

Recent Labor Legislation in Trinidad Its Economic and Political Implications*

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RÉSUMÉ

Le titre énonce bien le contenu de cet article: les récentes lois sur le travail à Trinidad et leurs implications économiques et politiques. L'Auteur, après avoir présenté l'évolution de l'organisation des travailleurs de cette région, s'arrête aux relations actuelles entre le Gouvernement et les syndicats ouvriers.

Introduction

In March 1965, the government of Trinidad and Tobago enacted one of the most important pieces of legislation in its nine years of power. This legislation, known as the Industrial Stabilisation Act, virtually prohibits trade unions from calling strikes and establishes an Industrial Court to settle labor-management disputes. This very stringent measure can be interpreted as an attempt to handle a basic problem common to many developing countries — the problem of labor unrest.

The difficulties which face economic growth in Trinidad are similar to those which beset many developing countries. The economy is based on two major industries, oil and sugar, both of which are foreign owned. These industries also employ the largest number of workers with approximately 17,000 in oil and 40,000 in sugar. Since sugar prices have fluctuated in recent years and the oil reserves are diminishing, the economy is not particularly viable although the per capita income of Trinidad is higher than many other developing countries in this hemisphere. Unemployment is estimated at about 15% of the labor force and it is a severe problem made worse by a population increase of 3%

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annually. Related to these vast range of economic problems is the added factor of labor unrest and Trinidad has been beset by a continual series of strikes in every industry and particularly in the all important oil and sugar industries. Labor costs in the basic industries have been increased due to the demands of the labor unions. In sugar, for example, Trinidad is the most expensive producer in the West Indies. In oil, the union has been so successful that the workers enjoy substantial wages and fringe benefits to a much greater extent than those in other industries. Union demands, plus the frequent usage of the strike weapon, have created a labor situation which apparently necessitated some legislative action on the part of the Government.¹

Labor unrest raises the question posed by many analysts of the labor scene: "to what extent can unionism flourish and exercise an independent influence in the structuring of the industrial labor force without impairing economic growth?"² Developing countries, all of whom are inevitably faced with the emergence of unions have attempted to solve this problem in different ways. In Egypt for example, both unions and employers are subject to government control³ and India has empowered the government to refer disputes to arbitration by industrial tribunals.⁴ Israel, on the other hand, has a strong and powerful labor movement which operates to a considerable extent without government intervention.⁵ The continuum seems to range from complete freedom to restrictive legislation in regard to trade union development. Governments based on nationalistic parties are in a particularly ambivalent position with regard to labor because they depend, in large part, on the working man's vote. Should they alienate the labor electorate they are aware that a strong politically organized union movement can provide potential political opposition. On the other hand, complete union freedom may result in damage to

¹ It is highly probably that the employers have urged legislative action of a stringent kind to curb the frequent and costly work stoppages.

² S.B. LEVINE, "Conceptions of Trade Unionism in Economic and Political Development", *Economic Development and Cultural Change*, xii, 2., (Jan. 1964) p. 215.

³ F.H. HARBISON, "Egypt" in W. Galenson, (ed.) *Labor and Economic Development*, (New York, Wiley and Sons, 1959)

⁴ C.A. MYERS, "India", *ibid.*

⁵ B.H. MILLEN, *The Political role of Labor in Developing Countries*, (Brookings Institutions, 1963) p. 99.

the economy. Unions thus present a two pronged threat in a new nation. Their usual insistence on higher wages and the frequent and prolonged use of the strike weapon may hamper overall economic growth and this is particularly significant in new countries because of their emphasis on economic development. At the same time, organized labor may also present a political threat particularly in countries which have not evolved stable continuing political institutions.

The present case study is an example of repressive trade union legislation. It will be suggested that *both economic and political factors were operative in providing a rationale for its enactment*. The economic factors were given prominence but as subsequent reactions to the Act indicate, the government risked alienating labor and its electoral strength for the sake of curbing potential political opposition arising.

The present paper is divided into two sections. In the first, we will briefly present the historical background of the labor movement in Trinidad, its structure, growth and problems. The second section sets forth the facts of union activity of the last five years and discusses the governments relationship to organized labor culminating in the passage of the Industrial Stabilisation Act and its immediate consequences.

The Labor Movement to 1964

The beginnings of organized labor in Trinidad can be traced to 1890 with the formation of the Trinidad Working Men's Association. No real advances in union organization were made until the Ordinance of 1932 which provided for the establishment of unions and defined their functions and powers in line with British labor legislation. By 1937, the economy was changing from sugar to an increased emphasis on oil and the existing labor legislation had not, in the main, been put into effect. General living and working conditions among the workers were inadequate and in the absence of unions, particularly in the important oil and sugar industries, no organized machinery for the settling of grievances existed. Growing resentment against the Crown Colony system of government also led to dissatisfaction. Riots, originating in the oil belt, swept the island in 1937 and spread

throughout the Caribbean. The riots marked the beginnings of modern labor relations and organized trade unionism began to play an important role in Trinidadian society. By 1939, there were 9 registered unions including the Oil Field Workers Union (OW-TU) and the figure increased to 17 by 1947. The early unions were by and large general unions catering to workers in any industry and this resulted in overlapping and competition for membership. The early unions were described by Dalley as "showing many signs of youthfulness" and tending to confuse "collective bargaining with 'mass action' and to look to the strike as the only weapon of the worker..."⁶

The period between 1948-56 was characterized by relative stability in regard to industrial relations with the exception of the sugar industry in which union competition, leadership battles and employer resistance to unionism continued to hinder smooth industrial relations. Although there were all told at least 50 unions registered, many of them were small and were not recognized as bargaining agents often on the grounds that they did not fully represent the majority of workers in the industry. The strike weapon was still considered to be the major tool but collective bargaining agreements characterized the conduct of some of the larger, well organized and financially sound unions. The establishment of the Trade Union Congress (TUC) — modelled after the British TUC — in 1957 gave substance to the union movement.

Throughout the history of the labor movement in Trinidad, there has been some association between union leaders and politics. But because organized political parties did not exist prior to 1955, this association has not been of a direct kind. Often potential politicians stood for election on an individual basis. The many small and poorly organized political parties which dot Trinidad's history attempted to attract the working class vote but were never sufficiently organized to do so. By and large, the pattern has been that political aspirants cultivated and affiliated themselves to trade unions in order to further their own political careers, but once in office they tended to neglect the union which supported them. During the early 50's there was some concern

⁶ F.W. DALLEY, "Trade union organization and industrial relations in Trinidad", (London, HMSO, 1947) p. 7

about communist infiltration in the various unions. This concern reappeared in the early 60's as noted on the following pages.

As of 1964, there were over 100 registered unions with a total membership of about 76,000⁷. The larger and more powerful unions include:

- The Old Field Workers Union (membership about 10,000)
- The Seamen's and Waterfront Workers Union (7,000)
- All Trinidad Sugar Estates and Factories Workers Trade Union⁸
- Federated Workers Union
- Amalgamated Workers Union

The Trade Union Congress (TUC) created in 1957, is a federation of unions operating under a constitution which sets out its objects and duties. Its Executive Council makes decisions in regard to jurisdictional disputes between unions and initiates conciliation proceedings with a view to settling intra-union disputes. It is not registered as a union itself. Whereas the TUC attempts to present a united front, it has, in fact, almost from the time of its inception, been plagued by serious internal disputes and rivalries. One of the larger unions representing Government employees was denied TUC membership until 1963 because it was thought to be government sponsored. The Amalgamated Workers Union was suspended from membership because of its attempts to enter the sugar industry when another TUC affiliate already enjoyed bargaining rights in that industry. These and other disputes as well as power struggles among leaders led to serious factionalism within TUC ranks.

John Rojas was President of both OWTU and TUC. In 1962, a rival faction within OWTU, under the leadership of George Weekes forced Rojas' resignation from that union. The following year a vote of no confidence in the Executive was passed requiring Rojas' resignation from TUC. George Weekes was subsequently elected. Under Weekes' leadership, both OWTU and TUC have become more militant and aggressive both in their dealings with employers and their desire to achieve greater

⁷ The total working population at the time of the 1960 Census was 263,570. Union membership represents about 29% of the working population.

⁸ Membership figures for this and other unions mentioned below are unreliable. They probably have between 3,000 - 5,000 members.

power and influence for the trade union movement. He has been particularly successful in gaining wage increases and other benefits for the union to the extent that other unions in their bargaining capacity tend to use the OWTU as a pace setter in increasing workers rights. Since Weekes' tenure of office, there has been a substantial increase in the number of strikes in the oil industry over preceeding years. In 1962, there were 31 strikes in oil and while Weekes recognizes the strength of collective bargaining, he has not hesitated to use the strike weapon frequently. Weekes' success in being elected President of TUC was claimed to be a "victory for the progressives". It is still, however, an affiliation of, in some cases, rival unions and examples of two affiliate unions each demanding bargaining rights in the same industry is still fairly commonplace. Weekes has not succeeded in creating unity between the unions nor in doing away with rivalry between various leaders. He is admittedly left of center in his ideology and has been called a communist. Although recent events also cast some doubt on the general effectiveness of his control over TUC affiliates, he is undoubtedly a popular and respected leader among the oil workers.

Another striking example of union rivalry during this period is the series of events which took place in the sugar industry. The history of trade unionism in the sugar industry is quite complex and it has been the subject of numerous Commissions of Inquiry. (The specific details are not relevant here and only recent developments will be mentioned.) Unionization has been difficult because of employer resistance to organization, the many rival factions each claiming to be representative of the workers and often led by politically oriented opportunists, and the suspicion of union activity on the part of the East Indian sugar workers. As of 1958, All Trinidad Sugar Workers Union under the leadership of A. Geoffrey was recognized as the sole bargaining agent for all workers directly employed in the production, processing and shipping of sugar with the exception of monthly and weekly paid workers. In 1960, W.W. Sutton, general secretary of the Amalgamated Workers Union began recruiting clerical weekly and monthly paid workers. In 1962, he called a strike for recognition in which factory and field workers joined apparently to show their disapproval of Geoffrey's leadership of All Trinidad. A

Commission of Inquiry appointed to study the situation recommended the establishment of a Joint Industrial Council in which both unions were to be represented. This was never accepted and subsequently, Bhadase Maraj was "elected" president of All Trinidad. Maraj is the leader of the Mahasaba, a Hindu religious organization and a businessman of questionable reputation. He has frequently been referred to as a "gangster". Sutton then withdrew his claim to represent sugar workers.

Sometime in the early 60's, a left wing organization calling itself the "Sugar Workers Study Group" was formed with the purpose of helping the underprivileged sugar workers "fight for their rights".⁹ It is their contention, supported in other quarters as well, that Maraj was recalled into the union by the Manufacturers with the support of the present Government. As the All Trinidad union membership declined to the recruiting activities of Amalgamated, the sugar Manufacturers became alarmed that this might mean the development of a "monster" in the form of a strong sugar section of the Amalgamated workers union. It is alleged that the manufacturers prefer to work with men like Maraj with whom they can readily bargain — in other words, a company rather than a militant workers union. It is further alleged that Maraj works in close association with the Government as well. It has been contended that when the Prime Minister believed that Dr. Capildeo, the leader of the major opposition party, could present a real political threat during the elections of 1961, Maraj was to have stood for election against Capildeo. This would have split the East Indian vote and assured the PNM's victory! To insure Maraj's support, government is reputedly to have arranged a land deal with Maraj, issued promises to aid his Mahasaba school building program and lend support to his union leadership¹⁰. It is further argued that Sutton would not so readily have "given up" his substantial claim in the sugar industry without some form of inducement. It has been suggested

⁹ The information in this section is not generally known. I received the data from several informants who were intimately associated with the sugar workers.

¹⁰ When Capildeo overplayed his hand by his emphasis on violence during the election campaign, this plan was no longer considered necessary and therefore abandoned.

that Sutton was "paid off" by Maraj and that Government also offered some form of inducement, perhaps in the promise of a political appointment as well as an important position in the labor movement. (Sutton now leads the rival union organization which split from the TUC and his anti-government sentiments have noticeably declined in the last two years.)

The activities of the Civil Service Association further complicate the labor scene during this period. This is partially the result of the confusion which still exists in the definition of "civil servant". Membership in the Association is not restricted to persons serving the state but also includes employees of local governments and of statutory corporations. Various Commissions have been appointed to investigate the status of the Civil Service but the details are not relevant here. The CSA has, however, had a continuing series of grievances against the Government and other unions. In recent years its membership has expanded rapidly under the active leadership of its President and General Secretary so that its membership is now over 10,000 (out of a Civil Service of 12,000 members). The CSA has become politically oriented and sponsored demonstrations against the Government. It has also threatened a strike in 1962 and recently, it ordered a 21 day "go slow" in protest against the nonsettlement of a wage dispute. There is no doubt that the CSA has become a militant body in recent years and its threatened strikes have raised the question of conflict between the duties of the civil servant and membership in a trade union. Its open conflict with Government has increased and the CSA is one of the strongest of the anti-government organizations in the country at the present time¹¹.

The early 60's were also characterized by an extreme degree of labor unrest. Between 1960-64, there were a total of 230 strikes in Trinidad, involving almost 75,000 workers and a total of 803,899 man days lost. Lost wages as a result of strike activity amounted to \$4½ million (W.I.) whereas the lost purchasing

¹¹ A civil action against the Government was recently brought to court and the Magistrate emphasized the "unfortunate impasse" between the Government and the Service. Government has recently established a Tribunal to settle Civil Service disputes and higher level Civil Servants have been forbidden membership in the Association.

power of the country was estimated on the basis of the loss in wages at \$9 million. Strikes in oil and sugar contributed the most man days lost — a total of 430,364 — while transport, storage and communications also contributed heavily.¹² Most strikes were caused by recognition issues and specific grievances. In addition to the strikes, the general industrial situation over the past five years has involved the appointment of 10 Arbitration Tribunals, 9 Boards of Inquiry and 4 Commissions of Inquiry.

The Present Governments Relationship to Labor

The People's National Movement Party (PNM) under the leadership of Dr. Eric Williams was organized in 1955 and won the elections of 1956 by a narrow margin. It was, in its formative stages hailed as a nationalistic, socialist party which promised self government and ultimately did win independence for Trinidad. It won the elections of 1961 easily with a majority of 20 seats to the Opposition's 10. In both elections, PNM had the support of the labor movement and most of its electoral support comes from the working class particularly in urban areas. Perhaps because it cast its image as a nationalist party, it was also assumed to be socialist or left of center in ideology. In retrospect, it can be seen that PNM never really advocated a socialist platform and this was made even more apparent in 1960 when Dr. Williams clearly committed himself and his country to the support of the Western power block. Nevertheless, the labor movement was strong in its support of the party and in 1961, the TUC formally advocated political involvement by suggesting that the "working class cannot successfully wage its economic battles without political rights and political actions"¹³. It staged several demonstrations including one in which thousands of workers marched in the streets in support of the PNM.

By 1962, however, there were the beginning signs of dissatisfaction with Government largely brought about by its failure

¹² These figures were obtained from the Ministry of Labour.

¹³ Quoted in *Report of the Commission of Enquiry into Subversive Activities in Trinidad and Tobago*, (Government Printery, Trinidad, 1965) p. 31.

to implement the labor college and the labor code — both of which were promised in the elections manifesto. Continuing disputes between the Civil Service Association and the Government over wage increases and the restructuring of the Service added to the growing dissatisfaction. Increasing labor unrest as evidenced by the number of strikes between 1960-64, as well as Government's general unwillingness to intervene in long lasting disputes led to criticism by both labor leaders and other critics of the Government. It was felt that Government had failed in not establishing a sound labor relations policy and for adopting a "laissez-faire" attitude towards labor. Some of the more outspoken critics suggested that Government was deliberately giving the already factionalized and highly competitive labor leaders enough "rope to hang themselves with". By 1965, critics and of course, particularly labor leaders openly declared that the PNM government is anti-labor and that in order to create a good climate for investors is "bending backwards to help the investor at the expense of labor".

What evidence is there for this claim? To what extent is it justified and what sort of relationship has PNM had with the labor movement?

The various Commissions of Inquiry into labor disputes in particular industries and the general reports of Dalley on Industrial relations have all agreed that the existing labor legislation has been inadequate¹⁴. The brief survey of the history of the labor movement in the preceding section illustrates that, despite the growth of unions, labor relations in the past have been far from satisfactory. Some of the factors responsible for this have been, union rivalry, power struggles among the union leadership and employer resistance to unionization. Others include the larger problems created by an underdeveloped economy, a dependent colonial political structure and the lack of up to date labor legislation and machinery for settling grievances. The PNM, when it assumed power, recognized the problems in this area and in its

¹⁴ In addition to the legislation already cited, other labor legislation includes: workers recruitment, employment exchanges, health and safety regulations, employment of juveniles and women, hours and wage regulations.

election manifesto promised changes for the "working man". These were:

promotion of effective democratic trade unions, recognition of employers associations, trade union representation on public corporations, and a labor code¹⁵.

These promises were repeated in the Manifesto of the West Indies Federal Labour Party in the Federal elections of 1958. In the elections manifesto of 1961, further promises were made. These include:

a social security plan; establishment of the labour college; finalisation of the Labour code¹⁶.

In its listing of achievements in the labor area, the Manifesto lists the following:

Workmen's Compensation Law; encouragement of democratic trade unionism; Joint Industrial Council for government workers; Wages Councils; revision of the labor laws¹⁷.

With the exception of the Workmen's Compensation Law, these "achievements" constitute relatively small gains in terms of the overall promises. Despite agitation from many quarters, e.g., the press, economic advisors, Commissions of Inquiry, etc., the promised labor college and the labor code have not been implemented to the time of this writing. The ILO expert who was called in to advise on the revision of the labor laws began work in 1958 and the report was presumably completed in the early 60's, but whatever suggestions it contains for the revision of the labor laws have not been put into effect. Thus it would appear that this government has not instituted any major legislative program in regard to labor, but there have been informal attempts to introduce some measure of stability into the labor scene mainly in the form of advisory councils. In fact, the Prime Minister in introducing the Stablisation Bill in the House of Representatives said that his government had made several attempts but that most of these have been shortlived or ineffective due to the "intransigence" of the labor leaders involved. Examples of some of these attempts include the following:

¹⁵ Elections Manifesto, PNM, 1956.

¹⁶ Elections Manifesto, PNM, 1961.

¹⁷ *Ibid.*

A Joint Industrial Council in the sugar industry which functioned briefly; establishment of the National Economic Advisory Council in 1963 which included representatives from business, labor and the Government — it functioned for a year; the Tri-Partite conference between the OWTU, the Ministry of Labour and the oil companies — it disintegrated after a few meetings when George Weekes claiming a government minister had called him a communist, boycotted future meetings¹⁸.

Other attempts claimed by Government have been the inclusion of trade union members on statutory boards, corporations and committees and several have been sent overseas as members of Government delegations¹⁹. In 1961, two union leaders were appointed as members of the Senate, the upper house of the Legislature. One, Carl Tull was at the time, Secretary of the Communications Workers Union which waged the battle against Trinidad Consolidated Telephones, (this strike lasted for four months and Government later nationalized the telephone industry.) The other was the controversial John Rojas, former communist and ex-president of both the OWTU and the TUC. Union leaders claim that these two have been "bought out" and, in fact, act as government "stooges" and no longer represent the labor movement. The Ministry of Labour and the Government Commissioner of Labour attempt to aid negotiations between labor and management if their intervention is sought or if disputes become deadlocked over a prolonged period of time. There have been several disputes which were solved as a result of such intervention over the past years but, by and large, Government has not intervened in the majority of labor disputes. In two cases of intervention, the industries involved were subsequently nationalized. Occasionally the Prime Minister or the Minister

¹⁸ Weekes called upon the Prime Minister to apologize for this action and left the meeting when the Prime Minister refused to do so.

¹⁹ The militant union leaders maintain that this is nothing short of an attempt at bribery. George Weekes claims that after the Prime Minister had already seen a copy of the report of the Commission of Inquiry into Subversive Activities in which Weekes is labelled as a communist, he was nevertheless offered a position as advisor in the governments delegation to the United Nations Conference on Trade and Development in Geneva. Of this appointment he says: "In my innocence I interpreted these signs of Government's confidence to a favorable report by the Commission as an honest attempt to affect rapprochement between the labour movement and the Government ... soon after I returned it became apparent to me that this was no honest attempt at rapprochement but an attempt to win me over as they did Mr. Rojas and Mr. Tull, now Senators." *The Vanguard*, (April 1965) p. 2.

of Labour have personally appealed to the unions and in 1963 in particular, Dr. Williams asked the TUC to use its influence in controlling the unions. He pointed out that if losses in production continue through excessive labor demands, the 5 year development would be seriously jeopardized.

Government critics contend that these efforts are inconsistent and sporadic and that no consistent over-all government policy exists with regard to labor. They claim that the most consistent policy which has existed over the last few years is the attempt to control the unions and when this seemed destined to failure because of the strength of some of the leaders, government tried to break the power of the union movement instead. Three major steps were taken in the last two years and these have been interpreted as at least partially being aimed at breaking the economic as well as potential political power of the unions. These were the appointment of the Commission of Inquiry into Subversive Activities, encouraging or manipulating the split in the TUC which led to the formation of a rival labor organization — the National Federation of Labor — and proclaiming a state of emergency which led to the quick passage of the Industrial Stabilisation Act.

Commission on Subversive Activities

The first mention of the threat of leftist activity and the potential political threat of organized labor was made in a speech by Dr. Williams following a major oil strike which took place in 1960. In it, Dr. Williams said:

...the strike was aimed at the government and was fundamentally political in its origin and nature. Extremists on both sides clamoured for governments intervention... Irresponsible elements on the workers side injected race into the strike, talked about emulating Castro, advocated nationalising the oil industry, threatened a national crisis. The most irresponsible hoped for violence, which in their view would force the police to shoot, then they would denounce the PNM. These elements sought to lay the groundwork for the establishment of a socialist party for the coming general election.²⁰

²⁰ Trinidad Guardian, (July 23, 1960).

In 1962, the supposed threat of communism was made more explicit and in a famous and widely quoted speech in August of that year, Senator John Rojas warned the country about the subversive elements in the community. In that speech he claimed:

...right here in Trinidad at the present time there is no doubt that there are communist elements operating. As to what measure or to what extent, is a matter for investigation and for the security measures of the Government to determine. There is talk in this country about a revolution which will take place in eighteen months time, and that the machinery and the various styles are already set in the working class organizations to effectuate that in eighteen months time. There is no doubt about it that Marxists are operating in some of the trade union movements in the country, and some of the most powerful unions are now headed by Marxists.²¹

In April the following year and again following a strike in the oil industry, the Prime Minister appointed two Commissions of Inquiry; one into the oil industry and the other into subversive activities. The latter inquiry received the following terms of reference: "To enquire into the nature and extent of subversive activity within Trinidad and Tobago with particular reference to its influence in the Trade Union Movement, the Public Services and Youth Organizations..." This action, particularly as it came on the heels of a lengthy strike, was immediately interpreted by labor leaders as a blow against trade unionism and as an attempt to placate the major oil companies. The oil companies were at that time distressed about the number of strikes in the industry. The composition of the Commission was also questioned since it contained one former trade union leader who had been implicated in a perjury case some years earlier and a Nigerian judge who is supposedly a close personal friend of Dr. Williams. The third member, considered to be the only impartial member of the Commission, left Trinidad half way through the hearings supposedly again because he was dissatisfied with the conduct of the Inquiry. (His name, however, appears on the final report.) Its vague terms of reference and the fact that the evidence was given privately without the presence of the "accused" persons (although they had access to any allegations made against them and were allowed to cross examine their "accusers") led to the

²¹ Quoted in the *Commission of Enquiry into Subversive Activities*, Trinidad and Tobago, Printery Office, 1965, p. 7.

filing of five writs challenging the legality of the Commission. These were filed by individuals with union affiliations and one case which actually reached the courts was the action filed by the Civil Service Association. These legal transactions delayed the publication of the report, dated January 25, 1964, for over a year to March, 1965. The Magistrate found against the Civil Service Association and the other writs were subsequently withdrawn. There can be no doubt that the appointment of this Commission, the composition of its members and the manner of gathering evidence, was viewed by labor officials and other critics of the Government as a blow directed against trade union activity. It has also been suggested that Senator Rojas' speech which initiated the subversive hunt was, in fact, instigated by the Government.

The Split in the Trade Union Congress

The TUC functioned as an association comprising most of the registered trade unions in the country. Although there is intense rivalry amongst some of its members, it has recently become a fairly effective voice for the trade union movement. In November of 1964, four major unions, amongst them All Trinidad led by Bhadase Maraj and the Amalgamated Workers led by W. Sutton, broke away from the TUC and formed a rival organization, the National Federation of Labour. The reasons for this move are somewhat obscured but several interpretations can be suggested. Sutton was fairly successful in his attempt to poach sugar workers into his union in 1962. Shortly thereafter he left the field for Maraj and the All Trinidad Sugar Union. Sutton was probably pressured by both Government and Maraj into withdrawing from the sugar industry on the promise of a more important voice in the trade union movement. The formation of the new Federation may be one way in which Sutton's personal ambitions can be realized. Secondly, this manoeuvre fits into government planning because an increasingly active and militant TUC can presumably be threatening to the political supremacy of the PNM Government. This is especially important because it is rumoured that George Weekes, the TUC president, would like to form a stronger coalition between the oil and sugar workers who together control the vital industries of the island and constitute a large voting block as well. He already had the sym-

pathies of the National Union of Government employees and the Civil Service Association, the two major administrative unions. So far the Federation has not managed to attract any other unions into their fold but the four breakaway unions did undermine the strength of the TUC. It is also significant that the Federation supported Government in a recent back pay issue whereas the TUC strongly rejected it. This occurred late in 1964 and involved government's proposal to issue back pay to Government daily paid workers in 60% bonds and 40% cash. Government claimed that it did not have the necessary capital in the Treasury for a total cash payment. This proposal which has been put into action led to widespread criticism and is apparently one of the first Government measures to hit the average worker to the extent of his voicing outspoken criticism against the Government.

The events of early March 1965 were to have an even more divisive effect on the union movement.

The State of Emergency and the Industrial Stabilisation Act.

Early in March, a small number of tasker drivers in one of the sugar areas walked off the job under the leadership of A. Geoffrey, the former President of All Trinidad. Other workers joined in sympathy. Bhadase Maraj appeared on the scene with strike breakers and acts of violence erupted in the sugar belt. The sugar manufacturers closed the four sugar factories in an effort to protect their property and the lives of workers from further violence. On March 9, Government proclaimed a state of emergency in the sugar areas and the police were given sweeping powers of law enforcement.²² Within a few days, the factories

²² This was only the second time that Government had used such powers. The area covered by the emergency was later extended to include a residential area near Port-of-Spain, miles away from the sugar belt. This coincided with the arrival of CLR James in Trinidad and as his house was in the restricted area, it made possible his house detention. James, an eminent Trinidadian author and journalist, was the former mentor and political advisor of the Prime Minister. He was deposed from the party in 1960 when his leftist ideology clashed with that of the Prime Minister. James was suspected of returning to Trinidad to lead the "Communist revolution" against the government although his stated reason was to cover the Cricket Test Match for a British newspaper. No public reason for his house arrest was ever given.

were reopened and the situation returned to normal. In the meantime, TUC called upon government to remove the emergency powers and George Weekes addressed meetings of the sugar workers thereby involving the TUC in the dispute.

The Government quickly announced that it was introducing legislation to curb labor disputes and by March 18, the Industrial Stabilisation Bill²³ was tabled for a first reading in the House of Representatives. It passed all its Parliamentary stages in less than 2 days. At the same House meeting, the report of the Subversives Activities Commission was tabled and its publication "with deletions in the interests of security" was promised within a few days. (It was not published until April 9). During the brief Senate debate on the Act, Senators Rojas and Tull revealed the details of the "communist plot" to overthrow the Government, thus providing the rationale for the quick passage of the Act at this time. CLR James, George Weekes and others were implicated in the plot. Senator Rojas stated that James had approached him some 18 months ago in an attempt to enlist his aid. Senator Tull disclosed that he knew definitely that there was high level political plotting amongst certain trade union leaders. No other evidence for the supposed plot was produced. While the Bill was being debated in the House (although there was in fact, very little opposition to it and six members of the Opposition voted for it), members of Dr. Williams "fanatic" constituency group, carefully coached beforehand, demonstrated in favor of the Bill in front of the House of Representatives.

Reaction to the Act was mixed. Government supporters, while somewhat frightened of its stringent measures were nevertheless in favor of it. The dominant feeling among them was that there had indeed been a communist plot brewing and the Act, with its prohibition against strikes would curtail the power of the

²³ The Act creates a Government appointed Industrial Court. All disputes will be brought to the attention of the Minister of Labour and if no suitable means of settlement exists, he may refer the matter to the Court. The court has the right to impose fines on either union or employer. No strikes or lockouts may take place unless a dispute has not been attended to by the Minister of Labour within twenty-eight days. Infractions will result in fines for either union or employer. Members of the Public Services and other public servants may not take part in any strike. (For further details see Act No. 8 of 1965, Trinidad and Tobago)

"irresponsible and communist orientated union leaders". Labor, and particularly the TUC, was outspoken in its criticism and a mass meeting in Woodford Square was hastily called the day before the debate to denounce the Bill and arouse public opinion against it. The meeting was poorly attended and it was obvious that the union leaders were powerless to stop its passage. On the day of the debate, Weekes called a strike on the oil industry to show that the workers were against the Bill. In fact, very few oil workers stayed off the job and the strike was a dismal failure petering out within a few hours. This was immediately seen as a blow against the TUC and George Weekes in particular. Within a very few days after the passage of the Act, the largest and most powerful unions began to withdraw from the TUC. The first to go was the Seamen and Waterfront Workers Union whose officers stated that they disagreed with TUC's involvement in the sugar strike. In all, seven unions withdrew their support decreasing TUC's membership from approximately 70,000 to about 30,000. For the most part, the unions involved claimed to disagree with TUC leadership and policies. The remaining unions called for the resignation of Weekes and by March 25, Weekes announced his resignation as President of the TUC.

One of the most important results of the Industrial Stabilisation Act was then a further division among trade union ranks. The once powerful TUC has shrunk in membership, its president and secretary forced to resign and as the situation now stands, the trade union movement is hopelessly divided²⁴.

Much of the pressure against Weekes stems from his attempt to intercede in the sugar dispute. This is seen as an effort to increase his own power by controlling the sugar workers and there can be no doubt as to the strength of his personal ambitions which may extend to the political arena as well. The fear of his communist sympathies tends to be exaggerated although he is clearly left of center in his ideology. Weekes claims in his defense that the sugar workers, disgruntled with their own union leader-

²⁴ Very recently the two labor organizations again reunited to form the Trinidad Labor Congress. W.W. Sutton in a closely contested election became its President. Sutton has now realized his aims and has become leader of the trade union movement. He is expected to closely cooperate with Government.

ship, asked him to intercede and that he did so with full TUC approval. While several union leaders who withdrew from TUC tacitly disapproved of the Act, they were also against the militant stand which Weekes took against it and feared that government might, as a result, take even more drastic action against the unions and their leaders.

While one consequence of the Act was that it led to even further division among union leaders, it also had important political consequences. The opposition Democratic Labour Party which had already suffered from dissension within its ranks and whose leader, Dr. Capildeo resides in London, split over support of the Act. Four Senators and two members of the House supported the Act ignoring the party directive to vote against it. The leader of the Opposition, Stephen Maharaj (in the absence of Capildeo) was vociferous in his criticism of the Act, and attempted to force the expulsion of the "rebels" from the party. His plan was to appoint more outspoken anti-government men, including CLR James, to fill the Senate posts and suspend the House members. His strategy failed and he was himself deposed from the party. The Democratic Labour Party is now even further riddled with factionalism and its effectiveness as an opposition party, never very strong, has become even further weakened.²⁵

As noted above, the report of the Subversive Commission was tabled during the Parliamentary debate but it was not actually released to the public until April 9. This document, which merely names people and refers to their beliefs as communists but presents no real evidence of a communist plot, was used as a justification for the passage of the Act.²⁶ CLR James is strongly implicated as a plotter although the Commission did not find it necessary to summon him to appear as a witness. Weekes and several other union leaders are claimed to be pro-communist but much of the evidence for these allegations rests on the testimony of Senator

²⁵ At the time of this writing, a new party, calling itself the Workers And Farmers Party, composed of James and other government critics and under the leadership of Stephen Maharaj, has been formed. While it plans to contest the next elections, it is doubtful that it can attract substantial trade union support.

²⁶ In a private interview, the Prime Minister, who apparently believed that a plot was brewing, said that were the Commission to "sit in March 1965, their evidence would have been a good deal stronger".

Rojas, a well known former communist. The detention of James was probably also used to provide additional justification for the Act²⁷.

Summary and Conclusions

From its very inception in 1890, organized trade unionism in Trinidad has had a rocky and complex history. At first, the problems encountered were those of organization, fighting employer resistance and using the unions as tools to further the political aspirations of the leaders. In recent years, the major problems center around labour unrest and the increasing demands of the unions for better conditions.

Since the PNM won office in 1956, there has been little direct government interference in labor-management disputes but the often made promises of adequate labor legislation have not been fulfilled. While charges of labor plotting against the government are no doubt vastly exaggerated, there has been increasing dissatisfaction with and criticism of the Government. There is some evidence to indicate that a certain union faction has at least entertained ideas of forming a Labour Party to challenge the supremacy of the PNM Government. While George Weekes appears to be an "honest" fighter for the betterment of the working class, he is nevertheless aware that control of the major industrial and administrative unions would command respect at the polls. There is no real evidence that a plot, organized by James and with the support of the Weekes faction, was actually being formulated — as Government officials claimed — there is, however, a strong undercurrent of hostility against the government which could eventually lead to a more organized form of political resistance. In order to forstall such a possibility or at least limit its chances of success and also, at the same time, restore some measure of stability into the chaotic labor relations scene, Government found it necessary to introduce a harsh and repressive piece of labor legislation.

²⁷ Very recently, the OWTU sent for a British lawyer to come to Trinidad to challenge the legality of the Act. The writ has been filed and the case will come up for hearing in the very near future.

In analyzing the condition of labor relations within the past few years, one cannot doubt the necessity for some form of legislation and therefore the sound economic rationale for the Act. Other countries have also found it necessary to introduce harsh legislation and Industrial Courts are fairly commonplace throughout the world²⁸. On the other hand, however, certain other facts cannot be ignored. The period from 1962 was characterized by more extreme labor unrest, yet no legislation was introduced at that time nor was it apparently even contemplated. Was this because the political threat was not as evident then as it was in 1965? Similarly, if Governments intention was to stabilize labor unrest, what reasons were there for delaying the Labor Code and the Labor College and introducing instead the Industrial Stabilisation Act?²⁹ The interpretation suggested here is that the present legislation was introduced at this time because it was felt, with or without real justification that it was necessary to quell the political threat of an organized trade union movement which was seen as imminent. Towards this end, the Commission on Subversive Activity was appointed in order to gather whatever evidence existed, the competition between union leaders was successfully manipulated to provoke a major split with the TUC and the Act was hastily seen through all its stages in record time. One can even suggest that a small and not very important strike of sugar workers was intensified to justify the proclamation of the state of emergency so that the Act could be rationalized on the grounds of easing a situation of grave danger. Thrown over all these proceedings was the threat of communist activity, a threat which world affairs today makes extremely palatable and believable.

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²⁸ The Industrial Court has apparently functioned smoothly in its first year and has in fact supported labor over management in a number of key cases.

²⁹ It is interesting that while the Prime Minister was quite open and informative on many points during my private interview, he evaded, and in fact, did not answer my question about the Labour Code. He said that such legislation would require a great deal of judicial and administrative work, yet the Stabilisation Act was apparently drafted in a matter of a day.