

Pass Laws in South Africa

by GEORGE PADMORE

THE following pages are taken from *The Life and Struggles of Negro Toilers*, by George Padmore. (Published by the R.I.L.U. Magazine for the International Trade Union of Negro Workers. London, 1931.) This is a most just and complete study of the oppression of Negro workers the world over, and is a very exactly documented denouncement of capitalist methods in the African colonies as well as in America and the West Indies. Besides being brilliantly written, it is in itself the spokesman of a new régime, the Communist Régime, which, unlike the treachery of the Labour or Socialist parties of different countries, has a definite plan and programme as well as the determination to put an end to the appalling abuses imposed on black and white workers alike. The student, the "interested reader," or he that sympathises with the misery of the Negro race, will find partial truth on colonial "conditions" in the writings of diverse "liberals." These authors will go as far as admitting that the African native is in a bad way, but they will not advocate any change that *will free him*; for them colonisation—and all it comports—must continue at all costs. This work by George Padmore has shown up once and for all the complete scale of horror of the life of Negroes in the working classes—armed repressions, murder of natives, forced labour, different forms of slavery (with another name), the monstrously different wage-scale between white and black, segregation, and other tyrannies enforced by the capitalist nations. E.D.

THE SYSTEM OF PASS LAWS IN SOUTH AFRICA

In order to obtain the money to pay the *Head and Poll Tax* the blacks are forced to put up with the inhuman conditions imposed upon them in industry. Furthermore, whenever they attempt to run away they are immediately arrested by the police and turned over to their employers. This is done under a system known as the *Pass Law*, which makes it an offence for a black worker to walk the streets of any industrial city in South Africa unless he has a passport showing that he is in the service of some white capitalist. Through the tzarist methods of police terrorism, millions of Negro toilers in South Africa are enslaved within their own country.

The following is a brief summary by Tymzo-Shi, the Bantu writer, on the twelve "badges" of slavery which the Negro toilers are compelled to carry about with them:

1. *Identification Pass* (Natal). This has to be carried by all natives in Natal for identification. It is a monthly document for which 2s. is paid per month.
2. *Travelling Pass*. Carried by all male natives wishing to travel; in the case of rail, a native has to produce this pass before a ticket is issued to him. Certain ticket-issuers will demand also poll-tax receipt. Thus the native is often embarrassed and does not know what form of pass is actually required before he may travel.
3. *Six Days' Special Pass* (Permit to Seek Work). When a native arrives in a town to look for work, or leaves service, he is given a six days' "special" to seek work. After the expiration of this period and failure to get a job his "special" is again endorsed for another six days. Should he again fail to obtain employment, he is "ordered" to another area by the police. The authorities do not care how he gets there. All they care about is that he is to go there or suffer arrest or imprisonment. This is one of the cruellest of the pass laws.
4. *Monthly Pass*. This is a contract of service to be carried by all native labourers, for which the

Pass Laws in South Africa

employer has to pay 2s. per month. On this pass are inscribed the workers' names, fathers' names, tribe, chief, place of abode, poll tax—whether paid or not, and scale of wage—whether daily, weekly or monthly.

5. *Daily Labourer's Pass.* This has to be held by all natives who carry on business. They pay 2s. per month, but the absurdity of the document is that while a native who carries on such private business of his own can issue "special passes" to other natives, he cannot supply himself with a "special pass"! If he desires to go to another area, or to be out after 9 P.M., he has to apply to the pass office for his "special." Suppose this man is a painter and is called on Saturday afternoon to do an urgent job, he cannot get away before the pass office opens on the following Monday. By then his job has taken wings! Suppose his wife to be so unfortunate as to give birth to a child after 9 P.M., he cannot leave his home to call the doctor or the nurse. If he does, he will be arrested and convicted, according to law.

6. *Day Special Pass.* Every native who wishes to visit an area other than the one in which he resides has to carry a "special pass" stating how long he will be on such a visit.

7. *Night Special Pass.* A native has to carry this if he wants to be out after 9 P.M. The employer can refuse to grant this pass if he likes—as many do—and the worker has either to go at his own risk or to go to bed.

8. *Trek Pass.* This applies almost entirely to farm labourers when they leave one farm or district for another.

9. *Location Visitors' Permit Pass.* A native who visits any location has to get a permit from the location superintendent. If this official is against revolutionary organisations he refuses the permit should the visitor be an organiser or member of such bodies.

10. *Lodgers' Permit.* Natives are allowed to become residents of municipal locations only if they have paid from 1s. 6d. to 2s. 6d. per month ("lodgers' permit") for themselves and families. All natives over 18 years of age are subject to this tax.

11. *Poll Tax Receipt Pass.* This is procurable on payment of one pound per annum in urban areas and one pound ten shillings in rural areas. The receipt has to be produced on nearly every occasion when the other passes must be shown to the police or other agents of the imperialists.

12. *Exemption Pass.* This is the "Big Boss" of all passes. It is supposed to exempt the bearer from native law and all other passes, but it does not . . . wherever the bearer goes he will still be asked for his pass like the native who has no such "exemption."

Added to these repressive measures there are special laws which provide that every native must work 90 days every year free for a European capitalist.

"Justice" in South Africa can only be compared to "Justice" in the Southern States of the U.S.A. Negroes are not only economically suppressed, but just because of this their political and social status is negligible. There is no law in South Africa which a white man is bound to respect if it applies to the Negro. If a white employer kills one of his Negro slaves all the court asks of him is a fine. But if the situation is the reverse then the Negro is made to pay the "full penalty of the law" with his life. Another method by which Negroes are misused is before the police courts. The magistrate makes it a special point of duty to inflict severe punishment upon the native. For example, just recently a South African magistrate fined a poor native worker *seven pounds ten shillings*, with the alternative of six weeks' hard labour, simply because the man forgot to carry all of the above-described passes with him. In sentencing the Negro the magistrate said: "*You think you are too swanky to carry passes. All these rosettes and fountain pens of yours are just to attract attention. You dress yourselves as though you were earning twenty pounds a month and not two pounds ten shillings. However, I never fail to make men like you remember occasions such as this.*"

EXAMPLE OF HOW PASS LAWS OPERATE

The *Sjambok*, a Johannesburg weekly, reports the following incident: "That the monstrous administration of the Pass laws will in the end drive all law-abiding natives into the criminal ranks was shown last Friday night at Yeoville, when a most respectable native cook was arrested, manacled to another offender and hauled off to the police-station, there to pass the night in a verminous, filthy cell . . . for the crime of being found in the street before his master's house, saying goodnight to a brother who had been spending the evening with him at these premises. This, in the eyes of the law and in the stern view of constable Jacobs, constituted the crime of being out at night without a pass. The prisoner's employers were at the theatre and only one lady remaining in the house certified to the facts above stated. She offered to give bail for the cook, who had been so unfairly taken at her door; but no justice could be satisfied but by the offender being handcuffed and marched a mile to gaol. When he got there with the money to pay

Pass Laws in South Africa

for his release, it was found that the sergeant had gone home; and as in the police force nobody less than a sergeant can apparently be entrusted with the sum of 10s. the cook who went to the gate was locked up until next day when the sergeant came on duty again. What, may we ask, would have happened had an attorney that night been arrested for burglary or a doctor for murder? Would he have joined the cook upon the inhospitable floor of the Yeoville Police Station, or would some means have been found to give him relief?

"This whole scandalous episode throws a vivid light upon the maladministration of the Pass Laws; and, in a flash, permits us to see the system in operation. Natives have long complained bitterly of the way they are treated by the police. Here the whole stupid thing passes before our eyes and an unimpeachable white witness is able to certify to the 'stand back there and shut up you black swine' attitude of Jacobs. As for the 'offender' he is an unusually mild-mannered, silent and well conducted man without a black mark to his name through long years of service in Johannesburg. He was fully vouched for by the lady of the house and at least could have been allowed to walk to the police-station beside the constable. But no, that was not enough. The native on every occasion must presumably be given a taste of prison life and taught to hate law and order, turned into a beast of resentment and fury, like a caged baboon that has been teased by the dogs and children.



*Native policemen in South Africa
Plan by courtesy of "De Groot Amsterdammer"*

"An ex-magistrate who was visiting the house in which the above event took place said: 'I am not surprised. I can tell you of a worse episode that came to my knowledge at Kimberley. A coloured woman was helping her mistress to nurse a very sick member of the family. They watched in turn over the dying patient, long spells of duty that wore both out. Seeing that the coloured woman was nearly at the end of her strength the mistress told her to go outside and get a breath of fresh air in the street. A constable hauled her off to gaol for being without a pass!'

"Iniquities of this kind are simply creating a future load of mischief for the white people, and those responsible for them are not friends of their own race but enemies. The sooner they are curbed the better. Constable Jacobs deserves to be rapped sharply over his thick knuckles."