MEMORANDUM ON THE PASS LAWS AND THE ISSUING OF REFERENCE BOOKS TO AFRICAN WOMEN SUBMITTED BY THE FEDERATION OF SOUTH AFRICAN WOMEN TO THE NON EUROPEAN COMMITTEE OF THE CITY COUNCIL OF JOHANNESBURG.

(This memorandum has been written at the request of the Chairman of the Non-European Affairs Committee so as to present in written form the representations made by the Federation of S.A. Women during the discussions held on 28th November, 1958).

PASS LAWS

The pass laws under which African men have suffered so deeply for many years have brought misery to women and their families. These laws have destroyed the security of the family, for no woman knows when her husband or son will return, even when he leaves his home each morning for his work. Pass arrests on street corners are a common daily occurrence; the victims include the man who has left his pass at home, the man who is unemployed, desperately seeking work to feed and clothe his family, the man whose pass may lack a signature. Imprisonment, fines, farm labour follow; the anxious mother waits at home for her husband’s return and when he does not come, seeks him desperately for many days at police stations, in gaols, in hospitals. His wages, so sorely needed for food, must be used for fines to regain his freedom or money must be borrowed – and must be repaid. The right to sell his labour freely has been taken away from the African man through the pass laws, through Section 10 of the Urban Areas Act, and with it the right to reside in the towns.

African women have lived their lives in the dread shadow of the pass laws; the application of these laws to themselves will bring the most appalling consequences when reference books are made compulsory. African mothers will live in daily fear of arrest, will know the agony of being torn from their homes and their children. They may be arrested if they go out to buy food, to work for their families, perhaps even to call a doctor for a sick child – and the pass is left at home. It is well known that no opportunity has ever been given to any African man to fetch the pass which is not on his person; African women know too well what to expect.

African women dread the reference books not only for themselves but because they know what the consequences will be for their children. The pass laws have undoubtedly led to crime, made criminals of young men; is this to be the future of young African girls, fifteen years old, who will be exposed also to the brutal hands of pass-searching policemen, will face gaol, while they are but children? How can any mother accept these intolerable dangers for her daughters?
Pregnant women must face arrest for passes; women nursing babies must either leave them at home, neglected and helpless, or take them to endure the privations of gaol. The wages, so pitifully low, which African women struggle to earn in the kitchens and the washhouses will have to be taken to pay fines for pass offences, lest the mother be kept in gaol or perhaps sent away to labour on farms.

OPPOSITION OF WOMEN TO PASSES.

African women have always opposed passes. Forty years ago attempts were made in the Orange Free State to issue passes to African women and from 1913 to 1918 in various Free State towns, African women protested, refused to accept passes and suffered imprisonment, until by 1918 all attempts to impose passes on women had ceased.

From October 1955, when Dr. Verwoerd first announced that African women would be required to carry passes, African women, together with many women of all races, have protested throughout the land. More than 50,000 women have joined in 45 protests and demonstrations, despite savage intimidations and threats of police reprisals. In August, 1956, 20,000 women of all races went to Pretoria to protest to the Prime Minister against passes; in the months prior to this great protest, African women protested in large numbers to the Native Commissioners in Johannesburg and in other Reef towns.

In October 1958, reference books were issued for the first time in Johannesburg to African women and as a result of Government propaganda to housewives, domestic servants flocked to the pass office for reference books. African women went immediately in thousands to protest at the pass office and as a result of incidental breaking of by-laws, over two thousand were arrested. The Non-European affairs Committee is aware of the outrageously severe sentences passed on these women protesters, for public comment has been made. Nevertheless, despite this and despite the most vicious police intimidation and public threats, more than three thousand women came to the City Hall to protest to the mayor, to call upon him and upon the City Council to make representations to the Government to cease the issuing of reference books to African women in Johannesburg.

PERMITS AND PERMIT RAIDS.

African men and women of Sophiatown have endured for the past three years intolerable hardships through the permit system; this persecution is a foretaste of the horrors of the pass system to which African women will be exposed when they are
forced to take reference books.

No home in Sophiatown is safe from the police; permit raids are occurring every few days and conducted before dawn. Families are roused from sleep; blankets are snatched from sleeping men and women by searching policemen. If the permit cannot be found, men and women are rounded up and herded to the police station, while relatives and friends scrape together the money for fines, with which to purchase freedom—until the next raid. These horrors have become a part of daily life in Sophiatown, yet Sophiatown is part of Johannesburg, and the City Council cannot ignore the sufferings of the African people, even though Sophiatown has been taken over by the Native Resettlement Board.

CO-OPERATION BY OFFICIALS OF THE NON EUROPEAN AFFAIRS DEPARTMENT IN THE ISSUING OF REFERENCE BOOKS TO AFRICAN WOMEN.

Although reference books are not yet compulsory, Non-European Affairs Department officials have been demanding reference books from women applying for houses and for permits to be employed in Johannesburg. Preference in the allocation of houses has been given to women who produce reference books, and permits have been made dependent upon passes. In view of the position that the reference book number is not in any circumstances the business of the City Council, it is incorrect that any municipal permit should be related to the pass, and the Non-European Affairs Committee is requested to see that its officials cease this practice once and for all.

As women we object most strongly to the new system of labour bureaux, which affects women as well as men; our freedom to sell our labour is being restricted even before passes are compulsory, and we can see clearly that these labour bureaux will lead to women being endorsed out of Johannesburg. What will then become of our homes, of our children? Many African women must support children and parents and sick husbands who are unable to work.

In the George Goch Hostel, the matron has been requesting African women living there to take out passes, and it is clear that the intention is to make accommodation dependent upon passes. The Non-European Affairs Committee is requested to take steps immediately to ensure that all hostel accommodation is made independent of passes.

Women living in municipal townships who were arrested during the anti-pass protests received notices from location superintendents requesting them to call at the
offices. Those who did so were questioned about their position in the township; this can only be interpreted as leading to possible banishment from the township or from Johannesburg, and the Non-European Affairs Committee is requested to investigate this matter and to ensure that Municipal officials do not allow themselves to become instruments of police intimidation.

The re-diffusion system in the south western townships has been used for purposes of intimidation of women who were intending to participate in a perfectly legal protest. On November 26th women were advised against going to the City Hall and warned of arrest should they do so. It is outrageous that the City Council should allow the use of the re-diffusion system for this purpose; it is not the first time that this has happened, and the strongest protest is made against this practice of using the re-diffusion as an instrument of political propaganda.

The European housewives of Johannesburg have received letters sent over the signature of the Native Commissioner requesting them to send their women servants for "registration" and for reference books. The letters had all the appearance of an official instruction (for a procedure not yet compulsory) but the Johannesburg City Council remained silent and did not attempt to enlighten the citizens as to the true position, although it was obvious that the letters were intended to mislead the citizens of Johannesburg into thinking that reference books for African women had already become compulsory. Many African servants have suffered great injustice through this and have been dismissed from their employment because they did not take out reference books when instructed to do so by their employers.

In some suburbs of Johannesburg, for example, Turffontein, there has been deliberate police intimidation, when African women have been stopped in the streets and asked for passes, and then taken to the police station to take passes. The City Council should make representations to the police that this practice must cease and should also take steps to prevent the present propagation of propaganda by Native Affairs Department officials and police to the effect that domestic servants may demand higher wages if they have passes and that employers will be liable to a fine of £50 if they employ servants without passes. Publication of the facts as to the legal position is essential for the protection of the citizens of Johannesburg against propaganda.
Trespass regulations in Johannesburg are already causing hardships and persecution to African women. The husbands of domestic servants are already forbidden to live with their wives; mothers of tiny children must send their babies away if they live on the premises of their employers, and all family life is denied to resident domestic servants. African mothers are told to go to houses in the townships, but they cannot obtain these houses for there are not enough. And if a house is obtained, the wages of African servants are too low to provide for rent and transport costs. It is clear that passes will be used by the police to persecute African domestic servants for these trespass regulations and life will become even more intolerable.

PROTEST TO THE CITY HALL

The Federation of South African Women wishes to bring to the notice of the Non-European Affairs Committee the disgraceful intimidation by the police to which the women were subjected. The protest was lawful and the women were exercising their fundamental democratic right to protest and had at no time indicated any intention of violating any by-law of the city or any other law; in fact statements to the contrary had been issued. On previous occasions, throughout South Africa when women have protested in great numbers to the Prime Minister, to Cabinet Ministers, to Native Commissioners, their protests have been outstanding for discipline and dignity, as indeed was the protest to the Mayor on Thursday, 27th November.

Yet the police used their customary tactics of intimidation in relation to protest action planned by Non-Europeans, who since they are deprived of the vote, have no other means to voice their grievances.

It is important that the Non-European Affairs Committee should know that on the morning of the 27th November, a police van was stationed at the Brixton bus stop for non-Europeans where a European policeman and two non-European policemen boarded each P.U.T.C.O. bus and urged women not to go to the City Hall because they would be arrested. They then alighted and awaiting the next bus.

Despite the obviously undisturbed atmosphere of the city on the 27th November, the policemen stationed at street corners and at railway stations and bus stops were in fact addressing individual women and warning them not to go to the City Hall. Even more open intimidation was taking place at the bus ranks in the non-European townships.
The Non-European Affairs Committee is aware of the public statement by the deputy Commissioner of Police which created deliberately an atmosphere of panic and fear, with the emphasis on steps to be taken to prevent "lawlessness" - an ugly word to which the Federation of South African Women takes the strongest exception. We are aware that in fact these tactics were not employed by the City Council, but we urge that steps be taken by the City Council to prevent the police in future from employing such intimidatory methods which serve only to bring public shame upon the City of Johannesburg.

As women we appeal to the City Council to guarantee our right as citizens to protest in a legal and peaceful manner and to protect us from intimidation and persecution.

CONCLUSION

In conclusion the Federation calls upon the City Council of Johannesburg to make representations to the Minister of Native Affairs for the cessation of the issuing of reference books to African women in Johannesburg, and to refrain from any form of co-operation through City Council officials in the issuing of reference books, a procedure which lies outside the orbit of the City Council and which is not in the best interests of the City of Johannesburg, but will bring hardship and misery to thousands of women.