

MEMORANDUM FROM THE SECRETARY

TO

COMMITTEE OF ENQUIRY INTO ORGANISATION

In presenting this memorandum it must be clearly understood that any criticisms that appear therein are directed solely at the organisation of the Institute's work and are not being levied at individual members of the staff. Difficulties have arisen in the conduct of the Institute's affairs mainly because it has grown in a phenomenal manner in the ten years of its existence without sufficient attention being paid to questions of organisation and administration.

Consequently the stage has now been reached where there is little co-ordination of activity between the various members of the staff and when, unless drastic action is taken the criticisms of the Institute's work from outside sources, though at present neither very persistent nor important, will take a much more serious form.

I. INTERNAL ORGANISATION:

Duties of Secretary:

The duties of the Secretary can be divided into three categories:-

1. Those duties imposed in terms of the Constitution
2. Duties implied on the position of the Secretary
3. Duties delegated to the Secretary as a member of the Institute staff

In addition to these the Secretary serves on several committees in a personal capacity.

Duties under Constitution:

Under the Constitution certain of the Secretary's duties are clearly laid down. Clause 36 states that "subject to the authority of the Chairman of the Executive Committee the Secretary shall have full control over all members of the staff of the Institute and shall be ex-officio Secretary of the Council and of the Executive Committee and of all Committees".

In terms of this section the following duties are performed by the Secretary:-

- 1 (a) arranging and calling meetings of the Council and of the Executive Committee; carrying out the matters arising unless these are specially delegated to other members of the Committee; taking any other action that may be called for as a result of the meeting.
- (b) arranging and calling meetings of the various sub-committees; carrying out the matters arising and undertaking any further action which may be called for as a result of the meeting. These duties have been delegated by me to others in connection with certain sub committees. In connection with the Publications Committee, I there act within certain limits as set out above (See Section III).

## 2. Supervision of staff

### Duties implied in my position as Secretary:

- (a) Supervision of expenditure
- (b) The handling of membership and other sources of income
- (c) Answering enquiries for information
- (d) Delegation of tasks to others

### Duties delegated to me as a member of the Institute Staff:

- (a) Library - indexing any publications, newspapers and journals. Assisting research workers; preparing bibliographies for speakers and others. General supervision.
- (b) Preparation of "Race Relations News" each month and seeing it through the press
- (c) Trade Union Activities
- (d) Special attention to civil side of Legal Aid work
- (e) Representing the Institute on the following committees:-

National Health Committee of Red Cross Society  
 Transvaal Association of Boys Clubs  
 Lads Hostels Committee  
 Coloured and European Joint Council Executive Committee  
 Penal Reform Committee  
 Legal Aid Committee  
 National Council of Mental Hygiene

In addition I serve on the following committees in a personal capacity:-

Alexandra Health Committee  
Witwatersrand Juvenile Affairs Board  
Joint Council Executive Committee  
Indian Welfare Association  
South African Bureau of Illustrations

Consultation with Chairman and Adviser:

It should be understood that in carrying out my duties I always make a point of consulting the Chairman on all matters of importance. Whenever possible the Adviser also, is consulted.

The Assistant Secretary:

The duties of the Assistant Secretary consist of such secretarial tasks as have been delegated by me to him, and in addition such specific duties as have been entrusted to him by the Executive Committee, e.g. the secretarial work in connection with the Johannesburg Joint Council, the Indian Welfare Association and certain sub committees.

The Adviser:

When the offices of Adviser and Secretary were separated early in 1937 the Adviser's position was not clearly defined. Consequently a certain amount of confusion has arisen and as Secretary I have been faced with difficulties which need not have arisen, in carrying out my duties.

It is important that the Commission should indicate clearly the scope and limitations of the Adviser's work.

Honorary Organiser Women's Work:

In the same way it is important at this stage that Mrs. Jones' position in the Institute should be clarified and defined.

II. SUB COMMITTEES:

At present there are three permanent sub committees - Legal Aid, Penal Reform, and Publications.

Penal Reform and Legal Aid:

The Assistant Secretary does the

- secretarial -

secretarial work in connection with these Committees, although the Secretary is a member of both.

The only point I wish to raise here is that it is essential that there should be consultation between the Secretary of the Institute and the Secretary of the Committee regarding all administrative matters in connection with the Committees. This is specially important when expenditure is involved.

Publications Committee:

Consideration of the functions of the Publications Committee raises issues of great importance. These arise mainly in respect of the journal "Race Relations" but the whole question of the scope and authority of the Committee will have to be clearly defined.

When the Committee was first formed it was not intended that it should be purely advisory, but it has now developed as such without any executive authority, and without the right to be consulted on all matters in connection with publications.

The practice regarding "Race Relations" is that Committee may make recommendations regarding forthcoming issues of the Journal but has no authority to see that its recommendations are carried out. Apart from the fact that this is unsatisfactory from an editorial point of view, and contrary to practice with journals of standing, it is wellnigh impossible for the Secretary to check expenditure on the journal and keep it within the limits allowed for in the Annual Estimates.

I therefore recommend that the Committee be given greater authority and that the procedure when dealing with the journal be as follows:-

- (a) The Committee to have regular meetings so arranged that the Adviser can be present.
- (b) If for any reason the Adviser cannot be present then all decisions of the Committee must be submitted

to him for comment before any action is taken.

- (c) In the event of the Adviser taking serious exception to any of the decisions, the Committee must be called, at a time when the Adviser can be present, to discuss objections or amendments. But when the final decision is taken the Committee should have absolute authority.
- (d) When the contents of the issue, or issues, have been agreed upon, it should be the Secretary's duty to see that the various articles are written and submitted in time for publication. It may occur that other officers or members of the Committee are asked to approach the contributors and in that case it should be the duty of the Secretary to see that the necessary arrangements are being made.
- (e) Before any article is published it should be submitted to an Editorial Board consisting of, say, the President, Adviser and Mr. Lewin.
- (f) The final stage is then reached when the material is handed to Mr. Rollnick to be seen through the Press.

### III. PERSONNEL AND RESOURCES:

I do not propose to deal with this section in detail, but it is important that the Commission should consider the possibility of distinguishing between purely Institute activities and activities undertaken in connection with the Adviser's position in the Senate.

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NATIVES (URBAN AREAS) ACT FURTHER AMENDMENT BILL

Note:- This Bill was drafted by the Commission of the Joint Select Committee in 1932, and was based upon clauses which Colonel C.F. Stallard, M.P. proposed for insertion in the Land Bill of 1932. The Bill was not proceeded with, as the Government announced its intention to prepare a Bill on the subject for submission to Parliament in 1933. A Departmental Committee has been appointed (July 1935) with terms of reference as indicated below.

A. Objects of the Bill :x:

"To control the influx of Natives into and the removal of surplus Natives from urban areas!"

B. What the Bill proposed

1. The Governor-General to have power to order municipalities by proclamation to register all Natives, whether unskilled, skilled or professional, employed or unemployed, and the employment of an unregistered Native to be an offence.
2. Employers to be prohibited from introducing any Native into an urban area without the permission of the municipality which would have to provide security for the return of the Native to his home on the expiry of the contract.
3. The Governor-General to regulate the entry of Natives into urban areas.
4. Municipalities to render biennial returns showing the number of "redundant" Natives to be removed from their area. Provision made for the introduction of Natives by permission where there is a shortage of Native labour.
5. Section 17 of the Urban Areas Act (dealing with idle, disorderly and undesirable Natives) to be extended.
6. "Redundant" Natives and their families failing to comply with an order to leave the towns may be forcibly removed by the police.
7. Natives who have been in urban areas for five years or more not to be removed for a further five years, thereafter they will only remain on a yearly permit.
8. "Redundant" Natives to be provided for by the Minister of Native Affairs on land in scheduled or released areas as provided for in the Land Bill.

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.x. The details which follow are taken from the Report of the Joint Committee, 1935, pages 131-2.

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9. Natives owing fixed property to be compensated on removal from urban areas.
10. Entry into urban areas of Natives from outside the Union to be controlled.
11. Natives to be prohibited from acquiring further land from Non-Natives in urban areas, except with the approval of the Governor-General.

C. What the Proposals mean

In the absence of a published Bill, lengthy comment upon the proposals are held over, but the following points may be noted.

It is evidently intended to treat the towns on the same basis as European land in rural areas. That is, the towns are to be regarded as European areas, and are to be rationed in respect of Native labour, for a summary of the proposals printed in the report speaks of "the restriction of the number of Natives who may reside in these areas to a definite quota based upon the reasonable labour requirements of the European community". Thus no provision is made for those Natives in urban areas who serve their own people, e.g., ministers, teachers and doctors.

of As the synopsis of the unpublished Bill refers to the families/"redundant" Natives being ejected, it may perhaps be assumed that the families of the Natives who are permitted to remain in the towns may also stay.

No distinction is made between town-born Natives and others, just as no distinction is made in the Land Bill between Natives who were born on European farms and those who were not.

In the absence of a recent census of Natives, (the 1931 Census of Non-Europeans was cancelled) it is not possible to make any exact estimate of the number to be affected by a Bill on the lines of the one now under consideration. Mine Natives totalling about 260,000 would be excluded. The 1921 Census showed that there were 587,000 Natives in urban areas (of whom 200,000 were Mine Natives). Since then, there has been a considerable influx into urban areas, more especially of Native women. (It is estimated that between 1911 and 1921, the Native female population in urban areas increased by 50%, and that in some towns between 1921 and 1926 it had increased by at least the same percentage.) The Department of Census and Statistics conducted special census in conjunction with certain municipalities during the period 1921 and 1931, and these investigations revealed increases in the Native populations of the large municipalities (Cape Town, Port Elizabeth, East London and Bloemfontein) between 1921 and 1926 of an average percentage of 35. On a conservative estimate, the Native urban population today (excluding the Mines) is about 620,000.

D. Terms of Reference of  
Departmental Committee on  
Natives in Urban Areas

The Committee is to enquire into and to report upon the question of the residence of Natives in urban areas, and to recommend the form which legislation should take:-

- (1) To enforce the principle of limiting the number of Natives in urban areas to the labour requirements of such urban areas;
- (2) To provide for controlling the entry of Natives into urban areas; and
- (3) To provide for the withdrawal of superfluous Natives from urban areas.

In making these enquiries, the Committee will endeavour to gather, especially in regard to each of the more important urban areas of the Union, information on the following points:-

- (1) The number of Natives.
- (2) What are the proportions of (a) urbanised, (b) semi-urbanised and (c) rural Natives?
- (3) The number of Natives in employment, with an estimate, as far as possible, of the numbers employed in various occupations.
- (4) The number of unemployed Natives.
- (5) The number of Natives which, in the opinion of the local authority, is necessary for the reasonable labour requirements of the area under its control.
- (6) The number of "foreign" Natives (not including those from Swaziland, Basutoland and Bechuanaland Protectorate), with an indication of their countries or origin and of the nature of their employment.
- (7) What steps, if any, are taken by the local urban authority to control the influx of Natives?
- (8) What are the conditions under which Natives reside in the urban area, and what control is exercised by the local authority?



*One carbon copy enclosed*

40, Montagu St.  
Boksburg.  
Transvaal.  
March. 30th 1936.

To the Honorary Secretary.  
Johannesburg Joint Council of Europeans & Africans.  
P.O. Box 1176.  
Johannesburg.

Dear Sir,

May the two following points be brought up at the next Executive meeting if time allows.

I. Could not an effort be made to obtain a concession that Natives bearing an exemption certificate be allowed freedom to enter all Locations where the "Permit system" is in force without having to queue up at the Office and wait until the authorities issue him with a permit.

I approve of the permit system as an unhappy necessity in localities where the presence of Compounds makes the Location in danger of being overwhelmed with labourers looking for a drink. But I think that considering what extreme caution is exercised before an exemption certificate is granted and how careful the exempted are not to lose their privilege it would be only reasonable to trust them not to abuse the privilege of having free access to all Locations. The time of the exempted is far too valuable to be unprofitably wasted in waiting in a queue, yet I know of one who entered a Location without a permit from the Superintendent's Office and was arrested and convicted and, I think, fined five shillings.

I propose that the Joint Council communicate with the exempting authority, which is the Native Affairs Dept., I presume, and ask if they will approach Municipalities on the matter, and when New Location Regulations are submitted which embody permit clauses the N.A.D. might suggest a clause exempting exempted Natives from the necessity of taking out a permit to enter.

II. Four cases of alleged unprovoked attacks of Police upon Natives have come to my Notice. I have not had time to investigate, although three can be supported by European witnesses, I think. The question arises should there not be some officer appointed on the Witwatersrand to travel round and investigate. By the time I could have leisure the case is too stale, and I cannot risk urging too many Police enquiries in one year.

In view of the difficulties that arise between Europeans and Natives down the Mines the State has legislated that for every ~~77000~~ three thousand Mine labourers there must be one European official (called a Supervisor, I think) who is responsible for investigating complaints

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made by Natives against Europeans of vice versa. Since the appointment of these officials many misunderstandings which might have become serious have been averted and conditions have improved generally.

My idea is that considering the growing number of alleged assaults of Police upon Natives it is high time that some officer be appointed specially to investigate. To ask a Policeman to investigate the alleged misconduct of his brother policeman whom he has just chatted with at lunch and whom he will have to face again at Dinner at the Mess is to ask for heroic virtue. On the other hand few people can afford the time and travelling expenses necessary if one is to gather all the proof needed to convict a guardian of the law of lawlessness. One also should have a good knowledge of Police duties and rights and just how to tackle cases of this kind.

I hesitate to telephone the Institute on matters so confidential as one does not know who may be listening in on the line.

I trust that this matter may be brought to the notice of the Executive, and in the meantime perhaps you might be good enough to ask Mr. Valwasser or other experts what they think of the idea in point No I, or even in point No.2.

Yours faithfully,

*Oliver Clark. O.P.*

1. We believe this subject is being approached from the wrong end. The influx of Natives to towns cannot be controlled by penal sanctions so far as these run counter to economic drive. The first necessity as we see it is to tackle the rural position (a) in the direction of more land and facilities to obtain it (b) improved wage conditions on farms. (c) We would advocate in addition the introduction of a system of lease-hold even in European areas which are not at present in effective occupation.

2. These measures alone will help to stabilise the Urban Native population which should in its turn be recognised as an integral part of the Urban community. We do accept the view that Natives should have no permanent interest in the towns. On the contrary, we strongly endorse the finding of the W.E.C.

And as corollary to this, we feel that a stabilised Urban Native population whose efficiency is essential to the progress of European industry should have recognised and established rights in the towns.

/KPC

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