

*undated* [ANC memo - undated] N10.7

REPLY TO NOTES OF A MEETING WITH THE  
CHIEF NATIVE COMMISSIONER, CHIEF OF  
THE POLICE, and MANAGER OF NATIVE AFFAIRS  
FOR THE CITY COUNCIL OF JOHANNESBURG.

We have carefully perused the notes of the Chief Native Commissioner, Chief of Police and the Manager of Municipal Native Affairs being a reply to our Memorandum therein referred to. Our chief regrets are that the City Council was not represented by the Chairman of the Native affairs Committee as some of our criticisms may affect the administration of the Manager or the general policy which we take it, is laid down by the Native Affairs Committee. We beg leave to register a protest against the procedure whereby important questions affecting our wellbeing under the Municipality have to be decided and disposed of by the Manager and not by the Native Affairs Committee.

We would be failing in our duty if we did not take the earliest opportunity to express our thanks to the Chiefs of the Police - Colonel Godley and Major Loftus - for their presence and the interest taken by them in our affairs and difficulties. It is proper that they should know from us how greatly they have advanced in our opinions the prestige of the Police and how greatly we appreciate the free explanation of their own difficulties. It is true that the Police do not make laws and that sometimes they have to administer laws which they themselves do not approve. In any event we expect them to show a greater measure of tolerance and humane treatment of our people who in a great many cases find themselves in the category of wrong doers by reason of the multifarious regulations with which they are hedged round. We may in the course of our examination of these notes find occasion to say things un-



unpalatable to the Police. We feel sure that the Chief of the Police will forgive us and will understand that right deep our hearts is a burning desire to have certain reforms effected.

The Chief Native Commissioner, we must regretfully confess, has not made out a satisfactory and convincing case as to why the Regulation we referred to in the first paragraphs of our memorandum should not be applied in the Witwatersrand Area. He would have us believe that the procedure laid down in that Regulation is obviously and exclusively intended for the country districts. He does not say how the collective opinion of the people falling under his jurisdiction is being consulted and informed. The occasional visits to locations and occasional interviews he has with certain bodies and groups of persons do not in our candid opinion meet the case at all. We presume that in these visits to Locations he meets the officials and not the people of the locations. We feel sure that if he had consulted African opinion on the Reef by means of a conference like this he would have not decided so hastily and deprived us of the only channel we have of approaching in a representative character the heads of the Department, when it is recognised that we are now under a Government by Regulation, the necessity of such a conference becomes all the more imperative. May we with all due respect ask the Chief Native Commissioner to reconsider the matter and to enable us to see him in a Conference like this at regular intervals?

Ad reply to Point 2 of the Memo: We observe that while the Chief Native Commissioner agrees with us that "unnecessary harrassing of the African people should be avoided", the Police consider the method (which constitutes our chief grievance) of rounding up our people for petty offences to be productive of good results in that it leads to the removal of bad characters and loafers. May we be informed of the meaning of the word "loafers" under the Pass Laws and what distinctive



distinctive difference is there between "loafers" and "unemployed"? We admit that we have, in common with all races of mankind, bad characters among us, as well as unemployed. But just how a loafer and an unemployed differ in the eyes of the law and its administration, we should certainly be grateful to know. It is understood, we take it, that there are men who earnestly look for work and who because they are unable to find it within the extended period of their permits decide to go on without them until they find it. Should they be arrested for being in the area without proper passes - they are presumed to be loafers and bad characters. Hence the query.

Ad reply to Point 3 of the Memorandum. While we feel exceedingly grateful to the Chief Native Commissioner for a candid exposition of the policy pursued "to ensure that not more labour comes to the Witwatersrand than can be absorbed", the whole policy, however, discloses to us a vicious circle. We do not doubt the vigilance and solicitude of the Chief Native Commissioner in this matter, but two or more statements of his are difficult to be reconciled. After giving us figures from his barometer showing that since 1927 there have been unemployed among the African people, he states:

"I am always reluctant to cut off labour by wiring to the territories because it is disappointing to the labourers and it is unsettling to the whole labour market which takes a very long time to get to normal";

and then again he says:

"In order to insure that Natives who come to the Witwatersrand in search of work should have the opportunity of employment of every class. I have allowed certain people in Johannesburg to engage natives here for employment elsewhere

Further the Chief Native Commissioner says:

"If and when, therefore, a Native says he cannot find employment, it may be generally stated that it is the particular class of employment on which he has originally set his heart".



From these statements we may be forgiven to infer that the motive behind the policy enunciated is chiefly to inundate the labour market with redundant labour in order that the labourer may not have an opportunity to bargain for an economic wage. The plea that the labour market will be unsettled by a restricted policy sounds reasonable, fair and just for the employers, but certainly most tragic, unsatisfactory and demoralizing for the labourer. The acknowledged permission given to "certain people in Johannesburg to engage natives here for employment elsewhere" confirms the feeling we have always had that behind the Pass System there is a sinister motive backed up by the employers, enforced by the Native Affairs Department and the Police whereby all pass bearing Africans are stampeded into the hands and thrown to the tender mercies of the traffickers in human flesh (i.e. recruiting agencies) and employer-sharks, so that those who fear the consequences of the raids may fall into and accept any conditions of labour and scale of wages as may be rendered imperative by this heartless and sordid system. We feel convinced that if the Pass Laws did not seek in any way to perpetuate a condition of compulsory labour, few white men would support them. So that then the contention that the raids on passless Africans have been productive of good results and have minimised crime is indeed a mere camouflage. We contend that by these raids the Police do not seek loafers and bad characters, but that they are consciously or unconsciously assisting to deprive the African the right to bargain for better conditions of life, wages and employment. The Chief Native Commissioner admits that some workers do not find employment they have at heart. How can they when the market is so organised under the Pass system as to keep them on the road all the time. By its inundation, deliberately engineered, no African worker has an opportunity to show industry efficiency and capacity which would mean everything to him. The tragedy of it all lies in its reaction on our families, the lowering of our morals, turning our womenfolk



into jailbirds and liquor queens and our young men into thieves and pilferers together with all the crimes and felonies associated with poverty and depression.

We believe that the Chief Native Commissioner is a Christian and that his conscience cannot be dead or so dead that he can turn a deaf ear to our appeal for the reversal of his policy. We know that the conditions obtaining in rural areas due to frequent droughts and congestion if not also bad treatment on private farms are responsible for the unprecedented influx of our people into industrial areas. But to allow these people to flock in in this haphazard manner is it not tantamount to getting them to jumping from a frying pan into the fire! Both the industries and the labourers would benefit immensely by limiting the supply of labour to a strictly economic margin so that a demand which must eventually carry with it a steady rise in wages may be created. Once industries find they have to put up with a restricted supply for labour they will seek efficiency and productivity in all classes of labour, with the result that crime and all the excuses at present justifying the existence of the Pass system will be considerably reduced. We do not hesitate to say that if our appeal succeeds there will be no difficulty in finding a solution for unemployment among the whites. The Government has appointed a Conciliation Commission for African workers. It is difficult to understand how he is expected to bring about conciliation when employers know that there is more labour at their door to worry about disputants.

We do not propose to discuss the question of labour shut out from industrial areas, except that if the Chief Native Commissioner will decide to hold regular conferences with us, we shall make it our business to bring forward concrete suggestions. Let us at once say that in this discussion we have for a time left the mines out of its purview.



Ad reply to Point 5 of the Memo: We gratefully accept counsel given in this matter and pray the Chief Native Commissioner to throw the whole weight of his high office in support of our appeal on the following item.

Ad reply to Point 6 of the Memo: May we here be permitted to record our sincerest and profound gratitude to Colonel Godley for the circular. The Chief of Police may not realise how much of the burden he has lifted from our shoulders. We would, however, be failing in our duty if we did not, under this head, solicit the co-operation and sympathy of the Chief Native Commissioner and the Chief of Police in obtaining a liberal and just administration of the Native Urban Areas Act by the Municipal Council of Johannesburg with regard to rent defaulters. We have at the head of the Municipal Native Affairs Department a Mussolini who rules with an iron hand. The provisions of the Act are being applied with a vengeance. Those in arrears with their rents are surreptitiously arrested and imprisoned with thieves and robbers. While serving their time, their household effects are seized and disposed of. We humbly beg the Chief Native Commissioner and the Chief of Police to intervene on behalf of our people. The law has provided for double punishment for any defaulter but we urge that such defaulters should be brought to Court under criminal summons rather than be arrested, and locked up. We further urge that a man's property should not be executed without a process issued by the hand of a clerk of a competent court.

Ad reply to Point 7 of the Memo: This matter has been referred to the ~~Central National~~ Executive of the African <sup>National</sup> Congress for consideration and action.

Ad reply to Point 8 of the Memo. For want of any definite proof and until the ~~Central National~~ Executive of the African National Congress has devised other means necessary for the purpose of carrying on the



suggestions made, we propose to accept the assurance given by the Police.

One other matter of urgency which was inadvertently omitted in our Memorandum. Our attention has been called to a serious state of affairs affecting the manner by which short time African prisoners are conveyed to Yokeskei. We are informed that these prisoners are made to walk all that distance on foot before mounted police. Will the Chief Native Commissioner please investigate the matter and if our information be correct to make necessary representations to proper quarters so that these unfortunate people may be found better method of conveyance.

**Collection Number: AD843**

**XUMA, A.B., Papers**

***PUBLISHER:***

*Publisher:-* **Historical Papers Research Archive**

*Location:-* **Johannesburg**

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