

AFRICAN NATIONAL CONGRESS (NATAL DIVISION)

ANNUAL CONFERENCE

OCTOBER, 8th - 10th, 1955.

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8th October.

Session at Durban.

**Agenda:**

Reports of the President.

" " Executive Committee.

" " Treasurer.

Resolutions therefrom.

9th October.

Stanger Session

**Agenda:**

Consideration of the draft constitution.

consideration and ratification of the Freedom Charter.

Resolutions therefrom.

10th October.

**Agenda:** Durban Session.

Branch Reports:

Resolutions.

Elections.



AFRICAN NATIONAL CONGRESS

(NATAL PROVINCE)

REPORT OF THE PROVINCIAL EXECUTIVE FOR THE YEAR COMMENCING  
NOVEMBER 1, 1954 AND ENDING SEPTEMBER 30th, 1955.

INTRODUCTION

1. The routine work of Congress in Natal went on satisfactorily throughout the year, although we continued to be handicapped by the shortage of man-power in so far as Provincial Officials were concerned due to the bans that were re-imposed on the Provincial President Chief A.J. Luthuli and the Provincial Secretary Mr. I.B. Yengwa and the Provincial Treasurer Mr. P.H. Simelane.

This placed a heavy burden on the remaining officials. It is pleasing to put on record that these officials, at great sacrifice of their time and money, did creditable work as will be shown in the report.

This year was marked by the joint activities of the co-sponsoring bodies of the Congress of the People: the African National Congress, the S.A.I.C., the C.O.D. and the S.A.C.P.O. If the report should reflect less work distinctively A.N.C., it would be that the major portion of our time and energy was taken up organising for the C.O.P. We must point out that in actual fact organising for the C.O.P. was organising for the African National Congress.

The political awakening shown by the people, especially in most of the large centres during the year, can only be paralleled by the re-awakening shown during the 1952 Defiance of Unjust Laws Campaign.

11.

SECTION AA SURVEY OF THE POLITICAL SCENE IN UNION OF SOUTH AFRICA.

- (1) GOVERNMENT TO RE-SETTLE AFRICANS (IN REALITY TO UNSETTLE AFRICANS)

This year saw the Government undertaking the most diabolic work in Johannesburg of removing Africans from Sophiatown to Meadowlands on the pretext of clearing what is called a slum area, when there were more places under the management of the Municipality, such as Dube Location, Moroko etc., more deserving of this description. It is plain to any impartial observer that the Government could not stomach seeing Africans owning freehold properties in a town. If Sophiatown was being removed on grounds of Apartheid, its next door neighbor, the Western Native Township, (Municipal owned) should have been removed.

We congratulate the Congress in the Transvaal, who, with the assistance of Officials at Head-Quarters, put up some resistance on the day the Government started removal. There is nothing we did in Natal to assist in this resistance. We would like to



point out to the people of Natal that it is wisdom to come to the aid of any group that might be suffering at any given time or place because their lot may be yours next. We regret to state that there is regrettable apathy among Africans in Natal concerning laws like the Group Areas Act, and yet Africans in Natal are very much threatened, as we shall now show.

(a) NORTHERN NATAL: TESTING GROUND FOR APARTHEID IN NATAL.

Africans in urban areas in Natal are not as safe as they seem to think they are. Action has already started in some of the Northern Natal towns.

CHARLESTOWN: The case of Charlestown has already been reported in previous reports. There are no new developments to report. The threat of removal hangs over them. Efforts of unifying the people of Charlestown into a formidable resistance are handicapped, we regret to say, by divisions among them. This division manifests itself in the following groups: - the Nkabinde group, the Property Owner group, especially those owning property in town, and Tenant group. We urge that these groups should sink their petty differences and meet as one solid group in the face of a common danger - this Nationalist threat of removing them from their ancestral homes and lands to the far distant Buffalo Flats (about 40 miles).

NEWCASTLE: Whilst nothing official has been said about Newcastle, it, too, is a threatened area. The first attack there has been the suing of the people for payment of arrear rates, at Upton in Fairleigh. But thanks to the services of our lawyer, Mr. R.I. Arenstein, who successfully pleaded for the defaulters. It should be pointed out that in this area the government has purchased Trust Farms in the Buffalo Flats and it would seem it is here where Africans, removed from the Northern urban centres, as well as those removed from the so-called Black Spots, will be herded and crowded together.

This leads us to say that the second serious threat in the Northern District of Natal is the removal of so-called black spots. Some African-owned farms in this area are in the valuable coal belt which, no doubt, in the eyes of the Government and the White interests in these centres, are too precious to be owned by Africans, for the potential mineral wealth these lands possess is immense. Congress, in co-operation with the people of these areas should keep a vigilant eye on developments in these areas. It is regretted that on account of the shortage of personnel the Executive could not undertake the work of studying the factual position thoroughly and, if possible, in co-operation with the people and with the Institute of Race Relations, as instructed by the 1953 Provincial Conference.

Can anyone doubt that Apartheid is impoverishing the people, robbing them of their lands and crowding them together in rural locations which, in a few years, for overcrowding, will be indistinguishable from any crowded urban location or slum? We dread to think what the position will be like in years to come, since white farmers in these Northern Districts have vowed not to give any more land to the South African Native Trust for African occupation other than the limited land given in the Buffalo Flats. Here are some of the so-called black spots: Waschbank, Glencoe, Kuncloville (Besters), Dannhauser, Milton, Alcockspruit, Garden-ville Area, Ekuthokozeni and others.

(b) MIDLANDS AND THE COAST

The biggest apathy in these matters is apparent in the areas of the Midlands and the Coast of Natal, and yet the people in



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these areas are not as safe as they seem to think. They will soon discover this, as the implementation of the Group Areas Act gets under way. It has come to our knowledge already that in the Midlands African settlement within or near the municipal area of Pietermaritzburg are not safe areas: areas such as Ockerts Kraal, New England, Slangspruit, Newscotland etc. In the Durban area Goodhope Estate and Chateau Estate in the Cato Manor area are zoned as a European area. It is in these areas that Africans who own private stands are in the majority. Even Chesterville location is described as a temporary African location. There are a good number of Africans in other parts of Durban and in Westville Area who own private sites, but all these areas in the suggested zoning eliminate the African completely. Places like Clermont Township are not safe. It must be remembered that it is the declared policy of the Nationalist Party to have no African owning land in or near a so-called European town. We, in Congress, of course, vehemently declare that there is nothing like a European town. What we know are South African cities and towns built by the joint labours of whites and non-whites. The establishment of the Duff's Road Township will provide the dumping ground for all Africans who will be removed from within the city bound-areas, whether they be from locations or from their freehold sites.

We strongly advise Conference to make a strong resolution protesting against the establishment of Duff's Road African Township, which will be so far away from the working centre that Africans from the Township will pay dearly for apartheid. These distant townships cause the African to pay heavily for apartheid, a policy which a large majority of Africans hate. Conference should also say a word about the removal of Africans from Flats, the so-called location in the sky.

(11) GOVERNMENT LAND POLICY IN RESPECT OF AFRICANS.

THE POSITION OF FREEHOLD TITLE DEEDS: we learn from reliable sources that radical changes are to be made in conditions governing transfer of land from African to African. Our information is that in future the transferee must make a declaration accepting the following conditions:

1. That the land will be occupied by the transferee or owner in person.  
This is an open attack on Africans acquiring properties in more than one area and is contrary to the spirit of free enterprise on which the economic policy of the country is based.
2. That the land so transferred may not be occupied by so-called squatters and labour tenants employed by the owner thereof, who will be required to use only hired labourers for work on his property.  
Whilst Congress does not favour or support the practice of labour-tenancy, yet we must point out the discrimination to be practiced against the African farmer in this respect.
3. That when the son of the land owner reaches the age of 21 years he must leave the farm.  
The diabolic injustice of this is so obvious as to need no pointing out.
4. That the owner of the land will be subject to the Bantu Authority established over the area in which the land is situated.  
Here the government is forcing people against their will to accept Bantu Authorities Act.



It should be clear to all Africans, whatever their political outlook may be that, ever since the enactment of the 1913 Land Act, with subsequent amendments thereto, such as are found in the Natives Land and Trust Act, 1936, the Urban Areas Act as amended, the Native Laws Amendment Act, the Group Areas Act, the aim of White South Africans, as expressed through their government, is to deprive Africans of all freehold rights in and to land: in other words its aim is to dispossess Africans both in urban and in rural areas of whatever land he may own by freehold or by lease. Africans should never be deceived by the issue of conditional title deeds because in a country of free enterprise these so-called title deeds would not be worth the paper on which they are printed.

It is, indeed, strange that a government that expresses so much abhorrence for communistic ways of life should itself be so busy organising Africans to occupy land along communistic lines by making them live on state-owned land -- the so-called home of the African -- the Reserves.

(iii)

### THE CONGRESS OF THE PEOPLE

One of the most outstanding political activities of the year was undoubtedly the holding of the CONGRESS OF THE PEOPLE on the 25 and 26th June at KLIPTOWN, JOHANNESBURG, and the intensive organisational work that preceded the holding of the Congress.

THE CONGRESS OF THE PEOPLE marked a definite state in the growth of the freedom front in the Union of South Africa. It cemented the co-operation among organisations of the liberatory movement, such as the A.N.C., the S.A.I.C. the S.A.C.D. and S.A.P.O. working for the unqualified liberation of the people.

We are happy to report to this Conference that at the Congress of the People, our Provincial President and President General, Chief A.J. Luthuli, was signally honoured by the award to him of ISITHWALANDWE, accompanied by a Citation which contains a fitting recognition of the sterling services courageously rendered by him to the people as their National Leader against the forces of reaction and racial oppression in the Union of South Africa.

It is pleasing to note that the Executive Committee of the organisations, whilst retaining their identity and independence in full, have agreed to continue to co-operate in major issues concerning the struggle for freedom.

The FREEDOM CHARTER produced at the CONGRESS OF THE PEOPLE will remain a monumental piece of work which sets out generally the objectives for which we struggle. It should not be surprising if the Charter would be accepted in a qualified way by some people in Congress; in a large organisation such as ours, which does not believe in regimentation, this would not be surprising; but we feel certain that all Congress members and sympathisers will give the Freedom Charter general support. The Natal Provincial Conference, as will no doubt be done at the Annual National Conference, will be asked to ratify the Charter.

We must warn the people of Natal not to listen to people who, supporting apartheid for selfish reasons, decry the political co-operation that has been established between the African National Congress and other National political organisations with identical political objectives. Africa and Asia, as was seen in Bandung Conference in April, 1955, are coming together; how could we, in the home front, discourage and belittle this spirit of co-operation between Africa and Asia? Our co-operation is not anti-any nation or group but is merely anti-racism, anti-domination, anti-exploitation, etc., wherever these monstrous evils are found.



We stand for justice and fair play for all on the basis of equality for all in a true democracy and so we co-operate with any person or group of people who oppose these evils. As regards ideological outlook we may have different views and ideas within Congress, but at this stage our forces should be directed mainly against racial domination and apartheid.

(iv)

BANTU EDUCATION ACT

The African National Congress has made its position very clear regarding the Bantu Education Act. The Congress is uncompromisingly opposed to Bantu Education Act and Policy. The last Annual Conference of the African National Congress resolved to stage a boycott of the Bantu Education Act. In the implementation of this resolution the National Executive has rightly pointed out that the campaign shall be carried out in an orderly manner under the direction and control of the National Executive.

In Natal there are no areas that have staged a boycott, but we are glad to say that there were, at least, three areas, which for security reasons will remain unnamed, which were prepared to stage the boycott on April 1st, but were kept back by the resolution of the National Executive which suspended the day of the boycott and set that each area may boycott with the approval of the Executive if and when it is ready. We do not at all question the wisdom of this resolution of the National Executive, as it is clear that many centres would not have been ready on April 1st, but the resolution did have the effect of dampening spirits in areas that were ready - hence the undisciplined outbursts of boycotts in some areas.

Whilst we do not agree with the unauthorised action of some areas in our sister province, the Transvaal, yet we admire the unconquerable spirit of the common man that showed itself in these areas. It showed that the people were ready and that the task of the leadership was mainly to canalise and direct their actions. In the province of Natal we have not yet staged a boycott. Our campaign has taken the following form:

- (1) We have issued a comprehensive statement entitled "Umbono Ka Congress ngo Mfundo ya Bantu." This pamphlet has been widely distributed among the people. Copies of it are still available in the Congress Office.
- (11) We carried out from the start and we are still carrying out an intensive campaign against our people accepting positions in School Boards and Committees.

It is a matter of regret to us in the province that many prominent men in the province, especially ministers of religion, have accepted positions in these bodies or have influenced others to accept them. This is a case of unashamedly co-operating with your oppressor for your permanent enslavement, for we have not heard yet any one of these people saying that the Bantu Education Policy or Act is good; they merely try to justify their co-operation with the government by either saying that they are going to oppose it from within or merely by throwing up their hands and saying "what can we do?" "It is already a government Act." This is a regrettable defeatist attitude which casts shame on the Zulu people who were once renowned for their courage and true sense of values. Conference should re-affirm its resolve to do all it can to implement Congress stand to the so-called Bantu Education. It is already clear that the goal of the government is not merely to meddle with lower education only, but, in line with the Eiselin Report on Bantu Education, to take control of all African education including higher education (Universities). It has already been reported that within two years or so there will be a Bantu Education Junior Certificate and a Bantu Education Matriculation.



In the present stage the African child suffers a two-year lee-way in comparison with a European child at the Junior Certificate and Matriculation levels. One dreads to think how wide this gap will be now when an African child will not only have followed a different course of study but will have had his education in the vernacular up to Std. VI. Can anyone honestly doubt that the products of African schools will be lower in their standards of education than those of non-African schools? In one country, with common economic and social problems to encounter, there should be a common system of education to give all children an equal chance of using their God-given talents in this highly competitive capitalistic society. Of course, this equality of training would not fit in well with the policy of maintaining white supremacy or white leadership. Will our people continue to work voluntarily in support of a policy that is specially designed to keep them as hewers of wood and drawers of water for other people in perpetuity in their fatherland? We call on members of School Boards and School Committees to forthwith resign and not to stand as candidates for re-election at next elections.

We regret that misleading utterances have been made by some white Church leaders who are busy creating the impression that Bantu Education is now going to create a paradise on earth for Africans. A test of the sincerity of these men would be their advocacy of the extension of the Bantu Education Act and Policy to European Schools. It seems to us to be premature to give an applauding opinion even of syllabi as issued for the primary schools; to us it would seem wiser to withhold comment until the plans for the entire system have been worked out and published and until the system has been in operation for some time. The laudatory comments, in our opinion, do not touch our main criticism of the Bantu Education Act, which briefly are:

- (i) The atmosphere of inferiority that will surround Bantu Schools. There is no doubt that this education, whatever its merits, is designed to prepare the African for a lower status of being a servant of the white man.
- (ii) Education, generally, should establish common standards in any one country if it is not to be used as an instrument of domination and exploitation.

(v)

#### THE RENT ISSUE

Following upon their erroneous belief that the burden of financing African public services is borne entirely by white people in South Africa, the Nationalist Government has taken steps to curtail or peg the share of General Revenue allocated for African services. It is in pursuance of this policy that the state contribution has been pegged at £6½ million for Bantu Education, as also the reduction in the grant for African school feeding schemes. And it is in pursuance of the same policy that, when it comes to "Native Housing", houses built as sub-economic are now to be paid for with an economic rental on the grounds that there are now some Africans whose joint family incomes have reached economic levels; and for Africans a £15 per month joint income is regarded as an economic income. This is done in the face of all statistical information available which shows that the minimum expenditure of an average family in an urban centre is in the neighbourhood of £18 per month. No doubt, minimum here means living on the barest level of subsistence which would hardly be sufficient for any pet dog in a European household. We have not succeeded in Natal to co-ordinate opposition against this raising of the rents. The incoming Executive should take up this matter in earnest, even to the extent of setting up a test case in Natal as was done in the Transvaal; if possible, it should enlist the co-operation of all interested bodies.

#### (vi) THE GATHERING AT THE ZULU ROYAL PLACE AND THE BANTU AUTHORITIES ACT.

The African National Congress welcomes any coming together of the people which works towards the goal of unifying the people. We hope that always local loyalties will not be regarded as over-riding in



importance the unity of the African people as envisaged by the founders of the African National Congress. Our primary concern is in the field of politics but we have every right to expect that all other organisations - economic, social and educational - shall be so nationally minded that they would work in a manner that would respect the political objectives of the people as expressed by their political National Organisation. We are happy to notice that the underlying tone in the Gathering in the Royal Place was against the acceptance of Bantu Authorities. This Act, undoubtedly, shunts off Africans from the road to a true democracy and parliament, whereas in a country all citizens should participate in a common forum that makes laws and formulates policies that govern the country. If we accept Bantu Authorities it will be tantamount to agreeing that we are prepared to be ruled by the whites only forever, and that we reject the principle of self-determination which is accepted the world over.

Our call to the African people is to work hard to bring about a state of affairs wherein the government and parliament of the country shall be in truth a "government of the people, by the people and for the people." We call upon the educated of our people to enlighten the less educated on the implications of this Act. The path to freedom does not lie in co-operation with the oppressor. We should form voluntary local organisations of our own. We regret that the African National Congress was not represented at this Royal Conference. Our delegates got the information in Durban that the Conference would be for Chiefs only so they did not attend. Our President, Chief Luthuli, later sent a letter of apology to the Paramount Chief explaining how we failed to be represented. The President had, previous to the meeting, sent a personal telegram to the Paramount Chief, wishing the meeting success. Congress quite widely circulated a pamphlet in Natal on Bantu Authorities entitled: "IZELULEKO ZIKA CONGRESS NGOMTHETHO KAZIBUSE WASE ZABELWENI". We still have copies of this in the Congress offices; the price is sixpence a copy.

(vii) THE CAPITULATION OF TRADE UNION TO THE FORCES OF APARTHEID.

One of the most disquieting signs of the times has been the capitulation of several white trade unions to Apartheid, which cannot but divide and weaken the workers in relation to the employers. This situation is a challenge to the African National Congress to work more co-operatively than before with the progressive forces in Trade Unions.

SECTION B.

IN AFRICA OUTSIDE THE UNION.

The forces of Freedom are gaining strength and momentum in Africa and in the world in general. We would like to note briefly some of the forces in operation in Africa and in the World.

- (1) We welcome the struggle of the African people in the Central African Federation to make that venture a true partnership. The utterances of the Prime Minister, Lord Malvern, have not been re-assuring in this respect. He continues to speak of the African as being a junior partner and has said that the time is not opportune for the application of the policy of equal pay for equal work to include Africans.
- (2) The struggle of the African workers in the Copper-belt in Northern Rhodesia is most encouraging. We hope that their example might be an example to African workers in other industrial and mining areas such as are found in our own country - the Union of South Africa. We cannot point out too strongly to our people that anything worthwhile is gained after much suffering and, generally, those who suffer never live to enjoy the fruits of their labours, but it is the duty of every man to try to leave the condition of his fellow man better than what he found it.



(3) In East Africa, on account of the struggle of the people, whatever its nature might be, the British Government has been made to think of political and economic reforms. Our advice to the British Government is that patch-work and delaying tactics will not do in Africa now. Bold steps of reform, with due respect to equality of all people, must be launched without delay. Time is of the essence here.

(4) In West Africa we note with satisfaction the efforts of the Government of Nkrumah to establish a fully independent Gold Coast State. He has our best wishes and blessings. The people of Nigeria too are agitating hard for the attainment of full self-government. We would warn the people of Africa not to hinder by petty tribal loyalties the formation of truly democratic states in Africa under one government in any country.

(5) In North Africa: That the whole of Africa is astir is proved by the fact that agitation for reforms is not confined to British territories only. The French in Morocco, Tunisia, and Algeria are having a fair share of the trouble. We regret the violence employed by the people there; but the remedy is not to meet violence with violence. The remedy lies in giving the people the freedom they have every right to ask for.

We point out all these events taking place in Africa to show our complacent people here that the rest of Africa is astir. It is so astir that the Prime Ministers of the Union of South Africa, both the former Prime Minister, Dr. Malan, and the present one, Mr. Strijdom, have had to take note of it. Their remedy of calling for a united front of whites against the alleged threat of black hordes is suicidal. The only remedy is full partnership in multiracial territories and full independence in uni-racial territories. The African National Congress should take serious cognizance of the fact that some authorities in the Union, like the Government and the officials of the Trade Union Council, are busy trying to sell apartheid to the territories in the North of the Union. Our Head Office should spare no efforts in joining hands with progressive forces in the Northern territories to oppose the spread of apartheid.

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## SECTION C.

### THE WORLD IN GENERAL.

We continue to welcome the helpful interest the progressive forces in the world are taking in our welfare in the Union of South Africa. In this connection we would mention the following instances:

(1) The helpful co-operation established at Bandoeng between Africa and Asian countries. It is striking that the press of the so-called free world did not give as much constructive comment as one would have thought, since this Conference, judging by the utterances of its sponsors and by the discussions during the Conference itself, showed that it was not anti- any one group but merely sought to bring about a world in which there would be no domination of one group or groups by any other group or groups: it merely sought to fight for fair play in the world.

If the Conference was anti- anything at all, it was anti-racialism, anti-domination and anti-exploitation, etc.

(2) We welcome the interest shown by groups and individuals in various countries, even in those countries that are benefiting selfishly from the exploitation of Africa. We would here mention the cheering spirit of some sections of the Labour Party in England, that have time and time again suggested that it were better to expel the Union of South Africa from the Commonwealth of Nations than to keep her within the Commonwealth while she continues to ignore the rightful claims of the majority of the



inhabitants of the country. We cannot conclude these remarks without expressing our sincere thanks for the constant championing of our cause by the Government of India, especially its Prime Minister, Pandit Nehru. Africans should not be deceived by Government propaganda which seeks to present India as having aggressive interests in Africa.

#### CONCLUDING REMARKS:

In concluding this report let us express our deep appreciation for the solid work done by various Congress organs and members in the Province. The success attained is all the more creditable when we realise that the Provincial Executive was working under a serious shortage of man-power, occasioned by the bans imposed by the government on some senior Congress Officials of the Province.

The report reflects intense co-operative activity among officials and responsible members of Congress without which the report would not be reflecting some creditable successes such as these: increase in the number of branches: the praiseworthy efforts put forth to organise for the Congress of the People: the publication of Congress literature on day to day issues: the activity of women in organising to oppose the move to have African women carry passes, etc.

We realise that in relation to the total national task and to the achievements in other provinces these successes may be classed as insignificant, but, nevertheless, they are encouraging to us in Natal, for we are working among an extremely conservative people, the Zulus, who sometimes show too docile respect for the whites in South Africa.

We realise that there is still much that needs to be done before we can even earn the grade of satisfactory. Our membership is still very low in view of thousands in the province who are outside the fold of Congress. Our finances are shamefully low. There is really no end to tasks we have to do and goals we have to reach. Ours is still very much an unfinished task; but we have confidence that the spirit of devotion and loyalty to Congress shown by a growing number of people in Congress, especially young people, will make us see a future crowned with glory. The road to freedom may be long and thorny, but we are intent on FREEDOM IN OUR LIFETIME.

AFRIKA ! AFRIKA      MAYIBUYE ! MAYIBUYE !

For and on Behalf of the Provincial Executive  
Committee; African National Congress: Natal.

A. G U M E D E .

PROVINCIAL ASSISTANT SECRETARY : A.N.C.

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CONFERENCE RESOLUTIONS: ANNUAL PROVINCIAL CONFERENCE, AFRICAN

NATIONAL CONGRESS, NATAL PROVINCE, HELD IN DURBAN, OCTOBER 8 - 10,  
1955. TO <sup>BE</sup> SUBMITTED TO THE ANNUAL NATIONAL CONFERENCE TO BE HELD  
IN BLOEMFONTEIN, DECEMBER 16-18, 1955.

Hereunder are resolutions passed at the Annual Provincial Conference of the African National Congress, Natal Province, held in Durban on October 8-10, 1955 for submission to the Annual National Conference, African National Congress, to be held in Bloemfontein, December 16-18, 1955.

1. RESOLUTIONS ANENT THE CONGRESS OF THE PEOPLE AND THE FREEDOM CHARTER:

(1) "That this Annual Provincial Conference of the African National Congress, Natal, expresses its loyalty to the National Organisations of the Liberation Movement in the Union of South Africa, consisting at present of the following: the South African Indian Congress, the South African Congress of Democrats, the South African Coloured People's Organisation, the African National Congress; further, that conference congratulates these bodies for succeeding so well in organising for and convening the historic gathering, the Congress of the People. And further, that this Annual Provincial Conference notes with appreciation the continued resolve of these National Organisation to work together in the interest of the cause of Freedom in our land, the Union of South Africa."

(11) "That this Conference expresses its concurrence with the principles enunciated in the Freedom Charter formulated and adopted at Kliptown, Johannesburg, on June 25-26, 1955. But, further, that while this Annual Provincial Conference is not averse to the principles of Nationalisation (vide Clause 3 of the Charter) and the general socialistic basis of the state envisaged, nevertheless, in the interest of national unity, it strongly urges that these fundamental principles implied in the Charter be discussed fully before the final ratification of the Charter by the forthcoming Annual Conference of the African National Congress, National, to be held in Bloemfontein on December 16-18, 1955. And, further, that this conference respectfully observes that the Freedom Charter document is padded in some cases with unnecessary variable details in an all-time document, thus running the risk of provoking detracting controversy on the Charter, and hence this conference further resolves, that clarity be given to the undermentioned points before the final ratification of the Charter by the Annual Conference, National, aforesaid." HERE ARE THE OBSERVATIONS ON THE DETAILS REFERRED TO ABOVE:

(a) CLAUSE 2: This clause tends to over-emphasise racial groups distinctiveness. We urge deleting from "All people... .... custom" in paragraph 2 and substituting by something like this: "Consent with the overriding objective of building one united nation in the Union of South Africa due respect shall be given to the various racial groups in the multi-racial nation to use their language and to develop their own folk culture and customs, provided that that it shall be competent for the state to adopt a lingua franca or an official language."

(b) CLAUSE 3, Paragraph 1: "restored to the people". This phrase creates the impression that something will be taken away from someone (may be from the "HAVES") and given to some other person (may be the "HAVE-NOTS"). ~~and give~~ We ~~give~~ would prefer something like this: "shall be shared equitably among all the people"



(c) CLAUSE 4: Suffice it to merely say that "the state shall assist the peasants in their husbandry of the land". Details of the form of this assistance are so varied and variable to make them almost irrelevant in an all-time Freedom Charter document.

In the last paragraph the words: "People shall be robbed of their cattle" may be good propaganda but are not appropriate in a factual document. No doubt they refer to cattle culling. Harsh measures have been used but we do not think the word "rob" is appropriate to describe what is done by the government in the dirty process. We would suggest this wording: "In its soil conservation measures the state shall seek the voluntary co-operation of the users of the land."

(d) CLAUSE 5: What is it that is meant in paragraph 3 by the words: "The courts shall be representative of all the people?" Does it mean that the judiciary shall as a matter of requirement be recruited from all racial groups? In a free democratic state would it be necessary to bind ourselves to such a principle? Should we not assume the impartiality of the judiciary?

(e) CLAUSE 7 Paragraph 4: Here again in an all-time Freedom document we do not think it advisable to give specific working hours per week; these are so variable. In fact the present trend in some countries is towards the shortening of working hours to less than 40 hours per week. In this machine age the working hours must progressively lessen. We would suggest some wording such as this: "The working hours per week shall be progressively limited to the lowest limit possible commensurate with the well-being of the workers and the economic state of the country."

Paragraph 5: Miners, domestic workers ..... same rights." Does this mean equal pay for all workers regardless of the nature of the work they are doing?

(h) CLAUSE 9 Paragraph 2: What is it that is implied in the words "unused housing space"? If it means unused land on which a house or houses could be built we would raise no query. But this phrase could also mean unoccupied rooms in a large house already occupied by a family. We would not favour the practice of having two or more families under one roof.

Paragraph 3. It seems to us unwise to guarantee so far ahead that "rents and prices shall be lowered, food plentiful and no one shall go hungry". All we could guarantee is that we shall strive to keep rents and prices as low as possible commensurate with prevailing economic conditions in the State at any given time and that we shall endeavour to see to it that no one goes hungry save when it is due to his/her laziness.

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## 2. RESOLUTIONS ANENT EDUCATION. BANTU EDUCATION ACT:

- (i) "That this Conference re-affirms the decision taken by the National Confernee in December 1954 as well as the subsequent resolutions of the National Executive in regard to the boycott of so called Bantu Education and the methods to be employed in persuance of those resolutions in order to defeat this most oppressive, so called, Bantu Education Act."
- (ii) "That this Conference whilst not in any way condoning the unauthorised, and often undisciplined, boycott of Bantu Education in some Areas in some of our sister Provinces yet, nevertheless, admires the unconquerable spirit of the common man that showed itself in these Areas."

## 3. RESOLUTION ON TRADE UNIONS AND LABOUR AFFAIRS.

- (i) "That this Conference re-affirms its deep regret and condemnation of the most retrograde action of the reactionary groups in the Union of South Africa Trade Union Movement who shamefully betraying Trade Union Principles by capitulating to the Apartheid Policy of the Nationalist Party Government dissolved in 1954 the Trade and Labour Council replacing it by a strictly 'Europeans Only' New Federation of Labour in the Union which was called 'the South African Trade Union Council'". Further, "that Conference applands and supports the stand of the progressives in the Trade Union Movement who, in opposing the capitulation to Apartheid and the dissolution of the Trade and Labour Council already herein referred to in this resolution, formed a non-racial Federation of labour organisation which was to be known as 'the South African Congress of Trade Unions'".
- (ii) "That this Conference respectfully, but earnestly requests, the National Conference to instruct its National Executive to implement, as speedly, and as strongly as it can, the policy already agreed upon of establishing and extending co-operation between the African National Congress and the South African Congress of Trade Unions and other progressive forces in the Trade Union Movement in the Union of South Africa and ~~that~~ to that end Conference urges that on both the National, Provincial and branch levels liaison Committees to co-ordinate this co-operation be established forthwith where they have not yet been established."
- (iii) "That this Conference reiterates its condemnation and opposition to the Native Builders' Act now about to be implemented by the Minister of Labour and to that end urges the National Conference instruct its National Executive to make efforts, working with and through the minor organs of Congress, to seek contact with African Builders with a view to launching a concerted opposition to yet another diabolic apartheid act."
- (iv) "That this Confernee again affirms its uncompromising opposition to the Influx Control Regulations and so solicits the attention and assistance of the National body to the rement



closing completely of Africans from the Magisterial district of Northern Zululand: Nongoma, Ngotshe, Ingwavuma, Ubombo, Hlabisa, from ever seeking work in Durban."

4. RESOLUTION CONCERNING THE FORCED REMOVAL OF PEOPLE FROM THEIR ESTABLISHED HOMES.

- (i) "That this conference strongly condemns the policy and practice of the Nationalist Party Government of dispossessing, with no compensation, non-whites of their lands acquired by hard savings made from meagre earnings at great sacrifice of other vital human needs, especially in the case of African, and removing them from their established homes, and Conference notes in particular the ruthless removal of Africans from the Western Areas of Johannesburg and the threatened removal of non-whites under the Group Areas Act and other similar acts as in the case of Charlestown in Natal, Ladyselbourne in Pretoria, and of Asiatics in some Transvaal towns."
- (ii) "That this conference calls upon the National body working with and through its monor organs to initiate Nation wide plans to organise Africans, especially in threatened areas to offer effective and practical resistance to the diabolic efforts of the Nationalist Party Government to remove them to Areas far away from places of work and thus making non-whites pay heavily for the policy of Apartheid they have long unequivocally condemned and rejected since its outcome will be the physical moral and spiritual ruination of non-whites in an supposedly Christian democratic state, the Union of South Africa."

5. MISCELLANEOUS RESOLUTIONS

(i) AFRICAN WOMEN THREATENED WITH CARRYING PASSES.

"That this Conference expresses its uncompromising opposition to the pass system and most vehemently opposes its extension to African women since such an action would be a studied insult and degradation, not only of African womanhood, but of the entire African community;"

And so Conference further resolves: "that the National Conference should instruct its National Executive in co-operation with women's organisations and other interest group to organise the strongest opposition possible to this devilish move."

- (ii) BANTU AUTHORITIES ACT: "That this Conference learnt with dismay and disappointment the acceptance of the Bantu Authorities Act by the Ciskei Bhunga, the Transkei Bhunga, and a few individual tribes in other parts of the Union and Conference openly and strongly condemns this action as a betrayal of the true interests of the African people by some people, either for their own personal aggrandisement or for satisfying selfish petty group interests, since this system of Bantu Authorities has no vestige of democracy, being authoritarian in nature and designed to give the government an opportunity of oppressing Africans through their Chiefs and elders: a naked use of the diabolic principle of 'divide and rule'."

- (iii) RECENT FASCISTS POLICE RAIDS. "That this conference protests most strongly against the recent Union-wide police raids to search the homes and offices of many loyal citizens of the Union of South Africa since such raids are an unwarranted attack on the civil liberties of the people." Further, "that Conference assures the Nationalist Government that no amount of threats or intimidatory tactics will swerve the African National Congress, in co-operation with other freedom loving groups and people, from its noble task of organising the African people to fight against all discriminatory laws and practice since the purpose of such laws and practices is to keep Africans in perpetual subjection to white men in the Union of S.A."



(iv) DEATH OF SELOPHE TEMA. "That this Conference learnt with deep sorrow of the death of Selophe Tema, one of the foundation members of the African National Congress and extends its heartfelt sympathy and condolence to his family in the time of their grief; conference Painfully assures his family that their irreparable loss is of many." Further, "that whilst Conference regrets that the deceased had for sometime before his death severed all connection with the African National Congress yet, for the period when he was within her fold, Conference notes with appreciation his long and faithful service in the cause for which the African National Congress stands."

(v) THE RENT ISSUE. "That this Conference strongly deprecates increases in respect of Local Authority and Government Housing Schemes which in many ways are causing additional hardship and distress to many Africans in the whole Union and conference, therefore, reiterates its resolve to oppose relentlessly this measure and urges the National Executive in co-operation with Provinces to rally the African people against this unjustifiable rent increase."

6. "THAT THE ANNUAL CONFERENCE, NATIONAL, BE ASKED TO GIVE CONSIDERATION TO THE FOLLOWING MATTERS:"

(i) "That protection of Congress colours, flags, mottoes, slogans, etc from being commercialised for private profit by individuals and groups without the prior consent of Congress on terms agreed upon between such persons or persons and the African National Congress and in this matter conference should empower the National Executive itself or a sub-committee appointed by it for the purpose to investigate and report on the means and ways by which Congress might raise money by the Commercial use of  
(a) Freedom Songs, (b) Congress Colours and Flags,  
(c) Congress Slogans, etc.

(ii) "That the African National Congress, National be asked to consider the question of making a Congress Uniform. And further "that uniforms for subsidiary bodies affiliated to the African National Congress be made by each organisation concerned with the final approval of the African National Congress with previous due consultation between that organisation and the African National Congress.



15

SOME CONFERENCE RESOLUTION CONCERNING THE PROVINCE OF NATAL.

"That this Provincial Conference of the African National Congress, Natal, assembled in Annual Conference in Durban from October 8th to 10th, 1955, having passed the undermentioned resolutions specifically concerning the province instructs its Provincial Executive to make all possible efforts to implement them.

- (i) "That this Conference, whilst it approves of state sponsored housing schemes for Africans the majority of whom are in the lowest income group, it regrets to find itself on grounds of principle and practical consideration opposed to the proposed Duff's Road Housing Scheme for Africans by the Durban Municipality, and conference accordingly rejects this Housing Scheme on the following grounds:
- (a) "long distance from Durban which will involve Africans in serious pecuniary losses and so making them pay heavily for the policy of Apartheid they have long rejected; further, this long distance from Durban will result in mental strain and anxiety about getting into town for work and other personal services.
- (b) "this will not be a township allowed to develop independently like the so called 'white towns' in South Africa, but will be a perpetuation of the obnoxious ghetto-like municipal African urban locations with their most irritative regulations.
- Conference accordingly instructs in Provincial Executive to keep a vigilant eye on moves to establish this unwanted township."
- (ii) "That Conference instructs the Provincial Executive to keep a watchful eye and oppose all moves to remove and resettle Africans in Natal, giving immediate attention to Areas already affected such as Charlestown and the so called black spots in rural areas, especially in Northern Natal."
- (iii) "That this Conference generally instructs the various Congress organs in the Province from the Provincial Executive to the local branch to keep a vigilant eye on all local issues and immediately mobilise opposition of the people against any detrimental issue and, in this connection, conference would specially refer to developments in Northern Zululand as regards Influx Control regulations, protection of land rights of african in such areas as Tongaland, the Rent issue, etc.
- (iv) "This Conference instructs the Provincial Executive working through the provincial Secretariat to write a letter to the Superintendent of McCord Zulu Hospital thanking him and his Staff for the remarkable professional and general care they gave to the Natal Provincial President also President General African National Congress, Mr. A.J. Luthuli, during his serious illness early this year.

AFRIKA !      AFRIKA !      MAYIBUYE !      MAYIBUYE !

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RESOLUTIONS ADOPTED AT THE CONGRESS OF  
THE CONGRESS OF THE PEOPLE AND THE  
FREEDOM CHARTER.

I

(1) "That this Annual Provincial conference of the African National Congress, Natal, expresses its loyalty to the National organisations of the Liberation Movement in the Union of South Africa, consisting at present of the following: the South African Indian Congress, the South African Congress of Democrats, the South African Coloured People's Organisation and the African National Congress: further, that conference congratulates these bodies for succeeding so well in organising for and convening the historic gathering, the Congress of the People. And further, that this Annual Provincial Conference notes with appreciation the continued resolve of the National organisations to work together in the interest of the cause of Freedom in our land, the Union of South Africa.

(2) "That this Conference expresses its concurrence with the principles enunciated in the Freedom Charter formulated and adopted at Kliptown, Johannesburg, on June 25 - 26, 1955. But, further, that while this Annual Provincial conference is not averse to the principles of Nationalisation (vide clause 3 of the Charter) and the general socialistic basis of the state it strongly urges that these fundamental principles implied in the Charter be discussed fully before the final ratification of the Charter by the forthcoming Annual conference of the African National Congress, Natal, to be held on December, 16 - 18, 1955. And further, that this conference respectfully observes that the Freedom Charter document is padded in some cases with unnecessary variable details in an all-time document, thus running the risk of provoking detracting controversy on the Charter, and hence this conference further resolves, that clarity be given to the undermentioned points before the final ratification of the Charter by the Annual Conference, Natal, aforesaid. HERE ARE THE OBSERVATIONS ON THE DETAILS REFERRING TO ABOVE:

(a) CLAUSE 2: This clause tends to over-emphasise racial groups distinctiveness. We urge deleting from "All people.... custom," in paragraph 2 and substituting by some thing like this: "Consonant with the overriding objective of building one united nation in the Union of South Africa due respect shall be given to the various racial groups in the multi-racial nation to use their language and to develop their own folk culture and customs, provided that it shall be competent for the state to adopt a lingua franca or an official language.

(b) CLAUSE 3, Paragraph 1: "restored to the people." This phrase creates the impression that something will be taken away from someone (may be the "HAVES" and be given to some other person (May be the HAVE-NOTS"). We would ~~xxx~~ prefer something like this: "shall be shared equitably among all the people."

(c) CLAUSE 4: Suffice it to merely say that "the state shall assist the peasants in their husbandry of the land." Details of the form of this assistance are so varied and variable to make them almost irrelevant in an all-time Freedom Charter document.

In the last/.....



In the last paragraph the words: "People shall be robbed of their cattle," may be good propaganda but are not appropriate in a factual document. No doubt they refer to cattle culling. Harsh measures have been used but we do not think the word "rob" is appropriate to describe what is done by the Government in the culling process. We would suggest this wording: "In its soil conservation measures the state shall seek the voluntary co-operation of the users of the land."

(d) CLAUSE 5: What is it that is meant in paragraph 3 by the words: "The courts shall be representative of all the people?" Does it mean that the judiciary shall be a matter of recruitment be recruited from all racial groups? In a free democratic state would it be necessary to bind ourselves to such a principle? Should we not assure the impartiality of the judiciary.

(e) CLAUSE 7, Paragraph 4: Here again in an all-time Freedom document we do not think it advisable to give specific working hours per week: these are so variable. In fact the present "norm" in some countries is towards the shortening of working hours to less than 40 hours per week. In this machine age the working hours must progressively lessen. We would suggest some wording such as this: "The working hours per week shall be progressively limited to the lowest limit possible commensurate with the well-being of the workers and the economic state of the country."

Paragraph 5: Miners, domestic workers.....same rights." Does this mean equal pay for all workers regardless of the nature of the work they are doing?

(h) CLAUSE 9, Paragraph 2: What is it that is implied in the words "unused land housing space"? If it means unused land on which a house or houses could be built we would raise no query. But this phrase could also mean unoccupied rooms in a large house already occupied by a family. We would not favour the practice of having two or more families under one roof.

Paragraph 3: It seems to us unwise to guarantee so far ahead that "rents and prices shall be lowered", food plentiful and no one shall go hungry." All we could guarantee is that we shall strive to keep rents and prices as low as possible commensurate with prevailing economic conditions in the State at any given time and that we shall endeavour to see to it that no one goes hungry save when it is due to his / her laziness.

(g) CLAUSE 10, Paragraph 1: "South Africa shall be a fully independent state." Is the implication that at present it is not a fully independent state? Would such an assertion be factually correct? Is not our present job that of seeking full democratic rights for all people in an undemocratic but independent state?

GENERAL REMARKS: We realize that the Charter was drafted in the light of the demands submitted by people and so some effort was made to accommodate as many of these demands as possible. But we feel strongly that an all-time Freedom Charter should not be overweighted by details: this has the effect of obscuring broad principles which should always stand out boldly in the minds of both readers and hearers. Details tend to blur fundamental principles.



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For circulation to the National Conference of the African National Congress Conference to held at Bloemfontein on the 16 - 18, December, 1955, by the African National Congress Natal Provincial Conference held in Durban, October 8 - 12, 1955.



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Submitted to National Conference of the African National Congress by the African National Congress, Natal Province, Conference held in Durban, October 8 - 10, 1955.

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Dour..... *Reunis* .....  
Te..... *Hallingsmaas - Reunis* .....  
Datum..... *17/12/56* .....  
Verwysings No. ....



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**RECORDS RELATING TO THE 'TREASON TRIAL' (REGINA vs F. ADAMS AND OTHERS ON CHARGE OF HIGH TREASON, ETC.), 1956 1961**

**TREASON TRIAL, 1956 1961**

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