTION IN SOUTH AFRICA -  
1860-19541.1 Indentured Labour and Resistance in the Plantation Economy

The beginnings of the modern industrial economy in South Africa may be traced back to the systematic exploitation of diamonds and gold in the late decades of the 19th century. Before this, however, the South African social formation rested primarily upon an agricultural and mercantile base concentrated in the Cape and in Natal<sup>1</sup>. Worker resistance in this pre-industrial economy has been documented elsewhere<sup>2</sup> and is not dealt with here as the main focus of this study is on the emergence of industrial unionism. However it is necessary to touch briefly upon Indian worker resistance in the pre-industrial economy of Natal as it is from this historical background that the Indian working class later developed.

In the mid-nineteenth century the economy of Natal was based largely on the sugar plantation system and the success of the local sugar industry depended critically upon the indentured labourers introduced into the Colony from India between 1860 and 1911. During this period Indian workers had no organisational basis and the repressive network of controls to which they were subjected severely restricted organised resistance. Before 1913 instances of collective action were extremely rare. Accommodation far outweighed resistance. Sporadic strikes and work stoppages occurred, but in general, resistance took the form of malingering, absenteeism, desertion and sometimes, destruction of estate property (Swan, 1978). Although Ginwala, (1974) and Thompson (1952), amongst others, mention in passing such resistance by these indentured Indian workers, Swan's account of Indian worker resistance on two sugar estates in Natal between 1890-1911 remains the only systematic treatment of such action<sup>3</sup>.

## 1.2 Gold Mines and Worker Resistance (c1880-c1924)

By the 1880's however, social and economic relations were changing, spurred on by developments in the gold and diamond mining industries in the hinterland of Southern Africa. These changes set the basis for industrial relations, the pace of proletarianisation and the uneven incorporation of different sections of the population into capitalist relations of production. Skilled labour needed to work the mines was imported from Britain, Australia and America, while unskilled tasks were carried out by migrants drawn from the ranks of African pastoralist/cultivators. In order to attract skilled miners to the Rand the mine owners paid them high wages, while the unskilled African workers received extremely low wages (Callinicos, 1981, p. 71).<sup>4</sup> Thus, from its inception, the gold mining industry was characterised by the division of labour on the basis of skills, which initially coincided with divisions along 'race' lines.

The skilled miners who came to South Africa brought with them the tradition of craft trades unionism from Britain and Australia. In the 1880's and 1890's a number of crafts unions were formed on the Rand and in the other major centres in South Africa (Andrews, 1940, pp. 12-13). These unions accepted only skilled workers into their ranks and jealously guarded their crafts against encroachments by Black or White unskilled workers. These early unions were regarded with hostility by employers and had to fight for their existence (Andrews, p. 13).

Between the years 1900 and 1920 White workers in South Africa were successful in using the strike weapon to gain higher wages and improved working conditions. W.H. Andrews (1940) has described some of the actions undertaken by White workers in the major centres of South Africa. These actions included strikes by Rand engineers in 1889 for a 48 hour week and higher wages; printers in Durban in 1895 for a minimum wage of £2.17s; Durban railway shop assistants in 1909, against piecework; typographical workers in Cape Town in 1911 over non-Union labour, as well as several strikes by mine workers on the Rand (Andrews



1940, pp. 12-27). In 1911 the Transvaal Federation of Trades changed its name to the South African Industrial Federation (SAIF) and invited the affiliation of unions throughout the country. The Cape Federation of Trades, some of whose affiliated unions consisted mainly of Coloured members, rejected the 'White labour policy' of the SAIF and refused to affiliate. (Simons and Simons, 1983).

While the craft unions were generally able to safeguard their members through a monopoly of skills and limits on control exerted through the labour process, White workers on the gold mines found their privileged positions threatened by 'cheap' African labour. Davies (1979) and Johnstone (1978) have shown how the sensitive cost structure of the gold mines led to attempts by the mine owners to minimise costs and raise productivity by increasing the proportions of 'cheap' African labour employed and reorganising the labour process, respectively. In short, more skilled tasks were assigned to African labourers while White miners increasingly came to occupy supervisory positions. This led to bitter conflict between White workers and the mine-owners, which was manifested in strikes in 1902, 1907, 1913 and 1922. The most important of these were the 1907 strike and the 'Rand Rebellion' of 1922, which will be dealt with later.

During the strike of 1907 the Chamber of Mines recruited unemployed 'poor White' Afrikaners to take the place of the skilled miners, at lower rates of pay. Ten per cent of the skilled miners lost their jobs. (Callinicos, 1981, p. 72) After their defeat the craft unions on the mines opened their ranks to all White workers, irrespective of skill, but continued to exclude African workers. Thus the craft unions on the mines became exclusive industrial unions. Through this particular division in the work process White workers on the mines rationalised the defence of their own bargaining power by expressing it in racial terms. These divisions were reinforced by the job colour bar that the Government adopted at the insistence of White workers on the mines. In as early as 1893 the Transvaal Government reserved the job of blasting to Whites, at the insistence of the White mineworkers' unions. In 1904 the Transvaal Ordinance, which reserved 44 skilled mining jobs for

Whites, was passed after White miners had protested that Chinese labour would take over skilled jobs at lower rates of pay. The Union Government introduced the Mines and Works Act in 1911 which set aside 32 types of jobs in the Orange Free State and Transvaal for Whites. The South African Mineworkers' Union also secured an agreement from the Chamber of Mines in 1918 - the Status Quo Agreement - to employ two Whites at skilled wages for every 17 Black workers on the mines (Callinicos, 1981). White mineworkers were also able to use their political bargaining power as a means of defending their position. The Labour Party, in particular, claimed to represent the White working class. Most Afrikaner workers, however, supported the Afrikaner National Party (Callinicos, 1981, pp. 75-76).

Although the African migrants employed on the mines as unskilled labourers did not have any experience in organising, they did resist the recruiting system and exploitation on the mines. Charles van Onselen (1976) has argued that, in this early period, African worker resistance on the mines must be sought "in the nooks and crannies of the day-to-day situation". Indeed, in the late 19th century and early 20th century African worker resistance usually took the form of desertion and boycotting of mines rather than visible mass organisation (Moroney, 1978, p. 33). A wide-scale boycott of the mines by African workers after the South African War led to the importation of Chinese labour in 1904. About six months after the Chinese workers had arrived, unrest ensued on the mines. During their first year on the Rand more than half of the Chinese miners deserted in protest against the low wages and poor working conditions. After 1907 the Transvaal Government began to repatriate the Chinese workers and by 1910 there were no Chinese employed on the mines (Callinicos, 1981, pp. 67-70). The importation of Chinese labour seriously undermined the bargaining power of African mineworkers.

African workers on the mines were not slow to grasp the lessons of organisation from the White workers, and they too made use of the strike weapon. In 1913 (the same year in which White miners had laid down their tools) about 9 000 African miners struck work over a period

of three days against low wages and poor working conditions (Bonner, 1980, p. 274). However, the strikes undertaken by African mineworkers during this period tended to be sporadic and appeared to coalesce along ethnic lines (Moroney, 1978, p. 41). The 1920 strike, however, which involved about 71 000 African miners and affected 21 mines, represented a broad working class protest. There was no permanent stable organisation to make effective gains in the early struggles of the African mineworkers' resistance to mining capitalism. Until the First World War there was no organised trades union movement for Black workers. Although there were strikes, these did not result in the formation of trades unions or any form of worker organisation. In Natal the industrial base of the economy was still small as were the number of Black workers in manufacturing industry. This also reflects the degree of industrial proletarianisation up to this point.

Although the gold mines were the centre of attention at this time, Black workers in other industries and regions also resisted exploitation e.g. Indian indentured labourers on the sugar estates in Durban engaged in strike action in 1906, 1907 and 1911<sup>5</sup>. In October and November 1913 more than 20 000 Indian workers in Natal, the majority of whom were indentured coastal sugar workers and coal miners, went on strike (Swan, 1984). The 1913 strike represented the first major collective action undertaken by Indian workers in Natal. Although the strike occurred after Gandhi had called for strike action in protest against the £3 annual tax on indentured labourers, Swan has shown that Indian workers struck in response to a range of exploitative measures to which they were subjected. However the strike itself did not represent any organised or disciplined working class action nor did it precipitate the formation of trades unions. The strike itself has been extensively researched by Swan (1984) and Beal and North-Coombes (1983). It is also mentioned in Gitsham and Trembath's history of the early trades union movement in South Africa (1926).

The First world War ushered in a period of militant worker action. wartime industrialisation led to an expansion of the economy. After the war there was a rapid increase in rural migration to the mining and industrial areas from the reserves, which were becoming increasingly

impoverished. Faced with rising inflation and low wages, African workers began to act spontaneously to defend their interests. During this period members of the International Socialist League (ISL) attempted to organise Black workers. The ISL started organising Indian workers in Natal from 1915. In March 1917 the Indian Workers' Industrial Union was formed in Durban under the chairmanship of Gordon Lee (Mantzaris, 1983, p. 117). Unions were also formed in the printing, tobacco and hotel industries as well as among dock workers. Simons and Simons (1983) mention these trades unions in Natal, but their analysis is rather superficial. Mantzaris has analysed the ISL-supported 1920 tobacco workers strike and its significance for trades unionism in South Africa. Here, for the first time, organised Indian workers were striking out against their wages and conditions of work. A leading figure in this period was Bernard Sigamoney, a member of the ISL and General Secretary of the Durban Indian Workers' Industrial Union. At the 1918 ISL conference he was the first official 'non-white' person to represent workers. Simons and Simons remarked that this conference was "a memorable occasion. Never before had the League included among its delegates one of the darker races. And it rejoiced at having made great ideological progress towards non-racial labour solidarity". (1983, p. 203).

It is not clear how these ISL unions were structured, the content of their constitutions, the actions they undertook, and the benefits (or lack of benefits) that rank and file workers derived from such organisations. No in-depth analysis of these issues has as yet been undertaken. Its significance in the wider context of the unionisation of the Black working class cannot be underestimated, particularly since this occurred before the formation of the Industrial and Commercial Workers Union (ICU), the 1920 Mine Workers' Strike, the 1922 Rand Rebellion and the passing of the new industrial legislation in the mid-1920s. Further it is not clear as yet what exactly happened to these unions particularly after Sigamoney became an Anglican priest and moved away from Durban.

In 1917 a group of White socialists from the ISL held a meeting with African workers on the Rand and formed the Industrial Workers of Africa (IWA). African municipal workers on the Rand came out on strike, and were assisted by members of the IWA. In June and July 1918 the IWA launched a 'one-shilling-a-day' campaign on the Rand, failing which a general strike of African workers would be called. This resulted in mass unrest among African workers on the Rand in the same year. Although the IWA was a small and short-lived organisation, it did have a significant influence on African workers on the Rand and, according to Johnstone (1978, p. 263), may have facilitated the rise of the ICU in the Transvaal.

Clements Kadalie inspired the formation of the ICU in Cape Town in 1919, against a background of increasing rural impoverishment. The first workers organised by Kadalie were the Cape Town dock workers. The ICU grew rapidly in popularity and by 1927 had reached a peak of 100 000 members. By the end of the decade, however, the ICU had collapsed. In spite of its huge membership the ICU's achievements had been minimal. It had gained little improvement in labour conditions, wages remained more or less stationery and a new range of discriminatory legislation was introduced, such as the Native Administration Act of 1927, with its racial hostility clause (Roux, 1964, p. 175, 203). The leadership of the ICU lacked a clear analysis of the dynamics of South African capitalism and therefore lacked a clear strategy. The leadership mistook protest for pressure and numbers for strength. Industrial organisation was neglected and the ICU failed to support workers who came out on strike. Kadalie placed his hope in political solutions and turned to the White political parties, liberals and the international labour movement for support. Although membership of the ICU was soaring and branches were being established everywhere from the mid-1920s, it was labour tenants working on White farms, rather than industrial workers who were attracted to the organisation. Personality conflicts within the leadership, the expulsion of the communists from the organisation in 1926 and the maladministration of funds all hastened the decline of the ICU (Bonner, 1978, pp. 115-120). In the final analysis, the ICU was more of a populist movement than a trade union, and it failed to organise the industrial work force.

### 1.3 The Industrial Conciliation Act, the Wage Act and the Reorganisation of Industry (1924-1932)

With the defeat of the 1922 White mineworkers strike on the Rand the White trades union movement was in a state of decline. The SAIF collapsed and trades union membership fell from 108 242 to 81 861 (Lewis, 1977, p. 7). The basic structure of South Africa's industrial relations was established by the Industrial Conciliation Act (ICA) of 1924 and the Wage Act of 1925. The ICA gave full recognition to White, Coloured and Indian unions and set up industrial councils of trades unionists and employers which could negotiate industry-wide agreements. The unions' right to strike was severely curtailed by the Act. In addition, the practice of settling disputes within industrial councils encouraged a tendency towards a bureaucratization of trades union leadership, further alienating union officials from the rank and file. African workers were not recognised as employees under the ICA and thus could not negotiate inside the industrial councils or belong to registered trades unions. Under the Wage Act of 1925, however, African unions could petition for new wage determinations, request the sitting of a Wage Board and give evidence before the Board (Hirson, 1977, p. 183).

Between 1915/6 and 1929/30 South Africa's manufacturing industry began to expand under the stimulus of the First World War and the government's protection policy<sup>6</sup>. Because manufacturing industry was still in its early stages in South Africa during the 1920's, employers sought the cheapest sources of labour to accumulate capital for investment. Furthermore, with the increased mechanisation of secondary industry there was a need for semi-skilled operative labour rather than skilled labour. Thus the labour force for secondary industry was recruited mainly from the ranks of the newly proletarianised Blacks and Whites who had been forced off the land by economic hardships, government policy and the growth of capitalist agriculture. The largest increase was that in the employment of African male and White female labour (Lewis, 1978, p. 124). During this period African workers increasingly came to occupy semi-skilled positions. Although the majority of African workers still remained unskilled, these changes had important implications for African worker organisation.

The expansion of secondary industry and the changes in the labour process had far-reaching effects on trades union organisation. Crafts unions were no longer suited to the structure of industry, nor was the general workers' union. Thus the late 1920's saw the emergence of new industrial unions in South Africa, which organised along industrial lines. The Industrial Legislation Commission of 1935 noted (para. 368),

The trend of industrial development during the past few decades has been such that it is much more convenient for employers to negotiate with one large union representing all classes of workers in their industry, rather than with a number of separate craft unions representing only sections of their workers.

The industrial legislation of the 1920's reinforced the change to industrial unionism. In order to benefit from the provisions of the ICA it was necessary for workers to organise along industrial lines, as agreements were negotiated for the industry as a whole. Similarly, the Wage Act encouraged the formation of African industrial unions. Unions were needed not only to draw up memoranda and present evidence before the Wage Board, but also to ensure that employers paid the full rates once the wage determination had been made. It must be pointed out that the change to industrial unionism did not signal the end of crafts unions. In spite of changes in the labour process crafts unions in certain industries e.g. engineering, were able to maintain their skill-scarcity and organisational form (Greenberg, 1980, pp. 291-310).

The skilled workers and their crafts unions attempted to resist this deskilling process. However, the rapidity with which the process occurred forced many of them to abandon their craft organisations and open their unions to all workers in the industry in order to protect themselves from competition and undercutting. The Witwatersrand Tailors' Association, which later became the Garment Workers' Union (GWU), provides an example of the skilled workers' response (Lewis, 1978, p. 136). After the collapse of the SAIF in 1922 the artisan unions had set off on their own, forming the Associated Trade Unions of South Africa, which supported the introduction of the ICA and the Apprenticeship Act of 1922. In an attempt to bring about unity within

the White labour movement in 1924 Colonel Creswell, the Minister of Labour (who was also the leader of the Labour Party), convened a meeting of trades union officials in Cape Town and asked them to form a trades union co-ordinating body. A body was formed in 1925 and called the South African Association of Employees' Organisations. Two communists, W. Andrews and Frank Glass were elected onto the executive of the Association as treasurer and secretary respectively (Greenberg, 1980, p. 293). However, many of the older artisan unions, as well as the Cape Federation of Trades, refused to affiliate to the new association. At its first annual conference in 1926 the name of the organisation was changed to the South African Trade Union Congress (TUC). The TUC played an important role in the formation of new industrial unions, and among the unions formed between 1925 and 1929 were the Furniture Workers', Sweet Workers', Leather Workers', Canvas and Rope Workers' and a Reef Native Trade Assistants' Union. In addition, an attempt was made - for the first time - to organise women workers, and in 1925 the Women Workers' General Union (WWU) was formed, which was instrumental in organising the Sweetmakers' Union and in helping women workers in other trades. However, the WWC was composed almost exclusively of Whites (Lewis, 1978, p. 133). The new industrial unions fought militantly for higher wages and better working conditions. There were several strikes by White workers during this period. The GWU, one of the prominent new industrial unions, led over 100 strikes between 1928 and 1932, two of which brought the entire industry to a standstill.

In the period just after the Rand Revolt and the passing of the Industrial Conciliation Act, there appears to be very little mention in any literature of Indian workers and their unions or of any actions they undertook. Many unions were, in any event, White trades unions which excluded Black membership. The organised resistance of Black workers outside of the ICU seems to have dropped off. In 1928 the Natal Indian Congress attempted to organise Indian workers. This resulted in the formation of the Natal Workers' Congress (NWC) which was also known as the Indian Trade Union Congress (ITUC). The following unions were formed: Durban Tinsmiths and Trunk Makers' Union; Durban and District Tobacco Workers' Union; Durban and District Bakers' Union; Natal Liquor and Catering Trades Employees' Union; and the Durban and District Amalgamated Union of Launderers and Dry Cleaners.



The first African industrial unions were established early in 1927, through the initiative of Communist Party members such as Weinbren and Thebidi, Gana Makabeni, Moses Kotane and Johannes Nkosi. Among these first unions were the Native Laundry Workers' Union, the Native Bakers' Union, the Native Clothing Workers' Union and the Native Mattress and Furniture Workers' Union (Luckhardt and Wall, 1979, pp. 49-52). A number of these were established as parallel unions.<sup>7</sup> The South African Federation of non-European Trade Unions (FNETU) was formed on the 25 March 1928 at a meeting of over 150 delegates, representing workers from a number of African unions. African trades unions continued to expand in 1928 and 1929 and a number of new unions were formed. It is estimated that by the end of 1928 FNETU's membership had reached 1 500. The late 1920's were a period of industrial militancy for the African working class. In 1927, 4 418 Blacks went on strike as compared with 740 Whites, while the figures for 1928 were 5 074 and 710 respectively (Lewis, 1978, p. 134). By 1931, however, FNETU and, indeed, almost the entire African trades union movement had collapsed, partly as a result of the depression and partly because of internal conflicts within the Communist Party (CPSA). FNETU had tied itself too closely to the CPSA and thus was adversely affected by dissension within the organisation. (Lewis, 1978, p.135)

Jon Lewis (1977, p.104) argues that it is in "the peculiar industrialization of the 1920's that one must look for the origins of the radical, non-racial tradition in South African trade unionism". Indeed, racial demarcations within secondary industry were not as rigid as those in the mining industry and there was evidence of solidarity across colour lines. Unions in the garment, leather, furniture and canvas industries dropped their colour bar against Coloureds and Indians. The GWU and the Furniture Workers' Union held joint meetings with their African parallels, while the White and African Laundry Workers' Unions both affiliated to a joint executive committee. Under the influence of the new industrial unions the TUC recommended to its affiliated unions in 1929 the enrolment of all workers irrespective of 'race or colour' (Lewis, 1982). In 1930 the Cape Federation of Trades convened a joint conference with the TUC and the two bodies amalgamated to form the South African Trades and Labour Council (TLC). The TLC was

established on a non-racial basis and pledged to admit "all bona fide trades and labour unions" and to "promote the interests of all organised workers" (Simons and Simons, 1983, p. 384).

#### 1.4 Post-Depression Period (1933-1938)

White as well as Black industrial unions were severely affected by the Depression. The White industrial unions which survived included the garment, leather and furniture workers' unions. The TLC conference of 1936 unanimously accepted proposals to organise African workers and to oppose discriminatory legislation. By 1937, however, after a number of small African unions had joined the TLC conflict between its affiliates ensued over the admission of African workers. While the Furniture Workers' Industrial Union attacked the TLC representatives for neglecting African workers, the Amalgamated Engineering Union and the Typographical Union were opposed to the organisation of African workers. The issue of African unions led to persistent clashes between the artisan and open industrial unions (Greenberg, 1980, pp. 295-296). The 1930's also saw an assault by the Nationalist Party on the White trades union movement. In an attempt to increase both its financial position and its parliamentary support base the Nationalist Party set out to take over unions with Afrikaner workers. In 1932 the Spoorbond was established among railway workers and by 1942 claimed to have almost 30 000 members. The Nationalists also succeeded in taking over the Mine Workers' Union in the late 1930's. The GWU was successful in resisting the Nationalist assault but the union was weakened in the process (Labour History Group, 1983, p. 31). The Nationalists did not, however, achieve widespread success in their bid to take control of the unions.

The only African trades unions that survived the Depression were Gana Makabeni's Clothing Workers' Union and the African Laundry Workers' Union, which was revived by Max Gordon. A number of African industrial unions were established on the Witwatersrand in the second half of the 1930's, largely through the initiative of Gordon.

At about the same time several members of the CPSA (who had been members of the ICU) were active in organising African unions in the Transvaal (Gana Makabeni) and in Cape Town (John Gomas and Jimmy La Guma). Gordon was able to draw on the resources of the South African Institute of Race Relations for his trades union work. By working through the Wage Board and enforcing the minimum wages laid down in wage determinations, Gordon was able to build African unions (Hirson, 1977, p. 185). The unions established with Gordon's help offered a number of benefits (e.g. legal, medical and financial assistance) in order to attract members. In the evenings the union's premises were used as night-schools, offering classes in literacy, numeracy, book-keeping, procedure at meetings and history. However, the police ordered Gordon to stop all classes. By 1940 Gordon had become secretary of a Joint Committee of African Trade Unions, comprising seven unions with a total membership of between 16 000 and 20 000 workers (Stein, 1978, p. 143). The second half of the 1930's witnessed a period of militancy among the emerging industrial Indian working class. Several unions were established during this period including the Garment Workers' Industrial Union, the Durban Indian Municipal Employees' Society, the Natal Sugar Industry Employees' Union, the Natal Iron and Steel Workers' Union and the South African Railways and Harbour Employees' Union (Indian). These developments will be dealt with later.

#### 1.5 The War Years (1939-1946)

The 1940's were a period of rapid economic growth as a result of the protection from foreign competition and the stimulus to production afforded by the war. By 1943 the contribution of manufacturing to national income surpassed that of mining. The number of industrial establishments had increased from 6 543 in 1932 to 9 999 in 1946. There were also important changes in the structure of production. As a result of a sectoral shift within manufacturing the industrial group comprising metal products, machinery and transport equipment emerged as the leading industrial sector. This trend was reflected in the increasing capital intensity of the manufacturing sector as a whole

(O'Meara, 1975, p. 61). With the increased mechanisation of production secondary industry increasingly required semi-skilled labour power in place of skilled (artisan) labour power. There was a dramatic increase in the employment of Black workers - in more skilled positions - which was intensified by the military mobilisation of White workers. Semi-skilled work required a more stable labour force, and also created opportunities for the employment of African women in industry. The number of African workers employed in manufacturing increased from 156 000 in 1939 to 245 000 by 1945 (O'Meara, 1975, p. 61).

The employment of African workers in semi-skilled positions increased their bargaining power. Unions were established in the clothing, furniture, laundry, baking and in the mining industry during the war. This period saw the further growth of Indian trades unions in Durban as well as strike action in support of higher wages and better working conditions. An analysis of these developments forms the major focus of this study.

Although the African National Congress (ANC) and the CPSA had expressed support for the government in the 'war effort', the African working class disregarded ideological pressures to subordinate their interests to the 'war effort' (Harries, 1981). While in the period between 1930 and 1939 a total of 26 254 Blacks had struck work for an average of 2,7 man-days and a total loss of 71 078 man-days, the corresponding figures for the period between 1940 and 1945 were 52 394 Black workers on strike for an average of 4,2 man-days and a total loss of 220 205 man-days (O'Meara, 1975, p. 66). The state responded to the increase in strike action by introducing War Measures legislation, which outlawed strikes by African workers, imposed severe penalties and provided for compulsory arbitration. However, workers continued to strike for better wages and improved working conditions. The 1945 Department of Labour Report complained that "the Natives seem to be ignoring War Measure 145".<sup>8</sup>

A number of African unions came together in 1941 to form the Council of non-European Trades Unions (CNETU). Although there were plans to expand CNETU on a national basis, the bulk of its affiliated membership

remained on the Rand. By 1945 the CNETU claimed a membership of 158 000 in 119 unions (Luckhardt and Wall, 1979, p. 60). During the 1940's unions were formed in a number of industries in which African workers had hitherto not been organised. The ANC and the CPSA decided to work together to organise a union of Black mineworkers and in April 1941 a conference was held, to discuss the formation of the union, at which 80 delegates from 41 organisations (including the CPSA, CNETU, ANC and the SAIRR) were present. The African Mineworkers' Union (AMU) was formed with JB Marks as president. At the same time Daniel Koza of the African Commercial and Distributive Workers' Union was active in organising workers in the coal and timber industries in the Transvaal. In Cape Town Ray Alexander and others were successful in forming a Food and Canning Workers' Union (FCWU) in 1941. Disagreements over support for the war effort were to lead to divisions within the CNETU. While elements from the ANC and the CPSA within CNETU advised workers to support the war effort and not engage in strike action, other unionists, like Daniel Koza took a militant line and argued that workers should continue to fight for better working conditions and higher wages (Harries, 1981, pp. 2-34). Daniel Koza and other 'Trotskyists' formed the Progressive Trade Union Group (PTU) which established itself as a caucus in the CNETU. In 1944 differences between the PTU and the ANC and CPSA group within the CNETU came to a head and the PTU was expelled, soon after which it collapsed. By the end of the war the CNETU was in a weak position, partly as a result of the divisions within it and partly because of state repression in the form of the War Measures Act No. 145.

In 1946 African mineworkers on the Rand, led by the AMU, struck work after the Chamber of Mines had repeatedly ignored their demands for higher wages and better working conditions. Between 70 000 and 100 000 African miners stopped work between the 12 and 17 August. The police were called in and the strike was brutally suppressed. By the time the strike ended about 12 miners had been killed, 1 200 injured and 88 trade unionists had been arrested (see O'Meara, 1975). The CNETU's call for a general strike of all workers in its unions in solidarity with the miners met with little response because the organisation was weak and divided. There was a decline in African trades unionism from 1946. The re-absorption of White ex-servicemen into the economy and the

large-scale government-sponsored European immigration to South Africa had resulted in the slowing down of the entrance of Africans into semi-skilled and skilled position in manufacturing. Moreover, the tightening up of influx control regulations and the removal of squatter communities from the urban areas placed African workers in an insecure position and defused their militancy (O'Meara, 1975, p. 79).

#### 1.6 The Immediate Post-War Period (1947-1954)

The militancy of the African workers during the Second World War prompted the state to reassess its policy towards African trades unions. The United Party Government drew up the Industrial Conciliation Bill in 1947, which recommended the extension of some form of official recognition over African trades unions, under a separate arbitration system, rather than the Industrial Conciliation Act (Davies and Lewis, 1976, p. 63). However, with the electoral victory of the Nationalist Party the Industrial Conciliation Bill was set aside and the Industrial Legislation (Botha) Commission of Enquiry was appointed. The Botha Commission, while warning against African trades unions pursuing political goals, argued that the pursuance of such goals was more likely in the case of unrecognized and uncontrolled unions. The Commission then recommended a two-stage process of recognition whereby every union would be certified but not necessarily recognised. Although the United Party and Labour Party both supported these recommendations they were rejected by the Nationalist Party.

The Nationalist Government launched an assault against the trades union movement in South Africa. In 1950 the Suppression of Communism Act was passed. Under the Act communism was defined in broad terms: the law could regard as a Communist any person who "aimed at bringing any political, industrial, social or economic change in the country by unlawful acts" (Roux, 1964, p. 380). The first victims of the Act were trades unionists, namely, JB Marks (African Mineworkers' Union), Issy Wolfson (Tailoring Workers' Union) and Solly Sachs (Garment Workers'

Union) (Roux, 1964, p. 381). The Bantu Labour (Settlement of Disputes) Act was passed in 1953, which proscribed strike action by African workers, denied them participation in the formal channels of wage negotiation and set up a separate industrial conciliation machinery. This machinery took the form of a bureaucratic structure, comprising Bantu Labour Officers, Regional Bantu Labour Committees, Works Committees and a Bantu Central Board (Davies and Lewis, 1976, p. 65). The works committees were intended to replace African trades unions by serving as communication channels between African workers and their employers. However, African workers rejected the works committee system and by May 1960 only ten such committees had been formed in the entire country (Horner, 1976, p. 15).

By 1950 the divisions between the artisan and industrial unions had left the TLC in disarray. The artisan as well as the exclusive industrial unions withdrew from the TLC taking more than 50 000 affiliated members with them. The artisan and exclusive industrial unions which had defected formed a separate coordinating body, the South African Federation of Trade Unions (SAFTU) in 1951, with 16 affiliated unions and 80 000 members. When the introduction of a new industrial conciliation machinery which would split the mixed White, Indian and Coloured unions and provide job reservation in industry, became imminent, the artisan unions attempted to rebuild some unity in the labour movement. A Trade Union Unity Committee was formed in 1954 under the guidance of the Typographical Workers, Boilermakers and other artisans unions. Most of the remnants of the established White trades union movement - with the exception of the exclusive industrial and artisan unions in state employment - came together in 1955 to form the South African Trade Union Council (SATUC) (Greenberg, 1980, pp. 293-301).

A group of unions that were opposed to the exclusion of African unions from the SATUC formed the Trade Union Coordinating Committee (TUCC). The TUCC, in cooperation with CNETU formed a new trade union coordinating body in March 1955, the South African Congress of Trade Unions (SACTU) (Luckhardt and Wall, 1979, pp. 89-90).<sup>9</sup>

These general developments in the history of the South African working class may be summarised as follows: between the years 1900 and 1920 white workers, particularly on the mines, were successful in using their crafts union organisations and the strike weapon to win gains for themselves. This lesson was not lost on the emerging Black proletariat, and they too engaged in strike action in support of demands for higher wages. However, the absence of stable worker organisations limited the effectiveness of Black worker struggles in this early period and, although there were sporadic incidents of strikes by indentured Indian labourers, their resistance was largely spontaneous and unorganised.

The First World War laid the basis for further militant worker action as a result of war-time industrialisation and the expansion of the economy. After the war, inflation put pressure on rural subsistence and led to increased labour migration from the rural areas to the mining and industrial areas. It was against this background that the ICU was formed in Cape Town in 1919. The ICU grew rapidly in popularity and by 1927 had reached a peak of 100 000 members. However, a combination of internal weaknesses and state pressure had resulted in the decline of the ICU by 1929.

From the 1930's on there was a reorganisation and expansion of industry so that, while in 1939 there were 156 000 Black workers in manufacturing, by 1945 this figure had grown to 245 000. The expansion of secondary industry and the concomitant changes in the labour process presented a challenge to the skilled workers and their crafts unions, forcing many crafts unions to transform themselves into industrial unions. The growth of industrial unions led to the formation of the non-racial TLC in 1930. However, in spite of the TLC's non-racial stance, the organisation was plagued by conflict between the racist artisan and exclusive industrial unions on the one hand, and the open industrial unions on the other.

During the Second World War Black workers moved into more skilled positions, particularly as there was a shortage of skilled White workers. Industrial unions were established in the clothing, furniture, laundry, baking and gold mining industry. Despite



restrictions on the right to strike, these new unions, from their new standpoint and position of strength, made many immediate material gains and formed a new union federation - the CNETU. The militancy of these new unions reached a peak in 1946 when African mine workers came out on strike over wages. In Durban a number of unions were formed by Indian and other Black workers, especially after the Great Depression, and there was an upsurge in (Indian) worker action, especially in the period 1937-1942.

By 1950, however, both the CNETU and the TLC had dissolved. Indeed, the entire Black trade union movement was in a state of decline by this time, partly as a result of structural weaknesses within the unions and partly as a result of state pressure.

This then concludes the overview of trades unionism in South Africa up to the end of the period relevant to our study. We have at the same time surveyed the available literature dealing with Indian workers as it relates to specific instances of worker organisation and resistance in the years prior to 1930. Those general works which deal exclusively or partially with Indians in South Africa and include some account of Indian workers and trades unions are reviewed in Appendix A. These include the works of Ginwala (1974); Pahad (1972); Johnson (1973); Swan (1982); Burrows (1952); Smith (1945); Ringrose (1951); Simons and Simons (1983) and Roux (1964) among others.

Having surveyed the major developments in the history of working class organisation and action in South Africa we now turn to examine the origins and growth of union organisation and resistance among Indian workers in Durban in the period 1930-1950. We begin in Chapter 2 with an analysis of the economic forces and changes underpinning the emergence of the Indian working class and the formation of organisations in defence of the interest of this class.

CHAPTER TWOINDIAN WORKERS IN THE ECONOMY OF NATAL : c1920-c19602.1 Introduction

The discovery of diamonds and gold in South Africa in the latter decades of the nineteenth century provided the impetus for the rapid transformation of the South African social formation from a pastoral/ agrarian economy to an industrially based one. In just over one hundred years South Africa changed from a peripheral part of the world economic system to a fairly sophisticated and developed sub-metropole of that system. (Legassick, 1977, p.175)

Twenty-six years prior to the discovery of the major gold reefs in the Transvaal, the first of the indentured Indian workers who were imported into Natal from 1860 to 1911 landed in Durban to work as agricultural labourers in the then colony's sugar estates<sup>1</sup>. 1885 saw the arrival from India and Mauritius of groups of Indian traders - the so-called passenger Indians. After the termination of their period of indenture 'free Indians' in Natal found economic opportunities outside the sugar plantations at relatively higher wages and even indentured Indian labour began to be used increasingly outside the sugar estates - the *raison d'etre* for the original immigration to Natal. And despite the introduction of measures such as the £3 tax on 'free Indians' to retain them within the system of indenture in peri-urban estates, a steadily increasing number found their way or were forced into wage employment in coal mining, industries, the municipalities and railways.<sup>2</sup> These changed occupational patterns of employment amongst other factors led to the emergence of a largely industrially based Indian working class 'movement' either through 'Indian' or non-racial trade union organisations by the late 1930's and 1940's. This study is primarily concerned with these developments. However in order to understand the dynamics underlying such developments it is important to survey briefly some aspects of the demographic and socio-economic structure of the Indian population\*.

\* Appendix B reviews briefly the age, sex and educational data for the Indian population of Natal 1921-1951.

In the main this survey will cover the years 1920-1960 with emphasis on the 1930's and 1940's and will concentrate on Natal and more especially Greater Durban.

## 2.2 Population Distribution and Urbanisation

Since the arrival of the first Indians in South Africa their numbers grew from approximately 650 in 1860 to 163 000 in 1921 and 477 000 in 1960. By far the largest concentration of Indians was in Natal. In 1911 87,7 per cent and in 1951 81,7 per cent of all Indians lived in this province<sup>3</sup>. Table 2.1 shows this population distribution for South Africa, Natal and the Durban Municipality.

Table 2.1 Population Distribution of Indians, South Africa, Natal, Durban. Census Years 1911-1960.

| 1    | 2            | 3       | 4                   |
|------|--------------|---------|---------------------|
| Year | South Africa | Natal   | Durban Municipality |
| 1911 | 152 094      | 133 000 | -                   |
| 1921 | 163 594      | 142 000 | 49 688              |
| 1936 | 219 691      | 184 000 | 80 486              |
| 1946 | 285 260      | 232 000 | 106 604             |
| 1951 | 366 664      | 299 000 | 147 264             |
| 1960 | 477 047      | 395 000 | -                   |

Source: Union Statistics for 50 years A-4.  
S.A. Statistics 1974 (1.5 and 1.11)  
Burrows, J.R. (1959, p. 24).

Column 4 of Table 2.1 shows the total number of Indians living in the Durban municipal area and indicates the increasing trend towards urbanization among Indians. Thus whereas in the first 50 years after their arrival the overwhelming majority of Indians were rural dwellers

by 1921, one-third of the Indian population was urban and two-thirds rural, and by 1936 two-thirds were urbanised and only one-third was rural<sup>4</sup>. And this shift had occurred in spite of the earlier attempts to maintain Indian labour within the sugar estates and the introduction of measures to limit their size and placement<sup>5</sup> - measures which were designed to control and manage labour within the city (Durban) and surrounding areas and to restrict their economic opportunities outside the sugar estates. This increasing urbanization reflects not only a natural increase in population and changes in urban boundaries but also, importantly, a drift into towns as Indians were increasingly forced off agricultural land and employment from the turn of the century. In fact the proportion of the Indian population of Natal over 15 years of age employed in agriculture fell from 26% in 1921 to 18% in 1936 and to 10,8% in 1946, whereas amongst the same population industrial employment rose from 9% in 1921 to 12% in 1936 and 16% in 1946 despite a marked slowdown in the growth of Indian employment in manufacturing virtually throughout the 1920's. Employment in mining for this population dropped from 3% in 1921 to 1% in 1936 and 0,2% in 1946, whereas employment in the public service and professional category fell from 6% in 1921 to 4% in 1936 and to 2% in 1946.<sup>6</sup> It is to a more detailed analysis of this changing industrial and occupational structure - especially for the main categories just discussed - that we now turn, for it is precisely this area that is of greatest relevance to this study.

### 2.3 Employment in Agriculture

At the expiry of their contract of indenture in the sugar estates many Indians decided to remain in South Africa. Some of these previously indentured labourers took to market gardening, hawking or trading. Others left rural areas and moved to the towns as tailors, cooks, waiters, railway workers, municipal employees and domestic and personal service people. This trend continued until, by the 1890's, the ex-indentured labourers were no longer functioning as an auxiliary agricultural labour force but increasingly sought alternative means of subsistence (Swan 1984, p. 241). In order to impose greater controls

over the movement of Indians and to retain in this way the basis of a cheap labour system, a tax of £3 was imposed upon Indian men, women and children (who indentured after 1895) and who wished to stay in Natal without re-indenturing. The combined effect of the annual £3 tax and the severely depressed economy (with widespread unemployment and destitution) meant that thousands of Indians were unable to pay the tax and were thus forced back into contract work, where payment of the tax was suspended for the contract period. The extent of these pressures maybe be gauged from the fact that in 1913, four years after the economic recovery, 62,5% of the indentured workforce were under second or subsequent terms of indenture (Swan, 1982, p. 5).

Following the 1913 strike which was directed at the abolition of the £3 tax (among other grievances) the law was repealed and Indians were temporarily, at least, able to resist being forced into contract wage labour in the sugar estates.<sup>7</sup> However after the First World War other kinds of economic pressure forced Indians to accept relatively low paying jobs in industry. Certainly after 1910 Indian employment in agriculture began to decline rapidly. A decline of Indian employment in general agriculture occurred from 36 238 in 1911 to 13 691 in 1946 (Arkin, 1981, p. 141). Table 2.2 shows the numbers of Indians and Africans employed in the sugar estates (1910-1945).

Table 2.2: The Number of Indians and Africans Employed on the Sugar Estates 1910-1945

| Year | Indians (No.) | %  | Africans (No.) | %  |
|------|---------------|----|----------------|----|
| 1910 | 18 270        | 88 | 2 380          | 12 |
| 1925 | 11 440        | 29 | 27 873         | 71 |
| 1933 | 8 020         | 17 | 40 263         | 83 |
| 1945 | 4 500         | 7  | 55 778         | 93 |

Source: Arkin (1981 p. 143.)

During the period 1910 to 1945 the proportion of Indians in the labour force of the sugar estates fell from 88 per cent to seven per cent, with the African share in the force rising from 12 to 93 per cent in the same time. The ending of the indenture system in 1911 was one factor precipitating this change. The decline in Indian employment in agriculture, especially the sugar estates was, however, exacerbated by many, often interacting, factors. Among these were the following:

1. Wages paid to Indian workers in the sugar estates were well below industrial and mining wages. In 1915 the money wage of field workers in the sugar estates was R42 per year as compared to an average wage per Indian employee of R50 in 'wood', R80 in 'metal' and 'textiles', R104 in 'printing', R98 in 'vehicles' and R92 in 'furniture' (Arkin 1981, pp. 220-221). In addition, Indians' reluctance to work on the mines forced coal companies to offer higher basic wages and generally better conditions than in agriculture. Skilled domestic servants commanded wages 2-10 times those of agricultural workers (Swan, 1984, p. 243).

2. Conditions of housing on the sugar estates were extremely poor. By as late as 1929 the Protector of Indian immigrants noted that the 'barracks on some of the estates are in very bad order and really not fit for human habitation', and in 1933 he reported that though "accommodation for Indians had greatly improved on many estates ... some are still given very poor quarters" (1934 Report). To the extremely squalid housing conditions one needs to add overwork, in season up to 17 or 18 hours a day, malnutrition and rampant disease (evident from the Protector's Reports) as factors contributing to the movement out of agricultural employment. This occurred especially after the abolition of the £3 tax in 1914 eased the pressures to re-indenture which had persisted until 1913.

3. Perhaps the most important factor underpinning the decline in Indian employment in agriculture was the replacement of Indians by African labour especially in field-work. Faced with increasing difficulty in competing on the world market, the sugar industry

began to be more and more concerned with cost-cutting. And to this end Africans had the 'advantage' of being 'single' workers. Thus the Protector of Indian immigrants notes in his report of 1933 that "Natives are being employed on many estates in place of Indians, a great deal owing to the fact that in the case of Natives the employer has not their wives and families to provide accommodation for as he has in the case of Indians." An additional 'advantage' to the sugar barons was that Africans did not need to be provided with 'expensive' imported food stuffs (Arkin 1981, p. 143). Thus contrary to the view that Indians abandoned agricultural employment solely because they were attracted to urban life, it appears that the element of 'voluntarism' behind these changes was limited. And even though the interaction of push and pull factors contributing to the decline in Indian agricultural employment are complex, Burrows makes the point that for Indians the so-called drift into towns was "due less to the offer of attractive employment or even of any employment at all than to economic pressure driving them off the land" (1940, p. 29). As long as employers could pay indentured Indian workers the extremely low wage determined by their contract they continued to employ them. And in addition, the indenture system was by far the most reliable recruitment operation in that, as Lincoln points out (1984, p. 8), "it guaranteed a minimum of five years of work from its subjects, who were paid at an inflexible rate and who were relatively easily policed". The gradual reduction in re-indenture after 1914, the ending of new indenture in 1911 and the concomitant upward tendency in the wages of free Indians (under the influence of alternative higher paid work outside the estates) hastened the switch to African labour in the sugar estates of Natal after 1911.

4. To these forces related to Indian fieldworkers in the sugar estates must be added the narrowing opportunities for the ex-indentured Indians to earn an independent livelihood as farmers. Especially after the depression (1929-32) as Swan (1982, p. 8) points out,

evictions by land-owners extending their own operations in the rural areas and by the Durban City Council as industrialisation advanced through the peri-urban areas pushed others off the land. The 1936 Sugar Agreement

meant to protect small White cane farmers from the growing monopoly of large estates eliminated numbers of petty Indian cultivators who could not meet the quotas set by the Agreement (1982, p. 8).

All these factors are likely to have initiated or reinforced the movement of Indians out of agricultural employment. Thus poor housing and relatively low wages, coupled with their substitution (as field-workers) by Africans, interacted to determine the changing industry/occupational distribution of Indians in the early decades of this century.

But it was not just in the sugar estates that problems of declining employment set in, for in addition the First World War affected conditions in both the coal and wattlebark industries, and by placing constraints on the further diversification of Indian employment, forced the pace of (industrial) proletarianization. The Protector of Indian Immigrants reports (1914)

The war has been upsetting chiefly in connection with coal and wattlebark industries. All mines report a much restricted output of coal, while one large mine has practically been closed down and the fall in the price of wattlebark has been a heavy handicap. In consequence fewer Indians are being employed in those industries and many of the Indians thus released [sic] are gravitating to the coast...

An analysis of employment figures in the mining industry shows that Indian employment fell from 3 739 in 1911 to 602 in 1946 (Arkin, 1981, p. 141). This decline in Indian employment in mining also reflects the virtual closure of employment opportunities on the gold mines of the Witwatersrand from about 1903/4 when control over Indian immigration to the Transvaal began to be tightened up.

#### 2.4 Employment in the Service Sector

By the first few decades of this century, other sectors of the economy of Natal (outside agriculture) began employing Indian wage labour. Foremost amongst those - certainly up to 1930 - was the



services sector. Thus the Durban Corporation, for example, employed approximately 2 000 Indians in the 1920's and as many as 3 000 by 1939 mainly in the cleansing department.<sup>8</sup> Indian employment in the Old Natal Government Railways stood at 6 000 in 1910. Many Indian men and women were employed as domestic servants in private households and private non-profit organizations (5 200 in 1936). Indians were also employed in transport services, mainly as drivers of motor vehicles and they also occupied an important position as employees in the Natal Liquor and Catering Trade. The majority of those employed in the professional categories were teachers. In 1936 there were some 850 professional persons of whom about 70% were teachers.<sup>9</sup>

By 1951, however, Indian employment outside the private sector was relatively small with only seven per cent employed by the central, provincial and local governments or by the railways and post office. This declining trend in public sector employment began to set in from the 1920's. Thus in 1924 there were, for instance, 2 081 Indian men employed by the Railways but only 572 in 1933<sup>10</sup>. In other government departments 955 Indians were employed in 1924 as against 217 in 1934. In municipal employment displacement of Indians was less marked although in 1931 the Minister of Labour exhorted the Durban City Council to replace Indian employees by Whites, following which in November 1931 the Council dismissed 49 of its Indian employees<sup>11</sup>.

These dwindling employment opportunities in the service sector, and the fall in Indian employment in the primary sector, ie. agriculture and coal mining, could only have increased further the pressures towards full proletarianization.

## 2.5 Manufacturing Employment

It was only early in this century under the influence of the First World War, the post-war protectionist policies of the 1924 Pact government and the wake of the assault waged by the State against the working class<sup>12</sup>, that manufacturing industry came to play an increasingly important part in the structure of production in South

Africa. From 1917/18 to 1945/46 the proportion of national income derived from agriculture, fishing and forestry declined from 21,6 per cent to 11,9 per cent, while the relative contribution of manufacturing industry increased from nine comma six per cent to 21,4 per cent<sup>13</sup>. From 1915/16 to 1917/18, 1 699 new factories opened, the total number of factories rising from 5 961 in 1919 to 12 517 in 1949/50.

Reflecting the changing attitude of the government to industrial development Smuts was able to say in 1919

I would ask us to recognise that the great task before us is no longer racial but has become industrial. The great world war has resulted in conditions which give us a unique opportunity to develop this country and to push ahead with a forward industrial and development policy.<sup>14</sup>

In 1929 the Labour department's journal stated

South Africa is in the midst of a far-reaching economic revolution, the keynote of which is the efflorescence of a great variety of secondary industries and the progressive industrialization of large sections of the population<sup>15</sup>.

The directional switch in favour of industrialization marked certain important changes which occurred in the intersectoral composition of this output - in particular the importance of consumer goods production. Hobart Houghton writes (1973, p. 119):

Many of the new factories were producing final consumer goods often from imported raw materials or from semi-finished products. For example clothing manufacture from imported textiles preceded by many years the growth of a textile industry, inspite of the fact that South Africa was a major producer of wool. This bias towards the production of consumer goods rather than the processing of South African materials is to be explained by the size of the market, the relative amount of capital required and by certain technical factors.

Manufacturing production in Natal shared in this industrial development, the number of factories in the province increasing from 597 in 1915/16 to 976 in 1919/20 and to 1983 in 1950/51, of which 1 154 were situated in the Durban-Pinetown area<sup>16</sup>. The gross value of manufactured output in Natal more than doubled from £9 665 505 in 1915/16 to £21 978 325 in 1919/20<sup>17</sup>. The most important industrial sectors assessed in terms of the values of plant and equipment and the number of establishments were food and drink, vehicles, metal and engineering, building and contracting and chemicals<sup>18</sup>. Table 2.3 shows the gross value of output by class of industry for Durban-Pinetown between 1924/25 and 1953/54 and indicates that the more important sectors of the region over this period assessed in terms of the value of output were in, metal and engineering, food and drink, chemicals, building and construction and clothing and textiles<sup>19</sup>. Table 2.4 indicates that the Durban-Pinetown region, with the additional impact of the Second World War continued to grow rapidly throughout the decade of the 1940s, with the number of establishments growing by nearly 50%, employment by 95% and net output (in nominal terms) by over 350%.

Of these various indices of growth and change the area of industrial employment needs more careful consideration. Table 2.5 shows manufacturing employment in Greater Durban, Natal, and the Union from 1924/25 to 1952/53.

Table 2.3 : Value of Gross Output of the Main Sectors of Industry in Durban-Pinetown - 1924/25 - 1953/54 - (Constant 1953/54 prices)

| £000s                                       |               |               |                |
|---|---------------|---------------|----------------|
| Class of Industry                           | 1924/25       | 1937/38       | 1953/54        |
| Chemicals                                   | 3 590 (2)*    | 6 532 (2)*    | 33 212 (2)     |
| Clothing, Textiles,<br>Footwear and Leather | 657           | 2 782         | 22 665 (3)     |
| Metal and Engineering                       | 1 633 (4)     | 5 025 (3)     | 13 105 (4)     |
| Transport                                   | 245           | 620           | 8 776          |
| Food, Drink, Tobacco                        | 5 324 (1)     | 12 005 (1)    | 36 130 (1)     |
| Printing and Paper                          | 817           | 1 970         | 8 050          |
| Wood and Furniture                          | 1 043         | 1 959         | 4 117          |
| Non-metallic minerals                       | 277           | 885           | 1 838          |
| Building and Construction                   | 1 897 (3)     | 3 543 (4)     | 8 721          |
| <b>Total private industry</b>               | <b>16 655</b> | <b>42 676</b> | <b>147 964</b> |

\*1 Private industries only  
Source: Katzen (1961, p. 132)

\*2 Ranking

Table 2.4: Industrial Establishments, Employment and Net Output for the Durban-Pinetown Metropolitan Area 1938-1952

| Years   | No. of Estab. | Employees | Net Output (£1000) |
|---------|---------------|-----------|--------------------|
| 1938-9  | 863           | 38 499    | 11 204             |
| 1945-6  | 934           | 58 894    | 24 461             |
| 1946-7  | 947           | 60 079    | 27 396             |
| 1949-50 | 1 191         | 78 888    | 40 722             |
| 1950-51 | 1 154         | 71 768    | 42 814             |
| 1951-52 | 1 120         | 75 056    | 48 167             |

Source: Leo Kuper, Watts & Davies, (1958, p. 48)

Table 2.5: Manufacturing Employment in Greater Durban and in Natal and the Union, 1924/25 - 1952/53

| CENSUS<br>YEAR | TOTAL MANUFACTURING<br>EMPLOYMENT IN |         |        | DURBAN AS A<br>PERCENTAGE OF |       |
|----------------|--------------------------------------|---------|--------|------------------------------|-------|
|                | UNION                                | NATAL   | DURBAN | UNION                        | NATAL |
| 1924/25 ... .. | 191 598                              | 43 561  | 25 595 | 13                           | 59    |
| 1929/30 ... .. | 218 298                              | 44 833  | 26 013 | 12                           | 58    |
| 1934/35 ... .. | 265 848                              | 47 229  | 28 146 | 11                           | 60    |
| 1939/40 ... .. | 360 456                              | 65 070  | 41 074 | 11                           | 63    |
| 1944/45 ... .. | 488 661                              | 86 401  | 57 873 | 12                           | 67    |
| 1949/50 ... .. | 712 103                              | 113 033 | 78 888 | 11                           | 70    |
| 1952/53 ... .. | 819 640                              | 135 390 | 89 695 | 11                           | 66    |

Source: Burrows (1959, p. 176).

It is evident from Table 2.5 that manufacturing employment in Natal and Durban grew only marginally in the decade of the 1920s; probably fell in the years of the great depression and rose rapidly in the pre- and post-war expansions.<sup>20</sup> The war years, as Burrows notes (1959, p.176), were perhaps

the most crucial period in the growth of South African industrial employment for although the rate of increase was neither materially accelerated or decelerated, the peculiar and short-lived shortages and needs of a war-time economy brought about dramatic and permanent changes in the industrial structure and in its race and sex composition.

But in addition the growth of manufacturing employment proceeded at different rates as Table 2.6, which shows the growth of employment in manufacturing industry by class of industry for Greater Durban, indicates. Thus while the major sectors (clothing, construction, chemicals, engineering and food) accounted for 56 per cent of employment in 1925, this rose to 70 per cent in 1954. The share of the smaller industries (transport, paper, furniture), on the other hand,

Table 2.6: Growth of Employment in Manufacturing Industry by Class of Industry  
Durban, 1924/25 - 1953/54

| CLASS              | 1925          | 1930   | 1935   | 1940   | 1945   | 1950   | 1954   |
|--------------------|---------------|--------|--------|--------|--------|--------|--------|
|                    | N U M B E R S |        |        |        |        |        |        |
| Clothing, etc. ... | 1 557         | 2 066  | 4 325  | 6 014  | 8 693  | 12 721 | 15 988 |
| Construction ...   | 3 166         | 3 378  | 3 450  | 5 579  | 6 647  | 10 008 | 14 505 |
| Chemicals ...      | 2 760         | 3 202  | 3 058  | 4 231  | 6 898  | 10 018 | 12 461 |
| Engineering ...    | 2 296         | 2 733  | 3 016  | 5 191  | 10 447 | 10 904 | 11 016 |
| Food ...           | 3 391         | 3 837  | 3 819  | 4 756  | 6 696  | 8 270  | 10 167 |
| Transport ...      | 579           | 834    | 832    | 1 620  | 1 706  | 3 070  | 5 282  |
| Paper ...          | 843           | 1 095  | 1 192  | 1 848  | 1 823  | 3 368  | 4 347  |
| Furniture ...      | 1 835         | 1 886  | 1 862  | 2 193  | 3 179  | 3 709  | 3 945  |
| Others ...         | 1 215         | 1 310  | 1 950  | 2 880  | 4 089  | 4 416  | 5 951  |
| Total, Private ... | 17 642        | 20 341 | 23 504 | 34 312 | 50 178 | 66 484 | 83 662 |
| Total, Public ...  | 7 953         | 5 672  | 4 642  | 6 762  | 7 695  | 12 404 | 8 523  |
| TOTAL, INDUSTRY    | 25 595        | 26 013 | 28 146 | 41 074 | 57 873 | 78 888 | 92 185 |

## P E R C E N T A G E S

| CLASS              | 1925          | 1930  | 1935  | 1940  | 1945  | 1950  | 1954  |
|--------------------|---------------|-------|-------|-------|-------|-------|-------|
|                    | N U M B E R S |       |       |       |       |       |       |
| Clothing, etc. ... | 6.1           | 7.9   | 15.4  | 14.6  | 15.0  | 16.1  | 17.3  |
| Construction ...   | 12.4          | 13.0  | 12.3  | 13.6  | 11.5  | 12.7  | 15.7  |
| Chemicals ...      | 10.8          | 12.3  | 10.9  | 10.3  | 11.9  | 12.7  | 13.5  |
| Engineering ...    | 9.0           | 10.5  | 10.7  | 12.6  | 18.1  | 13.8  | 12.0  |
| Food ...           | 13.2          | 14.8  | 13.6  | 11.6  | 11.6  | 10.5  | 11.0  |
| Transport ...      | 2.3           | 3.2   | 3.0   | 3.9   | 2.9   | 3.9   | 5.7   |
| Paper ...          | 3.3           | 4.2   | 4.2   | 4.5   | 3.1   | 4.3   | 4.7   |
| Furniture ...      | 7.2           | 7.3   | 6.6   | 5.3   | 5.5   | 4.7   | 4.3   |
| Others ...         | 4.7           | 5.0   | 6.9   | 7.0   | 7.1   | 5.6   | 6.5   |
| Total, Private ... | 68.9          | 78.2  | 83.5  | 83.5  | 86.7  | 84.3  | 90.8  |
| Total, Public ...  | 31.1          | 21.8  | 16.5  | 16.5  | 13.3  | 15.7  | 9.2   |
| TOTAL, INDUSTRY    | 100.0         | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 |

Source: Burrows (1959, p. 179).

remained fairly constant. The greatest mean annual rate of increase (not shown in Table 2.6) was recorded in the clothing/textile industry in which the ten-fold increase in employment represented some 22 per cent of the total increase in manufacturing employment between 1925 and 1954.

Changes in the racial composition of employment in manufacturing in Greater Durban are shown in Table 2.7.

Table 2.7: Growth of Manufacturing Employment in Greater Durban, by Racial Groups, 1924/25 - 1953/1954

| YEAR           | EUROPEANS | NATIVES | INDIANS |        | COLOUREDS | ALL RACES |        |
|----------------|-----------|---------|---------|--------|-----------|-----------|--------|
|                | No.       | No.     | No.     | Index* | No.       | No.       | Index* |
| 1924/25 ... .. | 7 848     | 11 787  | 5 237   | 100    | 723       | 25 595    | 100    |
| 1929/30 ... .. | 9 367     | 11 109  | 4 681   | 89     | 856       | 26 013    | 102    |
| 1934/35 ... .. | 10 634    | 10 887  | 5 647   | 108    | 978       | 28 146    | 110    |
| 1939/40 ... .. | 13 565    | 17 528  | 8 450   | 161    | 1 531     | 41 074    | 161    |
| 1944/45 ... .. | 15 251    | 28 878  | 11 549  | 221    | 2 195     | 57 873    | 226    |
| 1949/50 ... .. | 21 096    | 41 062  | 13 711  | 262    | 3 019     | 78 888    | 308    |
| 1953/54 ... .. | 23 737    | 47 709  | 16 827  | 321    | 3 912     | 92 185    | 360    |

\*Index 1925 = 100

Source: Adapted from Burrows (1959, p. 151).

The total labour force employed in manufacturing industry increased over the period 1925-1954 by some 66 000 workers, with White workers increasing by 16 000, Africans by 36 000, Indians by nearly 12 000 and Coloureds by 3 000. Although Indian employment in manufacturing expanded noticeably this was by no means a uniform expansion, and especially in the years 1924-30 the table shows an absolute decline. And they experienced a slight decline relative to Coloured and African employment in manufacturing over this period. The proportion of Indian women in manufacturing employment in Natal was small, being 3% in 1936 and no more than 4% in 1946 (Burrows 1959, p. 133.)

An analysis of the distribution of workers by type of industry for 1953/54 (Table 2.8) reveals the heavy concentrations of Indians in the clothing industry (in which they outnumber other groups) and significant numbers in the engineering (metal), food, paper and furniture industries. This sectoral concentration of Indian workers in 1953/54 was virtually the same throughout the 1930's and 1940's (Katzen 1961, Appendices).

Table 2.8: Distribution of Workers by Class of Industry According to Race, Greater Durban, 1953/54

| CLASS          | EUROPEANS |     | NATIVES |     | INDIANS |     | COLOUREDS |     | ALL RACES |     |
|----------------|-----------|-----|---------|-----|---------|-----|-----------|-----|-----------|-----|
|                | No.       | %   | No.     | %   | No.     | %   | No.       | %   | No.       | %   |
| Clothing, etc. | 1 627     | 7   | 5 473   | 12  | 6 759   | 40  | 2 129     | 54  | 15 988    | 17  |
| Construction   | 3 330     | 14  | 10 369  | 22  | 609     | 4   | 197       | 5   | 14 505    | 16  |
| Chemicals      | 4 297     | 18  | 7 354   | 15  | 673     | 4   | 137       | 4   | 12 461    | 14  |
| Engineering    | 3 277     | 14  | 5 907   | 12  | 1 306   | 8   | 526       | 13  | 11 016    | 12  |
| Food           | 1 760     | 7   | 5 917   | 12  | 2 387   | 14  | 103       | 3   | 10 167    | 11  |
| Transport      | 1 785     | 8   | 2 624   | 6   | 335     | 2   | 538       | 14  | 5 282     | 6   |
| Paper          | 1 530     | 6   | 1 452   | 3   | 1 320   | 8   | 45        | 1   | 4 347     | 5   |
| Furniture      | 821       | 4   | 1 567   | 3   | 1 485   | 9   | 72        | 2   | 3 945     | 4   |
| Others         | 1 388     | 6   | 2 556   | 5   | 1 861   | 11  | 146       | 4   | 5 951     | 6   |
| Total, Private | 19 815    | 83  | 43 219  | 91  | 16 735  | 99  | 3 893     | 100 | 83 662    | 91  |
| Total, Public  | 3 922     | 17  | 4 490   | 9   | 92      | 1   | 19        | 0   | 8 523     | 9   |
| TOTAL          | 23 737    | 100 | 47 709  | 100 | 16 827  | 100 | 3 912     | 100 | 92 185    | 100 |

Source: Burrows (1959, p. 183).

A more detailed picture of the changes in and composition of the Indian labour force in the major branches of manufacturing between 1917-1946 is shown in Table 2.9. Although these figures relate to the whole of South Africa they nevertheless reflect, with fair accuracy, the pattern for Natal and Greater Durban, as between 65-70 per cent of all Indians employed in manufacturing over the period were so employed in the Greater Durban area.<sup>21</sup>



Table 2.9: The Composition of the Indian Labour Force in Major  
Branches of Manufacturing in South Africa 1917-1946

| Class of Industry              | 1917   | 1929  | 1936   | 1946   |
|--------------------------------|--------|-------|--------|--------|
| I Raw materials                | 95     | 226   | 173    | 140    |
| II Stone, clay, etc.           | 447    | 385   | 363    | 743    |
| III Wood                       | 581    | 400   | 584    | 809    |
| IV Metals, engineering         | 645    | 621   | 957    | 1 176  |
| V Food, drink & tobacco        | 7 884  | 4 611 | 4 666  | 4 778  |
| VI Clothing, textiles, etc.    | 345    | 1 180 | 2 485  | 4 632  |
| VII Books, printing, etc.      | 285    | 344   | 477    | 945    |
| VIII Vehicles, etc.            | 78     | 108   | 163    | 249    |
| IX Shipbuilding                | 50     | 44    | 63     | 104    |
| X Furniture                    | 313    | 505   | 581    | 1 182  |
| XI Chemicals, etc.             | 1 214  | 542   | 437    | 758    |
| XII Surgical instruments, etc. | --     | --    | --     | 2      |
| XIII Jewellery, etc.           | 31     | 3     | 6      | 26     |
| XIV Heat, light, & power       | 102    | 117   | 136    | 260    |
| XV Leather & leatherware       | 139    | 306   | 650    | 1 863  |
| XVI Building & contracting     | 86     | 98    | 269    | 107    |
| XVII Miscellaneous             | 18     | 38    | 255    | 245    |
| Total                          | 12 313 | 9 528 | 12 265 | 17 620 |

Source: Industrial Censuses, 1917, 1929, 1936, 1946.

The above table indicates that the food industry - mainly workers in the sugar mills outside Greater Durban - remained despite a fall in numbers the largest employer of Indian workers in South Africa during the period. There was a noticeable decline in Indian employment in the chemical industry, but a large increase in the clothing and textile sector.

In general there appears to have been a substantial increase in Indian wage employment in the manufacturing sector especially after the Great Depression (9 528 in 1929 as against 17 620 in 1946 for South Africa as

a whole) with the clothing/textile, metal/engineering, books/printing, furniture and leather industries being the main sub-sector sources of new employment. Indian employment in manufacturing continued to increase between 1946 and 1960 with total employment rising from 17 620 in 1946 to 22 005 in 1951 and 31 642 in 1960 (Arkin, 1981, p. 299). By 1960 the major branches of manufacturing in which Indians were employed remained the same as those for 1946 - food (6 813), textiles (2 538), clothing and footwear (12 244), furniture (1 381) and paper and printing (2 267). Clothing and footwear had, by 1960, replaced 'food' as the leading sector of 'Indian' manufacturing employment. That Indians were mainly wage earners is confirmed by Table 2.10 which shows that 96,0 per cent of Indians engaged in the manufacturing industry in greater Durban in 1952/3 were wage-earners, as against 1,8 percent who were working proprietors and 2,2 per cent in managerial positions.

Table 2.10: Grades of Employment of Workers in Manufacturing Industries in Greater Durban, 1952/53

| RACIAL GROUP | WORKING PROPRIETORS |     | MANAGERS, CLERICAL |       | WAGE EARNERS |        | TOTAL WORKERS |        |
|--------------|---------------------|-----|--------------------|-------|--------------|--------|---------------|--------|
|              | No.                 | %   | No.                | %     | No.          | %      | No.           | %      |
|              | Europeans           | 393 | 1,7                | 7 244 | 31,2         | 15 563 | 67,1          | 23 200 |
| Natives      | 1                   | 0,0 | 230                | 0,5   | 46 436       | 99,5   | 46 667        | 100,0  |
| Indians      | 292                 | 1,8 | 354                | 2,2   | 15 517       | 96,0   | 16 163        | 100,0  |
| Coloureds    | 3                   | 0,1 | 11                 | 0,3   | 3 651        | 99,6   | 3 665         | 100,0  |
| All Races    | 689                 | 0,8 | 7 839              | 8,7   | 81,167       | 90,5   | 89,695        | 100,0  |

Source: Adapted from Burrows (1959, p. 188).

The question of the size of firms is also of some importance. It is evident that over this period there was a steadily increasing concentration of manufacturing employment in a small number of larger firms in this region so that by 1952/3 only 14 per cent of all firms employed over 100 workers each and yet employed 73 per cent of the manufacturing labour force; and 30 firms (2,2 per cent of the total)

accounted for a third of all the workers, with an average of over a thousand workers per establishment (see Table 2.11) below.

Table 2.11: Number and Size of Manufacturing Industries in Greater Durban, 1952/53

| SIZE OF ESTABLISHMENT (WORKERS) | ESTABLISHMENTS |       |       | WORKERS EMPLOYED |       |       | AVERAGE SIZE |
|---------------------------------|----------------|-------|-------|------------------|-------|-------|--------------|
|                                 | No.            | %     | Cu. % | No.              | %     | Cu. % |              |
| 1 000 and over                  | 9              | 0,7   | 0,7   | 15 249           | 17,0  | 17,0  | 1 694        |
| 501 - 1 000                     | 21             | 1,5   | 2,2   | 14 991           | 16,7  | 33,7  | 714          |
| 401 - 500                       | 10             | 0,7   | 2,9   | 4 634            | 5,2   | 38,9  | 463          |
| 301 - 400                       | 18             | 1,3   | 4,2   | 6 850            | 7,6   | 46,5  | 381          |
| 201 - 300                       | 39             | 2,9   | 7,1   | 9 708            | 10,8  | 57,3  | 249          |
| 101 - 200                       | 93             | 6,9   | 14,0  | 14 200           | 15,8  | 73,1  | 153          |
| 51 - 100                        | 138            | 10,2  | 24,2  | 9 624            | 10,7  | 83,8  | 70           |
| 21 - 50                         | 243            | 17,9  | 42,1  | 8 070            | 9,0   | 92,8  | 33           |
| 11 - 20                         | 225            | 16,6  | 58,7  | 3 351            | 3,7   | 96,5  | 15           |
| 5 - 10                          | 320            | 23,6  | 82,2  | 2 301            | 2,6   | 99,2  | 7            |
| Under 5                         | 242            | 17,8  | 100,0 | 717              | 0,8   | 100,0 | 3            |
| TOTAL                           | 1 358          | 100,0 | -     | 89 695           | 100,0 | -     | 66           |

Source: Burrows, (1959, p. 187).

The larger establishments were to be found in the public sector, (Burrows 1959, p.188) chemicals, food, clothing and construction, with the smallest average sizes in transport, furniture and metal/engineering. However, these were early days in the path to concentration, rationalisation and monopolies. And many of the industries in which Indian workers were being organised, especially in the 1930's and 1940's, were still characterised by a preponderance of small firms each with a small labour force - a factor which militated against working class organisation and cohesiveness. For private industries in the Durban-Pinetown region the average size of firms was 36 in 1929/30, 40 in 1939/40 and 57 in 1949/50 (Katzen, 1961, p. 17).

The structural change in the South African economy after the First World War, which was marked by the rapid growth of the manufacturing sector (*vis à vis* agriculture and mining), created the basis for an increase in the employment of factory or production workers. Given this shift it was, however, as Arkin points out (1981, p.185), a change in the labour process (i.e. in the techniques of manufacturing production) which formed one of the chief reasons for Indians increasingly entering industrial employment during the period 1911-1946. There was over this period a tendency towards the splitting up of more complex operations, requiring highly skilled manpower, into a number of relatively simple tasks undertaken by semi-skilled operatives. Jon Lewis (1982, p. 94/5) also makes the point that by the mid-twenties the traditional division of labour in manufacturing between skilled and unskilled workers had broken down especially in the consumer product industries, where labour processes began to be re-organized on the basis of semi-skilled operative labour. Industries such as the manufacture of footwear and clothing especially were built on the foundation of semi-skilled operators who were efficient in a single task only. And it was as semi-skilled operators in the rapidly expanding secondary industry sector that large numbers of Indians found employment.

Data on the skill composition of Indian workers in the 1930's and 1940's may be gathered from the results of investigations undertaken by the Wage Board in respect of various industries in which wage determinations were made during the period 1937-1948.<sup>22</sup> The findings were that Indian workers were evenly distributed between the three skill groups - 32,5 per cent skilled, 31,7 per cent semi-skilled and 35,8 per cent unskilled - as compared to Coloureds (55,3 per cent unskilled), Africans (83,5 per cent unskilled) and Whites (2,1 per cent unskilled). However, it may be justifiably claimed that not all of the classes regarded by the Wage Board as skilled are in fact skilled. Their classification of skilled workers included waiters, cooks, weavers, bakers, hairdressers, motor vehicle drivers, mechanics, blockmen, clerks and slaughtermen who should more accurately be classified as semi-skilled. If we downgrade at least some of these classes into the semi-skilled category, and some they regarded as semi-skilled (such as bakers and confectioners assistants, liftmen,

pages and valets) into the low skill group, a more accurate picture of the skilled composition of Indian workers in this period emerges - one in which the overwhelming majority were either semi-skilled or unskilled.

It was from these ranks of mainly semi-skilled, unskilled and newly proletarianized workers that the new industrial unions emerged in the 1930's and 1940's. With no 'formal' skills or craft traditions these workers more easily "embraced the logic of open industrial unionism" (Lewis, 1982, p. 16).

The major structural changes which emerged and began to interact with one another in the early decades of this century, and their implications for Indian workers and trades unionism may now be summarised. They were:

1. a shift in emphasis toward industrialization especially consumer goods industries, in the post 1918 South African economy and a relative decline in the importance of agriculture and mining;
2. a decline in Indian employment in agriculture, especially those under contract employment as fieldworkers in the sugar estates;
3. a decline in Indian employment in the collieries of Natal;
4. a decline (albeit uneven) in the employment of Indian workers in the public services sector;
5. an increasing movement of Indian workers into the industrial economy of the Greater Durban region and especially into such sub-sectors as food, clothing, textiles, metal, furniture and paper particularly after the Great Depression;
6. a gradual tendency towards an increasing concentration of employment in a few large companies, though this was less apparent in the 1930's and 1940's, and
7. the increasing use of semi-skilled operatives in place of skilled craftsmen in industry.

By the mid-thirties onwards, therefore, more and more Indians were being propelled into urban wage labour in secondary industry. As Swan comments "particularly during and after the Great Depression the descendants of the indentured immigrant community were powerless to prevent their being pushed out of the countryside into urban wage labour with increasing rapidity" (1984, p. 258). Not all, however, were successful in finding urban wage employment for the increasing dependence upon wage labour meant, as Smith comments (1950, p. 79), "an increasing subjection to the economic contingencies such as involuntary unemployment [which] have come to characterize the individualistic capitalist organizations of society". Thus to the structural changes of a mainly sectoral nature just summarized, one needs to add two further conditions that are important in understanding and explaining the emergence of a trades union movement in Durban. These relate to unemployment and low pay, as our inquiry has revealed that low pay and the constant threat of unemployment (over this period) were significant factors which, by contributing to the general instability of the lives of these workers, stimulated the formation of unions as defensive organs of this emerging working class.

## 2.6 Unemployment and Low Wages (1930-1950)

Information on Indian unemployment in Natal in the 1930's and 1940's is sketchy to say the least. Burrows reports (1952, p. 25) that there were 2 456 Indians unemployed for at least part of 1936 (an unemployment rate of 3,6 per cent as against 3,1 per cent for Whites and 3,8 per cent for Coloureds). This unusually low rate does not tie in well with evidence from other sources and, since it relates to one year only, it is, by itself, an inadequate indicator of unemployment over the period of the study.

Unemployment statistics by race and region, especially prior to 1946/7 are for various reasons<sup>23</sup> also far from reliable. Nevertheless applications by Whites for employment through Government labour exchanges between 1930-1940 (Table 2.12) are much higher than Burrows' figure of 3,1 per cent suggests. Although those applications include monthly re-registrations and apply for the whole year, they nonetheless indicate that the problem of White unemployment was much more severe than 3,1 per cent.

Table 2.12: Application by Whites for Employment through Government  
Labour Exchanges. South Africa 1930-1940 (as at 30 Sept)

| Year | No. of Applications | % of EA White<br>Population |
|------|---------------------|-----------------------------|
| 1930 | 81 042              | 12,4                        |
| 1931 | 120 021             | 17,9                        |
| 1932 | 174 442             | 25,5                        |
| 1933 | 187 924             | 27,0                        |
| 1934 | 149 516             | 21,0                        |
| 1935 | 119 218             | 16,4                        |
| 1936 | 95 888              | 12,9                        |
| 1937 | 96 784              | 12,8                        |
| 1938 | 79 985              | 10,4                        |
| 1939 | 82 200              | 10,5                        |
| 1940 | 78 325              | 9,8                         |

Source: Official Yearbooks of the Union of South Africa 1930-1941  
S.A. Statistics (various issues).  
Bell (1984, p. 2).

There is no reason to believe that the relative magnitude of the problem was any less severe for Indians, especially in view of the civilized labour policy which encouraged the employment of Whites in government and parastatal institutions. Applications for employment through government exchanges for 'Coloureds and Asiatics' in the Durban area are intermittently available for the years 1940-50, and are presented in Table 2.13 below:

TABLE 2.13 : APPLICATIONS FOR EMPLOYMENT THROUGH GOVERNMENT EXCHANGES  
COLOURED AND ASIATICS - DURBAN 1940-1950

| Year | No.   | Year | No.    |
|------|-------|------|--------|
| 1940 | 2 389 | 1946 | 5 614  |
| 1941 | 3 122 | 1947 | 17 192 |
| 1942 | N/A   | 1948 | 41 928 |
| 1943 | N/A   | 1949 | 31 928 |
| 1944 | 3 188 | 1950 | 40 591 |
| 1945 | 4 913 |      |        |

Source: Official Yearbooks of the Union of South Africa.  
Various Issues.

Two qualifications need to be made in interpreting these figures:

1. the number of applications includes monthly re-registrations and applies to a whole year rather than to a particular date. These numbers thus exceed the number who were actually unemployed at any time during each year; and
2. the numbers include 'Coloured' applications. However for Durban with its relatively small Coloured population, it can be assumed that the majority of these applications were lodged by Indians.

Neither of these qualifications affect the conclusion that despite the increased pace of economic activity during the war years thousands of Indians were unemployed and therefore sought employment via the government labour exchanges. The table reveals that applications for employment escalated sharply in the years following World War II, as registration became compulsory in 1947 under the Unemployment Insurance Act of 1946 (as amended). This clearly indicates that the figures for the years prior to compulsory registration understate the extent of unemployment measured in this way. In other words the applications for employment would have been much higher had registration been compulsory for those years too.

That Indian unemployment was indeed a serious problem from at least 1925, when Indian employment in manufacturing in Greater Durban actually fell from 5 237 to 4 681 (see Table 2.7), when urbanization grew rapidly and when agricultural employment fell, is borne out by other studies and reports of that period.

In her draft report on Indian unemployment to the Indo-European joint Council Mrs Mabel Palmer admitted that it was impossible to give figures showing the unemployment rate among Indians.<sup>24</sup>

[There is] no [unemployment] insurance (save in printing trades), no labour bureaux, no poor laws, no juvenile affairs board; we can get neither absolute nor relative figures covering [the] whole ground for [the] amount of unemployment among Indians in Durban but have no hesitation in regarding it as severe.



Following a mass meeting of unemployed Indians held under the auspices of the Natal Indian Congress on Sunday Sept 30, 1931, an unofficial labour bureau was opened.<sup>25</sup> Within days 2 000 Indians 'registered' as unemployed, the largest number being waiters, urban labourers, furniture makers and factory hands. The full list of unemployed Indians registered (by occupation) was: tinsmiths 99; vanmen 6; clerks 92; factory hands 144; barbers 66; bakers and confectioners 11; laundrymen 61; motor drivers 71; furniture makers 165; shop assistants 44; butchers 7; printers 39; painters 59; labourers 214; tailors 12; waiters 401; jewellers 5; shoemakers 6; policemen 3; bricklayers and carpenters 26; teachers 16.<sup>26</sup>

The annual reports of the Protector of Indian Immigrants<sup>27</sup> provide further evidence of the seriousness of the unemployment problem. In 1932 he reported that "owing to bad times many Indians have been thrown out of employment and the number of unemployed is becoming very large". And in 1936: "There are still a great number of Indians out of employment especially in and around Durban; 129 are employed on the Municipal Relief Works". In 1941 he noted that:

the number of unemployed amongst the Indian population is large and there are many cases of destitution amongst them ... the question of unemployment for the young men leaving schools and Sastri College is becoming a big problem ...

Joshi (1942, p. 186) reports job losses among Indian workers for the early 1930's of 700 in the collieries, 542 in the railways, 32 in the police service, 200 in the laundry trade, 100 in printing and 300 in the furniture industry.

The poverty and destitution following in the wake of this unemployment of the 1930's and 1940's is reflected in Gell's findings (1955, p. 40) that 70 per cent of Durban Indians lived below the poverty line in 1944 compared with 5 per cent of the Whites, 38 per cent of the Coloureds and 25 per cent of Africans.

Contributing to this poverty and destitution were problems arising from low wages. In 1941 the Department of Labour (UG 45, 1941) reported that of the highly industrialised centres, Durban was the lowest wage

area. As will become clear, the wages of many Indian industrial and commercial workers in Greater Durban were extremely low, so much so that the issue of low wages remained (throughout the period covered in the study) among the major priorities of the emerging Indian trades unions. Thus in addressing the annual conference of the South African Trades and Labour Council (Ambag, April 1945), a Durban trade unionist, Mr E. Shanley, commented that there was no improvement in the wages of unskilled workers in Durban (measured in real terms) between 1938-1945, and added that the trades union movement had to consider seriously the question of raising the wages of low paid workers. Mr Shanley's statistics reveal that their average monthly wage was £4.6s 8d in 1938 and £4.3s in 1945. Research conducted by the Inter-racial Study Group came to the conclusion that the 'bare minimum' income for an Indian family of five (in 1938) was £5 per month and the 'minimum of comfort' income for this category was £15 per month.<sup>28</sup> According to this study, 40% of Indian families in Durban were living below the minimum figures. Even allowing for three earners per family, the total family income (on average over this period) was lower than the 'minimum of comfort level'. The repeated demands of trades unions for wage board investigations into the wages and working conditions of lower paid (unskilled) workers led to some improvement in wage rates for specific industries. Table 2.14 indicates some of these improvements in the basic monthly wages of unskilled municipal employees (nearly all

Table 2.14: Basic Wages of Durban Municipal Employees

1938 - 1945 (per month)

|                     |         |                                     |   |   |   |   |
|---------------------|---------|-------------------------------------|---|---|---|---|
| Prior to Jan. 1938  | £2.0.1. | plus rations and quarters           |   |   |   |   |
| From Jan. 1938      | £2.3.11 | "                                   | " | " | " | " |
| From Oct. 1940      |         |                                     |   |   |   |   |
| (Wage Det. No. 72)  | £3.18.0 | £1.1.8 deducted for board & lodging |   |   |   |   |
| From Aug. 1942      | £5.11.4 | "                                   | " | " | " | " |
| From Dec. 1945      |         |                                     |   |   |   |   |
| (Wage Det. No. 130) | £6.4.7  | £1.6.0                              | " | " | " | " |

Source: Dimes Memoranda (revised) dated 7/4/48.

TUCSA Papers AH 646. Da. 5. Wits University.

Indians) in Durban between 1938 and 1945. Two of these improvements followed wage board investigations.

Burrows (1952, pp. 17-18) has shown (see Table 2.15) that the average annual wages in the more important sectors of increasing Indian employment rose steadily between 1929/37 and 1951. However although such a marked rising trend is evident from his figures certain problems arise in their interpretation:

1. they do not relate to the wages of Indian workers only;
2. it is not clear whether they refer to real or money wages and, if the latter, they would in the main reflect no more than the prevailing rate of inflation.
3. they cover all levels of skills - skilled, semi-skilled and unskilled workers;
4. and as Burrows himself points out (1952, p. 22) "sometimes these higher rates are more on paper than in practice, since it is not unknown for Indians to be dismissed when high wage rates become applicable to them".

TABLE 2.15: AVERAGE ANNUAL WAGES IN SELECTED INDUSTRIES  
WITH A RELATIVELY LARGE INDIAN LABOUR FORCE

| Industry          | 1929/37 | 1946 | 1951 |
|-------------------|---------|------|------|
| Wood              | £45     | £112 | £150 |
| Metal             | £68     | £145 | £175 |
| Textiles/Clothing | £74     | £148 | £182 |
| Printing          | £110    | £187 | £250 |
| Vehicles          | £71     | £161 | £190 |
| Furniture         | £136    | £235 | £250 |
| Leather           | £75     | £193 | £250 |

Source: Burrows (1952, pp. 17-18).

For all these reasons it seems likely that Burrows' figures overestimate the wages of Indian workers who were concentrated mainly in unskilled and semi-skilled occupations during this period. That the wages of unskilled workers were very much lower than Burrows' figures is evident from Table 2.16 which shows the weekly minimum wages of unskilled workers in selected industries in Durban as at 30 June 1944<sup>29</sup>. The average annual wage derived from these figures is no more than c£72 which, even allowing for the insignificant two-year time difference, is about half of Burrows' average figure for 1946. The average gross annual wage of the mainly unskilled Indian workers in municipal employment in December 1945, as determined by the Wage Board Determination No. 130 (see Table 2.14), is +£74 which supports the figure given in Table 2.16(below).

These wage rates were clearly inadequate as an investigation into the health and housing conditions of workers in the furniture and garment industries in Durban in 1943 by a group of doctors and trades union officials reveals. The report (Daily News, 4.9.43) reflects a deplorable state of affairs among the lower paid groups in these industries, which were major employers of Indian labour. Many of these workers, the report indicates, were necessities of life which are necessary for health and resistance to disease" (ibid). And referring specifically to Indians, Swan comments

that hemmed in by the civilised labour policy and by grossly inadequate educational facilities [see Appendix C.3] the majority of the Indian workforce remained unskilled labourers at the lowest levels of the wage spectrum (1982, p.9).

TABLE 2.16: Weekly Minimum Wages - Unskilled Workers in Selected Industries: Durban June 1944

| Industry                          | Wage    | Industry                      | Wage    |
|-----------------------------------|---------|-------------------------------|---------|
| Bag-making                        | £1.5.0  | Mineral Water (WB)            | £1.2.0  |
| Baking                            | £1.4.0  | Motor Engineering             | £1.3.0  |
| Brush & Broom (WB)                | £1.2.0  | Paint & Polish (WB)           | £1.3.0  |
| Building (WB)                     | £1.8.11 | Printing                      | £1.17.3 |
| Chemical (WB)                     | £1.4.0  | Rubber manufacturing          | £1.10.0 |
| Clothing                          | £1.4.0  | Soap & Candle (CB)            | £1.10.0 |
| Commercial &<br>distributive (WB) | £1.10.0 | Sugar Industry (WB)           | £1.7.8  |
| Furniture                         | £1.10.0 | Sweet manu=<br>facturing (WB) | £1.8.6  |
| Laundries (WB)                    | £1.7.6  | Tea, Coffee,<br>Chicory (WB)  | £1.4.0  |
| Leather                           | £1.12.6 | Tobacco (WB)                  | £1.4.0  |
| Liquor & Catering                 | £1.5.5  |                               |         |

WB = Wage Board determination

WM = War Measure regulation

CB = Conciliation Board

Source: Department of Labour Circular (adapted)

SAIRR papers: AD 843. B.95(6) Wits University.

These extremely inadequate wage rates, applicable to unskilled workers, were an important factor contributing to the growth of trades unions in Natal from about the mid-1930's. Thus in reviewing the origin and development of the Tin Workers' Union the editors of the 25th Souvenir Brochure of the Union comment (1962, p.1)

the wages and conditions of work were regulated by the employers with the workers having no say in the matter whatsoever. The workers employed at the Durban Falkirk Industries struck for better wages in 1937. They stood solidly together and they were an inspiration to all workers who were toiling under severe hardships.

[And] inspired by the struggle of the Durban Falkirk workers, leading workers in the tin industry came together and decided to form a union ... The union wasted no time in the general mobilization of the workers for the fight for increased wages and improved conditions of work.

From both the records of unions meetings and oral evidence it is clear that the issue of wage increases dominated union discussions and debates through the decades of the 1940's and 1950's. As our analysis of worker action will show, many of the strikes which occurred in this period arose out of conflicts over wage issues.

## 2.7 SUMMARY

Changes in the structure of the South African economy in the years following World War I, and which manifested themselves principally in a shift towards industrialization, began to have their most decisive impact on the economy of Natal especially after the Great Depression. The Indian population of the province, originally introduced into its economy as sugar field workers in 1860, found themselves having to adapt rapidly to the changes. There followed in the inter-war period a rapid urbanization of Indians as (for reasons outlined earlier) Indian employment in agriculture declined markedly. After 1935 Indian employment in secondary industries such as food, clothing, textiles, metal and furniture as well as in commercial and some service sectors increased, although wage rates applicable to the mainly semi- and unskilled jobs in the sectors were low and unemployment remained a serious problem even during the years of the war.

These changes had important implications for the emergent Indian working class and for the formation and development of their labour organisations in the Durban industrial core. For industrialisation, urbanisation, skill-acquisition and the general instability of economic and social conditions, led directly to the formation by this emerging Indian working class of defensive organisations which would express

directly the demands and even the aspirations - however tentative - of this class. These formal expressions were concomitant with developments taking place nationally.

For the country as a whole the war years (1939-1945) witnessed a tremendous spurt in trades union organisation and activity. Union membership rose from 264 000 in 1939 to 410 000 in 1945, with the number of registered unions rising from 139 to 203. Both organised and unorganised workers struck work on the docks, railways, coal mines, sugar estates, municipal services, dairies, laundries and factories (Simons and Simons, 1983, pp. 554-5). And further, 304 strikes involving 58 000 Africans, Coloureds and Indians and 6 000 Whites were reported in the years 1939-45 compared to 197 strikes in the preceding 14 years.

These nationwide trends are discernible in Indian labour organisations and worker action in and around Durban in this period, as numerous unions were formed, defunct unions revived and workers struck work in various industries - the most important being in the iron and steel (1937), rubber (1942/3) and laundry industries (1945/6). These developments and the formation and organisational structure of such unions and worker action, form the subject of the following two chapters.

CHAPTER THREEUNIONS, GROWTH AND STRUCTURE3.1 Introduction

The expansion of industrial employment and the stimulus provided by the Second World War, coupled with other forces already analysed in Chapter Two, led to an upsurge in trades union organisation in the years after the Great Depression. The way in which these forces operated to encourage trade union growth in Durban/Natal is evident from Table 3.1 which shows the number of unions (with Indian members) registered or established in each year in the period 1930-1950. Whereas no new unions were registered/established in the years 1931- 1933, at least 43 unions with Indian membership were registered/ established between 1934-45, seven in 1941 alone.<sup>1</sup> There was also a sudden decline in the number of new unions registered/ established after 1945.<sup>2</sup>

Table 3.1 : Number of Unions (with Indian Members) Established/  
Registered Per Year Between 1930-1950. Durban/Natal

| Year | No. (Per Year) | Year | No. (Per Year) |
|------|----------------|------|----------------|
| 1930 | 1              | 1941 | 7              |
| 1931 | -              | 1942 | 4              |
| 1932 | -              | 1943 | 4              |
| 1933 | -              | 1944 | 4              |
| 1934 | 3              | 1945 | 4              |
| 1935 | 3              | 1946 | -              |
| 1936 | 1              | 1947 | 1              |
| 1937 | 5              | 1948 | 2              |
| 1938 | 5              | 1949 | -              |
| 1939 | 2              | 1950 | -              |
| 1940 | 1              |      |                |

Source: Derived from Table 3.2 below and therefore includes only those unions whose dates of establishment/registration are known. Where both the dates of establishment and registration are known and differ the date of establishment has been used in the compilation of this table.



### 3.2 Schedule of Trades Unions with Indian Members (1930-1950)

A more complete schedule of trades unions in Natal with Indian membership is presented in Table 3.2. This schedule includes those unions known to have been established/registered or which were in existence (having been formed earlier) for some time in the period 1930-1950. The unions are listed chronologically according to the dates of establishment/registration. Where possible the schedule also shows:

- (i) The names of the unions.
- (ii) What type of unions they were, e.g. industrial or craft.
- (iii) Dates of establishment/registration.
- (iv) Dates of de-registration, dissolution or when the union went defunct.
- (v) Membership figures by 'race'.

### 3.3. Size Distribution of Unions (Indian Members, 1943)

Table 3.3 provides some indication of the Indian membership of the trades unions operative in Durban in this period. These figures have been derived from a schedule of trades unions (with Indian membership) in Durban supplied to Parliament by the Minister of Labour in February 1943. Therefore this Table (3.3) does not include all the unions listed in Table 3.2 but only those in existence in February 1943. This schedule supplied by the Minister of Labour is in any event the most uniform and complete source from which Indian membership figures are available. The table, which has been re-arranged in descending order of size, at the same time serves as a summarised version of the data presented in Table 3.2.

TABLE 3.2

TRADES UNIONS IN NATAL WITH INDIAN MEMBERSHIP<sup>1</sup>

(includes all those trades unions known to have been established or registered or in existence for some time in the period 1930-1950)

| NO. | NAME OF UNION  | TYPE | DATE OF ESTABLISHMENT              | DATE OF REGISTRATION          | DATE DISSOLVED OR DEREGISTERED | MEMBERSHIP                          |  |                                    | TOTAL                                   |
|-----|--|------|------------------------------------|-------------------------------|--------------------------------|-------------------------------------|--|------------------------------------|---|
|     |  |      |                                    |                               |                                | WHITE                               | INDIAN                                 | COLOURED                           |   |
| 1.  | NATIONAL UNION OF LEATHERWORKERS<br>(a) a parallel union for Africans was established in 1946<br>(b) membership figures for Durban only  | I    | 1924                               | 16/3/1926                     |                                | 409(1943)<br>278(1948)              | 1017(1943)<br>2214(1948)               | 99(1943)<br>114(1948)              | (p) 40(1943)<br>738(1948)               |
| 2.  | FURNITURE WORKERS INDUSTRIAL UNION   | I    | 1926                               | 16/3/1926                     |                                | 268(1940)<br>53(1943)<br>99(1948)   | 470(1940)<br>340(1943)<br>869(1948)    | 110(1940)<br>21(1943)<br>14(1948)  | (p) 108(1940)<br>645(1943)<br>694(1948) |
| 3.  | DURBAN AND DISTRICT TOBACCO WORKERS UNION<br>(a) part of the Natal Workers Congress<br>(b) later becomes the Tobacco Workers Union   |      | c1928                              | 30/4/1929                     |                                |                                     |  |                                    |   |
| 4.  | DURBAN AND DISTRICT BAKERS UNION<br>(a) part of the Natal Workers Congress   |      | 1928                               |                               |                                |                                     |  |                                    |   |
| 5.  | DURBAN AND DISTRICT AMALGAMATED UNION OF LAUNDRY AND DRY CLEANING EMPLOYEES<br>(a) part of the Natal Workers Congress  | I    | 1928                               | 31/12/1934                    | deregistered<br>1936           |                                     |  |                                    |   |
| 6.  | NATAL LIQUOR AND CATERING TRADES EMPLOYEES UNION<br>(a) part of the Natal Workers Congress<br>(b) originally formed with only Indian members but later merged with a "white union", the Durban Hotel Employees Union (1919) to form one union for the whole trade. | I    | 24/6/1928                          |                               |                                | 300(1940)<br>392(1940)<br>547(1948) | 1026(1940)<br>2115(1943)<br>2600(1948) | 24(1940)<br>35(1943)<br>89(1948)   | (p)<br>800(1948)                        |
| 7.  | DURBAN TINSMITHS AND TRUNK MAKERS UNION<br>(a) part of the Natal Workers Congress  |      | c 1928                             | 12/8/1929                     | deregistered<br>12/3/1934      |                                     |  |                                    |   |
| 8.  | SOUTH AFRICAN TYPOGRAPHICAL UNION<br>(a) incorporates Indian Printers Union in 1929, although formed in 1889<br>(b) 1943 membership figures for Durban only  | I    | (1889) Indian membership from 1929 | 15/10/1924<br>(Durban branch) |                                | 582(1943)<br>1754(1948)             | 489(1943)<br>12(1948) <sup>2</sup>     | 12(1943)                           |   |
| 9.  | DURBAN AND DISTRICT GARMENT WORKERS UNION<br>(a) later becomes Garment Workers Industrial Union (Natal)  | I    | 1930                               |                               |                                |                                     |  |                                    |   |
| 10. | TEXTILE WORKERS INDUSTRIAL UNION (NATAL)<br>(a) becomes a branch of the Textile Workers Industrial Union in South Africa in 1936   | I    |                                    | 18/9/1934                     | deregistered<br>3/1936         |                                     |  |                                    |   |
| 11. | GARMENT WORKERS INDUSTRIAL UNION (NATAL)<br>(a) 1943 membership figures for Durban only  | I    | 1934                               | 31/12/1934                    |                                | 556(1940)<br>340(1943)<br>272(1948) | 711(1940)<br>952(1943)<br>1687(1948)   | 559(1940)<br>648(1943)<br>31(1948) | (p) 287(1940)<br>213(1948)              |
| 12. | DURBAN IMPROVEMENT WORKERS UNION   |      |                                    | 31/12/1934                    |                                |                                     |  |                                    |   |
| 13. | TEXTILE WORKERS INDUSTRIAL UNION OF SOUTH AFRICA (NATAL BRANCH)<br>(a) registration scope becomes nationwide in 1936 - formed as Transvaal Branch in 1935<br>(b) absorbs TWIU of Durban membership   | I    |                                    | 1935<br>(Tvl.)                |                                | 284(1940)<br>108(1943)<br>80(1948)  | 293(1940)<br>535(1943)<br>700(1948)    | 7(1943)<br>8(1948)                 | (p) 168(1940)<br>304(1943)<br>112(1948) |
| 14. | DURBAN INDIAN MUNICIPAL EMPLOYEES SOCIETY  | E/M  | 4/1935                             | 11/6/1936                     |                                |                                     | 1600(1940)<br>2450(1943)<br>2334(1948) |                                    |   |
| 15. | NATAL HAIRDRESSERS EMPLOYEES INDUSTRIAL UNION<br>(a) We cannot be certain that this union had Indian membership  |      |                                    | 1935                          |                                |                                     |  |                                    |   |
| 16. | SOUTH AFRICAN RAILWAYS AND HARBOURS INDIAN EMPLOYEES UNION   | I    | 9/1936                             | 26/4/37                       | deregistered<br>23/3/45        |                                     | 450(1943)                              |                                    |   |
| 17. | CHEMICAL WORKERS INDUSTRIAL UNION<br>(a) It appears that the Durban branch was only established in 1942, although it was established on a national scale in 1937.  | I    | c1937                              |                               |                                |                                     | 139(1943)<br>220(1948)                 |                                    | (p) 700(1943)<br>1200(1948)             |

| NO. | NAME OF UNION   | TYPE | DATE OF ESTABLISHMENT              | DATE OF REGISTRATION                              | DATE DISSOLVED OR DE-REGISTERED | MEMBERSHIP                             |   |   |                              | TOTAL      |
|-----|---|------|------------------------------------|---|---------------------------------|--|---|---|------------------------------|------------|
|     |   |      |                                    |   |                                 | WHITE                                  | INDIAN                                    | COLOURED                                | AFRICAN                      |            |
| 18. | NATAL IRON AND STEEL WORKERS INDUSTRIAL UNION   | I    | 6/4/1937                           |   |                                 | +300 (1937)<br>700 (1943)              |   |   | +100 (1937)<br>647 (1943)    |            |
| 19. | SOUTH AFRICAN TINWORKERS UNION  |      |                                    | 1937 (National)<br>1939 (Durban?)                 |                                 | 350 (1940)<br>550 (1943)<br>500 (1948) | 50 (1940)<br>75 (1948)                    | (p)50 (1940)<br>65 (1943)<br>300 (1948) |                              |            |
| 20. | NATIONAL UNION OF OPERATIVE BISCUIT MAKERS AND PACKERS<br>(a) The 241 Indian members in 1948 were all employed in one factory.  | I    |                                    | 19/5/37   |                                 | 90 (1943)                              | 10 (1943)<br>241 (1948)                   |   |                              |            |
| 21. | ROPE AND MAT WORKERS INDUSTRIAL UNION   |      | 6/12/1937                          |   |                                 |  | 200 (1943)<br>400 (1948)                  |   | 90 (1943)                    |            |
| 22. | NATAL RUBBER WORKERS INDUSTRIAL UNION   | I    | 1938                               |   | effectively<br>defunct c1943    | 340 (1940)<br>155 (1943)               | 145 (1940)<br>160 (1943)                  |   | 25 (1940)<br>310 (1943)      |            |
| 23. | DURBAN INDIAN BUTCHERS EMPLOYEES UNION  |      | c1938                              |   | effectively<br>defunct by 1948  |  | 32 (1943)                                 |   |                              | 32 (1943)  |
| 24. | NATIONAL MILLING WORKERS INDUSTRIAL UNION<br>(a) 1943 membership figures for Durban only.   | I    |                                    | 18/6/1938   |                                 | 15 (1943)<br>24 (1948)                 | 56 (1943)<br>37 (1943)                    |   |                              |            |
| 25. | SOUTH AFRICAN ELECTRICAL WORKERS ASSOCIATION  | C    |                                    | c1938   |                                 | 300 (1948)                             | 4 (1948)                                  |   |                              |            |
| 26. | NATAL SUGAR INDUSTRY EMPLOYEES UNION<br>(a) See Agricultural Workers Federation, formerly Natal Sugar Field Workers Union, that organised sugar-field workers.                            | I    |                                    | 15/10/1938<br>(Ringrose)<br>1939<br>(Smith p.511) |                                 |  | 2000 (1940)<br>3072 (1943)<br>2742 (1948) |   | (p)990 (1943)<br>1520 (1948) |            |
| 27. | TOBACCO WORKERS UNION<br>(a) Predecessor of Durban and District Tobacco Workers Union.<br>(b) Later incorporated as Durban branch of the National Union of Cigarette and Tobacco Workers. |      | 12/1939                            | 8/1940 (Durban)                                   |                                 |  | 160 (1943)                                |   | 1 (1943)                     |            |
| 28. | MOTOR INDUSTRY EMPLOYEES UNION  | C    | 1939                               |   |                                 | 872 (1948)                             | 24 (1948)                                 | 70 (1948)                               |                              |            |
| 29. | INDIAN DISTRIBUTIVE AND CLERICAL EMPLOYEES UNION  |      | 3/1940                             |   | effectively<br>defunct c1948    |  | 50 (1940)<br>162 (1943)                   |   |                              |            |
| 30. | SWEET WORKERS UNION<br>(a) Discrepancy in date of establishment. Ringrose gives it as registered in 1939. However the Guardian of 14/8/41 states it was formed only in May/June 1941.     |      | 1939 (Ringrose)<br>1941 (Guardian) |   |                                 |  | 60 (1943)<br>180 (1948)                   |   | (p)82 (1943)<br>70 (1948)    |            |
| 31. | BOX WORKERS UNION<br>(a) Later becomes Natal Box, Brooms and Brush Workers Union.   | I    | 4/1941                             | 24/7/1942   |                                 |  | 114 (1943)                                |   | 90 (1943)                    |            |
| 32. | SOAP AND CANDLE WORKERS UNION   |      | 4/9/41 (Durban)                    |   | effectively<br>defunct c1948    | 46 (1943)                              | 257 (1943)                                | 18 (1943)                               |                              | 321 (1943) |
| 33. | LAUNDRY, CLEANING AND DYEING EMPLOYEES UNION<br>(a) Becomes Natal branch of the National Union of Laundry, Cleaning and Dyeing Workers in 1945.   | I    | 28/11/41                           |   |                                 |  | 694 (1943)                                | 5 (1943)                                | 43 (1943)                    |            |
| 34. | NATAL BOX, BROOM AND BRUSH WORKERS UNION<br>(a) Incorporates Box Workers Union.   |      | 4/1941                             |   |                                 | (                                      | 200                                       | (1948)                                  | )                            |            |
| 35. | NATAL TEACHERS UNION<br>(a) Becomes incorporated into Natal Indian Teachers Society   |      | 1941                               | 20/1/41   | de-registered<br>26/2/45        |  | 450 (1943)                                |   |                              |            |
| 36. | TEA, COFFEE AND CHICORY WORKERS UNION<br>(a) Incorporated into the National Union of Tea and Coffee workers in 1948.  |      |                                    | 16/9/1941   | de-registered<br>4/1948         |  | 171 (1943)<br>200 (1948)                  | 1 (1943)                                | 30 (1943)                    |            |

| NO. | NAME OF UNION   | TYPE | DATE OF ESTABLISHMENT | DATE OF REGISTRATION                                   | DATE DISSOLVED OR DEREGISTERED               | MEMBERSHIP |  |            |                | TOTAL |
|-----|---|------|-----------------------|--|--|------------|--|------------|----------------|-------|
|     |   |      |                       |  |  | WHITE      | INDIAN                                 | COLOURED   | AFRICAN        |       |
| 37. | TWINE AND BAG WORKERS UNION   | I    |                       | 23/1/42  | de-registered<br>26/2/45                     |            | 340 (1943)                             |            | 225 (1943)     |       |
| 38. | PETROLEUM, LUBRICATING OILS AND INSECTICIDES EMPLOYEES UNION  |      |                       | 25/7/1942  | effectively<br>defunct c1948                 |            | 112 (1943)                             | 1 (1943)   | 400 (1943)     |       |
| 39. | NON-EUROPEAN MINeworkERS UNION  | I    |                       | 16/8/1942  | effectively<br>defunct c1948                 |            |  |            |                |       |
| 40. | NATAL NON-EUROPEAN MINeworkERS UNION  | I    |                       | 4/6/1942   | de-registered<br>June 1947                   |            |  |            |                |       |
| 41. | DURBAN NON-EUROPEAN BUS EMPLOYEES UNION   | I    |                       | 3/1943   | effectively<br>defunct c1948                 |            | 256 (1943)<br>( <del>330</del> (1948)) |            | 20 (1948)      |       |
| 42. | SHIP AND BOAT WORKERS UNION   |      |                       | c1943  | effectively<br>defunct c1948                 |            |  |            |                |       |
| 43. | PAINT, POLISH AND VARNISH WORKERS UNION   | I    |                       | 20/11/1943   |  |            | 98 (1943)                              |            | 120 (1943)     |       |
| 44. | NATIONAL BAKING INDUSTRIAL UNION<br>(a) Formerly Natal Bakers and Confectioners Employees Society that went defunct in 1938 and before this was known as Durban Baking Employees Society (1927).<br>(b) It cannot be established if these early unions had "non-white" members.     |      |                       | 1943: Moves to form a national union initiated in 1941 | 6/1943                                       |            | 95 (1948)                              | 260 (1948) |                |       |
| 45. | SOUTH AFRICAN RAILWAYS AND HARBOURS NON-EUROPEAN WORKERS UNION<br>(a) This union had African, Indian and Coloured members in Natal, and was supposed to be affiliated to a "national union". Ringrose claims that it was a union of "Natives" employed by the SAR&H administration. |      |                       | 24/6/1944  |  |            |  |            |                |       |
| 46. | MINERAL WATER WORKERS INDUSTRIAL UNION  | I    |                       | 3/9/1944   |  |            |  | 120 (1948) |                |       |
| 47. | MATCH WORKERS UNION (NATAL)   | C    |                       | 12/4/1944  |  |            | 70 (1948)                              | 102 (1948) |                |       |
| 48. | BRICK, TILE AND ALLIED WORKERS UNION  | I    |                       | 3/3/1944<br>(Durban)<br>1945 (Pmb)                     |  |            | 150 (1943)<br>( <del>300</del> (1948)) |            | (p) 500 (1943) |       |
| 49. | NATAL FOOD AND CANNING WORKERS UNION  | I    |                       | 17/3/1945  |  |            | ( <del>180</del> (1948))               |            |                |       |
| 50. | NATIONAL NON-EUROPEAN IRON, STEEL AND METAL WORKERS UNION<br>(a) Incorporated as Branch 5 of the Amalgamated Engineering Union in May 1947  | I    |                       | 7/1945   | defunct<br>5/1947                            |            |  |            |                |       |
| 51. | NATIONAL UNION OF LAUNDERING, CLEANING AND DYEING WORKERS   | I    |                       | 5/1945   | Natal Branch<br>effectively<br>defunct c1946 |            | 1 (1948)                               | 129 (1948) | 21 (1948)      |       |
| 52. | NATIONAL UNION OF COMMERCIAL TRAVELLERS<br>(a) Formerly SA Commercial Travellers Union  | C    |                       | 19/1/1945  |  |            | 220 (1948)                             | 2 (1948)   |                |       |
| 53. | AMALGAMATED ENGINEERING UNION<br>(a) Incorporates National non-European Iron and Steel and Metal Workers Union in 1947 - from which year the union had Indian members.  | I    |                       | 1918<br>Indian membership from 1947                    |  |            | 2582 (1948)<br>including<br>Coloureds  | 464 (1948) |                |       |
| 54. | NATIONAL UNION OF TEA AND COFFEE WORKERS<br>(a) See Tea, Coffee and Chicory Workers Union   | I    |                       | 1948   |  |            |  |            |                |       |
| 55. | FERTILIZER INDUSTRY EMPLOYEES UNION   | I    |                       | 31/8/1948  |  |            | 80 (1948)                              | 40 (1948)  |                |       |
| 56. | NON-EUROPEAN BUS WORKERS UNION  |      |                       | Dates unknown  |  |            |  |            |                |       |

| NO. | NAME OF UNION  | TYPE | DATE OF ESTABLISHMENT | DATE OF REGISTRATION | DATE DISSOLVED OR DEREGISTERED | MEMBERSHIP |             |           |               | TOTAL    |
|-----|--|------|-----------------------|----------------------|--------------------------------|------------|-------------|-----------|---------------|----------|
|     |  |      |                       |                      |                                | WHITE      | INDIAN      | COLOURED  | AFRICAN       |          |
| 57. | NATAL INDIAN TEACHERS SOCIETY<br>(a) See also Natal Teachers Union   |      |                       |                      | Dates unknown                  |            |             |           |               |          |
| 58. | NATAL CHEMICAL AND ALLIED WORKERS UNION  |      |                       |                      | Dates unknown                  |            |             |           |               |          |
| 59. | NATAL BISCUIT WORKERS UNION  |      |                       |                      | Dates unknown                  |            | 398(1943)   |           | 55(1943)      |          |
| 60. | NATAL PLYWOOD WORKERS UNION  |      |                       |                      | Dates unknown                  |            | 65(1943)    |           |               | 65(1943) |
| 61. | NATAL DAIRY WORKERS UNION  |      |                       |                      | Dates unknown                  |            |             |           |               |          |
| 62. | IRON MOULDERS SOCIETY  | C    |                       |                      | Dates unknown                  | 250(1948)  | 36(1948)    |           |               |          |
| 63. | FOOD, CANNING AND ALLIED WORKERS UNION   |      |                       |                      | Dates unknown                  |            | 282(1943)   |           | 251(1943)     |          |
| 64. | DUNDEE GLASS WORKERS INDUSTRIAL UNION<br>(a) This union was separated along racial lines: Whites only; and the other for Indians, Coloureds and Africans.  | I    |                       |                      | Dates unknown                  | 26(1948)   | (—1(1948)—) |           | 500(1948)     |          |
| 65. | BUILDING AND ALLIED WORKERS UNION<br>(a) Established in 1916 - but with Durban members from some time in the 1940's.<br>(b) A branch was established in Pietermaritzburg with an all race membership of 300. | C    |                       |                      | Dates unknown                  | 1310(1948) | 306(1948)   | 350(1948) |               |          |
| 66. | BUILDING WORKERS INDUSTRIAL UNION<br>(a) Only branch No.7 was open to skilled Indian carpenters, masons and plasterers.  | C    |                       |                      | Date unknown                   |            |             |           |               |          |
| 67. | BREWERY WORKERS UNION  |      |                       |                      | Dates unknown                  |            |             |           |               |          |
| 68. | AGRICULTURAL WORKERS FEDERATION<br>(a) Formerly Natal Sugarfield Workers Union<br>(b) See also Natal Sugar Industry Employees Union  |      |                       |                      | Dates unknown                  |            | 2865(1946)  |           | (p)2273(1946) |          |

KEY: I = Industrial  
G = General  
C = Craft  
E/M = Employment by Municipality  
P = Parallel

SOURCES: Ringrose (1948,1951);  
Schedule of (Indian) trade unions  
in Durban, Parliamentary Archives;  
Smith (1945); Karis & Carter Collection;  
Indian Opinion; Leader; Guardian.

#### NOTES

- The unions included in this register are those known to have been established or registered or were in existence for some time in the period 1930-1950. Those unions formed in the pre-1930 period, but as far as can be ascertained were not in existence or functioning in the years between 1930-1950 are listed in Appendix C. The only unions included are those which had Indian members, no matter how small their numbers may have been in relation to the total membership. These unions are listed according to their dates of establishment (or registration where the dates of establishment are not known.) Those unions for which we have not been able to determine dates of establishment or registration appear at the end of the list - from No.56 onwards.
- The sharp decline in the number of Indian members of the SATU resulted from the strategy of SATU, which was dominated by skilled workers, to incorporate Indian skilled printers and in this way to maintain their bargaining position. This meant that entry into the SATU was controlled by skilled white workers. Tom Rutherford, the general secretary of SATU, "boasted twenty-five years after Indians were admitted to the union that one could now "count the number of skilled Indian printers in Natal on the fingers of your one hand. They have been almost eliminated. That happened because we took them into the union". (Girwala 1974, p.392)
- There seems to be a suggestion in the 25 Anniversary Brochure of the SA Tinworkers Union that this union was involved in the Falkirk dispute of 1937 between the Falkirk Iron and Steel Co. and the Natal Iron and Steel Workers Union. The implication is that the dispute led to the formation of the SATIU. This suggests that either a new union was formed for Tin workers apart from the NISWU or that the NISWU, for reasons unknown to the researchers, later became incorporated into the SATIU. However, from Smith's (1945) study it appears that the two unions actually co-existed in 1940. (Smith 1945, p.510/512). In any event it appears that the NISWU ceased to exist by 1948.

Table 3.3 : Indian Membership of Trades Unions in Durban (1943)  
(in Descending order of Size)

| Unions with More than 1 000 Indian Members                | Number of Indian Members |
|---|--------------------------|
| 1. Natal Sugar Industry Employees Union                   | 3 072                    |
| 2. Durban Indian Municipal Employees Society              | 2 450                    |
| 3. Natal Liquor & Catering Trades Employees Union         | 2 115                    |
| 4. National Union of Leather Workers (Durban)             | 1 017                    |
| <br><u>Unions with Between 500 - 1 000 Indian Members</u> |                          |
| 1. Garment Workers Industrial Union (Durban)              | 952                      |
| 2. Durban Laundry Cleaning & Dyeing Employees Union       | 694                      |
| 3. South African Tin Workers Union                        | 550                      |
| 4. Textile Workers Industrial Union of S.A. (Durban)      | 535                      |
| <br><u>Unions with Between 250 - 500 Indian Members</u>   |                          |
| 1. South African Typographical Union                      | 489                      |
| 2. S.A. Railways & Harbours Indian Employees Union        | 450                      |
| 3. Natal Teachers Union                                   | 450                      |
| 4. Natal Biscuit Workers Union                            | 398                      |
| 5. Furniture Workers Industrial Union                     | 340                      |
| 6. Twine and Bag Workers Union                            | 340                      |
| 7. Food, Canning and Allied Workers Union                 | 282                      |
| 8. Soap and Candle Workers Union                          | 257                      |
| 9. Durban Non-European Bus Employees Union                | 256                      |

Table 3.3 continued

| <u>Unions with Between 100 - 250 Indian Members</u>               | Number of Indian<br>members |
|---|-----------------------------|
| 1. Rope and Matting Workers Union                                 | 200                         |
| 2. Natal Bakers & Confectioners Employees Union                   | 182                         |
| 3. Tea, Coffee & Chicory Employees Union                          | 170                         |
| 4. Indian Distributive & Clerical Workers Union                   | 162                         |
| 5. Natal Rubber Workers Industrial Union                          | 160                         |
| 6. Tobacco Workers Union  | 160                         |
| 7. Brick & Tile Workers Union                                     | 150                         |
| 8. Chemical Workers Industrial Union                              | 139                         |
| 9. Box Workers Union  | 114                         |
| 10. Petroleum, Lubricating Oils & Insecticides<br>Employees Union | 112                         |
| 11. Natal Iron and Steel Workers Union                            | 100                         |
| <br><u>Unions with Less than 100 Members</u>                      |                             |
| 1. Paint, Polish & Varnish Workers Union                          | 98                          |
| 2. Natal Plywood Workers Union                                    | 65                          |
| 3. Sweet Workers Union (Durban)                                   | 60                          |
| 4. National Union of Milling Workers (Durban)                     | 56                          |
| 5. Durban Indian Butchers Employees Union                         | 32                          |
| 6. National Union of Operative Biscuit Makers<br>and Bakers       | 10                          |
| Total Indian Membership (1943)                                    | 16 617                      |

#### 3.4 Sectoral Distribution of Unions (Indian Members 1943)

The major employers of Indian labour by sector/industry in the 1940's were 'Food, beverages and Tobacco'; 'Clothing and Textiles'; 'Leather and Leatherware'; 'Furniture'; 'Metal and Engineering' and 'Paper and Printing'. Outside these sectors in manufacturing industry, significant numbers were employed by the Durban Municipality, in 'Commerce and Catering' and in the sugar estates. This sectoral concentration of Indian workers is reflected in the number and size of trades unions that Indian workers joined or formed in this period, which is presented below in Table 3.4.

Table 3.4 : Sectoral Distribution of Trades Unions with Indian Membership. Durban, February 1943

| <u>Sector</u>                                 | <u>Unions</u>  |
|---|--|
| 1. Food, Beverages & Tobacco<br>Total : 4 422 | Natal Sugar Industry Employees Union<br>Tea, Coffee and Chicory Employees Union<br>Sweet Workers Union<br>Tobacco Workers Union<br>Durban Indian Butchers Employees Union<br>Natal Biscuit Workers Union<br>Natal Bakers and Confectioners Employees Union<br>Food, Canning and Allied Workers Union<br>National Union of Milling Workers<br>National Union of Operative Biscuit Makers & Bakers |
| 2. Clothing & Textiles<br>Total : 1 487       | Garment Workers Industrial Union<br>Textile Workers Industrial Union   |
| 3. Leather and Leatherware<br>Total : 1 017   | National Union of Leather Workers  |
| 4. Metal & Engineering<br>Total : 650         | Natal Iron and Steel Workers Industrial Union<br>South African Tin Workers Union   |
| 5. Furniture & Wood<br>Total : 519            | Furniture Workers Industrial Union<br>Natal Plywood Workers Union<br>Box Workers Union   |
| 6. Paper & Printing<br>Total : 489            | South African Typographical Union  |
| 7. Chemicals<br>Total : 349                   | Chemical Workers Industrial Union<br>Petroleum, Lubricating Oils & Insecticides Employees Union<br>Paint, Polish and Varnish Workers Union   |
| 8. Transport<br>Total : 256                   | Durban Non-European Bus Employees Union  |
| 9. Construction<br>Total : 150                | Brick and Tile Workers Union   |



|                         |  |
|-------------------------|--|
| 10. Services            | Durban Indian Municipal Employees Society      |
| Total : 4 044           | Laundry, Cleaning & Dyeing Employees Union     |
|                         | South African Railways and Harbours Indian     |
|                         | Employees Union                                |
|                         | National Teachers Union                        |
| 11. Commerce & Catering | Natal Liquor & Catering Trades Employees Union |
| Total : 2 277           | Indian Distributive & Clerical Workers Union   |
| 12. Others              | Twine & Bag Workers Union                      |
| Total : 957             | Ropes & Matting Workers Union                  |
|                         | Natal Rubber Workers Industrial Union          |
|                         | Soap and Candle Workers Union                  |

(GRAND TOTAL : 16 617)

It is evident from Tables 3.3 and 3.4 that there were more and relatively larger unions in the 'Food' and 'Services' sectors and in 'Clothing and Textiles' and that in more strategic industries such as 'Metal and Engineering' and 'Rubber', unions were both fewer and less well represented in terms of the degree of unionisation. Thus, for example, in the 'Metal and Engineering' industry in Durban, not only was the average number of workers per establishment small (Burrows, 1959, pp. 187/188) but of the total of 2 312 Black workers only + 400 were unionised (i.e. 17,3%) in the year 1937.<sup>3</sup> By 1948 only 1 339 of the 6 523 Black workers were unionised in this sector in Durban (20,5%).<sup>4</sup>

### 3.5 Constitutional Structures and the Potential for Worker Democracy

#### 3.5.1 Introduction

Brief descriptive accounts of some of the unions which Indian workers formed or joined in this period may be found in the works of Smith (1945), Burrows (1952), Moodley (1960/61) and Ringrose (1948,1951). Rather than concentrating on such a descriptive account which would, in any event, amount to no more than a repetition of the data already

presented here in tabular form, the remainder of this chapter tries to assess the structure of trades unions and the potential for broad-based worker control, democracy and action. The data presented thus far serves only to locate the growth of (Indian) unions within a framework of historical forces - in particular in an analysis of the level and form of economic activity out of which unions came to take root. This framework, though important, is in itself inadequate from the point of view of any assessment of the structural character and efficiency of these unions, consideration of which is of fundamental importance in the evaluation of their proper historical role. The value of the approach which follows is that it raises the level of analysis and inquiry beyond what is trite in much of current (even so-called radical) historiography on Indian workers. For, as yet, no proper attention has been paid to the question of the structure of the unions which Indian workers joined or formed in this period, and the potential these structures held for greater participation of workers in the decisions being taken and the directions being pursued.

In general, the argument developed here attempts to make the point that many of the unions in Durban in this period did not have constitutional structures which allowed, let alone facilitated, genuine democratic practices leading to the attainment of longer-term union goals. The analysis, however, is not principally/exclusively concerned with whether unions acted constitutionally or not, but with the consequences for independent working class development, action and strategy of less than democratic internal structures in the unions of this period. These consequences will become clear from our analysis of worker action (Chapter 4) and our examination of the nature of the relationship between unions and political organisations. (Chapters 4 and 5). At the same time the failure to establish the basis for greater worker participation in union affairs and to develop a shop-floor leadership at this early and crucial stage of unionisation in Durban is, in our view, an important - though by no means the only - component of any explanation as to why many of these unions collapsed (became defunct) and why and how some of the other unions were able to survive.

We will now analyse the overall structure of these unions as contained within the constitutions, and the potential which this held for advancing or hindering the democratic participation of rank and file members in the affairs of the union. The important issue is the relative control, power and influence which the various levels of leadership and rank and file members had over the decisions taken. We will do this by:

1. a close analysis of a model constitution, issued by the Department of Labour to those unions who wished to register;
2. an analysis of certain important clauses in the constitution of eight unions; and
3. information gained from interviews with Mr B Peters, Mr RD Naidu and Mr SP Pillay.<sup>5</sup>

### 3.5.2 The Model Constitution

The 'model' constitution which the Department of Labour presented to unions to follow as a guide, contained the following clauses: the name of the union; its aims and objects; the members in terms of industry, trade; undertaking or occupation; the entrance fees and subscription to be paid, including exemptions; the types of meetings to be held; the power, duties and function of the executive committee; the officials of the union; the finances and control over finances; representation on industrial councils and conciliation boards; how ballots were to be held as well as clauses relating to fines; discipline; resignations; winding up the union; amendments and general (see Appendix E for a copy of a model constitution).

At first glance this model constitution seems to contain all the relevant clauses for setting up a democratic trade union. It is, however, not our aim to comment on the soundness of this constitution in terms of the principles of constitutional law. Rather, we wish to analyse:

1. the structure of the unions as it appears from the constitution; and;
2. the limits on and possibilities for promoting democracy and informed rank and file participation and control.

There are at least four clauses in the 'model' constitution which give us a clearer understanding of the structure of the union envisaged, and the kind of democracy it promoted. These clauses are:

1. meetings;
2. composition and power of the executive committee;
3. the officers of the union; and
4. representation on Industrial Councils and Conciliation boards.

There appear to have been four types of meetings held (clauses 5.1; 5.3; 5.7). These are:

1. general meetings;
2. special general meetings;
3. annual general meetings; (AGMs)
4. executive committee meetings;

For all these meetings, notices of the intention to hold the meetings had to be given. It was left to the union to specify the period of notice.

Motions at meetings had to be submitted, in writing or otherwise, and seconded. Voting was by show of hands, "unless otherwise provided" in the constitution, which meant a ballot had to be taken. There was also a time limit on how long a member could speak. The quorums for all meetings was also to be decided upon by the union (clauses 5.4 and 5.5).

The officials of the union consisted of the Chairman (President); Vice-Chairman (Vice-President); the Secretary (General) and all other persons elected by an annual general meeting. If necessary an acting chairman could be chosen by the executive committee.

According to this 'model' constitution the "affairs of the union, between general meetings, shall be vested in the executive committee consisting of the chairman, the vice-chairman and other members of the union who shall be elected at the annual general meeting ..." (clause 6.1).

This clause did provide for rank and file representation on the executive committee on the basis of factory elections, or branch level, or any kind of constituency as decided by the union at its general meetings. However, the clause could be manipulated (within the terms of the constitution) to under- represent, misrepresent or even bureaucratically represent its members at the level of crucial (and not so crucial) day to day affairs of the union. Depending on how often general meetings (or special general meetings) were held, the executive committee appears to be the most powerful decision making body in the constitution, more especially if general meetings were held less than once a month. In the absence of strong rank and file representation on the executive committee, for instance, the clause could well have allowed for the following: if an immediate decision had to be taken on the acceptance or rejection of a wage increase proposed by management which did not meet the initial demands of the union, it is possible that the executive committee could take a decision without reference to its members (such as calling a general meeting) as the constitution clearly allows for this. There would be no pressure, constitutional or otherwise, to determine the reaction of rank and file members to managements' proposal. It would, of course, be different if (i) the rank and file members were adequately represented on the executive committee or had access to the relevant information concerning the negotiations; and (ii) these representatives had to report back to their constituents. None of those conditions existed in the model constitution.

In one aspect, however, the executive committee had little or no power to intervene in decision making. This was in negotiations and formal agreements reached at industrial council or conciliation boards (clause 9). The "general meeting" of the union appointed

representatives to the industrial council/conciliation boards, and could formally remove such representatives. However, the action of constitutionally removing such representatives appears to be limited by or contradictory to clause 9.5. This clause reads:

Representatives shall have full power to enter into agreements on behalf of the union, and such agreements shall not be subject to ratification by the Executive Committee or a general meeting.

This clause clearly restricted the right of rank and file members to recall these representatives or influence the terms of such an agreement, before it becomes legally binding. Of course representatives who concluded agreements contrary to the wishes of the executive committee and the general membership could be dismissed. However, if such a representative were dismissed after such an agreement was concluded, it could make little legal difference to the contracting parties: the union and employers. And in any event there were always possible obstacles to removal.

It is, in any event, difficult to know how the rank and file members would be kept informed of developments in industrial council or conciliation board negotiations in order to instruct their representation, or even to dismiss them for either not carrying out their mandate, or for inadequately representing their interests in negotiations. There were no formally constituted structures which ensure accountability to the union's membership. This is not to deny that the issue may have arisen at general meetings, or even at executive committee meetings, but there seems little in the constitution which would resolve such a problem.

Structures which would enable rank and file control of their representatives were also missing in the model constitution. This was a fundamental flaw, and was repeated in all union constitutions based on the 'model' supplied by the Department of Labour.

The model constitution did, however, provide for ad hoc measures to be taken. Clause 5.6 reads:

All matters on which the constitution is silent shall be decided on motion by a majority vote of the members present at a meeting.

Given that this clause could be interpreted very broadly to suit whatever purpose, it could well have been used to exert some form of control on wayward union officials and representatives. However, this would have necessitated acting on an ad hoc basis, rather than in accordance with principles which promote worker democracy in trade unions. This is clearly lacking in the 'model' constitution: the principles of building democracy from below, of rank and file participation in union affairs, and the concept of worker control were clearly not considered. What is unfortunate, however, is that not many unions in this period (in Natal) perceived the serious shortcomings of such a constitution and followed the implicit assumptions contained within it. R.D. Naidu said of the National Baking Industry Employees' Union's constitution, and of all unions' constitutions of the period:

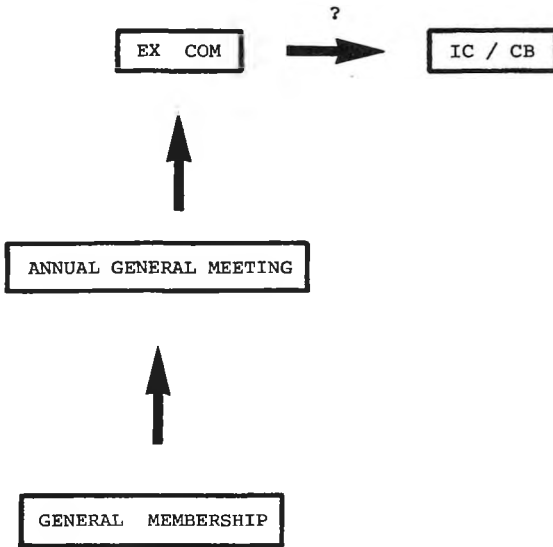
... constitutions [were] drawn to the model supplied by the Department of Labour. All unions had the same constitution. Only the composition and number of executive members were filled in.<sup>6</sup>

Mr B Peters, a former Secretary of the Durban Indian Municipal Employees' Union, confirmed that a 'model' constitution was received from the Department of Labour, in which the union was simply required to fill in the details of number of members, executive committee etc.

Mr SP Pillay, Secretary of the Laundry Workers union also confirmed this rather startling fact. Mr Pillay pointed out that despite the fact the Labour MP, a Mr AT Wanless, drew up the constitution of the laundry union, it was based on the 'model' supplied by the Department of Labour. In reply to the question "Was there anything in the model constitution that you wanted to change?" Mr Pillay said:

No. Final constitutions were very similar to the model constitution. All constitutions must be in compliance with the Industrial Conciliation act. Most of the unions had a very similar constitution.<sup>7</sup>

The structure of any union as contained in the 'model' constitution could be diagrammised as follows:



EX COM - Executive Committee  
 IC - Industrial Councils  
 CB - Conciliation Board

The 'model' constitution is conspicuously silent on the shop-floor representation to management, branch or local meetings, and educational programmes. Yet all of these are essential to creating the conditions and structures for greater democratic participation by the rank and file in the union.



Many other aspects of the 'model' constitution reflect similar problems, but our analysis so far reveals the main points which need to be made, and it is in the light of these points that a number of specific constitutions are examined.

1. National Union of Cigarette and Tobacco Workers
2. Tea, Coffee and Chicory Industry Employees' Union
3. Natal Sugar Field Workers' Union
4. South African Railway and Harbour Indian Employees' Union
5. Twine and Bag Workers' Union
6. Garment Workers' Union<sup>8</sup>
7. Match Workers' Industrial Union (Natal)
8. Furniture Workers' Industrial Union (Natal).

All these unions existed in the period under discussion (see Table 3.2) and many of their constitutions were similar to each other, differing only in style and form. There were a number of structural differences. For example, the Match Workers' Industrial Union and the Furniture Workers' Industrial Union organised by JC Bolton had a much more sophisticated constitution: the language used and the structure it described were way above those contained in the Department of Labour's 'model' constitution. In contrast, the constitutions of the Twine and Bag Workers' Union; the South African Railway and Harbour Indian Employees' Union and the Natal Sugar Field Workers' Union slavishly followed the 'model' constitution. The Twine and Bag Workers' Union included, verbatim, the clause dealing with Industrial Council representatives which is quoted above p.64).

### 3.5.3 Shop Stewards and Shop Committees

Of the eight unions listed above, only three had provision for shop stewards. These were the Garment Workers' Union, the Match Workers' Industrial Union and the Furniture Workers' Industrial Union. The former union had Solly Sachs as its secretary, while the latter two

were for some time under the secretaryship of JC Bolton. The other unions made no provision for shop stewards or factory (shop-steward) committees.

The fact that some unions had shop stewards and shop steward committees does not necessarily imply that these unions' structures were more amenable to 'better' democratic practise, or that such shop stewards represented workers' interests at leadership levels within the union, and in negotiations with management. The role of the shop steward in all these unions was limited to collecting dues/subscriptions and enrolling new members. For example the Match Workers' Industrial Union's constitution had a clause on shop stewards which reads:

The shop steward shall request all members to produce their contribution cards for inspection, and if a new starter is not a member, he shall request him to make the necessary application .... The shop steward shall collect subscriptions from all members in his establishment and enter same into a book that is provided for the purpose by the 'Executive Council'.  
(Clause 10.8)

The Match Workers' Industrial Union and the Furniture Workers' Industrial Union did provide for the shop steward and 'shop committee' to engage in attempting to resolve disputes on the factory floor. However it is not clear, from the paragraph that outlines the shop stewards' negotiating role, what precisely this entailed. The relevant paragraph reads:

The shop steward shall immediately summon the secretary or any organising secretary when the shop committee has failed to settle any dispute in the establishment, and under no circumstances shall the shop steward negotiate or interview employers with the shop committee.  
(Clause 10.8)

In each of the clauses quoted above, the last three lines are ambiguous. But even if one were disposed to a charitable

interpretation of these clauses, it is clear that either the shop steward, or shop committee, or both were powerless in the circumstances referred to. There is only a vague suggestion that the shop steward is more than a mere money collector. The role of negotiator is completely obscured by four paragraphs (30 lines) outlining in detail the procedure to be followed in recruiting new members, collecting their dues, handing over the money to the secretary or treasurer, and on how to deal with members in arrears. This corroborates the view expressed by HG Ringrose:

In South Africa .... their [i.e. shop stewards] functions do not normally extend beyond the collection of subscriptions, but in some of the unions which are constituted on British lines, shop stewards are required to submit periodical reports to the local branch office". (1951, pp.72/73)

Ray Alexander (1944), in a pamphlet entitled Trade Unions and You issued by the Communist Party in the mid-1940's, argued that the shop steward should be considered "the backbone of any union" (p. 10). It would be pertinent to discuss the views expressed in the pamphlet on the role of shop stewards, as it was circulated among trade unionists who were members of the Communist Party, of which there were many in Natal including PM Harry; G Ponen; B Peters, RD Naidu and C Amra. In the pamphlet Alexander gives much greater emphasis to the role of the shop steward as a leader in the department of a factory. She describes the qualities of leadership as follows:

One of his main duties is to see that his department is fully organised, and that all members are in good standing, that is, their subscriptions are paid up to date. He has to convince non-union workers that it is in their interests, as well as the interests of all workers, that they should become members. As a fully conscious trade unionist he must also explain union policy to all members and workers and develop their understanding of both the economic and political aims of the union. He is therefore, an educator, as well as a collector of dues. (Alexander, 1944, p.10)

These views are explained further in the attributes which Alexander considers important in making a good shop steward:

1. knowledge of the constitution, industrial council agreements and wage determination;
2. knowledge of the safety rules of the Factories Act;
3. keeping written records of members and non-members;
4. keeping a written record of grievances;
5. seeing to it that workers attended meetings;
6. seeing to it that the department is clean;<sup>9</sup> and
7. ensuring that the employer keeps to the terms of an agreement.

It is clear that Alexander's description of a good shop steward does not seem to amount to much more than a glorified union clerk in the factory. As a result, two major issues appear not to have been considered important.

1. It is not clear in what way the shop steward was to be involved in the settlement of disputes, and
2. despite her seriatem exposition of the attributes referred to, it is still not clear what role the shop steward plays beyond that of "educator", which amounts only to the recruiting of new members and the collection of dues.

Alexander does add to her ideas by saying that a shop steward must ensure that workers attend union meetings. From this it is not certain whether or not the shop steward needed to report back to members in a factory (or department of a factory) as to what transpired at the meeting since all members should have been at the meeting. This, however, was not always entirely possible since the South African transport system was most unsatisfactory, pass laws were highly

restrictive and the police force over-zealous. <sup>10</sup> These problems would have made it difficult to ensure that workers were always fully informed and adequately consulted on all decisions that affected them. Our point is that Alexander's contentions that in a well-run and democratic union, members are fully informed, can only have real meaning and be guaranteed if the shop steward is constitutionally empowered and practically acts as an elected representative of a specified constituency on the factory floor, and is fully integrated into the structure of the union, rather than in some vague role of "educator" and "collector" of dues. In both her analysis and in the constitutions of the Match Workers' Industrial Union and the Furniture Workers' Industrial Union the opposite was in fact the case.

The actual practices of trades unions and shop stewards confirm such a conclusion. SP Pillay stated that the duties of the shop steward were to recruit members, collect subscriptions and attend to worker grievances.

As a result of organisational conditions and prevailing attitudes towards shop stewards within the unions, workers were understandably not always supportive of either shop stewards or union leaders. SP Pillay comments:

In those days when a shop steward took up a complaint with the employer he was fired and you had no redress. (If) you go to the Labour Department ... it was a long procedure, and they would say it was within the employers' rights. The only alternative was a threat of a strike. Often this did not work out. We did not have the support of the Labour Department. And the pressure from the working class wasn't so powerful. They took it easy. When they saw a White man they were afraid. From the sugar industry as indentured labour - this was something new.<sup>11</sup>

Quite clearly the unions in Natal in the 1930's and 1940's frequently failed to incorporate shop stewards into the structure of the union in

any meaningful sense, and failed, equally, to establish links between factory floor and the various union committees in concrete ways. Consequently, a broad based, diffused leadership structure extending from the shop floor into the union, responding to worker interests and with a refined sense of accountability to its full membership was, in most cases, entirely absent.

#### 3.5.4 Meetings

The raison d'etre of any union is not simply its opposition to capital and securing, through its daily operations, whatever material benefits it can for members. A union also exists in order to advance and fulfil its long-term objects and to this end the way in which it conducts its daily struggle is of considerable importance. One of the most important aspects of the daily struggle of organised labour lies in the meetings union members have (as laid down in the constitution) in pursuance of its aims and objectives. It was at the various committee meetings that decisions on policy, principles, strategy and tactics were taken. The frequency with which various kinds of meetings were held, the composition of such meetings and how decisions were taken were therefore critically important to the way unions functioned in terms of promoting or limiting democracy. This will be more clearly illustrated in the following chapters, when we analyse the actual practice of trade unions in this period, but an introduction to patterns and structures of meetings will be useful at this stage.

All the unions under consideration had annual general meetings. Apart from reporting back on the union's year of activity, and its financial standing, an important aspect of the AGM was the election of an executive. In all the unions mentioned above the executive committee was in charge of the management of the union, either between AGM's or branch and/or quarterly general meetings. This pattern reflected the structure of the 'model' constitution. The composition of executive committees varied, however: the Natal Sugar Field Workers' Union, The Tea, Coffee and Chicory Industry Employees' Union and the Twine and Bag Workers' Union had executives made up of a Chairman, Vice-Chairman and

nine other members. The South African Railway and Harbour Indian Employees' Union executive had a Chairman, two Vice-Chairmen, an Organising Secretary, Secretary, Treasurer and fifteen other representatives. The Executive of the Match Workers' Industrial Union and the Furniture Workers' Industrial Union consisted of a President, Vice-President, Secretary, Treasurer, 2 Trustees, and 3 other members, while the executive of the Garment Workers Union had a General Secretary, President, Vice-President and 20 other members. All these persons were elected, in all but one of the unions, at the AGM. The exception was the National Union of Cigarette and Tobacco Workers which elected its President, Vice-President and National Treasurer from among its National Executive Committee (NEC). This was exceptional, not only because it was different, but also because the NEC consisted of branch representatives elected on the basis of "one representative and/or alternate for every two hundred and fifty (250) members or part thereof". (Clause 7.1, NUCTW, papers AH 1328)

Those unions which followed the Department of Labour's constitution only had general, special general, annual general and executive committee meetings. The unions which had such meetings were the Twine and Bag Workers' Union, the Tea, Coffee and Chicory Industry Employees' Union and the South African Railways and Harbour Indian Employees' Union. General meetings were held at least once every two months for the Twine and Bag Workers' Union, and Tea, Coffee and Chicory Industry Employees' Union. For the South African Railway and Harbour Indian Employees' Union, general meetings were held at least once every four months.

Notices and agendas for such meetings of the latter three unions were to be given in writing to members not less than 3 days before the dates of such meetings. When special general meetings took place, written notices of a shorter duration could be given. There is, of course, nothing unconstitutional about such procedures. However, the brief period of notice is indicative of a less than serious attitude to the availability of time to prepare for such meetings, particularly as it was only at these meetings that the rank and file could participate in the union affairs. With such short notice, meetings were open to manipulation, especially when there existed a clause which allowed the chairman to decree that all motions be "reduced to writing and shall be

delivered to the presiding officer to be read to the meeting." (e.g. Clause 11.4 NUCTW, Papers AH 1328) In the exceptional case of the South African Railway and Harbour Indian Employees' Union, it was compulsory to submit handwritten motions. In view of the facts that rank and file union members worked during the day, that they had to arrange their domestic affairs to fit in a general meeting (most often over a weekend), that transportation had to be arranged to and from meetings, and that members had to ponder over the 'business to be transacted' at the meeting, it was unlikely that such a union could ever achieve in practice a well-informed democratic involvement of members. It was, of course, much easier for an executive committee composed of a Chairman, Vice-Chairman and nine other members of the union to draw up motions, resolutions, etc, in advance of general meetings since they met at least once a month.

The problem of organising a well-informed democratic union was further complicated by the fact that many union members, being recently proletarianized, were illiterate, or semi-literate. This, as has already been shown with regard to shop steward structures, was not a problem to be solved bureaucratically. The creation of constitutional structures which could confront the problem of unionism in the interests of its members specifically, and of the working class in general, is a fundamental consideration which appears to have been lacking in all the unions in question.

This is not to say that all the union secretaries, in their positions of leadership, simply took it upon themselves to make arbitrary or individual decisions on a day to day basis, or to leave it to the union executive committee to take decisions on issues as they arose. Many tried to do a more responsible job. For example, Mr B Peters has explained how it was possible to keep the members of the Durban Indian Municipal Employees' Society informed:

Members of DIMES [were] kept informed of matters via the DIMES Bulletin. This included the work of the Executive. Other matters relating to workers [were] taken from the Guardian. DIMES Bulletin [was] issued quarterly and distributed by committee members [shop stewards].<sup>12</sup>



Mr Peters has further pointed out that memos and proposals were also printed in the DIMES Bulletin "so that all workers were informed of the proposals. Meetings were held in Magazine Barracks in Somtseu Road". The publication of such a 'Bulletin' testifies to the hard work and unselfish devotion to the tasks at hand, particularly for those who believed in creating an informed membership. The dedication shown by such union secretaries as Billy Peters, G Ponen, SP Pillay, RD Naidu, PM Harry and others cannot be denied. However, disseminating such information as was printed in union newspapers or pamphlets was really only a starting point. It left unhandled the problem of members' illiteracy and the question of how the information was critically absorbed, discussed, and used within the structures of the union. Yet these were the issues which were of vital importance.<sup>13</sup>

Our argument thus far suggests that despite the dedication, hard work and long hours put in by the leadership of the unions during this period, the lack of adequate constitutional structures may have militated against promoting the constitutionally declared aim and objectives of these unions - objectives which are intrinsic to trades unions as organisations designed to promote the interests of workers. In so arguing, we have no intention of undermining the importance of union newspapers, news letters or pamphlets, or indeed the union leadership. They were (and are) invaluable in guiding and informing the membership. But it is only when shop floor representatives or organised rank and file workers in trades unions are integrated into every level of the deliberative and decision making process of the union, which must include a system of accountability, that it could become possible (although not predictable) to generate higher levels of consciousness, activity and democratic practice.

Yet further evidence based on meeting structures suggests that accountability did not really exist in many cases. The Natal Sugar Field Workers' Union had, for instance, no provision in their constitution for a general meeting on a bi-monthly or monthly basis. All decisions were taken by the executive committee and only once a year at the AGM were the rank and file members allowed to decide on a new executive consisting of the chairman, vice-chairman and nine other members of the union. Decisions made during the year were not subject to ratification. The relevant clause read:

The management of the affairs of the union shall, between conferences [its AGM], be vested with an Executive Committee consisting of the Chairman, Vice-Chairman and nine other members of the union, [who shall] on nomination duly seconded and voted upon by show of hands, hold office until the next annual conference of the union and be eligible for re-election, on termination of their period of office. (Clause 6.1)

It is interesting to note that the annual conference of the Natal Sugar Field Workers' Union was not open to all its members, but to

..... delegates from all Estates, elected on a basis of one delegate for every twenty five members or part thereof ... (Clause 5.1)

Thus we find that as a result of their constitutions, the structures of the Twine and Bag Workers' Union; the Tea, Coffee and Chicory Industry Employees' Union and the South African Railway and Harbour Employees' Union, were those intended by the drafters of the 'model' constitution provided by the Department of Labour. The Natal Sugar Field Workers' Union would also appear to have modelled itself on the Department of Labour constitution, but chose to excise the clause on general meetings in its own constitution. Whether or not this streamlining of the 'model' constitution actually facilitated matters in organising agricultural workers has yet to be ascertained. What is clear, however, is that it certainly concentrated all decision-making power and authority, without need for accountability or report-back to its members, in one committee of the union.

Thus in the unions discussed here,<sup>14</sup> there seemed, at best, to be an ambiguous connection between general meetings and executive meetings. At worst, no structural connection existed at all. AGM's seemed to be primarily for the election of new executives, and served no broader communicative or accounting responsibility at all.

In the constitutions of the Match Workers' and the Furniture Workers' Industrial Unions, the types of meetings held were similar to the ones

outlined in the 'model' constitution: general meetings were to be held once every three months, with allowance for special general meetings; an annual general meeting and an executive council (committee) meeting were to be held once a fortnight, and allowance was made for special executive council (committee) meetings.

In the case of the National Union of Cigarette and Tobacco Workers (NUCTW) the following committees, each with its own meetings, were constitutionally established: Branch Annual General Meetings; Branch General Meetings; Branch Executive Committee meetings; National Executive Committee meetings, and a national Annual General Meeting.

The Branch General meeting (BGM) took place once every six months; Branch Executive Committee meetings (BEC) twice a month and the National Executive Committee Meeting (NEC) twice a year. In this constitution the branches were given power similar to the NEC. Being a national industrial union it had to cater for its members over a much wider geographical area than any of the above mentioned unions. Despite this, and the fact that it did not have shop stewards, the union seemed to have a structure which was more responsive than other similar structures to issues workers faced on the shop floor. The Branch Executive Committee constituted an executive comprising the chairman, vice-chairman and not less than five (5) other members provided that each factory in the area of the branch had at least one representative on the BEC. The number of representatives per factory for the BEC was decided at a BGM and each factory was then allowed to vote by ballot for such representatives. The BEC then elected from among itself representatives to the NEC on the basis of "one representative and/or alternative for every two hundred and fifty (250) members or part thereof." (Clause 7.1)

Although the National Union of Cigarette and Tobacco Workers appears from the structure contained in its constitution to formally incorporate its rank and file representatives into the general running of the affairs of the Union to a much greater extent than any of the others, it would be a mistake to conclude that such democratic principles ensure survival. For in a report prepared in 1951 by

Anna Scheepers for the NEC of the National Union of Cigarette and Tobacco Workers (NUCTW), she comments generally on the Durban branches of a number of unions,

From recent discussions I have had with trade union leaders I had come to the conclusion that there is a great need for organisation in general in the Durban area. There are branches there of a number of trade unions which have almost become defunct, and others not functioning at all.

One of these union branches was that of the National Union of Cigarette and Tobacco Workers. She wrote specifically of it as follows:

The NEC was not satisfied with the lack of organisation in Durban and also the NEC did not receive the information required from this branch in terms of the constitution.<sup>15</sup>

Effectively the union had little presence in Durban. Thus, while a union's constitution may appear to have had the potential to be responsive to its members on the factory floor, the mere existence of democratic constitutional structures is not a sufficient condition guaranteeing the survival or success of the union as an organisational form. But the point we are making is that without the necessary and desirable constitutional structures it would have been very difficult for rank and file members to begin to assert themselves in the affairs of the union.

### 3.5.5 Affiliation to Political Organisations

We now turn our attention to the issue of union affiliation to political organisations. We might point out here that formal affiliation to any political party was and is illegal in terms of the Industrial Conciliation Act. However, as certain political organisations were not formally constituted parties, it would seem legally feasible for trades unions to affiliate or at least to support such organisations.

However, none of the constitutions of the unions mentioned above, except for that of the Transvaal based Garment Workers' Union, had a clause explicitly outlining the conditions for affiliation to political organisations. There were clauses providing for representation on industrial councils and conciliation boards, and for affiliation to other trades union organisations. In addition, nearly all the unions had provision for some kind of co-operation or assistance to be rendered to other trades unions, or to sections of the working class provided such assistance was deemed to be in the interests of the working class movement as a whole. Such sentiments of working class solidarity were usually found in the clause "aims and objectives". For example one of the aims and objectives of the Tea, Coffee and Chicory Industry Employees' Union was:

To co-operate with and assist other trade or industrial organisations or any section of workers in the general interests of the working class movement. (Clause 3.f)

Other unions had similar clauses. To give effect to such aims and objectives meant that a decision had to be taken at a formally constituted meeting of the union. However, as there was no specific clause relating to the issue of affiliation to a political organisation, it would appear that such a decision would have to be made at a general meeting in terms of the following type of clause:

All matters on which this constitution is silent shall be decided on a motion by a majority of those present at a general meeting. (Clause 6 (f) - Tea, Coffee and Chicory Employees' Union)

Similar clauses are to be found in the constitutions of the Twine and Bag Workers' Union (Clause 6.f), the South African Railway and Harbour Indian Employees' Union (Clause 5.6), the Furniture Workers' Industrial Union (Natal) (Clause 18), Match Workers' Industrial Union (Natal) (Clause 18). In the case of the Natal Sugar Field Workers' Union, the

Executive Committee had the power "to do such other things as, in the opinion of the Executive Committee, appear to be in the interests of the Union." (Clause 6.j) The National Union of Cigarette and Tobacco Workers were able at both branch level and NEC level "to do such other things as in the opinion of the NEC/BEC may appear to be in the interest of the Union." (Clause 8.1 and Clause 12.2e) In all of the above cases such actions or "things" which are supposed to be in the interests of the unions were subject to the provisions of the constitutions and to the broad direction of the general meetings of those unions. The very vagueness of these provisions appear to allow Executive Committees to appropriate decision-making on this issue. Except in the cases of the National Union of Cigarette and Tobacco Workers, the Executive Committees of those unions were less than representative of the rank and file members and could quite easily decide on, say, affiliation to a political organisation, without contravening any of the rules of the constitution. Because the commitment to reporting back to workers and the procedures for doing so were either weakly defined or non-existent, it seems that workers' feelings on issues which arose outside the confines of the constitution did not carry considerable weight in the deliberations of executive committees. Such decisions could even be presented as fait accompli at general meetings.

### 3.5.6 Calling Strikes

Under the Industrial Conciliation Act only registered unions could go on a legal strike - and this only after following lengthy procedures designed to resolve any grievances by negotiation. There was therefore no automatic right which workers had to go on strike in this period. However, going on strike always pre-supposed a minimum of worker solidarity and organisation and a belief in the efficacy of such collective action. The constitutions of unions do provide some indication of the extent of such organisation and the importance unions attach to this form of worker action as a means for resolving grievances. The eight constitutions we examined divide into two clear categories of procedure or decision-making in regard to strike action. The constitutions of three of these unions laid down that a ballot had

to be held and also provided for strike pay and registers. The unions in this category were: the Furniture Workers' Industrial Union (Natal), the Match Workers' Industrial Union (Natal), and the National Union of Cigarette and Tobacco Workers. In the constitutions of the remaining unions no procedures for calling strikes are laid down and no provisions were made for strike funds. These unions were: the Twine and Bag Workers' Union, the South African Railway and Harbour Indian Employees' Union, the Tea, Coffee and Chicory Industry Employees' Union, the Natal Sugar Field Workers' Union and the Garment Workers' Union (Transvaal).

This does not necessarily imply that these latter unions (which did not have clauses relating to strike action) did not in practice discuss such procedure and strategy with the rank and file membership. However, given the importance of the strike weapon, the failure to include such clauses in the constitutions may be indicative of a less than clear view on the importance of the democratic involvement of rank and file workers in all issues relating to strikes. The absence of such clauses also allows room for the leadership of such unions to appropriate decisions on this crucial issue without adequately involving and informing rank and file members.

### 3.5.7 Commentary and Assessment

We have, up to this point, analysed various aspects of the constitutions of some of the unions which existed in the period 1930-1950. In so doing, we covered, inter alia, shop floor structures (e.g. shop stewards and shop steward committees), meetings, decision making, industrial council representation, affiliation to political organisations, and the calling of strikes. We have not touched on issues such as financial control and workers' education. (All union constitutions examined are silent on the issue of worker education, with the exception of the South African Railway and Harbour Indian Employees' Union, which had a clause stating that it was an objective "to encourage and work for the education of all members and their dependents.")

Nonetheless, we feel that our analysis more than adequately depicts the structures of the unions of this period and the potential for and/or limitations on democratic involvement of the rank and file which these structures generated.

The argument presented in this chapter concerning the potential for worker democracy, as it existed in the constitutions of the unions of the period, may be dismissed as being either an unwarranted criticism made with the benefit of hindsight or a bourgeois pre-occupation with 'constitutionalism', with the correct form of rules, regulations and procedures. We do not believe such dismissals or criticisms to be of any value. It is not simply our critique here that because of their structural limitations, these unions were unable to offer, foster and develop democratic and informed practices in the rank and file. It is not, in other words, simply our contention that union leaders should have extended the capacity for self-education and encouraged worker participation in the affairs and actions of the unions. It would indeed be mere hindsight to make such an injunction or judgement.

Instead, we perceive much wider and more pervasive difficulties arising from the limitations pointed to. And these relate principally to the way in which the absence of clear democratic procedures militated against the independent class organisation and activity of this nascent working class movement and often subsumed its very capacity to act under organisational and political precepts generally unrepresentative of the objective demands of this class. These difficulties will become clearer as we look at the activities of this movement (Chapter 4) and its relationship to the political organisations of the time. (Chapters 4 and 5)



CHAPTER FOURWORKER ACTION IN DURBAN: 1930-19504.1 Introduction

From c1934, after the collapse of the Industrial and Commercial Workers' Union (ICU) and the virtual demise of the Natal Workers' Congress (NWC), many new trades unions were formed in Durban by Black workers (mainly African and Indian) either along racially divided or non-racial lines. Thus a new phase in union organising began after the Great Depression, and it was Durban rather than any other industrial area of South Africa that was the main centre of strike activity.<sup>1</sup> Hemson points out (1979, pp. 302/3) that the leading force in the strike wave was the dock workers. However, there were many other instances of worker action in this period. A schedule of strikes involving Black workers in Natal is given in Table 4.1 below.<sup>2</sup>

The major points emerging from this schedule may be summarised as follows. There was a total of (at least) 85 strikes involving (at least) 15 984 Black workers. Seventeen strikes, more than in any other single year in this period, occurred in 1942.<sup>3</sup> Strike activity was also high in the years 1937, 1938 and 1939 in the aftermath of the formation of new trades unions by semi-skilled and unskilled Black workers. Of the total of 85 strikes in the period 1930-1950,<sup>4</sup> 46 occurred between 1937 and the end of 1942, when War Measure 145 was enacted prohibiting strikes by Africans and providing for compulsory arbitration at the discretion of the Minister of Labour. The greatest number of strikes occurred in the food, beverages and tobacco sector (20); services, including the railways, docks and municipalities (9); mining (12); metal and engineering (6); and clothing and textiles (5). Other strikes occurred in the rubber, leather and footwear; chemical; furniture; paper; building and agricultural sectors (sugar field workers). These strikes ranged in duration from a few hours, in the

TABLE 4.1

WORKER ACTION IN NATAL 1930-1950  
(Strike Action by Black Workers)

| DATE    | INDIAN | AFRICAN | COLOURED | WHITE | TOTAL | ACTION/ISSUE   | UNION INVOLVED   | INDUSTRY & FACTORY                      | DURATION  | OUTCOME  | REFERENCE   |   |
|---------|--------|---------|----------|-------|-------|--|--|---|---|--|---|---|
| 17/8/31 |        |         |          |       |       | STRIKE: OBJECTION TO WAGE REDUCTION  |  | DUNDEE COAL MINE                        | 24 HRS  | SETTLEMENT   | RINGROSE, p.58;<br>NATAL MERCURY 18/3/31;<br>UNION YEAR BOOK: 1931  |   |
| 2/4/32  | 788    |         |          |       | 788   | STRIKE: REDUCTION IN WAGES   |  | DURBAN DOCKS                            |   | STRIKERS DISMISSED AND REPLACED  | RINGROSE, p.58;<br>HEMSON (1979)  |   |
| 13/7/32 | 70     |         |          |       | 70    | STRIKE   |  | SUGAR INDUSTRY,<br>ZULULAND MILL        | 3 DAYS  |  | RINGROSE, p.58;<br>UNION YEARBOOK 1932/33   |   |
| -9/34   | 282    |         | 5        |       | 287   | STRIKE: OBJECTION TO WAGE REDUCTION  |  | NEWCASTLE COAL MINE                     | 287 MAN DAYS  |  | RINGROSE, p.58;   |   |
| 1/2/35  | *      | *       | *        | *     | 264   | STRIKE: i. REDUCTION IN PIECE WORK RATES<br>ii. NO MID MORNING BREAK<br>iii. VICIMIZATION  |  | TEXTILE                                 | 7.15AM-<br>10.30AM<br>(SAME DAY)                        | MANAGEMENT AGREED TO THE FORMATION OF A COMMITTEE TO REPRESENT WORKERS.  | RINGROSE, p.61;<br>NATAL MERCURY 2/2/35   |   |
| -5/35   | 630    |         |          |       | 630   | Sympathy strike for union members in the Transvaal who struck for payment on Jubilee Day   | TEXTILE WORKERS INDUSTRIAL UNION   | TEXTILE FACTORY                         | 1 DAY   | WORKERS RETURNED TO WORK PENDING DEVELOPMENTS ON THE REEF.   | RINGROSE, p.61;<br>NATAL MERCURY 14/5/35  |   |
| -/12/35 | *      | *       | *        |       | 61    | 161  | STRIKE: ATTEMPTS BY EMPLOYER TO PAY LOWER WAGES THAN THE CLOTHING INDUSTRY WAGE DETERMINATIONS | GARMENT WORKERS INDUSTRIAL UNION        | CLOTHING INDUSTRY: ASCOT AND YORKSHIRE CLOTHING FACTORY | 6 DAYS   | RINGROSE STATES THAT THE STRIKE WAS SETTLED BUT THE (GWIU) 25TH ANNIVERSARY BROCHURE STATES THAT THE STRIKE WAS LOST AFTER BEING SABOTAGED BY SOME WORKERS. | RINGROSE, p.61;<br>GWIU 25TH ANNIVERSARY BROCHURE |
| -/11/35 | *      | *       | *        | *     | 51    | STRIKE   |  | SUGAR INDUSTRY:<br>INANDA MILL          | 1 DAY   |  | RINGROSE; p.62  |   |
| 2/12/35 | 500    |         |          |       | 500   | STRIKE: AFRICAN WORKERS REFUSED TO WORK BECAUSE THEY HAD ONLY 2 MEALS A DAY WHILE WHITE WORKERS WERE PROVIDED WITH 3   |  | COAL MINING                             | 1 DAY   | CHIEF MAGISTRATE, NATIVE COMMISSIONER SAP AND REPRESENTATIVES FROM NATIVE AFFAIRS DEPARTMENT PERSUADED MINERS TO RETURN TO WORK. | RINGROSE, p.62;<br>NATAL MERCURY 4/12/35  |   |
| -/1/36  | *      | *       | *        |       | 60    | 163  | STRIKE   | LEATHER WORKERS UNION                   | FOOTWEAR;<br>PIETERMARITZBURG                           | 3 DAYS   |   | RINGROSE, p.62;                                   |
| 4/7/36  | 96     |         |          |       | 96    | STRIKE   |  | SUGAR INDUSTRY;<br>ZULULAND SUGAR MILL  | 1 DAY   |  | RINGROSE, p.62;   |   |
| -/2/37  | *      | *       | *        | *     | ?     | STRIKE OVER WAGE DEMANDS LED BY SKILLED WORKERS OF THE AEU   | AMALGAMATED ENG. UNION (REP. WHITE COLOURED & SKILLED WORKERS)                                 | FALKIRK IRON & STEEL CO. JACOBS, DURBAN |   | RESOLVED TO THE SATISFACTION OF SKILLED WORKERS ONLY.  | TUCSA PAPERS<br>AH 646 DC 8.30  |   |
| 3/5/37  | *      | *       |          |       | +400  | VICTIMIZATION OF MEMBERS OF THE NISW LED TO WORK-TO-RULE THEN LOCK-OUT   | NATAL IRON AND STEEL WORKERS UNION   | FALKIRK IRON & STEEL CO. JACOBS, DURBAN |   | NO RESOLUTION OF CENTRAL ISSUES.   | SEE CHAPTER 4.2 OF THIS CHAPTER FOR DETAILS   |   |
| 25/5/37 | 45     |         |          |       | 45    | STRIKE OVER DEMANDS FOR HIGHER WAGES   |  | BOX-MAKING FACTORY,<br>JACOBS, DURBAN   |   | 10 RETURNED TO WORK ON THE SAME DAY; 13 ON THE FOLLOWING DAY AND THE REST WERE PAID OFF.   | NATAL MERCURY 26/5/37;<br>RINGROSE, p.64;   |   |
| 12/8/37 | 650    |         |          |       | 650   | TUGT LABOUR RATES REDUCED FROM 3/6 TO 3 SHILLINGS PER DAY, AND WORKERS REFUSED TO WORK UNTIL WAGES WERE INCREASED TO THE RATES PAID TO STEVEDORING COMPANY EMPLOYEES, I.E. 4 SHILLINGS |  | DURBAN DOCKS                            | 2 WEEKS   | TUGT WORKERS RESUMED WORK AT THE OLD RATES OF PAY.   | RINGROSE p.64;<br>NATAL MERCURY 13/8/37;<br>26/8/37   |   |
| -/8/37  | *      | *       | *        |       | 31    | STRIKE   |  | SUGAR INDUSTRY;<br>MILL AT ILLOVO       | 2 DAYS  | RETURNED TO WORK, RECEIVING WAGES IN FULL  | RINGROSE, p.64;<br>UNION YEARBOOK, NO.19,<br>p.273  |   |

WORKER ACTION IN NATAL 1930-1950  
(Strike Action by Black Workers)

| DATE     | INDIAN | AFRICAN | COLOURED | WHITE | TOTAL | ACTION/ISSUE  | UNION INVOLVED | INDUSTRY & FACTORY                                       | DURATION   | OUTCOME  | REFERENCE   |
|----------|--------|---------|----------|-------|-------|---|----------------|--|------------|--|---|
| -/8/37   | *      | *       | *        |       | 420   | STRIKE  |                | MINING INDUSTRY;<br>UTRECHT                              | 1 DAY      |  | RINGROSE, p.64; UNION<br>YEARBOOK NO.19, p.273  |
| 28/8/37  |        | 400     |          |       | 400   | STRIKE: INCREASE IN WAGES   |                | STEVEDORING, MAYDON<br>WHARF, DURBAN                     | 3 DAYS     | RETURNED TO WORK PENDING AN INVESTIGATION INTO THE DEMANDS, BUT 2 DAYS LATER THE STRIKE BROKE OUT AGAIN.   | RINGROSE, p.64; NATAL<br>MERCURY 30/8/37 &<br>31/8/37; UNION<br>YEARBOOK NO.19 p.273  |
| 6/9/37   | 50     | 400     |          |       | 450   | STRIKE OVER DEMANDS FOR:<br>1. HIGHER WAGES<br>2. WEEKLY PAY<br>3. CASH VALUE OF FOOD RATIONS |                | CHEMICAL, EXPLOSIVE<br>FACTORY,<br>UMBOGINIWINI          | 1 DAY      | EMPLOYERS REFUSED TO DISCONTINUE RATIONS BUT AGREED TO CONSIDER THE OTHER ISSUES.  | RINGROSE, pp.64/65;<br>NATAL MERCURY 8/9/37   |
| 25/9/37  | *      | *       | *        |       | 186   | STRIKE  |                | FISHING, DURBAN  | 16 DAYS    |  | RINGROSE p.65; UNION<br>YEARBOOK NO.19, p.273   |
| -/9/37   | *      | *       | *        |       | 13    | STRIKE  |                | SOAP FACTORY,<br>DURBAN                                  |            |  | RINGROSE; p.65;   |
| 14/12/37 |        | 300     |          |       | 300   | STRIKE: RUMOUR THAT NEW COMPOUND<br>MANAGER WAS STARTING                                      |                | COAL MINING,<br>DANHAUSER                                | 1 DAY      |  | RINGROSE, p.65;<br>NATAL MERCURY 15/12/37   |
| 10/1/38  |        | 637     |          |       | 637   | STRIKE  |                | COAL MINING  | 1 HOUR     |  | RINGROSE, p.72; NATAL<br>MERCURY 10/1/38 &<br>11/1/38   |
| 2/5/38   |        | 125     |          |       | 125   | STRIKE  |                | COAL MINE  | 1 DAY      |  | RINGROSE, p.72  |
| -/1/38   |        | 98      |          |       | 98    | STRIKE  |                | ENGINEERING:<br>GENERAL ENGINEERING<br>FACTORY, DURBAN   | ½ DAY      |  | RINGROSE, p.72  |
| -/2/38   |        | 4       |          |       | 4     | STRIKE  |                | MOTOR:<br>MOTOR REPAIR SHOP                              |            | 4 AFRICANS FINED FOR STRIKING.   | RINGROSE, p.72  |
| 25/7/38  | *      | *       | *        | 45    | 105   | STRIKE: OBJECTION TO EMPLOYMENT<br>OF NON-UNION WORKER  |                | FURNITURE:<br>FURNITURE FACTORY,<br>DURBAN               | 20 MINUTES | NON-UNION EMPLOYEE DISMISSED.  | RINGROSE, p.72  |
| 4/3/39   |        | 400     |          |       | 400   | STRIKE:<br>1. HOURS TOO LONG<br>2. FOOD WAS POOR  |                | COAL MINING, NEAR<br>NEWCASTLE                           | ½ DAY      | WORKERS ASSEMBLED AT PIT HEAD. HALF RETURNED TO WORK AFTER TALKING WITH SAP. OTHERS RETURNED TO WORK WHEN TWO ROYAL AIRFORCE AIRCRAFT FLEW OVERHEAD - "ON A PRACTICE FLIGHT". WORKERS MORALE COLLAPSED. WORKERS WORKED OVERTIME TO MAKE UP FOR LOST MAN HOURS. | RINGROSE, pp.72/73;<br>NATAL MERCURY 6/3/39   |
| 12/6/39  |        | 350     |          |       | 350   | STRIKE  |                | COAL MINING,<br>NEAR VRYHEID                             | 1 DAY      | ONE SIBINDI ZITHI CHARGED WITH INCITING A STRIKE, AND SENTENCED TO 3 MONTHS IMPRISONMENT.  | RINGROSE, p.73  |
| 26/5/39  |        | 750     |          |       | 750   | STRIKE: INCREASE IN WAGES OF<br>6d. PER DAY   |                | TIMBER YARD,<br>DURBAN                                   | 1 DAY      | EMPLOYER CLAIMED STRIKE WAS THE WORK OF AGITATORS. STRIKING WORKERS DISMISSED. MANY LATER RETURNED TO BE RE-HIRED.   | RINGROSE, p.73;<br>NATAL MERCURY 27/5/39;<br>UNION YEARBOOK (1940)<br>INDICATES A TOTAL<br>NUMBER OF 600 STRIKING<br>WORKERS. |
| 9/6/39   |        | 35      |          |       | 35    | STRIKE  |                | WATER AUTHORITY,<br>HENLEY DAM, NEAR<br>PIETERMARITZBURG | 1 DAY      |  | RINGROSE, p.73  |
| 23/9/39  | 11     |         |          |       | 11    | STRIKE  |                | SHOE INDUSTRY,<br>DURBAN                                 | 1 DAY      | GRIEVANCES SETTLED WITHIN 24 HOURS.  | RINGROSE, p.73  |
| 11/10/39 | *      | *       | *        |       | 612   | STRIKE  |                | WHALING, DURBAN  | ½ DAY      |  | RINGROSE, p.75  |

| DATE        | INDIAN | AFRICAN | COLOURED | WHITE | TOTAL | ACTION/ISSUE  | UNION INVOLVED                                 | INDUSTRY & FACTORY                                    | DURATION | OUTCOME   | REFERENCE   |
|-------------|--------|---------|----------|-------|-------|---|--|---|----------|---|---|
| -/2/40      | 16     |         |          |       | 16    | STRIKE  |  | TOBACCO, CIGAR FACTORY, DURBAN                        | 1 DAY    |   | RINGROSE, p.75  |
| -/10/41     | 33     |         |          |       | 33    | STRIKE: VICTIMIZATION OF UNION MEMBER   | TOBACCO WORKERS UNION                          | TOBACCO, IMPERIAL CIGAR MANUFACTURING COMPANY, DURBAN | 1 DAY    | WORKERS RETURNED TO WORK PENDING CONCILIATION BY DURBAN LOCAL COMMITTEE OF THE S.A.I.C. | RINGROSE, p.76; GUARDIAN 23/10/41                               |
| -/8/41      | 1500   |         |          |       | 1500  | STRIKE: DEMAND FOR INCREASE IN WAGES FROM 4s TO 8s A DAY                        |  | HARBOUR, DURBAN                                       | 3 DAYS   | RECEIVED INCREASE DEMANDED. ALSO CAUSED 1000 SARGH WORKERS TO BE "IDLE".                | RINGROSE, pp.75/76; NATAL MERCURY 19/8/41; ALSO HEMSON (THESIS) |
| 1941        | *      | *       | *        |       | *     | STRIKE  |  | MILLING INDUSTRY                                      |          |   | RINGROSE, p.76  |
| 1941        | *      | *       |          |       | 250   | STRIKE: WAGE DEMANDS, RECOGNITION OF UNION, RECOGNITION OF MAY DAY AS A HOLIDAY | TEA, COFFEE AND CHICORY WORKERS UNION (DURBAN) | TEA, COFFEE, CHICORY INDUSTRY (FOOD, BEVERAGES)       |          |   | INDIAN OPINION 26/9/41  |
| 1941        | *      | *       | *        |       | *     | STRIKE  |  | COAL MINING   |          |   | RINGROSE, p.76  |
| 1941        | *      | *       | *        |       | *     | STRIKE  |  | BUILDING INDUSTRY                                     |          |   | RINGROSE, p.76  |
| 1942        | *      | *       |          |       | *     | STRIKE  |  | PAPER BOARD INDUSTRY                                  |          | WORKERS DEMANDS ACCDED TO.  | HEMSON, p.336; RINGROSE (1951, p.30)                            |
| 1942        | *      | ?       |          |       | *     | STRIKE  | TOBACCO WORKERS UNION                          | CIGAR, TOBACCO INDUSTRY                               |          |   | NUCIW PAPERS AH 1328  |
| 1942        |        | *       |          |       | *     | STRIKE  |  | DURBAN DOCKS  | 7 DAYS   |   | RINGROSE, (1951, p.30)  |
| 8/12/42     | 147    | +290    |          |       | +437  | STRIKE: IMPOSITION OF A COMPANY UNION AT DUNLOP RUBBER COMPANY                  | NATAL RUBBER WORKERS INDUSTRIAL UNION          | RUBBER INDUSTRY, (DUNLOP PTY. LTD.)                   | +90 DAYS | ALL STRIKING MINERS DISMISSED.  | SEE SECTION 4.3 OF THIS CHAPTER FOR DETAILS                     |
| 8/42 - 9/42 | * x5   |         |          |       | * x5  | 5 STRIKES OVER WAGE DEMANDS   |  | SUGAR INDUSTRY  |          |   | RINGROSE, (1951, p.30)  |
| 1942        | *      | *       | *        |       | *     | STRIKE: WAGE DEMANDS  |  | BRICK AND TILE, DURBAN                                |          |   | RINGROSE (1951, p.30)   |
| 1942        | *      | *       |          |       | *     | STRIKE: WAGE DEMANDS  |  | LAUNDRY, DURBAN                                       |          |   | RINGROSE (1951, p.30)   |
| 1942        | *      | *       |          |       | *     | STRIKE: WAGE DEMANDS  |  | QUARRYING, DURBAN                                     |          |   | RINGROSE (1951, p.30)   |
| 1942        | *      | *       |          |       | *     | STRIKE: WAGE DEMANDS  |  | SHEET METAL, DURBAN                                   |          |   | RINGROSE (1951, p.30)   |
| 1942        | *      | *       |          |       | *     | STRIKE: WAGE DEMANDS  |  | TEXTILES, DURBAN                                      |          | WORKERS' DEMANDS ACCDED TO.   | RINGROSE (1951, p.30); HEMSON p.336                             |
| 1942        | *      | *       |          |       | *     | STRIKE: WAGE DEMANDS  |  | BUILDING INDUSTRY, PIETERMARITZBURG                   |          |   | RINGROSE (1951, p.30)   |
| 1942        | *      | *       |          |       | *     | STRIKE: WAGE DEMANDS  |  | FOOD AND CANNING, ESCOURT                             |          |   | RINGROSE (1951, p.30)   |
| 1/5/44      | *      | *       |          |       | 227   | STRIKE  |  | BRICK & TILE FACTORY                                  | 1 DAY    |   | OFFICIAL YEAR BOOK OF THE UNION: 1945                           |
| 29/3/44     | *      | *       |          |       | 64    | STRIKE  |  | CHEMICAL INDUSTRY                                     |          |   | OFFICIAL YEAR BOOK OF THE UNION: 1945                           |
| 1/11/44     | *      | *       |          |       | 202   | STRIKE  |  | WHALING INDUSTRY                                      |          |   | OFFICIAL YEAR BOOK OF THE UNION: 1945                           |
| -/7/44      | *      | *       |          |       | *     | DISPUTE OVER BONUS AND CONDITIONS OF WORK                                       | NATAL SUGAR FIELD EMPLOYEES UNION              | SUGAR INDUSTRY, NATAL ESTATES LTD.                    | 1 DAY    | WORKERS RETURNED AFTER NEGOTIATIONS WITH AUTHORITIES.                                   | GUARDIAN 27/7/44  |
| 1945        | *      | *       |          |       | *     | STRIKE  |  | NEWSPAPER INDUSTRY                                    |          | RETURNED TO WORK AFTER BEING CAUTIONED BY MAGISTRATE.                                   | RINGROSE p.81   |

| DATE     | INDIAN | AFRICAN | COLOURED | WHITE | TOTAL | ACTION/ISSUE                                | UNION INVOLVED   | INDUSTRY & FACTORY                                      | DURATION   | OUTCOME  | REFERENCE                                       |
|----------|--------|---------|----------|-------|-------|---|--|---|------------|--|---|
| 11/12/45 | *      | *       |          |       | 700   | STRIKE: WAGE DEMANDS,<br>WORKING CONDITIONS | NATIONAL UNION OF<br>LAUNDRING, CLEANING<br>& DYEING EMPLOYEES | LAUNDRY INDUSTRY,<br>DURBAN                             | + 3 MONTHS | WORKERS DISMISSED  | SEE SECTION 4.4 OF<br>THIS CHAPTER.             |
| -/10/46  |        |         | 400      |       | 400   | STRIKE                                      |  | METAL FIRM,<br>NEWCASTLE (AFRICAN<br>METAL CORPORATION) |            |  | RINGROSE, p.81;<br>NATAL MERCURY 16/10/46       |
| -/11/47  | *      | *       |          |       | 252   | STRIKE: PROTEST AGAINST<br>POLICE BRUTALITY |  | SUGAR ESTATES,<br>DARNELL                               |            | RETURNED TO WORK AFTER COMPANY GAVE<br>AN UNDERSTANDING THAT POLICE WOULD NOT<br>AGAIN BE CALLED IN. | TUCSA PAPERS AH 646<br>Da.4.4                   |
| 30/4/47  | *      | *       |          |       | 54    | STRIKE                                      |  | DAIRY COMPANY,<br>DURBAN                                |            |  | UNION YEAR BOOK: 1948                           |
| 8/8/47   | *      | *       |          |       | 124   | STRIKE                                      |  | QUARRYING, DURBAN                                       |            |  | UNION YEAR BOOK: 1948                           |
| 22/11/47 | *      | *       |          |       | 175   | STRIKE                                      |  | DAIRY COMPANY,<br>DURBAN                                |            |  | UNION YEAR BOOK: 1948                           |
| 14/1/47  | *      | *       |          |       | 65    | STRIKE                                      |  | SUGAR INDUSTRY  |            |  | UNION YEAR BOOK: 1948                           |
| 6/1/47   | *      | *       |          |       | 151   | STRIKE                                      |  | POWER STATION,<br>COTENSO                               |            |  | UNION YEAR BOOK: 1948                           |
| 21/8/47  | *      | *       |          |       | 142   | STRIKE                                      |  | MILK PRODUCTS<br>FACTORY, ESCOURT                       |            |  | UNION YEAR BOOK: 1948                           |
| 13/10/47 | *      | *       |          |       | 81    | STRIKE                                      |  | BUILDING INDUSTRY,<br>LADYSMITH                         |            |  | UNION YEAR BOOK: 1948                           |
| 12/3/48  | *      | *       |          |       | 74    | STRIKE                                      |  | FOOD PRODUCTS<br>FACTORY, ESCOURT                       |            |  | UNION YEAR BOOK: 1949                           |
| 24/9/48  | *      | *       |          |       | 15    | STRIKE                                      |  | TRANSPORT,<br>LADYSMITH                                 |            |  | UNION YEAR BOOK: 1949                           |
| 1948     | *      | *       |          |       | 16    | STRIKE                                      |  | DAIRY COMPANY   |            |  | UNION YEAR BOOK: 1949                           |
| 1948     | *      |         | 60       |       | 60    | STRIKE: WORKING<br>CONDITIONS               |  | SUGAR INDUSTRY,<br>ILLOVO MILLS                         |            |  | RINGROSE, p.81; NATAL<br>MERCURY 29/1/48;8/4/48 |
| 3/3/50   | *      | *       |          |       | 448   | STRIKE                                      |  | COTTON SPINNING,<br>LADYSMITH                           | 1/2 DAY    |  | UNION YEAR BOOK: 1950                           |
| 9/1/50   | *      | *       |          |       | 160   | STRIKE                                      |  | COAL MINING,<br>VRYHEID                                 | 2 DAYS     |  | UNION YEAR BOOK: 1950                           |
| 4/1/50   | *      | *       |          |       | 33    | STRIKE                                      |  | COAL MINING,<br>VRYHEID                                 | 1 DAY      |  | UNION YEAR BOOK: 1950                           |
| 8/5/50   | *      | *       |          |       | 111   | STRIKE                                      | TOBACCO WORKERS<br>UNION                                       | TOBACCO INDUSTRY,<br>3 FACTORIES                        | +3 WEEKS   |  | TUCSA PAPERS AH 646<br>DC 8.49                  |
| 26/6/50  | 300    |         |          |       | 300   | PROTEST DAY CALLED<br>BY CPSA               | DURBAN INDIAN<br>MUNICIPAL<br>EMPLOYEES SOCIETY                | MUNICIPALITY,<br>DURBAN                                 |            |  | TUCSA PAPERS AH 646                             |
| 28/11/50 |        |         | 572      |       | 572   | STRIKE: WAGE DISPUTE                        |  | DURBAN DOCKS(SARAH)                                     |            |  | UNION YEAR BOOK: 1950                           |
| 1950     | *      | *       |          |       | 7     | STRIKE                                      |  | SUGAR INDUSTRY<br>(MILLING)                             |            |  | TICHMANN (1983, p.81)                           |
| 22/8/50  | *      | *       |          |       | 223   | STRIKE                                      |  | LEATHER INDUSTRY,<br>DURBAN                             |            |  | UNION YEAR BOOK: 1950                           |
| 21/9/50  | *      | *       |          |       | 14    | STRIKE                                      |  | ENGINEERING,<br>PINELOAN                                |            | EMPLOYEES PAID OFF AND NOT RE-ENGAGED  | UNION YEAR BOOK: 1950                           |
| 1/10/50  | *      | *       |          |       | 53    | STRIKE                                      |  | MINERAL WATER,<br>DURBAN                                |            |  | UNION YEAR BOOK: 1950                           |

case of the textile workers strike of 1 February 1935, to about 3 months in the case of the laundry workers strike in 1945/46. As far as is ascertainable and verifiable, only eleven unions were involved in the strikes which occurred. However, where a specific trade union is known to have been established in a particular industry in which a strike occurred, that union may well have been involved in that action. Thus, for example, many of the strikes in the sugar mills after 1938 are likely to have involved the Natal Sugar Industry Employees' Union.<sup>5</sup>

Although these strikes were not organised as part of a coherent trades union or union federation strategy, they did serve to broaden the base for the economic demands of semi-skilled and unskilled Black workers. At the same time, they also raised a whole new set of issues in terms of the organization of these unions and their strategies, and in terms of the relationship between the workers' movement and the political organizations of the time. More specifically, the strikes over this period raised the following issues apart from the immediate shop-floor problems which may have led to the strikes, such as wage demands, dismissals and union recognition:

1. the basis for and future of non-racial unionism;
2. the reaction of crafts unions such as the Amalgamated Engineering Union (AEU) to the movement towards industrial unionism;
3. the formation of parallel unions;
4. the reaction of capital and the state to this new wave of trades unions and worker action;
5. the role of the South African Trades and Labour Council (SATLC) and in particular the reaction of the Durban local committee of the SATLC to the new industrial unions;
6. the role of the Communist Party of South Africa (CPSA), the Natal Indian Congress (NIC), the Natal Indian Association (NIA) and the various factions within these organizations in support of worker action, and the implications of such support or intervention for working class struggles.

These issues are most clearly illustrated in the three most significant strikes which occurred over this period and which involved Indian workers, viz, the Falkirk strike of 1937, the Dunlop strike of 1942/3 and the laundry strike of 1945/6. These strikes will now be analysed in the light of the issues listed above. The most important points emerging from this analysis are summarised at the end of the chapter. Because most of these issues were first raised in the Falkirk dispute, this strike will be analysed first and in the greatest detail.

#### 4.2 The Falkirk Strike (1937)

On 3 May 1937, + 400 Indian and African workers at the Durban Falkirk Co. Ltd in the Jacobs industrial area went on strike in support of what they called the victimization by retrenchment of 16 members of their union - the unregistered Natal Iron and Steel Workers Union (NISWU).<sup>6</sup> The formation of the union was precipitated by an earlier strike over wages that was led by skilled workers, but which involved all the company's employees. This took place in February 1937, and was resolved to the satisfaction only of the White and Coloured workers who were members of the Amalgamated Engineering Union (AEU).<sup>7</sup> This union had used the numerical weight of the non-organized Indian and African workers in support of their demands for wage increases, but then cast them aside once they had struck a deal for themselves with management. Faced with this situation, the unskilled Indian and African workers went about trying to form a trade union and as a result the NISWU was formed. In their memorandum on the strike this new union stated:

At about the month of February 1937 a strike led by the skilled workers took place. The skilled workers gained their demand while unskilled workers gained no material advantage from the strike. This caused the unskilled workers to talk about forming a trade union. A union, as above named (NISWU) was formed and the decisions were contained in the "Mercury" issue of 6/4/37 as press news<sup>8</sup>

This public statement, however, served to warn management of the formation of the unregistered and as yet unrecognised 'non-racial' union. In their memo the NISWU stated that members of the union saw the works manager talking to a foreman with the newspaper cutting in his hand. Consequently, and without formal warning, management retrenched 16 members of this union on the 22 April 1937. Workers considered this victimization, as there already existed a "usual practice of short-time". This victimization was not without prior management provocation. On 10 and 12 April, separate instructions were issued to various departments to the effect that workers would in future only be allowed to visit the cloakroom during tea-breaks. Furthermore, workers alleged that they were prevented from making purchases at a nearby shop during these tea-breaks. This arbitrary prohibition on the use of toilet facilities during working hours, and the ban on the purchasing of food from a shop caused resentment and hostility to build up against management. However, the workers did not immediately go on a wildcat strike in the face of this unwarranted provocation by management. The union wrote to management on two occasions in an attempt to arrange a meeting to discuss the retrenchment/victimization. Management disregarded the letters.

On the 3 May 1937, the strike began and received widespread publicity in the newspapers. An inspector for the Industrial Council of the metal industry, Mr EA Colenso, tried to persuade workers to return to work and continue production. Management's public response to the strike took the following form:

1. They refused to recognise the union on the grounds that it did not want to join the Industrial Council and had no constitution. They also objected to the fact that workers had struck work rather than negotiated. The Natal Mercury quoted Mr M Barker, the managing director, as saying:

The Indian and Native employees had had the opportunity of joining the National Industrial Council ... They refused, have no constitution and cannot be recognised by us. They demand that we recognise it, and resort to the old method of striking instead of collective bargaining.<sup>9</sup>



2. They rejected the claim of victimization, stating that the employees were "redundant and we have dismissed them. They are daily paid men".<sup>10</sup>
3. They called in the police, claiming that "some strikers threatened to 'beat up' any Natives or Indians who attempted to start work".<sup>11</sup>

Management's response does not seem to accord with the actual developments at the factory in the weeks preceeding the dismissals or with what took place after the dismissals. In their statement, management failed to mention that the union had twice requested a meeting to discuss and resolve the so-called retrenchments. According to the union, it was this attitude to a reasonable request that set off the strike action. There is no evidence that management responded to these points made by the union. The company's statement that the union did not want to join the industrial council appears to be incredibly (and conveniently) misinformed, as it was well known that African workers, not being defined as "employees" in terms of the IC Act, were excluded from representation on industrial councils. Thus management's response can only be interpreted as a well orchestrated attempt to smash and/or discredit this non-racial union. Furthermore, the industrial council itself was dominated by national and local unions representing the interests of skilled rather than semi-skilled or unskilled workers. Thus the NISWU argued in a press statement:

Hitherto the non-European workers have not been consulted in regard to any agreement in the industry, and they are compelled to organise in their own interests. We deny that we have the option of joining a union to which the European employees of the firm belong. The Indian and Native employees are semi-skilled or unskilled. They are compelled to organise in their own interests, to have a future say as to the wages and conditions in which they have to work.<sup>12</sup>

The secretary of the Industrial Council, Mr AH Scott-Taylor, charged that the NISWU was trying to take advantage of the Industrial Council agreement which had lapsed on the 26 April 1937. He said that the Council was legally still in existence, implying that the NISWU was either contravening the law by being involved in an illegal dispute/strike, or that it was too immature to understand the intricacies of industrial relations. His comments clearly deflect from the central issues of wage discrimination, victimization and the right of a union to organize. He acknowledged that the NISWU had applied to be party to the agreement, but stated that their application was still being considered by the Secretary of Labour.

It appears that an agreement was reached and signed between management and the union the following day - the 5 May 1937. Before the agreement was reached, workers were addressed by representatives of the Native Commissioner, the manager of the Municipal Native Affairs Department, the Department of Labour and the Industrial Council.<sup>13</sup> The terms of the agreement were<sup>14</sup>

That the employees resume work at 1.30pm on condition that:

- i. The management agree to receive a deputation of employees of the company and discuss the dismissal of 15 Asiatics and one Native employee, and that they agree to the employees' representatives adding to their number an official or member of a registered trade union.
- ii. There shall be no victimization.
- iii. The management will pay the employees in full for May 3 and 4 provided that those employees who were not at work on April 30 and did not report for work at 1.30pm on May 4 shall not be entitled to pay.

Management, however, also slipped into this agreement an insidious clause which was extremely damaging to the public image and credibility of the union. It read as follows:

The management agrees to this because it believes that the general body of workers have been led into taking an action which they would not have taken had they understood the proper course for them to pursue.

The union objected strongly to this clause on the grounds that it exposed the leaders of the union to a charge of misleading the workers. However, and surprisingly, the leaders of the union accepted this clause after receiving verbal assurance from management that they (management) would not interpret the clause in that way. No date was set for the meeting between the union and management in terms of Clause 1 of the agreement. The failure to include such a clause could be counted as a tactical mistake on the part of the union and in view of developments over the following few weeks it was to prove a costly error. However, on 11 May, a meeting was held to discuss the issue of the dismissed men. No agreement was reached and a further meeting was scheduled. It cannot be ascertained whether management were employing stalling tactics, but it is clear that they were adopting a 'hard-line' approach in discussions.

Sometime between 11 May and 24 May, the secretary of the Union, Mr HA Naidoo, was dismissed and on the 21 May, 26 others, including the chairman of the union, were put on short-time.<sup>15</sup> Management claimed that this was done because business was slack and that, in fact, some workers were redundant. The union claimed in its pamphlet that the dismissal of the union secretary was deliberate victimization.

... The secretary of the union was dismissed and 26 others, including the chairman of the union (PM Harry), were put on short-time, with the pretence that the factory was slack, but in reality to keep the chairman isolated from the workers. Thus it will be seen that the employees have openly and deliberately violated the terms of agreement of the strike [of 5 May 1937].<sup>16</sup>

The response of the workers to this act of provocation was to resort to what they termed 'sanctions', which amounted to a sort of 'work-to-rule' campaign. This type of industrial action was agreed at a general meeting of all the workers held on 24 May.

On 25 May workers arrived late for work, ie. at 6.50am instead of 4.00am, and observed the correct meal hours and breaks in what they called the "legal hours of employment in terms of the Factories Act".<sup>17</sup> Workers took their lunch break at 11.45am and returned to work at 12.15pm, whereupon they were asked to leave the factory.

Management put up notices to say the factory was closed and called in the police to prevent workers entering the factory. Thus the dispute, which originally began in February 1937 as a wage demand by all workers, snowballed into one involving issues of wage discrimination, victimization, the refusal to recognise a union and finally a lock-out.

It was also alleged in a newspaper report that the management of the Falkirk company closed the factory in response to a report that a nearby box-making factory's workers went out on strike demanding higher wages. The morning newspaper, the Natal Mercury stated that these developments (ie. the two industrial disputes within one area) were being "regarded seriously and as a threat to the entire industry in Natal".<sup>18</sup> One can only surmise that the large number of strikes in Natal in 1937 was beginning to cause concern among industrialists. The management of the box factory denied that any dispute or strike took place.<sup>19</sup> However, the strike is documented by other sources, including the annual report of the Department of Labour,<sup>20</sup> and it would thus appear that the denial was an attempt to hush up the strike, especially if it showed that it influenced Falkirk's management to lock out its workers.

At this point, outside political leaders began taking an active interest and role in the dispute. Mr AI Kajee, secretary of the Natal Indian Congress (NIC) telephoned the Agent-General (of India to South Africa) to request him to ask Mr JH Hofmeyr, the Minister of Labour, to appoint a conciliation board in terms of the Industrial Conciliation Act. It must be noted that there is no evidence to suggest that the union, its members or any individual connected with the strike gave Mr Kajee such a mandate, although significantly the union does not appear

to have objected to this sort of intervention. Mr Kajee, in a press interview, claimed that his actions were motivated "in the interests of the dependants of the men who were locked out".<sup>21</sup> In any event, Mr Kajee's action appears to have fallen totally outside the ambit of any possible control that could be exerted by the union or its leaders, and this, as we shall attempt to show throughout this chapter, was to have serious implications for the unions concerned.

On the second day of the lock-out the 400 workers involved refused to turn up for work. Management had by this time taken stock of the situation, and perhaps realising that they could be prosecuted for illegally locking out workers, claimed in the Natal Mercury of 27 May,

Yesterday morning, when the 400 men failed to appear for duty, the factory management deemed this to be a strike. On Friday all 400 of these employees will be discharged and fresh men will be taken on under ordinary factory conditions.

Management did, however, indicate that they would be happy to re-engage the strikers under the conditions of production which prevailed in the factory, which they claimed "differ slightly from those pertaining in other factories and are due purely to the exigencies of the work which ... cannot be operated on a time-basis".<sup>22</sup> Management claimed that the furnace could not be closed down, otherwise it would be damaged and the molten metal would become useless. Clearly management wished to imply that workers had neglected their jobs and responsibilities, and that this had caused the closure of the whole factory. The allegation was rejected by PM Harry:

The allegation that it was due to neglect of work that the factory was closed is unfounded. This alleged neglect was confined to only one of eight departments of the factory yet all eight were closed."<sup>23</sup>

In a press statement, PM Harry and HA Naidoo stated adamantly that this was a lock-out, not a strike and that workers were perfectly happy to return to work provided they started work at 6.50pm and not at

4.00am.<sup>24</sup> The union pamphlet expressed their views thus:

The following morning the workers deputation made an attempt to meet the employers, but were refused a hearing. The management then gave publicity to the effect that the workers were dismissed and that they were to be paid off on Friday, 28th. New workers would be engaged, and if the "strikers" wished to be re-employed they could apply for work. It will thus be seen that the manager did his utmost to split the ranks of the workers but failed, thanks to the militant stand of workers.<sup>25</sup>

The workers then adopted what they called a "sit-down-outside" policy in the hope that some negotiations would be started. Although dismissed by management on 28 May, workers refused to collect their pay, stating that they would return every day to carry on their "sit-down-outside" policy. This was a remarkable show of solidarity by workers across racial lines. However, Falkirks soon resorted to exploiting the 'race factor' in an attempt to divide the workers and break worker solidarity. Management stated that employees' pay would be credited to their accounts on the wage sheet. There was nothing sinister about this of course, except that management sent the African workers' registration tickets to the Durban Municipal Native Administration Department where workers would have to claim them within a week or be liable for arrest and prosecution under municipal by-laws. The African 'strikers' were also evicted from their hostel accommodation. Management claimed that these African workers were being housed and fed at the company's expense and since they were dismissed they could no longer live there. It is not clear whether in fact Falkirks fully subsidized the feeding and accommodation of these workers. Whatever the case, these actions, by treating African workers differently from Indian workers, clearly had a divisive effect on workers' solidarity.

In the meantime, the Department of Labour wrote to the union asking it to submit its case to the Industrial Council for the Metal and

Engineering industry. Faced with such a prospect a meeting of the workers held on 31 May passed the following resolution:

This meeting re-affirms its contention that the present state of affairs at the Durban Falkirk Iron Co. constitutes a lock-out. If, on the other hand, the employers hold to the contrary, then the employees declare their willingness to resume work and that the status quo be maintained until all grievances have been suitably disposed of through the mediatory channels.<sup>26</sup>

At about this time 'outside' individuals and organisations began to play a more prominent role in the dispute. On the 28 May 1937, the very day the African workers were evicted, the secretary to the Agent-General (of India) in South Africa, a Mr Ridley, held talks with the management ostensibly on behalf of the Indian workers in the dispute. One can only presume that AI Kajee's earlier call to the Agent-General had prompted a visit by the latter's secretary. We have not found any evidence to suggest that the workers or union officials ever sought this intervention. It would seem highly unlikely that a union which had demonstrated such worker unity across racial lines would want mediation on behalf of Indian employees only. It would appear from the newspaper reports that the Agent-General's Secretary did not first visit the workers to ascertain their plight, or to determine whether (or how) his intervention could have been of any assistance in resolving the dispute.

On Tuesday 1 June workers returned to the factory at 5.00am ready to resume work. Management, however, refused to allow them to do so, contending that as they had been on strike and dismissed by the company they should first sign on as new workers. The workers refused to do this, stating that they were locked out, and if they returned to work under these circumstances, they would be admitting that they had been dismissed. They instead called upon management to reinstate them and allow the Industrial Council to decide the issue. Despite this show of unity, 12 workers broke ranks and returned to their jobs as new workers with fresh contracts. But the resolve of the remainder of workers was

to come to nought. By that afternoon, management had already signed on 70 new workers of all 'races'. The managing director, expressing his satisfaction at this state of affairs, said:

We could have taken all of them back this morning if they had been willing to sign on. As they are not offering themselves, we are taking on others.<sup>27</sup>

The employment of scab labour further weakened the bargaining position of workers. The following day the managing director again claimed that more than 100 workers were taken on and that "by this time next week we shall be carrying on as usual".

On the same morning the representatives of the South Africa Indian Congress (SAIC) conferred with management and then tried to persuade workers to return to work. In a press interview these representatives expressed their failure to convince workers to resume work under the conditions that management had imposed.

We have tried to persuade the men to return to work but they will not give up their principles. There will soon be a great deal of misery among them because they are without wages. On humanitarian grounds we appeal to the management to take on men under the old conditions and to allow the Industrial Council to settle the dispute.<sup>28</sup>

While the dispute raged on at the gates of the factory, the union sent a telegram on the morning of the 1 June to the secretary of the Trades and Labour Council, Johannesburg, requesting assistance. This was the first official assistance the union requested, and significantly it was from the umbrella body of trades unions in South Africa representing the majority of the organised working class. The telegram read:

Iron and steel workers 400 in number locked out by Durban Falkirk management Reasons: denying right of workers to organise trade union STOP Dispute recognised by Labour Department and referred to Metal and Engineering Industrial Council despite this management maintains workers dismissed STOP Appeal to you for assistance report follows Harry <sup>29</sup>



The actual assistance which the Trades and Labour Council rendered was limited to instructing the local committee to render assistance to the Falkirk workers. However, the local committee did little or nothing at all. The SATLC's action in the dispute will be examined later as it occurs in the sequence of events.

On Wednesday, 2 June, the union was dealt another blow by the secretary of the Industrial Council, Mr AH Scott-Taylor. It appears that he informed the Divisional Inspector of Labour that the council had found that management was within its rights in dismissing the employees. The significance of this is further emphasised by the fact that the Natal Iron and Steel Workers' Union were not informed by the Industrial Council, or the Divisional Inspector of Labour, but by Mr AI Kajee and Mr Ridley, the secretary to the Agent-General.

The public response of PM Harry (the union's chairman) was that it was unfair and a pre-determined decision:

The case of the employees was posted by me on Monday, May 31, and therefore could not have been before the Council on Friday, the 28th, the date on which the Council made its decision. It must therefore follow that the council prejudged the employees in their absence.<sup>30</sup>

PM Harry further stated in a letter to the Divisional Inspector of Labour that the case of the Falkirk workers had been forwarded to the secretary of the Industrial Council and the union's representatives would be willing to meet "on any day and place they are advised to submit the case of the employees".

While it was quite correct for PM Harry to publicly condemn the stance taken by the secretary of the Industrial Council, and defend the right of workers to represent themselves at a hearing of the Council, it is not clear how or why AI Kajee, the Agent-General and his secretary should have been privy to information relating directly to the lives

of the workers in the dispute. It is not clear (from our research) who mandated these eminent figures to act on behalf of the workers and the union. Neither were we able to confirm whether or not union officials kept the workers informed of these developments and whether workers actually agreed to this intervention. This also raises the vitally important issue, (assuming that such intervention was sanctioned) of the terms of such a mandate. This is vital, for at the meeting of the Industrial Council on 5 June 1937, Mr Scott-Taylor reported that AI Kajee came as "the official delegate from the Indian Congress", to "support" the case of the workers.

At this meeting of the Industrial Council, the union was represented by Mr Alec Wanless, MPC - an advisor to the NISWU - and by Mr Ben Matthews, a trade unionist. However, the Industrial Council rejected Mr Matthew's credentials because he was not an official of a trade union in the engineering industry. The Industrial Council upheld the earlier view expressed by its secretary that:

- i. The action of management did not constitute a lock-out.
- ii. If employees had acted along constitutional lines the trouble would not have arisen.
- iii. The men were wrong to go on strike again after coming to an agreement.
- v. There was intimidation to prevent others from working.

With only one person to represent the union's case, the Industrial Council came out strongly against the union, further stating that as an unregistered union they could not be represented on the Council. However, having already decided on the issue, they called in the NISWU deputation not in order to discuss the matter, but to inform them that they were in the wrong. This was felt necessary because

... often having arrived at an agreement they again went on strike. Having done so, they have broken the undertaking that pending an enquiry they would continue working. Furthermore, certain people intimidated workers who were prepared to accept employment with the firm; that was a breach of the agreement.<sup>31</sup>

While it is not clear what brief Mr Kajee held for the NISWU, he severely criticized the Industrial Council. He said that there had never been any intimidation; that White and Coloured workers did not stop work on 25 May; and that the Council's decision of 28 May (and its confirmation on 4 June) was done without the workers presenting their case. He added that it was misusing the law to say that there was no lock-out and that management was right in dismissing the workers. Mr Kajee then directly accused the Amalgamated Engineering Union of being responsible for the present state of affairs at the Falkirk Iron Company, stating that they should not have left any workers unorganised.

If there is any blame why these men should have been left unorganised, it is on the officials of the unions like the Amalgamated Engineering Union.<sup>32</sup>

In a letter to the SATLC the chairman of the NISWU, PM Harry, was scathing about the treatment the union received at the hands of the Industrial Council, and he accused the Council of abusing its powers.

The Industrial Council for the Metal and Engineering Industry has all along taken an attitude which we feel is abusing the powers given to the Council by the Government. At the last meeting of the Council the workers delegates, amongst whom was Mr AI Kajee representing the Natal Indian Congress and Mr AT Wanless were treated with the utmost bias and callous disregard, which is typical of the Council's attitude towards the Indian and Native workers in the industry.<sup>33</sup>

The letter also brought to light several other developments. The AEU offered to incorporate the new union as a section. This move by the AEU was nothing short of cynical. The NISWU attitude to this offer, although somewhat ambiguous, was stated in their letter thus:

Of course it must be understood that the workers have no opposition to becoming a section of the Amalgamated Engineers Union. The AEU has given no consideration, whatsoever, in the past to organise their workers, but now they have formed their own union the AEU, we understand, is prepared to accept them.<sup>34</sup> (emphasis added)

It would seem that the NISWU, in the interests of diplomacy, was careful to qualify its anger at the AEU's cynicism. Quite clearly, too, the AEU was not going to take on African workers as this would have damaged its credibility among its skilled White worker constituency, and the benefits it derived from the Industrial Council. The tenor of the NISWU letter clearly indicates a rejection of any rapprochement between the two unions.

By this time the NIC had become thoroughly embroiled in the dispute. This is clear not only from the union's letter to the SATLC, but also from the mass meeting held under its auspices on Sunday 6 June 1937. In the letter Harry writes:

The workers are still standing out whilst scab labour is being recruited ... Management have done everything possible to smash up the union whilst on the other hand the workers are standing firm to their principles ... In the meantime we are doing everything possible in Durban to see that the locked out workers are being fed. We are getting considerable assistance from the Natal Indian Congress, both material and moral, and also from the local factory workers, trade unionists and sympathisers.<sup>35</sup> (emphasis added)

The mass meeting held under the auspices of the NIC was attended by about 1200 people and was extensively reported in the press.<sup>36</sup> The significance of this meeting arises not so much from the fact that it pledged support for the workers but:

- i. from the lip-service it paid to the non-racial character of workers' solidarity;
- ii. from its strident outpourings of bourgeois paternalism for workers' grievances couched in terms of an Indian nationalist rhetoric;
- iii. from the implications it held for the independence of organized trades unionism.

Three resolutions were passed at the meeting.<sup>37</sup> The first called on the Minister of Labour to appoint a mediator and the management to "restore the status quo" by permitting the workers to resume work in the meantime. The second resolution questioned the application of the Industrial Conciliation Act in conjunction with the White labour policy, particularly since the "Indian community" had accepted the Cape Town Agreement of 1927. This application of the country's laws (it went on) "retard[s] and set[s] back the progress of the Indian working class and Indian employers..." It then called on the Minister of Labour and Social Welfare to remove "the adverse factors which operate against the Indian Community" and recognise "the right of the Indian workers and employers to form Trade Unions and employers organisations or alternatively to join the existing trade unions or employers organisations..."

The third resolution pledged its support to the employees and

request[ed] the Natal Indian Congress as representing the Indian community to continue its efforts to obtain for the workers involved in this dispute the necessary redress of their grievances by every constitutional means. (emphasis added: all references are to NIC resolution)

In the resolutions passed at this meeting no mention is made of the NISWU's role in the negotiations and strategies that were being discussed. Mention is only made of the "Indian community", the NIC, Indian (non-European) workers, the "Falkirk Company" and even "Indian employers". In other words it would appear that the issues that affected these workers were subsumed under the broad political demands of the NIC at that time. (The implications of this divestment of control over the conduct of the negotiations will be examined shortly.)

In general, the NIC directed its comments to such issues as the flouting of the Cape Town Agreement and the principles of the Industrial Conciliation Act and the Wage Act. Mr EM Paruk, chairman of the meeting, said as much in his speech. "In this dispute these principles [the Cape Town Agreement etc] are at stake and it is therefore the community's affair and hence this meeting," adding, "There can be no division of opinion of [sic] this question. The attack on these men are because they are Indians, because they are without political power."<sup>38</sup>

This must surely have been received with some surprise by the Falkirk workers. Of course, they knew they were without political power, but this was surely not the point. For them, the central issue was their fight for the recognition of their union and the redress of their grievances as workers. They were dismissed because for the first time inter-racial co-operation amongst workers threatened (i) the right of the employers to manage as they saw fit and (ii) the maintenance of high profits through the differential payment of workers along lines of race and skill. The NIC leadership in their paternalistic concern for the workers deflected the issue to one of "racial bias" as AI Kajee claimed, and to a heart-rending plea to provide relief for the dependants of the workers. Thus Paruk states:

The daily bread of 1500 to 2000 innocent women and children, dependants of these unfortunate men, is involved ... these men and women and their dependants are in need of food and steps have been taken to provide relief. I appeal to you to stand by your fellow countrymen and by our Native friends and extend to them your moral and material support.<sup>39</sup>

AI Kajee struck a more demanding note, alleging racial bias and again raising the questionable issue of ethnic nationalism:

This is a turning point. We must demand justice from higher powers, not only for these Indians, but for all other Indians who are ground down. Let us remember that we are Indians first and everything else after.<sup>40</sup>

Besides defusing the obvious class issue, Kajee's demand for "justice from higher powers" was just so much mindless rhetoric. It is pointless to meet ministers in an attempt to redress such grievances, for without organised power based on the interests of a strong, disciplined and well-structured labour movement, all such "demands" would come to nothing.

During the week following this mass meeting, a deputation consisting of Mr S Nana, secretary of the South African Indian Congress, Dr Y Dadoo,

Mr MM Moola and Mr GH Kathrada met the Minister of Labour, Mr Hofmeyr. Predictably nothing concrete emerged from this meeting, although there were reports in the press about the power the Minister had in appointing a mediator.<sup>41</sup>

A meeting was also held on 8 June 1937 between the workers and the secretary of the Industrial Council, Mr Scott-Taylor. At first, Mr Scott-Taylor had wanted to cancel the meeting on the grounds that he could not help the workers any longer as the company had taken on 200 new workers and therefore had nothing to offer. However, the meeting did take place and after negotiations with management 50 of the dismissed workers were promised work. This offer, according to PM Harry, was refused individually and collectively by the workers' delegation present at the meeting.

At the same time, two MP's, Mr DC Burnside and Mr JG Derbyshire and Senator SS Brisker met with officials of the Industrial Council to try to have a mediator appointed. The following day, the board of management of the Falkirk company met to discuss the question of mediation, but it is not known what was decided at this meeting.

On 10 June, the general secretary of the Trades and Labour Council wrote to the Durban Committee of the Trades and Labour Council requesting financial assistance to be given to the Natal Iron and Steel Workers' Union involved in the Falkirk dispute. The Durban Committee secretary, a Mr FW Payn, replied in a three page letter dated 22 June 1937 that in their view the National Executive Committee's actions constituted an

interference in the domestic affairs of one of our affiliated unions, and furthermore is an interference in the relationship between affiliated unions and their employers' associations in this centre.<sup>42</sup>

With regard to actually helping the workers in the Falkirk dispute they said they recognised "the hardships which these workers are suffering" but they thought that the National Executive Committee was ill-informed. They then outlined exactly what management stated as its reasons for dismissing the workers.

The Durban Committee then added that:

These unfortunate workers are being misled by their leaders, their leaders being in the main prominent members of the Communist Party... Our delegates do not feel inclined to send monies or interfere unless they can be thoroughly convinced that this dispute is being carried on in proper Trade Union lines.<sup>43</sup>

We have not been able to corroborate the Durban committee's claim that the Communist Party leaders of the NISWU, ie Harry and HA Naidoo "misled" the workers in this particular dispute, nor has it been possible to establish what, in general, the role and effect of any CP intervention was.

The dispute dragged on for another month. On 11 July 1937 a 'settlement' was finally reached when the company agreed to 're-engage' 119 of the +400 workers who had gathered daily outside the factory to protest against (what was to them) the lock-out, the denial of the right to work, to form a union and to bargain on wages and working conditions.

In assessing the implications of this dispute one thing becomes clear. Although the failure to resolve the dispute to the total satisfaction of the workers may be related to the union's tactical mistakes in dealing with management, to the employers' refusal to deal with the unregistered non-racial NISWU and to the Industrial Council protection of the sectional interests of skilled workers, these factors are less important than the question of union leadership and their control over the conduct of the strike. The very limitations referred to in Chapter Three, ie the absence of (i) clear democratic structures in the unions of this period and (ii) of a dynamic relationship between the membership and their leaders in relation to the specific issues of the moment, militated against the internal cohesiveness of the union's actions and resulted almost directly in the subordination of its actions to those of external agencies such as the NIC.



We are, of course, not denying that pressure from whatever source in support of working class action or the resolution of any specific set of worker grievances is important. However the almost total dependence on and divestment of control to external (political) bodies, and the absence of any meaningful reliance on the organised strength and decisions of the rank and file, represents in our view the greatest threat to the independence of working class organisations and to their development and potential. The entry of political organisations was facilitated by the absence of adequate structures and controls and by the lack of a clear theoretical perspective on the part of the leadership - who appeared happy to entertain outside interference on any terms. This allowed for the subordination of worker interests to the more diffuse objectives of organisations such as the NIC - objectives which were clearly at variance with what ought to have been the priorities of this emerging trade union movement.<sup>44</sup>

#### 4.3 The Dunlop Strike (1942/3)

Towards the end of 1942 a number of serious strikes occurred in the Transvaal and in Natal. In Durban strikes involving joint action by African and Indian workers occurred in the paper, laundry and textile industries.<sup>45</sup> In both the paper board-making industry and the textile industry such 'inter-racial' co-operation secured victories for the workers.<sup>46</sup> Following this spate of worker action the Government, concerned about the implications of such activity for the war effort, proclaimed War Measure 145 of 1942 on 19 December 1942<sup>47</sup> which outlawed strikes by African workers, exposed strikers to a prohibitive maximum penalty of a £500 fine or three years imprisonment and imposed compulsory arbitration at the discretion of the Minister of Labour. Durban employers responded to working class action in two ways. In the first instance, they responded by stepping up inter-industry and inter-sector co-ordination and co-operation to crush strikes (Hemson, 1979). Such joint employer co-operation led to the formation in 1943 of the Natal Employers' Association. As Hemson (p.338) comments:

The Association was to prove essential in co-ordinating the policies of employers in different firms and industries towards trades unions, and the interests of employers and the state in regard to measures to suppress strike action and implement effectively urban regulations directing the flow of African labour supply.

Secondly, they responded by attempting to build 'company unions' with a view to undermining the growth and activities of the 'militant' non-racial trades unions and in this way maintaining the basis for a cheap and quiescent labour force. This latter response is best illustrated by the strike at Dunlops (Pty) Ltd which broke out in December 1942. The strike, which was triggered off by the dismissal of 13 members of the non-racial Natal Rubber Workers' Industrial Union, was primarily directed at the imposition of a company union at the factory. The strike was "decisive in undermining radical leadership in registered trade unions and in causing distrust and hostility between Indian and African workers" (Hemson, 1979, p.337) and marked a watershed in the momentum and direction of working class organisation and activity in Durban.

The Natal Rubber Workers' Industrial Union (NRWIU), which was registered on 23 December 1938, operated on the basis of what Ginwala refers to as a 'gentlemen's agreement' (1974, p.397) with a mixed (White, Indian and African) membership. The union began with a membership of 450 - mainly composed of employees of Dunlops and, within a few months of formation, negotiated an agreement improving wages and working conditions.<sup>48</sup> Little is known of the activities of the union after that agreement. However, it would appear from comments made by a delegate to the 13th Annual Conference of the SATLC in 1943 (when the Dunlop company union was being discussed) that all was not well with the union. The delegate (a Mr Evans of Durban) spoke of the union being at "sixes and sevens"<sup>49</sup> after it had negotiated its first agreement. Later he commented that the union "had more secretaries since they had been a registered trade union than any trade union in the country, but had never had a secretary yet who knew everything about the manufacture of rubber" (p.76). Whatever may have been the problem, membership of the

union grew after formation and stood at 625 by the end of 1942 - of whom 155 were "European", 160 "Asiatic" and 310 "Natives".<sup>50</sup>

The problems which led to the December strike began in March/April 1942 when Dunlop started replacing Indian workers with, primarily, cheaper (African) labour.<sup>51</sup> The number of Indian workers employed was reduced from 282 in March 1942 to 260 in May, and 149 at the commencement of the strike on 8 December 1942.<sup>52</sup> This trend had continued in spite of an arbitration award published in September 1942<sup>53</sup> which stipulated that 30 percent of the workers at Dunlop would be 'European', 30 percent Indian and 40 percent African. Dunlop claimed that Indian workers were laid off in order to re-employ 'European' employees who had left the company to join the army. The company claimed to have given an undertaking to these former employees that they would be re-hired on their return.<sup>54</sup> However, the NIC 'investigation' into these events revealed that the majority of the 'Europeans' taken on at Dunlop had not previously worked there and that in any case the majority of replacements were African. These allegations made in a letter to Dunlop by the NIC were not challenged in the Dunlop reply.<sup>55</sup> And a member of the NRWIU was quoted<sup>56</sup> as saying that the real aim of the company was to employ cheaper labour.

That cheaper labour is African ... we are not of course denying the African workers right to employment, but we are denying that the bosses have the right to employ anyone at lower wages that they pay the Indian workers and their right to lay off workers in order to do so.<sup>57</sup>

At the same time as these replacements were being made it was alleged that the company began moves to form a rival company union. Mannie Peltz, the secretary of the NRWIU informed the 13th Annual Conference of the SATLC that through

victimization, terrorism and by dismissals the firm slowly managed to get the signatures of the European workers until a proportion - and many of them, if not

a majority, belonged to our union, to protect themselves, joined the company union,<sup>58</sup>

the Dunlop Employees' Union. The membership of this union stood at 343 - all 'European' - by February 1943.<sup>59</sup> Peltz maintained that the NRWIU took this matter up with the Department of Labour, stating that their union was a registered union catering for all employees and that there was no reason or necessity for the formation of another union at the factory. He believed that the attempt at forming a company union by Dunlop and other factories represented an attack on the "democratic trade unions" that were "properly organised and registered".<sup>60</sup> According to Peltz the Department of Labour replied that they had no proof of these developments.

Matters were brought to a head when "13 militant Indian workers"<sup>61</sup> with long periods of service were dismissed in December 1942. The union asked for the re-instatement of these workers and also for facilities similar to those enjoyed by the Dunlop Employees' Union to be granted to the NRWIU. When these were not acceded to the Indian and African employees of Dunlop - all members of the NRWIU - decided by a show of hands to call a strike.<sup>62</sup> RD Naidu, who was a member of the strike committee, informs us<sup>63</sup> that some White workers pledged their support for the strike but did not come out on strike the next day. The decision to strike was taken on the afternoon of 8 December 1942. That night some of the striking workers picketed the Dunlop factory when the night shift went on duty, but the Natal Mercury reported that "there were no incidents, no one entering being molested".<sup>64</sup> It would appear that non-union African workers continued to work and the picketing went on through December and early January 1943.

In response to the reports in the Natal Mercury and Daily News of 9 December 1942 that the strike was called as a result of the dismissal of the 13 Indian workers, the NRWIU clarified its strike demands, denying that this was the main reason for the strike. The union stated that their strike demands to the company were:

That their trade union which is the sole registered trade union for the Natal rubber industry should be given the same facilities in the factory as those given to the company union known as the Dunlop Employees Union. That the dismissed workers be reinstated not necessarily in the giant tyre section but in jobs where they will not suffer worse conditions or be given lower pay. That a retrenchment committee be set up with equal representation of employees and employers. That the reason for the calling of the strike is the formation of the company union.<sup>65</sup>

Thus it would appear that though the strike may have been triggered off by the dismissal of the 13 Indian workers - as the Guardian reports<sup>66</sup> - the union wanted it to be publicly known that the strike was "against yellow unionism which if not nipped in the bud would ultimately succeed in destroying workers legitimate organisations"<sup>67</sup>.

On the 17 December 1942, the 147 Indian workers on strike appeared before the chief magistrate of Durban charged with having taken part in a strike without having applied for a conciliation board as required in terms of the Industrial Conciliation Act. The case was adjourned until 24 December and then to 4 January 1943 - on which date the prosecutor stated that he had been instructed by the Attorney-General to apply for a further adjournment on the grounds that:

There had been trouble going on near the Dunlop factory and other workers are being molested on their way to work. I will ask the court to warn the accused that it intends to take action against those who interfere with other people, apart from those in the present case.<sup>68</sup>

The case was remanded sine die.

The African workers<sup>69</sup> were brought to court separately from the Indian workers on 6 January 1943 and charged under the Urban Areas Act with unlawfully absenting themselves from work and breaking their contract, alternatively under the Masters and Servants Act with refusing

to work. This case was also remanded sine die on the request of the prosecutor on the grounds that about 100 African workers could not be present that day as they had been arrested the previous night on a charge of public violence. The prosecutor informed the court that "these men were assembled outside the Dunlop factory where they were assaulting and attacking other native employees leaving the factory."<sup>70</sup> The 104 African workers charged with 'public violence' appeared in court on the same day. No evidence was led and the case was remanded until 11 January 1943, when 100 of them were found not guilty and discharged. Of the others 3 were found guilty<sup>71</sup> and after unsuccessful appeals against their conviction, were sentenced to prison terms ranging from 1 month to 2 months.<sup>72</sup>

A separate hearing against Pauline Podbrey, secretary of the Food and Canning Workers' Union, on a charge of "incitement to violence" or alternatively assault, was also held. It was alleged that Ms Podbrey tried to prevent workers going to the Dunlop factory during the strike and that she assaulted two Africans and a 'European'. She was convicted and fined £20 or six weeks hard labour and in addition was sentenced to a month's hard labour, suspended for a year on condition that she was not convicted during that time of any offence involving violence or a contravention of the Industrial Conciliation Act.<sup>73</sup> The sentence effectively gagged Pauline Podbrey who was a member of the Dunlop Strike Committee - which also included George Ponen, RD Naidu, HA Naidoo, M Peltz, MD Naidoo and others.<sup>74</sup> According to RD Naidu, the Communist Party secretariat comprised the strike committee, which collected money and food for the striking workers and "saw to it that the strike was conducted properly".<sup>75</sup> Members of the strike committee also addressed the workers and organised the distribution of pamphlets and other literature in an effort to "boost worker morale".<sup>76</sup>

Meanwhile the struggle against company unionism continued and on Sunday 17 January 1943, 4000 workers met at the City Hall, Durban in support of the strikers and to protest against the introduction of a company union at Dunlop. The meeting, which was called by 35 local trades unions, endorsed the recommendations of a shop stewards' meeting

held the day before to mobilize workers in all industries to give their fullest moral and financial support to the Dunlop strikers "who are out on strike against company unionism and in defence of independent trade union organisation and to take other steps that may be essential in support of the strikers".<sup>77</sup> The meeting was chaired by Alec Wanless MPC, who attacked company unionism as a "manifestation of fascism and a direct threat against the war effort".<sup>78</sup> HA Naidoo, secretary of the Natal Sugar Industry Employees Union, declared that company unionism was

contrary to the declared aims of the united nations fighting for freedom of association, to preserve which the working class has entered the war and is fighting with great sacrifice and heroism.<sup>79</sup>

A resolution moved by the trades unionist George Ponen called on the Minister of Labour to take immediate steps to settle the dispute "so that the workers can retain independence of trade union organisation and thereby resume production without further adverse effect upon the war effort".<sup>80</sup> The meeting also endorsed the decision of the shop stewards' meeting that called upon the workers of Durban to levy themselves a minimum of 1s per week in the struggle against company unions at the Dunlop factory and resolved to set up a council of action in each factory that would implement the pledge. The Guardian reported (21/1/43) that the secretary of the Railway Workers' Union, Philemon Tsele and the organising secretary of the Iron and Steel Workers' Union Grenford Mafeka received rousing applause from "African and Indian workers alike" when they spoke on the need for unity. The workers were also supported by the Kajee-NIC. A representative of the NIC, V Lawrence, read a statement by Congress at this meeting in support of the strikers. He informed the meeting that Congress was aware that the Indian High Commissioner had approached the Minister of Labour to intercede to settle the dispute. In the statement<sup>81</sup> Congress expressed its "disappointment" that it was not consulted before any action was taken,<sup>82</sup> as the question had "passed beyond the borders of trade union activity and had assumed an Indian national aspect".<sup>83</sup>

After the strike had been in progress for some time, the NRWIU appealed to the local SATLC for assistance.<sup>84</sup> The local committee appointed a deputation to approach Dunlop's management, and the NEC of the SATLC approached the Minister of Labour on the dispute<sup>85</sup> - neither deputation met with any success. There is little further information on the role that the SATLC played in attempting to settle this dispute. Mannie Peltz did, however, express the appreciation of the NRWIU to the NEC of the SATLC for the assistance it had given, and to a Mr de Vries (of the NEC) who had "put himself to considerable trouble" on behalf of the striking workers. Peltz's only complaint was that the SATLC report on the dispute made no mention of their position on the question of company unions. However, at that same conference of the SATLC, Peltz's motion that:

the Government be invited to legislate immediately with a view to preventing employers from forming what is commonly known as company unions which encourages workers in their employ to break away from and divide the ranks of the properly organised and registered trade unions set up to cover the needs of the workers in such industry,<sup>86</sup>

was carried unanimously and indicates total opposition to company unions.

However, despite the effort of the local trades unionists, workers, the SATLC, the Kajee-NIC and others, the dispute was not settled and the strike that began on 8 December failed. Dunlop alleged that "violence and intimidation had been used"<sup>87</sup> and the striking African and Indian workers were all dismissed in January 1943. As far as we are aware, the cases adjourned sine die against these strikers were never brought to court again. The company had, in a sense, pre-empted the need for court action, and used the alleged acts of violence (on which charges, as we have noted, 100 out of the 104 workers so charged were found not guilty) as a pretext for dismissing the striking union workers. Immediately thereafter the Minister of Labour, Mr Madeley, warned that "in future the government will have no option but to prosecute without exception persons who go on strike or incite others to strike without affording the Minister of Labour an opportunity to execute his powers".<sup>88</sup>



Dunlop had, in the meantime, already replaced the striking workers by African workers brought in from the Transkei and Pondoland. SP Pillay has informed us that as many as 1500 workers from Pondoland were brought into Durban in cattle trucks "at the expense of the government".<sup>89</sup> Out of this number the company was successful in training about 500 quickly enough to be able to employ them. RD Naidu adds that the White workers at Dunlop assisted in the training of these new recruits.<sup>90</sup> Thus "while there were 378 African workers employed in December 1942, in January 1943, 290 of these workers were dismissed (as were 147 Indian workers) and 581 new workers taken on displacing Indian and African union members" (Hemson, p.378). Thereafter no further Indian workers were employed for many years. Sitas, in a recent publication<sup>91</sup> on the 1984 Dunlop strike, refers to this earlier dispute and writes that:

The fact that there are so few Indian workers there [now] was because Dunlop victimized them before and after the strike of 1942/3. They were victimized for belonging to a union and not Dunlop's in-company union. It used migrants ... to break the strike. From then on it was the law of dismissals and tight factory discipline that ruled their [African workers] lives. Here chiefly [sic] structures were used by Dunlops as with Ndunas to control the labour force.

The NRWIU which, as we noted earlier, was heavily concentrated in the Dunlop factory was thus effectively decimated and Dunlop were able to reassert total control over the workers in its factory.

This concludes our brief outline of the series of events which occurred between March 1942 and January 1943 at Dunlop. We now need to examine more closely the actions and responses of the workers, the union leaders, Dunlop, the SATLC, the government and certain political organizations with regard to the dispute; as well as the implications of the strike for working class organization and activity in Durban in the years that followed.

The fact that the dispute at Dunlop which began with the dismissal of Indian workers and the moves to form a company union, was not resolved by exercising, or at least attempting to exercise, the available channels of communication, led to severe criticism being directed at the secretary of the NRWIU, Mannie Peltz, from various quarters including the CP and the SATLC.

The extent of the CP concern over this - based on the possible damage the strike could have had on the war effort - may be gauged from the fact that the Durban District branch of the Party set up a commission of enquiry headed by Billy Peters to investigate the circumstances surrounding the strike and the reasons for its call and failure.<sup>92</sup>

These developments, including details on the findings of this commission are discussed more fully in Chapter 5, where we examine the nature of the relationship between the CP and the (Indian) trades unions in Durban in the 1940's. It is sufficient to note here that the commission was critical of Peltz's hasty action in calling the workers out on strike without giving the Minister sufficient time or opportunity to look into whether or not a company union was being formed at Dunlop, and without notifying either the Party (of which Peltz was a member) or the SATLC about these allegations. Billy Peters states that the strike failed because of "ineffective leadership; the strike could have been successful if only they (the officials) acted constitutionally and responsibly".<sup>93</sup> According to Peters, workers took the decision to strike without having been adequately informed by the secretary about the real state of the negotiations between the union and the authorities. Peltz had, however, argued that a company union was being established at Dunlop and called for arbitration, and added that the Labour Department's reply was that they had no proof of such developments. Peltz believed that there was no alternative but to take strike action.<sup>94</sup> Whether Peltz's statement is a more accurate account of what happened and whether the facts about the state of negotiations between the union and the Labour Department were communicated to workers is impossible to verify. However, the CP investigation, which characterised Peltz's handling of the dispute as a "serious administrative blunder"<sup>95</sup> indicates that the Party was less than satisfied with his explanation.

Peltz's actions also came in for criticism from some delegates to the April 1943 conference of the SATLC. Here the question of whether the developments at Dunlop were referred to the Local Committee or the National Executive Committee (NEC) of the SATLC before strike action was resorted to was the subject of a heated debate. Mr Downes, a member of the NEC, claimed that the local committee had not been informed by the union of the developments at Dunlop, adding that had this been done "it's quite possible the strike could have been avoided".<sup>96</sup> And the secretary of the SATLC stated that he felt sure that:

Had the NEC been furnished with the fullest particulars of the creation of company unions, such as in the case of the firm concerned, that employees had been intimidated by employers into joining company unions, the matter would have been taken up with the authorities; but as yet they had no specific information.<sup>97</sup>

These allegations and charges were denied by HA Naidoo who claimed that the NRWIU had given repeated reports of company unions at the Dunlop factory to the local SATLC from as early as six months preceding the strike and that the committee had not investigated further.<sup>98</sup> However, in view of the unanimous opposition to company unions expressed at this conference, it would appear unusual that the SATLC would not have acted had it been informed (as Peltz and Naidoo claimed) before strike action was taken - unless of course there was a breakdown in communication between the union and the local committee or the local committee and the NEC. Whether or not they were informed of these developments, it is clear that neither the NEC nor the local committee intervened or interceded on behalf of the union until after the strike had commenced.

Peltz's action in calling the strike was also heavily criticized by another delegate to the SATLC conference. The delegate, Mr Evans, held that:

The fault lies at the door of certain officials of the union for whom I had great respect if they did their job properly. We in Durban, as a trade union movement and

especially as a local committee have been somewhat undermined and our prestige lowered by certain individuals who have entered the trade union movement as secretaries of the organisation, many of whom have sprung up during the night and who, when they called workers out on strike have left them in the difficulty.<sup>99</sup>

He went on to say that Peltz had not done a good job of work at Dunlop and had "accepted too much responsibility in bringing those Indian and African workers out on strike, when they had nothing to bring them out on strike on (sic)".<sup>100</sup> Evans, who expressed full support for the notion calling on the government to legislate against company unions was thus critical only of the way in which developments at Dunlop were handled by the officials of the union who he said called them out on strike "before first preparing and having settled everything as to how they are going to run the strike".<sup>101</sup>

That there was less than a careful evaluation of the implications of the strike is also evident from the timing of the strike call. The strike was called on 8 December, two weeks before the workers went on vacation. The holidays gave Dunlop the time to consider their options without losing out on production, and some recruiting of replacements from the Transkei occurred during the vacation.<sup>102</sup> RD Naidu, a member of the strike committee, maintains that a critical factor in the failure of the strike was its timing. "Unfortunately," he recalls, "the strike was called in December just before the holidays and this enabled management to recruit workers from the Transkei during the holiday to replace the striking workers."<sup>103</sup> All in all the timing of the strike could only have been to the advantage of Dunlop.

As far as negotiations are concerned there appear to have been none between the union and Dunlop. RD Naidu states that Dunlop refused to discuss any aspect of the dispute with the union or any other organization. The attitude of the company is evident from its letter to the NIC.<sup>104</sup> In it Dunlop states:

We have filled all the vacancies caused by those employees who illegally broke their contracts. We certainly would not consider discharging employees who came to work under very difficult circumstances in order to re-engage those who have left us ... As we are more than fully staffed at present ... we are not likely to require additional labour for some time to come ... Whilst we appreciate your offer of intervention we are of the opinion that further discussion would not serve any useful purpose.

However, according to RD Naidu, a delegation including church representatives (Pastor Rowlands among them) later approached Dunlop in an attempt to persuade them to take back the Indian workers "because they suffered the most".<sup>105</sup> Dunlop replied that the Indian workers had been instrumental in calling the strike and agreed to re-employ the Indian workers at a rate of only one per year.<sup>106</sup>

After the strike began, the union appealed to the SATLC for assistance in settling the dispute, but the negotiations which the SATLC attempted on behalf of the union with the Minister of Labour were to prove unfruitful. The Minister had apparently been informed by a member of his department, a Mr Freestone, that in his (Freestone's) opinion, the organisation of "European" workers at Dunlop was not a company union, although it had been granted "outstanding facilities for organisation by the employer".<sup>107</sup> The Minister was also presented with affidavits from the NRWIU taken by Mr Freestone, setting out the union's views, but had apparently come to accept Mr Freestone's interpretation.<sup>108</sup> The Dunlop Employees' Union was subsequently registered as a trade union.<sup>109</sup>

The nature of the response of the Kajee-NIC to the appeal made by the NRWIU to it to support the striking workers also deserves comment. This response is evident from the letters written by AI Kajee to the Minister of Labour and to Dunlop. The NIC letter to the Minister

reveals that its concern over the dispute arose out of the fact that 'Indians' were affected and that the strike could jeopardize the war effort. Kajee wrote: "The form which the dispute has taken makes the matter of serious concern for the whole Indian community of Natal."<sup>110</sup> He later referred to the principle involved as being the "displacement of Indian workers". In its reply to Dunlop, the NIC stated that:

It is very vitally concerned in the national and racial aspects of employment of Indians in an industry such as yours, to the maintenance of which Indians in South Africa and India contribute by the use of the materials manufactured by you and its distribution by Indian traders.<sup>111</sup> (emphasis added)

The concern with the effect of the strike on Indian traders certainly helps to place their intervention into proper perspective. The entire tone of these letters indicates that the NIC had collapsed the central principle of independent working class organisation and struggles into a purely racial one - a response not inconsistent with that it adopted in the 1937 Falkirk dispute. On the question of jeopardizing the war effort Kajee wrote: "My congress also feels it desirable to point out that for patriotic reasons there should be the speediest possible settlement of this dispute."<sup>112</sup> Clearly the CPSA was not alone in its concern that working class action should not be allowed to damage the war effort. In short, although the terms under which the NRWIU invited the Kajee-NIC to assist in this dispute are not clear, the evidence strongly suggests that the union had little control over the nature and form of the NIC's intervention and "support".

What of the implications of the strike? RD Naidu reckons that though dismissed, the Indian workers were not disillusioned. Their attitude was that they had fought hard but lost. According to Mr Naidu, workers gained "very rich experience in what the strike costs", and in the final analysis "the main aim was to politicize the workers". If indeed this was the intention or the thinking among some of the leaders of the strike - RD Naidu among them - it was an extremely costly, and naive way of going about such 'politicization'.

More importantly, however, this view, i.e. the aim of politicising workers, coming from a prominent trade unionist who was actively linked with both the CPSA and the "radical" wing of the NIA at this time, is the clearest evidence on the primacy such leaders attached to the political struggles, such as that being waged then between the moderate and "radical" factions of the Indian political organisations. It would therefore appear that the struggles of workers (as perceived by such leaders) were principally linked to the longer term objectives of this kind of politicization rather than the advancement of independent worker organisations and their capacity to determine their own strategies and to make their own decisions (and mistakes) in terms of their class interests. We are of course not suggesting that the latter approach would have been sufficient to resolve this or any other dispute or the more general questions of organisation. However, where worker action is viewed as an adjunct to political objectives arising outside worker forums or where, as is evident from this dispute, extensive reliance is placed on political organisations such as the Kajee-NIC, the potential for independent class organisation and action is heavily compromised. Our research, including extensive interviews with Billy Peters and RD Naidu, who were both closely involved in this dispute, has shown that though workers took the decision to strike - a decision made, incidentally, without their being aware of all the facts - their role thereafter appears to have been totally subordinate. And though the CP and the Kajee-NIC were 'disappointed' at not being consulted before strike action was taken - a clear indication of the importance they placed on the value of their intervention - they wasted no time after being invited to assist by the NRWIU, in dominating the events that followed. There is little evidence to suggest that the workers retained any control over the nature and form of the negotiations or other actions that were made after the strike was called.

A further consequence of the strike was its effect on non-racial unionism. For the strike led to the collapse of the non-racial NRWIU. Hemson suggests that the response of the state and capital to such

non-racial working class resistance created the conditions that led to hostility between Indian and African workers. Having been displaced by African workers, Hemson comments (p.339) that: "The tendency among Indian workers (thereafter) was towards inward looking trade unions keenly aware of the necessity of protecting selected industries for Indian employment." And African workers, especially after the downturn in economic activity after the war, began to see the "expansion of employment and upward mobility in certain industries and occupations (e.g. municipal employment and weaving) as being blocked by Indian workers" (Hemson, p.340).

These tendencies were complemented and reinforced by the increasing attention that even the "radical" Indian trade union leadership began to show to the political struggles being waged by the Indian political organizations following the "Pegging Act" of 1943, and the preoccupation of the CPSA with ensuring that working class action did not disrupt the war efforts. These issues will be dealt with in greater detail in Chapter 5 of this report.

#### 4.4 The Laundry Workers Strike (1945/6)

On Wednesday the 12 December 1945, between 600 and 700 Indian and African workers employed in laundry establishments in Durban struck work in support of a demand for higher wages and improved working conditions.<sup>113</sup> Wages paid to Black workers in the laundry industry at that time ranged from 27s 6d to 40s a week.<sup>114</sup> The total number of workers in the laundry industry was between 1000 and 1100, the majority of whom were Blacks.<sup>115</sup> Most of the Indian workers in the industry were members of the Durban branch of the National Union of Laundering, Cleaning and Dyeing Workers.<sup>116</sup> The Durban branch of the union overwhelmingly comprised Indian members. A schedule compiled by the Minister of Labour in 1943 shows that there were 694 Indian, 5 Coloured and 43 African workers in the Durban branch



of the Union at that time.<sup>117</sup>

The Laundry Union had started negotiations with laundry employers eighteen months before the strike. However, the employers had rejected the demands put forward by the Laundry Union at a conciliation board held in November 1945. the Laundry Union had called for an increase of 5s per week, a 44 hour week of 5 days, and increase in night-shift work, the closed shop principle, 3 weeks annual leave, a paid holiday on the 1 May and a sick benefit fund with contributions from both employees and employers.<sup>118</sup>

Following the breakdown of the conciliation board negotiations, a decision was taken by the laundry workers, at a general meeting of the Laundering, Cleaning and Dyeing Workers' Union, to engage in strike action.<sup>119</sup> However, it would appear that the date on which the strike would take place was to be decided by the "Emergency Committee" of the union.<sup>120</sup> The "Emergency Committee" had the duty of preparing the union for the strike. Besides levying the workers, it is not clear what the Emergency Committee did. The strike began at the Natal Steam Laundry and spread to the other laundries. In addition to voicing the demands put forward at the conciliation board in November, the union called for its recognition by employers and demanded that workers who participated in the strike should not be victimized.<sup>121</sup> A number of laundry premises were picketed by the strikers, who carried large banners and wore lapel badges with the word "striker".<sup>122</sup> A few incidents of violence between picketers and scab labour were reported.<sup>123</sup> At those laundry firms that were picketed, the police intervened to allow "scab labour" to enter.<sup>124</sup> Early in January 1946, the Laundry Workers' Union held a mass meeting in Red Square, which was reportedly attended by over 3000 workers and 40 members of the South African Police and Borough Police.<sup>125</sup> The secretary of the Durban branch of the Laundry Union, Mr L Ramsunder, accused the Department of Justice of siding with employers and attempting to suppress the strike by using batons on the strikers and threatening to arrest them.<sup>126</sup> A number of picketers, including Betty du Toit, National Secretary of the Laundering, Cleaning and Dyeing Workers' Union, were arrested.<sup>127</sup>

Thirteen African workers who were also picketing were arrested under the Masters and Servants Act.<sup>128</sup> In addition, Alec Wanless, MP, Betty du Toit and L Ramsunder were charged under the Riotous Assemblies Act. However, although Betty du Toit had been arrested, held in prison overnight and finally released on £10 bail, the magistrate dismissed the case against them as "trivial".<sup>129</sup>

Mr Bolton, chairman of the Durban Local Committee of the SATLC, and Betty du Toit met the chairman and vice-chairman of the Natal Employers Association around mid-January, in an attempt to negotiate a settlement in the laundry dispute. Mr Bolton asked the employers to agree to an all-round 5s increase, leaving the demands for a closed shop, stop order, May Day, sick benefit fund and the reinstatement of all strikers to be settled by arbitration.<sup>130</sup> However, the employers rejected these demands and submitted a counter-proposal, offering a 2s6d increase to grades 1,2,3,4 and 5 employees, whose wages ranged from 27s6d to 37s6d, and the return of qualified employees to work with no increase. No wage increases were offered for charge hands, checkers, cleaners, clerical employees, drivers, dyers, depot assistants, dispatch clerks or foremen. With regard to the demand for "no victimisation of strikers" the employers stated that they were prepared to re-employ only those strikers for whom there were vacancies.<sup>131</sup> By the end of December already most laundries had begun to take on unemployed Africans in the place of the strikers.<sup>132</sup> According to Mr RD Naidu, some employers resorted to the hiring of gangsters to attack the strikers and break the pickets.<sup>133</sup>

The strike committee called a general meeting to discuss the employers' counter-proposals. The chairman of the strike committee, Mr J Naicker, asked the workers to "carefully consider the matter" before voting. The workers unanimously voted for the complete rejection of the employers' proposals.<sup>134</sup> During the course of the strike the strike committee collected funds and food parcels for the workers.<sup>135</sup> (Before the strike was called £300 had been collected from the workers in levies by the Emergency Committee of the

union.)<sup>136</sup> The union carried out street collections and provided film shows and other forms of entertainment, to raise funds to support the strikers and their families.<sup>137</sup> The Laundry Union also set up a People's Laundry - which operated on a co-operative basis - with the help of Alec Wanless and Sydney Smith, a city councillor.<sup>138</sup> Because the People's Laundry was not registered it could not charge a fee for the work done but had to rely on donations from the public.<sup>139</sup> Workers in the People's Laundry received only half a crown per week, and as a result many of them faced starvation and had to leave to look for work elsewhere.<sup>140</sup> Nevertheless, by the time the strike was called to a halt there were still some 250 workers employed in the People's Laundry.<sup>141</sup> A number of unions contributed to the strike fund either through the SATLC or directly. Several unions gave loans to the Laundry Union. Donations and loans were also received from a number of individuals, some of whom were union officials and members of the Communist Party.<sup>142</sup> RD Naidu, who was in charge of collecting donations in the form of food and groceries, acknowledged that AI Kajee supplied groceries.<sup>143</sup>

Several unions expressed alarm at, and condemned, the action of the laundry employers in hiring "scab" labour. The Transvaal branches of the National Union of Laundering, Cleaning and Dyeing Workers' sent a telegram to the Prime Minister, General Smuts, calling on him to take action against the laundry firms in order to stop the employment of "scab" labour.<sup>144</sup> Telegrams were also sent by Alec Wanless to the Ministers of Justice, Labour and Native Affairs, urging "those concerned" to refrain from recruiting "scab" labour and "interfering" in the dispute.<sup>145</sup> The Department of Labour in Durban was taken to task by the Amalgamated Engineering Union for failing to bring pressure on the laundry owners to persuade them to negotiate with the union. The Minister of Labour was also criticised for failing to appoint an arbitrator under War Measure No.145.<sup>146</sup> The failure on the part of the Minister of Labour to appoint an arbitrator was brought up in Parliament by Alec Wanless. The Minister of labour, when asked why it had not been possible for him to accede to a request by the Laundry Workers' Union to appoint an arbitrator to settle the dispute, had replied that it was the policy of the government not to

exercise the powers vested in the Minister in terms of the War Emergency Regulations. Alec Wanless pointed out that during the miners' strike (two months later) the Minister had in fact made use of the emergency regulations and appointed an arbitrator.<sup>147</sup> Clearly, the role of the Department of Labour in the laundry workers' strike was not a neutral one.

After three months the strike organisers called the strike to a halt. According to Mr SP Pillay, only a small number of former employees were reinstated by the firms, and these were mainly the older workers. The majority of laundries had taken on African labour in place of the strikers.<sup>148</sup> Thus the strike ended in defeat for the laundry workers. Several criticisms have been levelled against the way in which the strike was organised. Clearly, the strike was ill-timed. The union leaders claimed that the strike was planned for December because this was the busiest time of the year for the laundries.<sup>149</sup> However, with the downturn in economic activity after the war, unemployment was high in Durban. An editorial in Indian Views argued that:

The laundry strike has taught a bitter lesson to Trade Union secretaries. In the strike the potential danger of scabs from amongst African workers was completely lost sight of. These secretaries are apt to forget that in the unskilled field the Indian worker is not indispensable ... Thousands of Africans are walking the streets in search of employment.<sup>150</sup>

The strikers were at the mercy of "scab" labour which was employed by the laundries with the collaboration of the police.<sup>151</sup>

According to SP Pillay, the timing of the strike was decided by union officials at the Natal Steam Laundry, rather than by the entire union membership: "Just out of the blue one factory was pulled out on strike, Natal Steam Laundry, and then all the others had to follow."<sup>152</sup> Thus, although the workers had voted in favour of strike action, it would appear that they were not consulted in the setting of the date of the strike, as the Emergency Committee - which

was to decide on a date for the strike - was pre-empted by officials of the union at the Natal Steam Laundry. Consequently, the strike took place in a manner which was fragmented by the lack of any effective democracy in the setting of the date for its commencement.

At the 16th annual conference of the SATLC, Mr Bolton attacked the leaders of the Laundry Workers' Union and described the strike as "wrong" and "criminal". Bolton argued that the strike should not have been called because finances were not available and the union was divided. He accused the trade union leaders of "handling and working the strike on political lines", instead of "on trade union principles".<sup>153</sup> Mr George Ponen, who was also a member of the strike committee, replied to Bolton's attack, pointing out that the Durban Local Committee of the SATLC was present at the Conciliation Board when the employers rejected the workers' demands. In addition, Ponen argued, the Local Committee was present when the workers decided that they would have to take strike action, and had pledged to give its support.<sup>154</sup> Although the trade union leaders were at times undemocratic and short-sighted in the running of the strike, as will be shown later, Bolton's attack is inexplicable, since, as Ponen pointed out, he raised no objections before the strike took place or at the early stages of the strike. This incidence illustrates the lack of unity within the SATLC and its failure to operate as a cohesive coordinating body.

The strike organisers were also criticised for making random agreements with employers. An article in Indian Opinion ran thus:

There has been some sort of an agreement with the Durban laundries which is now working with all the workers who were employed by them when the strike was declared. It would appear that a closed shop was agreed to and an increase on the wages of less than the demands made originally by the workers. In this case it would appear that the leaders of the strikers agreed to a lesser amount than their demands without consulting the general body of strikers who were employed in different places.<sup>155</sup>

This criticism is supported by RD Naidu, who was a member of the strike committee. He states: "We started making agreements at random. We didn't collectively see the employers association."<sup>156</sup> On the second day of the strike already union officials had reached an agreement with the Durban Laundries Limited, which had contracts for Addington Hospital and Springfield Military Hospital, whereby workers in that company would continue to work.<sup>157</sup> However, the workers dealt only with laundry from the hospitals, and refused to do "ordinary washing".<sup>158</sup> Separate agreements were also reached with the Umgeni Laundry and the Sixty Minute Dry Cleaners.<sup>159</sup> Not only were these actions undemocratic, in that the general body of workers was not consulted, but the effect was to weaken the position of the workers. Employers were able to offer lower increases than those demanded by the workers.<sup>160</sup> The majority of laundry workers however, found themselves jobless, their positions having been taken by unemployed Africans.

The laundry workers strike was the last major strike by Indian workers in the 1940's. It is important to ascertain the effect of this strike on the workers themselves. RD Naidu has described the workers as looking "like the lost legion" when the strike was called to an end.<sup>161</sup> The Durban branch of the National Union of Laundering, Cleaning and Dyeing Workers collapsed. According to SP Pillay, many workers were disillusioned after the strike and were reluctant to join trades unions.<sup>162</sup> Indian workers in the laundry industry were without a union after the collapse of the strike, until 1949, when a new organisation was formed. SP Pillay argues that the leaders of the Laundry Workers' Union made use of the "strike weapon" too hastily, the union was still in its infancy and there were "other alternatives".<sup>163</sup>

Although individual members of the NIC and the Durban branch of the Communist Party were involved in the conducting of the laundry workers strike, it is not clear from the evidence available, what role these political organisations played in the dispute. Jimmy Bolton suggested that the laundry workers strike was handled along "political lines",<sup>164</sup> but there is no evidence to support his claim.

Although it may have been the case that political organisations were less involved in the laundry strike than in the Falkirk and Dunlop disputes, this does not necessarily imply that the laundry workers themselves were involved in a more democratic manner in the crucial decisions that were taken. This is evident from the following:

i. Although in principle workers had taken the decision to go on strike, the general body of workers was not party to the decision of when the strike would actually take place;

ii. The decision by the strike committee to make random agreements with individual laundry employers appears to have been taken without prior consultation with the general body of workers, which weakened the union's bargaining position.

In the final analysis, however, our critique here is not simply that these issues were not democratically decided - the events speak for themselves - but that this was possible because the particular historical form of unionism at this time appears to have been constrained by the limitations of its own structural features. Whether or not the constitution of, say, the Laundry Union was more democratic does not affect this critique. In fact, had the constitution of this union been more democratic, some of the actions of the leadership would - by being in breach of these constitutional requirements - be open to even greater criticisms than that we have raised here.

#### 4.5 Commentary and Assessment

It has been argued that the origins of non-racial industrial unionism must be sought in the context of the growth of secondary industry in South Africa in the period 1925-1930 (Jon Lewis, 1978, p.126) During this period new unions based on industrial lines were formed, and "despite the backwardness of white workers, there is evidence of genuine inter-racial solidarity". (Lewis, 1978, p.138) These new unions, Lewis argues, were responsible for the revival of the "technique of industrial militancy which had laid dormant since 1922". (p.138) However, as already pointed out in Chapter 1 of this study,

this new movement died out during the depression years. Nevertheless, the movement's impact, particularly its policy of non-racial trades unionism, was continued in some form with the formation of the Trades and Labour Council.

**The impact of the "new unionism" is best demonstrated at the Cape Conference held jointly by the Cape Federation of labour Unions and SATLC in 1930, which resulted in the formation of the Trades and Labour Council, specifically on a non-racial basis. The new unions were beginning to change the balance of forces within the labour movement. (Lewis, p.139)**

These changes established the basis and potential for inter-racial class activity in the post-depression economy of South Africa. This section attempts to assess this new militant unionism in Natal in this post-depression period.

In the first strike analysed in this chapter, the Falkirk dispute, we find that an all-grades strike initiated and led by skilled White and Coloured workers raised the possibility of an inter-racial class alliance in opposition to capital on the shop floor. However, the skilled White and Coloured workers accepted wage increases for themselves to the exclusion of the unskilled and semi-skilled workers, after the intervention of their union, the AEU. The mainly Indian and African semi-skilled workers were in this way denied the potential benefits of a militant all-grades strategy on the shop floor. However, the lesson was not lost on these Indian and African workers. They realized that union organization was necessary to fight for higher wages and better working conditions, and if it was to succeed it had to be based on non-racialism and industrial lines. The formation in 1937 of the Natal Iron and Steel workers Union (NISWU) based on these principles of non-racialism and industrial unionism was the first of many more such unions to be formed just before or during the war years, e.g. the Natal Rubber Workers' Industrial Union (1938) and the Laundry, Cleaning and Dyeing Employees' Union (1941).



The response of the employees, the state and the political organisations to this rise of non-racial industrial unionism is revealed by the strategy they each employed in the three strikes analysed above, ie, the Falkirk strike of 1937, the Dunlop strike of 1942/3 and the Laundry strike of 1945/6. In the case of the Falkirk dispute the NISWU was not formally recognised and management skilfully played on the divisions between skilled and unskilled workers, between those migrant workers living in compounds and the more permanent urban (Indian) workers. The employers also used scab labour to break the solidarity of workers. In the Falkirk dispute the Department of Labour and other agencies of the state, (including local government) constantly attempted to persuade workers to return to work on management's terms.

In the case of the Dunlop dispute two new weapons in the employers' union-bashing armoury were introduced. Firstly, apart from the familiar tactic of recruiting scab labour and the deliberate policy of not recognising (or negotiating with the NRWIU), an in-company union was established with the consent of the state, despite the fact that a union already existed for all employees of the rubber industry in Natal. Secondly, this new militancy among workers across racial lines precipitated the formation of an industry-wide employers organisation as a counter measure to industry-wide trade unionism. (Of course it is debatable whether the NRWIU could ever have achieved industry-wide representation in Natal.) This dispute occurred during the height of the war and the Communist Party - the "political party of the working class" - seemed to be concerned with the war effort in general. The commission of enquiry set up by its Durban Committee was more concerned with why a strike was called by the leadership rather than with the demands and grievances of workers at the Dunlop factory.

The employers' response to the laundry strike - a strike involving all laundry workers in Durban - was a refusal to negotiate with the union. The employers closed ranks and refused to entertain any kind of deal while at the same time employing scab labour on a large scale to

destroy the months' long solidarity of laundry workers. The state response was to refuse to appoint an arbitrator to resolve the dispute.

In all three disputes the presence of the police at the factory gates made it virtually impossible for any kind of moral persuasion or pressure to be brought to bear on scab labourers. In instances where picket action was attempted such as in the Dunlop strike the police in concert with employers acted swiftly to charge and convict "offenders" under one or other law.

We have already described, for each of the disputes analysed, the role played by political organizations such as the NIC and the CPSA. In the long run they appear to have done less for the workers and their struggle on the shop floor than their noble proclamations of intent made at mass meetings. The NIC under the leadership of AI Kajee in both the Falkirk and Dunlop disputes continued to highlight sectional and racial divisions among the striking workers by concentrating on the Indian workers as part of that elusive category "the Indian community". However, even when the progressive wing of the NIC took over in 1945 this did not herald any renewed interest in the concrete shop floor grievances of workers - as their deafening silence in the laundry strike that was called a few months after their take-over attests to. Rather the view was expressed that Indian workers had to be seen in the context of the political struggles that Indians as a "community" faced. Thus political issues dominated the lives of even committed trade unionists serving on the NIC/ASC/NB at the expense of worker organisation and support for strikes arising out of grievances on the shop-floor. The principle of non-racialism was relegated to rhetorical speeches at mass meetings, and industrial unionism sank into sectional differences. The CPSA did not actually support racial unionism but since the late 1920's and early 1930's, its policy was not against setting up separate - in some cases parallel - unions for African workers. As Jon Lewis commenting on the formation of the FNETU in 1928 points out: "The formation of an independent black trade union movement<sup>165</sup> marks a break with the CP's earlier stress on non-racial working class organisation." (1978, p. 134) However, whatever

the long-term implications of this break in policy the CPSA tended to follow the dictates of Stalinist policy and strategy rather than being guided by the material circumstances of the working class in South Africa. Thus after initially being against the allied war effort denouncing it an "imperialist war" it changed its policy and strategy after the entry of the Soviet Union into the war, in such a way as to actually hold back workers from going on strikes which might harm war production. This is particularly clear in its response to the Dunlop dispute.<sup>166</sup>

A further issue that arises out of this period of working class activity is the role of the Trades and Labour Council. The Natal, Iron and Steel Workers Union and the Natal Rubber Workers' Industrial Union were not affiliated to the SATLC and thus were not members of the Durban Committee of the TLC. Thus although the NISWIU appealed on numerous occasions for assistance from the local committee, such assistance could not be effectively co-ordinated as these unions were not formally or structurally integrated into the SATLC structures. In the case of the Dunlop strike, for example, the question as to whether or not the local committee had been informed about the establishment of a company union at Dunlop before the strike was called became the subject of heated debate at the annual (1943) conference of the TLC - with the NRWIU secretary claiming that though they were not affiliated to the TLC, the Durban committee had been informed and the SATLC claiming that they (the SATLC) would have made representations on behalf of the NRWIU in an attempt to settle the dispute, even though the NRWIU was not an affiliate. Such conflicts and disagreements could have been averted had the SATLC been the kind of union federation that had effective structures to co-ordinate its responses to the problems of individual unions. Had such structures existed it might also have encouraged non-affiliates to join. RD Naidu describes the TLC as a "national forum that did very little else", and which "paid lip service"<sup>167</sup> to the striking Dunlop workers. And Billy Peters comments that: "There was a feeling among some non-white trade unions not to have anything to do with the SATLC - they felt that no good purpose would be served," adding that, "The SATLC was dominated by

craft unions that wanted to protect the interests of White workers."<sup>168</sup> This brings us to a second issue in connection with the role of the TLC, for in addition to the structural incongruities within the TLC, the ability of this body to act unambiguously in support of non-racial unionism was affected by serious differences within its affiliated membership. Although formally espousing the notion of non-racialism, this policy was never clear in its exposition. In practice it never led to the formation of all-grades industrial unionism as a solution to the changing conditions of industrialisation in South Africa. The TLC was dominated by skilled workers who sought to protect their narrow interests through craft rather than industrial unions. The question of non-racialism and industrial unionism was never really settled in the 25 year history of the TLC. The tensions within the TLC eventually led to a major split in 1949/50 and to its eventual collapse in 1954.

The organisational implications of these muddled policies and strategies are clear: the workers and union leaders who worked untiringly to maintain unions as a form of resistance to capital, invariably came off second best. Thus, for example, none of the three unions involved in the strikes analysed above survived very long after the strikes were lost. The NISWU did not survive into the late 1940's. There is even the suggestion that it succumbed to temptations of bureaucracy by splitting its members into a parallel union for Africans and another for Indians with the latter registering under the Industrial Conciliation Act.<sup>169</sup> In the case of the NRWIU, its strength was heavily concentrated in one factory - Dunlop. As a result, it was virtually and effectively destroyed after the 1942/43 strike. There is no mention of it by 1948.<sup>170</sup> The laundry union also collapsed after the 1945/46 strike and was only revived in 1949. Between 1946-1949 there was no union for the laundry workers of Natal.

A further issue that arises out of this analysis is the question of whether these new unions had the resources and organisational basis to undertake strike action. This applies particularly to the Dunlop and Laundry strikes where the strike was precipitated and called by the

leadership of the union and not with the considered consent of the workers. As we have seen in the case of the Dunlop strikes, it appears that workers were misinformed (or at least ill-informed) about the state of negotiations when they decided to take strike action. We have noted in some detail the criticism levelled at the secretary of the NRWIU over these issues in the 1943 TLC conference. A strike at the beginning of the Christmas vacation also raises questions about the strategic timing of such strikes. This applies in particular to the Dunlop strike.

This particular strategy of going on leadership inspired strikes appears to fall in line with a peculiar view that strike action by itself would raise the level of worker militancy and encourage the growth of unionism. However, it does not necessarily follow that strike action leads to militancy or to the growth of unionism. The evidence of unionism in Natal in this period actually points to the opposite effect. Badly organised unions and ill-prepared strikes - for whatever reason - have a damaging effect on the morale of workers, as RD Naidu's comment on the laundry workers looking like the "lost legion" amply illustrates.<sup>171</sup> The laundry workers, after the failure of the 1945/46 strike, showed great resistance to re-organising a laundry union - a fact that SP Pillay has attested to.<sup>172</sup> In organisational terms, such action led to the stifling of worker initiative within trades union structures and quickly created the conditions for entrenching bureaucracy in such unions.

Contrary to the promise that non-racial industrial unionism held, various factors militated against the development of an independent non-racial trade union movement in this period, for example, the actions of some of its leaders; the intervention by political organisations; the unresolved conflicts within the SATLC and the strong resistance by capital and the state to the new unionism, created conditions almost impossible for the newly unionised Indian and African workers to overcome. Most importantly however, the organisational structure and capacity of these unions left little possibility for the rank and file to assert themselves. When the rank and file were called upon to take action they most often did so with the kind of solidarity

and heroism befitting the comradeship developed on the factory floor. However, the lack of proper union structures and of worker democracy and of a disciplined regional and national co-ordinating union federation allowed for easy access and interference by political organisations. All of which is not to say that the existence of democratic structures in the organisations of the working class will magically resolve questions about its long term development and historical role. A whole range of conjunctural factors, such as those that we have already mentioned - the power of the state and of capital, the lack of adequate resources and communication channels, unfavourable economic conditions and even perhaps divisions within the working class are relevant and are likely to affect the limits to which independent working class organisations and action may proceed - whether or not democratic structures exist. But it is our point that a fundamental consideration in the advancement of an independent working class is the presence of those generalized internal structures that would begin to enhance and support its own organizing capacity and the development of its own class based politics.

CHAPTER FIVEINDIAN TRADES UNIONS AND POLITICAL ORGANIZATIONS  
IN NATAL (1930-1950)5.1 Introduction

It is not the objective of this chapter to analyse the origins, development and strategies of the many Indian political organizations which may be traced back to the Indian Committee (1890) and the Natal Indian Congress (1894). An existing body of literature deals with this subject more than adequately<sup>1</sup>. Our primary task is to analyse the nature of the relationship between political organizations, such as the NIC and the CPSA, and the Indian trades unions which existed in Natal in the 1930's and 1940's. In Chapter 4 we have dealt extensively with the nature and effect of the intervention of Indian political organizations such as the NIC on the development of worker organizations in Durban in the 1930's and 1940's, as this emerges from the actions workers engaged in. Hence the major thrust of this chapter will be to examine the influence of workers and trades unions on the ideology of Indian political organisations, especially in the light of existing views on the nature and form of this influence. In addition we will examine other aspects of the relationship between political organizations - in particular the CPSA and the NIC/NIA - and trades unions, besides those already discussed in Chapter 4. These relate in the main to the role such organizations played in the origins and growth of trades unions. In order to arrive at a better understanding of all these relationships in the 1930's and 1940's it is necessary to touch briefly upon the nature and form of the relationship between (Indian) political organizations, workers and unions in the pre-1930 period.

5.2 Indian Politics, Workers and Trades Unions in Natal (1890-1939)

'Indian politics' in South Africa, for much of the period until 1940, was dominated by moderate organizations such as the NIC founded by

Gandhi in 1894 and the Transvaal British Indian Association (1904 - renamed the Transvaal Indian Congress in 1927). Swan has shown (1985, p.270) that early Indian politics in Natal and the Transvaal "were crucially shaped by the social and economic stratification of the Indian population", and that these politics were dominated by merchants and traders and (later) western educated white collar workers seeking to maintain "their relatively privileged position in the economic hierarchy" (p.270). At virtually no time in the period 1894-1914 (except briefly in 1913/14) were the problems, of what Swan calls, the underclasses even on the agenda of Indian political organisations such as the NIC, unless as an opportunist ploy to safeguard trader interests. A perusal of the membership list of the NIC compiled by Gandhi in 1895<sup>2</sup> reveals this preponderance of merchants and traders. Given the generalized anti-Indian hostility which had begun to build up from c1885, the commercial elite fought stubbornly to protect their commercial interests by attempting to distinguish and distance themselves from the indentured and ex-indentured labourers. As Swan points out (p.44), "their politics far from unifying the Indian community as has been asserted in the past, were directed specifically towards attaining white recognition of the fundamental differences between the two major social groups in the community: merchants and workers."

The annual subscriptions of £3 for membership of the NIC further reflected the desire to limit membership to more prosperous Indians. Instances of political action and protest were restricted to times when proposed legislation threatened trader interest. In form, such protests were limited to letters, petitions and deputations to relevant government officials - both in Natal and in London. Long periods of inactivity were only intermittently punctuated by such piece-meal protest. Even Gandhi's attempt to "radicalize" the dominant trader ideology through his passive resistance campaign in the Transvaal proved largely unsuccessful. This campaign was directed at Transvaal government legislation (the Asiatic Law Amendment Act) that was designed to prevent the ingress of Indians not already domiciled there and the compulsory registration and 'finger-printing' of all Indians.



However, in 1908, the Transvaal Government tied the issue of registration to the removal of trading licenses. As a consequence the support that Gandhi was able to engender from the traders by convincing them that the principle of racist legislation, once entrenched, would be likely to adversely affect their vested commercial interests, dissipated rapidly. It was only in 1913/14 that the campaign against this legislation, the Immigrants' Restriction Act of 1907 and the £3 tax<sup>3</sup> was more successfully undertaken. And for this success much was owed to the consequences of the call by Gandhi for a strike on the Northern Natal coalfields (see also Chapter 1). For, quite unexpectedly (and unintentionally) the strike "spread like a cane fire through the vast, brutally oppressed workforce of the coastal sugar plantation", (Swan, 1982, pp. 19,20) and then to other industries in and around Durban<sup>4</sup>. The negotiations that led to the Indian Relief Act of 1914 was therefore consequent upon the support that Gandhi received from these workers and the abolition of the tax, the repeal of certain discriminatory laws and the ending of the indentured labour system was largely due to the spontaneous efforts and actions of Indian workers themselves. However this support was not channelled through an organized working class, as such organs did not exist at that time.

In general, many Indian political organizations of this period (NIC, NIA, CBIA), but especially the NIC, had little contact with (indentured) Indian workers, were largely out of touch with worker problems, and made little or no attempt to organize or mobilize these workers - even in support of their own political demands.

By the end of the First World War the beginnings of some form of an organized Indian trades union movement may be detected. (See also Chapter 1 p.6) The involvement of Indian political organizations such as the NIC, in the formation, growth and activities of the early Indian unions such as the Durban Indian Workers' Industrial Union (DIWIU) and the Tobacco Workers' Union formed in 1917, was minimal. Much of the initiative and support for these unions came from White socialists such as Gordon Lee of the International Socialist League (ISL). The ISL had, from 1915, begun the task of organizing Indian

workers - even producing worker pamphlets in Tamil and Telegu (Mantazaris, 1983, p. 117). Other unions, such as the Indian Printers' Union, the Indian Shop Assistants Union, the Durban Hotel Employees' Union and the Indian Dockworkers' Union operated independently of the DIWIU and the ISL. Mantzaris (p. 125) has studied these early unions closely and it is apparent from his study that they concentrated their efforts primarily on the concrete demands of the day, and did not assume any direct relationship with the political practices of organizations such as the NIC, which were outside their class origins. These unions therefore did not serve as a vehicle of integration of their members into the larger body politic. Neither, except for the moral support they lent to the Indian tobacco workers in their 1920 strike, is there evidence of the NIC's involvement with these Indian trades unions in any substantial way. It would appear that the interaction between the unions and political organizations in the Indian 'community' was thus insignificant and peripheral during this period.

Despite the pioneering efforts of Lee (and his successor Bernard Sigamoney), Indian trades union activities declined in the early twenties. The lack of a significant industrial base, of experienced organizers to continue Lee's work and the generally repressive anti-worker climate of the time may have all contributed to this. However, the stimulus provided by the Industrial Conciliation Act of 1924 and the Wage Act of 1925 led to an increase in union activity and organization as Indians saw these acts as opportunities for entering into negotiations with employers in order to improve their wages and working conditions. Mainly separate Indian unions rather than non-racial unions were formed, partly because many 'White' trades unions refused to accept Indian workers as members, and partly because Indian workers felt that their interests would best be served by forming separate unions and undercutting White workers (Ginwala 1974, p. 390).

In this period (1925-1930), and following the revival of Indian political organizations and activity in response to the Class Areas Bills, the negotiations surrounding the Cape Town agreement (1927) and

the recolonisation scheme, Indian political figures began to assist in the organisation of Indian workers. Ginwala notes (1974, p. 389) that around this time the names of those who were to form the CBSIA in 1933 featured frequently as speakers at meetings at which the formation of trades unions were being discussed. And VS Sastri, the Agent-General for India in South Africa, was largely instrumental in persuading the NIC to take an active part in promoting Indian trades unions. This followed complaints to the Government of India delegation to the Round Table Conference that Indian workers were finding it difficult to take advantage of the provisions of the Industrial Conciliation Act and the Wage Act because they were poorly organized and because they could not get the support of White labour. Thus in 1928 the NIC called a conference to discuss the promotion of Indian trades unions and arising from this the Natal Workers' Congress (NWC) was formed - bringing together unions in various industries<sup>5</sup>. In welcoming delegates to the conference, S Rustomjee, president of the NIC, noted that the inauguration of a trades union congress was a "step forward" directed towards the amelioration of the lot of the Indian workers in South Africa, and Sastri observed that "the Indian worker must accept the principle underlying the Industrial Conciliation Act" and they "should not fail to appeal to the Minister of Labour who was bound to render them some kind of assistance". (Natal Mercury 3/12/28, p. 6)

The NWC as a body, however, did not survive long (although some of the individual unions then formed continued to function), and the contact of the political leadership with the trades unions grew weaker. (Ginwala 1974, p. 345) It has also been contended that the unions brought into being under the NWC were conservative unions dominated by so called "boss-boys".<sup>6</sup> The leadership of the Natal Liquor and Catering Trade Employees' Union, for example, was in the hands of head-waiters who paid little attention to the grievances (and who opposed the active participation) of other workers in the industry. For some years thereafter co-operation between the unions and political organizations diminished. And in general, trades union activity declined sharply in the Great Depression (1929-1933) and unemployment amongst Indians rose dramatically.

### 5.3 Indian Politics in Natal (1939-1948)

At the end of the Depression, especially with the growth of secondary industry in Greater Durban and the increasing employment of semi-skilled Indian workers in these industries, trades union organization and activity amongst Indian workers was again stimulated. The earlier chapters of this study have dealt with these developments. Hence we need to examine the nature of the relationship between these unions and the political organizations operating in Natal, especially in the 1940's. Before proceeding to this analysis, however, it is necessary to survey, very briefly, the major issues and changes which occurred on the political front in the period 1939-1948. (See also Appendix G)

By 1939 the first attempt to break the stranglehold of trader power in Indian political organizations was made. Dissatisfied with the conservative Indian politics of the time, a new generation rose to challenge for positions of leadership in the political organizations such as the NIC. In that year and largely as a result of pressure from this emerging new group, a majority in the NIC and the Colonial Born and Settlers Indian Association<sup>7</sup> (CBSIA) - which was formed in 1933 in direct opposition to the trader ideology of the NIC - merged to form the Natal Indian Association (NIA). The more conservative elements, however, preferred to stay out of this new organization and a group led by AI Kajee continued to operate under the name of NIC. Within the NIA a more progressive or 'radical' grouping, which came under the direct or indirect influence of the Communist Party and the non-European United Front<sup>8</sup> (NEUF), loosely constituted themselves as the 'nationalist bloc'<sup>9</sup> and sought to influence the direction of Indian politics from within the NIA. Thus in a specially prepared statement issued in June 1940 they comment: "What we need today more than ever is a militant voice of the masses that would recognize the fundamental basis of mass action."<sup>10</sup> They urged the association to "concentrate its energy in the organization of mass struggle as the only effective weapon to combat the repressive measures in the country". However, within a year they withdrew support from the NIA

after seven of their members were expelled, and campaigned against the accomodationist policies of the NIA and the Kajee NIC.

The major political issues of the time related to questions of trading and residential segregation of Indians (in response to so-called Indian penetration), participation in the war, and the struggle for mass organization. On these issues the nationalist bloc totally rejected segregation proposals and the colour-bar policies of the Government, while the 'accomodationists' agreed to some form of voluntary residential segregation. The nationalist bloc first opposed the war effort labelling it an imperialist venture, but later, with the entry of the Soviet Union into the war, they came round to almost complete support for the war. Both groups, for reasons of political expedience, sought peripherally to address themselves to some of the problems faced by Indian workers - low wages, unemployment and job reservation. The conflicts and the tussles for support that followed are, as Swan comments, "most clearly demonstrated in the continuous process of amalgamation, dissolution and reamalgamation that Natal Indian politics underwent between August 1939 and October 1945." (1982 p.23) Thus in 1943 the Kajee-NIC, NIA and the nationalist bloc merged as the NIC in common opposition to the Trading and Occupation of Land Restriction Act (the Pegging Act) which sought to freeze all further inter-racial (White-Indian) property transfers for three years. However, the nationalist bloc in the NIC, with the support of trades unions, some social/cultural groups, the CPSA (Durban District), and the liberal study group amongst other organizations formed the Anti-Segregation Council (ASC) as a pressure group within this newly constituted NIC. After intensive campaigning for the support of the Indian working class, they eventually ousted the accomodationists at a mass meeting held at Curries' Fountain and took control of the NIC in October 1945.

Although many of the younger generation who spear-headed this realignment in Indian politics were well-educated and came from wealthy trading or middle class backgrounds (for example, GM Naicker and Y Dadoo) others, such as Billy Peters, G Ponen, MP Naicker, HA Naidoo and PM Harry, were workers and trades union leaders with little formal

education. Of this group some brought to Natal Indian politics the experience and ideology gained from their participation in organizations such as the Communist Party, the NEUF and trades unions. It is thus not surprising that a high level of interaction amongst members of these organizations is to be found. HA Naidoo, for example, was not only the secretary of the Natal Sugar Field Workers Union and vice-president of the Distributive Workers Union, but also the chairman of the NEUF(Natal), chairman of the CPSA (Durban District) and a member of the nationalist bloc of the NIA/NIC. PM Harry, George Ponen, Billy Peters, C Amra, and DA Seedat similarly held positions in many of these political and worker organizations. The secretaries/organizers of most of the new wave of Indian unions formed after 1937 were members of the CPSA or the nationalist bloc/ASC, or both.

Many misconceptions, oversimplifications and some elements of 'romanticism' have entered into explanations of these interactions. Thus the precise nature of the relationship between Indian workers, their unions, the Indian political organizations and factions, and the Communist Party in the period 1939-1948 has to be examined carefully. As this study is concerned primarily with Indian workers and trades unions, we need to consider from this perspective:

- i) The nature of the so-called radicalization of Indian political organizations and the extent to which this was consequent (as has been claimed) upon a rising working class consciousness that made itself felt on the political scene via the Indian trades union movement of the period: and
- ii) The influence of the nationalist bloc/ASC and the CPSA on the Indian trades union movement; and the effect of such relationships that did exist between the CPSA, and the nationalist bloc/ASC on the one hand and the unions on the other, on the structure, organization and development of the fledgling Indian trades union movement. We concentrate here not so much on the effect of the intervention of political organizations on the struggles of workers (as this has already been examined in Chapter 4), but on the extent and nature of the assistance that political organizations provided in the origins and growth of the trades union movement in Durban in the 1930's and 1940's.

#### 5.4 Indian Politics and Trades Unions (1939-1948)

Although these two issues are interrelated, let us begin by examining the influence of Indian workers and the trades unions on Indian political organisations (NIC/NIA) in the 1940's. Among the better known views on this relationship are those of Ginwala (1974), Pahad (1972) and Johnson (1973). Swan's (1982) analysis of these relationships, arising mainly from her study of the Transvaal Indian working class, is still in progress and is not dealt with here, although references to her views are made in the course of this analysis. Ginwala and Pahad sought (among other issues) to explain the basis for the 'radicalization' of Indian political movements at this time, and although various reasons are advanced to explain this process, such as socio-economic factors, the influence of the CPSA, the role of the intelligentsia (Pahad, p.234) and the impact of the nationalist movement in India (Ginwala p.413), for Ginwala and Pahad an important input was that of the so-called 'radical/militant trade union leadership' and the growth of 'working class consciousness'. Their views are summarised below. (our emphasis throughout)

##### i. In Ginwala's view,

the greatest radical influence ... was the growth of working class consciousness. (1974, p.414) ... The growth of trade unions and working class consciousness in Natal was eventually to have decisive political repercussions ... trade unionists who were dissatisfied with the aims and methods of political organizations of the Indian people entered the political arena and influenced events there. (p.398) ... In 1944 a delegate conference representing trade unions, NIC branches, educational, sports and religious societies met and denounced the latest of the Agreements (the Pretoria Agreement) between the government and the SAIC ... this was the first conference of the Anti-Segregation Council (ASC) which won control of the NIC in October 1945. (pp.418/9)

ii. For Pahad, the growth of trades unions and the benefits which workers began to experience from belonging to trades unions

acted as a catalyst in bringing about the greater participation of the workers in the Indian political movement on the side of the radicals. MP Naicker lays great stress on this and points out that the trade unions were the backbone of the ASC ... (1972, pp. 240/41)

later he adds

that the militant leadership of the radicals in the trade union and political arena coupled with the close contacts and relationships with other union leaders and rank and file members significantly contributed to the "radicalization" of the Indian political movement. (p. 240) ... This contact was vital in making it possible for the radicals to build a mass organization in their fight against the moderates. (p. 240)

iii. A somewhat different view is to be found in Johnson's (1973) discussion of the relationship between workers, the trades unions and the NIA/NIC. Thus he writes

Twenty-five Indian organizations joined the Anti-Segregation Committee [sic] in April 1943. Seventeen were trade unions, while the others represented a variety of social and religious groups. (p. 63) ... The Anti-Segregationists were well prepared to contest for control of the NIC. They used the union organization to increase the membership of the NIC from about 17 000 in 1943 to 35 000 in 1945. (p. 66)

However, Johnson concludes that "if the Indian nationalists had generated considerable popular support, the depth of that support was not clear in 1945." (p.68) And he clearly attributes the failure of Indian resistance politics to the inability of radicals to translate the enthusiasm they engendered in 1945 into enduring political support thereafter.



The following implications follow from these views - especially those of Ginwala (and to a lesser extent, Pahad):

- i. That there was an already established 'working class consciousness' among Indian workers by the 1940's.
- ii. That this 'working class consciousness' acted as a catalyst for the 'radicalization' of Indian political organizations - as these workers, via their unions, entered the political arena to change the course of events there.
- iii. That a crucial manifestation of this worker consciousness was the size and influence of unions as formal constituents of the ASC acting through delegates.
- iv That the Indian political movement was thoroughly 'radicalized' by 1945 with the takeover of the NIC by the 'radicals'.

In short, Ginwala, in particular, is unambiguous in stressing the primacy of 'working class consciousness' and the trades unions in the 'radicalization' of Indian politics in the 1940's. In view of the importance of her work - and we do not wish to underplay the significance of her work in the historiography of Indians in South Africa - it is critical to subject her interpretation of events in these crucial years to further inquiry. Our investigation which - as will be seen - is clearly at odds with parts of Ginwala's interpretation, emerges from close and critical interviews with some of the leading surviving members of the NB, ASC, CPSA and the trades unions - men such as AKM Docrat - (a member of the NB, ASC and CPSA); Billy Peters, a member of the NB, secretary of the CPSA (Durban District - between 1943-1946), and an organizer/secretary of numerous unions including The Durban Indian Municipal Employees Society, the Shop Assistants Union, the Indian Railway Workers Union); RD Naidu (a member of the NB, ASC and organizer/secretary of the Natal Baking Industry Employees' Union); from interviews with numerous rank and file Indian workers of that period, from articles, pamphlets and documents of the political organizations that we have located in private collections, libraries and archives, and from reports in such newspapers as the Guardian, Indian Opinion, Indian Views and The Leader.

It is important, at the outset, to stress that we do not dispute some of the 'facts' which emerge from a study of the relationship between unions and political movements in the Indian 'community' during the 1940's. Thus, for example, we do not disagree that

- i. thousands of Indian workers did become members of the NIC in support of the NB/ASC stand;
- ii. there were trade union leaders on the ASC;
- iii. the NB/ASC spearheaded the takeover of the NIC in 1945; and
- iv. this would have been virtually impossible without the support of the Indian workers.

However, to conclude from this, as especially Ginwala has done (or clearly implied) that the 'radicalization' represented a movement from a conservative merchant class politics to a politics expressing itself in defense of the aspirations and demands of the Indian working class or that the realignment of Indian political forces was achieved via the 'growth of working class consciousness' is, in our view, to fundamentally misrepresent the case.

Our interpretation of these events between 1939 and 1948 is as follows. From 1939 the question of so-called Indian penetration into the White areas of Durban became a major political issue in the Indian community. Opinions were clearly divided as to the appropriate response to moves to segregate Whites and Indians. The recently formed NIA set up a committee in co-operation with the Durban City Council to dissuade Indians from acquiring property in White areas. In other words they accepted some form of voluntary segregation as a strategy to pre-empt legislative measures to force such a separation. At a meeting at the City Hall in late 1940, a majority of those present accepted the NIA strategy of co-operation with the Council and the principles of voluntary segregation. Some of the younger members of the NIA - who had joined the organization in 1939 - objected strongly to the strategy and opposed any form of residential or trading segregation and the policy of racial discrimination in general. Arising out of their defeat at this meeting, however, came the first attempts at mobilizing a broader section of the Indian 'community' on an inter-class basis against all forms of racial segregation and with the longer term goal

of overthrowing the moderates in the NIA. This oppositionist grouping came to be known as the Nationalist Bloc (NB), and it included such persons as HA Naidoo, Monty Naicker, AKM Docrat, George Ponon, DA Seedat, Cassim Amra, MD Naidoo and Billy Peters, some of whom were already secretaries or organizers of the Indian trades unions set up or revived since the mid 1930's.

It was in pursuance of their strategy to mobilize mass support for these policies - policies rooted in an uncompromising opposition to the 'colour-bar' and couched in the general rhetoric of 'democratic rights' - that the radical nationalists in the NB began to address Indian workers in factories in and around Durban. It was in this respect that the secretaries/organizers of the Indian trades unions (in the NB) played a vital role, having easy access to the workers in their unions. But this role/strategy nevertheless emanated from the think-tank of the NB and clearly from outside worker forums. As AKM Docrat explained:

If we (NB) were to hold a meeting, we rang up committee members who were in the unions, gave them the time and place of the meeting and expected them to bring along the quota of workers. Our relationship was purely that of voting cattle to put it crudely.<sup>11</sup>

Beyond this there were only the most tenuous structural or organic links between Indian workers, the unions and the NB.

In seeking this broader support the NB thus began the task of educating Indian workers in the basics of their political demands. From the evidence that we have heard, nearly all the debate and discussion centred around the so-called "colour-bar" - "jobs for all", "education for all", "homes for all", "equality for all" - such were the slogans of this campaign. To the many Indian workers burdened with the civilized labour policy and overt racial discrimination, the case that was being put to them at innumerable NB meetings in and around Durban in the early 1940's was nothing if not compelling, and represented a vision of a better life as full and equal citizens of the country of their birth.

But it is vital to emphasize that the stand which the workers were beginning to support rested primarily on their status as a disadvantaged group discriminated against within South African society - as 'non-Europeans' (Indians). Issues related to these workers - as a class - were thus subsumed to the primary struggle for bourgeois democratic rights. To suggest that the 'radicalization' of Indian politics arose from their own ranks or to misrepresent their support for the NB policies as indicative of their political or 'class consciousness' is to overstate their role. For there were many factors which, at that time, militated against the growth of 'class consciousness' amongst Indian workers. They were newly proletarianized, only just having entered industrial occupations from a background of indentured labour, without the benefit of a long-standing trade union or a working class tradition, poorly educated, largely illiterate, and carrying with them religious and traditional beliefs and customs which were often obstacles to the recognition and development of their class interests. On this last point Billy Peters comments<sup>12</sup>:

Indian workers came into the [trades union] movement with supernatural beliefs - their background and environment - what they were fed with from youth. No matter how much of scientific knowledge you tried to equip them with, those religious and supernatural beliefs remained. They could not discard their past. From this path you ask them to adopt a revolutionary outlook.

And AKM Docrat observes<sup>13</sup>:

The Indian worker had no tradition, except the background of indentured labour - so how could he possibly have known (then) about socialism or worker rights or worker power.

This much is strikingly clear from our interviews with Indian workers of that period. They joined trades unions primarily because of the benefits such as improved wages and working conditions which they perceived that the unions might gain for them, and for little more.

Their union membership, their resistance to exploitation and the support for the democratic policies of the NB are, in our view, inadequate as evidence of their 'class consciousness'. (This is not to suggest that there may not have existed class practices in the nooks and crannies of Indian working class activity, but this is not the main point of our critique.)

As Geoffrey de Ste Croix notes (1984, p.100):

Class conflict (class struggle, Klassenkampf) is essentially the fundamental relationship between classes, including exploitation and resistance to it, but not necessarily either class consciousness or collective activity in common, political or otherwise, although these factors are likely to supervene when a class had reached a certain stage of development and become what Marx once called "a class for itself".

Let us now return to the chronology of events and especially to the formation of the ASC and its relationship with workers and trades unions after 1942.

The level of political militancy generated by the NB between 1940-42 could not be matched by the moderates in the NIA. By using various gerrymandering tactics, therefore, including refusals to call general meetings and elections, they attempted to keep the radical nationalists at bay. It was in a way the state, by proposing the "Pegging Act" in 1943, that temporarily, though superficially, patched up the deep divide in the ranks of Indian political organizations. In common opposition to this Act, and in order to present a united resistance to any form of legal separation of White and Indian property, the NIA, the Kajee-NIC and the NB came together to form the new NIC in 1943 - the first time in many years that there had been a single Indian political organization in Natal. However, the underlying ideological and strategic divisions within the NIC were soon to surface publicly. For in the so-called Pretoria Agreement between Smuts and the moderates in the NIC (such as AI Kajee) voting rights at provincial level were

proposed for Indians in exchange for moves to stop 'Indian penetration' into White areas. Such moves included the appointment of a licencing board to control the occupation by Indians of former 'White' homes. The radicals/progressives, who were unaware of these initial moves, challenged the principles underlying this agreement and out of this opposition the Anti-Segregation Council was born, and began to agitate for adult suffrage on a common voters' roll.

Ginwala, as we have noted, refers to the ASC as a "delegate conference representing trade unions ... which won control of the NIC in 1945" (1974 pp.418/419). This, coupled with her assertion that the greatest radical influence on the political organizations was the growth of 'working class consciousness', (p. 414) makes it impossible to escape the implications that these 'class conscious' Indian workers mandated delegates to the ASC to 'represent' them. For the use of the words 'delegate' and 'represent' leaves little room for conjecture. So again it is made to appear that the impetus behind the ASC opposition came from these workers via the union 'delegates'.

Johnson, in his discussion of the ASC writes about the "twenty-five organizations [which] joined the ASC in April 1943. Seventeen were trade unions while the others ..." (1973, p. 63) And Bagwandeem (1983) in an appendix (p. 356) reproduces a list of the so-called 'affiliated organizations' to the ASC (p.211)<sup>14</sup> Two questions arise from these views and references:

- i. Was the ASC constituted as a body to which 'organizations' such as trades unions affiliated or joined (as opposed to individual membership)? and, secondly,
- ii. In what sense did the so-called delegates to the ASC represent their organizations' membership? This question, as it relates to workers and their unions, is fundamental to the notion of workers' democracy and lies at the heart of the argument about the nature and form of Indian workers' role in the radicalization of Indian politics in the 1940's.

We put these questions to AKM Docrat who was a founder member and first secretary of the ASC. According to Mr Docrat, the ASC began as no more than a loosely co-ordinated group of about 12 individuals which subsequently, in seeking wider support, developed into an umbrella body. Other organizations, such as trades unions, 'joined' the ASC, but it still included the original individual members. It is, however, the second question which is critical. Did the trades union 'delegates' serving on the ASC receive a mandate from their workers to represent them at this political forum? On this question Mr Docrat<sup>15</sup> indicated that the trades unionists on the ASC did not, in the strict sense of the word, (and the only sense that matters on the issue of worker democracy) receive a mandate from their workers. Billy Peters observed<sup>16</sup> that the trades unionists who participated in the ASC did so largely in their personal capacities and only with the knowledge (as opposed to the mandate) of (other) members of their unions' executive committee. Clearly, therefore, the question of affiliation was not formally discussed and debated by the workers themselves. Yet 'their unions' were, for all intents and purposes, 'affiliated' to the ASC. This interpretation is also borne out by SP Pillay<sup>17</sup> who was secretary/organizer of the Laundry Workers' Union between 1940-44 (though he was not a member of the NB, ASC or CPSA) and whose union was, according to the document reproduced in Bagwandeem,<sup>18</sup> an affiliated organization of the ASC. As secretary/organizer of the union at the time of affiliation, he would surely have had knowledge of this had there been a process of formal discussion and debate amongst the workers on the issue of affiliation to the ASC. However, he states clearly that the union did not affiliate to the ASC in this way, but that the decision to affiliate was taken by the leadership of the union (who as individuals had close links with the ASC) without the mandate of the rank and file workers. Thus it would appear that the ASC, as an organization of 'affiliated' bodies, existed as such more on paper than in practice. For trades unions, which made up the majority of these affiliates, did not affiliate to the ASC as a result of a conscious, deliberate and independent decision emanating from workers themselves. In fact, the constitution of the Twine and Bag Workers' Union, the Tea, Coffee and Chicory Employees' Union, and the Natal

Sugar Field Workers' Union - all affiliates of the ASC - did not have a clause that even required rank and file workers to give these unions a mandate on affiliation to political organizations (a clause which was to be found in Solly Sach's Garment Workers' Union). This was an omission which would have facilitated the Executive Committee's (or union officials') decision to affiliate to the ASC, which is what (we would suggest) actually occurred. However, this is not to imply that thousands of Indian workers did not 'support' the policies of the ASC. But it is crucial to underscore the fact that this support followed the efforts of the ASC to mobilize Indian workers, trades unions and other organizations around their policies - policies which were developed by the initiators of the movement without a mandate from anyone or any organization. Thus the bodies which 'affiliated' to the ASC - in whatever form this took - did so on the basis of an already established programme. None of these affiliates therefore influenced or shaped the policies of the ASC which later spearheaded the takeover of the NIC in 1945. As AKM Docrat summed up:

the directional flow of influence ran, if anything from the ASC to the Indian workers and not from the workers (via the unions) to the ASC. The trade unions did not in any way influence the ASC. The direction came from the ASC and not from the trade unions to us. The ASC was not moulded by working class ideology, action or reaction.<sup>19</sup>

It is clearly inadmissible to extrapolate the political (or even class) consciousness of the trades unionists on the ASC to the mass of the Indian workers.

From this evidence it is clear that the nature of the relationships between Indian workers, their unions and political organizations and factions differs in crucial aspects from the Ginwala interpretation. Her interpretation fails to capture the real dynamics of the process and nature of the 'radicalization' which occurred. At the same time her analysis reveals (at best) a bizarre misunderstanding of these processes and (at worst) an 'unawareness' of the real meaning of



worker democracy. Importantly, too, by unmasking the myth of Indian 'working class consciousness' (as an influence on Indian political organizations) it becomes possible to understand better the decline - some would say failure<sup>20</sup> - in political activism in the years that immediately followed. This is most clearly illustrated in the 1946-48 passive resistance movement.

As Swan points out (1982, p. 25) the

passive resistance movement despite strong links with politically aware organized labour<sup>21</sup> and despite the manifest grievances of Indian workers, mobilized only around 1000 of the 22 000 Indian trade union members.

It would require an extremely obtuse argument to explain why, if one accepts Ginwala's view, more than 22 000 politically - and class-conscious Indian workers - (as distinct from their organized leadership), and who, by their own 'ideology' and actions, spurred the 'radicalization' of Indian politics - abandoned their new leadership so quickly. William of Occam would have arrived at a better and more accurate explanation: namely, that there really was no such conscious, militant mass support arising independently from the workers themselves.

It remains, therefore, for us to pose an alternative and acceptable explanation.

The Asiatic Land Tenure and Indian Representation Act (Ghetto Act)<sup>22</sup>, against which the passive resistance campaign was primarily directed, most closely and seriously affected those Indians who were financially able to purchase land in White areas for residential and investment purposes. As we discovered in our interviews with Indian workers of the period, the implementation of the Act (in so far as its property/land provisions were concerned) would have had little effect on them. (A view corroborated by AKM Docrat). And as Johnson points out, (1973, p.78) the "Act did not immediately affect the majority of

less affluent Indians who had no plan for either living or investing outside existing Indian Ghettos".<sup>23</sup>

Thus, although their support for the ASC and the 1945 NIC revealed their hopes for a more democratic South Africa - free of the colour-bar - the failure of the passive resistance campaign to sustain this worker support suggests that workers placed their more pressing and immediate problems before any "longer term considerations of the implications of segregation", as Swan discovered in her research into the Transvaal Indian working class (1982, p. 25). Many had supported the ASC campaign more out of "frustration and hope", as George Naicker admitted<sup>24</sup> rather than any "real political understanding of the difficulties of the struggle". Clearly, by the mid 1940's, the worker (and political) organizations had hardly begun the task of addressing fundamental worker grievances such as low wages, poor working conditions, inadequate housing, education and the like. Given these circumstances, to have expected any greater empathy or committed support for these political struggles from the newly proletarianized and poorly educated Indian working class - who, as AKM Docrat reveals,<sup>25</sup> "were still feeling their way around" - would surely have been unreasonable and, in any case, incorrect. To have credited them with a 'consciousness' that supposedly led them to spearhead the 'radicalization' (whatever this might imply) of Indian politics in Natal in the 1940's is to engage in an ex-post-facto romanticization of their role.

In short, we would concede that there was a distinct shift in the predominantly accomodationist, merchant-dominated class politics of the pre-1945 NIA/NIC, to ostensibly more militant, aggressive and less accomodationist politics of the post-1945 period. But this is insufficient ground to characterize the shift as 'radicalization'.<sup>26</sup> For radicalization, in our view, would be akin to the class politics of a working class movement. Ginwala's failure to clearly define the class content of the NB, ASC, post-1945 NIC politics and her assertion that the 'radicalization' was primarily the result of a rising working class consciousness, leaves room for some to conclude from her work that this was indeed a working class politics. We would argue that not-

withstanding the importance of this break (shift) from the stranglehold of merchant dominated politics and the support these new progressive policies received from the Indian working class that it was in no way a working class politics. The distinction is, in our view, more than just semantic. Furthermore, the shift to less accomodationist politics rested fatally (for both the political movements and the unions) upon the shoulders of a hard core of dedicated and overextended individuals, including some trades unionists, acting together in loosely structured committees such as the NB and the ASC without a conscious, disciplined, organized and complementary thrust from Indian workers acting as a class. Finally, we would argue that the development of a working class consciousness presupposes, as a minimum condition, the establishment of sound democratic structures within working class organizations. Such structures would be essential to provide the channel for rank and file workers to assert themselves in the process of developing their own class-based politics rather than being subjected to the politics of organisations outside their class interests. Crucial and essential democratic structures of this nature were, as we have noted already, glaringly absent in the unions of the 1930's and 1940's.

#### 5.5 The Role of Indian Political Organizations in the Origins of Trades Unions.

We turn now to examine the role of Indian political organizations (and factions) in the origins and growth of trades unions in Durban in the 1930's and 1940's. We have seen already that the "radical" wing of the NIA (the nationalist bloc) had, from about 1940, set about the 'mobilization' of Indian workers. However, this 'mobilization', which took the form of meetings and rallies throughout Durban/Natal, reflected only an awareness of the pre-requisites for this faction's political campaign. These included the need for mass support, and revolved around their political demands rather than worker politics or trades union issues. We have not found evidence to suggest that any of the Indian political organizations or factions in this period were - as

organizations - directly linked with the establishment of Indian trades unions. Thus the formation of these unions occurred independently of Indian political organizations which contrasts with, for example, the role the NIC played in initiating the Natal Workers' Congress in 1928. Both AKM Docrat and Billy Peters confirmed this view. Mr Docrat explains,<sup>27</sup> "The nationalist bloc/ASC never interfered with the workings of the trade unions. We never directed them to do anything except support our political platforms." And Billy Peters comments,<sup>28</sup> "We did not anticipate or expect anything from the post-1945 Congress but that they continue their political work."

Many individual members of Indian political organisations/factions were, however, prominent trades unionists at this time. These individuals, such as RD Naidu, Billy Peters, HA Naidoo, G Ponen and others (some of whom were also members of the Durban District Branch of the CPSA), worked extremely hard and at great personal cost in setting up and organising many of the new non-racial industrial unions formed in Durban from the late 1930's. However, developments on the political front, especially from about 1942/3, appear to have affected their commitment to these unions. From 1943, the year the 'Pegging Act' was proposed, and with the repercussions of the Dunlop strike still fresh in their minds, the trades unionists in the NB/ASC found themselves increasingly concentrating on inter-class political struggles at the expense of shop-floor or organizational work in their unions. As Hemson comments:

At a time when Indian traders and land owners were coming under increasing pressure from the state, political mobilization in the struggles against segregation of the Indian community sub-ordinated Indian trades unions and workers to the defence of the Indian petty-bourgeoisie.(1979, p.339)

Many of the trades unionists who were closely linked to the NB/ASC/CPSA began to view workers' struggles as part of broader political struggles. In particular, the campaign against the segregation of

Indians, and more generally, the nationwide campaigns against the segregationist policies of the state were seen in this light. Those trades unionists committed to the campaign assisted in the task of 'politicizing' workers in an effort to win greater mass support for these policies. In these crucial (and still early) years, concrete organisational work in the unions was neglected in favour of such political campaigning.

The failure of the Dunlop strike<sup>29</sup> (following the extremely intransigent policies of the state and of capital to non-racial worker resistance) "accentuated the tendency for political activists in the Indian community to be diverted from working class organisations towards political action in the defence of the Indian community" (Hemson 1979, p. 339). This kind of political action dominated the period 1942/3-1945 - but even after the 1945 takeover of the NIC by the 'progressive or radical' ASC faction the relationship between this NIC, workers and unions did not change fundamentally.<sup>30</sup> Clearly, too, this NIC was not an 'official' or even de facto organ of the Indian working class. Billy Peters observes<sup>31</sup> "we [in the ASC] did not want the Congress to be only a working class organization. We wanted it to be a Congress of the entire Indian community."

#### 5.6 The Communist Party and Trades Unionism in Durban

Burrows has suggested<sup>32</sup> that the growth of Indian trades unions owed "much to the active communist element amongst workers and to the left wing sections of the Indian political bodies". Johnson comments "by the late 1930's the [communist] Party had considerable influence amongst the Indian working classes in Natal" (1973, p.47). And Ginwala writes "the links between the CPSA and Indian trade unions had grown as Indian workers alienated from the Indian leaders found assistance from communists in the techniques of trade union organization" (1974, p. 415).

These unequivocal statements give rise to a number of critical questions. What, then, was the role of the CPSA? What part did it play in the growth of trades unionism among Indian workers in Durban? What form did this take? And what were the consequences for the unions of CPSA assistance? These are the issues we will now examine.

While the African membership of the Durban district branch of the CPSA almost disappeared by the mid 1930's following police action,<sup>33</sup> the Party began to attract a number of young Indians to its ranks. HA Naidoo and George Ponen, who Eddie Roux recruited in 1934/35, were the first two Indians to join the party,<sup>34</sup> and they were joined within the next few years by DA Seedat, MP Naicker, Cassim Amra and Billy Peters among others. Some of these men were soon to take up positions as secretaries/organizers of the new trades unions that were formed in Durban in the late 1930's and 1940's. Many also became active members of the 'radical' or progressive wings of Indian political organizations.

The entry of these men into the trades unions and political organizations in Durban was, as Billy Peters points out,<sup>35</sup> influenced by the political education they received in the Party which, by that time, had come to accept "the primacy of the national liberatory struggle", (Pahad, 1972, p. 243)<sup>36</sup> and hence the importance of inter-racial co-operation and organization. The growth of trades unions among African, Indian and Coloured workers in the main centres of the country at this time offered new possibilities and sites for such co-operation. How, then, did these policies affect developments in the trades union movement in Durban? Billy Peters, who, between 1943-46 was the secretary of the Durban district branch of the CPSA, observes that "most of the trade union secretaries were CP members. Without the guidance of the CP there would have been no unions. Where would the knowledge and inspiration have come from."<sup>37</sup> And RD Naidu, also a Party member at this time, states that "we in the CP had considerable influence on the trade unions executive committees."<sup>38</sup> However, as Hemson points out "Although the CP provided the stimulus and resources for these unions there was

little central direction and control and a variety of tendencies developed," (1979, p.336) particularly when the organization of African workers was concerned, which ran counter to the rhetoric of CPSA policy, e.g. the formation of parallel unions for African workers in some unions 'under CP influence'. And not all the unions in existence in Durban at this time came under CP influence. Unions in the garment and furniture industries, to name just two, which employed significant numbers of Indian workers remained throughout this period outside the influence of the party. These unions strongly resisted any moves towards the pursuit of more 'radical' objectives<sup>39</sup> and were actually opposed to closer co-operation between Indian and African workers.<sup>40</sup>

In the case of many other unions, despite the fact that they might have been led by CP members, and notwithstanding the 'inspiration and guidance' that these members received from the Party, it seems clear from the evidence we have heard that the party exercised little further influence - either structurally or in organizational terms. Billy Peters, for example, was careful to point out that although many trades union secretaries/organizers were CP members, these individuals had to abide by the constitutions of their unions and that this took precedence over any outside influence.<sup>41</sup> (We have, however, noted already that shortcomings in the constitutions of many of these unions made it relatively simple for political intervention to occur.)

Given the influences implied, the question which arises concerns the nature of the 'guidance or influence' which the CP provided in the origins and growth of (Indian) trades unions in Durban at the time. It would appear that much of this guidance to the organization and activities of trades unions was channelled through the Industrial Secretariat<sup>42</sup> - a sub-committee of the Durban District branch of the Party. The functions of this secretariat were:

- i. to help in the formation of unions;
- ii. to assist party members who were trades union officials in the preparation of speeches;
- iii. to provide speakers for trades union meetings;

- iv. to assist in the distribution of Party literature - including pamphlets on trades union organization and administration<sup>43</sup>
- v. to liaise with unions in which Party members were involved in order to obtain information on, to co-ordinate and to publicize the day to day struggles of workers; and
- vi. to organize courses in political economy for 'interested persons'.

The extent to which the Party, via the Industrial Secretariat, actually assisted unions in these ways is unclear. Certainly, if there was a well co-ordinated effort at implementing these functions, the Party would have had considerable influence over the affairs, objectives and strategies of the trades unions. As we shall attempt to show shortly, we are not convinced that the Party had either the resources or the commitment to the class politics of the working class to have had a significant impact on the development and direction of working class organizations in Durban during this period. It cannot be denied, however, that individual members of the CP, including HA Naidoo, PM Harry, Billy Peters and RD Naidu had played, in the late 1930's and early 1940's, a prominent role in the revival or establishment of some trades unions. And the distribution of pamphlets on union organization such as those prepared by Party members<sup>44</sup> may have been useful to local union organizers. But we would argue that there were several factors that militated against the Durban District Branch of the CPSA playing any more constructive or influential role in the organization and development of an independent trade union movement or in raising working class consciousness in Durban at this time - more especially after 1940.

First, despite Johnson's claim that the party had "considerable influence" in the Indian working class by the late 1930's, AKM Docrat, then a Party member, claims that the active membership of the Party in Durban at this time was too small to have effectively achieved such widespread influence. "There were only a few CP members - perhaps two dozen - and the CP in Durban had no fundamental say or influence on the unions or in the political struggles of the Indians."<sup>45</sup> One cannot simply assume, as Johnson appears to have done, an instrumental



link between membership of the Party by those few individuals and their influence over the mass of Indian workers. For besides the limited numerical strength, there were other factors which constrained their influence over Indian workers. For one, the very background and traditions from which the workers had only recently come would have been a major obstacle to the process of raising class consciousness among them - a fact which Billy Peters alluded to in a quotation given earlier (p.150). And in organisational terms neither the Party nor the unions had established the kind of worker education programmes which would have been essential to achieve success in this direction. The courses in political economy organized by the Party were conducted at night and were pitched at a fairly advanced level<sup>46</sup> being directed mainly at a few Party members and at trades union secretaries (many of whom were Party members already). This meant that few rank and file workers ever attended the programmes. In their public rallies the CP concentrated their efforts almost exclusively on demands for democratic rights, mobilising support for the war effort (after 1941), on countering black marketeering, etc<sup>47</sup> - and hardly ever, except in their rhetoric, on issues which affected workers as a class.

Secondly, because the 'influence' of the CP appears to have been largely channelled via the efforts of individuals such as HA Naidoo, George Ponen, MP Naicker and Billy Peters, this influence - in whatever limited form it took - declined from about 1942/3 as these very same men began increasingly to concentrate on the political struggle being waged against segregation in the Indian community following the 'Pegging Act'. As Hemson notes "the emphasis shifted from working class organizations - in particular from the organizations of unregistered non-racial trade unions towards political action in defence of the Indian community" (1979, p.339).

And it must be understood that those Indians who joined the CP at that time did so more on the basis of the Party's non-racial character and expressed aim<sup>48</sup> of ending racial oppression rather than on the basis of a commitment to socialism. Though some of the leading Indian

CP members in the union movement were fairly knowledgeable on the principles and goals of 'Marxism-Leninism' and saw socialism as the ultimate objective of the struggle, the immediate and pressing issues were related to racial segregation and discrimination. Billy Peters, in commenting on his decision to join the Party in 1938, states that "it dawned on me to join an organization which, come what may, would get rid of discrimination. I couldn't tolerate it." He adds:

Do the workers of South Africa want socialism? Precisely no. What do they want? They want a slice of the pie. That means that there was room for creative capitalism - we asked for a democratic South Africa. We know that the ultimate goal was socialism but we did not confuse the workers.

Given these goals and strategies, it is not surprising that when the forced segregation of Indians was proposed in 1943, the skills and efforts of these CP trades unionists began to be directed to the political struggle being waged by the NB/ASC - of which many trades unionists were members - against the moderate Indian political leadership, which appeared set on accepting some form of (voluntary) segregation. George Ponen, at the CP's 1943/44 conference, specifically called upon the Party to support "the campaign against the 'Pegging Act' which restricts Natal Indians from buying land in so-called European areas".<sup>49</sup>

Thirdly, we would argue that any direct organizational assistance to workers and their unions from the Party or its members based on clear class lines and support for working class action, was affected by the Party's adoption of a broad multi-class anti-fascist popular front.<sup>50</sup> And especially, after the entry of the Soviet Union into the war, the CP concentrated on mobilising support for the war effort.

Thus on strikes, for example, the Party's policy as set out at its 1943/44 conference was "towards a peaceful settlement of disputes and avoiding of any strikes or any other action that will hinder the war

effort" (p.5) Hence the Guardian, which closely reflected the policy of the CP, initially did not support the strike action of African dockers in Durban in July 1942, and described the workers as being "engaged on vital work for the war effort and their refusal to work meant a serious hold up for the many ships tied up at the quaysides in the Bay".<sup>51</sup>

The CP concern that any working class action should not impede the war effort is even more dramatically revealed by its reaction to the strike of African and Indian workers at Dunlop in December 1942.<sup>52</sup> The secretary of the union concerned, the Natal Rubber Workers' Industrial Union, Mannie Peltz, was a member of the Durban District branch of the CPSA. And although Billy Peters,<sup>53</sup> who in early 1943 became secretary of this branch, accepts that workers were "being exploited", the Party was clearly opposed to the strike called by Peltz in protest against the imposition of a company union in the factory. This opposition held despite the fact that CP members served on the strike committee and rallied to the support of workers after the strike was called. At the meeting called on 17 January 1943 in support of these workers, both HA Naidoo and G Ponen, who were leading members of the Party, emphasized the possible damage the strike could have on the war effort. (They publicly blamed the Department of Labour for the problems at Dunlop). However, after the strike was over, a 'commission of enquiry' was set up by this branch to investigate the reasons for the strike and its failure. Billy Peters was chairman of the 'commission'. The commission found that Peltz had not exercised all the avenues of negotiation before calling the workers out on strike. According to Billy Peters, the commission was informed that Peltz had apparently sent a telegram to the Minister of Labour, Mr Madeley, explaining the workers' grievances, but upon not receiving a reply speedily, had led the workers into strike action. It emerged that neither the workers, nor the CP, nor the local committee of the SATLC had been kept sufficiently informed about these developments/negotiations with the Minister. Billy Peters is clear on the point that if the Party had been informed there would not have been a strike. The Party would have pressed the Minister to intervene and Peters is

confident that the Minister would have done so, especially as the industry was supplying material (rubber products) vital to the war effort. Peters regards Peltz's action as a "serious administrative weakness" and as far as the Party was concerned the matter was an "unforgiveable omission". No action was taken against Peltz, for as Peters observes, the enquiry was just for "future guidance". What emerges from this is the CP's preoccupation with ensuring that the 'war effort' was not jeopardized even though the issue of company unionism that was at the heart of the dispute represented a serious threat to the independence and development of working class organizations.

The effect on the unions of the political struggles in the Indian 'community' and the CP's preoccupation with the 'war effort' is further illustrated in the following example. DA Seedat, secretary of the Indian Shop Assistants Union, a member of the CPSA and of the nationalist bloc of the NIA, actually apologized at a meeting of this union for "his inactivity in the union", owing to his efforts having been directed "towards other movements" (Indian Views 13/03/42). And commenting on the war, Seedat, at the same meeting, stated that unions should be strengthened to protect workers and to "guide them [presumably the workers] in the present catastrophe that the peoples of the world are plunged into". This reveals much about the priorities of the 'struggle' as seen from the perspective of a Party member in 1942.

Thus while the CP-inspired leadership of many of these unions continued to hold office throughout the war years, their diversion into questions outside the immediate concerns of working class and trades union politics and the subsequently diminished support of the CPSA in the defence and development of working class organisations meant that the vitally important task of establishing sound democratic organisational structures and a shop floor leadership in the relatively new unions, suffered a serious setback. When the mask of "official benevolence" (Hemson, 1979, p 319)<sup>54</sup> towards working class organisation and their actions, (motivated to some extent by the prerequisites of the war-economy) was dropped, the inherent structural weaknesses of the unions was exposed. The unions which some of these leaders had worked

so hard to set up, continued to depend narrowly on their leadership and direction.

The consequences for the union movement in Durban of the state's "harassment" of CP members and sympathisers were to prove disastrous. AKM Docrat observes that the lack of shop floor leadership meant that when these leaders were later "named or listed", a large part of the union movement became defunct. Police action against these individuals began well before the Suppression of Communism Act was passed in 1950. The Guardian reports (26/9/46) that George Ponen, secretary of the Tobacco Workers' Union (Durban) and of the Tea, Coffee and Chicory Employees' Union, had all his union files, books and even receipt books confiscated, and the homes and offices of other prominent CP and local trades union figures including Errol Shanley, MP Naicker and MD Naidoo were raided and had materials removed from them. Numerous similar reports of police action against CP trades unionists in the years that followed were reported in the Guardian and Forward newspapers. On 20 June 1950, the CPSA disbanded before the Suppression of Communism Act was passed. After this date and the passing of the Act, many trades unionists who were suspected of having been CP members were forced to resign their positions in the unions under the provisions of the Act<sup>55</sup> which embodied the state's avowed intention "to ensure that Communists are not appointed to key posts in the union movement".<sup>56</sup>

This affected local trades unionists including Cassim Amra, who was the secretary of three unions,<sup>57</sup> SV Reddy, an official of the Howick Rubber Workers' Union and of the Tin Workers' Union; TE Bhoola of the Tin Workers' Union;<sup>58</sup> RD Naidu, Billy Peters, G Ponen (who was an official of numerous unions), MP Naicker, DA Seedat, MD Naidoo and Errol Shanley.<sup>59</sup> These 'namings' or 'listings' occurred throughout the 1950's and 1960's. Some, including Ponen, GG Naidoo and MP Naicker later left the country and went into exile overseas. Alexander and Simons write that those 'named' or 'listed' trades unionists "included some of the most energetic and capable organisers. One might add that they were also the staunchest advocates of equality and unity between workers of different racial groups and the most uncompromising opponents of government policy" (1959, p.17).

Such state action, along with the failure to establish the foundations and traditions of democratic structures and the absence of a disciplined shop or factory-floor leadership, led to many of the unions which were formed or revived in the period since the late 1930's under the leadership of these individuals becoming effectively defunct. Some were deregistered. Others were taken over by a more 'moderate' leadership which, in the repressive atmosphere of the time, followed what Billy Peters calls the "path of least resistance", not daring to utter any statement or pursue any line of action which might have led to their arrest or listing. The decline in trades union activity and organisation in Durban that followed these developments is illustrated in the report submitted by Anna Scheepers to the National Executive Committee of the National Union of Cigarette and Tobacco Workers after she visited Durban in August 1951. In the report Ms Scheepers records that

from recent discussions I have had with trade union leaders I have come to the conclusion that there is a great need for organisation in general in the Durban area. There are branches there of a number of trade unions which have almost become defunct and others which are not functioning at all..."

and Mr Alec Wanless who is the honorary secretary of the Sweet Workers Union informs me that the branch of the Sweet Workers Union exists in name only.<sup>60</sup>

After a meeting with George Ponen (secretary of the Durban branch of the National Union of Cigarette and Tobacco Workers) Ms Scheepers explained to Ponen that "the NEC was not satisfied with the lack of organization and also that the NEC did not receive the information required from this branch in terms of the constitution (1951, p.2).

SP Pillay recollects<sup>61</sup> that the following unions were de-registered, became defunct, or existed in name only after or by 1950: Tea, Coffee and Chicory Industry Employees' Union; Broom and Brush Workers' Union; Soap and Candle Workers' Union (Durban Branch); Paint, Polish and Varnish Workers' Union; Twine and Bag Workers' Union; Rope and Mat Workers' Union; Brick and Tile Workers' Union; Sweet Workers' Union (Durban Branch); SA Brewery Workers' Union and the Mineral Water Workers' Union.

Even those unions with a leadership not suspected of being CP members or sympathizers (such as the Garment Workers' Industrial Union (Natal) and the Furniture Workers' Industrial Union (Natal)) were affected by these developments. Like the Durban Indian Municipal Employees' Society and the National Baking Industry Employees' Union (Natal), which were taken over by a 'less militant' leadership, these unions later affiliated to the 'moderate' Trade Union Council of South Africa (TUCSA) - a union federation which grew out of the dissolution in 1954 of the South African Trades and Labour Council. It was a federation which, by accepting the principles of the Industrial Conciliation Act on the exclusion of African workers and the formation of separate parallel unions for Whites and 'non-whites' (Coloured and Indian), set the seal on the further racial division of the South African working class. In general, we would argue that these unions responded to the political pressures of the time by withdrawing further into their bureaucratic shells. They did so not because they were less political but because their lack of democratic structures and practices made them easily see the 'wisdom' of abandoning any pretence at militancy and of settling down to the business of 'defending their unions'.

CHAPTER 6SUMMARY, ASSESSMENT AND CONCLUSIONS

Sporadic instances of resistance and attempts at forming trades unions by Indian workers certainly occurred in the period before 1930. However, it was after the Great Depression, following rapid urbanization and their absorption into industrial wage employment that increasing numbers of Indian workers formed or joined trades unions.

Indian employment increased most notably in secondary industries such as food, clothing, textiles, metal and engineering and furniture, as well as in commercial and some service sectors, although the wage rates applicable to their mainly semi-skilled jobs were low and the threat of unemployment remained a serious problem, even through the early years of the war. These changed economic conditions had important implications for the newly proletarianised Indian workers in the Greater Durban area. For industrialization, urbanization, skill acquisition and the general instability of their economic and social conditions led directly to the formation (by the emerging Indian working class) of defensive organizations which would express directly, the demands and aspirations - however tentative - of this class.

Changes in the labour process, which saw the increasing use of semi-skilled operatives, coupled with the racially exclusive policies of the mainly white skilled workers in craft unions such as the Amalgamated Engineering Union, led some newly proletarianized workers to form industrial unions on a non-racial basis in order to protect their interests. Other unions were mainly Indian in composition. The strength of organisation across industries was often weak as some unions (such as the Natal Rubber Workers Industrial union) were heavily concentrated in one or two factories. In addition, the lack of a clear CPSA policy (the CPSA provided some of the stimulus to unionism in Durban in the late 1930's) on the development of non-racial unionism, and the response of the state and capital to non-racial worker resistance created the conditions that led to divisions in working class organisation and resistance in Durban, especially after the



failure of the Dunlop strike of 1942/3. In some cases unregistered non-racial unions succumbed to these pressures by forming separate parallel unions for Africans.

As many as 68 trades unions with Indian membership existed in the period 1930-1950. Many of these unions had a short-lived existence. In some industries unions were formed, went defunct and were then revived under new names, so that the figure of 68 unions represents an element of double or even multiple counting. In 1943, 34 trades unions with Indian members existed in Durban. Both in terms of size (number of members) and numbers (number of unions per industry) unions with Indian membership were concentrated in the food and services sectors as well as in clothing and textiles.

Our analysis of the structure of these unions and their potential for broad-based control and democracy - factors which we consider of fundamental importance in the evaluation of the historical role of (Indian) workers and their organizations - revealed that many of these unions in Natal in the 1930's and 1940's lacked adequate and democratic constitutional structures. Two major organizational problems emerged from our analysis of the constitutions of these unions. These related to the failure to incorporate shop stewards in any meaningful sense into the structure of the unions and the absence of concrete links between the factory floor and the various union committees. Consequently a broad-based and diffused leadership structure, extending from the shop floor into the union, responding to worker interests and with a greater sense of accountability to this base was almost entirely absent in many of these unions. It is our contention, arising from this study, that only when shop-floor representatives of rank and file workers are integrated, as leaders, into every level of the deliberative and decision-making process of the union, would it be possible to begin promoting higher levels of democratic practice and consciousness. However, it is not simply our criticism that because of the structural limitations of these unions they were unable to evince democratic and informed practices in the rank and file. Our principal criticism is that the absence of clear democratic procedures militated

against the independent class activity of this working class and subsumed its capacity to act under organizational and political precepts unrepresentative of the objective demands of this nascent working class movement, except on general questions. Thus our assessment was not primarily concerned with whether unions acted constitutionally or not but with the consequences of clearly less than democratic internal structures for independent working class development, action and strategy.

These consequences are most evident from our analysis of worker action in this period. Although we attempted to provide as complete a schedule of Black (ie. including Indian) worker action in Natal in this period as possible, we concentrated most closely on three major strikes involving Indian workers, viz. the Falkirk, Dunlop and Laundry workers strikes of 1937, 1942/3 and 1945/6 respectively. We have, in Chapter 4, already assessed these strikes in terms of the various issues to which they gave rise. In particular, our analysis was directed towards understanding the implications of the form of working class militancy at this time for the future of non-racial industrial unionism in Durban. The reaction of craft unions, the state and capital to such working class action was also assessed, as was the role of organisations such as the SATLC, CPSA and the various Indian political groups, in support of working class struggles. The major conclusion which emerged was that the development of an independent non-racial movement at this time was both suppressed and stunted by a combination of factors. Capital's response to the growth of unions and of working class activity was particularly severe. And although the peculiar demands of a war-time economy forced the state to adopt a somewhat mediatory role, its actions and policies were, nevertheless, generally inimical to workers and their representative organisations. Structural incongruities within the SATLC and the inability of this union federation to resolve internal conflicts on the question of non-racial unionism further limited the growth of a strong, united and disciplined working class movement. Moreover, the nature and form of the intervention by certain (Indian) political organizations and the theoretical and political view (on unions) by some union leaders

undermined the independence of worker organisation and resistance in this period. Most importantly, however, the organisational structure and capacity of these unions left little possibility for the rank and file to assert themselves. The limitations referred to in Chapter 3, i.e., the absence of clear democratic structures in the unions of this period and of a dynamic relationship between the membership and their leaders in relation to the specific issues of the time, militated against the internal cohesiveness of the unions' actions and resulted almost directly in their subordination to the policies of political organisations such as the Kajee-NIC, which were often at variance with working class priorities and even interests. There was therefore an infusion of the class ideology of the Indian petty bourgeoisie and trader classes into the programme of these unions and this was possible precisely because of the nature and level of the structural development of many of the unions of this period. However, we do not wish to imply that the mere existence of such democratic structures within unions will magically resolve questions about the long-term development and historical role of the working class. For a whole range of conjunctural factors (such as those which we have just mentioned in relation to the experience of worker organisations in Durban in the 1930's and 1940's) are likely to affect the capacity to which working class organisation and resistance may proceed, whether or not democratic structures exist. But it is our contention that a fundamental, minimal consideration in the advancement of a working class movement is the presence of those democratic internal structures and shop-floor leadership which would begin to enhance and support its organising capacity and the development of its own class-based politics.

In Chapter 5 of this study we examined aspects of the relationship between Indian workers, their unions and the political organisations of the time, including the CPSA and the NIC/NIA. Our analysis revealed that while the resources and initial impetus for unionism came from leading members of the Durban branch of the CPSA, various factors limited the nature and form of the CP's role in the advancement of independent working class organisation and resistance and in raising

worker consciousness. The organisational strength and capacity of the Durban District branch of the CP was extremely limited. In addition, there was an increasing concentration by the mainly Indian CP trade unionists after 1942/3 on the political struggles being waged against the segregation of Indians, to the detriment of organisational work in their unions. Moreover, the adoption by the CP of a broad multi-class anti-fascist popular front and their subsequent concern that working class action should not impede the war effort led them to oppose strikes and other instances of worker action. This policy of the CP was clearly in conflict with the interests and development of the working class, as some of the issues that led to strike action represented a serious threat to the independence and organisation of the working class.

We found no evidence to suggest that Indian political organisations or factions in this period were directly linked as organisations with the establishment of (Indian) trades unions. However, many individual members of Indian political organisations were prominent in leadership positions in the trades unions. From c1943, the year the "Pegging Act" was proposed, these trades unionists (many of whom were also members of the Durban CPSA) found themselves increasingly concentrating on inter-class political struggles at the expense of shop-floor or organisational work in their unions. Many of these unionists who were closely associated with the Nationalist Bloc/Anti-Segregationist Council/CPSA began to view workers struggles as part of broader political struggles - in particular the campaign against the proposed segregation of Indians and in general the campaign against the racial policies of the government. In these crucial years, concrete organisational work in the unions was neglected in favour of such political campaigning.

It has been contended (Ginwala, 1974) that the realignment ('radicalisation') in Indian political forces in this period, which culminated in the take-over of the NIC by the 'radical' wing of this organisation was achieved primarily by the growth of trades unions and of 'working class consciousness'. Our enquiry suggests that while

there was a distinct and important shift from the predominantly merchant-dominated class politics of the pre-1945 NIC to an ostensibly more militant, aggressive and less accommodationist politics of the post-1945 NIC, these are insufficient grounds to characterise the shift as a radicalisation, for radicalisation in our view would be akin to the class politics of a working class movement. Clearly this is not what occurred in this period. Neither (we discovered) was this shift initiated or developed within working class forums. For Ginwala to have credited these newly proletarianised Indian workers with a consciousness that supposedly led them to spearhead the radicalisation (whatever that might imply) of Indian politics in Natal in the 1940's is to engage in an ex-post romanticisation of their role. The emergence of an Indian working class and their resistance to exploitation, which took the form of joining trades unions and engaging in direct action in support of their demands for higher wages and better working conditions is in itself insufficient evidence of their consciousness. For class consciousness is not an intrinsic, self-evident or necessary characteristic of a working class, but simply a potential that may or may not be realised. We would argue that the development of working class consciousness (that is, of the identity of workers as a class in opposition to capital and with a vision/programme of an alternative society) is closely tied to the existence of a disciplined working class movement, democratic in its content, controlled by its members and with a clearly defined class perspective. The absence of generalised democratic structures, of adequate worker education programmes, the ease with which union actions and strategies were infused with the petty-bourgeois politics of Indian political organisations and the ill-defined politics of the CPSA (ostensibly the party of the working class) were among the factors which together acted in a way that limited, constrained, impeded, repressed, in short, controlled the development of a working class consciousness amongst these newly proletarianized Indian workers. We are of course not suggesting that the coinciding presence of these factors would in themselves be sufficient to generate class consciousness. Those factors or conditions that inform a class conscious proletariat have not been examined specifically in this study.<sup>1</sup> We are here simply

pointing to those factors which are likely to have constrained or controlled the development of the class consciousness of Indian workers in this period.

Our criticism of the nature of the relationship between trades unions and political organisations in this period (and the consequences of this intervention) does not at all imply that in our view unions should remain apolitical (i.e. concerning themselves with securing their pecuniary demands only) or that unions are incapable of political action. The crucial issue turns on the theory and content of this politics, and the programmatic demands expressed by the concrete practice of working class organisations, including trades unions. The fact that a working class politics failed to emerge over this period we have studied resulted from the limitations, both structural and political, of the organisations that ostensibly represented working class interests. We have already dealt extensively with the structural limitations. The political limitations flowed from the particular content of the politics and political campaigns workers were asked to support - a content that related to protests against trading and residential segregation and the demands for general (bourgeois) democratic rights.

In a sense this kind of "politicising" Indian unions may for some analysts represent an advance from the sterility of economism. But this advance (even if we were to concede that it was one) must be viewed from the point of view of the class aspirations and class independence of this nascent working class. What attitude should the working class have had towards this kind of politics? Under what terms should they have supported these political programmes and at what cost to their class aspirations? These issues which we consider vital to the politics of the working class were never addressed.

Two final points need to be made. First, we should like to make clear that the criticisms we have levelled against the leadership of many of the unions of this period have not been made on moral grounds. We do not doubt the immense input of many of these leaders. Their untiring

efforts and dedication to the social and economic upliftment of (Indian) workers and to the political causes they espoused is abundantly clear from our research, especially from our interviews with men such as Billy Peters, RD Naidu and SP Pillay, who sacrificed so much for what they believed in.

Secondly, there may be those who would argue that our analysis of these developments in the 1930's and 1940's has been made with the wisdom of historical hindsight and that we appear to have expected more from workers and their leaders than was objectively possible given the relative undevelopment of this proletariat and the complexity of the conditions under which their struggles were conducted. We would reject such a charge for at least two reasons. In the first instance, because we would concur with Raphael Samuels' view that:

Meaning is only made manifest retrospectively and this is not only a matter of knowing what happened - the historians peculiar if sometimes ambiguous advantage of hindsight but also of being able to offer new interrogations of the past on the basis of present day pre-occupations and experience. (1981, pp.xlv/xlvi)

We would argue in addition that there is no optimal or predictable set of conditions that determine the potential for working class organisations and resistance,<sup>2</sup> and that, for example, greater attention to the building of democratic organisational structures may, (notwithstanding the complexity of the prevailing circumstances) not only have been possible but may have buttressed these unions against the pressures they needed to cope with in the post-war period. It is on the basis of these views, that our critical analysis of this particular category of labour and its representative organisations has been made. And yet despite this we hope not to have underplayed those constraints that (i) shaped the nature and form of working class organisation and resistance and (ii) determined the form of workers influence on the realignment of (Indian) political forces in this period.

FootnotesIntroduction

1. The terms "race", "race group", or racially based descriptive nomenclature such as "Indian", "Coloured", and "African" are used in this report only because they are unavoidable in the South African context, e.g. in referring to legislation or when quoting from other sources; or where it is necessary for the purpose of clarity of meaning to distinguish between such "groups". The term "Black" will be used to describe Africans, Coloureds and Indians collectively. This usage in no way implies that the authors or the Institute for Social and Economic Research accept the racist connotations of such terms.
2. Guardian 23/10/41.
3. Guardian 21/1/41.
4. Guardian 21/1/41

Chapter 1

1. See e.g. Legassick (1977); de Kiewiet (1951).
2. See e.g. Marks and Atmore (1980).
3. Swan [Tayal] (1978).
4. This was necessitated by the structural limits placed on surplus value production arising from considerations such as the prevalence of low grade ore, the cost of machinery and equipment and the fixed price of gold.
5. Indian Opinion 9/6/1906; 11/05/1907; 28/01/1911; 04/03/1911.
6. See Chapter 2 of this study for details on this point.
7. African workers were excluded from the definition of employee laid down in the Industrial Conciliation Act and thus could not belong to registered trades unions. As a result unions with White, 'Coloured' or Indian membership (or some combination thereof) that wished to register but had an African membership could form a "parallel" African union to overcome these problems of registration. Such parallel African unions may have been administered jointly with the registered union.
8. Report of the Department of Labour (1945) UG 9 1947, p.19.
9. A schematic outline of the major trades union federations in South Africa (1910-1964) is presented in Appendix B.



Chapter 2

1. Various aspects of the early history of Indians in Natal are dealt with in the following works (among others): Ginwala (1974); Swan (1980); Ferguson-Davie (1977); Palmer (1957); Arkin (1981); Choonoo (1967); Burrows HR (1952); Joshi (1942); Pachai (1971).
2. See pp.22-26 of this chapter for details on this point.
3. Burrows JR (1959, p.6)
4. Burrows HR (1940, p.29)
5. Ginwala (1974, pp.55-60) and Padayachee and Haines (1982, pp.18-19).
6. Burrows HR (1952, p.12). The remainder were classified as 'domestic and dependent'.
7. See Swan [Tayal] (1984) for details on the Natal strike of 1913.
8. Burrows HR (1952, p.15)
9. Burrows HR (1952, p.21)
10. Reports of the Protector of Indian Immigrants (various issues 1924-1933).
11. Indian Opinion 14/12/34.
12. For the growing manufacturing sector a more pliable and docile working force was essential. In general, the strategy was to weaken the working class as a whole by entrenching racial divisions within its ranks. Thus the Industrial Conciliation Act (1924), the Apprenticeship Act (1922) etc. all aimed at incorporating White workers in a complex system of official bargaining and arbitration while African workers were excluded. (See Innes, 1984, pp.127-128).
13. Report of the Industrial Legislation Commission (1951, p.4).
14. Bozzoli (1972, p.210).
15. Lewis (1982, p.478)
16. Official Yearbooks of the Union of South Africa (various issues).
17. Official Yearbooks of the Union of South Africa (various issues).
18. Official Yearbooks of the Union of South Africa (various issues).

19. Katzen M (1961, p.132).
20. As Burrows comments (1959, p.176) the absence of figures for the years 1930/31 and 1931/32 makes it impossible to determine this precisely.
21. Arkin (1981,p.191).
22. Report of the Industrial Legislation Commission of Enquiry (1951, pp.22-23).
23. See e.g. Bell (1984, pp.2-3); Simkins (1976).
24. Mabel Palmer Collection. File No 28. Killie Campbell Library, (c1930). We are grateful to Ms Uma Mesthrie, formerly of the Department of History, University of Durban-Westville, for making us aware of this information.
25. Indians Abroad Directory (1934).
26. Indian Opinion 23/10/31.
27. Reports of the Protector of Indian Immigrants (various years).
28. Webb (1938, p.47).
29. Although these rates do not again apply to Indian workers only, by excluding skilled workers (included in Burrows' figures) they are likely to be better approximations than Burrows' data.

### Chapter 3

1. We say 'at least' because Table 3.1 which is derived from Table 3.2 includes only those unions whose dates of registration/establishment are known (see also Note 1 to Table 3.2).
2. We examine the reasons for this decline in trades union registration/establishment after 1945 in chapter 4,5 and 6 of the study.
3. Katzen (1961, p.175)
4. Katzen (1961, p.175). The figures for unionized Black workers are derived from Table 3.2.

5. Billy Peters was the secretary of the CPSA (Durban-District branch) between 1943-1946, and an organiser/secretary of numerous unions including the Durban Indian Municipal Employees' Union, the Shop Assistants' Union, and the South African Railways and Harbour Indian Employees' Union. RD Naidoo was the organiser/secretary of the National Baking Industry Employees' Union (Natal) and a member of the CPSA (Durban District Branch). Both these men were closely associated with the origins and development of (Indian) trades union in Durban between 1935 - 1950, and are therefore well qualified to comment on the formation and operations/activities of (Indian) unions in general in this period. SP Pillay was the organiser/secretary of the Laundry, Cleaning and Dyeing Workers' Union between 1940 - 1944, and was instrumental in reviving this union in 1949/1950 after it had collapsed in 1946. He still serves as secretary of this revived union.
6. RD Naidu (1984).
7. SP Pillay (1984).
8. The organisational activities of this union were confined mostly to the Transvaal. However it was one of the 'radical' unions of this period and we include it in our analysis for purposes of comparison.
9. One would have thought that this is management's problem, not the shop stewards or unions.
10. Ringrose (1951) makes this point when discussing trades union democracy and comments that venues of meetings do have an effect on attendance. Writing about African workers in particular he notes "Generally speaking it is only urbanized Natives who are sufficiently interested in trade union activities to want to attend meetings, and most of these urbanized Natives live in peri-urban areas which have few or no transport facilities after business hours." (p.74). Members of the Natal Sugar Industry Employees' Union held meetings in Durban, but the membership was scattered all over the coast and inland. As a result, on average only 10% attended meetings. On the other hand the Rope and Mat Workers' Union held meetings for members of a Hibberdene factory at or near the factory for which there was a 100% attendance (Ringrose, 1951, p.74).
11. SP Pillay (1984).
12. Billy Peters (1984).
13. It is not clear to the researchers exactly how many unions had their own newspapers or newsletters. Certainly the Laundry Union did not as Mr SP Pillay attests to. Mr Billy Peters, however,

informs us that the industrial secretariat of the Durban committee of the CPSA collected information on worker grievances and other related matters and channelled this for publication to the Guardian newspaper.

14. Twine and Bag Workers' Union; Tea, Coffee and Chicory Industry Employees' Union; South African Railway and Harbour Indian Employees' Union; Natal Sugar Field Workers' Union.
15. Report to NEC of the NUCTW (August 1951) - NUCTW Papers AH 1328, William Cullen Library, University of the Witwatersrand.

#### Chapter 4

1. Hemson (1979, p.302); Ginwala (1974, pp.395-397); Annual Report of the Department of Labour UG 30 1938.
2. Although the focus of this report is on Indian workers and trades unions, this table of worker action includes strikes involving Black workers (i.e. African, Coloured and Indian) in Natal. This arises from the fact that the sources from which the table has been derived do not always give a breakdown of workers by 'race'. Often the sources refer to 'European' and 'Non-European' workers without further dividing the latter category into African, Coloured and Indian. Where this breakdown is available the figures for each 'race group' are given. The major part of the analysis that follows concentrates on those strikes involving Indian workers and their unions. Hemson (1979) and Tichmann (1983) discuss African worker action in this period more fully. It should also be pointed out that although every effort was made to make this information on worker action complete (and accurate), we do not claim to have been totally successful in this respect - mainly because of the paucity of primary documentary evidence. Thus, e.g., in addition to the difficulties arising from providing a breakdown of workers by 'race', it is not always clear whether or not trades unions were involved in each of the strikes that occurred. Further, in many cases no information exists on the number of workers involved in a strike, or on the duration of the strike, or the outcome of the strike.
3. For South Africa as a whole the number of strikes/disputes in 1942 was higher than in any other single year since 1920 (Ringrose 1951, p.30).
4. It should also be pointed out that there were many disputes in this period that were settled before strike action was resorted to. The extent of worker resistance as measured by strike action only is therefore an underestimate of working class activity.

5. We have not been able to verify this due to the incompleteness of the primary records and documents.
6. Natal Mercury 4/5/37. The actual number cannot be determined precisely. The NISWU say the number involved were 'over 400'. Ginwala gives the following figures: 500 Indians and 400 Africans (1974, p.397). This appears somewhat exaggerated. The Natal Mercury gives the following figures: 312 Indians and 82 'Natives'.
7. Memo of the NISWU. TUCSA Papers AH 646, DC 8.30. University of the Witwatersrand (hereinafter NISWU memo).
8. NISWU memo.
9. Natal Mercury 4/5/37
10. Natal Mercury 4/5/37
11. Natal Mercury 4/5/37
12. Natal Mercury 4/5/37
13. Natal Mercury 5/5/37
14. NISWU memo
15. Natal Mercury 27/5/37; NISWU memo.
16. NISWU memo
17. NISWU memo
18. Natal Mercury 26/5/37
19. Natal Mercury 27/5/37
20. See e.g. Ringrose (1951, p.25); Hemson (1979, p.303) and Annual Report of the Department of Labour UG 30 1938.
21. Natal Mercury 26/5/37
22. Natal Mercury 26/5/37
23. Natal Mercury 27/5/37
24. Natal Mercury 27/5/37
25. NISWU Pamphlet. TUCSA Papers AH 646. DC 8.30. University of the Witwatersrand (hereinafter NISWU Pamphlet).

26. NISWU Pamphlet.
27. Natal Advertiser 1/6/37
28. Natal Advertiser 1/6/37
29. Telegram from NISWU to SATLC, TUCSA Papers, AH 646. Dc 8.30.
30. Natal Advertiser 2/6/37
31. Natal Advertiser 5/6/37
32. Natal Advertiser 5/6/37
33. Letter to the SATLC 8/6/37, TUCSA Papers.
34. Letter to the SATLC 8/6/37, TUCSA Papers.
35. In a report in the Natal Advertiser of 7/6/37 it is stated that "150 native and coloured men have already been signed on ... A further 40 Indians were taken on at the Falkirk Iron Works this morning."
36. Indian Views 11/6/37; Natal Advertiser 8/6/37.
37. Statement of Resolutions of the Natal Indian Congress: re Jacobs Dispute 6/6/37. TUCSA Papers AH 646. Dc 8.30. University of the Witwatersrand.
38. Speech EM Paruk, TUCSA Papers AH 646. Dc 8.30. University of the Witwatersrand.
39. Indian Views 11/6/37. We may note here that the Agent General also spoke at this meeting. What he said had even less consequence for the workers involved in this dispute:
 

My presence here should not be misunderstood ... My duty is to act in co-operation with the Union Government to find a settlement to such questions which might require settlement. The present dispute is an industrial dispute. The Govt. of India is not concerned with it so long as it remains essentially an industrial dispute. (Indian Views 11/6/37)
40. Indian Views 11/6/37
41. Natal Advertiser 8/6/37 and 9/6/37

42. Letter from the Durban Committee of the SATLC to the General Secretary of the SATLC 22/6/37. TUCSA Papers AH 646. Dc 8.30. University of the Witwatersrand.
43. Letter from the Durban Committee of the SATLC 22/6/37 (as above).
44. We are of course not suggesting that the presence of more democratic structures and the non-involvement of political intervention of this type would in themselves have been sufficient to resolve this or any other dispute. For our view on this point see p.136 of this chapter.
45. Hemson (1979, p.336 and p.375 fn)
46. Hemson (1979, p.336)
47. Before this, however, War Measure 9 of 1942 was passed that prohibited strikes in industries declared to be 'essential'; provided for compulsory arbitration; and applied to all 'races'.
48. SATLC: 13th Annual Report 1943 (p.75)
49. SATLC: 13th Annual Report 1943 (p.75)
50. Schedule of (Indian) trades unions in Durban tabled by the Minister of Labour on 16/2/43. Parliamentary Archives. These appear to be membership figures before the strike commenced.
51. Guardian 21/1/43
52. Indian Views 19/2/43; Indian Opinion 25/12/42.
53. Government Gazette 25/9/42. (Arbitrator TC Cronin). It would appear that the award was for some reason published in September 1942 but the agreement made earlier in the year - see e.g. letter by AI Kajee to Minister of Labour (Indian Views 29/1/43) which refers to the award being made nine (9) months ago. This could, however, just be an error.
54. See letter by Dunlop to NIC (Indian Views 19/2/43; Daily News 9/12/42)
55. Indian Views 19/2/43
56. Guardian 21/1/43
57. Guardian 21/1/43
58. SATLC: 13th Annual Report 1943 (p.74)

59. Schedule of (Indian) trades unions in Durban 16/2/43
60. SATLC: 13th Annual Report 1943 (p.74)
61. Guardian 21/1/43
62. Natal Mercury 9/12/42
63. RD Naidu (1984)
64. Natal Mercury 9/12/42. RD Naidu (1984) has alleged that the pickets were attacked by the police and also by "hired thugs".
65. Daily News 11/12/42
66. Guardian 21/1/43
67. Leader 23/1/43
68. Daily News 4/1/43
69. The Daily News reports that they numbered between 140-180 (6/1/43).
70. Daily News 6/1/43
71. We have not been able to trace what happened to the remaining accused.
72. Daily News 12/4/43
73. Rand Daily Mail June 1943 (exact date unknown - located in the 'Press Clippings file of the TUCSA Papers AH 646)
74. RD Naidu (1984)
75. RD Naidu (1984)
76. RD Naidu (1984)
77. Natal Mercury 18/1/43
78. Guardian 21/1/43
79. Guardian 21/1/43
80. Guardian 21/1/43
81. Indian Views 29/1/43



82. Indian Views 29/1/43
83. Indian Views 29/1/43
84. Although the NRWIU was not affiliated to the SATLC, it would appear that it was 'normal procedure' for the local committee or NEC of the SATLC to assist such non-affiliated unions in negotiations with the company or labour department. (see e.g. 13th Annual Report of the SATLC 1943)
85. SATLC: 13th Annual Report 1943 (p.78)
86. SATLC: 13th Annual Report 1943 (p.78)
87. Ginwala (1974, p.397)
88. Daily News 18/1/43
89. SP Pillay (1984). Mr Pillay informs us that he was told of these developments 7 years later, by the divisional inspector of labour for Durban. We are not able to corroborate his assertion that these workers were brought in at the state's expense - neither in the circumstances would we have been able to do so.
90. RD Naidu (1984)
91. A Sitas (1984, p.70)
92. Billy Peters (1984)
93. Billy Peters (1984)
94. SATLC: 13th Annual Report 1943
95. Billy Peters (1984)
96. SATLC: 13th Annual Report 1943 (p.75)
97. SATLC: 13th Annual Report 1943 (p.78)
98. SATLC: 13th Annual Report 1943 (p.76)
99. SATLC: 13th Annual Report 1943 (p.76)
100. SATLC: 13th Annual Report 1943 (p.76)
101. SATLC: 13th Annual Report 1943 (p.76)
102. RD Naidu (1984)

103. RD Naidu (1984)
104. Indian Views 19/2/43
105. RD Naidu (1984)
106. RD Naidu (1984)
107. SATLC: 13th Annual Report 1943 (p.79)
108. SATLC: 13th Annual Report 1943 (pp.78-79)
109. Schedule of (Indian) trades unions in Durban 16/2/43. The Dunlop Employees' Union is the only 'all-white' union included in this list.
110. Indian Views 19/2/43
111. Indian Views 19/2/43
112. Indian Views 19/2/43
113. Natal Mercury 13/12/45
114. Ambag (Journal of the SATLC) March 1946
115. Natal Mercury 13/12/45
116. SP Pillay (1984)
117. Schedule of (Indian) trades unions in Durban 16/2/43
118. Ambag February 1946
119. Billy Peters (1984)
120. Guardian 6/12/45
121. Ambag December 1945
122. Natal Mercury 13/12/45
123. Guardian 10/1/46
124. Guardian 10/1/46
125. Guardian 10/1/46
126. Guardian 10/1/46

127. Natal Mercury 13/12/45
128. Natal Mercury 14/12/45
129. House of Assembly Debates Vol. 57 1946/47. Cols 7051-7052
130. Guardian 24/1/46
131. Guardian 24/1/46
132. Natal Mercury 25/12/45
133. RD Naidu (1984)
134. Guardian 24/1/46
135. RD Naidu (1984)
136. Guardian 6/12/45
137. Financial statement of the National Union of Laundering, Cleaning and Dyeing Workers, TUCSA Papers AH 646 Dc 4, University of the Witwatersrand.
138. SP Pillay (1984)
139. SATLC: 16th Annual Report 1946
140. RD Naidu (1984)
141. SATLC: 16th Annual Report 1946
142. Financial statement of the National Union of Laundering, Cleaning and Dyeing Workers, TUCSA Papers, AH 646 Dc.4. University of the Witwatersrand.
143. RD Naidu (1984)
144. Natal Mercury 14/12/45
145. Natal Mercury 15/12/45
146. Ambag March 1946
147. House of Assembly Debates, Vol.58 1946/47, Cols 8174-8175
148. SP Pillay (1984)
149. RD Naidu (1948)

150. Indian Views 6/2/46
151. Guardian 10/1/46. In fact, Alec Wanless questioned, in Parliament, the role of the police in the laundry workers strike. Wanless alleged that there was "a political branch of the CID" about which he was concerned:

Not in relation to the investigation of sabotage but I am concerned with the activities of those gentlemen in regard to the activities of trade unionists who on occasion are engaged in perfectly legitimate strikes, and the particular strike I have in mind and that I want to draw the Minister's attention to is the laundry workers' strike in Durban and the treatment that was meted out to trade unionists during that strike. [House of Assembly Debates Vol.57, 1946-1947, cols.7030-7031]

152. SP Pillay (1984)
153. SATLC: 16th Annual Report 1946 (p.23)
154. SATLC: 16th Annual Report 1946 (p.23)
155. Indian Opinion 4/1/46
156. RD Naidu (1984)
157. Indian Opinion 4/1/46
158. Natal Mercury 20/12/45
159. Leader 12/1/46
160. Indian Opinion 4/1/46
161. RD Naidu (1984)
162. SP Pillay (1984)
163. SP Pillay (1984)
164. SATLC: 16th Annual Report 1946 (p.23)
165. The general secretary of the FNETU was J la Guma who was a leading theorist in the CPSA at that time and who championed the 'Black Republic' slogan and rejected Bunting's policy of reliance on White workers. (Lewis 1978, p.134)

166. Other issues arising out of the relationship between (Indian) workers, trades unions and political organisations such as the CPUSA, NIC, NIA are discussed in Chapter 5 of this report.
167. RD Naidu (1984)
168. RD Naidu (1984)
169. See e.g. Ginwala (1974, p.397).
170. Ringrose (1951) does not list the NRWIU in his schedule of trades unions in Natal.
171. RD Naidu (1984)
172. SP Pillay (1984)

#### Chapter 5

1. See e.g. Swan [Tayal] (1980); Swan (1982); Ginwala (1974); Pahad (1972); Johnson (1973); Bagwandeem (1983) among others. See also Appendix G.
2. We are indebted to Mr Hassim Seedat for letting us examine this membership list of the NIC.
3. It is of interest to note that it was only in 1911/12 that Gandhi and the NIC included the abolition of the £3 tax (on unindentured Indians over 15 years) on the political platform. This was largely in response to the fact that the CBIA had placed the demand for the abolition of the tax high on their political agenda. As Swan [Tayal] (1982, p.19) observes "the possibility that the CBIA might mobilize the mass of the people, radicalizing Indian politics and endangering the uneasy co-existence which the traders had established with the Natal Government was sufficient for the Congress to hastily include the abolition of the tax on their own political platform." However, later in 1913 when the decision to include indentured Indian labour in the passive resistance campaign was being debated by the NIC, a substantial part of the NIC leadership who were opposed to this proposal defected from the campaign and Gandhi and a few of his supporters joined most of the CBIA group to form a new organisation called the NIA (see Swan 1982).
4. See Swan (1984); Beal and North Coombes (1983).
5. See Table 3.2.

6. Billy Peters (1984).
7. See Appendix G.
8. The Non-European United Front (NEUF) was a non-racial political alliance formed in Cape Town in 1938 to mobilize mass popular support.
9. The leading members of the nationalist bloc (NB) were: HA Naidoo; G Ponen; Billy Peters; Monty Naicker; AKM Docrat; DA Seedat; E Moolla; Dr Goonam; Dr Chetty; NG Moodley; MD Naidoo; G Singh and C Amra.
10. Indian Opinion 28/6/40.
11. AKM Docrat (1985).
12. Billy Peters (1984).
13. AKM Docrat (1985).
14. See Appendix F.
15. AKM Docrat (1985).
16. Billy Peters (1984).
17. SP Pillay (1984).
18. Bagwandeem (1983, p.356).
19. AKM Docrat (1985).
20. See, e.g., Johnson (1973).
21. We presume that Swan is referring to the leadership of organized labour.
22. This Act "divided Natal into 'controlled' and 'uncontrolled' areas. Indian acquisition of land in controlled areas was prohibited, unless a special exemption was received. No restrictions were placed on uncontrolled areas, but these were already largely Indian areas. The Act also prohibited Indians who had purchased but not occupied land in white areas from occupying it after January 21 1946. In terms of the Act, Indians were, for the first time, granted representation in the South African Senate and Assembly. They were to elect two whites to the Union Senate and three to the Assembly and were to be directly represented in the Natal Provincial Council. The NIC rejected the representation provisions

as discriminatory and this part of the Act was never implemented." (Johnson, 1973, p.741)

23. See also Swan (1982).
24. George Naicker (NIC activist) quoted in Johnson (1973, p.81).
25. AKM Docrat (1985).
26. See on this point Swan (1982).
27. AKM Docrat (1985).
28. Billy Peters (1984).
29. See Dunlop strike Chapter 4: 4.3.
30. Billy Peters (1984).
31. Billy Peters (1984).
32. Quoted in Ginwala (1974, p.398).
33. See Hemson (1979, Chapters 4,5).
34. See Simons and Simons (1983, p.504); Luckhardt and Wall (1979, p.54).
35. Billy Peters (1984).
36. See also Hemson (1979, Chapters 4,5); Mon (1944); Simons and Simons (1983).
37. Billy Peters (1984).
38. RD Naidu (1984).
39. See e.g. 50th Anniversary Brochure of the Garment Workers' Industrial Union; Hemson (1979, p.340).
40. Hemson (1979, p.340).
41. Billy Peters (1984).
42. MP Naicker interviewed by Pahad (1972, pp.243/4); Billy Peters (1984). This information was obtained from Mr Billy Peters, secretary of the Durban branch of the CPSA (1943-46).
43. For example, Ray Alexander: Trade Unions and You (1944).

44. Alexander (1944).
45. AKM Docrat (1985).
46. Billy Peters (1984).
47. Leader 13/10/45; Indian Opinion 17/7/42.
48. See Andrews (1940).
49. "Communists in Conference": 1943/44 Conference of the CPSA (p.7).
50. See Hemson (1979, pp.288,302, 305, 320) for the effect of this popular front on working class organisation in Durban in the 1940's.
51. See Hemson (1979, p.332).
52. See Chapter 4: 4.3 on Dunlop strike.
53. Billy Peters (1984).
54. Hemson is here referring to African unions but his criticism is equally applicable to the Indian unions.
55. The Suppression of Communism Act (1950) gave the government the authority to remove 'named' or 'listed' communists from official positions and even membership of trades unions.
56. Undated report "Communists in South African Trade Unions." Hartwell Labour Collection, AD 1456, 3:10, University of the Witwatersrand. Note also that HA Naidoo, who had played an important role in trades union organisation in Durban in the late 1930's and early 1940's, left Durban in 1943 to join the editorial committee of the Guardian in Cape Town. In 1951 he left South Africa for England.
57. Argus 9/12/53. TUCSA Papers. AH 646: Press Clippings File.
58. Alex Hepple (1954, p.61). The Howick Rubber Workers' Union was a SACTU affiliate (1955).
59. Various press clippings in the private collection of Mr AKM Docrat. Mr RD Naidu was as recently as 18/12/1970 charged under the Suppression of Communism Act for acting as general secretary of the Engineering Industrial Workers' Unions. This is indicative of the severity of the Act in so far as its restrictions on named persons serving as trades unions officials.



60. Report submitted to the National Executive Committee of the National Union of Cigarette and Tobacco Workers by A. Scheepers on a visit to Durban August 1951. NUCTW Papers, AH 1328, University of the Witwatersrand.

61. SP Pillay (1984).

#### Chapter 6

1. See e.g. Marshall (1983)

2. See e.g. Sirianni (1980)

Appendix AGeneral Literature - Indian Workers and Trades Unions

The general works that deal exclusively or partly with Indians in South Africa and include some account of Indian workers and trades unions can be divided into three broad categories. In the first category are works such as Ringrose (1948, 1951); Smith (1945) and Burrows (1952), which outline - without detailed analysis - such issues as the types of unions with Indian membership, the kinds of actions which workers undertook, the size of the unions, whether they were registered or not, the industries they organised in, whether they were local unions or branches of national unions, and, in some instances, how long they lasted. These works are mainly descriptive and while they are extremely useful for reference purposes they do not discuss the historical context in which unions were formed, why workers organised in the way they did and a host of other organisational issues that confronted these trades unions.

A second category of writers such as Pahad (1972); Ginwala (1974); Johnson (1973) and Bagwandeem (1983) concentrate on the nature and character of the political response of Indians in South Africa in different periods. While these works are useful to understanding the rise (and decline) of Indian political movements, they do not comprehensively portray the role of the Indian working class in the total context of the South African social formation and in relation to the issues of the particular periods they were concerned with. In Ginwala, for example, Indian trades unions - their structure and actions - are not systematically analysed, whatever the title of her thesis may imply and despite the role she attributes to the Indian working class in the realignment of political forces. In large measure the working class and its organs form the backdrop to the machinations of the Indian political organisations. In contrast to these works, Swan's (1982) paper on the ideology of organised Indian politics in the 'Gandhi era' and in the 1940's places greater emphasis on and more careful attention to conflicting class interests, class politics and the interactions between Indian political movements and Indian workers.

Both in form and content Swan's (1982) study - which is still in progress - represents in our view a radical departure from the perspectives of the other works which concentrate on the political response of Indian South Africans.

A third category which emphasizes the role of the masses and the vitality of working class action in economic and political issues includes the works of Roux (1964); Simons and Simons (1983); and Luckhardt and Wall (1979). However, these are general texts on the formation of the working class, their trades unions and struggles. As such there is no systematic treatment on the formation of the Indian working class in the 1930's and 1940's, although their unions and the various campaigns they joined or supported are briefly discussed.

## SOUTH AFRICAN TRADES UNION FEDERATIONS c1911 - c1965

| PRE 1911   | 1911 - 1924  | 1925 - 1932   | 1933 - 1939  | 1940 - 1945                                      | 1945 - 1950  | 1951 - 1965  |
|--|--|---|--|--|--|--|
| MANY STRIKES BUT NO STABLE WORKER ORGANISATIONS WERE FORMED FOR BLACK WORKERS. | CAPE FEDERATION OF TRADES<br>1913 - 1930   |   | SOUTH AFRICAN TRADES AND LABOUR COUNCIL<br>1930 - 1949   |  | SOUTH AFRICAN FEDERATION OF TRADES UNIONS<br>1950 -    | SOUTH AFRICAN CONFEDERATION OF LABOUR<br>1954 TO PRESENT   |
|  | SOUTH AFRICAN INDUSTRIAL FEDERATION<br>1911-1922   | SOUTH AFRICAN TRADES UNION CONGRESS<br>1926-1930        |  |  | SOUTH AFRICAN TRADES AND LABOUR COUNCIL<br>1949 - 1954 | TRADES UNION COUNCIL OF SOUTH AFRICA<br>1954 TO PRESENT  |
|  | INDUSTRIAL AND COMMERCIAL WORKERS UNION<br>1919 - c1927                                      | FEDERATION OF NON-EUROPEAN TRADES UNIONS<br>1928 - 1931 | SOME OTHER UNIONS<br>i. AFRICAN CLOTHING WORKERS UNION<br>ii. AFRICAN LAUNDRY WORKERS UNION<br>iii. NATAL IRON AND STEEL WORKERS UNION | JOINT COMMITTEE OF AFRICAN TRADES UNIONS<br>1940 |  | FEDERATION OF FREE AFRICAN TRADES UNIONS OF SOUTH AFRICA 1959 -1965  |
|  | INTERNATIONAL SOCIALIST LEAGUE UNIONS<br>c1917 - c1920<br>EG INDIAN WORKERS INDUSTRIAL UNION | NATAL WORKERS CONGRESS<br>1928 - c1932                  |  |  | COUNCIL OF NON-EUROPEAN TRADES UNIONS 1942 - 1954      | SOUTH AFRICAN CONGRESS OF TRADES UNIONS<br>1955 TO PRESENT (?)<br>(effectively ceased to function in 1964) |
|  |  |   |  |  | FOOD AND CANNING WORKERS UNION 1941 TO PRESENT         |  |

APPENDIX CAdditional Tables To Chapter TwoTable C.1The Age Structure of the Indian Population of Natal 1921-1951 (%)

| <u>Age Group</u> | <u>1921</u> | <u>1936</u> | <u>1946</u> | <u>1951</u> |
|------------------|-------------|-------------|-------------|-------------|
| 0 - 14           | 43.5        | 46.7        | 47.4        | 48.0        |
| 15 - 64          | 54.8        | 51.1        | 50.2        | 49.8        |
| 65+              | 1.5         | 2.1         | 2.0         | 2.1         |

Source: Burrows, J.R. (1959, p. 14).

Note 1 : that the proportion of the population under 15 increased throughout this period while the proportion in the working age group 15-64 fell. These changes are due to the high rate of natural increase and to the effects of the termination of indenture in 1911, which would have had the effect of reducing the proportion of adult males especially.

Table C.2Masculinity Rates of the Indian Population of Natal 1921-1951 (%)Census Years

|      |       |
|------|-------|
| 1921 | 130.9 |
| 1936 | 112.1 |
| 1946 | 106.4 |
| 1951 | 104.9 |

Source: Burrows, J.R. (1959, p. 7).

Note: that the sharp decline in the masculinity rate may be attributed to: a) a high rate of natural increase and the high death rate of the older male population.  
 b) As Burrows notes: in 1911 the immigration of Indians was restricted to the wives and dependants of already domiciled Indians and this would have favoured females.  
 c) Burrows also suggests that considerably more males than females returned to India under the Union Government repatriation scheme.

Table C.3

Indian Education : Primary and Secondary - Natal

|                                       | 1921 | 1923 | 1928  | 1936  | 1946  |
|---------------------------------------|------|------|-------|-------|-------|
| Enrolment                             | 7203 | 8224 | 11636 | 21772 | 35427 |
| %age school age children<br>in school | 21   | -    | -     | 44    | 60    |
| %age school age boys in school        | 38   | -    | -     | 62    | 75    |
| Number of schools                     | 47   | 48   | 67    | 95    | 142   |
| Teachers employed                     | 230  | 266  | 363   | 604   | 1072  |

Source: Burrows, H.R. (1947, p. 175).

Note: i) although these figures indicate an appreciable growth in quantitative terms a majority of Indian school-going children did not complete a primary course in the period under review. Only in 1973 was compulsory education for Indians introduced (Burrows, 1952, p. 40) and Padayachee (1979, p. 110).

ii) these figures indicate that the proportion of children in schools though growing was low especially for the 1920s and 1930s - a factor which resulted in a relatively under-educated Indian labour force through the 1940's and 1950's.

## APPENDIX D

TRADES UNIONS IN NATAL WITH INDIAN MEMBERSHIP <sup>1</sup>

| NAME OF UNION   | TYPE | ESTAB     | DE-REG             | NOTES  |
|---|------|-----------|--------------------|--|
| 1. BUILDING AND ALLIED WORKERS UNION  | C    | c1916     |                    | THIS WAS ALREADY A NATIONAL UNION BY 1948. IT APPEARS THAT THE DURBAN BRANCH MAY ONLY HAVE BEEN ESTABLISHED IN 1942.   |
| 2. INDIAN PRINTERS UNION<br>(a) MEMBERS LATER INCORPORATED INTO THE SA TYPOGRAPHICAL UNION (1929).<br>(b) NOT AN AFFILIATE TO THE ISL BACKED INDIAN WORKERS INDUSTRIAL UNION. |      | 23/7/1917 | DISSOLVED<br>c1929 | MANTZARIS (1983) REFERS TO THIS UNION AS THE INDIAN TYPOGRAPHICAL UNION.   |
| 3. INDIAN WORKERS INDUSTRIAL UNION  |      | 3/1917    |                    | THE INTERNATIONAL SOCIALIST LEAGUE (ISL) FORMED THIS UNION, WHICH REPRESENTED INDIAN WORKERS IN VARIOUS FACTORIES.   |
| 4. TOBACCO WORKERS UNION  |      | c1917     |                    | FORMED BY THE ISL  |
| 5. DURBAN HOTEL EMPLOYEES UNION   |      | c1917     |                    |  |
| 6. BAKERS VAN UNION   |      | c1919     |                    |  |
| 7. INDIAN SHOP ASSISTANTS UNION   |      | c1919     |                    |  |
| 8. INDIAN DOCKWORKERS UNION   |      | c1919     |                    |  |
| 9. NATAL SHOP ASSISTANTS AND COMMERCIAL UNION   |      | c1919     |                    | WE HAVE NOT BEEN ABLE TO ESTABLISH WHETHER THIS UNION WAS THE SAME AS THE INDIAN SHOP ASSISTANTS UNION OR NOT. IT MAY BE THE SAME UNION ERRONEOUSLY REFERRED TO. |
| 10. SUGAR MILL WORKERS UNION  |      | c1919     |                    |  |
| 11. PIETERMARITZBURG MUNICIPAL WORKERS UNION  |      | c1923     |                    |  |
| 12. INDIAN FURNITURE WORKERS UNION  | I    | c1924     | DEFUNCT<br>c1927   |  |
| 13. SOUTH COAST JUNCTION AND DISTRICT BUILDING WORKERS UNION  |      | 1925      |                    |  |

Notes 1. These are the trades unions with Indian membership established before 1930 but which as far as can be ascertained were no longer in existence by 1930. Those unions formed after 1930 or formed before 1930 but which continued to exist and function for some time in the period 1930-1950 are listed in Table 3.2 of Chapter 3.

Sources: Mantzaris (1983)  
Ringrose (1948)  
The International (various)  
Indian Opinion (various)

APPENDIX E "MODEL CONSTITUTION"

(CONSTITUTION FOR A LOCAL TRADE UNION.)

N.B. -- The marginal references are to sections of the Act in terms of which it is necessary that constitutions contain provisions of the nature indicated.

C O N S T I T U T I O N  
O F T H E

.....UNION

1. NAME.

The name of the Union shall be the.....  
.....UNION.

2. OBJECTS.

The objects of the union shall be:-

- (a) to regulate relations between members and their employers and to protect and further the interests of members in relation to their employers;
- ~~(b) to promote the interests of members;~~
- (c) to encourage the settlement of disputes by conciliatory methods;
- (d) to promote, support or oppose as may be deemed expedient, any proposed legislative or other measures affecting the interests of members;
- (e) to use every legitimate means to induce all persons who are eligible for membership to become members;
- (f) to assist members in obtaining employment;
- (g) to provide, when deemed necessary, legal assistance to members;
- (h) to co-operate with organizations of employers and /or employees on any Industrial Council or Conciliation Board which may be established to deal with matters which affect members.

Initials.....

(1)....

Section 1  
definition  
of "trade  
union"

*in* generally to promote the welfare of the members of the Union



g.

(1) to do such other lawful things as may appear to be in the interests of members.

3. MEMBERSHIP.

Section 1.  
(Definition of Trade Union) and Section 5(a)

Employees engaged in the ~~activity of a trade~~ insert character of undertaking, industry, trade or occupation shall be eligible for membership of the Union.

(2) Except as provided in subsection (8) applications for membership shall be lodged in writing with the secretary and shall be accompanied in each case by the entrance fee prescribed in section 4(1) of this constitution and..... weeks/months' subscription.

(3) Applications for membership shall be considered by the executive committee within.....weeks/months of receipt thereof by the Secretary.

(4) If admission to membership is refused by the executive committee the applicant concerned shall be notified and shall have the right of appeal to the next general meeting of the union.

(5) An applicant to whom admission to membership is refused, shall be entitled to a refund of the entrance fee and subscription paid by him on application.

(6) Every member shall be provided with a membership card by the secretary who shall enter on such card the entrance fee, subscriptions, levies and fines paid by the member and shall, in the case of a member who, in terms of section 4(3) of this constitution, is exempt from the payment of subscriptions, endorse such fact on his card in respect of each period for which the subscription is not payable.

(7) Every member shall notify the secretary, in writing, of his postal address and any changes thereof.

(8) An employee who has resigned or been expelled from the union may be re-admitted to membership on such conditions as the executive committee may determine. Where an applicant for re-admission considers the conditions fixed by the executive committee unreasonable, he may appeal to the next general meeting of the union.

(9) Whenever an appeal is lodged in terms of sub-section (4)

or sub-section (8) of this section, the appellant shall be afforded an opportunity to state his case personally to a general meeting, and may if he so desires call witnesses in support of any statement made by him.

Initials.....  
.....

4. ENTRANCE FEES AND SUBSCRIPTIONS.

Section 9(a)

- (1) An entrance fee of... *2/6* ..... shall be payable on application for membership;
- (2) A subscription of... *18/6 per week* ..... per week/month shall be payable by each member to the union. The subscription shall be paid ~~weekly~~ *monthly* in advance to the secretary or to such other person as may be authorized by the union to receive it.
- (3) A member shall be exempt from payment of the aforesaid subscription in respect of any particular week/month during which he is -
  - (a) unemployed for... *three* ..... or more days, or
  - (b) unable to work ~~for~~ ..... on ~~more~~ days on account of illness.

5. MEETINGS.

Section 9(c)

- (1) A general meeting of members of the Union shall ordinarily be held at least once every... *2 months* ..... months on a date to be fixed by the Chairman. Special general meetings shall be called whenever desired by a majority of the executive committee or upon a requisition signed by not less than... *4* ..... members of the union in good Financial standing.
- (2) Notices of general meetings showing the business to be transacted thereat shall be given to members in writing by the Secretary not less than... *14 days* ..... days before the dates of such meetings provided that in the case of special general meetings such shorter written notice as may be decided by the chairman, may be given.
- (3) The annual general meeting of the union shall be held in the month of..... in each year or as soon as possible thereafter.
- (4) If the Chairman so decides all motions at a general meeting shall be reduced to writing and shall be delivered to the presiding officer to be considered unless seconded. All matters forming the subject of motions shall unless otherwise provided herein shall be voted upon by show of hands and shall unless otherwise provided be decided by the votes of a majority of those present except in the case of elections when the candidates up to the required number receiving the highest number of votes shall be declared elected.
- (5) No member shall be allowed to speak for longer than..... minutes on any matter unless a majority of those present agrees.
- (6) All matters on which this constitution is silent shall be decided on motion by a majority vote of the members present at a general meeting.

Initials.....

(7) The executive committee shall ordinarily meet at least once every.....months on a date to be fixed by the Chairman. Special meetings of the executive committee shall be called by the chairman whenever he deems it advisable or upon a requisition signed by not less than..... members of the committee.

(8) Members of the executive committee shall be notified in writing of the time and place of meetings of the committee by the secretary at least .....days before the dates of such meetings, provided that shorter notice may, in the discretion of the chairman, be given in respect of special meetings. To every notice of meeting an agenda shall be attached. All matters for consideration by the executive committee shall be decided on motion duly seconded and voted upon by show of hands.

(9) The quorum for any general meeting shall be.....members in good financial standing and for meetings of the executive committee..... members. If within.....minutes of the time fixed for any meeting a quorum is not present, the meeting shall stand adjourned to the same day in the week following, at the same time and place, and at such adjourned meeting of which written notice shall be given the members present shall form a quorum.

(10) At every general meeting the minutes of the last preceding general meeting shall be read by the secretary and signed by the presiding officer after confirmation. Minutes of meetings of the executive committee shall be similarly dealt with by that body.

(11) The proceedings of any meeting shall not be invalidated by reason of the non-receipt by any member of the notice of meeting.

*add appeal by members against expulsion*

6. EXECUTIVE COMMITTEE.

Section 9(b)

(1) (a) The management of the affairs of the union between general meetings shall be vested in an executive committee consisting of the chairman, the ~~vice-chairman and~~ *the P. to be elected on the E.C.* ~~other members of the Union who shall be elected at the annual general meeting of the union on nomination duly seconded and voted upon by show of hands. They shall hold office until the next annual General Meeting~~ and be eligible for re-election on termination of their period of office.

*X by Ballot  
their successors  
as appointed*

(b) Vacancies occurring on the executive committee shall be filled at the first ensuing general meeting. A member appointed to fill a vacancy shall hold office for the unexpired portion of the period of office of his predecessor.

*by the E.C. problem  
pendant election  
of a delegate to  
the E. Comm. at by the next highest vote on the Ballot  
independent on  
ballot (next)*

Initials.....  
.....  
.....

*dictated on the E.C.*

Shall be on the agenda of the Executive  
206.  
E

(2) Nominations for membership of the executive committee shall, ~~subject to the provisions of sub-section (1)(b) of this section, be lodged in writing with the secretary at least 14 days before the date of the annual general meeting.~~

(3) A member of the executive committee shall vacate his seat in any one of the following circumstances:-

- (a) on resignation, suspension or expulsion from membership of the union;
- (b) on absenting himself without the permission of the executive committee from three consecutive general meetings or meetings of the committee;
- (c) on resigning by giving ~~14~~ <sup>3</sup> weeks' / ~~months~~ written notice to the secretary.
- (d) on ceasing to be in good financial standing.

(4) The executive committee shall, ~~subject to the general direction and control of general meetings, and to the provisions of this constitution, have power -~~

- (a) to recommend the union's participation in the establishment of an industrial council or a conciliation board under the provisions of the Industrial Conciliation Act, 1947, and subject to the Constitution of any Industrial Council to determine the Union's representation thereon.
- (b) to engage and dismiss employees of the union, to fix their remuneration and to define their duties;
- (c) to appoint from time to time such sub-committees as it may deem fit;
- (d) to admit or refuse to admit persons to membership of the union, to fix the conditions under which former members of the union may be re-admitted to membership, and to suspend, fine or expel any member for cause appearing sufficient to a majority of the executive committee;
- (e) to institute or defend legal proceedings by or against the union, or on behalf of, or against individual members;
- (f) to acquire, either by purchase, lease or otherwise any movable or immovable property on behalf of the union, and to sell, let, mortgage, or otherwise deal with or dispose of any movable or immovable property belonging to the union, provided that no immovable property shall be acquired or sold or mortgaged or let or leased for a period longer than five years, unless at least..... days' written notice of intention to do so has been given to each member of the union by the secretary. If during this period not less than .....members demand in writing that a ballot be taken on the proposed action, a ballot shall be taken; initials.....

Section 9(a)

- (g) to deal with disputes between members and their employers and to endeavour to settle disputes by conciliatory methods;
- (h) to provide legal assistance to members on matters affecting their employment;
- (i) to open and operate on a banking account in the name of the union.
- (j) to do such other things as, in the opinion of the executive committee, appear to be in the interests of the union.

7. OFFICERS.

Section 9(b)

(1) The duties of the officers shall be:-

*of Executive Committee*  
*appointed by general meeting*

(a) Chairman. - The chairman shall preside at all meetings at which he is present, enforce observance of the constitution of the union, sign minutes of meetings after confirmation, endorse all accounts for payment after approval by the executive committee, sign all cheques on the banking account of the union, generally exercise supervision over the affairs of the union and perform such other duties as by usage and custom pertain to the office. He shall not have a deliberative vote, but shall, in the event of equality of voting, have a casting vote.

(b) Vice-Chairman. - The vice-chairman shall exercise the powers and perform the duties of the chairman in the absence of the latter.

Section 9(b)

(c) Secretary.

(1) A secretary shall be appointed by ballot at the annual general meeting, shall hold office until the next annual general meeting and shall be eligible for re-appointment. He may resign on giving..... months' notice in writing to the executive committee and may be summarily discharged by the executive committee for serious neglect of duty or misconduct. In the event of the office becoming vacant the executive committee shall appoint a temporary incumbent who shall hold office until the next annual general meeting.

Section 9(f)

(ii) The secretary shall keep proper books of accounts in such form as may be prescribed by the executive committee; receive requisitions for meetings; issue notices of meetings; conduct all correspondence of the union, keeping originals of letters received and copies of those dispatched, and at each meeting of the Executive committee

Initials.....  
 .....  
 .....

read the correspondence which has taken place since the previous meeting; attend all meetings and record minutes of the proceedings; keep a register of members, record therein every member's address, date of enrolment, entrance fee paid and, in respect of every week/month the subscriptions and any levies and fines paid by such member, and in the event of the resignation or expulsion of a member the date thereof; collect entrance fees, subscriptions, fines and levies, issue official receipts for all moneys received; bank all moneys within..... days of receipt; submit reports in regard to the financial position of the union to the executive committee not less than once every three months; prepare the balance sheet and statement of income and expenditure referred to in section 8(7) of this constitution and perform such other duties as the executive committee or a general meeting may direct. He shall attend all meetings of the executive committee and all general meetings but shall have no voting power.

*Handwritten initials*

(2) Acting Chairman. - In the event of ~~each~~ the chairman and the ~~vice chairman~~ being unable, either temporarily or permanently, to perform their duties, the executive committee shall appoint a member of the union to act as chairman until the chairman or vice-chairman is able to resume his duties or until the next election as the case may be.

8. FINANCE.

(1) All amounts due to or collected on behalf of the union shall be paid to the secretary who shall deposit them in such bank as may be decided upon by the executive committee.

*suggest small union members*

(2) The funds of the union shall be applied to the payment of expenses, ~~the acquisition of property~~ and such other purposes as may be decided upon by the executive committee ~~on a general meeting or decided by members voting by ballot.~~ *for Trade Union purposes!*

(3) No single item of expenditure in excess of £..... (other than the remuneration of employees of the union) shall be met from the funds of the union unless such expenditure is approved by the members voting by ballot.

(4) Payments, other than those specified in subsection (3) of this section, shall require the prior approval of the executive committee and shall be made by cheque signed by the chairman and the secretary except when the amount in question is less than £1, when payment may be made from petty cash.

(5) Initials.....

(5) Funds required for a petty cash account, which shall be kept in such form as the executive committee may determine, shall be provided by the drawing of cheques signed by the chairman and the secretary. Unless a general meeting approves, cheques amounting in the aggregate to more than £.....shall not be drawn during any one month in respect of petty expenses.

(6) A general meeting may at any time, with a view to securing funds for any particular purpose impose a levy not exceeding £.....during any period of.....weeks/months on each member, or £.....per month on each member for a period not exceeding..... months, provided that notice of the proposed levy appeared in the agenda for the meeting.

Section 9(f)

*the F.C.*

(7) A balance sheet and a statement of income and expenditure in respect of each year ending..... shall be audited by two persons appointed by a general meeting. The auditors shall be appointed from amongst persons other than the members of the Executive Committee or the office-bearers and officials of the Union and true copies of the audited balance sheet and statement of income and expenditure for each year and of the auditor's reports thereon shall be available at the Union's office for inspection by members who shall be entitled to make copies thereof or to take extracts therefrom.

(8) A member, who resigns or is expelled from membership, shall have no claim on the funds of the union.

. 9. REPRESENTATION ON INDUSTRIAL COUNCILS OR CONCILIATION BOARDS.

(1) A general meeting may at any time decide that the union shall become a party to an industrial council or apply for a conciliation board in terms of the Industrial Conciliation Act, 1937.

Section 9(d)

(2) Candidates for election as representatives on any such council or board may be nominated at the meeting and the election shall take place by ballot.

(3) Representatives on an Industrial Council may be removed by a general meeting and may resign on giving.....weeks/months' notice to the executive committee, or such notice as may be prescribed in the constitution of the Industrial Council.

(4) In the event of the resignation or death of a representative or his removal by a general meeting the vacancy shall be filled by the executive committee pending the next general meeting.

Initials.....

.....  
.....

(5) Representatives shall have full power to enter into agreements on behalf of the Union, and such agreements shall not be subject to ratification by the Executive Committee or a general meeting.

#### 10. BALLOTS.

Essential to state manner in which ballot is to be conducted if sections 6(4) (f), 8(3) 9(2) and 14 of this draft are adopted, vide Section of Act.

(1) In addition to those cases in respect of which the taking of a ballot is compulsory in terms of this constitution, a ballot on any question shall be taken ~~if a general meeting or the executive committee so decide, and shall also be taken -~~ *X by the*

- (a) if demanded in writing by not less than ~~25~~ *25* members of the union in good financial standing, or
- (b) on any proposal to declare or take part in a strike.

(2) ~~Bal~~lots shall be conducted in the following manner:-

*method of ballots to be discussed*

- (a) Notice of a ballot shall be given to each member of the union in writing by the secretary, at least three days before the ballot is to be taken, provided that a ballot may be taken without notice at any general meeting on the decision of a majority of the members present;
- (b) two scrutineers shall be appointed by the executive committee or a general meeting to supervise any ballot and to ascertain the result thereof;
- (c) Ballots shall be conducted at the place, on the date and during the hours as may be specified in the notice referred to in paragraph (a) of this sub-section;
- (d) ballot papers shall be provided by the executive committee. One ballot paper only shall be issued on demand at the place and during the hours fixed for the taking of the ballot, to each member who is entitled to vote;
- (e) each voter shall, in the presence of the scrutineers, be issued with one ballot paper which he shall thereupon complete, fold and deposit in a container provided for the purpose.
- (f) ballot papers shall not be signed or marked in any way apart from the mark required to be made by a member in recording his vote. Papers bearing any other marks shall be regarded as spoilt and shall not be counted;



- (g) on completion of the ballot or so soon thereafter as possible, the result thereof shall be ascertained by the scrutineers in the presence of the secretary and made known through this officer;
- (3) The executive committee shall be bound to take action according to the decision of a majority of the members voting by ballot.

(4) No ballot involving the declaration of or participation in a strike shall be taken until the matter giving occasion therefor has been dealt with as provided in section 65 of the Industrial Conciliation Act, 1937.

11. FINES.

Wherever in this constitution provision is made for the imposition of a fine on a member, such fine shall not exceed..... in the case of a first offence, and..... in respect of every further offence.

12. DISCIPLINE.

(1) A member may be suspended, fined or expelled as may be determined by the executive committee -

- (a) if he fails, within.....<sup>30</sup>.....days of demand in writing by the secretary, to pay subscriptions, fines or levies which are more than.....<sup>3</sup>.....months in arrear;
- (b) if he infringes any of the terms of this constitution or acts in a manner which is detrimental to the interests of the union;

provided that there shall be a right of appeal against suspension, the imposition of a fine or expulsion to the first ensuing general meeting. E.C. Notice of any such appeal shall be given to the secretary in writing within...../.....days of the date on which the decision of the executive committee was communicated to the person concerned.

(2) No member may be suspended, fined or expelled unless he has been afforded an opportunity to state his case personally at a meeting of the Executive committee, of which he has received not less than.....<sup>14</sup>.....days' notice in writing from the Secretary. The matter with which the member is charged shall be set out in such notice.

Initials.....  
.....  
.....

(3) A member who has appeared before the executive committee in accordance with sub-section (2) of this section shall, if he is dissatisfied with the decision of the executive committee and has lodged an appeal in the manner herein provided, have the right to re-state his case personally to the general meeting which considers the matter.

(4) A member shall be entitled to call witnesses in support of his case, when attending a meeting of the executive committee ~~or a general meeting in terms of Sub-section (2) or sub-section (3) of this section as the case may be.~~

(5) Any decision taken by the executive committee in terms of this section shall, when an appeal has been lodged, be subject to ratification or otherwise by a general meeting.

(6) Upon expulsion of a member, all moneys due to the union by such member shall become payable. If payment thereof is not made within ..... days, the executive committee may take such steps as it deems necessary to secure a settlement.

Section 9(n)

(7) (a) A member shall cease to be entitled to any of the benefits of membership including the right to vote and shall be deemed to be out of good financial standing.

(i) if the subscriptions or other charges due by him to the union are more than three months in arrear;

(ii) during any period while he is under suspension in terms of this constitution.

(b) In the event of the subscriptions or other charges due to the union by a member being more than three months in arrear, he shall continue to be subject to the disabilities imposed by paragraph (a) of this sub-section until all arrears have been paid.

13. RESIGNATIONS.

A member may resign by giving ..... months' notice in writing to the secretary, provided that no resignation shall take effect until all moneys due to the union by the member concerned have been paid.

Section 9(j)  
read with  
Section 14.

14. WINDING-UP.

(1) The Union shall be wound up if at a ballot conducted in the manner prescribed in the constitution not less than three-fourths of the total number of members of the Union in good financial standing vote in favour of a resolution that the Union be wound up or, subject to the provisions of Section 16, if for any reason the Union is unable to continue to function.

Initials.....  
.....  
.....

(9) If a resolution for the winding up of the Union has been passed ~~as provided in sub-section (1)~~ or if for any reason the Union is unable to continue to function the following provisions <sup>under</sup> shall apply. *1937 shall apply.* *of the I.C Act*

- (i) The last-appointed Chairman of the Union or if he is not available, the available members of the last-appointed Executive Committee of the Union shall forthwith transmit to the Industrial Registrar appointed in terms of the Industrial Conciliation Act, 1937, a statement signed by him or them setting forth the resolution adopted or the reasons for the Union's inability to continue to function, as the case may be, and the available members of the Union's last-appointed Executive Committee shall appoint a liquidator to carry out the winding up. The liquidator shall not be a member of the Union and shall be paid such fees as may be agreed upon between him and the said members of the Union's last-appointed Executive Committee. Should the parties fail to agree upon the fees to be paid, the Registrar shall fix the basis on which the liquidator shall be paid.

- (ii) The liquidator so appointed shall call upon the last-appointed office-bearers of the Union to deliver to him the Union's books of account showing the Union's assets and liabilities together with the register of members showing for the twelve months prior to the date on which the resolution for winding-up was passed or the date as from which the Union was unable to continue to function, as the case may be, hereinafter referred to as the date of dissolution, the subscriptions paid by each member and his address as at the said date.

The liquidator shall also call upon the said office-bearers to hand over to him all unexpended funds of the Union and to deliver to him the Union's assets and the documents necessary in order to liquidate the assets.

- (iii) The liquidator shall take the necessary steps to liquidate the debts of the union from its unexpended funds and any other monies realized from any assets of the union and if the said funds and monies are insufficient to pay all creditors after the liquidator's fees and the expenses of winding-up have been met the order in which creditors shall be paid shall, subject to the provisions of paragraph (v) be the same as that prescribed in any law for the time being in force relating to the distribution of the assets of an insolvent estate and the liquidator's.

Initials .....

Liquidator's fees and the expenses of winding-up shall rank in order of preference as though he were a liquidator of an insolvent estate and as though the expenses were the costs of sequestration of an insolvent estate.

(1v) After the payments of all debts in accordance with paragraph (14) the remaining funds, if any, shall be distributed by the liquidator amongst the members of the Union who were in good financial standing as at the date of dissolution and each member shall be awarded a share in proportion to the subscriptions actually paid by him in respect of the twelve months immediately preceding the said date.

(v) The liability of members shall for the purposes of this section be limited to the amount of subscriptions due by them to the Union in terms of this constitution as at the date of dissolution.

Section 9(1)

*ballot vote conducted by H.E.C. suggest by 1 month notice*

15. AMENDMENTS.

Any of the provisions of this constitution may be repealed, amended or added in any manner by resolution of a general meeting of the Union provided that at least fourteen ~~days~~ <sup>1 month</sup> notice of any proposed alteration shall have been given to members ~~and~~ <sup>not by 2/3 majority voting</sup>. No amendments or additions shall have any force or effect until certified in terms of subsection (3) of section ~~ten~~ of the Industrial Conciliation Act, 1937.

16. GENERAL.

Whenever it appears that through inadvertence, negligence or due to any other cause any of the terms of the constitution have not been observed by the members, officials, officers, bearers or employees of the Union, and as a result of such non-observance, the Union is unable to function constitutionally in any respect, either wholly or partly, by reason of -

- (a) the non-existence of its Executive Committee through lapse of time and the failure to elect the successor to the said Executive Committee as required by the Constitution;
- (b) any vacancy in any office which the Union is unable at any time to fill by reason of the requirements of this constitution, or

Initials.....  
.....  
.....

(c) any other set of circumstances arising by reason of such non-observance,

any office-bearer, official or member of the Union may report the circumstances to the Industrial Registrar appointed in terms of the Industrial Conciliation Act, 1937, who may if he is satisfied that the Union, but for such non-observance would be capable of functioning and that the majority of members thereof are desirous that it should continue to function, issue such directions as to the procedure to be observed in order to enable such union to function, as he may deem desirable, provided that in so doing the Registrar shall devise a procedure which shall as nearly as possible, having regard to the circumstances, conform to the provisions of this constitution and provided further that any action taken by the Registrar in terms hereof shall not prejudice any claim of a creditor of the union,

.....  
CHAIRMAN OF THE UNION

.....  
SECRETARY OF THE UNION

## APPENDIX F

★  
*Dr. G. M. Naicker,*  
 CHAIRMAN.

*Debi Singh,*  
 SECRETARY.

★  
 AFFILIATED  
 ORGANISATIONS.

National Baking Industrial Union  
 (Durban Branch).

Durban Indian Municipal Employees'  
 Society.

Natal Sugar Industry Employees'  
 Union.

Tea, Coffee & Chicory Industry  
 Employees' Union.

National Union of Distributive  
 Workers (Durban B. Branch).

S.A. Tin Workers' Union.

Box Workers' Union.

Laundry Workers' Union  
 (Durban Branch).

Rope & Mat Workers' Union.

Chemical Workers' Union (Natal).

Twine & Bag Workers' Union.

Tobacco Workers' Union.

Paint, Polish & Varnish Workers'  
 Union.

S.A.R. & H. Workers' Union  
 (Non-European).

Sweet Workers' Union  
 (Durban Branch).

Brick & Tile Workers' Union.

Natal Food & Canning Workers'  
 Union.

Mineral Water Workers' Union.

Scap & Candle Workers' Union  
 (Durban Branch).

Maritzburg Municipal Employees'  
 Union.

Natal Sugar Field Workers' Union.

Natal Dairy Workers' Union.

Durban Non-European Bus Workers'  
 Union.

Communist Party of S.A.  
 (Durban District).

India League of S. Africa.

Natal Biscuit Workers' Club.

Liberal Study Group.

St. Aidan's Club.

Overport Social Club.

Springfield Farmers' Association.

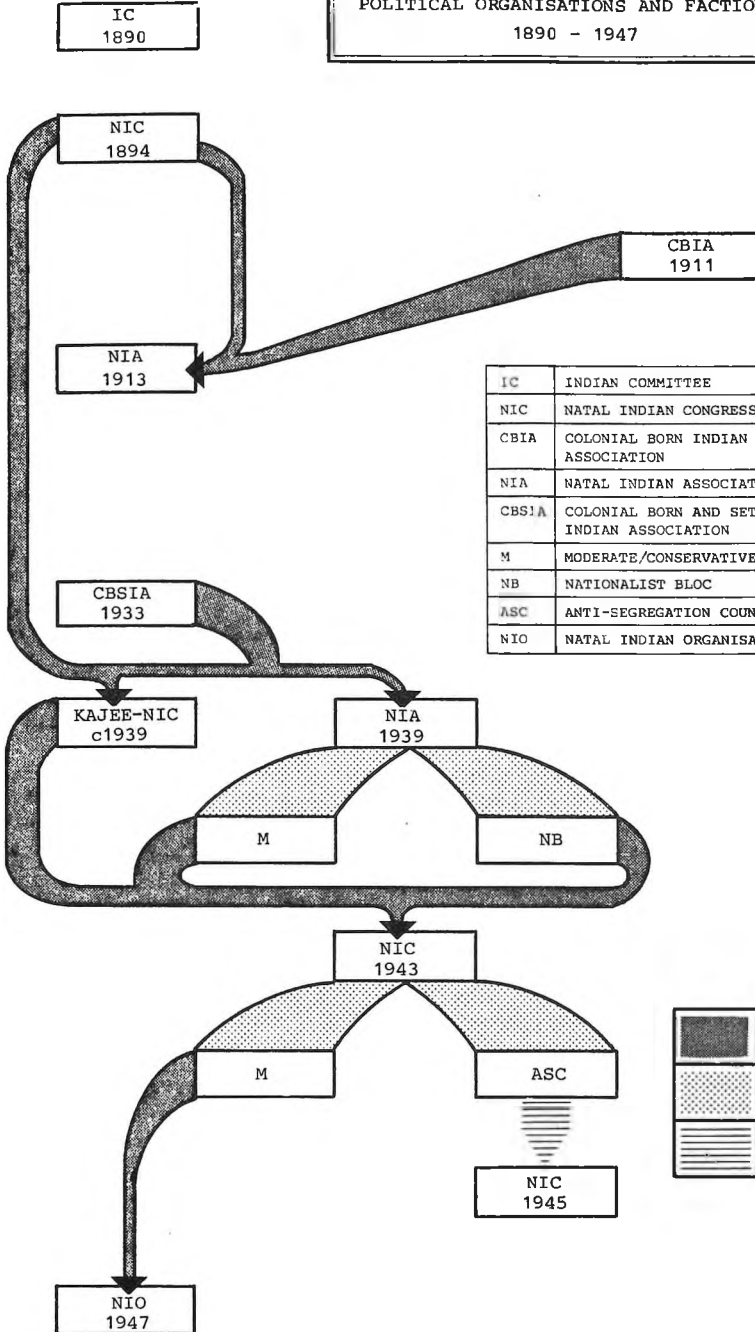
Hindustan Youth Club.

TOTAL MEMBERSHIP  
 25,231.



Appendix G

MAJOR NATAL-BASED INDIAN  
POLITICAL ORGANISATIONS AND FACTIONS  
1890 - 1947



|       |   |
|-------|---|
| IC    | INDIAN COMMITTEE                              |
| NIC   | NATAL INDIAN CONGRESS                         |
| CBIA  | COLONIAL BORN INDIAN ASSOCIATION              |
| NIA   | NATAL INDIAN ASSOCIATION                      |
| CBSIA | COLONIAL BORN AND SETTLERS INDIAN ASSOCIATION |
| M     | MODERATE/CONSERVATIVE FACTION                 |
| NB    | NATIONALIST BLOC                              |
| ASC   | ANTI-SEGREGATION COUNCIL                      |
| NIO   | NATAL INDIAN ORGANISATION                     |

|  |            |
|--|------------|
|  | MERGERS    |
|  | FACTIONS   |
|  | TAKE-OVERS |

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