

Copy of letter written by
Councillor P. R. B. Lewis,
Chairman of the Non-European
Affairs Committee of the
JOHANNESBURG CITY COUNCIL.

Post Office Box 2543,
JOHANNESBURG.

Saturday:
April 9, 1960.

Dr. the Hon. M.D.C. de Wet Nel, M.P.,
50 Marks Building,
Parliament Street,
CAPE TOWN.

Dear Dr. de Wet Nel:

When Mr. Koller and I interviewed you on the 24th March, you kindly asked me to submit a memorandum to you setting out the matters we raised in our discussions.

Our visit to you was three days after the riots at Sharpeville and Langa, and we felt it advisable to acquaint you of the position in Johannesburg as we saw it. Because of the huge population of 380,000 in our South Western areas, we were anxious to do all we could to prevent rioting spreading to that area.

With this purpose in mind we informed you of the meeting we had called for the afternoon of the 23rd March with the Joint Advisory Boards. We had asked the members to meet our Non-European Affairs Committee so that we could request them to do all they could to assist in maintaining law and order in our townships. We were very gratified at the responsible manner in which the Advisory Boards put forward their views, and the members said that they would do what they could, but pointed out to us some of the difficulties they experienced.

1. They voiced their feeling of frustration in that their function, only being advisory, they felt that from time to time the Municipal Council had not taken sufficient cognizance of their views.

2. They realised that a number of matters were beyond the jurisdiction of the Council and that they had no

direct contact with the Government.

3. They stated that their own people did not regard them as the true leaders, and were inclined to look upon them askance because they were prepared to serve on the Advisory Boards and thus collaborate with the Europeans.

4. They informed us that the Pan Africanist Congress was formed because some of the younger members of the African National Congress felt the African National Congress was too moderate. They stated that by the embodiment of the removal of the Pass Laws in their programme, the Pan Africanist Congress knew they would obtain the sympathy of a large number of the Bantu.

5. Regarding the Pass Laws themselves, the main difficulties appear to be as follows:

(a) The necessity to produce Reference Books on demand:

It is the enforcement of this provision which results in the summary arrest and jailing of many thousands of Bantu every year, their only crime being a technical one of not being able to produce their Reference Books on demand. In spite of previous announcements by the Hon. the Minister of Justice that the Police would be more lenient, we knew of numbers of instances where Natives have been arrested and jailed for not being in possession of their documents when, in fact, these were reposing in the pockets of their jackets inside their houses or rooms when the Native in question was talking to his friend across the road, or had been sent on a short errand by his employer. This causes keen resentment.

(b) Exemptions:

The loss of the old "exemption certificate" to those specified classes of Natives previously entitled to this privilege, has been a source of considerable

heartburn and resentment, and it was suggested that identity cards instead of reference books should be issued to approved persons of proven character and standing in their community. Such a step, it was suggested, would win the support of the most influential section of the Native community and achieve the important effect of linking and associating such a class of man with the authorities, because being a recognised member of an elite class he would be most unlikely to participate in subversive activities which he knew would result in the loss of his most valuable and coveted privilege, namely, his exemption identity card which freed him from the requirements of the ordinary worker. The exempted Natives would form a law-abiding class who would be a stabilising factor in Native society.

(c) Naturalisation of Foreign Natives:

It was suggested that consideration should be given to making it possible for foreign Natives who have been in the Union for a considerable period, who have been Union taxpayers for many years, and who are married to Union women, to become naturalised. These people claim to have voluntarily severed all connections with their erstwhile countries of origin and desire to be lawfully integrated into the Union's Native population. The present policy is to administratively relieve the foreign Native who has been in the Union since 1934 of the disabilities applicable to foreign natives, provided he can establish by documentary or other unassailable proof that he was lawfully in the Union at that date. The onus of proof is so heavy that in the large majority of cases the Native finds it impossible to discharge it, and there are many homes being broken up as a result. Facilities exist in practically every country in the world for foreigners to be naturalised on certain conditions, and it is suggested that the number of foreign Natives who would qualify for naturalisation

along the lines outlined above would be small in relation to the whole population, and there is no doubt that such a concession would have a considerable moral effect, and would free the local authorities from the accusation of heartlessness which presently accompanies the strict action which has to be taken against these persons in terms of Section 12 of Act 25 of 1945.

(d) Witwatersrand as one Influx Area:

Considerable hardship is caused by each local authority on the Witwatersrand being a separate Influx Control area. We know this is a controversial matter as between local authorities, but as far as employers and the Native population are concerned this causes considerable difficulty and very great hardship.

(e) Freedom of Movement:

Hardship is often caused when a person who is in employment in Johannesburg loses his employment through no fault of his own, such as his employer going out of business or leaving the area, has to return to his rural area before he can again seek work in Johannesburg, when very often another employer is prepared to engage him immediately.

(f) Another example is where parents may qualify to enter Johannesburg, but their children do not. We had a recent example of a clergyman and his wife who were transferred to Johannesburg, but the family had to be broken up because the son was over 18 and did not qualify to enter the City.

To my mind one of the very real difficulties in this whole problem is that so many of the Native population are unaware of the detailed regulations which govern their movement that they find themselves on the wrong side of the Law. Another difficulty is the number of channels through

which permission has to be sought by the work seeker. It is felt that this matter was much simpler before the amendment of Section 10)1) (d) of the Urban Areas Act in 1957. Prior to this amendment the Municipal Control Offices had more authority, and it is felt that if a local authority was allowed more discretion it would not allow an unchecked flood of Native workers into its area, well knowing that such action would result in an additional strain being thrown on its housing, medical, welfare and recreation resources. We also find that very often officials who have to administer these Laws are themselves confused about the detailed regulations, and in their desire to deal with the large queues they have to handle, make arbitrary decisions which can have serious repercussions on family life.

I have detailed these matters as I think you will appreciate that the Native mind associates with his reference book the difficulties he experiences in many of the matters with which I have dealt.

When I reported back to the Advisory Boards on my interview with you, they again expressed the desire that direct consultation should be placed between them and representatives of the Government. I myself have found this consultation most valuable and trust it will be possible for you to give this matter your consideration. I feel the Advisory Boards have played their part in maintaining the relative calm that has prevailed in our townships during this difficult period, and I am sure that this was in no small measure due to my being able to report back to them so promptly that I had passed on their difficulties to you and the sympathetic hearing you had given me in Cape Town.

I read from the Press that you are appointing tribal representatives for the Urban areas, and while these persons will be able to act as liaison between the Chiefs and the persons resident in the Cities, the urban

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