

NATIVE SERVICE CONTRACT BILL

Believing that the Native Service Contract Bill grossly infringes the liberty of unrepresented Natives whose well-being we as a nation agreed to safeguard as a "sacred trust" of our civilisation, believing also that that trust cannot adequately be discharged in piecemeal legislation forced through the House when members' minds are obsessed with difficulties arising from economic and financial stress, we appeal to Parliament to reject the measure.

1. It adds to the already heavy burden of 'passes'. For years the Native Affairs Department has been preparing to amend and simplify the system. The present Minister has admitted that reform of the pass laws is due; but now, putting the cart before the horse, has announced (11th March, 1932) that reform of the "general pass regulations" must "wait the decision of Parliament" with regard to this Bill. This Bill now places arbitrary control (Section 2.) over the person and movements of the Native tenant in the hands of the private landowner, without whose written permission, no tenant may lawfully leave his home or be eligible for outside employment.
2. While thus binding the detribalised farm Native to his irresponsible master, the Bill, at the same time, attempts to rivet the broken authority of the tribe. 'Minors' may be bound to serve anywhere in the Union at the discretion of the tribal "guardian", who is himself dependent for a home on the pleasure or good-will of his landlord.
3. The Bill provides that where anyone member of a kraal or household defaults, the contracts in respect of all the other members may be cancelled, thus rendering still more precarious the already slender security of tenure of families who have no one home. (Section five, sub-section 11.)  
Further it imposes on owners of land a tax of five pounds for every Native living on their lands who has not rendered service to the landowner, or served as a school teacher. These two provisions must operate to displace many Native families from homes which they occupied long before the white man assumed ownership. The inevitable effect will be an enormous influx of the dispossessed into the towns, to the embarrassment of the local authorities, and of the State, and to the distress and possibly moral degradation of the Natives concerned. (Section nine.)
4. It provides for the whipping of boys for breaches of a civil contract as to whose terms they have no say - legalising a brutal form of punishment which is open to every kind of abuse, and is in direct conflict with the whole trend of modern opinion. (Section eleven)
5. It is in direct conflict with Recommendation II of the Forced Labour Convention of 1930, where it is laid down:-

"It is undesirable to resort to indirect means of artificially increasing economic pressure upon populations to seek wage-earning employment, and particularly such means as  
 (a) imposing such taxation upon populations as would have the effect of compelling them to seek wage-earning employment with private undertakings;.....

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