

It argues that the African is different from the European worker, primitive, untutored and not yet ready for ordinary Trade Unionism. Their trades unions must remain under some form of State surveillance. This argument, said Mr. Koza, lacked any rational basis, and he emphasised the right of the African workers to organise and be organised into Trade Unions of their own choosing, free of any form of control, and led by people who enjoyed their confidence.

African trade unions, continued Mr. Koza, were passing through a hard period, but the ease with which the mine workers' strike was broken showed that much had to be done before a crisis was reached. The great movement of people to town, as the reserves progressively degenerated into rural slums, coupled with the great increase of population, was imposing new problems and tasks on the trades unions.

It was not, asserted Mr. Koza, the glitter of town life which attracted the African to the urban areas, but need which forced him there. The situation was parallel to the period of the Industrial Revolution in England, but in the eighteenth century people could not predict the results of their actions. South Africa had not this excuse. Side by side were two communities - the Europeans enjoying a high standard of living by keeping the African in squalor and poverty. The problem of the African trade union was bound up with this whole question of political domination, and it would be madness for any African trade union to regard itself as non-political. The fight for economic survival of the Africans would have to become political to be successful.

Mr. Koza then dealt with the proposed Natives Industrial Conciliation Bill, which he termed a dangerous instrument since it placed a great deal of power in the hands of the civil servants. He declared that the state of mind pervading the Government was that only the worst of industrial legislation was good enough for the African worker. Any questioning of the authority of the Department of Labour caused the Unions to be regarded with suspicion and treated with hostility. Even to ask for an enquiry into wages and conditions was for the African a privilege conferred by the Department at its discretion, not a right which could be claimed, as with European workers. There was no means of referring disputes with employers to independent tribunal for impartial arbitration. The Department of Labour was vested with both judicial and administrative functions and however well-intentioned could not be expected to do justice.

With regard to the recent split, Mr. Koza said that much of the press information was misleading and biased, e.g. the assertion by the Guardian that there was a connection between the new Council of African Trade Unions and the Ossewa Brandwag. With some, jobs and careers were more important than trade union work, and in his view the split was the reaction of those who considered trade union organisation more important.

African trade unions, concluded Mr. Koza, had only become prominent during the war, but have already registered very significant gains for the African workers. Their whole future was bound up with the development of Secondary industries, which, with their need of an expanding market, will be a forceful argument for higher wages and increased purchasing power. To enable the Unions to play their part, the right to organise and bargain with the employers must be granted. The trade union movement must become a wing of the political movement for national liberation.

The Chairman said that the impression had been given that one of the causes of the formation of the new movement was as a protest against the too great preoccupation with politics of the old organisation. She asked whether the new organisation was prepared to accept the proposed bill.

Mr. Koza replied that, as his union had not identified itself with the new Council he was unable to speak of its policy. The grievances of the new Council with regard to politics were shared by many unions. Party politics had played too great a part, and while the old Council was busy propagating party ideas, with which not everybody was in agreement, it remained inactive in Trades Union organisation. Mr. Koza repeated that he could not visualise a non-political trade union movement for Africans, but stressed that the political action could not be measured in terms of party but of the nation as a whole. With regard to the press statement that the

now Council was expected to accept the proposed bill, Mr. Koza said that this statement had not been made by the Chairman, but by a member of the audience. The Council had postponed its decision until the various unions had discussed the matter. The Communist press used the idea as propaganda against the new Council.

In reply to a question regarding Africans entering the labour market by underselling the European worker, Mr. Koza said that in his opinion, the acceptance of lower wages was the easiest and safest way of gaining access to various jobs. He had always cherished the idea of equal wages for equal work but experience had shown that the first need was to find a place in semi-skilled and skilled work, and after creating more openings the demand for equal pay would be more effective. To-day the scope of employment was becoming narrower, as various semi-skilled grades previously mainly African had been incorporated in the European Unions. The European Unions had shown no mercy, and Mr. Koza thought that the African Unions were entitled to take any measures which were in their own interest.

Mr. Phillips thought that a middle course between the two viewpoints would be most successful. The prejudice against the employment of Africans was slowly disappearing, but a too great undercutting might arouse bitterness.

In reply to a question from the Chairman concerning the strength of the African Unions, Mr. Koza said that they had been strongest in the period 1941-43, when there were 50 functioning. Since 1943 there had been a great recession owing to decreased activity and the Government's policy of wage ceilings. The Iron and Steel Workers' Union, potentially the largest, had had an income of £500 per month in 1943, but was now practically non-existent. A similar decline had taken place in Municipal Workers' and Brick and Tile Workers' Unions. In the Commercial Distributive Union the membership had been 10,000 and was now 1,500-2,000.

Dr. Dexter Taylor asked whether employers were suspicious of Union members. Mr. Koza said that this had been true originally, but many employers had come to think it a necessary development, and in certain industries e.g. the Distributive and Coal Trade, employers were very co-operative with the union. Those who still looked with suspicion on trades unions were employers of men from the country who live in compounds.

In thanking Mr. Koza for his valuable address, the Chairman expressed particular appreciation of his frank and realistic approach to the question of equal pay, which acted as a virtual colour bar in employment. As she saw it, the coming struggle between European and African workers, while it must be regretted, was inevitable. Recent developments with regard to lower wages in the Kingwilliamstown textile industry might bring the matter to a head. Africans must organise as English and even American workers had had to do, to secure their place in the industrial structure. With regard to the split, Dr. Hellmann expressed the hope that the efforts of influential leaders like Mr. Koza might heal the breach, which African Unions could ill afford. She offered any assistance which Council might give in the matter.

4.) RESIGNATION: DR. DEXTER TAYLOR:

The Acting Hon. Secretary read a letter from Dr. Dexter Taylor, tendering his resignation from Council and Executive in view of his departure for America early in 1948. The letter expressed Dr. Taylor's appreciation of his association with Council.

The Chairman expressed the regret of Council at Dr. Taylor's departure. Council had benefited greatly from his courteous advice and readiness to serve, and she found it difficult to visualise carrying on without his help. The loss would be felt by numerous other organisations.

Mr. Rathobe suggested that, if it were in accordance with Council's constitution, Dr. Taylor be elected an Honorary life member, so that Council might feel that, even though in America, Dr. Taylor was still connected with its work.

The Chairman welcomed the suggestion and proposed that the matter be dealt with at the February meeting of Council, at which it was hoped Dr. Taylor would be present.

AGREED.

5.) NEW MEMBERS:

On the recommendation of the Executive, the following were elected to membership of Council:-

- (i) Miss L. Rabinowitz, 297, Commissioner Street, Johannesburg.
- (ii) Mr. Kaiser Banda, 102, Pritchard Street, Johannesburg.

6.) GENERAL:

The Chairman announced that, as was customary, there would be no January meeting, and extended seasonal greetings to Council members.

THIS CONCLUDED THE BUSINESS AND THE MEETING
TERMINATED AT 10 P.M.

J.C. 31/47.
JP. 2/12/47.

JOHANNESBURG JOINT COUNCIL OF EUROPEANS AND AFRICANS.

Telephone: 44-4368.

P.O. Box 97,
JOHANNESBURG.

THE ORDINARY MEETING OF COUNCIL WILL BE HELD AT 8. P.M. ON MONDAY, 8TH DECEMBER, 1947, AT THE BANTU MEN'S SOCIAL CENTRE, ELOFF STREET EXTENSION, JOHANNESBURG.

N.A. MITCHELL.
ACT. HON. SECRETARY.

A G E N D A .

- 1). CONFIRMATION OF MINUTES:
- 2). MATTERS ARISING OUT OF MINUTES:
- 3) {a) Section 29.
 {b) Orlando Post Office.
 {c) Method of Addressing Africans.
-). THE AFRICAN TRADE UNION MOVEMENT: ADDRESS BY:
 MR. D. KOSA, Secretary of the Commercial Distributors Union.
- 4). RESIGNATION:
 Dr. Dexter Taylor.
- 5). NEW MEMBERS:
 Miss L. Rabinowitz, 297, Commissioner Street, Johannesburg.
 Mr Kaiser Banda, 102, Pritchard Street, Johannesburg.
- 6). GENERAL:

J.C. 30/47.
JP/24/11/47.

JOHANNESBURG JOINT COUNCIL OF EUROPEANS AND AFRICANS.

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD
AT 8 P.M. ON MONDAY, 10TH NOVEMBER, 1947, AT THE
BANTU MEN'S SOCIAL CENTRE, ELOFF STREET EXTENSION,
JOHANNESBURG.

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PRESENT: Dr. E. Hellman (in the Chair), 19 members, 20 visitors, and the Acting Hon. Secretary (Mr. N.A. Mitchell).

APOLOGIES: Were received from two members.

DR VILAKAZI. The Chairman expressed the sorrow of Council at the sudden death of Dr Vilakazi, whose distinguished career had contributed so greatly to the culture of the African people and of the community as a whole. The Hon. Secretary had written a letter of sympathy to Mrs Vilakazi. The Meeting stood in silence as a mark of respect.

(1). CONFIRMATION OF MINUTES:

The Minutes of the previous meeting having been circulated were taken as read and were confirmed.

The Meeting endorsed the Chairman's expression of good wishes to Council's Hon. Secretary, Miss Goldblatt, on her forthcoming marriage. The Acting Hon. Secretary was instructed to write to Miss Goldblatt, conveying Council's good wishes.

(2). MOROKA TOWNSHIP:

The Chairman announced that she and Mr Ngakane had appeared before the Commission of Enquiry on Moroka Township to present the evidence discussed at Council's previous meeting, and had been examined at considerable length. The Commission, said the Chairman, was interpreting its terms of reference in the widest possible way, and a great body of valuable information was being assembled.

(3). EVENING AT THE DONALDSON COMMUNITY CENTRE: REPORT: NOTED.

Mr Darling reported on the Joint Council evening at the Donaldson Community Centre on 23rd October. About 50 members of the Centre had been present, and about a dozen European Council members. Speakers had outlined the work of Council, Mr Ngakane stressing the need of Joint Councils, the Chairman dealing with the Native Revenue Account, while he himself had discussed Council's work with regard to representation of Africans. Considerable interest was shown by the meeting in the work of Council, but difficulties of transport made it impossible for most of those present to attend Council meetings regularly. It had been suggested, however, that the Centre appoint a representative to attend Council Meetings, and that Council's minutes be forwarded to the Centre to keep its members informed.

.....
.....Speakers..2/.

J.C. 30/47.
JP/24/11/47.

(3). Speakers/

Speakers from the floor had raised various topics for Council's attention.

(4). COMPLAINTS OF ORLANDO RESIDENTS:

Arising out of the meeting at the Donaldson Centre the following matters were being dealt with, after investigation by Mr Ngakane, and discussion by the Executive.

(a) Post Office:

A general complaint of inefficiency had been found to apply only during the temporary absence of the postmaster, and this situation had now been rectified. The following complaints still obtained:

- (1) Before handing over a registered letter, the postal officials demanded production of a pass, causing considerable inconvenience. While recognising that the motive was to safeguard registered letters the Executive felt that since neither African women nor Europeans had to produce passes, the procedure could be modified.
- (ii) The latest rent receipt was demanded before parcels were delivered.
- (iii) Many of the difficulties in connection with the above would be removed by the appointment of an African postmaster etc. who would get to know the residents better. Some time ago the post office staff had been African, and had been very satisfactory.
- (iv) There was only one post office at Orlando, and thus a need for decentralisation.

These matters were being taken up with the Postmaster General.

(b) Railway Station:

Although complaints had been made about the appalling conditions obtaining on the Orlando and Pimville lines, the Executive had considered that representations in this connection would serve no useful purpose since the Administration admitted the fact, which was due to the lack of rolling stock.

The following points were being taken up by the System Manager:-

- (1) There was only one bridge at the station to serve travellers for East and West Orlando, and this entailed long delays at rush hours. Moreover the station bridge was the only crossing of the railway unless long detours to the subway were made. Adults had to pay 1d. to cross if they were not travellers, but school children were allowed to use the bridge free if they carried a note from their teachers, failing which they also were refused free use.

(ii) Tickets.....3/.

(11) Tickets.....

(11) Tickets were demanded from passengers who had to transfer to other trains. e.g. at New Canada, and this frequently necessitated the purchase of another ticket to complete the journey.

(111) The employment of Africans in various capacities on the railways was strongly advocated.

In reply to a question concerning ticket examiners who had no identification disc or uniform, it was suggested that such irregularities should be reported to the railway police or a stationmaster.

(5). SECTION 29 NATIVES URBAN AREAS (CONSOLIDATION) ACT:

The Chairman called upon Senator Basner to address the meeting on Section 29.

Senator Basner said that he welcomed the opportunity of addressing Council, since he wanted Council's assistance in putting an end to the proceedings now going on. According to Miss Kuper, he said, 10,799 persons had been brought before the courts under Section 29 between 1st January and 22nd September, 1947. By the 10th November the number had risen to 12,671.

By the Act of 1923, idle and disorderly persons could be brought before the Native Commissioners. If, after investigation, it was felt that the person was associating with criminals etc., the person might be sent away from town or to a penal colony. This latter, said Senator Basner, was a shocking provision, but was not confined to South Africa; e.g. in England a similar provision existed, but there it was used very sparingly and even so was subject to much criticism.

To day, however, the same section was not being administered. Any African could be stopped and his pass demanded. If he had none with him, or if his pass showed him to be unemployed, he was taken into custody under Section 29. No further investigations were made then, and the following morning the man would be automatically remanded at "B" Court for 10 to 14 days pending investigation, with very little chance of bail owing to the assumption of idleness.

In the past 3 or 4 years at least 30 - 40,000 Africans had spent this time in gaol. Of them, according to Miss Kuper 90% were found to have given satisfactory explanations and discharged, having been unnecessarily subjected to the humiliation and expense of imprisonment.

Senator Basner/hen stressed the fundamental illegality of the whole procedure, which continued only because nobody chose to bring the matter to light. Representations made to the authorities by various people had had no effect, and the only course remaining was to shame the people into action by publicity.

Section 29 read.....4/.

J.C. 30/47
JP 24/11/47

Section 29 read/

Section 29 read:

- "(1) Whenever in any urban area or in any proclaimed area, any police officer, or officer appointed under section 22, has reason to believe or suspect that any native within such urban area or proclaimed area
- (a) is habitually unemployed. Or
 - (b) has no sufficient honest means of livelihood, or
 - (c) is leading an idle, dissolute or disorderly life, or
 - (d.e.f.g. deal with criminal offences, intoxicating liquor, prohibited females, and persons who fail to leave the area when ordered to do so)
- he may without warrant arrest and bring that native or cause him to be brought before a magistrate or Native Commissioner, who shall require the native to give a good and satisfactory account of himself.
- (2) If any native who has been so required to give a good and satisfactory account of himself fails to do so, the magistrate or native commissioner inquiring into the matter may adjudge him to be an idle and disorderly person, and may by warrant addressed to any police officer,
- (a) order that he be removed from the Urban Area, or proclaimed area, and sent to his home or to a place indicated by the Secretary of Native Affairs, and that he be detained in custody pending his removal: or
 - (b) That he be sent to, and detained for a period not exceeding two years on a farm colony, work colony, etc...."

Senator Basner pointed out that no attempt was made by the police to carry out the provisions of the Act contained in sub-section (1). In practice the present procedure was a substitution of Section 29, for the old pass raids, but the new system, though not so widespread in its effects was more pernicious. He gave examples of the way the section was being applied - the demanding of passes from those eating in restaurants, and their arrest even if they had left passes at their place of employment. The majority of those arrested were young men from 15-25 years of age and included young men just from school, and looking for work, and even school boys. Even a cripple, for whom there was an automatic exemption from employment pass, had been arrested. No attempt was made, when arresting to verify statements, or contact employers. There was no hope at all for those who, just out of gaol, found difficulty in getting work - they were immediately given notice to leave the area for five years, failing which he would be sent to Leeuwkop for 2 years.

Unfortunately, said Senator Basner, many Africans, finding crime in the townships so intolerable, were unsympathetic towards victims under section 29, and even urged its more rigorous application. While their attitude was understandable, it was regrettable since the present use of Section 29 did not help to solve the crime situation, but did a great amount of harm to race relations, and contributed towards the making of many African youths anti-social. The bullying methods in "B" Court had to be seen to be believed, said Senator Basner.

Section 17 had originally been carried out by the Native Affairs Department, but that Department and the Department of Justice were now virtually cut out. With no right to an attorney, no compensation or redress for damages, the men were completely at the mercy of the police. No African was immune.

Senator Basner asked Council first to investigate the situation itself, to learn the gravity of the situation, then to find ways and means of stopping it; by publicity, by urging Members of Parliament, Councillors etc. to see for themselves, by deputations if possible to the Prime Minister, who, Senator Basner was sure, would be horrified.

The Chairman asked whether, since the whole procedure was illegal, it might be possible to have a test case. Senator Basner replied that he had advised a restaurant proprietor to refuse admittance to the police, and had defended him when charged with obstructing the police. It had been easy to prove that the police had no cause for action, and the proprietor had been acquitted. But if damages were claimed it would be necessary to prove mala fide on the part of the police, and this would be impossible. Senator Basner said he felt quite hopeless about dealing with the matter through legal channels.

Mr Frankel added that he would not favour a test case against the police, since it was not a case of an individual abuse of the law by the police, but a fact tacitly approved by the authorities. In his opinion a better approach would be the more general, taking the form of the utmost publicity, and then whatever pressure could be devised.

Mr Mbata asked whether it was not possible to challenge the idea that every African had a home in the country, since the home is indicated on the first poll-tax receipt, and would frequently show the town to be his home.

Senator Basner said that in such cases the section provided for the person to be sent "to a place indicated by the Secretary of Native Affairs".

In reply to a question concerning the form of the enquiry Senator Basner said that a police official gave evidence under oath, to the effect that he knows the respondent, has observed his mode of life etc. The respondent then gives an explanation under oath, and if this is satisfactory he is released. If the magistrate is going to impose a sentence to Leeuwkop, provisions of a criminal case for appeal etc. apply. If he is sending him away, there is no appeal.

The Chairman asked members to acquaint themselves with proceedings at "B" Court, and appealed to African Members for detailed statements about specific cases, and to Miss Kuper for her co-operation. To organise a challenging and insistent demand, Council would have to secure the support of other organisations.

THE MATTER WAS THEN REFERRED TO THE EXECUTIVE COMMITTEE.

Mr Rathebe drew attention to the serious situation obtaining to Wolhuter Hostel, where 1500 had been arrested during the previous week-end. Besides the rent payers, thousand lived at the Hostel, sleeping in the kitchens etc. Some were working people who had nowhere to live, but criminals also made the Hostel their centre. The attitude of the Municipality was partly responsible for the deplorable state of affairs.

THE MATTER WAS REFERRED TO THE EXECUTIVE COMMITTEE.

(6) REPRESENTATION ON THE INSTITUTE COUNCIL:

The Executive recommended that Rev. S.S. Tema and Mr N.A. Mitchell be appointed Council's representatives on the Council of the South African Institute of Race Relations.

AGREED:

(7) NEW MEMBER:

On the recommendation of the Executive Mr B.K. Mosenyi, 5477, Orlando, Johannesburg, was elected to membership of Council.

(8) GENERAL:

(a) The Chairman read a letter from the Manager, Municipal Native Affairs Department, inviting members to attend a Sports Day on the following Saturday at the Wemmer Sports Ground.

(b) Mr Rathebe asked that the Non-European Affairs Department be approached with regard to their mode of addressing Africans in correspondence. The Rand Daily Mail, which was frequently so helpful, was also guilty of bad manners in its refusal to use "Mr" for Africans, however distinguished.

THE MATTER WAS REFERRED TO THE EXECUTIVE COMMITTEE.

THIS CONCLUDED THE BUSINESS AND THE MEETING ENDED AT 10-15 P.M.

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J.C. 26/47.
JG. 3/10/47.

JOHANNESBURG JOINT COUNCIL OF EUROPEANS AND AFRICANS.

Telephone: 44-4368.

P.O. Box 97,
JOHANNESBURG.

3rd October, 1947.

THE ORDINARY MEETING OF COUNCIL WILL BE
HELD AT 8 P.M. ON MONDAY, 13TH OCTOBER,
1947, AT THE BANTU MEN'S SOCIAL CENTRE,
ELOFF STREET EXTENSION, JOHANNESBURG.

(Miss) J. Goldblatt,
HON. SECRETARY.

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A G E N D A .

- 1.) CONFIRMATION OF MINUTES:
- 2.) MOROKA TOWNSHIP:
- 3.) CANCELLATION OF LETTERS OF EXEMPTION:
Report of Interview with Under-Secretary for
Native Affairs.
- 4.) "THE INTERNATIONAL CONFERENCE ON CIVIL LIBERTIES
HELD IN LONDON THIS YEAR."
Talk by Mrs. Helen Suzman, who attended the
Conference as the Delegate for the South Af-
rican Institute of Race Relations.
- 5.) PROPOSED EVENING AT DONALDSON ORLANDO COMMUNITY CENTRE
ON THURSDAY, 23RD OCTOBER.
- 6.) CO-OPTION TO EXECUTIVE COMMITTEE:
Rev. S. S. Tema, Orlando Township,
Johannesburg.
- 7.) NEW MEMBERS: (a) Mrs. Inez Gordon,
'Ilanga',
Tyson Road,
Westcliff,
Johannesburg.
(b) Mr. & Mrs. Jos. Seehoff,
P.O. Box 2664,
Johannesburg.
(c) Mr. Frederick T. Mapumulo,
"Soke Simbone",
1758, Kanyile Street,
Western Native Township,
Johannesburg.
- 8.) GENERAL:

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JOHANNESBURG JOINT COUNCIL OF EUROPEANS AND AFRICANS.

MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD ON MONDAY, 8TH SEPTEMBER 1947, AT 8 P.M.
AT THE BANTU MEN'S SOCIAL CENTRE, ELOFF STREET
EXTENSION, JOHANNESBURG.

PRESENT: Dr. Ellen Hellmann (in the Chair), 18 members, 18 visitors
and the Hon. Secretary (Miss J. Goldblatt).

APOLOGIES: Apologies were received from two members.

1.) CONFIRMATION OF MINUTES:

The minutes of the previous meeting, having been circulated,
were taken as read and were confirmed.

2.) MOROKA TOWNSHIP:

The Chairman expressed Council's regret at the tragic outbreak which had occurred at Moroka and its sympathy with the bereaved families. In her opinion the outbreak was one symptom of deep-rooted maladjustments, which demanded urgent attention.

Preliminary reports indicated that only about 150-200 people out of a total population of approximately 60,000 had been involved in the riot. She considered that this fact was significant as the people had certainly been subject to great provocation. The long neglect of their needs, the very trying conditions under which they were forced to live, and the imposition of a rental charge of 15/-, had caused deep resentment and it was inevitable that trouble should occur.

The Chairman gravely warned the Citizens of Johannesburg that they would have to see that race relations did not deteriorate further, particularly in areas which would set the pattern for the whole country.

Apparently there had not been proper liaison between the Police Force and the Non-European Affairs Department. If the Police had been more alive to the gravity of the situation and had sent out an adequate force, the loss of life might have been averted.

The Chairman stressed that Council would have to continue pressing for representation of Africans on the City Council. Unless Africans were given such rights, they could not be expected to assume the responsibility for the conduct of their affairs. And until such responsibility was accepted, an ordered African urban community could not evolve.

On Wednesday, 3rd September, Mr. Quintin Whyte, Acting Director of the Institute of Race Relations and the Chairman had had an interview with Mr. Venables during which they had emphasized that stricter police measures alone would not solve the Moroka problem, but that immediate measures to meet the needs of the residents were required.

Mr. Ngakane said he wished to correct the prevalent misconception that the riot was an expression of racial antagonism. While the victims of the outbreak were Europeans, he was of opinion that African police would have met the same fate at the hands of such an incensed mob. The immediate cause of the outbreak appeared/.... 2.

appeared to have been the allocation of trading licences to Africans who were not residents of Moroka and had not been "illegal" traders at the squatters' camps.

The Chairman stated that she understood from Mr. Venables that of the total of 290 applications for licences, 68 had been Moroka applicants. Only 3 licences were actually granted to Moroka residents who felt that their own applicants should have been given preference. Although Mr. Venables had told Mr. Whyte and herself that the names of applicants had been posted up for 72 hours (instead of for the 36 hours demanded by the regulations) residents had complained that many of those who would have applied for them had been unable to do so as applications were called for while the transfer from Alexandra was taking place and that the closing date for them was set before the transfer was completed. Mr. Venables had averred that no complaints had been lodged in connection with the names of the applicants posted up. He had also stated that whether the applicant had paid his rent or not had had nothing to do with the granting of the licence.

Mr. Ncwana, Secretary of the Moroka-Jabavu Advisory Board, had been present when the incident occurred, and told how a number of the residents had advised the Native Commissioner the day before not to allow "outsiders" to open shops in Moroka. They had explained to him that it would be in the interests of the shopkeepers themselves not to open in the township as the residents felt very strongly that they had not been given a fair chance. The Native Commissioner and Mr. Venables had spent the whole of Friday discussing the situation. On Saturday morning there were Beer raids. Mr. Ncwana and a number of others had then asked the Police Commandant at Kliptown to recall all the Police. In spite of this no orders to that effect were given by the Commandant. That afternoon stones were thrown at the shops and the trouble began.

Mr. Cadle, the Superintendent of Moroka, was doing his best in the interests of the people in a very difficult situation, said Mr. Ncwana.

Council, said the Chairman, would have to press for :-

- (i) Reduction of the 15/- rental; (ii) the appointment of an African, elected by the Moroka Advisory Board, to the Board responsible for the allocation of licences; (at present the Board consisted of the Manager of the N.E. Affairs Department, or his deputy, and the Superintendent of Moroka, or his deputy); (iii) Closer co-operation between the local authority and the Police; (iv) African representation on the City Council.

Mr. Ngakane proposed the motion that:-

"While Council expressed its sympathy with the families of the victims and condemned the occurrence, it wished to state that the incident had not been a 'racial' one; that African feeling was so inflamed at the time that anyone - African or European - would have been stoned, and that it was regretted that Europeans had appeared on the scene when they did."

Mr. Pela seconded this motion and added that the granting of licences in the four existing Townships had always been satisfactory. The main consideration had always been that the public must get the best service.

An African member of the audience opposed the motion, and pointed out that, although African Policemen had been present, they had not been molested.

The Chairman stated that the implication to be drawn from Mr. Ngakane's motion was that the riot had been a protest against authority, the authority responsible for granting the licences, and that skin colour was of no consequence. As authority in this country was exercised by Europeans, any cleavage was bound to be a racial one.

Mr. Pearce suggested that the first-hand evidence given should be placed before the Fagan Commission.

Another African present said that urban Africans were on the whole dissatisfied with the personnel of the Municipal Native Affairs Department. Often men were placed in positions of authority merely because they knew a Bantu language.

After/.....

After further discussion, Mr. Ngakane was asked to withdraw his motion as, although it was a good one, it might easily be misinterpreted by the general public.

The Chairman asked Mr. Ngakane whether he would be satisfied if his motion was submitted to a specially-appointed sub-committee which would frame a proper statement for the Press and the Commission. She suggested that Mr. Ngakane, Mr. Pela, Mr. Nwana and others should serve on this sub-committee. However, as each of the afore-mentioned would be giving evidence to the Commission in other capacities, they regretted that they would not be able to serve.

Mr. Ngakane thereupon agreed to withdraw his motion and it was then decided that the matter be referred to the Executive Committee.

3. CANCELLATION OF LETTERS OF EXEMPTION:

IT WAS DECIDED: To hold over the report on the interview with the Under-Secretary for Native Affairs.

4. NON-EUROPEAN WORK OF THE SPRINGBOK LEGION: Addresses by Mr. K. Kirkwood and Mr. L. D. Nwana.

Mr. Kirkwood opened his address by saying that he wished to correct the misconception that the Springbok Legion was a Communist body. The Legion had Communists working on its various committees but it also had conservatives on those same committees. The majority of its workers, however, belonged to the United Party. The Springbok Legion was dubbed "Communist" because it consistently applied the democratic principles for which the war had been fought to matters concerning Non-European ex-Servicemen.

In the army, said Mr. Kirkwood, the Non-European soldier was, for the first time, properly clothed and fed. He received medical care and was, in fact, accorded the same treatment as that given to European Servicemen. The Non-European soldiers had acquired skill very quickly through the training they were given in the army and each man hoped he would be able to utilise his newly-gained knowledge on his return to civilian life in the Union.

Up North many European soldiers admitted that the Non-European servicemen were most competent but they said that the circumstances were different from those prevailing in the Union. A great number, however, had studied the matter objectively and had reached the conclusion that the Non-European soldiers, if given opportunities, were fit to do responsible work.

Efforts had been made to form a single Legion to take the place of the Springbok Legion and the S.A. Legion of the B.E.S.L. but negotiations had always broken down on the question of segregation. The B.E.S.L. wanted their Non-European members to be segregated and the Springbok Legion was opposed to this.

The Springbok Legion had decided that its first duty lay in seeing that African ex-Servicemen received fair treatment. Very bad records were kept by the Demobilisation authorities and the African ex-Serviceman was the one who suffered most as a result of this. The Legion had succeeded in getting a Committee formed to investigate the claims made by Non-European ex-Servicemen that their benefits were not being properly handled.

The Non-European Branch of the Springbok Legion dealt daily with enquiries for assistance by ex-Soldiers. Their problems connected with housing, exemption passes, employment, etc., etc., were all dealt with by the branch. Mr. Kirkwood stated that the services which the Legion was rendering should actually have been the concern of the Social Welfare

Department and the Demobilisation authorities but the Legion realized that unless it displayed an interest in the welfare of Non-European ex-Servicemen, their difficulties would simply have been ignored. Though handicapped by lack of funds, the Legion was determined to continue its work for these men.

Mr. Kirkwood said that the Legion had a great deal of trouble with the African ex-soldiers it tried to place in employment. The men felt very bitter because their hopes of obtaining jobs in which they could use the skill they had acquired in the army had not been fulfilled. Those men the Legion did manage to place often returned to the office with the complaint that they had been unfairly treated. In the army they had been treated as human beings and had possessed the same right of appeal to a Military Court as the European soldiers had. They felt most keenly the return to their former status.

Mr. Kirkwood felt that the Government had made a serious mistake in not making effective use of the returned Non-European soldiers. They could have given a wonderful lead to their fellow-men in the Union.

"Fighting Talk", the organ of the Springbok Legion, continued Mr. Kirkwood, tried to bring home to white South Africans the fact that the Africans, provided they were given similar opportunities, would prove themselves capable of doing the same work as Europeans did.

The Legion had recently organised a week-end course on Citizenship for African and Coloured ex-Servicemen. The course was designed to show the men that privilege and responsibility were bound together in the administration of a city and to show them that people in responsible positions should not abuse their privileges but should aim solely at serving their people. The course, which had been in the nature of an experiment, had proved very popular and the Legion intended going further in this direction.

At the 1946 Conference on Non-European Housing which the Legion had convened, the matter of Africans being trained as brick-layers had been raised. Various Trades Union representatives at the Conference had opposed this even if European workmen were given a 10-year guarantee of employment.

The Legion had fought for priority on municipal Non-European housing lists being given to ex-Servicemen and had eventually succeeded in obtaining the assurance that their places would be ante-dated to the date of their enlistment.

In conclusion, Mr. Kirkwood said that the Legion felt that some place where European and Non-European ex-Servicemen could meet socially to discuss their problems over luncheon, would do much to promote better feeling.

Mr. Newana mentioned a few aspects of the Legion's work that Mr. Kirkwood had not had time to touch on:-

The Legion had brought pressure to bear on the Government in connection with the C.O.T.T. scheme which originally had been intended only for European ex-Soldiers. It had fought to have the scheme extended to Non-Europeans. The Legion had also tried to ensure that sheltered employment would be provided for disabled Non-European ex-Servicemen.

Mr. Newana stated that although European ex-Soldiers who wanted to farm had been given all possible help by the Government, nothing had been done for the hundreds of thousands of African ex-soldiers who wished to take up farming. 60,000 men from the Northern Transvaal alone were landless and though prepared to adopt scientific agricultural methods, were not helped by the Government to obtain land.

The Springbok Legion was at the moment busy investigating a complaint concerning the ejection of Africans from a farm at Palmietfontein where their families had lived for over 100 years. The farm had recently passed into new hands and legally the new owner had every right to eject the people but - where were they to go? Mr. Newana appealed to Council to assist the Legion to press for Government action so that Land would be made available for ex-soldiers. The Government, said Mr. Newana, was guided by public opinion and individuals made up that public.

Mr. Newana explained that his own job in the Legion was to travel about the country teaching African ex-soldiers the correct procedure to adopt when making applications and directing them to the right authorities - e.g. D.S.D.C., a Native Commissioner or the National office of the Springbok Legion.

Mr. Kirkwood mentioned that the Legion subscription fee was 7/6 for entrance and 5/- a year for both European and African members. The Non-European members had vigorously opposed the suggestion - made purely because of the difference in economic status of the two groups - that there should be different subscription rates for Europeans and Non-Europeans.

In reply to a question, Mr. Kirkwood said that there were about 26,000 paid-up members of the Legion, 9,000 of whom were Africans.

A member of the audience wished to know whether it was correct that the C.O.T.T. scheme was to be abandoned but Mr. Kirkwood was unable to answer him as he said that no reliable information could be obtained. Mr. G. Stalling, a member of Council who had been an Instructor in the carpentry section of C.O.T.T., offered to answer questions on the scheme to the best of his ability after the meeting.

The B.E.S.L. had used the slogan "Give that job to an ex-Serviceman" on its posters. The Legion felt that the word "Non-European" should be inserted before "ex-Serviceman" but they had not been able to do anything about their view in the matter.

Mr. Kirkwood said that better understanding had now been reached between the Government and the Legion. The Prime Minister had consented to open the Conference which was being convened by the Legion on 20th September.

The Chairman, after thanking the speakers for their informative addresses, expressed the hope that the Legion would be successful in its efforts to obtain Land for ex-Soldiers.

5. PROPOSED VISIT TO ORLANDO TOWNSHIP ON 20TH SEPTEMBER:

IT WAS AGREED: that the visit should not take place.

6. NEW MEMBERS:

On the recommendation of the Executive, the following were elected to membership of Council:-

Mr. N. L. K. Artus,	Mr. H. N. Heeley,
Mr. J. H. Immelman,	Mr. C. J. Johnson,
Mrs. Helen Joseph,	Miss Pauline W. Lister,
Mr. H. W. S. Marshall,	Mr. A. Schwartz,
Miss Helen M. M. Scroggie,	
Advocate F. Zwarenstein,	
Miss C. Newman.	

The Chairman welcomed the above and added that she regretted that there were no new African members.

7.) GENERAL: /.... 6.

7. GENERAL:

- (a) The Chairman read a letter from Mr. Venables which drew attention to the distribution of Communist literature by one of the party which had visited Moroka Township on Saturday, 26th July. Mr. Venables had said that while he realised that the person in question was not sponsored by Council, he wished the matter to be brought to the attention of members as the Department would not like a recurrence of the incident.
- (b) The Chairman appealed for help for African Building workers who were unemployed as a result of the strike.
- (c) The Institute of Race Relations would be holding a Street Collection on Tuesday, 14th October and the Chairman asked all who could to collect.
- (d) Mr. J. R. Rathebe, who had just returned from a visit overseas was welcomed back by the Chairman, who also remarked that she was pleased to see Rev. Tema, who for a long time past had been unable to attend Council meetings owing to pressure of work.

THIS CONCLUDED THE BUSINESS AND THE MEETING ENDED
AT 10.20 P.M.

Duplicated by:

S.A. Institute of Race Relations,
P.O. Box 97,
JOHANNESBURG.

J.C. 20/47.
EMH. 6/8/47.

JOHANNESBURG JOINT COUNCIL OF EUROPEANS AND AFRICANS.

Telephone: 44-4368.

P. O. Box 97,
JOHANNESBURG.

7th August 1947.

THE ORDINARY MEETING OF COUNCIL WILL BE
HELD ON MONDAY, 11th AUGUST, 1947, AT
8 P.M. AT THE BANTU MEN'S SOCIAL CENTRE,
ELOFF STREET EXTENSION, JOHANNESBURG.

A G E N D A.

1. CONFIRMATION OF MINUTES.
 2. "CONDITIONS OF FARM LABOURERS"
Address by the Rev. Michael Scott.
 3. REPORT BY MR. O.I. FRANKEL ON COUNCIL'S ACTIVITIES
IN CONNECTION WITH MOROKA TOWNSHIP.
 4. NEW MEMBERS:
 - (a) Mr. W. T. van Eyk,
6 Niger Road,
Emmarentia,
JOHANNESBURG.
 - (b) Mr. G. Stalling,
P. O. Box 9205,
JOHANNESBURG.
 5. GENERAL.
-

JOHANNESBURG JOINT COUNCIL OF EUROPEANS AND AFRICANS.

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD
ON THE 14TH JULY 1947, AT THE BANTU MEN'S SOCIAL
CENTRE, BLOFF STREET EXTENSION, JOHANNESBURG.

PRESENT: 12 Members and 7 Visitors.

APOLOGIES: Apologies were received from 7 members.

In the absence of Dr. Hellmann, Mr. O. I. Frankel was in the Chair.

1. CONFIRMATION OF MINUTES.

The minutes of the previous meeting, having been circulated, were taken as read and were confirmed.

2. MOROKA TOWNSHIP.

(a) Finances:

The Chairman reported that no reply had been received from the Manager, Non-European Affairs Department, to Council's letter requesting information on the finances of the township.

The Hon. Secretary stated that she had written again asking for an early reply.

Councillor Hilda Watts had prepared a statement on the finances of the township, and had supplied a number of these to the Joint Council. In lieu of payment, which Councillor Watts refused to accept, she had appealed for donations in cash or kind towards the running of the Iterele School in Moroko which was badly in need of equipment.

IT WAS AGREED that the question of a donation from Council should be referred to the Executive Committee.

(b) Regulations:

The Chairman read a letter received from the City Council of Johannesburg in regard to the representations made by Council as to the restriction on entry into the township. The Hon. Secretary had since written for clarification as to the applicability of the regulation in question.

NOTED.

(c) Proposed Visit on Saturday, 26th July:

The Hon. Secretary stated that arrangements had been completed for the proposed visit to Moroka and that members and their friends would be welcome.

NOTED.

3. CANCELLATION OF CERTIFICATES OF EXEMPTION.

The Chairman read the reply received from the Secretary for Native Affairs to the letter from the Joint Council requesting an interview. The Secretary for Native Affairs had apparently interpreted Council's request as being limited to a discussion of Mr. Mpanza's case, which he refused to reopen. The Executive Committee had thereupon written again, pointing out that Council wished to discuss not only Mr. Mpanza's case, but the whole procedure relating to cancellation.

A reply to this second letter indicated that the Secretary for Native Affairs was willing to receive a delegation consisting of either the Chairman or the Secretary.

On the suggestion of the Chairman

IT WAS AGREED that a letter be written asking for the interview to be held over until Dr. Hellmann's return from Durban and that it should also be conveyed that a larger deputation was desired.

4. TREASURER'S BUSINESS.

The Hon. Treasurer stated that subscriptions were coming in very slowly and appealed to members to pay as soon as possible.

Mr. Phillips reported that he had managed to have about 2,000 copies of the brochure printed free of charge.

Miss Wells suggested that Council should adopt the Institute's system in connection with the sending out of reminders to Members.

IT WAS AGREED that this suggestion be referred to the Executive Committee.

5. NEW MEMBER:

On the recommendation of the Executive Committee,

The Rev. D. P. Anderson,
26 Model Village,
P.O. Booysens,
JOHANNESBURG,

was elected to membership of Council.

6. INDUSTRIAL CONCILIATION (NATIVES) BILL: Analysis by Mr. Solly Sachs, General Secretary of the Garment Workers' Union (Transvaal).

In introducing Mr. Sachs, the Chairman remarked that the Bill had only been introduced very late in the last Parliamentary Session, and it was doubtful whether the Government would press for its enactment before the General Election in view of the controversial nature of its provisions. It was, however necessary that Council should study its terms and formulate its policy and attitude towards the Bill.

Mr. Sachs stated that the Bill was vitally important as it concerned not only European and African workers but the good name of South Africa and it was a pity that this was not realized by the public in general.

Mr. Sachs outlined the main principles of labour legislation accepted by all civilised countries as being:-

- (i) Right of association for all lawful purposes by employees as well as employers;
- (ii) The payment of wages adequate to maintain a reasonable standard of life - as this was understood in the particular country at the time;
- (iii) In each country there should be equitable economic treatment of all human beings - irrespective of race, creed or sex;
- (iv) Recognition of the right of collective bargaining;
- (v) Assurance of equality of educational and vocational opportunity.

The Treaty of Versailles, as well as several International treaties and Declarations affirmed these principles. He pointed out that Government, Employers' and Workers' representatives from the Union of South Africa at an International Labour Organisation Conference in Philadelphia in 1944, had agreed to these principles.

Mr. Sachs also referred to the S.A. Trades and Labour Council's Workers' Charter and pointed out that the Charter includes the following provisions:-

- (i) The full right of all workers to organise themselves in Trade Unions;
- (ii) The establishment of Industrial Councils and of an Industrial Court;
- (iii) The right of all workers to bargain collectively.

The Charter states that African workers are entitled to demand that all labour laws should be based on the above principles.

It also declares that labour laws in South Africa should be based on the following principles:-

- (i) Agreement on minimum wage rates to be paid to both European and Non-European unskilled and semi-skilled workers. (Mr. Sachs mentioned that there were as many as 50 different wage rates for the same class of workers doing the same class of work in the same area).
- (ii) The establishment of efficient conciliation machinery. (The present provisions are far too cumbersome).
- (iii) Elastic legislation to cover industries where European and/or Non-European workers are organised in Trade Unions, which will afford them and their employers every facility to set up Industrial Councils.
- (iv) Creation of an Industrial Court.

Mr. Sachs said that South Africa needed extensive and intensive industrialisation to raise the National income. In order to achieve this workers would have to be efficient and efficiency could not be obtained on starvation wages. Apart from the humanitarian view, raising the standard of the Non-European would result in a local market for South African goods. This fact was realized by intelligent employers in South Africa.

Mr. Sachs described the Bill as a Fascist piece of legislation and one that completely ignored the elementary rights of Trade Union organisation and the need for workers, both European and Native to be able to bargain without interference from the Government.

Over-riding powers were given to the Registrar. Thus it had been condemned by leaders of industry and workers alike. Progressive legislation, which would help prevent industrial strife, said Mr. Sachs, would be welcome but this Bill should be rejected in toto. Mr. Sachs stressed that Trade Unions must be allowed to function without interference from Government or Employers and the Bill denied this.

Section 2 of the Bill excluded about 2,000,000 workers - Agricultural, Domestic and Mine workers - and placed limitations on State and Provincial employees. This was against all accepted principles in civilised countries.

Dealing with sections 3 to 18 (inclusive) which related to the registration and functioning of Trade Unions, Mr. Sachs said it would become a criminal offence for any person to engage in Trade Union activities, which were regarded as perfectly legal in the civilised countries of the world. 2,000,000 people were denied the right of organising themselves to protect their interests, and existing African Trade Unions would be unable to function if the Bill became law, unless they were registered as Trade Unions.

The safeguard which provided a right of appeal to the Supreme Court was in fact valueless for there were no provisions for guidance, or principles on which the Supreme Court could determine the issue. The Minister would in all probability uphold the Registrar's decision so that an appeal to the Minister would not be of practical value.

Mr. Sachs stated that under the Industrial Conciliation Act of 1937 the Registrar was given arbitrary powers and this had caused a great deal of

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