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The answer would not be: "Go out and sell the aims and objects like a hawket sells backache powder".

Why then should we approach the Freedom Charter differently? We should not. If the Freedom Charter is a detailed statement of our aims and objects, we can only win support for it by going out and campaigning amongst the people on the issues that are troubling them. To put it another way. We will not win support for the Freedom Charter by peddling it like backache powders. We will only win support for the Charter by entering into the daily agitation and education and campaigning which are lifeblood of the Congresses. Support for it is won in the course of Congress work on the issues of the day. Put this way the matter is clear.

Why then is there a need to state it? Because this approach to the Charter has not yet soaked through to all our activity. On the national level, the N.C.C. meets to discuss "how to win support for the Freedom Charter" after that, if there is still time, it will discuss other matters of vital importance to the people -- the Bantu Education, the Evaton bus boycott and the Population Registration Act. Branches and Committees do the same. This week, they decide we have our hands too full with the school boycott to worry about our aims and objects. We say, in fact; we must do more about the school boycott! We should have this same approach always and everywhere to the Freedom Charter.

Why then do we collect signatures to the Freedom Charter? We collect signatures for many reasons. We collect them, because in the act of collecting, we are able to explain our aims and objects more fully than the people can learn for themselves from our actions in a single struggle. We collect them to test our support amongst the people, so that we shall know where we are strong and where we are weak. We collect so that people will remember that this is not only our statement of aims and objectives but theirs as well. Whether they are members of Congress or not. We collect them also to help us find the most advanced, and conscious of the people and to draw them into our ranks and for these reasons it is not enough to just say: Everything we do amongst the people helps to show them our aims and objects and to win their support. It is necessary to go further and say, 'once we have shown them our aims and objects, we must get them to understand them fully, and to accept them as their own aims! WE MUST GET THEM TO SIGN!

Can we get a million signatures? Ye we can. But only if we go about it the right way. In all our meetings we must discuss the problems that are worrying the people, and how to enter into them. We must plan for Congress to agitate amongst the people and lead them. We must think a out how to educate people, in the course of that agitation, and lead them to support the Freedom Charter. We must plan how to collect signatures, in the course of that struggle and campaign. At all costs, we must avoid treating the collecting of signatures as something that can be planned separately, by itself, as a different item on the agenda from the items dealing with the issues of the day, education, bus fares, passes etc.

Let us take an example. There is threat to introduce passes for women. The branch meets to discuss what it will do about it. It decides to hold a series of protest meetings and to lead up to a mass deputation to the local Commissioner to tell him that the women will not carry passes. In the branch meetings, where speeches for the public meeting are being considered some speaker should be told to speak about the Freedom Charter; to explaining especially what the

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Freedom Charter has to say about the passes - "All Shall Enjoy Equal Human Rights" - to explain that the Freedom Charter is the cement of a single phase in freedom which will bind all other freedom loving people with the women in their struggle against passes; to show that the Freedom Charter points the only way to the end of all passes for all time and that is through the replacement of the Government by a Government "based on the will of all people without distinction of colour, race, sex or belief." Some of the members who will not be speakers at the meetings should be delegated to set up tables at the meetings where everyone present can sign. The Chairman should be reminded to appeal for people to sign. Perhaps, the branch meeting will decide to duplicate its own signature forms, which quote the sections of the Freedom Charter dealing specifically with pass laws - small forms with place for say their names, to be given to everyone at the meeting responsible for bringing in the forms with nine of his neighbours signatures on it. In this way we find now active workers for our campaign. Perhaps someone will be told to draft a memorandum to be given to the Commissioner. In it he should say that the deputation is not prepared to accept the pass laws but will fight for the demands of the Freedom Charter. At the public meetings slogans of the ten points of the Freedom Charter can be shouted, led from the platform so that the people begin to learn and look further ahead. Through this Freedom Charter work we will not be interfering with the campaign against passes but helping it, and giving it life, not aiming just at resisting and beating off this particular threat, but setting their sights higher to the day when they will fight for and win a Government under which pass laws will become unconstitutional.

Finally, we must consider the functions of the N.C.C., and how it can bring about this close co-ordination between the struggle of the people and the campaign for the propagation of the Charter on one hand and the propagation of the Charter and the building of our organisations on the other hand.

It should be empowered to bring about greater and closer co ordination in the work of the Congress movement.

REPORT OF THE NATIONAL CONSULTATIVE COMMITTEE
PRESENTED TO THE JOINT EXECUTIVES OF THE AFRICAN
NATIONAL CONGRESS, S.A. INDIAN CONGRESS, S.A.
COLOURED PEOPLES ORGANISATION, SA. CONGRESS OF
DEMOCRATS AND THE S.A. CONGRESS OF TRADE UNIONS.

1. The National Consultative Committee was established by the Joint Executive Committees of the Congresses, shortly after the Congress of the People. It was entrusted with the direction and co-ordination of the campaign for the collection of signatures to the Freedom Charter, and such other matters of common interest as might come from time to time. Since that date, representatives of the South African Congress of Trade Unions have included on a permanent basis, and, more recently, representatives of the South African Women's Federation for consultation on the campaign against passes for women, in which the federation has held a key position.
2. 14 meetings have been held by the Committee, and a Secretariat of the Committee has met on 18 occasions. It must be acknowledged that some considerable time elapsed between the formation of the committee and its satisfactory commencement of work, due to several factors, including the slowness of constituent bodies to nominate representatives. In part, the weaknesses of the Committee which will be apparent to everyone, can be attributed to this slow start which not only gave an impression that the National Consultative Committee, had no real function to fulfil, but also tended to make People regard it as a mere "paper" Committee of no particular importance. These results have continued to affect the work of the National Consultative Committee adversely.
3. As a co-ordinating Committee pure and simple, the National Consultative Committee has neither membership from whom to collect dues nor any machinery of its own for collecting donations from the public or for organising fund-raising functions. Its entire working is dependent on the financial contributions made to it by its constituent bodies. It will be recalled that it, was agreed by the Joint Executives of the Congresses that each constituent body will provide an initial donation to the Committee of £50 per organisation, payable at the rate of £10 per month. These contributions have not in fact been met by the constituent bodies (See attached schedule), and this has severely handicapped the Committee. It has also given rise to the speculation in the minds of the Committee as to whether the National Consultative Committee is really regarded as necessary and important in the eyes of the constituent bodies. This matter must be cleared up without delay, if the Committee is to prove effective in the future.
4. The Committee has produced material such as copies of the Freedom Charter in different languages, and signature forms of various kinds appropriate to particular areas, or related specifically to local matters. But in doing so it has found itself heavily out of pocket, since the constituent bodies have not always paid for the materials supplied to them (see schedule attached).

5. In addition to the matter of signatures, the Committee has attempted to co-ordinate efforts in regard to several matters of joint interest, such as the campaigns against the pass laws (for which purpose a draft statement of policy and approach has been circulated to all constituent bodies for approval). It is suggested that this statement should form the basis for discussion at the African National Congress Conference. The Committee has from time to time issued statements or suggestions on matters of day to day interest. It cannot, however be denied that the work and the effect of the Committee has fallen short of what was desired of it. Since the reasons for this do not lie in the weaknesses of the Committee only but are also to be explained in the fact by the apparent slackness of the constituent bodies to treat the Committee as a serious and important part of their regular work and to support and work for the recommendations of the Committee from time to time, it is clear that the whole question of the future and the work of the Committee will be considered afresh by all concerned.

RECOMMENDATIONS.

1. It is clear that the Constituent bodies are not fulfilling their obligations to the National Consultative Committee and it is also apparent that so long as this situation continues, the N.C.C. cannot fulfil its own task adequately.

It is now necessary to ask: what purpose can the N.C.C. serve? Clearly, it cannot be a mere talking shop - a forum for discussion between the various organisations but not for the activity which follows all discussions on policy. Clearly, too, it cannot be a sort of "super National Executive" with authority to direct the activities of the membership of the constituent bodies, and therefore of the National Executive Committees of those bodies themselves. If the N.C.C. is to serve any good purpose to the movement, it can only be as a Committee to co-ordinate the activities of the constituent bodies on matters of common interest to all, and along lines of policy agreed to and accepted by each constituent body.

2. There can be little doubt that a body of this kind is vitally necessary to the development of the movement and, properly conducted will serve the best interests of the whole movement. All the main matters which today concern the people of South Africa are of equal significance and importance to all sections and all the Congresses.

The popularising of the Freedom Charter and the collection of signatures thereto is work which is common to all the organisations even though each organisation carries it out in the way appropriate to itself and approaches the Freedom Charter from the starting point of the issue uppermost in the minds of that section of the people for which it caters.

The general question of civil liberties and rights of apartheid regulations and of new restrictions, and of administrative action or police intimidation against the people's organisation and their active workers.

3. The National Consultative Committee can only act effectively as the co-ordinator of the movement, if all constituent bodies are constantly at pain to refer to it for its decision and action any matter which is of concern to the whole movement and all its sections. It should not be left to the N.C.C. to decide policy for the constituent bodies on such matters but rather should the constituent bodies decide their own policy in their own field and then through the N.C.C. ensure that the other likewise do what is practicable and appropriate, for them in their own fields. In the past there have been wrong tendencies at work;
- (a) The tendency of constituent bodies to refrain from deciding their policies and to take the apparently easy way out of "referring the matter to the N.C.C. for decision".
 - (b) The tendency of constituent bodies to wait for the N.C.C. to undertake activities which should and can be carried out only by the organisations themselves.
 - (c) The tendency of the N.C.C. itself not to act as a co-ordinator of activities, not to make its first task the bringing of all sections into action simultaneously, but rather to elevate itself to the position of "adviser" to one of the constituent bodies on its own affairs. Both these tendencies must now be corrected by a clear statement of the role and purpose of the N.C.C.
4. It is apparent that the N.C.C. cannot be allowed to override the functions of the existing executive committees of the constituent bodies. How then can its decisions, jointly arrived at, be conveyed to the membership of these bodies? And how can it ensure that those decisions are acted upon promptly? Clearly, if the N.C.C. is functioning correctly, there can be no reason for not permitting it to address the rank and file of the constituent bodies directly, either via branches, national or provincial committees as it sees fit, since all its decisions should be taken only with the approval and support of official constituent bodies. The N.C.C. can and should therefore address its decisions directly to the members of ensuring that those decisions are acted upon swiftly, correctly by those members, is for the leading committees of the constituent bodies to treat the N.C.C. decisions as their own, to honour them, to act upon them, to use their authority with their members to execute them, and to report upon them as though they were their own. Without the real co-operation between the leading committees of the constituent bodies and the N.C.C. at all times on all issues, the N.C.C. must fail in its purpose.
5. It has been questioned whether local consultative committees should be formed on a local, regional or provincial basis. It is our very strong opinion that, wherever, there is an organised unit of three or more of the constituent bodies; whether it be a single town, or in a region or province, a consultative committee should be formed to serve as a centre of co-ordination and joint work at that level, just as the N.C.C. does on a national level. All the considerations set out herein apply equally to such consultative committees which can fail either from trying

to carry their functions too far, to supersede the committees of the constituent bodies; or from the failure of those bodies to give loyal and active support among their own members to the decision of the consultative committee.

6. The question has been raised whether the N.C.C. should publicly exist as an entity and publicly issue in its own name press statements, leaflets, etc. We are of the opinion that it should. While it should be careful not to supercede the functions of its constituent bodies, by such action on matters which are clearly and appropriately the concern of one or other constituent, there are many issues of national importance which are equally the concern of all the constituent bodies and where one statement of the N.C.C. on behalf of all the constituent bodies would be more powerful and important than several different and independent ones. On such occasions we consider it correct that a statement of policy be made by the N.C.C. on behalf of all the constituent bodies, that it should name all these bodies and state that the N.C.C. speaks in the name of them all together.

ON THE STRUGGLE AGAINST PASSES.1. Is this a new struggle?

The struggle against passes has gone on, sometimes fiercer, sometimes quieter for many years. The new round of struggle which is opening as a result of the threat to extend the passes to African women, does not mark the beginning of the struggle but only a new phase. It opens up the possibility of widening and making changes in the whole struggle against passes and of rousing great sections of the people for the struggle.

2. Can victory be won in a single battle?

In such a long drawn out war as the war against the pass laws it would be foolish to expect that victory can be won by a single action of the people. The pass system is the foundation of the whole cheap labour system in South Africa; the ruling class will not easily be forced to give it up. It follows that victory in the struggle against pass laws must not be looked for in every minor skirmish against the enemy. In a long drawn out battle, there will be many minor victories, minor defeats, many advances, many retreats. But final victory for the people means the end of the cheap labour system of South Africa, can only be achieved finally by the overthrow of the ruling class, and by the winning of the Freedom Charter as the ruling policy of South Africa.

3. Is the present struggle item of any importance?

The present struggle against passes for women can well prove to be the decisive turning point of the whole long-drawn out war. There is no aspect of the pass system which will cause such bitter opposition as this; and the present situation therefore enables us to bring thousands of new militant fighters into the struggle, to rouse those who have become accustomed to and tolerant of the pass laws for a new effort and to awaken the conscience and the resistance of those sections of the people - white, coloured, Indian, who do not themselves directly suffer under these laws.

4. Is this a struggle of the women alone?

Clearly the women are in the front rank of the battles now opening. They are the victims the government has singled out for its latest attack. But the struggle is not one for women alone. It is one in which women and men must join together, each helping, assisting and encouraging the other as the circumstances demand. By themselves, the women can perhaps resist the latest attacks. But their resistance would be stronger and lead more surely to victory if the men-folk fight with them. But even a temporary victorious resistance of the women to the present attack will not end the struggle against the pass laws. Alone, it will only postpone the day of the attack till the government can muster greater force. It will only be a breathing space before a new attack in a new direction. This must be a joint campaign of men and women, whose aim is to end the pass system and the government which upholds it.

5. Is the slogan 'Women shall not carry passes!' correct?

It is argued by some, that the present battles will be decided, won or lost on the question of whether the women folk take the new passes. Therefore, it is argued, the political line of the

campaign must be to encourage women under no circumstances to accept the passes. From this line of policy, it is clear, develops the concept that the pass laws can be fought and beaten only by acts of passive resistance - individual or collective - by acts of steadfast refusal on the part of the women to accept the new passes. No one can deny that such acts would be of tremendous significance, advancing the struggle of the people and giving new moral and enthusiasm to the whole campaign. Nothing should therefore be said or done which would encourage such acts of defiance, passive resistance.

But this is not the only way to fight, nor even the best way. Even widespread acts of passive resistance alone cannot, in the long run, deter the government from its course, if it is determined to use all its force, authority and power to enforce its will. This was one of the lessons taught us by the Western Areas Removal Campaign, which we cannot forget. We must not let our enthusiasm blind us to the prospects of overwhelming government force - mass deportations, sackings from jobs, evictions from homes etc. - which can be unleashed against passive resisters, to break their resistance. Passive Resistance is good, effective, valuable at the right time, in the right circumstances. But it is not the only way. And those who hold it out and despair, and to their loss of confidence in our movement.

6. What other slogans can be advanced?

There are other ways of struggle against the pass laws, each of which has its place. Pass laws can be fought by demonstrations and strikes, by petitions and meetings, by boycott and resistance and disobedience, by active struggle as well as passive. Which of these ways is best? This can only be conceived in the precise circumstances in which we find ourselves in each area at any one time. Sometimes one and sometimes another, we must learn from the errors of the Bantu Education and Western Areas Campaigns not to be rigid, formal tied by pre-conceived ideas about the only possible way to forms of action which do not fit the circumstances. We must be ready to use any and every means of struggle which are appropriate and possible at any time and which advance us to our goal.

The campaign against the new passes for women must not therefore be allowed to stand or fall by the success or failure of passive resistance by the women. The campaign must be conducted - as befits a long-drawn out war - with flexibility and skill, now using one weapon, now another, now passive, now active. The slogan to be instilled into the minds of the masses is not therefore 'the women shall not carry passes' but rather 'We shall struggle every inch of the way, against passes', 'down with passes'.

7. How do we decide what precise action to take?

We must rely on the good sense, responsibility and flexibility of our leaders, they must weigh up at every stage of the campaign what the state of organisation preparedness is. What are the people ready to do? What action will meet with the united support of the people and carry forward the struggle. There must be no reckless 'militant sounding' calls to action which are not attuned to the reactions and state of militancy of the people. We must beware of calls to action which do not lead all the people into action but serve only to cut the militant vanguard off from the masses. But we must be active, organising, explaining, agitating the people, preparing them for struggle. And we must be bold, when the time for action comes. Mass work, mass agitation, leading to struggle. This is the A.B.C. of Congress policy of the pass laws.

MEMORANDUM SUBMITTED JOINTLY BY THE AFRICAN
NATIONAL CONGRESS AND THE SOUTH AFRICAN
INDIAN CONGRESS TO THE UNITED NATIONS COM-
MISSION ON RACIAL DISCRIMINATION IN SOUTH
AFRICA.

Mr. J.A. Ramonos,
Principal Secretary,
United Nations Commission on the Racial Situation in South Africa,
Palais-de-Nation,
GENEVA, Switzerland.

Sir,

We note with regret that it is not possible for the U.N. Organisation to accede to the request addressed to you by the South African Indian Congress on the 10th May, 1954 to make it possible for our representatives to travel on United Nations Passport for the purpose of submitting our views to the Commission personally on the question of the Racial Situation in the Union of South Africa.

We are, however, very grateful to you for sending us at our request copies of Resolutions 616 (VII) and 721 (VIII) of the General Assembly, and also a copy of a Statement made to the Press by the Chairman of the Commission on 3rd March, 1954, which have received our very careful attention.

We wish to place on record our deep appreciation to the Commission for the zeal and untiring energy with which it studied the racial situation in the Union of South Africa in the light of the Purposes and Principles of the Charter, with due regard to the provision of Article 2, paragraph 7, as well as the provisions of the relevant articles of the Charter, despite the obstacles placed in its way by the Union Government. We, furthermore, acclaim the publication of the Commission's report as an event of historic importance in helping to eradicate the evils of racial discrimination and thus helping to remove a major cause of world conflict and conflagration.

We submit herewith some material evidence to show that there has been a further alarming deterioration in the racial situation in South Africa as a result of the Union Government's determined and continued efforts to make its fascist policy of Apartheid a living reality notwithstanding the United Nations Resolution on the Question of Racial Conflict in South Africa resulting from the Policies of "Apartheid" of the Government of the Union of South Africa adopted at the 469th plenary meeting on 8th December 1953 :-

1. Attitude of the Union Government:

The attitude of the Union Government can be correctly summed up in the words of the Minister of Native Affairs, Dr. H.F. Verwoerd, who said addressing a public meeting at Randfontein on 17th July 1954: "On farms, Natives were no more an integral part of the economy than wore the oxen. Natives should not be given access to membership of trade unions or any other means of power by which they might eventually rule the Europeans of South Africa". Also at Vereeniging last May 1954: "If economic integration exists because we employ Natives in industry and on the farms, then the asses, oxen and tractors used by the farmers are also integrated into the country because they, too, are indispensable."

He also stated earlier in the House of Assembly on 18th February 1954; "I want to state here as an incontrovertible fact that South Africa will have to be prepared to go further and further along the road of Apartheid". (House of Assembly Debates, 1954, column 802.)

A study of the following legislation enacted inter-alia during the 1953-1954 session of the Union Parliament makes it evidently clear that the Government of Dr. Malan is rushing speedily to strip the African of any vestige of security he may possess, in order to force him to work as a slave on the European-owned farms or in the mines; to deprive the Coloured man of his vestige of franchise right and to throw the South Africans of Indian origin into ghettos. In this process the European worker is also being deprived of some of his hard-won trade union rights and the people of South Africa are finding themselves living more and more in a police state.

2. Bantu Education Act No. 47 of 1953:

The aim of this Act was explained by the Minister of Native Affairs, Dr. Verwoerd, when he introduced the Bill in the Union Parliament on 17th September 1953. He said:

"Racial relations cannot improve if the wrong type of education is given to Natives. They cannot improve if the result of Native education is the creation of frustrated people who, as a result of the education they received, have expectations of life which circumstances in South Africa do not allow to be fulfilled immediately, when it creates people who trained for professions not open to them, when they are people who have received a form of cultural training which strengthens their desire for the white collar occupations to such an extent that there are more such people than openings available. Therefore, good relations are spoilt when the correct education is not given. Above all, good racial relations cannot exist when the education is given under the control of people (the missionary!) who create wrong expectations on the part of the Native himself if such people believe in a policy of equality Then I want to add this and this is very important - that their education should not clash with governmental policy. I suppose honourable members will at once say that we want to give ideological education. I just want to remind honourable members that if the Native in South Africa today in any kind of school in existence is being taught to expect that he will live his adult life under a policy of equal rights, he is making a big mistake."

It is clear that the aim of the act is to give the African an inferior kind of education so as to keep him permanently a hewer of wood and a drawer of water. In the words of Dr. Verwoerd: "There is no place for him in European community above the levels of certain forms of labour."

Moreover, under the Apartheid policy the African masses will be called upon to bear an increasingly larger percentage of the expenditure on African education. The Minister of Finance, Mr. Havenga, in presenting budget estimates for 1954-1955 in the House of Assembly on 24th March 1954, said:

"The direct expenditure on Bantu Education will, as stated, amount to £8,500,000 in 1954-1955 (same as 1953-1954). The collection of Native Taxes is estimated at £2,500,000 of which one-fifth is diverted to the Native Trust Fund. The remaining four-fifths namely £2,000,000, could be regarded as the Bantu's contribution to his own education, leaving a balance of £6,500,000 to be met by the general tax-payer and that any excess over this amount should be met by the Bantu tax-payer himself."

Thus the African people, the poorest section of the South African population, and who make comparatively large contributions to the national revenue through indirect taxation, will have to bear a yet heavier burden for an apartheid education which they resent and abhor.

3. University Apartheid Commission:

The Prime Minister, Dr. D.F. Malan, who is the Chancellor of the University of Stellenbosch, said at its graduation day ceremony on 11th December 1953 that "the mingling of Europeans and Non-Europeans at the two largest Universities in South Africa would have to be eliminated as speedily as possible. The mingling was directly opposed to the policy of apartheid which for many generations had been traditionally applied to and strongly maintained in lower and secondary education."

The Government has appointed a three-Man Commission as a first step towards enforcing apartheid at the Cape Town and Witwatersrand Universities, the two universities which admit a certain number of Non-European students annually.

Criticising the election of two Non-European students to the Students' Representative Council at Cape Town University, Dr. A.J.R. van Rhyen, Minister of Health, said at a public meeting: "The Non-Europeans are here to do unskilled work and I hope the day will come when Europeans will do skilled work only."

4. Native Resettlement Act, 1954:

The purpose of this Act is to set up a governmental machinery for the eviction of African residents from the areas of Martindale, Sophiatown and Newclare in the western areas of Johannesburg and from other areas in the magisterial district of Johannesburg or in other adjoining districts which are proclaimed by the Governor-General as "specified areas". The removal scheme will be carried out by a Board set up by the Government. The Board will be vested with powers to over-ride the City Council of Johannesburg.

The Government plan is to:

- (a) Uproot approximately 75,000 African men, women and children living in the Western Areas of Johannesburg.
- (b) Deprive them of their free-hold rights.
- (c) Rob them of their amenities such as schools, hospital and churches built up over a period of fifty years.
- (d) Remove them fifteen miles away in the bare veld known as Meadowlands where a location will be established with all the irksome and intolerable municipal regulations.
- (e) Force property-owners to sell their properties and in the event of non-compliance to expropriate them.

The Non-European residents of the Western Areas have demonstrated their strong opposition to the removal scheme through public meetings of protest and conferences.

At a conference held in Johannesburg on the 27th June 1954 and attended by over 1,000 accredited delegates from various organisations, a resolution was passed which said: "The attempted uprooting of the people, the destruction of the right to own land, are the most flagrant violation of human rights and elementary justice."

Ex-Chief Albert J. Luthuli, President-General of the African National Congress in a press statement said: "We call the attention of the whole country to the profound racial clash which the Nationalist Government is about to provoke by the forcible removal of 60,000 people from their traditionally established homes in Johannesburg's Western Areas We observe with gratification the tremendous campaign conducted by Europeans, no less than non-Europeans, to shift the Government from a reckless, blood-thirsty and reactionary course."

This is what Dr. B. Friedman, M.P. had to say about the removal scheme during the debate on the Bill in the House of Assembly on 25th March 1954:

"According to their (the Nationalist Government's) conception, therefore, the Natives must never acquire any vested right in the area in which they live and they must even forfeit those free-hold property rights which they already possess. Now we know what apartheid means They must remain a population without any say in their future, a community which can be uprooted and transplanted at our convenience, a labour force with duties but no rights. In short, Mr. Speaker, we can treat them as chattels to be manipulated at will. That is apartheid reduced to its starkest terms."

The Bishop of Johannesburg, the Rt. Rev. R. Ambrose Reeves, commenting on the removal scheme in the "Watchman", official organ of the diocese of Johannesburg stated: "A scheme such as that embodied in the report is little other than a refined form of torture. It is obvious that the scheme is only part of a far greater plan to remove vast numbers of Natives from their present homes. A quarter of a million people might well be affected."

5. Native Trust and Law Amendment Act, 1954:

It is estimated that this Act will affect about one million Africans, men, women and children. These are people who are either "labour-tenants" on European-owned farms or those known as "squatters" who have rented plots from European farmers on the basis of payment of rent in cash or crop-sharing.

As there is a big shortage of cheap farm labour on European farms, the purpose of the Act is to provide for the control of the number of "labour-tenants" which each white farmer could keep on his land and to uproot "squatters" without the obligation on the Government to provide any alternative land.

The uprooted Africans will not be able to find a place in the already over-crowded African areas; they are prohibited from going to urban areas to find employment and thus they will be forced to go and work as slaves on European farms.

6. Native Labour (Settlement of Disputes) Act, 1953:

The purpose of the Act is:

- (i) to deny African workers the right to have recognised trade unions;
- (ii) to prohibit any African worker from taking part in a strike or any other person to instigate a strike. Any person who contravenes these provisions is liable, on conviction, to a fine up to £500 or imprisonment for a period up to three years; and
- (iii) to keep wages of African workers low.

The Minister of Labour, Mr. Schoeman, in introducing the Bill in the House of Assembly stated: "it is perfectly obvious that the stronger the Native trade union movement should become, the more dangerous it would be to Europeans in South Africa. They will use them as a political weapon. I think we would probably be committing race suicide if we give them that incentive."

7. Immigrants' Regulation Amendment Act, 1953:

This law is directed only against South Africans of Indian or Asian origin - and deprives them of a fundamental right. The net effect is to deprive an Indian of the right to bring into the Union his wife if the marriage is contracted outside the borders of the Union after 10th February, 1953.

The Act also provides inter-alia that:

- (a) If a wife of an Indian, already domiciled in South Africa but not born in South Africa, proceeds abroad and overstays the period of three years, she will lose the right of re-entry. The same would apply to a child already domiciled in but not born in, South Africa.

- (b) A child of parents already domiciled in South Africa who is born outside South Africa after 10th February 1954 cannot be brought by its parents into South Africa. This applied in spite of the fact that, if the birth of the child is reported to the appropriate South African authorities the child would automatically become a South African citizen under Section 6 of the South African Citizenship Act of 1949.

The rights of non-Indians in this respect are not affected by this measure.

8. Group Areas Act takes its toll:

The resolution on the Treatment of People of Indian Origin in the Union of South Africa adopted at the 457th plenary meeting of the United Nations Assembly on 11th November 1953, noted inter-alia:

"5. Expresses its regret that the Government of the Union of South Africa;

- (c) Has continued to implement the provisions of the Group Areas Act in spite of the provisions of three previous resolutions;"

The Land Tenure Advisory Board set up in terms of the provisions of the Act is using the law to impose unbearable hardships on the Indian and non-white people.

- (a) Thousands of Non-European owned and occupied stands have been "defined" in terms of the Group Areas Act so that no extension to existing buildings and no building operations on vacant plots could be carried out.
- (b) Several hundred Indians and Indian companies have been served with notices to sell their properties worth hundreds of thousands of pounds, just because some minor technical errors were committed by the Indian owners in the process of acquiring or during the course of holding these properties.
- (c) Indians are also forced to sell their properties and the proceeds from these sales go to the Consolidated Revenue Fund of the Government.
- (d) Indian charitable, educational and religious institutions are also forced to sell their property which include places of worship.
- (e) The Land Tenure Advisory Board has been considering plans for the creation of racial groups in fifteen different centres. The Board has already submitted to the Minister of the Interior its recommendations for the establishment of group areas in Durban. These recommendations if implemented would uproot thousands of non-white citizens of Durban and force them to live in ghettos.
- (f) The Land Tenure Board during its public sittings to consider plans has gone out of its way to rule that the representatives of bodies like the Transvaal Indian Congress, the Natal Indian Congress, the Congress of Democrats and the Indian Ratepayers Associations were not entitled to make representations on the specious plea that only individuals with direct pecuniary interests had a right to raise objections before the Board and not organisations, even though the interest of their members was involved.

The operation of the Group Areas Act is nothing less than legalised robbery and if allowed to continue will bring untold misery, starvation and ruination to the non-white people.

9. Other Racially Discriminatory Legislation:

These include the following:

- (a) Reservation of Separate Amenities Act, 1953:

Giving the right to persons in charge of public premises or public vehicles to set apart or reserve such premises or vehicles or any

portions of such premises or vehicles for the exclusive use of persons belonging to a particular race or class. In other words, legalising inferior service for the Non-European sections.

(b) The Criminal Procedure and Jurors Amendment Act, 1954:

This Act lays down clearly that no Non-European shall ever have the right to serve as a juror.

10. Towards a Police State:

As we have endeavoured to show by a brief summary of the racial apartheid legislation placed on the Statute Book of South Africa since the last session of the U.N. Assembly, the Nationalist Government of Dr. Malan is in indecent haste to reduce the non-white population to a status of serfs - ensuring cheap labour for the white farmers and the mining companies.

In order to achieve its nefarious aim the Government has resorted to police terror, intimidation and the use of dictatorial powers in order to strangulate the growing democratic, lawful opposition of the people against Nationalist policies. Every legal and judicial safeguard against despotic government is being destroyed systematically and completely.

(a) Riotous Assemblies' and Suppression of Communism Act, 1954:

The Minister of Justice, Mr. C.R. Swart piloted this amendment through Parliament in order to nullify the effect of the unanimous judgement given by the Appellate Division of the Supreme Court of South Africa in the case of Johnson Ngwevela versus Regina in which the learned judges came to the conclusion that "the appellant was entitled to be given an opportunity of being heard before the Minister exercised his powers under Section 9" to ban a listed "communist" from attending any gathering of more than two persons.

The effect of the law, therefore, has been to re-impose the ban automatically on almost a hundred respected and popular national leaders and trade unionists from attending "gatherings" without being given the opportunity of being heard.

Moreover, in terms of the provisions of this amending legislation, the Minister arrogated dictatorial power unto himself to prohibit any gathering not only for a certain period but also to prohibit a gathering in a particular place for a particular day of the week for a specified period at his sole discretion.

This amending Act also made provisions to prevent a banned person from taking his seat in Parliament even if elected lawfully under the electoral law of the country.

(b) Yet another Member of Parliament banned from Parliament:

Miss Ray Alexander who was elected by a very big majority by the African voters of the Cape Western constituency to fill the vacancy created by the expulsion of Mr. Brian Bunting from Parliament under the Suppression of Communism Act, was prevented from taking her seat in the House of Assembly under the Riotous Assemblies' and Suppression of Communism Amendment Act, 1954.

This has been a gross travesty of justice and a blatant violation of the right of the electorate to choose the candidate of their choice to represent them in Parliament.

(c) Banning Orders:

The Minister of Justice has made indiscriminate use of the Suppression of Communism Act to force popular and outstanding leaders, both white and non-white, of the national organisations and the trade union movement to resign and never to become members ever again of lawful democratic organisations of the people. They are also banned from attending any gathering of more than two persons.

These persons include among others, Mr. J.B. Marks, President of the Transvaal African National Congress, Mr. Moses Kotane, executive member of the African National Congress, Mr. David Bopape, Secretary of the Transvaal African National Congress, Dr. Y.M. Dadoo, President of the South African Indian Congress, Mr. Johnson Ngewavela, leading member of the Cape African National Congress; many leading trade unionists including Mr. Solly Sachs, Secretary of the Garment Workers Union, Mr. Eli Weinberg, Mr. Dan Tloome, Miss Ray Alexander, Mr. I. Woolfson, Mr. S.V. Reddy, Mr. W. Kalk; and many leading personalities like Mr. Sam Kahn and Mr. Brian Bunting, ex-M.P's, Mr. Fred Carneson ex-M.P.C., Miss Hilda Watts ex-City Councillor of Johannesburg, Mr. M. Harmel and others.

(d) "Statutory Communists"

For taking part in the campaign of Defiance of Unjust Laws conducted jointly by the African National Congress and the South African Indian Congress in 1952, many top-most leaders of the African and Indian people were arrested under the Suppression of Communism Act and were convicted for what the judge of the Supreme Court of South Africa termed "Statutory Communism".

Most of these "convicted" leaders have now been forced by the Minister of Justice to resign from their organisations and banned from taking part in any gatherings of more than two persons meeting for a common purpose. The leaders so banned include Mr. Walter Sisulu, Secretary of the African National Congress, Dr. Njongwe, President of the Cape African National Congress, Mr. Robert Matji, Secretary of the Cape African National Congress, Mr. Mana Sita, President of the Transvaal Indian Congress, Messrs. Maulvi I.A. Cachalia and N. Thandray, joint-secretaries of the Transvaal Indian Congress.

(e) Banned under the Riotous Assemblies Act:

Ex-Chief A. Luthuli, President-General of the African National Congress has been banned from public gatherings and his movement confined to the magisterial district of Tugela, in terms of the provisions of this Act on the specious grounds that his activities are calculated to create hostilities between whites and non-whites.

Mr. Nelson Mandela, an attorney and an outstanding leader of the African National Congress is also banned under this Act.

It is well-known that both these outstanding personalities have devoted their energy in the cause of unity of all peoples, both white and non-white, in the struggle for democracy and freedom.

Mr. Yusuf Cachalia, the joint honorary Secretary of the South African Indian Congress, was banned under the Riotous Assemblies' Act from attending any gathering to which the public had access in 1953. He was unlawfully arrested on 28th June 1953, at a closed conference held on the question of opposing the removal of Western Areas in Johannesburg. Subsequently he was banned from attending any gatherings under the Suppression of Communism Act. This ban on him is still in operation.

(f) Police Interference at Meetings:

Recently it has become the practice of the police to interfere with lawful meetings of citizens in an attempt to intimidate and scare the people.

At several meetings the police armed with Sten guns had barred all the entrances to the hall and forced every member of the gathering to give his or her name and address.

At the Conference of Protest against the Removal of Western Areas held at the Trades Hall, Johannesburg on 27th June 1954 one hundred armed police entered the building, and took the name of everyone present. "We are investigating a case of treason", the police said.

At a conference of the Congress of the People sponsored by the African National Congress, the South African Indian Congress, the Congress of Democrats (European) and the South African Coloured Peoples' organisation held at the Trades Hall, Johannesburg on 25th July, 1954, and attended by 1,200 delegates, Special Branch men forced entry into the meeting and took notes of the proceedings and took down the registration numbers of cars outside the hall. The sponsors petitioned the Supreme Court for an interdict stating the police attendance at the meeting was "a gross invasion of rights and that the police acted unlawfully in insisting on attending and refusing to leave when ordered to do so."

The petition was presented to Mr. Justice Blackwell on the same Sunday and he ruled:

"They (the Police) claim that they are acting lawfully in the performance of their duties as under instructions from Superior authority in the police, but they have not been able to produce to this court any documentary powers, any search warrant, or other document entitling them to act ... I think, therefore, the right course to take is to order the police to refrain for the rest of today from interfering with the proceedings of this gathering, and to give them an opportunity of showing cause why they have acted, as admittedly they have done, under penalty of being interdicted in the future ..."

(g) Pass Laws and Police Brutality:

The Pass Laws are being applied with greater ruthlessness in order to hound out Africans from the urban areas where they congregate to seek employment in industries and force them back to the farms and the mines.

"The Native has to live in the world of passes, reference-books and date-stamps, and if his papers are irregular he pays for it by deportation, goal or 'voluntary' work on a farm ... The big new influences on the pass laws recently were the enactment of amendments to the Native Urban Areas Act (the basic 'pass' law), the setting up of Labour Bureaux in the towns, the passing of the Prevention of Illegal Squatting Act, and the issuing of the reference book with the so-called abolition of passes, which has actually meant a stricter pass system than before", says a special correspondent writing to the Rand Daily Mail of Johannesburg on 21st July 1954. More and more farm-goals are being established in various parts of the country in order to provide convict-labour for the farms.

The horrible ill-treatment of prisoners most of whom are the innocent victims of the notorious pass laws has come to light as a result of exposures of prison conditions made public by Mr. Manilal Gandhi and others who served prison sentences as volunteers in the Defiance Campaign.

11. Congress of the People:

Your commission in its report to the United Nations General Assembly at its last session recommended, inter-alia:

"The United Nations might suggest ways and means in which the Union might draw up a new policy: for example a round table conference of members of different ethnic groups of the Union, which would, in an effort towards conciliation, make proposals to the Government to facilitate the peaceful development of the racial situation in the Union of South Africa. The United Nations might offer its help to that conference by sending a number of United Nations representatives, so that all parties might be sure that the principals of the Charter would guide the debates."

In view of the intransigence of the Union Government it is almost impossible to expect such a recommendation receiving a favourable response from Dr. Malan's Government in the foreseeable future.

However the African National Congress has taken initiative in the matter and together with the South African Indian Congress, the South African Congress of Democrats and the South African Coloured Peoples' Organisation is proposing to convene a Congress of the People by not later than June 1955.

For the first time in the history of South Africa all racial groups are co-operating to bring about an assembly elected directly by the people throughout the country to frame a Freedom Charter embodying the demands and aspirations of all sections of the South African population.

The sponsors of the Congress of the People have issued invitations to Dr. Malan, the Prime Minister, Mr. J.G.N. Strauss, leader of the United Party and other leading organisations to participate in the work of organising this Congress.

12. Now is the time to act!

As Canon John Collins, Precentor of St. Paul's Cathedral, correctly and timeously pointed out to a Press Conference in London after his return from a visit to South Africa, the racial situation in South Africa was "extremely tense and serious".

Canon Collins went on to observe: "The oppressed people - the Africans and Coloureds - are in danger of losing patience. There is little time if the problems are to be resolved without violence and bitterness. South Africa is ruled by something which is near to a police state as anything can possibly be, if it is not actually one already.

"We are up against something which is getting very close to the situation which developed in Germany before the war. It threatens the peace of the world if not today then at least at some future time.

"It bedevils all race relationships everywhere else."

No truer picture could be painted of the present explosive situation in South Africa. Apartheid is a positive danger to all that is good in human society.

No non-white person in the Union of South Africa is safe from persecution and prosecution. The people cannot be expected any longer to take it lying down.

The Western Areas Removal Scheme has so incensed the non-white population and also European democrats that the following call to the people has been issued on behalf of the African National Congress, the South African Indian Congress, the South African Congress of Democrats and the South African Coloured Peoples' Organisation by Chief A.J. Luthuli on 29th July 1954:

"We call, therefore, for a great nation-wide campaign to rouse the people against apartheid and to prepare them for decisive steps to defeat it and root it out from the seat of power. Our campaign will fight apartheid in all its guises, in the Bantu Education Act's attack on education, and in the Industrial Conciliation Act's dismemberment of Trade Unions; in the Group Areas Act's plunder of non-European citizens and in the Coloured Vote Act's threats of heavier discriminations. But the centre of our campaign will be the threat to the Western Areas, since this is the battle field the Nationalists have on which to prove their unrestrained might and on which to inflict unforgettable defeat on men who believe in human rights and liberties.

"We call on the citizens of South Africa to take part in the campaign we have launched. We call for 50,000 South Africans to volunteer for active, intensive work in our campaign, mobilising a spirit of resistance to apartheid and carrying to every corner of the country the message that we must stand and fight till apartheid is defeated. Our volunteers must rise to new heights, greater than even during the Defiance Campaign, the spirit of our people of all races to win the freedom by their own efforts. Our volunteers must carry throughout the country the message of the Congress of the People, and must gather in the demands of our people, for the Freedom Charter which will be adopted at the Congress of the People. 10/...

"Our volunteers must meet the reckless violence and reliance on force of the Nationalist Government with discipline, a refusal to be provoked, but a determination to carry on their struggle till our liberty is won. Our Provincial Organisations have already set up the machinery for our Volunteer Corps. We call upon those who love liberty: Let us have 50,000 volunteers, now, to beat Verwoerd! Let us prepare to go forward together, to freedom."

In conclusion we submit that the racial situation in the Union of South Africa has become unbearable and that the Union Government continues to flout and override the United Nations Charter, the Declaration of Human Rights and consistently ignores the decisions of the United Nations Assembly.

In the light of this situation we can only hope that the United Nations Organisation in the interest of world peace and the proper implementation of the principles of the Charter will act expeditiously and take concrete measures to eliminate the evils of racial discrimination and apartheid in the Union of South Africa.

In so far as the African National Congress and the South African Indian Congress are concerned they will continue to work and struggle with determination to win freedom and bring about full and equal rights and opportunities for all regardless of colour, creed or sex.

We remain,

Yours sincerely,

for the African National Congress,

Walter M. Sisulu
Secretary-General.

for the South African Indian Congress

Yusuf Cachalia
Joint Honorary Secretary.

P.O. Box 9207/2948
Johannesburg, South Africa
28th July 1954.

UNITED NATIONS RESOLUTION

TREATMENT OF PEOPLE OF INDIAN ORIGIN IN THE UNION
OF SOUTH AFRICA

The General Assembly:

RECALLING that at several sessions it has considered the question of the treatment of people of Indian origin in the Union of South Africa and has adopted resolutions on that subject.

HAVING NOTED the report of the United Nations Good Offices Commission (A/2723).

1. EXPRESSES APPRECIATION of the work and efforts of the Good Offices Commission;
2. SUGGESTS to the Governments of India, Pakistan and the Union of South Africa that they should seek a solution of the question by direct negotiation;
3. SUGGESTS moreover, that the parties concerned should designate a Government agency or person to facilitate contacts between them and assist them in settling the dispute;
4. DECIDES that, if within the next six months following the date of the present resolution the parties have not reached agreement on the suggestions made in the foregoing paragraphs, the Secretary-General shall designate a person for the purposes specified above;
5. REQUESTS the Secretary-General to report to the General Assembly at its next regular session on the results obtained.

4th November, 1954.

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TREASON TRIAL, 1956 1961

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