they were sympathetically inclined to C.A.T.A. One of them had been principal of his school for thirty years, during which period he had raised his school from Standard II to Standard VIII. But then this is the Bantu Education Act in practice.

Considerations of space do not permit us to make even a passing comment on the debasement of education as illustrated by the new syllabuses. We do not have the time to show how standards are being deliberately lowered through the employment of people who on educational and moral grounds ought never to have been allowed to set their feet in our classrooms; nor can we allow ourselves a discussion of the tragedy which is now and again enacted when hundreds and even thousands of children are drawn out of the schools and thrown on to the streets. We would like to tell the world of how determined attempts are made to change the nature and quality of such world-famed places of learning as Lovedale and Healdtown and how it is intended to obliterate even the memory of these shrines of African education. And now the octopus stretches out its tentacles to strangle even university education. But enough has surely been said to show the drift of things and the rest may safely be left to the imagination of the reader.

PASSES AND POLICE

DR. H. J. SIMONS

A POPULAR ragtime, sung with great gusto by concert troupes and received with never-failing enthusiasm by location audiences, is attributed to such well-known composers as Caluza and Sidyiyo. It is more likely one of those folk songs that well out of a people's daily and bitter experience, and act as a catharsis. The song goes:

Nantso i-pick-up-van.
Manje sikwenze nto ni, Pick-up Van?
Ngapha nangapha yipick-up van.
Manje sikwenze nto ni, Pick-up Van?[1]

and usually ends in a refrain shouted by the audience: "Waar's jou pas, jong?"

One hundred and fifty years of experience have built up in the

[1] There is the pick-up van.
Now, what have we done to you, Pick-up Van?
All around us are pick-up vans.
Now, what have we done to you, Pick-up Van?

African's mind an association as automatic as a reflex action between pass and police. It is kept alive daily in the thousands of men and women who queue up outside pass offices to have documents issued, stamped, or cancelled, who are raided or stopped for passes by policemen in streets, on railway stations, in homes and at work, or who appear before the courts, pay fines or go to gaol for breaches of pass laws. The toll is huge.

Africans convicted under Pass and Allied Laws, 1950—1955[1]

	1950	1951	1952	1953	1954	1955
Curfew Regulations . . .	48,910	52,469	60,749	66,849	73,226	74,048
Registration of Documents	47,799	57,958	66,501	63,160	78,623	89,885
Location Rules	34,839	41,212	44,725	58,645	66,799	75,569
Pass Laws	49,649	43,951	49,823	41,233	27,197	22,012
Other Offences	36,190	36,830	42,526	58,552	68,363	76,089
Total	217,387	232,420	264,324	288,439	314,208	337,603

These are big delinquency figures, even in a country where one person in ten (not excepting children and women) is found guilty of a crime every year, but they must not be regarded as a complete record of convictions for 'pass offences'. For these are difficult to define and impossible to isolate from the criminal statistics as compiled and published.

The South African 'pass' conforms to the dictionary meaning of a written permit to go and come; but it also means permission to stay, live and work; and, thirdly, it corresponds to a passport, in that it means a method of identification. The African describes as 'pass' any document, including a tax receipt, which he is obliged by law to carry and produce on demand to authorised persons, such as policemen, municipal officials, magistrates and, in certain cases, landowners.

No one is quite certain as to the number of such documents, but the estimate of 27 or 28 made by Senator Verwoerd, Minister of Native Affairs, may be taken as reliable. They include immigration permits, travelling passes, curfew or 'night' passes, permits to look for work, labour or service contracts, lodgers' permits and exemption certificates.

HEAVY BURDEN

Fees paid by persons who take out passes and fines paid by those who do not, amount to a considerable revenue, but it is far out-

[1] Kindly supplied by Director of Census and Statistics.

weighed by administrative costs. Senator Verwoerd admitted in 1952 that his department alone spent £340,000 on the salaries of 950 clerks employed to issue—and £10,000 on printing—the 500,000 forms needed by pass laws.

To draw up an accurate balance sheet we should also include the wasted man-hours, salaries and allowances of thousands of other officials—municipal clerks, police, magistrates, turnkeys—who either issue, renew, cancel and check passes, or interrogate, arrest, prosecute, judge and guard the army of suspects and prisoners created by the laws.

The biggest debit item of all, however, is the injury suffered by millions of Africans under this extraordinary combination of medieval repression and modern bureaucracy.

South Africans are aware of the waste and friction. Africans have protested vocally and by means of petitions, demonstrations, and organised burning of passes. A Minister of Native Affairs—the late Denys Reitz—told the Senate in March, 1942 (when the enemy seemed likely to win the war) that 'nothing was so conducive to irritation, to bad feeling, to hatred, to disturbance of race relations between black and white, as the Pass Laws'.

Some of the severest criticism has come from government commissions and officials. I list the most important to illustrate the weight and length of authority behind the indictment: the important Cape Native Laws and Customs Commission of 1885, the South African Native Affairs Commission of 1903—5, the Native Pass Laws Committee of 1920, the Native Economic Commission of 1930—2, the Committee of 1942 on Urban Africans, and the Native Laws Commission of 1946—8.

The things they condemned are, briefly stated, the irritation, inconvenience and loss of time suffered by Africans when applying for passes, or when detained needlessly and vexatiously, often for long periods, on their way to and from labour centres; the creation of criminals through the arrest and imprisonment of great numbers of people for wholly technical offences; the invasion of individual freedom, indiscriminate stopping, constant and harassing interference by policemen and others; the stigma of inferiority placed on the African by the blatant discrimination to which he alone is exposed; and the consequent racial antagonisms.

This is a damning indictment and, one might think, enough to arouse the whole country against the system. Actually, the demand for outright abolition has come only from Africans themselves and radical egalitarians in the rest of the population. A body of senior

civil servants, headed by Dr. Smit, then Secretary for Native Affairs, did protest in 1942 that 'the burden of the Native population had become heavier', and urge that 'rather than perpetuate the state of affairs described, it would be better to face the abolition of the pass laws'. Indeed, the laws were considerably relaxed during the rest of the war period. But the full load was restored as soon as the war had been won.

For there must be some means of pin-pointing the African, of controlling his movement and residence, as soon as he leaves the reserves to live under and among the White people. He must be able to 'account' for himself to any European charged with authority, or be treated as an actual or potential menace.

I am going to explain the reasons for this attitude and for the survival of the pass system during a century and a half of change from the period of frontier wars and a simple agrarian society to the industrialised urban communities of today. I shall show that the system owes its tenacity to function, that it is not merely at the fringe of the society, but is so intertwined with the colour-class structure that to abolish it would destroy the pattern of race discrimination.

SECURITY AND LABOUR

Pass laws have undergone many changes of both form and purpose, but throughout their long history they have been used primarily to satisfy the European's opposing needs of labour and security. The White colonists, used to slave labour, would not do without black hands, and coerced, taxed or cajoled the tribesmen to work for them. At the same time they sought protection against these former warriors and descendants of the dreaded impis. The pass, like a modern passport, was used to limit the number of 'foreigners' coming into the settled territory, so that there would be enough for labour needs but not too many to endanger security.

Security was the aim of the first pass law applied to free persons. The British introduced it by proclamation in 1797, at the time of their first occupation of the Cape. All Xhosa were declared aliens, and refused admission into the Colony without an official permit. The next venture of this kind, which followed closely on the abolition of the slave trade in 1807, was however concerned mainly with labour needs.

The enactment took the form of a proclamation issued by the Governor, Lord Caledon, and applied to the semi-nomadic, cattle-herding Khoi-Khoin (misnamed Hottentots) whose grazing lands

had been seized by invading colonists and who were now to be pressed into service to replace the slaves. They were obliged to find a 'fixed place of abode'—meaning a White man's farm—or run the risk of being declared 'vagrants'. If they hired themselves out to an employer, the law required the drawing up and registration of a 'service contract'. No Khoi-Khoin was allowed to move about the country unless he had a pass issued by his employer or a magistrate. A person without a pass was a 'vagrant', and liable as such to be fined, imprisoned or contracted out to a farmer.

The sequel to this colonial variant of the medieval Statute of Labourers had lasting results. The law invoked the wrath of missionaries Van der Kemp and Read, first of a long line of protesting clerics, who attacked it as concealed slavery and violation of human rights. Wilberforce and other 'philanthropists' in England clamoured for Imperial intervention, and the proclamation was repealed in 1828 by the famous Ordinance No. 50 which established equality before the law between White and Coloured, the latter including Khoi-Khoin, freed slaves, and persons with combined European and non-European ancestry. The Coloured people have never since been subjected to a pass system.

The Cape Government retained it however to restrict the movements of Africans. All 'native foreigners' from Kaffraria had to obtain a pass to enter and remain in the Colony. Laws embodying similar restrictions are still found in the statute book, but their provisions have fallen into disuse in the Cape Province.

FARTHER NORTH

The Voortrekkers who travelled northwards in ox wagons to appropriate tribal or unoccupied land and to escape from British rule took its pass system with them.

One of the first things they did was to fix a legal limit to the number of Africans allowed to live in the White settled area. The quota laid down in Natal in 1840, only two years after Dingaan's Zulu impis had been repulsed at Bloedrivier, was five families per farm—the same as the quota fixed by the Union parliament in the Native Trust and Land Act of 1936.

Another early security measure that survived in principle was the Transvaal Republic's Instruction to Field Cornets (justices of the peace) to allow no African to settle without permission near the 'towns'. It was issued in 1849, the year in which the South African Republic was born, but when there was hardly more than

bare veld, wild game, ox wagons and tribal villages.

The Republic in subsequent years taxed Africans to make them work for the colonists and introduced labour contracts for the employed, travelling passes for those who left tribal area or farm, and penalties for one who left the Republic without a pass. This last aspect received even more emphasis than influx control when the mining of diamonds drew African labour southwards during the 1870's.

MINES AND TOWNS

In Kimberley, where Rhodes was anxious to stop the illicit trading in stolen diamonds that threatened to bring down prices on the legitimate market, Africans were imprisoned in closed compounds—as they still are—for the full term of their service contract. A pass system was introduced by Proclamation 14 of 1872, 'to provide greater checks than now exist to the theft and unlawful appropriation of diamonds in Griqualand West'.

Mine owners on the Witwatersrand, though less plagued by thefts, also housed African miners in compounds, for compound labour was considered cheaper and more docile than an urbanised proletariat. The owners' main concern was to stop the mass desertions from intolerable conditions in compounds and underground workings, where disease or accidents killed one man in ten from tropical and sub-tropical regions.

Mine managements demanded a rigorous pass system and the Republican Government complied and enacted a series of laws between 1885—89 that divided the Rand into labour districts and introduced a system of permits to seek work and registered labour contracts. The British retained and improved upon the system after the war of 1899—1902, and it was further elaborated and extended after Union by the Native Labour Regulation Act of 1911 and the Natives (Urban Areas) Act of 1923.

These laws marked a fateful turning point. For, together with the Native Land Act of 1913, which restricted the African's right of occupation to 7 per cent of the surface area, they laid the basis of the segregation policy that has been the pattern for every territory in southern, central and eastern Africa under the domination of White settlers.

The issues can be simply stated. In 1910, when the Union was born, it stood at the threshold of one of the world's fastest industrial revolutions, one that was to change Europeans, Coloured and Indians into a predominantly urban population and raise the

number of urban Africans from 508,000 in 1911 to 2,322,000 in 1951. If the example of other countries during industrial revolutions had been followed, the African peasants and agricultural labourers who were driven to the towns by hunger or ambition would have been allowed to strike root in the towns and form normal, balanced communities.

The governing class however chose another course, one more in keeping with the traditions of a frontier society and a mining camp. Urban legislation retains the old idea that every African who enters or lives in a town is a foreigner, regrettably indispensable, but dangerous and to be tolerated only under licence. His status was defined by the Transvaal Local Government (Stallard) Commission of 1921, in a passage giving a pretext for denying Africans the municipal franchise:

> 'The Native should only be allowed to enter urban areas, which are essentially the white man's creation, when he is willing to enter and minister to the needs of the white man, and should depart therefrom when he ceases so to minister'.

INSECURITIES

This policy was carried out by the Natives (Urban Areas) Act of 1923. It has plunged African townsfolk into a vast confusion and uncertainty. I shall describe the main features.

No African or company, including insurance and savings banks, in which Africans control more than a 20 per cent. interest, may acquire land, except with the Governor-General's approval, outside the locations and villages where African residents are segregated. Approval is rarely given, and it is State policy that Africans shall not buy land even in the locations. Not more than 6,000 African-owned plots have been recorded in urban areas, and the owners' lack of security was shown dramatically in the compulsory removals of people from the western suburbs of Johannesburg to Meadowlands, under the Native Resettlement Act of 1954.

Residential segregation in the towns is enforced by proclamations of the Governor-General, prohibiting Africans from living anywhere else than in a segregated location, village or hostel. Exemptions are granted to certain groups, such as domestic servants living on their employers' premises. Few towns actually do provide enough accommodation in the locations, so that many hundreds of thousands of families live in the peri-urban areas in atrocious slums of flimsy

shacks made out of packing cases, paraffin tins, sacking and corrugated iron. It is State policy to transfer the residents, by means of powers held under the Prevention of Illegal Squatting Act of 1951, to legal squatters' camps controlled by a local authority.

Africans living in these camps or in municipal locations are tenants of the local authority. Even where Africans are allowed to build their own houses, they lease the plots on a monthly tenancy. Residents are subjected to restrictive location regulations, which prohibit visitors or lodgers, the latter including sons over 18 years, without the superintendent's permission and the payment of a lodger's fee.

In towns that enforce a 'curfew', no unexempted African may be on a street ouside the location during specified hours, usually between 9 p.m. and 4 a.m., unless he has a 'special', the term commonly used for a night pass signed by an employer or official.

Employers and African male employees in proclaimed towns are obliged to register their service contract at a payment of 2s. a month. Employers must report the termination of contracts and desertions. Evidence of the contract must be produced on demand by an authorised person. Africans not registered under service contract or licensed as casual labourers must obtain a permit to look for work, which is usually issued for seven days and may be renewed at the discretion of the local authority. If the permit is refused, the unemployed African must leave the area.

An African may be removed from an urban area and sent to the reserve or a work colony under an order issued by a native commissioner declaring him, after an administrative inquiry, to be habitually unemployed, or without sufficient honest means of livelihood, or to be leading an idle, disorderly or dissolute life.

INFLUX CONTROLS

With the object of reducing the number of Africans in the towns to the bare number needed by employers, use is made of restrictions and procedures described in administrative circles as 'influx' and 'efflux' controls. These operate, in conjunction with powers exercised under the Natives (Urban Areas) Act, through a network of labour bureaux, administered by the Native Affairs Department under regulations framed in terms of the Native Labour Regulation Act of 1911. The bureaux are a means of directing the flow of African work-seekers away from the towns to farms and rural industries.

Influx control has undergone many changes, of which only the last two will be mentioned. By an amendment made in 1937 to section 10 of the Natives (Urban Areas) Act, the Governor-General had the power to issue a proclamation prohibiting an African from entering a specified urban area unless he had already secured employment there, or unless he obtained permission from the town authorities to look for work.

This gave the towns a measure of discretion which met with the disapproval of the Nationalist Government. It therefore obtained an amendment to section 10, so as to make controls operate automatically. In principle, Africans must get permission from the labour bureau, as well as from the municipality, to look for or accept work. Permission may not be given while there are unemployed Africans living in the area. Certain groups are exempt from these restrictions, as will be seen from the terms of section 10:

1. No native shall remain *for more than seventy-two hours* in an urban area, or in a proclaimed area in respect of which an urban local authority exercises any of the powers referred to in sub-section (1) of section twenty-three unless—
   (*a*) he was born and permanently resides in such area;
   (*b*) he has worked continuously in such area for one employer for a period of not less than ten years or has lawfully remained continuously in such area for a period of not less than fifteen years and has not during either period been convicted of any offence in respect of which he has been sentenced to imprisonment without the option of a fine for a period of more than seven days or with the option of a fine for a period of more than one month; or
   (*c*) he or she is the wife, unmarried daughter or son under 18 years of a person falling in (*a*) or (*b*) and ordinarily resides with him; or
   (*d*) permission to remain has been granted to him by the urban local authority.

An African who remains unlawfully in an area—the onus to show that he is there lawfully rests on him—is liable on a first conviction to a maximum penalty of £10 and two months' imprisonment, and banishment to his permanent or last place of residence.

These restrictions on the right to live and work operate in all urban areas, down to the tiniest hamlet, and apply even to those in the reserves, the African's 'tribal home'. Yet administrative officers complain that the controls are inadequate: firstly, because parliament has recognised a 'permanent' urban community and

given it security; secondly, because 'influx control' has been abolished by the provision allowing Africans to enter and remain for 72 hours in any urban area without permission.

The security granted by persons included in section 10 (1) (*a*), (*b*) and (*c*) has been diminished appreciably by an amendment to the Natives (Urban Areas) Act that was rushed through at the end of the last parliamentary session. Local authorities—in effect location superintendents—are given the power to banish any African whose presence they regard as 'detrimental to the maintenance of peace and order'. Senator Verwoerd explained that his amendment was aimed, not at 'idle and undesirable' person, whose removal can be ordered under another section, but at the 'agitator type'. The discretion vested in officials is however wide and arbitary and not limited to political leaders.

ABOLITION OR CO-ORDINATION?

The size of the loophole opened by the free admission clause depends on the efficiency and ruthlessness of the administration. Thorough supervision has not yet been found possible in the big towns, in spite of frequent police raids, house to house inspections, and indiscriminate stopping of Africans in streets, buses and motor cars. Indeed, this activity rather resembles the labour of a man who tries to empty a barrel of water with a sieve.

Thoroughness and efficiency must be accounted as the chief aims of the Natives (Abolition of Passes and Co-ordination of Documents) Act, 1952. It enacts that all Africans, women as well as men, over 16 years must be issued with a reference book, to include all the information contained in the documents of the old pass system: photograph, registration number, address, tribal origin, tax receipts, service contract, exemptions, permit to look for work, refusal of permit.

As from a date yet to be fixed, many of the pass laws described in this article will be repealed. Then, Senator Verwoerd told the Assembly in June, 1952, 'Natives will have freedom of movement in the country, apart from the few restrictions which have to be imposed owing to the possiblity of their being employed in certain urban areas'.

The Senator's 'few restrictions' resemble the proverbial tail that wagged the dog. Contrary to the recommendation of the Native Laws Commission of 1948 and the South African Institute of Race Relations, both of which recommended the issue of identity cards,

the Act of 1952 imposes a penalty for mere non-production of the reference book, as well as for forging, altering or using another's book. While the African will be able, after the fixed date, to travel on the highway without getting permission, he may be asked by any policeman to produce his book, and is liable to be arrested if he does not have a genuine, untampered book, or has not paid tax to date, or is under an unfulfilled obligation to perform labour dues for a farmer, or is declared a vagrant.

He is free to move subject to these conditions, but where can he go? If he enters a farm without the owner's permission, he commits trespass. If he enters a town, he must get permission within 72 hours to remain and work. If allowed to accept employment, he must, unless exempted, register a monthly contract of service. If curfew regulations apply, he must have a night pass to go outside the location after 9 p.m. The only restriction that will be abolished is the travelling pass, which long ago fell into disuse in the Cape and Natal.

The new document—a veritable Master Pass—may well prove to be a more efficient means of identification than any of its flimsy forerunners. Though not secure against forgery and fraud, it is certainly less vulnerable and, coupled with an elaborate finger-print bureau, may be expected to provide fewer opportunities for bribery, evasion and breach. Its issue has already produced a steep rise in tax revenue.

Greater efficiency is not necessarily a virtue in this instance. It will introduce more rigidity and greater repression in a society already overburdened with bureaucratic controls and limitations on progress. Africans will continue to evade and resist, as they are now doing with growing determination the issue of reference books to the women, who up to now have been able to defeat efforts to bring them under the pass laws.

It is to be doubted also whether the new system will rid the towns of 'redundant', or 'unlawful' or 'idle and undesirable' Africans. They, like the 'sturdy beggar' of medieval Europe, are products of an unstable society, of starvation and backwardness in the reserves, low wages and unhappiness on farms, and the ceaseless movement of the migrant worker. The Master Pass is there to perpetuate and not terminate these conditions.

FUNCTIONS

To recapitualate, the pass system serves a variety of purposes, which may be indicated by reference to different groups in the

White population.

There are mine owners and other employers, who find the registered service contract a useful device to stabilize migrant workers and prevent a free flow of labour to more productive and remunerative fields of employment.

Farmers, in particular, refuse to attract workers by improvements in wages and working conditions. Instead, they look to Government to supply workers at low cost. This is done from farm jails, and under laws such as the Native Service Contract Act of 1932, which prohibits the employment of an African in the Transvaal or in Natal unless: (*a*) he produces a document of identification and (*b*) if he is domiciled on a farm, a labour contract or signed statement that he is not required to render labour service to the landowner.

There are the police, who want 'control' over 'unemployed, idle, and dissolute' Africans, and use the pass laws as dragnets in the hope of finding among those pulled in a suspected criminal. In this instance the pass laws serve as a substitute for more efficient methods of administration.

Like the English Poor Law statutes of the 16th century, the system is used to limit the liability of ratepayers for the maintenance of the poor. Since Africans cannot build or hire accommodation outside the locations, they must depend largely on municipal-owned houses, which are often subsidised from rates and central government funds. There is therefore pressure to limit commitments by excluding women and families, and allowing no more men than the number needed by employers.

Even this number is regarded as excessive by advocates of totalitarian apartheid, who prefer less industrialisation to more urban Africans. Their preference is based not on nostalgia for an agrarian society, but on the old-time fear of a Black proletariat, politically conscious, well organised and demanding its share of the national heritage. For, as Senator Verwoerd told the House of Assembly in April, 1950: 'Conditions on the farms are totally different from those in the cities. Natives who live or work on farms are employed by the farmers. On the farms there is no question of equality. The relationship of master and servant is maintained on the farms, and there is no danger that conditions will develop as in the cities, where they are working with Europeans on an equal footing—which gives rise to all kinds of undesirable conditions'.

Africans will, however, remain and multiply in the towns, for they constitute the only large reserves of labour available for

economic expansion. The Tomlinson Commission in fact predicts that even if its plans for developing the tribal areas are put into effect, four million Africans will be working in the White urban areas at the end of the century.

Government intends them to be migrant workers, without a permanent stake in the towns. It persists in rejecting the perspective, now accepted as inevitable in Rhodesia, Belgian Congo and Kenya, of a permanent, stable society of Africans in the towns, for it sees in this a threat to the traditional master-servant relationship between White and Black.

In the Union, therefore, integration and segregation are two sides of the same coin, and the pass laws serve to maintain caste-like differences within a common society. This too is recognised by Africans, whose children sing as they play in the locations:

Jongani e police station;
Kukhona amapolisa.
Sesona sifo sikhulu
Kuyo le ndawo.

Vukani ebuthongweni
Niyeke ukuthandaza!
Sesona sifo sikhulu
Kuyo le ndawo.[1]

THE WHITE OPPOSITION IN SOUTH AFRICA

STANLEY UYS

For the Nationalist Government, with its aim of permanent white supremacy, and the non-white "liberatory movement", with its slogan of "freedom in our lifetime", the political issues in South Africa are relatively straightforward. Squeezed between

[1] Look at the police station;
There are policemen there.
That is the greatest disease
In this place.

Arise from your sleep
And leave off praying!
That is the greatest disease
In this place.