

finger. (1946?) 7016.3 undated (Anti-pass.)

We have tried to meet the Government and present your petition but so far the Government has refused to see us. All sorts of excuses have been used so far.

Here is a letter from the Prime Minister's Office in proof of my contention. It was a reply to mine as Chairman of the National Anti-pass Front.

In one letter from the Prime Minister we were put off on the grounds that "Amongst the questions dealt with at the recent meeting of the Natives' Representative Council was the pass question and other relative matters. . . . that this Council officially represents the native people in the Union and that their representations made by them were at present under consideration. It was accordingly suggested that the interview should be deferred." This was ~~not~~ September 1945 but nothing came of the consideration of the representations made by Natives' Representative Council.

There is now ~~no more evidence~~ another Commission needed the pass laws under the chairmanship of Mr Justice Dagan, a former Minister of Native Affairs - a man who had definite views on the pass laws - and was not against them either. This Commission was redundant.

There is no more convincing evidence required to condemn the pass laws than the statements made by the late Colonel Seneff, Lt Col, Major Piet Vander Byl and Mr D. L. Smuts inter-departmental Committee Report.

Colonel Keetz said "I do not believe that there is anything that is the cause of more race friction in South Africa between white and black than the Pass laws. When I see these men (Africans) marked about Johannesburg in large numbers as if they were criminals I feel a sense of shame. I shall write a memorandum on this subject for the Prime Minister, Paul Smuts." he concluded.

In reply to Mr. Molteno's motion for the abolition of the pass laws on 14th March 1944 said "I think I am right in saying that no fewer than 348,000 natives in three years' time had been arrested for pass offences, and that all but 30,000 of them had been fined or sent to gaol. It was known that in many cases the offenders were young, innocent juveniles who never before had been in contact with the law. All of us know that people have a fear of the police and of the law, and once they had got into contact with the law and had been brought into the police court and had been put into gaol, that respect for the law, disappeared. That was not the only danger, the danger was that they were brought into close contact in many cases with hardened criminals."

Can there be any stronger argument to convince any reasonable and reasonable being for the abolition of the pass laws?

The Smit Committee ~~par 306~~ concludes its review of the pass laws in the following terms par 306 "These laws create technical offences which involve little or no moral opprobrium. The Committee has reached the conclusion that rather than perpetuate the state of affairs described above, it would be better to face the abolition of the pass laws. It considers that in the meantime instructions should be issued to authorised officers to enforce the Pass Laws only when there are reasonable grounds for suspecting that some offence has been or is about to be committed."

This thoughtful and constructive statement was used in support of conclusions reached by the Interdepartmental Committee 1920, the Native Economic Commission 1930-32 and the Young report of 1939. Jagan Commission therefore must be looked upon as delaying tactics while the Govt is consolidating its schemes & plans to entrench the Pass Laws.

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