

resolution and with the subsequent conduct of the accused after the strike had broken out, and for these reasons he says that no distinction can be made between him and any other of the accused. He did it, for the reasons everybody else did it, because he had the abiding conviction that he was doing the right thing. It is an honour to represent these people and I can only say that I am rather proud to be in their company.

I should like to say that Your Worship's function is a very difficult one. Nevertheless from a legal and moral point of view I request on behalf of myself and my colleagues that our request be acceded to, and I urge Your Worship to accede to this request for a caution and discharge.

~~The Court adjourned for 14 days~~

~~COURT reserved judgment until the 4th October 1946.~~

^{Sentence}
~~Judgment~~ was reserved, & the court adjourned
.....
for 14 days.

September 21st. Saturday.

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In a simultaneous action, offices and homes in nine cities were raided by the police. In Cape Town, the offices of the "Guardian", the Central Executive Committee (second time) and Cape District Committee of the Communist Party; the Springbok Legion, the Sweet Workers Union; the Food and Canning Workers Union; the Railway and Harbours Workers Union; homes of individuals. In Durban, the offices of the "Guardian"; the Communist Party, the Tobacco Workers Union; the Tea and Coffee Workers Union; the Sugar Field Workers Union; the African Steel Workers Union; the African Distributive Workers Union; the Tin Workers Union; the National Union of Baking Employees, the S.A.R. & H. Non-European Workers Union; the Bag and Twine Workers Union; the Brick and Tile Workers Union; the Rope and Mat Workers Union; and many private homes, including those of Errol Shanley, Secretary of the Local Trades and Labour Council Committee; Debi Singh, Chairman of the Passive Resistance Council. In Pretoria, Communist Party; two African trade union offices; the homes of several people including trade union secretaries. At Port Elizabeth, the offices of the Communist Party, several trade unions, several homes including the hotel room of a visiting member of the Central Executive Committee of the Communist Party. In Benoni, the offices of the Communist Party, and many private homes. In Pietermaritzburg, the offices of the Natal Indian Congress, the Communist Party and five non-European trade unions; and the homes of several people. In East London, several homes and trade union offices.

The press had a hey-day. The "Sunday Times" ran to five-column headline -

ITAL. "Police Swoop on Communists in Eight South African Towns." "Following sensational statements which have been made to the South African Police Recently" ran the story, "detectives in eight centres..swooped in simultaneous raids on the district offices of the Communist Party in an effort to seize documents considered by the authorities to be of vital importance." Under the heading "Police Claim Successes" was an official hand-out from Police headquarters in Pretoria.

ITAL. "Concerted action on a Union-wide scale was taken..yesterday on instructions from the Minister of Justice when Communist Party Offices, non-European union offices and the offices of the official journal of the party were searched.

"...Private homes of members of the Party were also searched with considerable success.

"Further developments are expected, and a number of arrests are likely today."

There were no arrests that day.

~~Rather~~ Conflicting with the official hand-out, was the story in the "Sunday Express,

headed "Ministers Disclaim Knowledge of Union-Wide Sweep". The story ran:

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"Yesterday's Union-wide police raids..took the Acting Prime- Minister, Mr. J.H. Hofmeyr, and other members of the Union Cabinet, by surprise, they told the "Sunday Express last night."

Mr. Harry Lawrence had over-reached himself. The protests began to pour in from all corners of the country. From the Communist Party and the Springbok Legion; from prominent trade unionists in all centres, from Mrs. J. McPherson, Mayor of Johannesburg; from the South African Labour Party; from Cape Town's co-adjutor Bishop S.W. Lavis;

The statement from Mr. Alec Hepple, ~~MP~~ M.P.C. Acting Secretary of the South African Labour Party, said what all were thinking: ~~should be quoted:-~~

"It is a great mistake lightly to dismiss the recent police raids on the offices of the Communist Party, Springbok Legion, trade unions and Friends of the Soviet Union as just one more political blunder by the power-drunk United Party Government.

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"Behind the raids lie motives of serious significance to every honest thinker and progressive in South Africa. For a nation which permitted its leading Fascist fifth columnists to remain free and unfettered while the Democracies were fighting for survival and which still today places no curb on the activities of the anti-Democratic forces, the raids are a frightening indication of the political trends of this country.

" It is a well-known fact that the United Party is gravely divided. Perhaps the raids are an attempt to placate the grumbling reactionary Right-wing of the Party; perhaps they are an attempt to forestall the Nationalist anti-Communist bogey campaign for the 1948 elections; or perhaps they are an attempt to vindicate South Africa in advance on the thorny problems that may face Smuts at the Peace Conference.

"But, whatever the reason, we must face up to the fact that the Government has displayed over-eagerness to engage in a skirmish that may well be followed up sooner or later with an all-out attack on the Labour movement.

"At a time when Dr. Colin Steyn is warning the country of dangers facing the trades union movement because of the growing power of the racialists, his Party is endeavouring to immobilise the democratic forces of the Labour movement by this attack on one section of it.

"Remembering Germany, Progressives and Liberals of all political parties must ask who will be next? "

Germany too, began with the Communists, and then struck at the trades unions, social democrats and liberals in rapid succession - taking care to deal with the Jews, Catholics and many others on the way,

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"While all decent-minded people are shocked by the whole affair and anxious to voice protest, the United Party must tell the nation why the raids took place and why no action has been taken against the Ossewa-Brandwag, New Order and Greyshirts."

Dr. Colin Steyn, Minister of Labour, told a deputation from Durban's Trades and Labour Council Committee that he had no idea the raids were going to take place. He had not been consulted in the matter.

Meanwhile the facts of what had happened began to become known. From the Friends of the Soviet Union in Cape Town, the Police removed pamphlets entitled "How the Soviet Union pays its Taxes", "Communism and Christianity" by Bishop Brown; From Pretoria Communist Party, a Penguin Edition of "The Ragged Trousered Philanthropist"; From the Springbok Legion, a copy of the Government Pensions Act. From Durban, an English Dictionary. It became apparent that somewhere, someone had blundered badly.

"The Guardian" made an urgent application to the Supreme Court calling on the Minister of Justice, representing the Union Government, and the police officials and magistrate concerned, to show cause why they should not be ordered forthwith to return all documents seized during the search of the "Guardian" offices.

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In their petition, "The Guardian" stated: "The Guardian is an independent socialist newspaper and stands for democratic principles, human rights and liberties and the freedom of the press..It is not the official organ of the Communist Party or any other party". "The Guardian's" Legal Advisor, Mr. Buirski, who was present during the raid, continually challenged the legality of the raid, pointing out that the warrant was made out not against "The Guardian" but against the Editor Mrs. Betty Sacks who had no personal property in "The Guardian" office. The protest was treated with contempt and brushed aside..The search was conducted in a grossly irregular and unreasonable manner with reckless disregard of the newspaper company's rights of occupation of the premises, and ownership of documents.

A replying affidavit was put in by Sub-Inspector D.J.H. Botha of Johannesburg.

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"Arising out of the searches preceding the trial of various persons in connection

~~(September 21st Sunday)~~ 123
with offences relating to the recent Native labour unrest on the Witwatersrand certain documents and evidence came into my possession, from which I had reason to suppose that various individuals..were implicated in the commission of offences under the Riotous Assemblies Act.

"The nature and details of these offences I am not at this stage prepared to disclose, as I submit it will be against both public policy and the interests of justice....

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"As the officer in charge of the investigations, I arranged that police officials from all parts of the Union..should visit my headquarters in Johannesburg at the same time, and together...I informed these officials..what further investigation was required, and what further evidence was to be obtained through search warrants.....

"In view of the Union-wide nature of the investigations and the fact that the suspected offences were largely inter-related, I decided that I personally would have to peruse and examine all documents and papers seized...My investigations are by no means complete as yet."

Mrs. Betty Sacks, in a replying affidavit said" ..it was possible for the particular officers who searched the "Guardian" offices to obtain or arrange for warrants authorising the seizure of the documents belonging to "The Guardian". The "Guardian" offices are only two minutes walk from the Magistrates Court.. One or more police officials could have remained behind..to see that nothing was removed in the meantime....

"On the morning of the search, both my attorney and I invited the police officers to obtain a search warrant against "The Guardian"....A casual glance at these documents would have indicated that they had no bearing on any matter that could possibly relate to any offence..."

Mr. Acting Justice Thompson asked Mr. Bloch (Advocate for the Minister of Justice and the Police) whether he did not think that after a Union-wide raid and three weeks had elapsed, it would now be possible to disclose the object of the search, and the nature of the offence. He also asked whether it was sufficient for a sub-Inspector of the CID to say that the documents are such that they cannot be disclosed in the interests of justice.

Advocate Broeksma, for "The Guardian" stated that (the search) had been conducted, and was now being justified on the most flimsy and absurd grounds. And when a sub-Inspector of the CID affirmed that it was not in the public interest to disclose the nature of the offence, he was trifling with the Court.

The full bench, in judgement, stated: "...the respondents, by their steadfast refusal to furnish, even at this advanced stage, any more information.... regarding either the alleged crime or the connection therewith of the suspected documents, have not put before the Court any cogent reason why they sought to act in the way they did."

The application of "The Guardian" was therefore granted, with costs against the Minister of Justice and the Police.

In a similar case brought by the Friends of the Soviet Union, Mr. Snitcher for the F.S.U. pointed out that the warrant was made out in the name of Miss S. Rubin. Miss Rubin was no longer in the employ of the F.S.U. and no attempt was made by the police to execute a warrant against her. The pamphlets and books seized in the search could be bought at many local bookstores.

Mr. Acting Justice Thompson: "It is difficult for the court to feel that there could be any relationship between the Russian National Anthem, and the commission of a crime under the Riotous Assemblies Act."

Mr. Bloch, for the Government: "On the face of it the documents look innocent enough, but one never knows what is behind them."

In many other centres similar applications were made. Orders against the Minister and the Police were given several times,

The documents began to be returned to their rightful owners. Other documents, seized during the miners strike from the Johannesburg and Cape Town Communist offices, were returned, with the exception of those used for exhibits in the trial.

Said "The Guardian on November 14th: "It is understood that Detective Botha who was in charge of these abortive operations, is now concentrating on investigations which may lead to the return of his motor car, stolen from him some weeks ago. "

Hundreds of people gathered again in the corridors of the Magistrates Court. The roll was called, and all accused were told to stand. The Magistrate read his sentence to a packed court, with people crowding in the doorways, and pushing their heads through windows. After a short preamble on the nature of punishment and its purposes—"According to the admissions made, accused Numbers 14 to 51 (that is all except members of the District Committee of the Communist Party and James Majoro, Secretary of the African Mine Workers Union) participated in the continuation of a strike by distributing pamphlets, and taking into consideration all the circumstances of the case, the Court imposes on each of these accused a fine of £15 or three months in hard labour, but suspends £10 or two months in hard labour thereof for twelve months on condition that the accused be of good behaviour, and do not participate in a strike during that period.

"In regard to Accused Nos. 1 to 13, there is evidence that they participated in the strike by being parties to the distribution of such pamphlets. The Court imposes on each of these accused a fine of £50 or four months in hard labour, of which £25 or two months are suspended for twelve months on condition of good behaviour and that the accused do not participate in a strike during that period."

The case was ended. Without any evidence to distinguish the two groups of accused, save the admissions made, the fines of £15 and £50 were laid down. Amongst those fined £50 were Advocate Bram Fischer, who had been in the Game Reserve from before the strike until the Wednesday night when the strikers started returning to work. And Dr. Yusuf Dadoo, who had been in Ladysmith gaol, serving three months sentence for his part in the Passive Resistance Campaign, since July, and was still in gaol when sentence was passed on him.

Reasons for ~~sent~~ sentence were asked for by the accused. They were later handed down in writing.

"...The penalties imposed by the Court in this case are very much less than prescribed. The following facts were taken into consideration.

1. That a fine of £50 would constitute one tenth of the maximum fine provided.
2. That the commission of the offence could lead to dire consequences to the community, possibly loss of life.
3. That accused Nos. 1 to 13 took a leading part in the commission of the offence."

When the Court cleared, there was one more decision to be taken by the accused. In the empty court room, the accused held a meeting. "The Transvaler", which appeared on the very morning when the accused were found guilty, was the

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subject of discussion. Its headline read: "Skuldig aan Aanhitsing" (Guilty of incitement). It was unanimously agreed to instruct the legal representatives to issue summons against "The Transvaler" for damages. Twice in court, counsel for the accused had objected to "Transvaler" reporting of the case. This appearing on the very day of judgement was too much.

The following day, forty-one summonses against the Transvaler for £200 damages each were issued on behalf of the accused.

SUNDAY, OCTOBER 6th.

The Right Reverend Geoffrey Clayton, Bishop of Johannesburg, gave his charge to the Diocesan Synod of the Anglican Church. The ripples of the strike had reached into the Church. The Bishop's charge came round to the question of housing - and of housing miners.

From "The Star", 7/10/46: "He did not believe that the compound system could be altered on the Reef, but he hoped it would not be reproduced in the Free State. ...He did not wish to criticise the conditions or management of the compounds. Given the system, they probably could not be much improved."

At St. Alban's Cathedral in Pretoria, the Bishop - The Right Reverend Wilfred Parker gave his charge to the Synod. "Those who tried to help the under-privileged group, or who called for legislation to rectify legitimate grievances, were usually called agitators. But in South Africa the real agitators were those who were too blind to see the symptoms of danger, whose prejudices made them unable to see the other man's point of view, and those who, while enjoying complete freedom, could not understand the effect on those who suffered infringements of liberty and the frustration of their legitimate ambitions..."

The Synod of the Johannesburg Diocese got down to business the next day.
Father C.M. Lunniss proposed a resolution calling for the Government to take immediate steps to recognise the African Mine Workers Union and other native trade unions, and proposing that "negotiations between the Chamber of Mines and native mineworkers should be opened without delay, so that future unnecessary conflict and bloodshed may be avoided." In a democratic country, said Father Lunniss, the workers should have the right of collective negotiation and co-operative bargaining. "The crux of the matter is that the mines have swayed the Government to their point of view. There has been a challenge to that policy. Unless the Chamber recognises the right of its workers to free negotiation, there will be more strikes and bloodshed. That right will be won sooner or later, and if we are going to close our

eyes to history, it will inevitably be won the hard way..What people do not realise is that had the unions been recognised, many of the strikes would have been avoided. These strikes might have been avoided if negotiations had been opened up between the mines and the unions, or with leaders in the compounds...

The Union had been forced out of the mines in 1944 by a Proclamation which had prohibited meetings on proclaimed land. The mines could not now complain if the movement is growing from the outside..."

The motion was seconded by Rev. Comber.

Mr. C.L. Read, a lay preacher, arose to oppose the motion. "How could these illiterate miners ignorant of the underlying relations between employers and employees, be welded into a Union? If recognised the Union would be no more than a pawn for such organisations as the Communist Party. Account should also be taken of the 1937 agreement between the Union and Portuguese Governments, whereby the Union Government undertook to prevent any activity of a Communist character, such as the distribution of Communist newspapers and pamphlets, among Mozambique natives working in the Union." He was followed by others.

The Venerable R.P.Y. Rouse, Archdeacon of the Native Mission, spoke in support of the resolution. There had been agitators, he said, in every strike in history, and cries of horror would not alter that. "I ~~am~~ am worried because ~~the~~ workers movement is being left undirected. I am not a Communist because I support this resolution - I have no wish to see Communism in this country - but it ~~is~~ is no use closing our eyes to a fact. If things continue as they are, in time a blood bath will occur." Native mineworkers must be shown the way to open negotiations in the right way. The use of force would not help matters. The methods used to stop the recent strike were not such as to instil into the natives a sense of betterment or security. "Although the mineworkers might be illiterate, the movement that has begun cannot be checked, but should be guided along the right lines towards securing industrial harmony."

The motion was put to the vote. 113 in favour. 38 against.

The following day, the Synod passed a new motion, calling on the Government to implement in full the recommendations of the Lansdown Commission. Father Lunniss, moving the motion, said: "It is not that I think the recommendations of the Commission go far enough, but I consider they are the next best thing to what we require. I ask you to vote for a living wage for Africans whose families are starving in their homes and reserves. Shall we sell the immortal souls of men for perishable gold? Your vote will be your answer."

The motion was put, and carried. A deputation to the Prime Minister was elected, to secure the implementation of this and the previous resolution urging immediate negotiations. Its members were the Venerable R.P.Y. Rouse, Father Lunniss, Rev. Comber, Mr. John Cullum and Mr. S.J.J. Lesolang, President of the Transvaal African Teachers Association, and a lay preacher.

4 In Pretoria the Diocesan Synod passed a resolution asking the Government to recognise native trade unions, or take other steps to enable natives in industry to bring their grievances before the authorities in an orderly way.

"The Star" and the "Rand Daily Mail" are normally very hesitant of crossing the Church. So long as the Church maintains silence on the conditions of the gold mines' slaves, the "Star" and the "Daily Mail" maintain discreet silence on the affairs of the Church. But this resolution of the Synod overstepped the mark. Both papers rushed to tell the world that the affairs of the mining industry were outside the scope of the church; both papers served well the mining interests that control them.

"The Star" carried an editorial titled "Church and Native."

It is doubtful if the resolution of the Synod of the Diocese of Johannesburg inviting the Government to take immediate steps to recognise the African Mine Workers' and other native trade unions will advance a very vexed problem much further. The Church is well within its province in enjoying a liberal and humane attitude towards native questions. But this is not quite the same thing as prescribing a policy towards industrial issues which do not come within the orbit of its own activities. The church has a definite responsibility towards native welfare in the Union. Its business is not to take sides in trade union disputes or differences. The practical machinery of government is not, and never was, the proper concern of organised religion. Its business is rather to infect men with the proper temper of approach to their human responsibilities; ... This tremendous field for religious effort can absorb all the exertions of those who have dedicated themselves to religious effort, leaving them little time for the passing polemics of political or economic ideologies...."

At the time this was being written, the Dutch Reformed Church was holding a Conference in Pretoria. Its aim - to combat Communism. It listened to treatises on Marxism from persons who had never read or understood Marx. It

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called forth all the angels of God against the Communists. It interfered in "the practical machinery of Government" by calling for the State ban on all Communist activity. No editorial comment ever appeared in "The Star".

"The Rand Daily Mail" titled its editorial "The Church in the Arena".

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"..If the Chamber of Mines were to suggest to the Synod a few amendments to the Liturgy, its advice would properly be regarded as an unwarranted intrusion. We can see no reason why advice from the Church on the conduct of the mines should not be viewed in exactly the same manner..We think that in this weeks discussions the Synod..did not exercise all the care that might have been expected of it. In principle the idea that the workers should have the right of collective bargaining is acceptable, though it has little connection with religion. But the debate turned mainly on the question of whether the native mine workers on the Rand are, or are not sufficiently advanced..a matter which so far as we can see has no connection with religion at all..The motion was carried by 113 votes to 38, and it was decided to submit the decision to the proper political authorities. This was certainly a descent into the arena..The synod therefore enters the arena without the support of the public, in an uncertain cause, and divided against itself. Any experienced politician could tell it that you get nothing done that way."

The "Rand Daily Mail" also ~~maintained~~ maintained complete silence on the "anti-Communist" conference in Pretoria.

At Bloemfontein, on October 6th, more than five-hundred Africans - delegates from all corners of the country - assembled at a special conference called by Dr. A.B. Xuma, President General of the African National Congress. The meeting was for only one purpose; to consider the situation created by the indefinite adjournment of the Native Representative Council during the miners strike. Dr. R.T. Bokwe from the Transkei was elected Chairman by an overwhelming majority. Members of the Native Representative Council reported on their decision to adjourn. There was long discussion. Then a motion was put forward by Clements Kadalie, seconded by H.S. Msimang, asking the N.R.C. members to present a petition to Parliament setting out the disabilities of the Council. Only sixteen votes were recorded in favour.

Moses Kotane seconded by Mr. Lembede proposed a different motion. It was adopted by an overwhelming majority. The resolution -

1. Endorsed the action of the members of the NRS in adjourning during the strike;

2. Called on all Councillors to attend the meeting on November 20th, to hear the Government's reply to their demands:
3. Declared the Native Representation Act of 1936 to be a fraud and a means to perpetuate the policy of segregation, oppression and humiliation;
4. Called on the African people as a whole to boycott all elections under the Act, and to struggle for full citizenship rights.

When the applause had died down, Conference stood in two minutes silence in honour of the nine African miners who had been killed and the 1200 injured during the strike.

A decision was taken that November 17th, 1946, be set aside as a national day of commemoration and mourning for those who fell at the hands of the police. A new date had been written into the workers' calendar in South Africa.

October 23rd.

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In Springs, an inquest opened on the five strikers who had died as a result of police action at the Betty Shaft, Sub-Nigel on August 15th. The evidence given by Sergeant Steyn in the case was reheard from other witnesses, with variations.

The District Surgeon said that a post-mortem examination had shown that four of the men died from asphyxia. Their death might have been caused by being pinned down by the bodies of a large number of people. The fifth man had died as a result of gunshot wounds through the thighs.

Major J.J. du Toit, District Commandant of the Springs Police gave evidence. His evidence followed Sergeant Steyn's statement to the Court. Until he came to the meeting on that Monday afternoon, when officials from the Native Affairs Department told the workers to return to work.

From The Star: "...the natives started shouting and yelling and would give Mr. Pretorius no further hearing. The natives gathered at the compound gates and were very rowdy". He (Major du Toit) then instructed the police to enter the compound and warn the natives to return to their rooms. Most of the natives dispersed willingly except for some who began pulling out fence standards and challenged the police to fight."

From the Court record: Berrange: "At the time when the situation became difficult was there any endeavour made on the part of the Africans to threaten?"

Steyn: "They did not threaten anybody."

Berrange: "They did not destroy any property?"

Steyn: "No."

From the "Star", October 23rd: "The next day," said Major du Toit, he again visited the compound with 128 men. He found about 1700 native strikers assembled on a railway embankment about 300 yards from the compound gate. He gave instructions for the natives to be encircled and shepherded back to the compound.

....When the police came within 50 yards of the strikers most of the natives moved towards the compound, but about 300 or 400 turned round and attacked the police with stones, iron bars,

hammers, knives and other dangerous weapons."

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From the Court record:

Berrange: "So you rushed them?"

Steyn: "Yes. They were advanced on."

Berrange: "And the first advance came from the police? No endeavour was made to negotiate with them or useful peaceful means to get them back?"

Steyn: They were not addressed.

Berrange: The first advance came on the part of the police?

Steyn: Correct.

Berrange: And when this advance started, it was nothing more nor less than a declaration of war?

Steyn: A declaration was not announced.

Berrange: No. It was one of the modern wars, in which war is made without any declaration by the police.

Then they threw sticks as advances were being made?

Steyn: Yes.

Berrange: Others fled?

Steyn: Some threw stones, others charged the police with sticks.

Berrange: Then they fired on them?

Steyn: Yes.

From "The Star" : "The police armed with batons retreated,

but those with firearms stood their ground and fired a few shots in self defence. All the natives then fled towards the compound. About 15 minutes later I found that many natives were lying on top of one another in the compound gate. It appeared that they had fallen over the rockery gardens in front of the gate, and were trampled on by those behind.

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"The police assisted in extricating these natives and rendering first aid. It was found that four were dead", said Major du Toit. "Eight casualties suffering from gunshot wounds were removed to hospital....I am satisfied that those policemen who used their fire-arms did so in self defence and to defend their

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comrades from serious injury or death."

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From "The Star", October 24th: "The verdict of the magistrate was that the death of the first four natives was due to asphyxia caused when they were buried under numerous other natives after having fallen at the entrance to the Betty Shaft compound during a stampede, after shots fired at or towards an unruly mob of compound natives by the police in an attempt to quell a riot.

"In the case of the ~~the~~ fifth native death was due to gunshot wounds in both thighs, the result of a shot fired by an unidentified member of the police in ~~the~~ the execution of his duty.

Mr. Tarr added the rider that "in the opinion of this court, the action of the commanding officer, and the police at the riot was justified and expedient."

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From the Court record: Berrange: All you say then is that some of them were standing, some sitting, some waving sticks, some dancing and some talking, and from that you gathered that they were inviting you to go and fight. Correct?

Steyn: Correct..I was satisfied that they wanted to fight.

Berrange: You were satisfied without any evidence. There was a rush on the embankment?

Steyn: Yes. We were satisfied.

Berrange: You have already told us you were satisfied. You have not proved whether you were really justified.

The bitterness in the mine shafts, and the compounds, and where in the hospitals ~~were~~ untold hundreds of injured still lay, and in the distant farms where relatives and friends still mourned the dead, mounted up. Not just bitterness with the chamber, but bitterness with the police and the courts, with the Native Affairs Department, and the Cabinet. Bitterness and hatred was mounting up for the next round. But this time with the knowledge that the State was not an impartial spectator, but a servant and a part of the mining owners.

On the fifteenth and sixteenth of November, four days before the Government was to reply to the Native Representative Council, the Chamber of Mines issued its 'line' for the Cabinet to follow. In every large daily in the ^{Country.} ~~area~~, in the Sunday papers, appeared an advert set in the same type as the rest of the paper, running over three full columns. It was titled 'Tribal Natives and Trade Unionism' and was issued by the Transvaal Chamber of Mines.

"The basis of the attitude of the Gold Mining industry to its native labour force is the principle of trusteeship - the declared policy of South African national policy... Tribal tradition and connection are fostered and respected.....

"The Gold Mining industry considers that Trade Unionism as ~~practiced~~ practiced by Europeans is still beyond the understanding of the tribal native, nor can he employ it as a means of promoting his advancement. He has no tradition in that respect, and has no experience or appreciation of the responsibilities arising from collective representation... He would fall an easy prey to control by alien interest - often acting from political motive - which would undermine his own tribal customs and allegiances, and his own conception of values... The industry considers that the introduction of Trade Unionism among tribal natives at their present stage of development would lead to abuses and irresponsible action.

The demand for a basic wage of 10/- a day by the African Mine Workers' Union which led to the recent strike of native mine labourers, exemplifies this serious element of irresponsibility.

.....In any reasoned discussion of the matter, it has always been accepted that the control of native trade unions, if recognised, should be placed in the hands of persons either actively engaged in or directly connected with the industry concerned... Because tribal natives on the gold mines are insufficiently advanced to manage their own trade unions, it follows that the control of such a union would fall, inevitably, to persons not connected with the industry.

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As far as is known, the self-styled African Mine Workers' Union is directed by persons who are not employed on the gold mines...

In the recent strike, it was directly apparent that this was no sporadic movement, but was the beginning of a general strike organised and directed from outside the industry by the African Mine workers Union - which claimed to represent the strikers - and that union's supporters.

It is clear that the Union is connected with and has the support of Communistic influences. Members of the Communist Party, by whom the union was actively assisted in the recent strike, took part in the distribution in mind compounds of provocative pamphlets and other literature.

....There is still no general movement among tribal natives for a trade union. During the recent strike, a majority of natives on many of the mines affected were unconcerned with the activities of the African Mine Workers Union, and were forcibly prevented by others from proceeding to work, which they were otherwise prepared to do.

Natives are traditionally conservative, and it is the considered view of the gold mining industry that step-by-step progress on the lines understood by the natives is a practical method of advancing their relationship with their employers...A trade union organisation would be outside the comprehension of all but a few of the educated natives of the urban type; it would be not only useless, but detrimental to the ordinary mine native in his present stage of development.

(Advert)."

The mining millionaires had spoken. The line had been laid down for all its faithful stooges to follow. The Government would not fail to toe the line. Its reply to the Native Representative Council had now been decided by the Chamber of Mines. All that was needed was for the Government to reissue the statement of policy in its own name, through its own mouthpieces.

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20th November 1946.

(67) 136.

In Pretoria, the first session of the Native Representative Council since the strike was declared open. In terms of the Bloemfontein resolution, all members of the Council were present to hear the Government's reply to their demands.

Spokesman for the Government was Mr. J.H. Hofmeyr, 'Liberal' white hope of the United Party. He had ~~xxxxxx~~ read the Chamber of Mines statement of policy. His speech opened with a flat refusal to accede to the demand to abolish all discriminatory legislation. Progress by the Government in the past would continue to remove abuses in the future. "Although native trade unions have operated for some time, and received de facto recognition, the Government has been conscious of the fact that the absence of statutory recognition creates an unsatisfactory situation.... Considerable work has however been done in preparation of legislation.... and it is the Government's intention to take an early opportunity of introducing and passing it. In conformity with the recommendations of the Lansdown Commission, and in view of the special circumstances which exist, it is not proposed to provide for the recognition of a Trade Union for native Mine Workers.

"The Government is, however, taking steps to ensure that the present safeguards for the protection and welfare of such workers are strengthened, and that channels enabling them to make representation on matters affecting them will be made more readily available..."

Saturday, November 16.

(67) 136

The attempts to find scapegoats had not ended. Without warning, all the members of the Communist Party Central Executive Committee were arrested in Cape Town. They were rushed before a magistrate, charged with seditious. The accused were:

Mr. W.H. Andrews (Comrade Bill) National Chairman of the Communist Party and veteran trade unionist.

Mr. Moses M. Kotane: General Secretary of the Communist Party and member of the National Council of the anti-Pass Committee.

Mr. Harry Snitcher: a city advocate, Chairman of the Cape Town

Branch of

20th

Saturday, November 16.

District

Branch of the Party.

137.

Mrs. Betty Sacks: (Betty Radford), editor of the Guardian and Communist City Councillor from 1943 till 1946, when she did not stand owing to ill-health.

Dr. H.J. Simons: lecturer at the University of Cape Town.

Mr. Fred Carneson: ex-serviceman, secretary of the Cape District Committee of the Party;

Mr. I.O. Hotvitch: architect, former secretary of the Cape District Committee of the Party.

Mr. Lucas Phillips, trade union secretary and chairman of the Cape anti-Pass Committee.

No evidence was led, but it was rumoured about police circles that that the charge was in connection with the great mines strike. They were all released on bail (200 each) and remanded to Johannesburg, where their trial was scheduled for 6th January 1947.

And the next day, November 17th, was the day which had been decided upon for a national commemoration day for the dead and injured in the strike. During the week, leaflets from the African Mine Workers Union had been distributed to the mine compounds. The process of building up the Union again had started. The leaflet was the first printed communication from the Union leaders to their members since 12th August.

"Dear Fellow Africans", it ran. "We are writing to ~~write~~ you to tell you that we leaders of the Union know what you have done. You have bravely and loyally stood by the decision to strike. Those who did not strike, did so because of the police terror that was unleashed. You have not lost the spirit of unity between Xhosa, Shangaans, Basutoes and all Africans - the brotherhood spirit on which our Union is built. You have not given up the struggle for 10/- a day, for more food for a decent life for us and our children.

"You were driven underground by force and even underground you kept on the strike, by doing no work.

We know how you were treated during the strike. It is not you who used violence; you were disciplined and followed

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the lead and guidance of the Union never to start a fight. You have acted like men, We love and admire you. We mourn our heroes who have been killed.

"We want to tell you that the miners did not stand alone. The non-European workers of Johannesburg and other towns on the Reef stood with us. They support and admire you. Not only Africans, but also Indians, Coloured and some Europeans have stood together with us in our fight. Brothers our struggle is not finished. With courage in our hearts and because we know our cause is just, we will go on till we win our demands for 10/- a day. Recognition of our Union, Better food and conditions and better life for our people.

"We must make our Union big and strong, and see that every worker belongs to it. We must see that the traitors and spies among us have no friends.

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"Keep up your courage, men. We want to live. We want to be free men. We will not be slaves!

Phambili!

REPORT ON THE 10/- STRIKE WILL BE GIVEN ON SUNDAY.....

Rally in your Thousands to the Market Square".

The second round had opened.

The Chamber of Mines and the Government have had the last word. Thus far. But the miners strike was not an event that is over and closed. It was a symptom of a disease; and though the symptom, like a blackhead, has been squeezed out of the skin and extinguished, the disease is there under the surface, and will break out again. All the frantic seeking for scape-goats; all the frantic 'explanation'; all the honeyed words of sympathy will not alter that fact that below the skin of the Witwatersrand Gold Mines, the disease is as strong as ever. And like all diseases, it must either be cured by drastic treatment and surgical removal of the causes of the disease or it will erupt again and again until it brings about the death of the body itself.

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